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| **When a parent withholds consent for initial evaluation for special education and related services** | | |
| **Option 1** | Take no action | If a parent withholds consent or doesn’t respond to a request for consent, the district may choose not to take any further action with respect to seeking to evaluate the student and will not be considered to be considered to have denied the student FAPE on that basis. \*\****In this case, the team should provide the parent with a PWN indicating willingness to evaluate but that the parent has not given written consent***\*\* |
| **Option 2** | Talk to the parent | While Districts cannot compel parents to provide agree and provide written consent to evaluate, they can explain to the parents the benefits of an evaluation and the potential consequences if the child is not evaluated and doesn’t receive an IEP ***\*\*The team should document the conversation and willingness to conduct the evaluation in a PWN\*\**** |
| **Option 3** | Mediate | A District may engage in mediation with the parent, as long as the parent knows that mediation is voluntary and that he or she may refuse to participate. **\*\*This is an option that must be referred to the Special Education Director prior to discussing with the parent\*\*** |
| **What do you do if a parent revokes consent during the evaluation process?** | | |
| * Confirm with the parent that they would like for all evaluations to stop * Stop all evaluations. The student is a general education student. * Draft a Prior Written Notice with description of the parent request for all evaluations to stop, that the team is willing to begin the evaluation process should the parent change their mind- the evaluation timeline will start over should the parent change their mind and sign a new consent to evaluate. * Document efforts to try to gain parental written consent- document student progress, etc. | | |