**24:05:27:04.03.  Parental withdrawal of consent for services.** If, at any time subsequent to the initial provision of special education and related services, the parent of a student revokes consent in writing for the continued provision of special education and related services, the school district:

 (1)  May not continue to provide special education and related services to the student, but shall provide prior written notice in accordance with chapter 24:05:30 before ceasing the provision of special education and related services;

 (2)  May not use the procedures in chapter 24:05:30, including the mediation procedures or the due process procedures, in order to obtain agreement or a ruling that the services may be provided to the student;

 (3)  Is not considered to be in violation of the requirement to make FAPE available to the student because of the failure to provide the student with further special education and related services; and

 (4)  Is not required to convene an IEP team meeting or develop an IEP under this chapter for the student for further provision of special education and related services.

 **Source:** 36 SDR 96, effective December 8, 2009.

 **General Authority:** SDCL 13-37-1.1.

 **Law Implemented:** SDCL 13-37-1.1.