

Withdrawal or Revocation of Preschool Special Education and Related Services

The intent of this document is to provide districts and families with guidance surrounding options for service delivery and an understanding of the process, if necessary, to withdraw a child from preschool or revoke consent to services. Prior to any action, the district and parent should consider the following options:

- The IEP team including the parent should discuss whether the parents truly want to discontinue all special education and/or related services, or if the parents have concerns with the nature of the services being provided.
- If parents have concerns with the nature of the services, then the IEP team should discuss alternative service delivery options to meet the individual needs of the child. Possible considerations may include a change in the service provider location, itinerant services, virtual services, goals, specially designed instruction, related services, etc. The IEP team should document the outcome of the meeting with the agreed upon decisions and specific details reflected in an amended IEP or, if necessary, a new IEP.
- If the parents and the district cannot agree to the IEP services, then the district and family may need further support. The dispute resolution process offers several options. Districts can refer parents to [A Guide to Parent Rights in Special Education](#) for more information about the dispute resolution process and a parent's rights. The [Dispute Resolution](#) webpage also describes the options and provides contact information for specific questions. Parents and/or districts may contact the Department's Dispute Resolution staff at 1-877-644-6338 or by email at exceptionalchildren@education.ohio.gov.
- If parents truly want to discontinue special education and/or related services, the district should discuss with parents their option to withdraw their child from preschool. Lastly, the district should discuss with parents their option to revoke consent to services.
- In all circumstances, the district should consult their legal counsel regarding all assurances that the requirements with IDEA are met, especially providing a free appropriate public education (FAPE) in the least restrictive environment (LRE).

Frequently Asked Questions

Withdraw from Preschool

What does it mean to withdraw from preschool?

If a child is withdrawn from preschool, the child is no longer enrolled in the district and receiving special education and related services. The child, however, remains a student with a disability for the duration of the current ETR.

Who can withdraw a child from preschool?

A child's parent or guardian can formally withdraw a child from preschool following the procedures outlined by the district. In addition, the Office of Early Learning and School Readiness understands that some parents have failed to make their child available for services and have not responded to communication attempts by the district. In these rare circumstances, the district should refer to any district policies/procedures to withdraw a preschool student without parental consent.

How should the district document the decision to withdraw a child from preschool?

Documentation including the PR-01 should be maintained within the child's education records.

The district should maintain a record of all communication attempts with the parents. The district should also document their notification of the withdrawal to the parent. Districts may utilize the optional form **OP Withdraw from Preschool** as their notification to the parent.

How does the withdrawal from preschool impact the child's ability to receive special education services in the future?

The child continues to be a child with a disability for the duration of the current ETR. If the child reenrolls during the time period in which the ETR is still valid, the district remains responsible for providing FAPE.

How does the decision to withdraw a child from preschool impact district funding?

The district will need to enter an enrollment end date in the FS record to stop the special education funding for the child. The district will also need to enter an appropriate withdraw code reason as outlined in the EMIS manual. Since the child is being withdrawn and remains a child with a disability for the duration of the current ETR, the district will not enter a code to exit the child from special education. If additional guidance is needed, please contact the district's EMIS Coordinator for assistance.

Revocation of Consent

What does it mean to revoke consent?

If consent is revoked, the child is no longer considered to be a child with a disability, and the district is no longer obligated to provide IEP services.

Who can revoke consent?

A parent may revoke consent at any time for the continued provision of special education and related services. Only one parent is needed to revoke consent. A district cannot revoke consent and/or mandate a parent to revoke consent.

How should the district document the parent's decision to revoke consent?

The parent must submit the revocation of consent in writing. Upon receipt of written revocation from the parent, the district must provide the parent with Prior Written Notice (PR-01) before ending services. The notice must include the following:

- A summary of all supports and services the child will no longer receive, and any change in educational placement that will occur as a result of the revocation of consent.
- Statements that once the revocation takes effect, the district will not be considered to be in violation of its requirement to make FAPE available, is not required to convene an IEP meeting or develop an IEP, is not required to conduct a three year reevaluation, is not required to offer the child the discipline protections available under IDEA and is not required to amend the child's education records to remove any reference to the child's receipt of special education and related services.
- A statement that by revoking consent for special education and related services for the child, the parent is not waiving the right to request an initial evaluation or to receive services in the future.
- The district should allow the parent a reasonable amount of time to consider the change, ask questions, or voice concerns, after the parent receives the prior written notice.

How should the district document this in the child's education record?

The district is not required to amend the child's education records to remove references to the child's receipt of special education and related services. Documentation including the PR-01 should be maintained within the child's education records.

How does revoking consent impact the child's ability to receive special education services in the future?

After revoking consent, a parent maintains the right to request an evaluation to determine if the child is a child with a disability who needs special education and related services. The district is required to respond either by evaluating the child or by declining to evaluate and explaining that decision in a prior written notice. Also, staff members and administrators should be on the lookout for the child displaying needs that are new or different than those the district previously addressed in the IEP for which consent was revoked. If the child displays such needs, the district also has the right to request an initial evaluation of the child.

How does the parental decision to revoke services impact district funding?

The district will need to update the CIEP event (IEP consent withdrawn) and report that the child no longer has a disability condition on the FD record. Reporting the CIEP (IEP consent withdrawn) event and updating the FD record to remove the disability condition would stop the special education funding for the child. If additional guidance is needed, please contact the district's EMIS Coordinator for assistance.