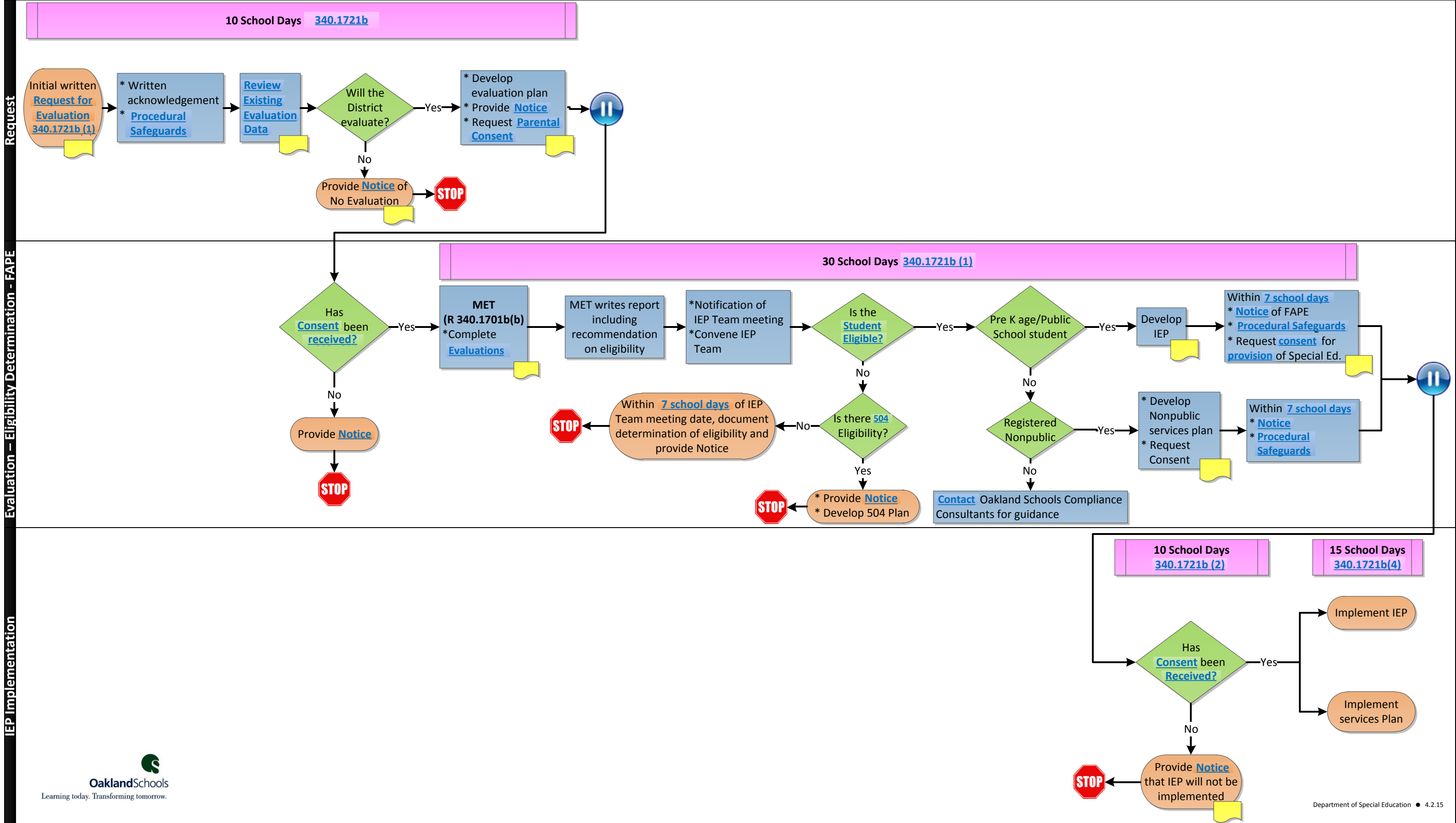


The Initial Evaluation of Eligibility for Special Education

Purpose: To distinguish relevant policy and decision points that must be applied when initially evaluating a student's eligibility for Special Education.

