# Special Education Timelines in California

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<tr>
<th>Service/Obligation</th>
<th>Timeline</th>
<th>Exceptions/Notes/Considerations</th>
<th>Authority</th>
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<td><strong>Initial Assessment and IEP Development</strong></td>
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</table>
| Propose an assessment plan for initial assessment. | 15 calendar days from date of referral. | • Tollored for school breaks in excess of 5 schooldays.  
• If referral received 10 days or fewer before end of school year, then due within first 10 days of next school year.  
• Note: Attach procedural safeguards notice to proposed assessment plan. | EC 56043(a)  
EC 56321(a) |
| IEP team meeting to review initial assessments. | 60 calendar days to determine the student’s eligibility and areas of need after receipt of parent consent to assessment plan. | • Tollored for school breaks in excess of 5 school days.  
• If referral received 30 or fewer days before end of school year, then due within 30 days of next school year.  
• Timeline does not apply if student enrolls in another LEA.  
• Timeline does not apply if student is not made available. | EC 56043(c)  
EC 56302.1  
EC 56344(a) |
|                                             | 30 days to develop the IEP after determination that student needs special education. | None.                                                                                           | EC 56043(f)(2)  
EC 56344(a) |
| **Applicable to All IEPs**                  |                                    |                                                                                                 |                                |
| Notify parents of the IEP team meeting (send IEP meeting notice). | “Early enough to ensure an opportunity to attend” the IEP meeting. | None.                                                                                           | EC 56043(e)  
EC 56341.5(b) |
| Notice of procedural safeguards.            | • Inform parents of procedural safeguards “at each” IEP meeting.  
• Give a copy of the notice to parent(s) at least once each school year. | None.                                                                                           | EC 565001  
34 CFR 300.504 |
| Implement the IEP.                         | “As soon as possible” after receipt of parent consent to the IEP. | None.                                                                                           | EC 56043(i)  
EC 56344(b) |
| Progress reports on IEP goals provided to parent(s). | Per the IEP. | None.                                                                                           | EC 56345(a)(3) |
| **Re-assessments**                          |                                    |                                                                                                 |                                |
| Triennial eligibility review.              | Every 3 years based on the date of the last triennial review. | • May occur more frequently if necessary, but no more than once per year unless the parties agree.  
• Parent and LEA may agree in writing that triennial assessments are not necessary. They may also agree to limit the scope of the review.  
• Recommended: Begin triennial assessment process at least 60 days prior to the triennial review. | EC 56043(k)  
EC 56381 |
| Propose assessment plan for re-assessment.  | 15 calendar days from the date of referral. | • Tollored for school breaks in excess of 5 schooldays.  
• If referral received 10 days or fewer before end of school year, then due within first 10 days of next school year.  
• Note: Attach procedural safeguards notice to assessment plan. | EC 56043(a)  
EC 56321(a) |
| Parent consent to proposed assessment plan. | At least 15 calendar days after receipt of the proposed assessment plan. | None.                                                                                           | EC 56043(b)  
EC 56321(c)(4) |
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<td><strong>Additional IEP Meetings</strong></td>
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<tr>
<td>Annual IEP team review</td>
<td>Not longer than 12 months from the date of the last annual IEP.</td>
<td>None.</td>
<td>EC 56043(d), (j) EC 56343(d) EC 56380</td>
</tr>
<tr>
<td>IEP team meeting to review re-assessment</td>
<td>60 calendar days after receipt of parent consent to the assessment plan.</td>
<td>• Tolled for school breaks in excess of 5 schooldays.</td>
<td>EC 56043(f)(1) EC 56343(a) EC 56344(a)</td>
</tr>
<tr>
<td>Parent requested IEP team meeting</td>
<td>30 calendar days after written request from parent for IEP team meeting.</td>
<td>• Tolled for school breaks in excess of 5 schooldays.</td>
<td>EC 56043(i)</td>
</tr>
<tr>
<td>IEP meeting to review student's lack of anticipated progress</td>
<td>No statutory timeline.</td>
<td>Consider: Convene the IEP team within 30 days after determining that the student is demonstrating a lack of anticipated progress.</td>
<td>EC 56343(b)</td>
</tr>
<tr>
<td><strong>Transition Planning Requirements</strong></td>
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<td>Individual transition plan (ITP) in IEP.</td>
<td>Must be in IEP when student turns 16.</td>
<td>Must be reviewed annually.</td>
<td>EC 56043(g)(1), (h) EC 56341.5(e) EC 56345(a)(8)</td>
</tr>
<tr>
<td>Student informed of transfer of rights at age 18.</td>
<td>Must be in IEP when student turns 17.</td>
<td>Consider: Provide additional notice upon the student turning 18.</td>
<td>EC 56041.5 EC 56043(g)(3) EC 56345(g)</td>
</tr>
<tr>
<td>Notice to parent(s) of student's graduation from high school with diploma.</td>
<td>“Reasonable prior written notice” must be provided.</td>
<td>None.</td>
<td>EC 56500.5</td>
</tr>
<tr>
<td><strong>Independent Educational Evaluations (IEE)</strong></td>
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<td>Respond to a request for IEE.</td>
<td>No specific statutory timeline, but must respond without unnecessary delay.</td>
<td>Recommended: 10-15 calendar days after request for an IEE from parent(s).</td>
<td>34 CFR 300.502(b)</td>
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<tr>
<td><strong>Discipline</strong></td>
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<tr>
<td>Provide parent(s) with notice of change of placement and copy of procedural safeguards.</td>
<td>Day decision is made to remove student for disciplinary purposes for &gt;10 schooldays.</td>
<td>Refer to 34 C.F.R. section 300.530.</td>
<td>34 CFR 300.530(h)</td>
</tr>
<tr>
<td>Conduct a manifestation determination review.</td>
<td>Within 10 schooldays after the decision is made to remove student for disciplinary purposes for &gt;10 schooldays.</td>
<td>Refer to 34 C.F.R. section 300.530. Recommended: Refer to F3 Law's Student Discipline Guidelines <a href="https://f3law.com/insights/tips-tools/student-discipline-guidelines/">https://f3law.com/insights/tips-tools/student-discipline-guidelines/</a></td>
<td>34 CFR 300.530(e)</td>
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<tr>
<td><strong>Student Records/Record Requests</strong></td>
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<tr>
<td>Provide parent(s) with copies of student records.</td>
<td>After an oral or written request from parent(s): • within 5 business days and • “before” any IEP meeting or resolution session.</td>
<td>None.</td>
<td>EC 56043(n) EC 56504</td>
</tr>
<tr>
<td>Provide new LEA with special education records.</td>
<td>5 business days after request from new LEA for records.</td>
<td>None.</td>
<td>EC 56043(o)</td>
</tr>
</tbody>
</table>

This information is a summary only and not legal advice. We recommend that you consult with legal counsel to determine how this may apply to your specific facts and circumstances.

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