FREE GUIDE

Delaware special education deadlines

Sources last checked between Nov 16, 2026 and Nov 20, 2026
State rules as of November 20, 2026

RULE	FIRST LINE OF THE RULE	SOURCE
EVALUATIONS		
Completing an initial evaluation	In Delaware, the initial evaluation and the eligibility meeting must happen within 45 school days or 90 calendar days after the school receives your written consent, whichever comes first.	14 Del. Admin. Code 925 §§2.3–2.5
FIRST IEP MEETING		
The initial IEP after eligibility	Once the team decides your child needs special education and related services, a meeting to write your child's first IEP must be held within 30 calendar days.	34 CFR 300.323(c)(1)
SCHOOL RECORDS		
Timing of access to education records	You have the right to review your child's education records that the school keeps or uses under IDEA.	34 CFR 99.10(b); 34 CFR 300.613(a)
Copies of records, fees and access barriers	Delaware parents may obtain copies of education records, except the actual evaluation or examination instrument.	14 DE Admin. Code §§926.1.2.2, 927.13.2.2, 927.17.1–.2
IEP REVIEWS AND REEVALUATIONS		
Regular IDEA reevaluation	Your child must be reevaluated at least once every three years, unless you and the school agree it isn't needed.	34 CFR 300.303(a), (b)
Reviewing the IEP at least annually	Your child's IEP team must review the IEP periodically, and at least once a year, to see whether the annual goals are being met.	34 CFR 300.324(b)(1)(i)
TRANSITION PLANNING		
When transition goals and services begin	In Delaware, your child's IEP must include transition content starting with the first IEP in effect when your child turns 14 or starts eighth grade, whichever comes first.	14 DE Admin. Code § 925.7.2
RIGHTS AT ADULTHOOD		
Advance notice about the transfer of IDEA rights	In Delaware, the IEP must include a statement about rights transfer at least one year before your child turns 18.	14 DE Admin. Code 925 § 7.3; 926 § 20.0
The state's age of majority and IDEA rights	In Delaware, a student without a court-appointed guardian is presumed able to make decisions and gets your educational rights under IDEA at 18.	14 Del. C. 3132(b); 14 DE Admin. Code 925.7.3
PRESCHOOL AND EARLY INTERVENTION		
Preschool special education by age three	For an eligible child, special education must be available by the third birthday, and an IEP must be in effect by then.	Del. Code tit. 14, § 3101(2); 14 Del. Admin. Code 923.1.2.1–1.2.2, 925.6.6.2
Moving from early intervention to preschool	For a toddler in early intervention who may be eligible for preschool special education, the early intervention program, with your family's approval, holds a transition conference with you and the school district at least 90 days before your child's third birthday.	34 CFR 303.209(c)(1); 303.209(b)–(f)
OTHER RULES		
Section 504 protections in school discipline	Delaware: Section 504 requires a reevaluation before a significant disciplinary change in placement.	34 C.F.R. § 104.35(a); U.S. Department of Education, Section 504 FAPE FAQ 29 (and FAQs 15–16)
An IEP in place for the start of school	Each child's IEP must be in place when the school year begins, and the school system must give each school a written list of its representatives for IEP teams.	14 Del. Admin. Code 925.8.4.1–8.4.2, 10.1
Give written notice before moving to a private school	If you plan to move your child to a private school and ask the district to pay, give the district written notice at least 10 business days before your child leaves the public school.	34 CFR 300.148(d)–(e); 300.11(b)
IEP services after a move within the state	Delaware: When a student with an IEP in effect transfers within the state during the same school year, the new district must provide comparable services in consultation with you.	14 DE Admin. Code § 925.10.4
IEP services after a move from another state	Delaware: If your child had an IEP in effect and moves from another state during the same school year, the new school provides comparable services in consultation with you.	14 DE Admin. Code § 925.10.5

Planning aid only. Not legal advice. Confirm the date with the governing source.

Full answers and source links: https://endeavy.com/special-education-deadlines/delaware