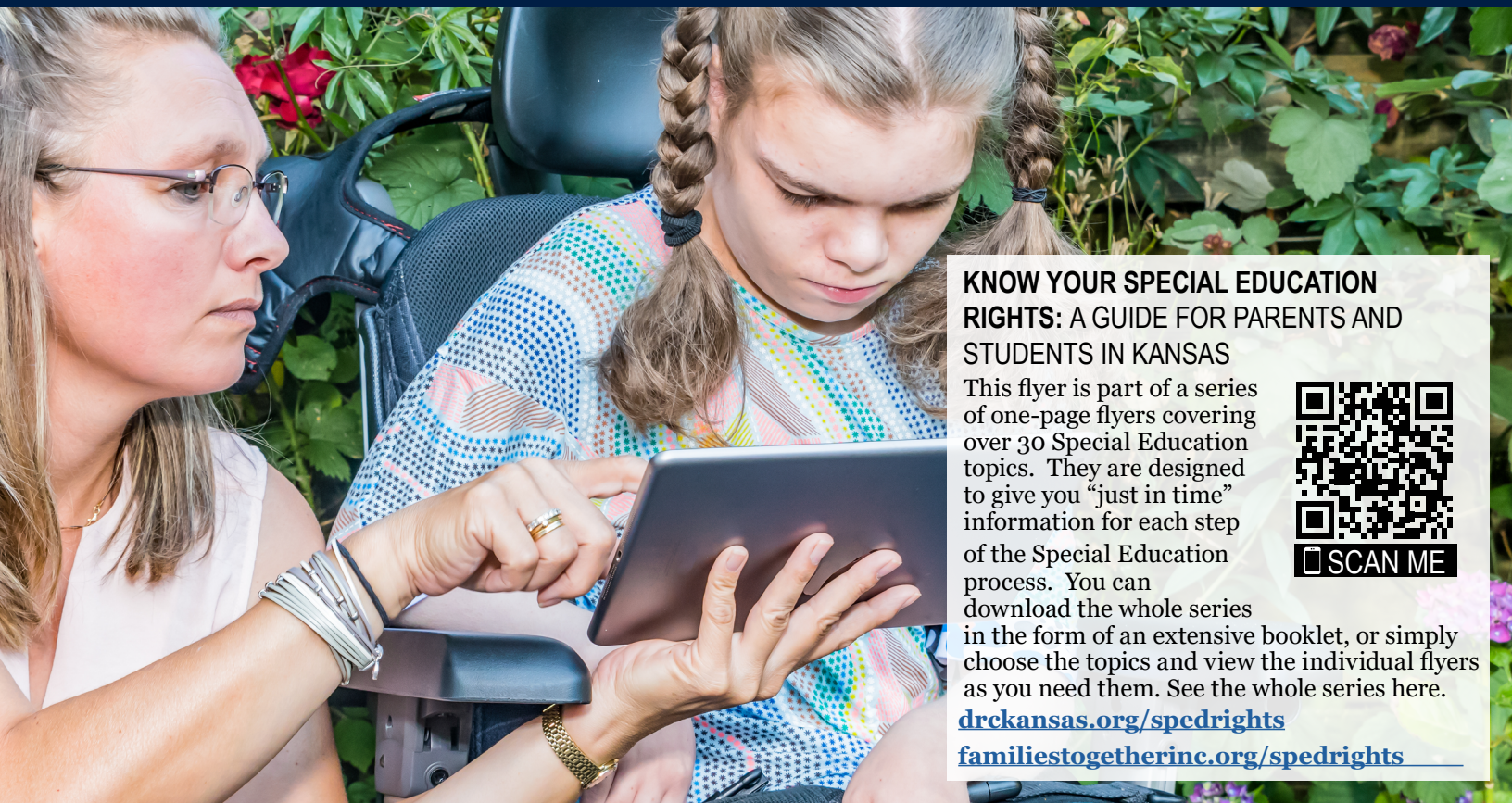




# WHO CAN MAKE A REFERRAL FOR AN EVALUATION TO DETERMINE IF MY CHILD NEEDS SPECIAL EDUCATION SERVICES?



## KNOW YOUR SPECIAL EDUCATION RIGHTS: A GUIDE FOR PARENTS AND STUDENTS IN KANSAS

This flyer is part of a series of one-page flyers covering over 30 Special Education topics. They are designed to give you “just in time” information for each step of the Special Education process. You can download the whole series in the form of an extensive booklet, or simply choose the topics and view the individual flyers as you need them. See the whole series here.



SCAN ME

[drckansas.org/spedrights](http://drckansas.org/spedrights)  
[families-together-inc.org/spedrights](http://families-together-inc.org/spedrights)

There are different ways to refer a student for special education services. They are:

- The school makes the referral
- It comes as a result of a *Child Find Screening*
- The parent(s) make a written request to the school
- A student that is 18 years or older requests it for themselves



[How does my child qualify for an IEP?](https://tinyurl.com/vzmjmjcc)

<https://tinyurl.com/vzmjmjcc>

SCAN ME



[What is Child Find?](https://tinyurl.com/jmvcapd7)

<https://tinyurl.com/jmvcapd7>

SCAN ME

## What are the school's responsibilities if they make the referral?

The school must provide a copy of the parental rights.

The school must give you what is called a Prior Written Notice about the evaluation. This will explain the evaluations that they want to do. It must include:



[Parent Rights in Special Education \(Procedural Safeguards\).](https://tinyurl.com/fv7p7znd)

<https://tinyurl.com/fv7p7znd>

SCAN ME

- What they want to do for the evaluation
- Why they want to do the evaluation
- What they used to decide to refer your child for an evaluation
- Information about your rights as a parent
- Who you can contact to understand your and your child's rights

## What happens after the school receives a referral from a parent or someone else?

The school will determine if they have enough information to decide if they are going to do an evaluation or not. If they need more information, they might observe your child or review your child's files. They will tell you what information they need and how they plan to get it. This will include a timeline. If they do not need more information, they will let you know.

If they decide that an evaluation is needed, the school will send you a *Prior Written Notice*. This will include why they made this decision. The school cannot start additional evaluations until you give your written consent on the Prior Written Notice form.

The school can decide that an evaluation is not needed. They may do this if there is not enough evidence to support the request. They have to let you know if they make this decision. They must do this with a Prior Written Notice. If you disagree, you have the right to ask for mediation or a due process hearing.

The school has to get your permission before doing an evaluation. They cannot do an evaluation without this consent. They can use different forms of communication to contact you. It could be phone calls, letters, emails, visits, or other ways. The school needs to make reasonable attempts to contact you. They need to make a record of these attempts.



## Sources & Additional Resources:



SCAN ME

[Kansas Special Education Process Handbook](https://tinyurl.com/442w2dt3), Kansas State Department of Education.  
<https://tinyurl.com/442w2dt3>

**Disclaimer:** This fact sheet is not intended to provide specific legal advice. If you need legal advice, please contact an attorney. Only an attorney can give you specific legal advice based on your particular situation. We try to update our materials regularly, but the law can change frequently. This publication is based on the law at the time that it was written. Future changes in the law could make information in this fact sheet inaccurate.



EQUALITY • LAW • JUSTICE

[www.drckansas.org](http://www.drckansas.org)  
1-877-776-1541  
info@drckansas.org



[www.familiestogetherinc.org](http://www.familiestogetherinc.org)  
1-800-264-6343  
contactus@familiestogetherinc.org