

**As of January 2002  
Newly Adopted Amendments (State Level)**

**Services to Students Incarcerated**

This was reviewed and amended to cover the situation of persons under the age of 21 incarcerated in state correctional facilities, to allow for instances where parent signature was necessary and no parent was available. The wording also reflects federal law requirements for services to youth in adult correctional institutions.

**Districts who opt to provide for children, birth to three**

Written to clarify that school districts have the option of providing intervention services for children birth to three. District must follow Part C regulations. Part B does not apply to birth to three categories. DSHS is the state lead agency responsible for Part C services. State funding for Birth to 3 services is legislatively appropriated. District's decision as to whether to serve this group is optional. DSHS is responsible for investigating any alleged Part C violations. No Part B money can be moved to Part C, thereby allaying any worries that DSHS could somehow access what other would be considered Public School Special Ed monies.

**Making procedure changes to monitoring, citizen complaints, and non-public agency processes.**

Language was added that permits assessments and observations provided by sources outside the usual settings.

**Changes required for our federal eligibility documentation, including parent's rights to decline initial special education services.**

A statement was added that clearly says a district may not override a parent's decision to not accept special education services. Mediation is an option available to either side if there is an issue.

Questions may be addressed to Pam McPartland, Special Education Operations  
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Reference: Bulletin No. 100-01 SPECIAL PROGRAMS  
<http://www.k12.wa.us/specialed/bulletins/bulletin.asp>