



Special Education: The Initial Referral, Evaluation and Recommendation Process

Intervention Services

Before a school refers a student for special education evaluations, the school must provide **intervention services**. Those services can include things like tutoring, literacy programs, counseling, functional behavior assessments and a behavior intervention plan.

NOTE: If a parent refers a student to be evaluated, the evaluation process can start right away.

Referral

Parents or the school principal can refer a student for special education evaluations. Other people, like teachers, social workers and agencies, can make a request for a referral.

If the **school** makes the referral, they must describe any intervention services they tried first.

If the **parent** makes a referral, they should make it in writing and be sure to get a receipt or keep a copy of the email. A parent must give written informed consent before a student can be evaluated.

Consent (for evaluation)

After a referral, the school social worker should reach out to the parent to explain the process and to get the parent's informed written consent to evaluate a child.

TIP: If you referred your child for an evaluation but you haven't heard back, follow up!

If a parent doesn't consent to evaluations the school should keep providing interventions and can take the parent to a hearing to have the child evaluated (this is rare).

A parent can take back their consent for an evaluation **at any time in the process**.

Evaluation

After a parent consents, a student must be evaluated in all areas of suspected disability. This should include a Social history and a Psycho-educ. (including IQ & academic testing)

If needed, students should receive additional evaluations including:

- Speech and language
- Occupation therapy
- Physical therapy
- Psychiatric
- Neuro-psychological
- Auditory processing
- Assistive technology



25 calendar days
from Referral to
Consent

***30 calendar days
and no consent? Case
is closed or the DOE
can file to compel an
evaluation, although
this is rare.*



25 calendar days
from Consent to
Evaluation

Evaluation (continued)

Parents can also give the DOE private evaluations to consider.

If the DOE fails to provide an evaluation, or the parent disagrees with an evaluation and asks for an independent evaluation, the DOE may provide a voucher (“Assessment Authorization”) for an Independent Educational Evaluation (“IEE”).

IEP Meeting

Once the evaluations are complete the parent will meet with a team to review the evaluations and develop an Individualized Education Program (IEP) for the student. The team usually includes:

- The parent
- The student if over 14 or requested
- Special education teacher or service provider
- General education teacher
- District representative (this can be another team member, usually the psychologist or the teacher)
- School psychologist

NOTE: The parent should be given a copy of the IEP after the meeting and can ask that things be corrected or changed on the IEP.



60 school days from initial Consent to arrangement of Placement & Services.

Placement Recommendation

The DOE must offer an appropriate placement that can provide the program on the IEP **within 60 school days** or by the start of the school year for recommendations that will start in the next school year).

If a parent disagrees with the placement, they should explain why in writing and ask for a new placement.

If a small class placement isn't offered within the timelines the student may qualify for a P1 letter. Learn more in [AFC's Guide to Special Education](#).



60 school days from re-referral to arrangement of Placement & Services.

Services

Related services must be arranged within 60 school days or by the start of the school year. If they are not, and the DOE is unable to find a contract agency to provide the services within the first couple weeks of school, a student should receive vouchers (RSAs for related services and P3s for SETSS) so that they can try to find a private provider. If a parent can't find a provider they should let the DOE know and the DOE should keep looking for a provider.

Consent (to placement)

For an initial placement, the parent must consent to the program. If a parent does not want to consent, the DOE can close the case.

If a parent wants special education services but doesn't agree with the program or the placement offered, they can ask the DOE for a new IEP or a new placement. Parents also have a right to file for a due process hearing.

TIP: Parents can withdraw a child from special education at any time.
