



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING



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PUBLIC INSTRUCTION

May 14, 2009

MEMORANDUM

TO: Intermediate School District Directors of Special Education and
Planner/Monitors

FROM: Jacquelyn J. Thompson, Ph.D., Director
Office of Special Education and Early Intervention Services

SUBJECT: Revocation of Parental Consent **Final Documents**

DISSEMINATE TO ALL LEAs AND PSAs

On December 1, 2008, the U.S. Department of Education published new final regulations for Part B of the Individuals with Disabilities Education Act (IDEA). These new regulations were effective December 31, 2008. The regulations are accessible electronically at <http://edocket.access.gpo.gov/2008/pdf/E8-28175.pdf>.

The new IDEA regulations contain a significant change at 34 CFR §300.300(b). Subsection (4) allows the parent of a child with a disability to revoke consent for the provision of special education and related services "at any time subsequent to the initial provision of special education and related services" The revocation must be in writing.

To implement the new regulations at §300.300(b)(3) and (4) and §300.9, the Office of Special Education and Early Intervention Services (OSE-EIS) held public hearings on the updated Procedural Safeguards Notice and sample forms. The final documents following the public comment period are attached. Attachment A is the updated Procedural Safeguards Notice. Attachment B is the sample form for Revocation of Parental Consent for Special Education Programs and Services. Attachment C is the sample form for Notice of Cessation of Special Education Programs and Services in Response to Revocation of Parental Consent. Attachment D is the complete Procedural Safeguards Notice with the new wording. These documents are also available on the OSE-EIS website at www.michigan.gov/ose-eis.

Districts must update their Procedural Safeguards Notice and any district prior written notice and consent forms to reflect the new regulations. School districts do **not** need to reprint all of their Procedural Safeguards Notice. Rather, districts can attach the wording from Attachment A to their currently printed Procedural Safeguards Notice.

Attachments

OSE-EIS 09-14

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