

*You can revoke
your consent for
special education
services at any
time in writing.*

Revoking Consent for Special Education Services

It is important to understand the ramifications of ending/revoking your child's Individualized Education Program (IEP).

Revoking consent for special education

You may revoke consent at any time after providing initial consent for the provision of special education and related services. However, there are consequences, such as how your child may be disciplined. Therefore, it is important for you to ask questions about how your child's education will be affected before revoking consent.

Once you revoke consent:

- The school system will no longer provide special education and related services to your child. They will not use mediation or due process procedures to try to override your revocation of consent.
- Your child will no longer receive the services and supports that were included in his IEP.

How to revoke consent

You must submit the revocation of consent in writing. The school district must then give prior written notice of the termination of services. These written communications will serve as documentation of the process.



The school district may not discontinue services until you have been provided with prior written notice detailing the changes in educational placement and services. This notice must be given within a reasonable amount of time before the discontinuation of services.

A student over age 18 may revoke consent unless he has been declared incompetent by a court order. However, the school is required to give prior written notice to both the student and to parents before discontinuation of special education services.



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1 800-800-4005

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The school district may not suggest or encourage a parent to revoke consent. If staff believes that a student no longer qualifies for special education services or does not need special education services, the staff should conduct a reevaluation to determine if dismissal from special education is appropriate or to establish that the student continues to be eligible for special education.

The district is not required to remove the paperwork regarding special education services that occurred prior to parent revocation or consent from the student's record. The revocation is not retroactive and does not erase what has already occurred.

Student status after revoking consent

The following considerations now apply to the student:

- The school district is not required to conduct a reevaluation, convene an IEP meeting, or draft a new IEP before special education services are discontinued.
- The student is treated the same as any other nondisabled student, including access to accommodations, if any, that are available to nondisabled students.
- The Individuals with Disabilities Education Act (IDEA) requires all states to have a "comprehensive Child Find system" to assure that all children who are in need of early intervention or special education services are located, identified and referred. "Child Find" applies to the student in this situation in the same way as it does to any other student, including students whose parents refused consent for the initial placement of special education services.

- The student's IEP is no longer in effect. The school district is no longer required to provide a Free, Appropriate Public Education (FAPE), conduct three-year reevaluations, or hold annual IEP meetings.
- Regular discipline rules apply. School districts would not be considered to have knowledge of the student's disability and are not required to determine whether the conduct is a manifestation of the student's disability before implementing regular discipline.

However, if a parent requests a special education evaluation, the school district must implement the provisions regarding an expedited evaluation. The evaluation is considered an initial evaluation and all timelines apply. The Evaluation and Planning Team must consider existing information, in determining what is needed to establish eligibility. Parents are members of the evaluation and planning team.

Resources

[Vermont Agency of Education](#)
Special Education Technical Assistance.
802-828-1256

[Vermont Legal Aid: Disability Law Project](#)

The project provides counsel and advice, brief service, and full representation to eligible clients and their family members.
800-889-2047