



IDEA Special Education Process

Child Find

- A district must ensure that all students with disabilities who are in need of special education and related services are identified, located and evaluated.

(Bolded blue text in this document is hyperlinked. To view the link, place your cursor on the text, right-click and select Open Link.)

Request for Comprehensive Evaluation

- A district or a parent may request an initial evaluation to determine if a child has a disability and needs special education and related services.
- Upon an Initial Request for Evaluation, parents must be given a copy of the **IDEA Special Education Part B Procedural Safeguards Notice**.
- If parents request an evaluation and the district does not suspect the child has a disability and denies the request for an evaluation, the school district must provide a written statement (Prior Written Notice) of how they determined an evaluation was not necessary. If parents disagree, they may request a due process hearing or file a state complaint to challenge the IDEA refusal.

Evaluation Plan

- The district must provide an **Evaluation Plan** form to the parents notifying them of the assessments it intends to conduct and obtaining the parent's written informed consent for those assessments.
- Parents may refuse to consent on the Evaluation Plan if they do not want their child to be evaluated.

Assessment

- The district must evaluate a child in all areas of suspected disability and complete all areas of assessment within 60-calendar days from the day they received written permission on the Evaluation Plan.
- If a child has been diagnosed with a disability, parents may provide documentation to the school for the evaluation team to consider during the evaluation process.
- Parent input is vital. Parents know their child better than anyone else!

Evaluation Team Meeting

- An evaluation team meeting is held to review assessment results and determine the child's eligibility for special education services. See an **Evaluation Report** form.
- If the team, which includes parents, determines a child meets the criteria for a disability and needs special education services, an Individualized Education Program (IEP) is developed. If a child doesn't meet the disability criteria and/or doesn't need specialized instruction, the child is not eligible for special education and related services.
- If parents disagree with the evaluation report they may submit a dissenting report presenting their conclusions. Parents may also request an Independent Educational Evaluation (IEE) at the district's expense or challenge the eligibility determination by filing an IDEA state complaint or requesting an IDEA due process hearing.

IEP Team Members & Roles

- Parents share information about a child's interests, abilities and challenges.
- When appropriate, the student shares their interests, goals, strengths and needs.
- A general education teacher shares the child's strengths and needs, including any behavioral concerns, related to the general education program.
- A special education teacher/specialist leads the IEP team, oversees implementation of the IEP, provides specialized instruction and supports, and monitors the child's progress toward their goals.

IEP Team Members & Roles continued

- A district representative supervises the provision of specialized instruction, is knowledgeable about the general curriculum, and can allocate district resources for the child's individualized program.
- An individual who can interpret the instructional implications of evaluation results.
- At the discretion of the parents or district, someone with knowledge or special expertise regarding the child, including related services providers as appropriate.

IEP

- An IEP for a child with a disability is developed by the child's IEP team. An IEP sets out the special education and related services a child needs in order to receive a free appropriate public education. See an **IEP form**.
- Transition services must be included in the IEP that will be in effect when the student turns 16, or earlier if the IEP team deems it appropriate, and must be updated annually.
- At least one year prior to the student turning 18, the district must inform the parents and student of the transfer of rights that will occur when the student turns 18 years old.

IEP Approval

- All members of the team sign the IEP to indicate participation in the development of the student's individualized program.
- Written parental consent is required before the school can implement the IEP. If a parent disagrees with part of the proposed IEP, they can sign with exceptions to allow implementation of the parts with which they agree. The district must continue to meet with the parent to attempt to resolve the areas of disagreement.
- If an agreement cannot be reached, both informal and formal options are available through the **Dispute Resolution Office for Special Education** at 406-444-2046.

IEP Review

- Parents must periodically receive written progress reports on their child's measurable annual goals.
- An IEP review is required annually to develop a new IEP, but IEPs can be amended prior to the annual review, if changes are needed.
- Parents can request an IEP meeting to discuss their concerns about the child or their services at any time.

Reevaluation

- Districts must ensure a reevaluation is conducted if the district determines that the educational or related services needs, including improved academic achievement or functional performance warrant a reevaluation, or if the parent or teacher request a reevaluation.
- Reevaluations must occur at least once every three years and not more than once annually; unless the parents and district agree otherwise.
- Districts must obtain informed parental consent prior to conducting a reevaluation.
- Districts may review existing data as part of an evaluation or reevaluation without parental consent.

Prior Written Notice (PWN)

- PWN is the district's written notice to parents and must be provided anytime the district proposes or refuses to initiate or change the identification, evaluation, educational placement or the provision of FAPE.
- If parents disagree with the district's PWN, they may attempt to resolve their concerns with the district. If an agreement cannot be reached, both informal and formal options are available through the Dispute Resolution Office for Special Education.



Revocation of Consent

- Parents may revoke consent for their child to receive special education services at any time. The district must then provide Prior Written Notice that the child will no longer receive special education and related services and will not have IDEA protections as of a specified date.
- If parents subsequently request to resume services, the child will need to undergo another evaluation to determine their eligibility for special education and related services.
- See a **Revocation of Consent for Services** form.