



Guidance

Guidance for Timeline for Initial Evaluations

Michigan Department of Education Office of Special Education
April 2021

Child Find

Districts must have in effect policies and procedures to ensure that all children with disabilities are identified, located, and evaluated.

Timeline: Ongoing

Child find is an ongoing federal mandate.

Rules/Regulations

- 34 CFR § 300.111

Request for Initial Evaluation

Either a parent of a child or a public agency may request an initial evaluation when a student is suspected of having a disability. Requests for an initial evaluation are submitted to district personnel.

Timeline: Anytime

A request can happen at any time.

Rules/Regulations

- R 340.1721
- 34 CFR § 300.301

Notice and Request for Consent to Evaluate

When a request for an initial evaluation is received, the district must provide notice in accordance with 34 CFR § 300.503. If the district proposes to conduct an evaluation, the district must then request parental consent to evaluate the student.

When the child is a ward of the state and is not residing with the child's parent, the public agency is not required to obtain informed consent from the parent for an initial evaluation when certain conditions are met. The public agency would be required to identify and locate a surrogate parent for the student.

Timeline: Within 10 school days

Counted from the date the district receives the request.

Rules/Regulations

- R 340.1721
- R 340.1721b(1)
- R 340.1725f
- 34 CFR § 300.300
- 34 CFR § 300.503

Evaluation and Individualized Education Program (IEP)

Evaluation

A Multidisciplinary Evaluation Team (MET) conducts the initial evaluation and makes a recommendation to the IEP Team regarding eligibility.

Individualized Education Program

Within 30 school days, the IEP Team is convened to determine initial eligibility or ineligibility and provide an initial offer of a free appropriate public education (FAPE). When determined eligible, the IEP Team develops the student's IEP. The IEP is completed when the district provides notice of an initial offer of a FAPE to the student's parent or the district provides notice of ineligibility. Notice must be provided within seven days of the IEP Team meeting and in no case more than 30 school days from the date parental consent was received.

Timeline: Within 30 school days*

The 30-school day timeline is counted from the date the district receives the parental consent to evaluate to the initial offer of a FAPE. Proposed evaluations are completed within the 30-school day timeline.

School day means any day children are in school for instructional purposes. School days do not include snow days, teacher workdays, or other non-instructional days.

*When the parent and the district agree, the timeline for the initial evaluation and IEP may be extended beyond 30 school days. The extension must be agreed to in writing, measured in school days, and agreed to on or before the initial IEP due date.

Evaluation Rules/Regulations

- R 340.1702
- R 340.1705-1717
- R 340.1721a
- R 340.1721b(1)
- 34 CFR § 300.11
- 34 CFR § 300.301
- 34 CFR § 300.304
- 34 CFR § 300.305

IEP Rules/Regulations

- R 340.1721b(1)
- R 340.1721e
- 34 CFR § 300.17
- 34 CFR § 300.22
- 34 CFR § 300.23
- 34 CFR § 300.101
- 34 CFR § 300.306
- 34 CFR §§ 300.320-324

Parental Consent for Provision of Programs and Services

Parental consent is required before special education programs and services are provided to a student for the first time.

Timeline: Within 10 school days

Counted from the date the district provides the notice of an initial offer of a FAPE.

Rules/Regulation

- R 340.1721b(2)
- 34 CFR § 300.300(b)

IEP Implementation

The district implements the student's IEP.

Timeline: Within 15 school days*

Counted from the date of the district's notice of an offer of a FAPE.

*When the parent and district agree, the timeline for implementing the IEP can be extended. This date must be clearly identified in the IEP.

Rules/Regulations

- R 340.1721b(4)
- R 340.1722(3)