

## REFERRAL PROCESS

A parent/guardian or a public agency may initiate a request for an initial evaluation to determine if a student qualifies as a student with a disability under the Individuals with Disabilities Act (IDEA) 34 CFR §300.301. Additionally, the IDEA's "Child Find" mandate requires that LEAs/districts seek out students who are potentially IDEA eligible and refer those students for an evaluation. For more information relating to Child Find please see the section of this procedural guide titled, "Child Find Basics." More specifically, referrals for special education eligibility may be submitted by the following persons:

- The holder(s) of educational rights (e.g., biological parent, adoptive parent, other individuals identified through court order)
- Student Study Team/Student Intervention Team (SST) comprised of teachers, education specialists, administration etc.
- School Staff
- Student (may self-refer)
- Community Agency
- Court Officers
- Any individual with knowledge of a child who may have a disability or may need related services.

A referral for special education must follow legal timelines. For additional information on timelines, see the section of this procedural guide entitled "General Timelines".

All referrals should be submitted to the pupil's LEA/district of attendance. If the student is not of school age, the student shall be referred to the district of residence. If the student is of preschool age and enrolled in a charter school, the referral will be made at the district of residence.

All referrals for special education and related services shall initiate the assessment process and shall be documented. When a verbal referral is made, a staff member of the LEA/district or Special Educational Local Plan Area (SELPA) may assist the individual in making a written request for assessment for special education. To assist in the referral process, there is a "Referral Form" located in the SEIS Document Library should you choose to use this document in the process.

Upon receipt of the written referral, the administrator/designee or Education Specialist must initiate one of the following actions:

1. It is recommended to document the information received as part of the referral and any correspondence in order to assist with determining the appropriateness of the request. Pursuant to 5 C.C.R. Sec. 3021(a), there is no specific language requirement for a request to be valid, however it should be in writing. In the event the parent makes a verbal request for assessment, the LEA/district shall assist in putting their request in writing (see sample parent request for assessment template on the following page).
2. Once the written request has been received by the LEA/district the process below should be followed:



- a. If the referral is received and the LEA determines an assessment is warranted, LEA/district personnel will:
  - Notify the holder of education rights that a referral was made
  - Input the student's information into SEIS
  - Develop an "Assessment Plan" (located in the SEIS Document Library)
  - Deliver the completed assessment plan, Prior Written Notice (PWN), and a copy of Procedural Safeguards to the holder of educational rights within 15 calendar days from receipt of the referral.
- b. If the referral is received and it is determined that additional information is needed before proceeding with development of an assessment plan, a meeting (such as an SST) should be convened with the holder of education rights and the referring party (if not referred by the holder of educational rights) to explore educational concerns as well as relevant background and health information.
- i. As a reminder, a final determination regarding the request for referral and subsequent PWN, copy of procedural safeguards and assessment plan (if applicable) must still be provided to the holder of educational rights within 15 calendar days. Therefore, it is highly recommended that a meeting convened to discuss the referral be scheduled immediately upon receiving the referral in order to adhere with the 15 calendar day requirement.
  - c. After a careful review of student data, if it is determined that the student is receiving a Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE) and further assessment is not warranted, the LEA/district must notify the holder of education rights within 15 days with a "Notice of District Refusal" PWN (located in the SEIS Document Library) outlining why the requested assessment will not be initiated. The LEA/district shall include data in the PWN which illustrates that the student is not suspected to be eligible for special education services under any of the 13 eligibility categories of the IDEA. Careful consideration and consultation with the LEA's/district's assigned SELPA Program Specialist are strongly encouraged before pursuing this option.

