

Consent Guidelines

WHAT is consent?

- Parent or adult student has been **fully informed** of all information relevant to the activity for which consent is sought.
- Parent or adult student agrees **in writing** to carrying out the activity for which consent is sought. (Refer to DPI IEP form I-1-A).
- Parent or adult student understands that consent is **voluntary and may be revoked at any time** before the district initiates or carries out the proposed activity/action
- Consent is valid only for that activity (ies) for which consent is sought. Consent needs to specify the purpose(s) and the time period for which it is valid, so whether consent would cover more than just the upcoming IEP meeting would depend on those elements.
- Must be signed and returned to the district **BEFORE** the invitation to the IEP meeting can be sent out.
- Any time you disclose a student has a disability or share information about the student consent must be obtained. **Two exceptions are when there is a court order to release records or specific authority granted in statute** (such as when a child transfers from one school district to another).
Source: Student Records and Confidentiality, October 2003.

Frequently Asked Questions:

1. Do I need to obtain consent to invite an agency representative to an IEP meeting?

Yes. Consent **MUST** be obtained before you can invite an outside agency representative.

2. Do I need to obtain consent to disclose a disability to an employer for work experience per IEP?

Yes.

3. Do I need to obtain consent when an outside agency representative (such as DVR) comes to my classroom to provide a group presentation on information about eligibility and services?

Yes. Inviting a DVR rep. to come into a special education classroom is really no different than inviting a DVR rep. to a student's IEP meeting; the district would be divulging more than just directory data to the DVR rep. If DVR came to school during the day and was given a separate room in which to make a presentation (not the special education classroom) adult students could choose whether to attend or not. Students below age 18 would need to have parent consent in order to attend the DVR presentation. If you invited DVR to an evening meeting and extended an invitation to parents and students then they could make the determination as to whether they wanted to attend.

4. Do I need to obtain consent if the students meet individually with an outside agency representative (such as DVR)?

Yes, if it initiated/arranged by the school, unless the student is age 18 and volunteers to participate.

No, if the parent initiates the meeting OR if the student is age 18 and volunteers to participate.

5. Do I need to obtain consent for outside agencies who have been court ordered (such as a social worker, police officer or probation officer)?

Yes, unless the court also issued an order to release records.

6. Do I need to obtain consent for a social worker to attend meetings or share information?

Yes.

7. Do I have to use DPI form I-1-A?

No, you are not required to use DPI forms however if you use or modify forms they must be approved by DPI.

8. May I include more than one agency representative on one consent form?

Yes

9. What does obtaining parent consent on DPI I-1-A allow?

Obtaining parent or adult student consent on DPI form I-1-A only allows for the disclosure of personally identifiable information to a participating agency representative at the IEP meeting to which the individual is invited. Parent or adult student consent on this form would not permit the disclosure of personally identifiable information to a participating agency representative or other individuals in other situations or under other circumstance.

10. Can a LEA general release form include inviting participation agency representative to an IEP meeting?

Yes, because of the narrow or limited application of using form DPI I-1-A to obtain parent or adult consent to disclose personally identifiable information, several LEAs have modified their general release of information forms to include inviting participation agency representatives to IEP team meetings. These general releases of information forms should identify the period of time that the consent covers, for example 9/1/07 – 8/31/08.

11. What is the time limitation on the length of time a LEA could request consent for?

While there does not appear to be a limitation on the length of the time a LEA could request consent for the release of personally identifiable information the Department of Public Instruction recommends the parent and the adult student consent to release personally identifiable information be obtained annually.