

CHAPTER 10 (HB 51)

AN ACT relating to the Federal Individuals with Disabilities Education Act.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 200.672 is amended to read as follows:

Kentucky's participation in Part C of the Federal Individuals with Disabilities Education Act requires that~~[Within the limitations of any available funding and subject to any appropriations related thereto,]~~ an infant or toddler with a disability who is being served by the Kentucky Early Intervention System and the parent or guardian of that child shall have the following rights:

- (1) To a timely, multidisciplinary evaluation and assessment;
- (2) To appropriate early intervention services for children and families;
- (3) To refuse evaluation, assessment, or services;
- (4) To written notice before a change is made in the identification, evaluation, or placement of the child, or in the provision of services to the child or family;
- (5) To written notice before a refusal of services is made in the identification, evaluation, or placement of the child, or in the provision of services to the child or family;
- (6) To confidentiality of personally identifiable information, including the right of the parent or guardian to be provided written notice of, and written consent to, the exchange of information among agencies, consistent with federal and state laws;
- (7) To determine if any family member will accept or decline an early intervention service under KRS 200.650 to 200.676, in accordance with state law, without jeopardizing other early intervention services under KRS 200.650 to 200.676;
- (8) To review all records and, if appropriate, to amend records;
- (9) To bring an advocate or attorney into any and all dealings with the early intervention system; and
- (10) To administrative process and judicial review in accordance with KRS Chapter 13B to resolve complaints.

Approved February 15, 2000

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