

**281—120.67(34CFR303) Parental consent.**

**120.67(1) *Consent.*** “Consent” means that:

- a.* The parent has been fully informed in the parent’s native language or other mode of communication of all information relevant to the activity for which consent is sought;
- b.* The parent understands and agrees in writing to the carrying out of the activity for which consent is sought, and the consent describes that activity and lists the records, if any, that will be released and to whom the records will be released; and
- c.* The parent understands that the granting of consent is voluntary on the part of the parent, and may be revoked at any time. [34 CFR 303.401(a)(1)-(3)]

**120.67(2) *Parental consent required.*** Written parental consent shall be obtained before:

- a.* Conducting the initial evaluation and assessment, as defined in subrule 120.27(4); and
- b.* Initiating the provision of early intervention services. [34 CFR 303.404(a)]

**120.67(3) *Consent not given.*** If consent is not given, the grantee shall make reasonable efforts to ensure that a parent:

- a.* Is fully aware of the nature of the evaluation or assessment or the services that are available; and
- b.* Understands that the child will not be able to receive the evaluation and assessment or services unless consent is given.

A grantee may initiate procedures to challenge a parent’s refusal to consent to the initial evaluation of the parent’s child and, if successful, obtain the evaluation. [34 CFR 303.404(b), Note 2; 34 CFR 300.505(b)]