

# The 10 minute IEP Timeline

Understanding the your rights, the law, and regulations concerning the IEP timeline in Massachusetts

# Referral

“A student may be referred for an evaluation by a parent or any person in a caregiving or professional position concerned with the student’s development.”

603 CMR 28.04(1)

Note: Typically a child from age 2 ½ (so services can start at age 3) to 18 can be referred.

# Response to Referral

“... the school district shall send written notice to the student’s parent(s) **within five school days** of receipt of the referral ...

*“... and shall seek the consent of a parent for the evaluation to occur ...”*

603 CMR 28.04(a),(b)

# Consent and ... **START**

“Upon consent of a parent, the school district shall provide or arrange for the evaluation of the student by a multidisciplinary team **within 30 school days.**”

603 CMR 28.04(2)

*The school **receiving signed consent starts the timeline.**  
This is a vital day to document.*

# Meeting Notification

“Notifying parents of the meeting **early enough** to ensure that they will have an opportunity to **attend**” 34 CFR 300.322(a)(1)

“Scheduling the meeting at a **mutually agreed on time and place.**” 34 CFR 300.322(a)(2)

“Indicate the purpose, time, and location of the meeting and **who will be in attendance**”  
34 CFR 300.322(b)(1)(i)

# Meeting Notification (continued)

Clarification:

Meeting notice will state “when, where, why, and who” concerning the Team meeting.

There cannot be surprise agenda items (change of purpose) and **there cannot be surprise district attendees.**

# Assessment Summaries

“Summaries of assessments ... *upon request*, shall be made available to the parents **at least two days** in advance of the Team discussion ...”

“ ... summarize in writing the procedures employed, the results, and the diagnostic impression, and shall define in detail and in educationally relevant and common terms, the student’s needs, *offering explicit means of meeting them.*”

603 CMR 28.04(2)(c)

# The IEP Team Meeting

Discuss eligibility and, if eligible, a discussion of placement and, potentially, transition.

If not eligible, “Team chairperson shall record the reason for such finding, list the meeting participants, and provide written notice to the parent of their rights in accordance with federal requirements **within ten days** of the Team meeting.” 603 CMR 28.05(2)(a)(2) (skip to end of presentation ...)



# If eligible ...

At the end of the IEP meeting, the district *may* give the parent a summary. At a minimum, this summary “must include:

- a **completed IEP service delivery grid** describing the types and amounts of special education and/or related services proposed by the district, and
- a **statement of the major goal areas** associated with these services.”

*DESE Memorandum on the Implementation of 603 CMR 28.05(7): Parent response to proposed IEP and proposed placement*

# From meeting to proposed IEP

The district has ...

- “no more than **two calendar weeks**” if the parents receive the summary
- **3-5 calendar days** if there is *no* summary

to deliver *two copies* of the proposed IEP to the parents after the IEP Team meeting.

*Parent may request a complete IEP within 3-5 calendar days, even with a summary.*

*DESE Memorandum on the Implementation of 603 CMR 28.05(7): Parent response to proposed IEP and proposed placement*

# 45 school days start to finish

“Within **45 school working days after receipt of a parent’s written consent** ... the school district **shall**: provide an evaluation; convene a Team meeting to review the evaluation data, determine whether the student requires special education and, if required, develop an IEP in accordance with state and federal laws; and **provide the parents with *two copies of the proposed IEP*** and proposed placement ...”

603 CMR 28.05(1), 603 CMR 28.05(7)

# Parent Response

“No later than **30 days** after receipt of the proposed IEP and proposed placement, the parents shall:

- Accept or reject the IEP in whole or in part; request a meeting to discuss the rejected portions of the IEP or the overall adequacy of the IEP; or if mutually agreed upon, accept an amended proposal; and
- accept or reject the proposed placement.”

