

ESHB 2557—Evaluation & Eligibility Determination Timelines Summary

Background & Purpose

During the 2025–26 legislative session Governor Ferguson signed [ESHB 2557](#) into law. This new law changes timelines related to special education evaluation timelines and eligibility determination meetings. [ESHB 2557](#) goes into effect on June 11, 2026.

This plain language summary is to summarize the key parts of the bill to help families understand the bill, its impact, and resources that are available.

More detailed information is available in the [Question-and-Answer document](#) and as additional information is known, we will update with additional guidance. If you have questions, please contact Special Education, at 360-725-6075, or email [OSPI Special Education](#).

Evaluation & Eligibility Determination Timelines

School districts must complete an initial evaluation or reevaluation within 35 school days after receiving written parent consent.

The purpose of the evaluation is to determine:

- Whether a student is eligible for special education services, or
- Whether a student continues to be eligible for special education services.

By the 35th school day, the district must also provide the parent with a copy of the completed evaluation report. ([ESHB 2557](#); [WAC 392-172A-03005](#)).

After the parent receives the evaluation report, the district must wait five school days to allow parents the opportunity to read the report. The district must then hold an eligibility determination meeting, with the parent, to:

- Review the results in the evaluation report, and
- Decide whether the student is eligible (or continues to be eligible) for special education services.

The eligibility determination meeting must occur **no sooner than** five school days after the evaluation report is provided to the parent and **no later than** 40 school days following the receipt of the parent consent.

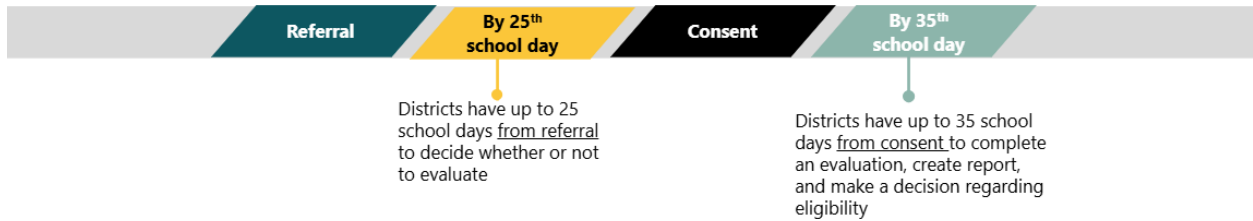
Districts must always wait at least five school days after providing parents with the evaluation report before holding an eligibility determination meeting, unless the parent voluntarily agrees in writing to waive the reading period.

There will also be changes made to the referral timeline through rulemaking, which is in process as of May 2026. The referral timeline will be changed from 25 school days to 20 school days.

For reference, OPSI has created this visual of the current/previous timeline and new timeline, effective June 11, 2026 and following rulemaking:

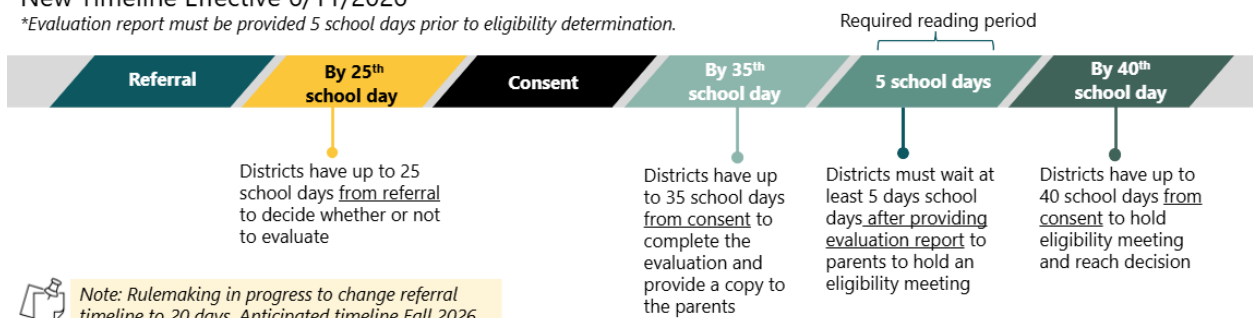
Current/Previous Timeline

**Evaluation report typically provided at eligibility determination meeting.*



New Timeline Effective 6/11/2026

**Evaluation report must be provided 5 school days prior to eligibility determination.*



A full size timeline is available at the end of this document.

Parent Waiver

A parent may choose to waive the five-school-day reading period before the eligibility determination meeting. The waiver:

- Must be voluntary;
- Must be in writing; and
- Applies only to the timing of the eligibility determination meeting.

For example, a parent could agree to receive the evaluation report and meet the next school day instead of waiting five school days.

OSPI has developed a model waiver form, which can be found on our [Model Form Webpage](#).

Evaluation Report

Under [ESHB 2557](#) the evaluation report is the completed written assessment and evaluation information the district plans to use when making an eligibility decision. The evaluation report may include:

- Assessment results,
- Evaluation data,
- Analysis of the student's needs, and
- Recommended potential services or service areas.

