

Special Education Timelines: From Referral to Eligibility Meeting

HB 2673

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Section 4: ORS 343.146 is amended to read:

(5) An initial evaluation or reevaluation must be completed within 60 calendar days after the date the school district receives written request from the parent for evaluation or re-evaluation unless the State Board of Education grants an extension of the timeline for good cause.

IDEA Timeline

34 CFR 300.301 Initial Evaluation

(c) Procedures for initial evaluation. The initial evaluation –

- (1) (i) Must be conducted within 60 days of receiving parental consent for the evaluation; or
- (ii) If the State establishes a timeframe within which the evaluation must be conducted, within that timeframe

Current Timeline in Oregon

581-015-2110

General Evaluation and Reevaluation Procedures

(for children aged 3 through 21)

(5) Evaluation timelines:

(a) Initial. An initial evaluation must be completed within 60 school days from written parent consent to the date of the meeting to consider eligibility.

Current Timeline in Oregon

581-015-2220

When IEPs Must Be In Effect

(for children aged 3 through 21)

(2) Initial IEPs:

(a) A school district must conduct a meeting to develop an initial IEP within 30 calendar days of a determination that the child needs special education.

Initial Evaluation Timelines across the US

Total State Counts by Unit of Time	
Unit of Time	# of States
Business Days	2
School Days	18
Calendar Days	31

Comparison of States using “School Days” as Unit

Days	# of States
60	Six (includes OR)
45	Four
40	Three
35	One
25	Three

- Forty-four states and DC are able to complete the initial evaluation in timelines shorter than Oregon’s



Initial Evaluation Timeline Compliance in Oregon

Special Education Child Find

Year	a. Number of children for whom parental consent to evaluate was received	b. Number of children whose evaluations were completed within 60 school days	Number of included in 'a' but not in 'b'
2013	17,652	17,420 (98.7%)	232 (1.3%)
2012	17,631	17,355 (98.4%)	276 (1.6%)
2011	17,417	17,178 (98.6%)	239 (1.4%)
2010	17,386	16,924 (97.3%)	462 (2.7%)

Source: Special Education Child Find

Initial Evaluation Timeline Compliance in Oregon

Number and percentage of evaluations exceeding 60 school days by reason

Reason for exceeding 60 school days	Number of evaluations			
	FFY 2010	FFY 2011	FFY 2012	FFY 2013
Parent/Guardian did not attend eligibility meeting within 60 school days	51 (11.0%)	29 (12.1%)	22 (8.0%)	10 (4.3%)
Initial testing indicated need for additional testing not identified through initial evaluation planning	30 (6.5%)	19 (8.0%)	14 (5.1%)	10 (4.3%)
Delay by doctor/medical personnel	12 (2.6%)	7 (2.9%)	5 (1.8%)	5 (2.2%)
Delay by district/program evaluation staff	369 (79.9%)	184 (77.0%)	235 (85.1%)	207 (89.2%)

Source: Special Education Child Find

Initial Evaluation Timeline Compliance in Oregon

Range of days exceeding 60 school days

Year	1 – 10 days over	11 – 20 days over	21 – 30 days over	31 – 210 days over	1 – 210 days over
2013	125 (53.9%)	44 (18.9%)	25 (10.8%)	38 (16.4%)	232 (100%)
2012	168 (60.9%)	61 (22.1%)	22 (8.0%)	25 (09.1%)	276 (100%)
2011	131 (54.8%)	52 (21.8%)	24 (10.0%)	32 (13.4%)	239 (100%)
2010	235 (50.9%)	103 (22.3%)	58 (12.6%)	66 (14.3%)	462 (100.0%)*

Source: Special Education Child Find

*Note: Cumulative percent is greater than 100.0% due to rounding.

Compare to Early Intervention Evaluation On-Time Rates

YEAR	Percent of EI Evaluations and Initial IFSP meetings completed within 45 days
2012-2013	99.7% (4,120 / 4132)
2011-2012	99.6% (3,664 / 3,678)
2010-2011	99.8% (3,483 / 3,489)

- Note, the timeline for Early Intervention (infants and toddlers) is 45 calendar days.

District Concerns

It is difficult to complete initial evaluations in 60 School Days, because

1. Medical Statements
2. Parents or student unavailable
3. Understaffed evaluation teams
4. No infrastructure for summer evaluations

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