

# Special Education Referral for Initial Evaluation Quick Guide

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



The local educational 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, the **data to be reviewed**, **considerations** for decision-making, the **timeline** for response, and the **possible outcomes** of the referral.

The term "parent(s)" will be used throughout this quick guide but is aligned to [34 CFR, §300.30](#).

## What is required?

All children 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 annually to distribute the <a href="#">Right to Information statement</a> informing <b>parents of their right to request a special education evaluation at any time</b> . 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 <b>must ensure evaluations</b> of children suspected of having a disability are <b>not delayed</b> due to participating in a Multi-Tiered System of Supports (MTSS) or Response to Intervention (RtI). The campus must continue interventions throughout the evaluation process. The campus may initiate interventions during the evaluation process.
	If a parent submits a <b>written request</b> for a full and individual initial evaluation (FIIE) to the LEA's director of special education or a district administrative employee, such as a campus principal, the <b>LEA must respond to the written request not later than 15 school days from the date the request is received</b> by providing the parent with <a href="#">prior written notice (PWN)</a> , a copy of the <a href="#">Notice of Procedural Safeguards</a> , and the opportunity to give written consent for the evaluation <b>or</b> the LEA must provide the parent with PWN refusing the evaluation and a copy of the <i>Notice of Procedural Safeguards</i> .
	Provide the parent or adult student with the <a href="#">Overview of Special Education for Parents</a> , developed by the TEA, explaining the rights under IDEA that may be additional to those under Section 504.
	If a parent <b>verbally requests</b> an FIIE, the response is the same as when requested in writing but is not required to occur within the 15-school-day timeline. LEAs are encouraged to follow the same timeline as a best practice.



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## 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.

 <b>Legal Resources</b>	 <b>State Resources</b>
<p><a href="#">CHILD FIND DUTY   Legal Framework</a></p> <p><a href="#">REFERRAL FOR POSSIBLE SPECIAL EDUCATION SERVICES   Legal Framework</a></p> <p><a href="#">AGES 0-5   Legal Framework</a></p>	<p><a href="#">Technical Assistance: Child Find and Evaluation   Texas SPED Support</a></p> <p><a href="#">MTSS   Texas SPED Support</a></p> <p><a href="#">Special Education Initial Referral Timeline   Texas SPED Support</a></p> <p><a href="#">Special Education Referral for Initial Evaluation Process-Guidance for Establishing Local Education Agency Procedures   Texas SPED Support</a></p> <p><a href="#">Prior Written Notice-Legal Requirements and Best Practices   Texas SPED Support</a></p>