

placement of the child or the provision of FAPE to the child.

(3) The appropriate FCPS representative shall provide written notice to the parents of a child with a disability at least twenty-four (24) hours before an ARC meeting concerning a safety issue or a change in placement due to a violation of a code of student conduct.

(4) This notice shall include:

- (a) A description of the action proposed or refused by the FCPS;
- (b) An explanation of why the FCPS proposes or refuses to take the action;
- (c) A description of any other options that the FCPS considered and the reasons why those options were rejected;
- (d) A description of each evaluation procedure, test, assessment, record, or report the FCPS used as a basis for the proposed or refused action;
- (e) A description of any other factors that are relevant to the FCPS's proposal or refusal;
- (f) A statement that the parents of a child with a disability have protection under the procedural safeguards in 707 KAR Chapter 1 and 34 CFR Section 300.504 and IDEA, including the time period in which to file a complaint or due process hearing, the opportunity for the FCPS to resolve the complaint or hearing issue(s), the time period in which to file civil actions, and if this notice is not an initial referral for evaluation, the means by which a copy of the procedural safeguards can be obtained; and
- (g) Sources for the parents to contact to obtain assistance in understanding the provisions of this section.

(5) The FCPS Representative shall give notice of proposed or refused action to the parents. ~~at the end of the meeting if a parent attends, or by mailing the notice (which may consist of the meeting summary) to parents who did not attend the meeting within three (3) school days after the meeting.~~ If the parent attended the meeting, copies of these documents may be given at the conclusion of the meeting or may be provided to the parent within two (2) school days following the meeting. Changes decided by the ARC will not be implemented until the parent receives the written document unless the parent verbally consents during a meeting or a documented discussion to changes being implemented prior to receipt of the meeting documentation. The proposed action may be implemented immediately if parents received notice in the meeting and within seven (7) school days after the meeting if no parent attended the meeting, and if no due process hearing has been requested challenging the proposed or refused action.

(6) The notice shall be written in language understandable to the general public and provided in the native language or other mode of communication of the parent unless it is clearly not feasible to do so. If the native language of the parent is not a written language, the FCPS shall take steps to ensure:

- (a) that the notice is translated orally or by other means to the parent in his or her native language or other mode of communication;
- (b) that the parent understands the content of the notice: and
- (c) that there is written evidence that the requirements of (a) and (b) in this subsection have been met. The native language of the parent of a child is the definition of native language used in 707 KAR1:280.