

Special Education Timelines for California

Issue	Timeline	Citation
Special Education Eligibility	ages 3-5	EC 56026(c)(2)
	ages 5-18	EC 56026(c)(3)
	ages 19-21	EC 56026(c)(4)
Termination of Special Services	If student's 22nd birthday is between January and June may continue through remainder of fiscal year	EC 56026(c)(4)(A)
	If student's 22nd birthday is in July, August, or September of new fiscal year will not be allowed to begin a new fiscal year	EC 56026(c)(4)(B)
	If student's 22nd birthday is during October, November, or December, student shall be terminated from program on December 31 of current fiscal year, unless student would otherwise complete his or her IEP at the end of the current fiscal year.	EC 56026(c)(4)(C)
Termination of Special Services	Student graduates from high school with regular high school diploma.	EC 56026.1(a)
Proposed assessment plan	District must develop within 15 calendar days of referral for assessment*, unless parent or guardian agrees in writing to an extension	EC 56043(a)
	Parent or guardian shall have at least 15 calendar days from the receipt of the proposed assessment plan to arrive at a decision	EC 56043(b)
Initial IEP meeting once parent consent for assessment received	within 60 days	EC 56043(c)
Review of IEP program	not less frequently than annually	EC56043(d), 56343(d), 56380(a)(1)
Parental notification of IEP meeting	early enough to ensure an opportunity to attend	EC 56302.1(e), EC 56341.5(b)

IEP required as a result of an assessment	within total time not to exceed 60 calendar days from receipt of written consent for assessment*, unless parent or guardian agrees in writing to an extension	EC 56043(f)(1), EC 56344(a)
Meeting to develop IEP once determined child needs special education and related services	within 30 days	EC 56043(f)(2), EC 56344(a)
Implementation of post secondary goals and transition	no later than first IEP program to be in effect when the pupil is 16	EC 56043(g)(1)
Notification of student's acquisition of education rights	no later than one year before the pupil reaches the age of 18 years.	EC 56043(g)(3)
Statement of transition services	beginning at age 16 or younger	EC 56043(h), EC 56345(a)(8)
Implementation of IEP	as soon as possible following the IEP team meeting	EC 56043(i), 5 CCR 3040(a)
Reassessment of pupil	not more frequently than once a year and at least once every three years, unless parent and district/LEA agree in writing, that reassessment is unnecessary.	EC 56043(k), EC 56381(a)(2)
When parent requests an IEP meeting	within 30 days from the date of the receipt of written request.	EC 56043(l), EC 56343.5
Implementation of IEP after transfer to new district in same SELPA	Without delay	EC 56043(m)(2), EC 56325(a)(2)
Adoption of prior IEP or implement new IEP after a transfer within the state to a new district and new SELPA	within 30 days of transfer	EC 56325(a)(1)

Records request by parent – oral or written and before any meeting regarding IEP or any hearing or resolution session	Within 5 working days	EC 56043(n), EC 56504
Records request from district/LEA where student has enrolled	within 5 working days after receipt of records	EC 56043(o), 5 CCR 3024(a)
CDE investigation of complaint and issue written decision	60 days after complaint is filed	EC 56043(p)
Schedule pre-hearing mediation	within 15 days of receipt by Superintendent of request for mediation	EC 56043(q), EC 56500.3(e)
Pre=hearing mediation	within 30 days after request	EC56043(q), EC 56500.3(e)
Bringing of Due Process Claim	within 2 years of date party knew or should have known of facts underlying basis for request	EC56043 (r), EC 56505(l)
Raising issue of Due Process Request is insufficient	within 15 days of receipt of DPH request	EC 56502(d)(1)
Hearing Officer determination of sufficiency of Due Process Request	within 5 days of receipt of notice of insufficient Due Process Request	EC 56502(d)(1)
Hold and render decision on due process hearing	within 45 calendar days after the expiration of the 30 days of receipt of due process hearing request	EC 56043(s), EC 56505(f)(3)
Notice of attorney representation in due process hearing	at least 10 calendar days prior to hearing	EC 56043(t), EC 56507(a)

Notice of issues and proposed resolution in due process hearing	at least 10 calendar days prior to hearing	EC56043(u), EC 56505(e)(6)
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Copies of documents to be presented at hearing and list of witnesses and general areas of testimony	at least 5 days prior to hearing	EC 56043 (v), EC 56505(e)(7), EC 56505.1(f)
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File an appeal to a due process hearing decision	within 90 days of receipt of hearing decision	EC 56043(w)
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Review of IEP when there is a residential placement	every 6 months	EC 56043(x), GC 7572(c)(2)
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EC = California Education Code

CCR = California Code of Regulations, Title 5

GC = California Government Code

*Does not include calendar days between the pupil’s regular school session or terms or calendar days of school vacation in excess of five school days.