

Sec. 10-76d-8. Notice and consent

Written notice shall be sent to the parents no later than five days after date of referral.

(a) **Written notice.**

(1) Written notice that meets the requirements of this subsection shall be given to the parents of a child with a disability a reasonable time before the PPT proposes or refuses to initiate or change the identification, evaluation, or educational placement of a child with a disability or a child who may have a disability or the provision of a free appropriate public education to a child with a disability. The requirement for providing the parents of a child with a disability, or the parents of a child who may be eligible for special education and related services, with written notice occurs after the PPT meeting at which the PPT proposes to, or refuses to, initiate or change the child's identification, evaluation, or educational placement or the provision of a free appropriate public education to the child.

(2) The written notice required by this subsection shall include (A) a description of the action proposed or refused by the PPT, (B) an explanation of why such PPT proposes or refuses to take the action, (C) a description of each evaluation procedure, assessment, record, or report such board used as a basis for the proposed or refused action, (D) a statement that the parents of a child with a disability have protection under the procedural safeguards of IDEA and, if the written notice required by this section is the initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained, (E) sources for parents to contact to obtain assistance in understanding the procedural safeguards of IDEA, (F) a description of other options the PPT considered and the reasons why those options were rejected, and (G) a description of other factors that are relevant to the board of education's proposal or refusal.

(3) The written notice required under this subsection shall be (A) written in language understandable to the general public, and (B) provided in the native language of the parent or other mode of communication used by the parent unless it is clearly not feasible to do so.

(4) If the native language or other mode of communication of the parents is not a written language, the board of education shall take steps to ensure (A) the notice is translated orally or by other means to the parent in his or her native language or other mode of communication, (B) the parent understands the content of the notice, and (C) there is written evidence that the requirements of subparagraphs (A) and (B) of this subdivision have been met.

(5) Written notice required by this subsection may be provided to the parents at the PPT meeting where such PPT proposes to, or refuses to, initiate or change the child's identification, evaluation, or educational placement of the child with a disability or the provision of a free appropriate public education to the child with a disability. If such notice is not provided at the PPT meeting, it shall be provided to the parents of the child with a disability, or to the parents of a child who may be eligible for special education and related services, not later than ten days before the PPT proposes to, or refuses to, initiate or change the child's identification, evaluation or educational placement of the child or the provision of a free appropriate public education to the child.

(b) **Written consent.** The board of education shall obtain written parental consent, in accordance with the provisions of the IDEA, for initial evaluation, reevaluation and initial

Regulations of Connecticut State Agencies

receipt of special education and related services. The failure of the parent to respond to a request from the board for consent to conduct an initial evaluation, reevaluation or for the initial receipt of special education and related services within ten days from the date of the notice to the parent shall be construed as parental refusal of consent.

(Effective September 1, 1980; Amended February 4, 2005; Amended July 1, 2013)