
SUBSTITUTE HOUSE BILL 2557

State of Washington

69th Legislature

2026 Regular Session

By House Education (originally sponsored by Representatives Chase, Schmidt, Eslick, and Santos)

READ FIRST TIME 02/04/26.

1 AN ACT Relating to parental access to special education
2 evaluation reports; adding a new section to chapter 28A.155 RCW; and
3 creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that the federal
6 individuals with disabilities education act, 20 U.S.C. Sec. 1400 et
7 seq., requires an opportunity for the parents of a child with a
8 disability to examine all records relating to the child and to
9 participate in meetings regarding the identification, evaluation,
10 eligibility, educational placement, and provision of a free
11 appropriate public education to the child.

12 (2) The legislature further finds that parents' ability to
13 participate meaningfully in eligibility determination meetings is
14 hindered when written evaluation reports and conclusions are provided
15 for the first time during or after the meeting.

16 (3) The legislature further finds that a single, combined
17 timeline for completing evaluations and making eligibility
18 determinations may limit a school district's practical ability to
19 provide an evaluation report in advance of an eligibility
20 determination meeting.

1 (4) Therefore, the legislature intends to establish a separate,
2 clearly defined timeline for convening the meeting at which
3 eligibility is discussed or determined that requires the evaluation
4 report to be provided in advance and provides a brief, capped period
5 for parents to review the report, consult as needed, and prepare
6 questions and input. The legislature believes this will promote
7 consistent statewide practice, support collaboration between families
8 and school districts, and safeguard meaningful participation without
9 altering special education evaluation completion timelines,
10 eligibility standards, or services.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.155
12 RCW to read as follows:

13 (1) Except as otherwise provided in rules adopted by the office
14 of the superintendent of public instruction, a school district must:

15 (a) Complete an initial evaluation or reevaluation to determine
16 the eligibility or continuing eligibility of a student for special
17 education services within 35 school days of receiving written consent
18 for the evaluation from the student's parent or legal guardian;

19 (b) Provide the student's parent or legal guardian with a copy of
20 the evaluation report no later than the 35th school day following
21 receipt of consent under (a) of this subsection (1); and

22 (c) Convene an eligibility meeting to review the results in the
23 evaluation report provided under (b) of this subsection (1) and
24 discuss or determine the student's eligibility or continuing
25 eligibility for special education services:

26 (i) No sooner than five school days after the evaluation report
27 is provided to the student's parents or legal guardians as required
28 by (b) of this subsection (1); and

29 (ii) No later than the 40th school day following receipt of
30 consent under (a) of this subsection (1).

31 (2) The school district must provide the evaluation report
32 required under subsection (1)(b) of this section in a written or
33 electronic format that allows the parent or legal guardian to access,
34 review, and retain the report. Providing the evaluation report solely
35 through screen sharing or solely by review during a meeting does not
36 satisfy this subsection.

37 (3) A parent or legal guardian may voluntarily waive, in writing,
38 the requirement under subsection (1)(c)(i) of this section that the
39 eligibility meeting occur no sooner than five school days after the

1 evaluation report is provided. A waiver is valid only if it applies
2 to the specific eligibility meeting for which it is given.

3 (4) If a school district cannot provide the evaluation report
4 within the time frame required under subsection (1)(b) of this
5 section, the school district must reschedule the eligibility meeting
6 to comply with this section unless the parent or legal guardian has
7 provided a written waiver under subsection (3) of this section.

8 (5) Failure to provide the evaluation report as required under
9 subsections (1) and (2) of this section, absent a written waiver
10 under subsection (3) of this section, constitutes a procedural
11 violation. In any administrative review, complaint, or due process
12 proceeding, such failure may be considered as evidence relevant to
13 whether the parent's or legal guardian's opportunity to participate
14 in the decision-making process regarding the provision of a free
15 appropriate public education to the student was significantly
16 impeded.

17 (6) The office of the superintendent of public instruction must
18 update model forms and technical assistance guidance to reflect the
19 requirements of this section.

20 (7) The office of the superintendent of public instruction must
21 adopt rules under chapter 34.05 RCW to implement this section. The
22 rules must incorporate exceptions to evaluation and eligibility
23 determination timelines established under the federal individuals
24 with disabilities education act, 20 U.S.C. Sec. 1400 et seq.

25 (8) For purposes of this section, the following definitions
26 apply:

27 (a) "Evaluation report" means the set of completed written
28 evaluation materials for the student that the school district intends
29 to rely on in making or supporting an eligibility determination at
30 the eligibility meeting.

31 (b) "School day" has the same meaning as in RCW 28A.150.203.

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