

1 AN ACT relating to the evaluation of children for special education services.

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

3 ➔Section 1. KRS 157.196 is amended to read as follows:

4 (1) The General Assembly declares that parents play a critical role in the education of  
5 their students. Parents have a major responsibility to assist in the education of their  
6 students and deserve respect and meaningful involvement in the decision-making  
7 process related to the students' education.

8 (2) Each exceptional student as defined in KRS 157.200 shall have an individual  
9 education plan that shall serve as the centerpiece of the student's educational career  
10 and the communication vehicle between the parents and school personnel. The plan  
11 shall enable the parents and school personnel to decide the student's educational  
12 needs, the services needed to achieve those needs, and the anticipated results. The  
13 plan shall be used as a document to monitor the student's progress. School  
14 personnel shall provide the parents with reports of the progress toward the student's  
15 annual goals at least as often as report cards go to nondisabled students.

16 (3) The Kentucky Board of Education shall promulgate administrative regulations  
17 establishing procedures for the development and monitoring of individual education  
18 plans that are in compliance with the Federal Individuals with Disabilities  
19 Education Act, as amended. These administrative regulations shall:

20 **(a)** Be written in clear, easily understood language that is free of education  
21 jargon; **and**

22 **(b)** ***Include a requirement that the initial evaluation and determination of the***  
23 ***eligibility of preschool children ages three (3) through five (5) for special***  
24 ***education services shall occur within sixty (60) calendar days of the receipt***  
25 ***of written parental consent for the evaluation.***

26 ➔Section 2. Whereas the services provided to preschool children under this Act  
27 are critically important to the development and educational success of children and

1 should be provided as soon as possible, an emergency is declared to exist, and this Act  
2 takes effect upon its passage and approval by the Governor or upon its otherwise  
3 becoming a law.