

**BEFORE THE MISSISSIPPI DEPARTMENT OF EDUCATION  
OFFICE OF SPECIAL EDUCATION**

**██████████ ON BEHALF OF**

**COMPLAINANT**

v.

**Case No. D11152024-19**

**LINCOLN COUNTY SCHOOL DISTRICT**

**RESPONDENT**

**AGREED ORDER FOR IEE AND FOR DISMISSAL**

1. This matter having come before me, the undersigned hearing officer, upon the Joint Motion of the Parties requesting that the Hearing Officer request an Independent Educational Evaluation and for Dismissal, and having reviewed the same, I find as follows:

**PARTIES**

2. The parties to this proceeding are the Parent and the Respondent School District (the District, herein).

**JURISDICTION**

3. The Mississippi Department of Education, and I, the undersigned hearing officer, have jurisdiction over this proceeding pursuant to the Mississippi “State Policies Regarding Children with Disabilities Under ‘The Individuals with Disabilities Education Act Amendments of 2004 (State Policies, herein),’” 7 Miss. Admin. Code Pt. 34, Ch. 74, Rule 74.19, which State Policies were adopted under the authority of Mississippi’s Exceptional Children Law, 37-23-1 through -159, and “The Individuals with Disabilities Education Act (“IDEA”),” Public Law 101476, reauthorized as “The Individuals with Disabilities Education Improvement Act of 2004 (“IDEA”),” Public Law 108-446 and the policies and regulations promulgated pursuant thereto. 20 U.S.C. §§ 1400 et seq., Title 34 of the Code of Federal Regulations, Part 300.

RELIEF REQUESTED

4. The Parties by electronic mail both have requested that I, the undersigned Hearing Officer, request an Independent Educational Evaluation (IEE) of the subject student, and further have advised me that if I grant said joint motion for an IEE that this matter will be resolved.

5. Accordingly, pursuant § 300.502 of the State Policies, I am requesting an Independent Educational Evaluation (IEE) of the subject student pursuant to § 300.502 of the State Policies to be conducted by a qualified professional to be agreed upon by the Parties, with said IEE to be paid for by the Respondent District as provided by said § 300.502.

6. By their signatures below the Parties agree to the foregoing and further agree that upon the execution of this document by the Parties and my signature hereto, this matter will be dismissed without prejudice.

7. It is, therefore, ordered that

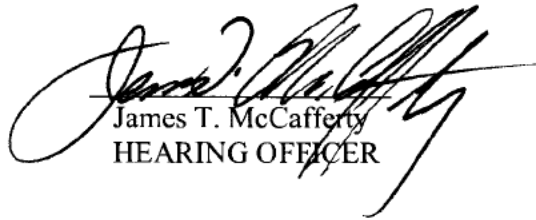
(a) pursuant to § 300.502(d) of the Mississippi “State Policies Regarding Children with Disabilities Under ‘The Individuals with Disabilities Education Act Amendments of 2004,’” I am requesting that the subject student be given an independent educational evaluation at the expense of the Respondent District by an evaluator qualified pursuant to the criteria set forth in the State Policies with said evaluator to be agreed upon by the Parties;

(b) upon the execution of this document by the Parties and my signature hereto, this matter will stand dismissed without prejudice; and that

(c) all events previously scheduled in this matter are cancelled.

8. The original of this order is to be filed with the Administrative Record in this matter maintained in the offices of the Mississippi Department of Education.

9. SO ORDERED, this the <sup>26<sup>th</sup></sup>~~25<sup>th</sup>~~ day of March 2025.

  
James T. McCafferty  
HEARING OFFICER

Agreed:



Date: 3-25-2025



For the Lincoln County School District

Date: 3/25/25