

AMENDMENT OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education Law sections 101, 207, 305, 4402, and 4403 and section 16-a of Part A of Chapter 56 of the Laws of 2014.

Paragraph (1) of subdivision (b) of section 200.5 of the Regulations of the Commissioner of Education is amended, effective July 30, 2014 as follows:

(1) The school district must make reasonable efforts to obtain written informed consent of the parent, as such term is defined in section 200.1(l) of this Part, and must have a detailed record of its attempts, and the results of those attempts. Written consent of the parent is required:

(i) . . .

(ii) prior to the initial provision of special education to a student who has not previously been identified as having a disability. Consent for initial evaluation may not be construed as consent for initial provision of special education services; and

[(iii) prior to initial provision of special education services in a 12-month special service and/or program;]

[(iv)] (iii) . . .