

Getting an IEP in Brevard County, Florida

A Family Roadmap to Special Education Services

If you think your child may need extra support at school, Florida law gives you the right to ask for a free evaluation — and a clear process for what happens next. This sheet walks Brevard County families through each step, using Florida's specific rules and timelines alongside our county's local contacts and resources.

How the Process Works, Step by Step

STEP 1 Send a written request for an evaluation

Put your request in writing to your child's school — an email works well because it creates a date-stamped record. Ask specifically for "a comprehensive evaluation for Exceptional Student Education (ESE) eligibility." Include anything that shows where your child is struggling:

- Report cards and progress reports
- Samples of schoolwork
- Outside testing or medical records, if you have them
- Your own written notes on what you're seeing at home

Once the school receives your request, they must give you a Prior Written Notice and a copy of your Procedural Safeguards, and get your signed consent before any testing begins.

STEP 2 The evaluation

A school-based team — which may include a school psychologist, speech-language pathologist, and your child's teachers — gathers information through testing, observations, and interviews. In Florida, this evaluation must be completed within 60 calendar days of the date you sign consent.

Florida timeline facts (Rule 6A-6.0331, F.A.C.)

- The 60-day clock starts the day you sign consent for evaluation.
- School holidays, winter/spring break, and summer vacation don't count toward the 60 days.
- The district and parent can jointly agree, in writing, to extend the window by up to 30 more days.
- For children ages 3 through kindergarten entry, the same 60-day standard applies.

If you disagree with the school's evaluation, you can ask the district to pay for an Independent Educational Evaluation (IEE) by a qualified outside professional. If the district declines to pay, you're still free to pursue a private evaluation on your own and share it with the school — the team is required to consider it.

STEP 3 The eligibility meeting

The school must give you time to review the evaluation results before the meeting where the team decides eligibility. To qualify for ESE services, a child must fit at least one of 13 disability categories under federal law, and the disability must adversely affect their education. In Brevard, the categories most often used are specific learning disability, speech or language impairment, autism spectrum disorder, and other health impairment (which covers ADHD).

If your child qualifies:

The team moves straight to building the IEP. Florida requires the IEP to be developed within 30 calendar days of the eligibility decision. The IEP is reviewed at least once every 12 months, and your child must be formally reevaluated at least once every three years unless you and the district agree it isn't needed.

If your child doesn't qualify, or you disagree with the decision:

- Gather more documentation and request another evaluation.
- Ask about a Section 504 Plan, which can provide classroom accommodations even without a formal IEP.
- Request mediation through the Florida Department of Education, a free, informal way to resolve disagreements with a neutral third party.
- File a formal due process complaint if mediation doesn't resolve things.
- Contact Disability Rights Florida for free advocacy support.

What an IEP Can Include

Once developed, an IEP is a legally binding plan tailored to your child. It may include:

- Specialized instruction
- Classroom accommodations (extended time, preferential seating, etc.)
- Related services such as speech, occupational, or physical therapy
- Assistive technology
- Behavior support plans, where needed

Brevard County & Florida Resources

Local and state contacts worth saving

- Brevard Public Schools ESE Procedural Safeguards notice — available in eleven languages at brevardschools.org.
- Recording IEP meetings requires advance arrangement under Brevard Board Policy 2461.
- Florida Diagnostic and Learning Resource System (FDLRS) — free parent training and evaluation support statewide.
- Disability Rights Florida — free advocacy, information, and referral for families navigating ESE disputes.
- Florida's Family Empowerment Scholarship for Unique Abilities (FES-UA, formerly the McKay Scholarship) — a state scholarship option for eligible students with an IEP or 504 plan who want to attend a participating private school.

GiFT for Educators maintains a free Neurodiversity Resource Library and Brevard County's only free community Sensory Room for families navigating this process. If you'd like support thinking through an evaluation request, an IEP meeting, or next steps, reach out — we're glad to help.