

The 48-Hour Draft Evaluation Report Rule

Public Chapter 199 - Effective April 11, 2025

What is this law about?

Tennessee has a new law designed to give families more time to review and understand their child's evaluation before eligibility is determined and/or an individualized education program (IEP) meeting. Parents must now receive evaluation reports at least 48 hours in advance, ensuring they have the opportunity to carefully consider the information and prepare questions or input. This law helps families feel more prepared for IEP meetings and better equipped to support their child's education.

What information should be shared with families?

Evaluations may include:

- psychological and developmental, including cognitive, achievement, social-emotional, behavioral, etc.;
- speech-language assessments;
- functional behavior assessments (FBA);
- assistive technology (AT) evaluation;
- fine and gross motor skills testing;
- hearing and vision screenings; and
- any other assessment that was given that will be used for special education eligibility or to plan an IEP.



These reports may be shared as a single combined file or as separate documents. Both options are acceptable.

Data Used to Create the IEP

- If tests or assessments are used to help plan the IEP, they are part of the evaluation and must be shared with parents at least 48 hours before the IEP meeting.
- If the test results are included in a draft IEP, and the draft is sent home 48 hours before the meeting, that meets the rule.
- If parents do not want a draft IEP, the school still has to send the test results at least 48 hours before the meeting.
- Specialists who are hired by the school district must follow this law, too.

specialeducation@thearctn.org | (833) 596-1553
[Family Engagement Website](http://familyengagementtn.com) (familyengagementtn.com)

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What to Expect

- **10-day notice:** Parents must receive written notice at least 10 calendar days before the IEP meeting.
 - The meeting may happen sooner if both the parents and the school agree.
 - The parents must sign if they agree to waive the 10-day notice.
- **48-Hour Draft Evaluation Report Rule:** Parents must receive any evaluation report at least 48 hours before the IEP meeting.
- **Draft IEPs:** Parents can receive a draft IEP 48 hours in advance, if one is created.
- **Post-meeting review:** Parents must receive a final copy of the IEP and any updated related reports after the meeting.

Right to Inspect and Review Under the Family Educational Rights and Privacy Act (FERPA)

- Parents have the right to see the full evaluation report.
- Schools must give a copy of the report; there is no opt-out option.
- Schools must use reasonable ways to share the reports.
- Schools may label a report as a "draft" and explain that decisions will be made at the meeting.

Language Assistance

- Schools must make sure they communicate clearly with parents who do not speak English and with parents who have disabilities.
- Schools must share important information in a way parents can understand.