The evaluation report does not include the final eligibility decision. Eligibility decisions must be made during the eligibility determination meeting by a group of qualified professionals, including the parent, after reviewing the evaluation information together.

Districts should obtain information from parents during the evaluation process. In completing an evaluation, the evaluation group must use a variety of assessment tools and strategies to gather information about the student, including information from the parents and information about the student's development, academics, and needs related to their disability ([34 CFR §300.304\(b\)](#); [WAC 392-172A-03020\(2\)\(a\)](#)).

Access to the Evaluation Report

The district must provide the evaluation report in a written or electronic format that parents can access, review, save, and keep. Simply sharing the report on a screen during a meeting or reviewing it verbally is not enough.

Families must receive a copy they can keep, such as:

- A printed paper copy, or
- An electronic copy that can be downloaded or saved.

Districts should provide translated evaluation reports when needed to support meaningful parent participation and access.

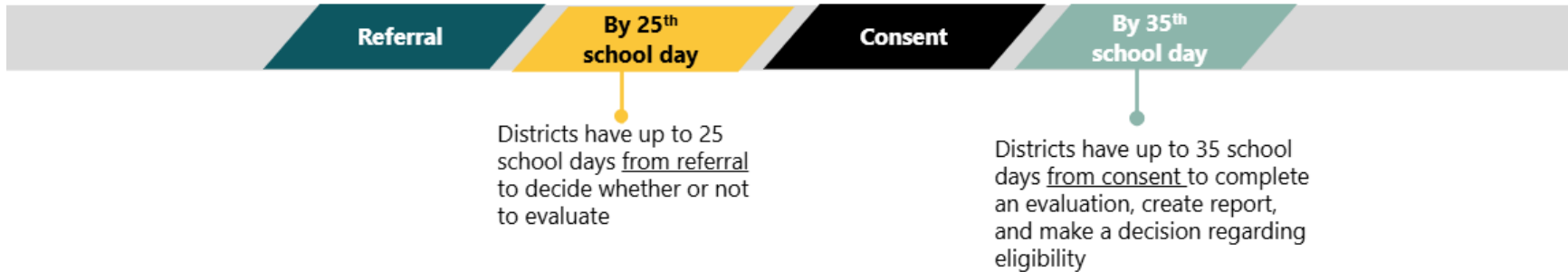
Districts must take steps to ensure parents understand meetings and information related to the identification and evaluation of students eligible for special education. ([34 CFR 300.322\(e\)](#); [300.503\(c\)](#); [WAC 392-172A-05001](#); [WAC 392-172A-03100\(7\)](#)). This may include:

- Informing parents, in their home language, that interpretation and translation services are available at no cost;
- Providing interpreters for parents who are deaf, hard of hearing, or whose primary language is not English; and
- Documenting the family's preferred language and whether interpretation services were provided.

Appendix: Full Size Evaluation and Eligibility Determination Timeline

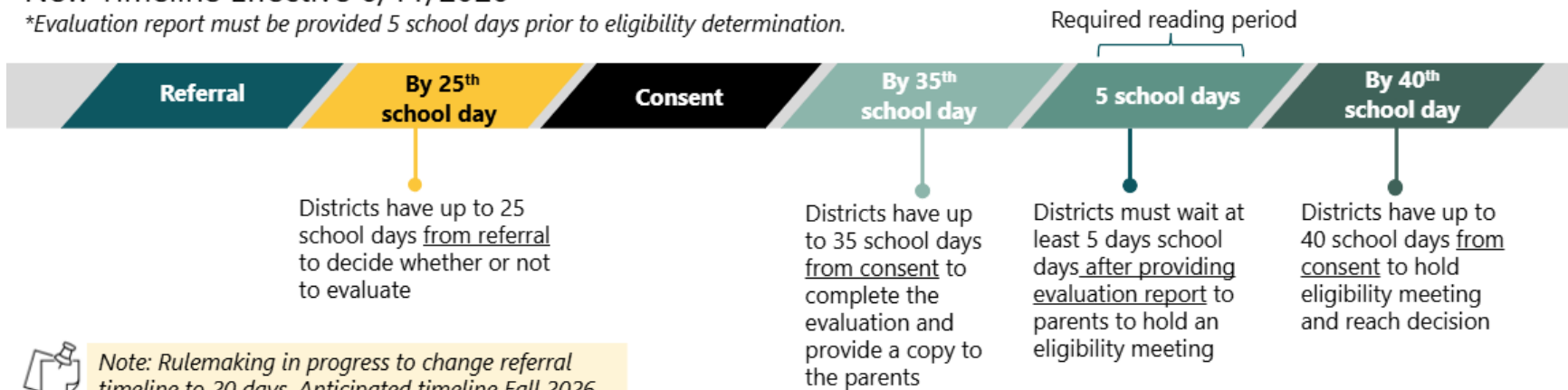
Current/Previous Timeline

**Evaluation report typically provided at eligibility determination meeting.*



New Timeline Effective 6/11/2026

**Evaluation report must be provided 5 school days prior to eligibility determination.*



Note: Rulemaking in progress to change referral timeline to 20 days. Anticipated timeline Fall 2026.