



# FACTSHEET

## Terms to Know: Informed consent

Informed parent consent is one of the important parent rights in the Individuals with Disabilities Education Act (IDEA). When your child receives special education services, there are times when the school must obtain your written permission before acting.

Informed consent is a procedure to ensure that the parent:

- Has been fully informed of all information related to the proposed activity
- Understands and agrees in writing to carrying out the activity for which his consent is sought
- Understands that giving consent is voluntary and may be revoked at any time
- Understands that revoking consent will not apply to an activity that has already occurred

### When does the school need to get my consent?

Parent consent must be given:

- before the school evaluates a child to see if he or she has a disability and needs special education services;
- before the school provides a child with special education and related services for the first time; and
- before reevaluating a child to see if he or she still has a disability and still needs special education services.

### What happens before I give consent?

The school must give you full information about what activity they want you to agree to.

- This information must be given to you in your native language, or other way of communicating, such as sign language.

- The school must explain that your consent is voluntary and you may withdraw it at anytime.
- The consent form you sign must describe the activity. For example, "Consent is given to evaluate my child by doing psychological and educational testing."
- The consent form must also list any of your child's records that will be shared with others and who will see them.

### What else do I need to know?

- Your consent must be given in writing.
- If you withdraw your consent in writing before the school acts, then they cannot go forward.
- Consent for an initial evaluation does not mean you also agree to your child getting special education services.
- Your consent is not needed for the school to look at existing school records or other information on your child, such as class work or testing that was done before.
- Consent is not needed to give your child a test that is given to all children, unless consent is also asked of the parents of all other children.
- You may consent to only some of the services offered by the school. If there are some services you do not agree to, the school must still provide the services you do agree to.

*For more information, see IDEA Regulations: Sec. 300.300 Parental consent*

*Adapted from: Families and Advocates Partnership for Education*