

Special Education Referral for Initial Evaluation Quick Guide





What Are Procedures for a Referral for an Initial Evaluation Request?



The local education agency (LEA) must develop procedures for receiving referrals for an initial evaluation to determine if a student has a disability. Procedures are **clearly written descriptions of the LEA's processes** for receiving initial referrals from a parent, legal guardian, school staff member, or anyone involved in the care or education of the child. Procedures explain **whom to contact** when making a referral, the **staff responsible** for each step, **data to be reviewed**, **considerations** for decision-making, the **timeline** for response, and the **possible outcomes** of the referral.

What is required?

All children who are suspected of having a special education disability condition AND needing special education and related services as a result of that disability must be referred for a special education evaluation.

	The LEA is required to annually distribute the Right to Information statement informing parents of their right to request a special education evaluation at any time . The LEA may include the statement in the student handbook or may disseminate the statement through a letter or newsletter to each parent.
	The LEA must ensure evaluations of children suspected of having a disability are not delayed due to participating in Multi-Tiered Systems of Support (MTSS) or Response to Intervention (RtI). The campus can continue or initiate interventions throughout the evaluation process.
	If a parent submits a written request for a full and individual initial evaluation (FIIE) to the LEA's director of special education or to a district administrative employee, the LEA must respond to the written request not later than 15 school days from the date the request is received by providing the parent with prior written notice (PWN) , a copy of the Notice of Procedural Safeguards , and the opportunity to give written consent for the evaluation. Or the LEA must provide the parent with PWN refusing the evaluation and a copy of the <i>Notice of Procedural Safeguards</i> .
	If a parent verbally requests an FIIE, the response is the same as when requested in writing but does not have to occur within the 15 school day timeline.



Special Education Referral for Initial Evaluation Quick Guide

Considerations for Operating Procedures

Review your LEA's special education operating procedures that address Child Find and Initial Referrals for Special Education. The LEA's operating procedures should address the following.



- Safeguards to ensure students are referred regardless of participation in MTSS/RtI
- Procedures for how to initiate a referral for special education services and the steps taken when a referral is made
- Procedure for informing parents and guardians about how to request an initial referral for special education services
- Decision-making process for proposing or refusing to evaluate a student for special education services (consider using the [Student Data Review Guide](#))
- How school personnel are trained no less than annually on the special education referral process
- How outside evaluations are considered as part of the referral process
- Process for scheduling evaluations for students placed in private or home school settings
- Procedures to follow for special education evaluation referrals for children ages 3-4 years

 Legal Resources	 State Resources
<p>The Legal Framework: Child Find Duty</p> <p>The Legal Framework: Referral for Possible Special Education Services</p>	<p>TEA Guidance</p> <ul style="list-style-type: none">• Technical Assistance: Child Find and Evaluation• Special Education Operating Procedures 2020 Webinar• MTSS Questions and Answers