

Notice of Parental Rights for Gifted Students

& K L O N A r t e /

Date:

Dear _____,

This notice describes your rights and the procedures that safeguard your rights as found in Chapter 16 of the State Board of Education's Regulations (22 Pa Code). These regulations require school districts to provide gifted education services to students who have been identified as gifted and in need of specially designed instruction. These services must be described in a Gifted Individualized Education Plan (GIEP).

The information contained in this Notice is important to you and your child. Please take time to review it. If you need clarification, you can seek help from personnel in your school district. You

If you have a concern about your child's educational program, you may wish to contact your child's teachers, principal, or district administrators. This type of communication is often helpful in resolving concerns. You also have the right to initiate due process procedures as described in Section V of this notice.

Sincerely,

Pennsylvania Department of Education
Bureau of Teaching and Learning
333 Market Street, 3rd Floor
Harrisburg, PA 17126-0333
717-705-6359

Bureau of Special Education
333 Market Street, 7th Floor
Harrisburg, PA 17126-0333
717-783-6134

Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
800-222-3353

Pennsylvania Office for Dispute Resolution (free for parents/guardians)
6340 Flank Drive
Harrisburg, PA 17112-2764
Special Education Consult Line: 800-879-2301 or (locally) 717-541-4960 ext. 3332
www.odr-pa.org

Pennsylvania Association for Gifted Education, Inc. (PAGE)
P.O. Box 312
Northampton, PA 18067
Helpline: 888-736-6443
www.giftedpage.org

Notice of Parental Rights

Section I: Prior Written Notice of Action/Refusal to Act

A. When Provided:

A school district must provide parents with written notice 10 school days prior to one or more of the following events:

1. The school district proposes to conduct an initial Gifted Multidisciplinary Evaluation (GMDE) or reevaluation of the student. Notices given under these circumstances are either the Permission to Evaluate or the Notice of Intent to Reevaluate.
2. The school district proposes or refuses to initiate or change the identification, evaluation or educational placement of the student. Notice given under these circumstances is the Notice of Recommended Assignment (NORA).
3. The school district proposes or refuses to make any significant changes in the student's Gifted Individualized Education Program (GIEP). Notice given under these circumstances is the Notice of Recommended Assignment (NORA).

B. Contents of Notice:

Prior written notices must be written in language understandable to the general public. If necessary, the content of notices must be communicated orally in the native language or directly so that parents understand the content of the notice.

Prior written notices must contain:

1. A description of the action proposed or refused by the school district, an explanation of why the school district proposes or refuses to take the action, and a description of any options the school district considered and the reasons why those options were rejected.
2. A description of each evaluation procedure, type of test, record or report the school district used as a basis for the district's action.
3. A description of other factors relevant to the school district's action.
4. A full explanation of the parental rights or procedural safeguards available to the parents or the student, including the right to an impartial hearing.
5. The address and telephone numbers of organizations that are available to assist the parents.
6. The timelines involved in conducting an evaluation, developing a gifted individualized education program (GIEP), and initiating a hearing.

7. A statement informing parents that an outside evaluation submitted by the parents must be considered.

Section II: When Prior Written Parental Consent Must Be Obtained

Parental consent must be obtained by the school district prior to:

1. Conducting an initial Gifted Multidisciplinary Evaluation (GMDE) of a student;
2. Initially placing a gifted student in a gifted program;
3. Disclosing to unauthorized persons information identifiable to a gifted student.

Section III: Parental Refusal to Give Consent

A school district may request (in writing) a due process hearing to proceed with an initial evaluation or an initial educational placement when the district has not been able to obtain consent from the parents of a student who is thought to be gifted.

A school district may also request (in writing) a due process hearing when a parent disagrees with the identification, evaluation or proposed educational placement or educational services for a student who is gifted.

Section IV: Independent Educational Evaluation

Parents have the right to obtain an independent educational evaluation at their own

- n. If a school district chooses not to utilize the coordination services, it may conduct hearings independent of the services if its procedures similarly provide for procedural consistency and ensure the rights of the parties. In the absence of its own procedures, a school district that receives a request for an impartial due process must forward, without delay, the request to the agency providing coordination services.
- o. A hearing officer may not be an employee or agent of a school district in which the parents or student resides, or of an agency which is responsible for the education or care of the student. A hearing officer must promptly inform the parties of a personal or professional relationship the officer has or has had with any of the parties.
- p. The following timelines apply to due process hearings:
 - i.