

Policy and Guidance Publication

RI SPECIAL EDUCATION TIMELINES

Updated 2014

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General

School Days

10 school days	<u>IEP Meeting—Parent Participation in</u> LEA must provide parent with 10 school days prior notice of an IEP meeting—parent may waive 10 school day notice.	300.322
10 school days	<u>Prior Written Notice (PWN)</u> LEA must provide 10 school days prior written notice (PWN) every time the LEA proposes to initiate or change or refuses to initiate or change the identification, evaluation, or educational placement or the provision of a free appropriate public education to the child.	300.503
10 school days	<u>Preschool 30 Month Transition Meeting</u> LEA must respond within 10 school days to the EI transition notice and send a representative to the 30 month transition team meeting.	300.124(c)

Calendar Days

10 calendar days <i>after</i> receipt	<u>Access Rights to Records</u> LEA must permit parents to inspect and review educational records collected, maintained, or used by the district no more than 10 calendar days <u>after</u> receipt of request.	300.613
15 calendar days	<u>Independent Evaluation Request—LEA notice</u> LEA must notify the parent within 15 calendar days of receipt of a request for independent educational evaluation (IEE) whether the LEA will fund IEE or request a hearing.	300.502(b)
30 calendar days or less	<u>Temporary Placement</u> Temporary placement in a special education program for not more than 30 days to determine appropriate placement and educational objectives for student already eligible for special education services.	300.115(B)
60 calendar days	<u>Special Education Administrative Complaint</u> RIDE must conduct complaint investigation & issue findings within 60 calendar days.	300.152
60 calendar days	<u>Special Education Evaluation</u> (see eval timelines)	300.303
1 year/3 years	<u>Statute of Limitation to file 60 day Complaint</u>	300.153(c)

R.I. Special Education timelines

Referral, Evaluation, Eligibility, IEP and Re-evaluation

10 school days	<u>Referral</u> Local Education Agency (LEA) conducts a meeting to review a referral for special education evaluation within 10 school days of receipt. Referral is reviewed by a team of qualified professionals <u>and</u> the parent (<i>Evaluation Team</i>). <u>No Evaluation needed</u> Consider referral to Response to Intervention Team or other pre-referral process.	300.301
10 school days	<u>Evaluation needed</u> If an evaluation is needed, it must start no later than 10 school days after the receipt of parental consent to evaluate.	300.301
60 calendar days	<u>Evaluation/Eligibility</u> Within 60 calendar days of parental consent to evaluate: (i) Child is evaluated (ii) Eligibility determination meeting is conducted (iii) A written report of the evaluation team is made available to the LEA and the parent(s), and, if the child is determined eligible for special education services, the report is made available to the IEP Team.	300.301
15 school days	<u>IEP</u> If eligible, an IEP meeting is conducted within 15 school days and an IEP is developed for the child.	300.323
10 school days	Within 10 days special education & related services are made available to the child. (RI Reg. 300.323)	
Not more than once per year. (Unless by agreement)	<u>Re-evaluation</u> 1) May occur not more than once a year, unless the parent and the local educational agency agree otherwise; and 2) Must occur at least every three (3) years, unless the parent and the local educational agency agree that a re-evaluation is unnecessary.	300.303
60 calendar days	Re-evaluation must be completed within 60 days of receipt of parent consent.	

Note: 10 school days prior written notice (PWN) must be provided to the parent every time the LEA proposes to initiate or change or refuses to initiate or change the identification, evaluation, or educational placement or the provision of a free appropriate public education (FAPE) to the child.

R.I. Special Education timelines

Discipline Matters

10 school days cumulative	<u># of days of Removal without educational services</u>	300.530(b)
10+ school days cumulative	<u>Manifestation Determination needed</u> after student is suspended for more than 10 school days cumulative in a school year.	
10 school days	<u>Manifestation Determination conducted w/in 10 school days</u> of decision to suspend over 10 th day cumulative during school year. <i>(Suspension can take place pending MD).</i>	300.530(e)
45 school days	<u>Student placed in Interim Alternative Educational Setting (IAES)</u>	300.532
	• Hearing Officer	300.532 (b)
	• School for weapons/drugs	300.530 (g)

Due Process Hearings

Calendar Days

15 days (calendar)	<u>To Challenge Sufficiency of Complaint</u>	300.508 (d)
5 days (calendar)	<u>Hearing Officer rules on sufficiency of Complaint</u>	300.508 (d)(2)
10 days (calendar)	<u>Answer to complaint filed with Hearing Officer</u>	300.508 (f)
10 days (calendar)	<u>Unless PWN previously sent—Parent Notice by LEA</u>	300.508 (e)
15 days (calendar)	<u>LEA to schedule Resolution Session</u>	300.510 (a)
30 days (calendar)	<u>Resolution Timeline</u>	300.510 (b)
5 business days	<u>Timeline to disclose information prior to hearing</u>	300.512 (b)
45 days (calendar)	<u>Hearing Timeline—Decision Due</u>	300.510 (c)

Business Days

20 calendar days	<u>Expedited Due Process Hearing</u>	300.532 (c)(2)
10 business days	<u>Expedited Due Process Hearing decision due</u>	300.532 (c)(3)
2 years	<u>Statute of limitation to bring Due Process Complaint</u>	300.511(e)

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