FREE GUIDE

Montana 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	Under federal law, the school generally must finish your child's initial evaluation within 60 calendar days after it receives your consent, unless your state sets its own timeline.	34 CFR 300.301(c)–(e); 300.309(c); 300.306(a)(1)
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)
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	Under IDEA, your child's IEP must include transition goals and services, starting no later than the first IEP in effect when your child turns 16.	34 CFR 300.320(b)
RIGHTS AT ADULTHOOD		
Advance notice about the transfer of IDEA rights	The age of majority is when your child becomes a legal adult under state law.	34 CFR 300.320(c); 300.520(a)–(b)
The state's age of majority and IDEA rights	In Montana, special education rights under IDEA usually transfer from you to your child at age 18.	Mont. Admin. R. 10.16.3502(1); 34 CFR 300.520
PRESCHOOL AND EARLY INTERVENTION		
Preschool special education by age three	Elementary school districts must provide special education for eligible children from age three and may also provide it for children aged two or younger.	Mont. Code Ann. § 20-7-411(3), (4)(a)
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	Montana: Section 504 requires an evaluation before discipline that significantly changes the student's placement.	34 CFR 104.35(a); 29 U.S.C. § 705(20)(C)(iv)
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	Montana: when a student with an existing IEP changes Montana districts during the same school year, the new district consults the parent and provides comparable services while it adopts the prior IEP or develops, adopts, and implements a new one.	34 CFR § 300.323(e); Montana OPI Special Education Guidance (2024), p. 79 (nonbinding practice guidance)
IEP services after a move from another state	Montana: when a student with an existing IEP moves from another state during the same school year, the new district consults the parent and provides comparable services.	34 CFR § 300.323(f); Montana OPI Special Education Guidance (2024), p. 79 (nonbinding practice guidance)

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