

Referral by Parent

Parents have the right to request a special education evaluation at any time. An LEA must conduct a meeting with the evaluation team to review the referral within 10 school days of receipt of the request. The team must utilize all available data, including any independent evaluation data shared by the parent, to determine if a special education evaluation is needed. If the LEA agrees with the parent that the child may be a child with a disability, then the LEA must evaluate the child. The team must review existing evaluation data on the child and determine whether additional data are needed to determine whether the child is a child with a disability and the child's educational needs. If the LEA does not believe an evaluation is warranted, prior written notice to the parents must be issued that addresses why an evaluation is not warranted. The parent can challenge this position by requesting a due process hearing to resolve the dispute regarding the child's need for an evaluation.

(Rhode Island Criteria and Guidance for the Identification of Specific Learning Disabilities, 2010)