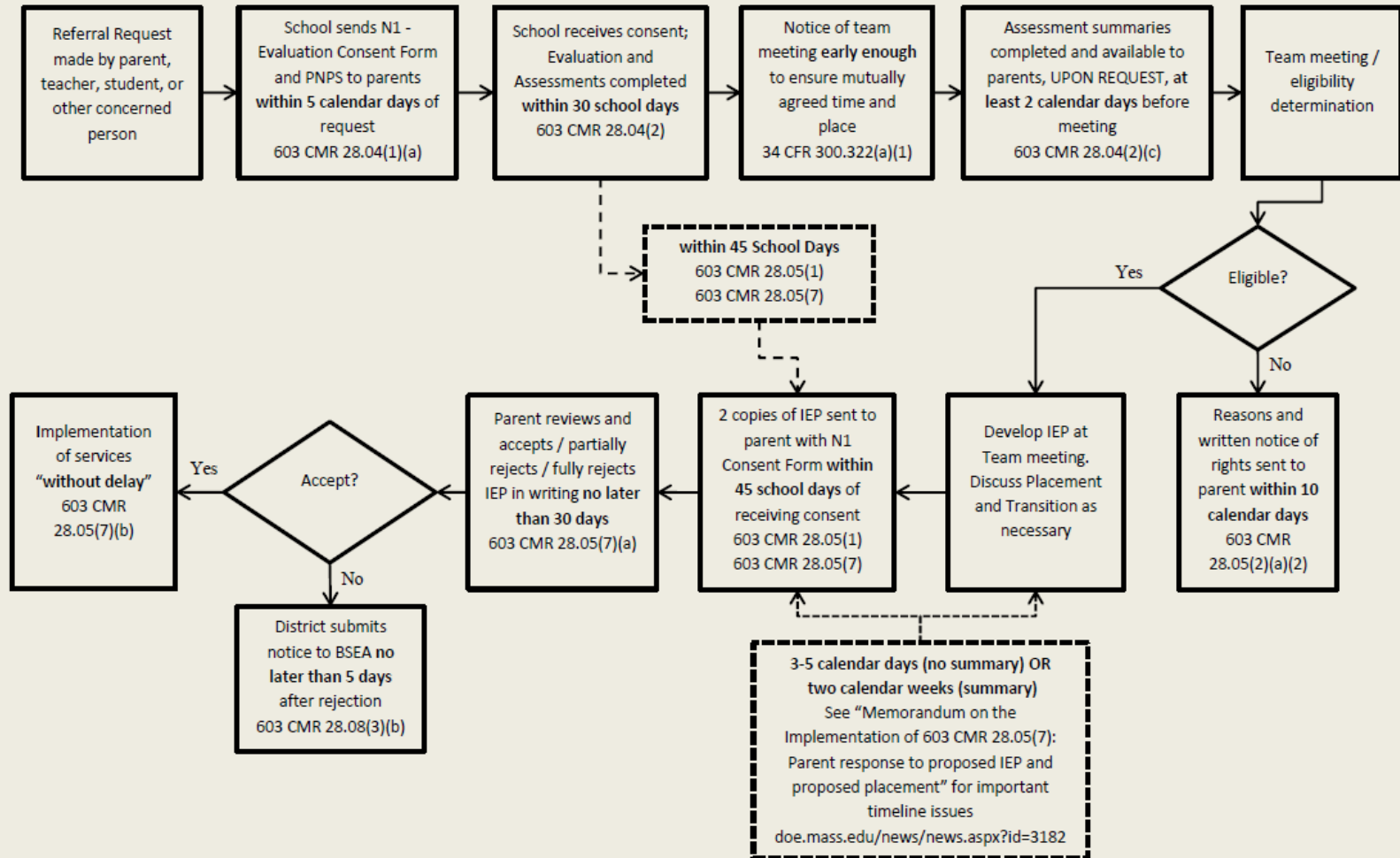
603 CMR 28.05(7)(a)

# Implementation

“Upon parental response to the proposed IEP and proposed placement, the school district shall implement all accepted elements of the IEP **without delay.**”

603 CMR 28.05(7)(b)

# Timeline as a flowchart



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- Initial Evaluations
- IEPs and 504 Plans
- Meeting preparation and participation
- Review / explain documents
- Draft letters, requests, documentation, and complaints to school, district, or the State
- Teaching and advising parents and districts

### BULLYING

- General Ed and Special Ed students
- We will stop the bullying and protect your child
- Meetings, safety plans, complaints as needed

### MEDICAL AND OTHER ADVOCACY

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