

200.672 Rights of disabled child, parent, or guardian being served by the system.

Kentucky's participation in Part C of the Federal Individuals with Disabilities Education Act requires that 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.

Effective: July 14, 2000

History: Amended 2000 Ky. Acts ch. 10, sec. 1, effective July 14, 2000. -- Amended 1996 Ky. Acts ch. 318, secs. 92 and 95, effective July 15, 1996. -- Created 1994 Ky. Acts ch. 313, sec. 12, effective July 15, 1994.

Legislative Research Commission Note (7/15/96). This statute was amended by 1996 Ky. Acts ch. 318, secs. 92 and 95, which are in conflict. Section 95 prevails as the last section in order of position. See *Home Folks Mobile Homes, Inc. v. Revenue Cabinet*, Ky. App., 700 S.W. 2d 75 (1985).