

How to Make a Request for a First Special Education Evaluation
for Your Child

Sometimes parents suspect that their children may benefit from Special Education services. Fortunately, you have the right to request an evaluation for your child enrolled in a public school at any time. The **first** time you make a request for an evaluation, you have a special set of legal rights.

Under state and federal laws, your school district has **60 days** from the date of your request to either:

- Evaluate your child, *or*
- Notify you in writing that your child will *not* be evaluated in a letter called a Prior Written Notice (PWN). The letter must say the reasons why the school district made this decision, and
- Give you written information about how you can challenge the decision not to evaluate your child.

To begin the process to ask for an evaluation, you should make your request in writing by sending a letter to the school principal or special education director. Your letter may read like this:

DATE

Dear Principal _____ or Special Education Director _____,

My name is _____ and I am the parent of _____. This letter serves as my written request for my child, _____, to receive evaluations for special education services.

I am concerned about _____(describe what you are concerned about)_____ I think that my child would benefit from testing in the areas of _____.

As you know, pursuant to 34 CFR Sec. 300.301 and 34 CFR Sec. 300.503, the school district is required to either evaluate my child within 60 days of receiving

this letter or notify me in writing that my child will *not* be evaluated and inform me of my procedural safeguards. Thank you for your attention to this matter.

Sincerely,

YOUR NAME, SIGNATURE, ADDRESS, PHONE NUMBER AND E-MAIL ADDRESS IF YOU HAVE ONE.

Tip #1: Save a copy of the letter for your records.

Tip #2: When sending or delivering your request, obtain a record of receipt proving that the school received your request. For instance, if you hand-deliver it to the school office, ask the secretary to sign and date a copy for you. If you send it through the mail, use certified mail so that you will get a return receipt. If you fax it to the school, keep a copy of the fax confirmation log.

Follow-up: If the school does not provide the proper evaluations within 60 days or if the school district fails to respond to your request within 60 days, contact us at:

Disability Rights New Mexico
1720 Louisiana Blvd. NE
Suite 204
Albuquerque, NM 87110

(505) 256-3100 (phone)

(505) 256-3184 (fax)

1-800-432-4682

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