



## ***Information Alert for Parents of Special Education Students***

**NEW CHANGE TO FEDERAL LAW ALLOWS PARENTS TO REVOKE  
CONSENT FOR SPECIAL EDUCATION SERVICES AT ANY TIME.**

Several changes to the federal special education law, the Individuals with Disability Education Act (IDEA) took place on January 1, 2009. One change allows parents to revoke consent for their child's special education services at any time. Doing this would mean that the child would not receive any special education services, as a parent may not "pick and choose" those they wish their child to receive. For example, a parent may not revoke consent for one service (e.g., speech-language services) and keep others (e.g., specialized academic instruction, occupational therapy).

Parents who choose to revoke consent for all special education services would need to put their notice in writing, sign and date it, and submit to a school district administrator. The school district must inform the parent in writing that it has received the notice, and the date on which all special education services will cease. The district may not initiate due process against the parents on the issue of eligibility and services. The child's educational file would continue to note that the student was eligible and received special education services at one time.

Although this gives parents a great deal of authority, you should consider very carefully before using this option. If you revoke all special education services for your child and then request services again, the district may treat it as an initial referral. It may take up to 60 days for the IEP team to reconvene if the district decides it needs new assessment information about your child.

Lastly, if your child becomes subject to disciplinary action, such as suspension or expulsion, the district may treat your child as a student without a disability. That is, the relationship of the disability to the behavior would not be taken into consideration.

If you would like to request that an individual special education service be discontinued, but wish to have the other services continue, this would be discussed at a regular IEP review. A review of the IEP will be held within 30 days of a request for a review meeting by either district or parent, during regular school sessions. If district and parent are unable to agree about an individual special education service, then either party could initiate Due Process to assist in resolving the disagreement.