

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, 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 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 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 Notice of Procedural Safeguards.



Provide the parent or adult student with the [Overview of Special Education for Parents](#), developed by TEA, explaining the rights under IDEA that may be additional to those under Section 504.



If a parent **verbally requests** an FIIE, the response is the same as when requested in writing but is not required to occur within the 15-school-day timeline.

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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.

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> <p>Technical Assistance: Child Find and Evaluation</p> <p>Special Education Operating Procedures – March 2022</p> <p>MTSS Questions and Answers</p>