

## State Timelines for an Initial Evaluation Under the IDEA

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<b>state</b>	<b>timeline</b>	<b>notes</b>
Alabama	60 calendar days	same in proposed regulations 290-8-9.02(1)(b)
Alaska	45 school days to evaluate and develop an IEP	
Arizona	60 calendar days	
Arkansas	60 calendar days	
California	60 calendar days except does not include vacations of 5 days or more	
Colorado	45 school days	same in proposed regulations
Connecticut	45 school days	proposed regulations: 60 calendar days
Delaware	lesser of 45 school days or 90 calendar days (from Delaware AMSES)	Delaware proposed regulations keep this provision the same 925-2.3
District of Columbia	120 calendar days to evaluate and place student	
Florida	60 school days	
Georgia	60 calendar days	proposed new regulations keep this timeline, with the following rationale, "In the 2005-2006 school year, 85 % of the evaluations were completed within the 60 day timeline. To extend that timeline to more days or from calendar to school days, would delay getting services to students who are struggling learners." (HAR) §8-56-32
Hawaii	60 calendar days	
Idaho	60 calendar days between consent & <u>implementation</u> of IEP, not including school holidays greater than 5 days	Idaho Special Education Interim Manual 2005: chapter 1(8)(E).
Illinois	60 calendar days	
Indiana	60 instructional days	
Iowa	60 calendar days	
Kansas	60 school days	

Kentucky	60 school days for evaluation and <u>implementation</u> of IEP	707 KAR 1:320 (proposed regulations keep this provision)
Louisiana	60 business days	
Maine	45 school days	
Maryland	60 calendar days from consent, 90 days from written referral, deadline whichever comes sooner	
Massachusetts	30 school days	603 CMR 28.04
Michigan	30 school days	(MARSE) R340.1721c(2)
Minnesota	30 school days	
Mississippi	60 calendar days	Proposed regulations: 60 calendar days excepting school holidays over 3 days long [Mississippi draft policies 2006 Regarding children with Disabilities under the Individuals with Disabilities Education Act Amendments of 2004 (IDEA 2004)]
Missouri	60 calendar days	same in proposed regulations
Montana	60 calendar days	
Nebraska	60 calendar days	
Nevada	45 school days	
New Hampshire	45 calendar days	from Parent referral to referral meeting — 15 calendar days.
New Jersey	IEP implemented within 90 calendar days of consent to eval.	N.J.A.C. 6A:14-3.4(e)
New Mexico	60 calendar days	
New York	60 calendar days [State performance plan 2005-2010: <a href="http://www.vesid.nysed.gov/specialed/spp/2007plan/childfind.htm">http://www.vesid.nysed.gov/specialed/spp/2007plan/childfind.htm</a> ]	Proposed: 60 school days from consent for eval. to implementation of IEP <a href="http://www.vesid.nysed.gov/specialed/idea/expressterms307.htm">http://www.vesid.nysed.gov/specialed/idea/expressterms307.htm</a>
North Carolina	45 calendar days	

North Dakota	60 calendar days	in 2005-2006, 88% of evaluations made 60 day deadline; 95% either made cut-off or had an 'approved' reason for delay in eval. North Dakota FFY 2005 – 2010 State Performance Plan for Special Education
Ohio	60 calendar days	
Oklahoma	60 calendar days	
Oregon	60 school days	581-015-0072 (13)
Pennsylvania	60 school days	proposed: 60 school days
Rhode Island	45 school days	proposed 60 calendar days
South Carolina	45 calendar days	
South Dakota	25 school days	S.D. State Performance Plan for Special Education
Tennessee	evaluate and implement IEP within 40 school days	Tennessee regulations 0520-1-9-.05
Texas	60 calendar days	
Utah	60 calendar days	
Vermont	60 calendar days	
Virginia	65 business days (from <u>referral</u> , not consent)	
Washington	35 school days	WAC 392-172-104(2)(a)
West Virginia	60 calendar days	
Wisconsin	60 calendar days	
Wyoming	60 calendar days	Wyoming State performance plan <a href="http://www.k12.wy.us">www.k12.wy.us</a>