

# Due Process Timelines Chart



**Due Process:** 1. A course of formal proceedings (such as legal proceedings) carried out regularly and in accordance with established rules and principles, 2. A judicial requirement that enacted laws may not contain provisions that result in the unfair, arbitrary, or unreasonable treatment of an individual.<sup>1</sup>

Use this timeline chart as a quick reference for due dates for various due process items to support compliance with mandated timelines.



<b>Task</b> 	<b>Timeline</b> 	<b>Law</b> 
<b>Re-evaluation Plan/PWN</b>	<b>30 SCHOOL days + 14 CALENDAR days prior to the evaluation due date</b>	<i>MINN. R. 3525.2710(2015)</i> <i>MINN. R. 3525.2550 (2007)</i> <i>MINN. R. 3525.3600 (2015)</i>
<b>Start Evaluation/ Re-evaluation</b>	<b>No sooner than 14 CALENDAR days from date on Prior Written Notice or after signed consent</b>	<i>MINN. R. 3525.2550 (2007)</i> <i>MINN. R. 3525.3600 (2015)</i>
<b>Complete Evaluation (Part B)</b>	<b>30 SCHOOL days from the receipt of consent (or implied consent)</b>	<i>MINN. R. 3525.2550 (2007)</i>
<b>Annual IEP Meeting Date</b>	<b>ON or BEFORE annual date of previous IEP</b>	<i>34 CFR § 300.324 2017</i>

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Initial IEP and PWN	<b>30 CALENDAR</b> days from the date student found eligible	34 CFR § 300.323 2017
Annual IEP and PWN	<b>10 SCHOOL</b> days after the IEP meeting	MINN. R. 3525.3600 (2015)
Start date of IEP services	<b>No sooner than 14 CALENDAR</b> days from date on Prior Written Notice* <i>*14-day implied consent ONLY applies to continuing services; written consent MUST be obtained for initial provision of services.</i>	34 CFR § 300.320 2017  MINN. R. 3525.3600 (2015)
Re-evaluation	<b>ON or BEFORE</b> date three years from previous evaluation <i>*unless the parent and the public agency agree that a reevaluation is unnecessary</i>	34 CFR § 300.303 2017
Transfer of Rights	<b>NO later than one YEAR</b> before the child reaches the age of majority (18 years old in MN)	34 CFR § 300.320 2017
Secondary Transition	<b>By the last day of grade 9</b>	MINN. STAT. 125A.08 (2020)



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## CITATIONS

1. Merriam-Webster. (n.d.). Due Process. Merriam-Webster.  
[https://www.merriam-webster.com/dictionary/due%20process.](https://www.merriam-webster.com/dictionary/due%20process)