Key	
	= Click to play
	= Go to the next chart
	= Checklist of key activities
	= Document



R 340.1721b

- (1) Within 10 school days of receipt of a written request for any evaluation, the public agency shall provide the parent with written notice consistent with 34 CFR § 300.503 and shall request written parental consent to evaluate. The time from receipt of parental consent for an evaluation to the notice of an offer of a free appropriate public education or the determination of ineligibility shall not be more than 30 school days. This time line begins upon receipt of the signed parental consent by the public agency requesting the consent. This time line may be extended if agreed to by the parent and public agency. Any extension to this time line shall be both of the following:
 - (a) In writing.
 - (b) Measured in school days.
- (2) The parent has 10 school days after receipt of the notice of an initial offer of a free appropriate public education to provide the public agency with written parental consent to provide initial special education programs and services.
- (3) Within 7 school days from the date of the individualized education program team meeting, the public agency shall provide the parent with the notice of an offer of a free appropriate public education or determination of ineligibility. The public agency shall document mode and date of delivery. The notice shall identify where the programs and services are to be provided and when the individualized education program begins.
- (4) Unless a parent has filed an appeal under R 340.1724f, the public agency, as defined under 34 CFR § 300.33, shall initiate a proposed special education individualized education program as soon as possible and not more than 15 school days after the parent's receipt of written notification under R 340.1721b(3), or not more than 15 school days after receipt of written parental consent under R 340.1721b(2). The parties may agree to a later initiation date if the later date is clearly identified in the individualized education program. An initiation date later than 15 school days shall not be used to deny or delay programs or services because they are unavailable and shall not be used for purposes of administrative convenience.
- (5) For students with an individualized education program in effect at a previous public agency who transfer public agencies within the same school year, the new public agency shall immediately provide a free appropriate public education. A decision regarding implementation of an individualized education program in accordance with 34 CFR § 300.323 shall be made within 30 school days of enrollment.



(Returns to main flowchart)

R 340.1721b (1)

- (1) Within 10 school days of receipt of a written request for any evaluation, the public agency shall provide the parent with written notice consistent with 34 CFR § 300.503 and shall request written parental consent to evaluate.



(Returns to main flowchart)

R 340.1721b Time lines.

Rule 21b.

- (1) Within 10 school days of receipt of a written request for any evaluation, the public agency shall provide the parent with written notice consistent with 34 CFR § 300.503 and shall request written parental consent to evaluate.



(Returns to main flowchart)

For additional resources, link to the following.

Evaluation Procedures: [Click here](#)

Additional Requirements for Evaluations and Revaluations: [Click here](#)

Evaluation Forms: [Click here](#)

Technical Assistance for IEE: [Click here](#)

Eligibility Determination for a Specific Learning Disability: [Click here](#)

Eligibility Determination for Speech and Language Impairment: [Click here](#)

SSW: [Click here](#)

School Psychologists: [Click here](#)

Speech & Language: [Click here](#)



(Returns to main flowchart)

What Everyone Needs to Know About... Review of Existing Evaluation Data: [Click here](#)

Specific Learning Disability – FAQ Supplement #1: REED Use and Documentation: [Click here](#)

Oakland Schools Guidance: Review of Existing Evaluation Data: [click here](#)



(Returns to main flowchart)

R 340.1721b (1)

The time from receipt of parental consent for an evaluation to the notice of an offer of a free appropriate public education or the determination of ineligibility shall not be more than 30 school days. This time line begins upon receipt of the signed parental consent by the public agency requesting the consent. This time line may be extended if agreed to by the parent and public agency. Any extension to this time line shall be both of the following:

- (a) In writing.
- (b) Measured in school days.



(Returns to main flowchart)

What Everyone Needs to Know About... Notice: [Click here](#)

What Everyone Needs to Know About... Parental Consent: [Click here](#)

Oakland Schools Guidance: Developing an Evaluation Plan: [click here](#)



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R 340.1721b (2)

The parent has 10 school days after receipt of the notice of an initial offer of a free appropriate public education to provide the public agency with written parental consent to provide initial special education programs and services.



(Returns to main flowchart)

Contact

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What Everyone Needs to Know About... Notice: [Click here](#)

What Everyone Needs to Know About... Parental Consent: [Click here](#)



(Returns to main flowchart)

R 340.1721b Time lines.

Rule 21b.

(4) Unless a parent has filed an appeal under R 340.1724f, the public agency, as defined under 34 CFR § 300.33, shall initiate a proposed special education individualized education program as soon as possible and not more than 15 school days after the parent's receipt of written notification under R 340.1721b(3), or not more than 15 school days after receipt of written parental consent under R 340.1721b(2). The parties may agree to a later initiation date if the later date is clearly identified in the individualized education program. An initiation date later than 15 school days shall not be used to deny or delay programs or services because they are unavailable and shall not be used for purposes of administrative convenience.



(Returns to main flowchart)

R 340.1721b(3) Time lines.

(3) Within 7 school days from the date of the individualized education program team meeting, the public agency shall provide the parent with the notice of an offer of a free appropriate public education or determination of ineligibility. The public agency shall document mode and date of delivery. The notice shall identify where the programs and services are to be provided and when the individualized education program begins.



(Returns to main flowchart)