

An Overview: Article 7 and the IEP Timeline



Day 1	The public agency (school) receives a request (preferably written) from the parent requesting a comprehensive educational evaluation for their child, and parent gives consent for this evaluation. See 511 IAC 7-40-4 (d)
Day 2-10	The public agency has up to 10 instructional days to provide the parent with written notice regarding the request for their child’s educational evaluation. The notice will either propose to do the evaluation with a description of the evaluation procedure, or refuse the request with an explanation of the parent’s rights to contest the refusal. See 511 IAC 7-40-4 (d & e)
Day 45	<ul style="list-style-type: none"> • If the parent requests a copy of the educational evaluation prior to the CCC meeting in the initial evaluation request letter, the school must provide a copy of the evaluation to the parent not less than five (5) instructional days prior to the initial CCC meeting. See 511 IAC 7-40-5 (h) • The parent can also request that the public agency explain the educational evaluation results to the parent prior to the CCC meeting. See 511 IAC 7-40-5 (i) • The parent should receive “adequate notice” regarding the date, time, and place of the CCC meeting. See 511 IAC7-32-4 A CCC meeting must be scheduled at a mutually agreed upon time and place. See 511 IAC7-42-2
50 days later	Within 50 instructional days of receiving parental consent, the school district must evaluate the student and hold the first CCC meeting to discuss evaluation results to determine whether the child is eligible for special education and related services. See 511 IAC 7-40-5 (d)
Day of the CCC meeting	<ul style="list-style-type: none"> • The CCC meets to develop an individual educational program (IEP) designed to meet the students’ unique needs. Including Present Levels of Academic and Functional Performance, annual goals, special education and related services, accommodations, state and district test participation, transition services (14 years of age and older), progress achieved, and projected dates of services See 511 IAC 7-42-6 • Parents must provide consent in writing to initial IEP.
Up to 10 days after the CCC	<ul style="list-style-type: none"> • Any member of the CCC can submit a written opinion regarding the IEP that will remain in the student’s educational record. See 511 IAC 7-42-6 (j)
11 days after the IEP meeting or sooner	The proposed IEP will be implemented as written if parent has provided consent. See 511 IAC7-42-8 (b)
1 year after IEP	Annual Case Review - A review of the IEP occurs at least once a year with a CCC meeting. However, parents can request a CCC meeting to revise the IEP at any time. See 511 IAC 7-42-9 (a)
Up to 10 days after the CCC	<ul style="list-style-type: none"> • Any member of the CCC can submit a written opinion regarding the IEP that will remain in the student’s educational record. See 511 IAC 7-42-6 (j) • In order to preserve the previous IEP or take advantage of “stay put,” a parent has 10 days after the IEP meeting to decide if they agree or do not agree to the IEP. See 511 IAC 7-42-8 (2)

	<ul style="list-style-type: none"> Disagreement should be submitted <u>in writing</u> to the school no later than 10 instructional days after meeting either requesting another meeting or requesting formal dispute resolution.
3 year educational reevaluation	The public agency has to consider reevaluation for each student with an IEP at least every three years unless both the parent and public agency agree it is not necessary. However, a parent or public agency can request an evaluation any time during the three year period if additional information is needed to address special education and related services. See 511 IAC 7-40-8 for more information.
Modification of IEP	Changes can be made by the CCC at a scheduled CCC meeting. Changes can also be made without a CCC meeting if the parent and public agency agree to collaboratively develop a written document to amend or modify the current IEP. See 511IAC 7-42-9 (e –g) for more information.
Independent evaluation	If the parent disagrees with the evaluation conducted by the public agency, the parent can request the public agency pay for an Independent educational evaluation (IEE). The public agency has the right to approve or deny the request for an IEE within ten business days of a parent's request. See 511 IAC 7-40-7 for more information.
Dispute Resolution	Special education law provides protections for parents and students to insure that they have input as members of the CCC. Parents have options for formal dispute resolution during all stages of the special education process. A complaint can be filed for a procedural violation. See 511 IAC 7-45-1. Mediation can be requested when the parent and school cannot reach consensus. See 511 IAC 7-45-2. A Due Process Hearing can be initiated by the parent or the school in some situations. See 511 IAC 7-45-2.

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The following information is provided for guidance purposes, and does not constitute legal advice. It is intended to provide a general background of the special education process. If you are seeking answers to legal questions, please be sure to consult with a competent attorney prior to taking any legal action.