



PRIOR WRITTEN NOTICE

The Individuals with Disabilities Education Act (IDEA) gives rights to children with disabilities, and requires the State and the school district to make sure that your child receives access to special education. IDEA also emphasizes the importance of your active participation in making decisions about your child's special education. Before the school district proposes or refuses an action related to the education plan for your child, they must provide you with a "**Prior Written Notice.**" You can get information about your child's **Individualized Education Program (IEP)**, parent and children's special education rights, and other information in Spanish, if that is your native language. Parents and the school personnel need to work together to develop the IEP for your child. The IEP clearly describes forth the services that your child will need to reach his/her unique needs.

"**Prior Written Notice**" is confusing to many people because it sounds legal and it sounds like the school must give you this information **BEFORE** they have a meeting. Many schools provide this notice before an eligibility or IEP meeting. However, this notice must also be given to you **AFTER** a meeting, if you do not agree with something the school is proposing or if the school does not want to do what you are asking.

Your consent is very important and you should not sign your agreement at a school meeting until you are certain you understand what you are agreeing to. If you have questions, you can call **PEATC at 800-869-6782** and an Information Specialist can assist you (we have English and Spanish speakers). At PEATC, we cannot write your letters for you. However, we have tried to make it less intimidating for you to ask for this information in Spanish.

Sometimes the parent or student may disagree with something the school or IEP team is proposing. Or, the parent or student may want something that the rest of the IEP Team does not think is necessary. PEATC has a form that will help you clearly communicate with your child's school about questions or concerns that you have and what you would like to see in your child's IEP. The form will help you officially request services or tell the school that you do not want what they are proposing for your child. When the school provides you with the "**Prior Written Notice**" it will help you understand why the school has made a decision that you do not agree with. This notice must contain written information about why the school disagrees with the parents including:

- *What tests and observations they used to make the decision*
- *What options were considered*
- *Other relevant information*
- *Notice of Procedural Safeguards*



Websites on Prior Written Notice

http://idea.ed.gov/download/modelform2_Prior_Written_Notice.pdf

The model form on Prior Written Notice from the Office of Special Education and Rehabilitative Services

[http://idea.ed.gov/explore/view/p/,root,regs,300,E,300%252E503,](http://idea.ed.gov/explore/view/p/,root,regs,300,E,300%252E503)

Regulations regarding Prior Written Notice

<http://www.ed.gov/policy/speced/guid/idea/modelform-notice.doc>

Prior Written Notice sample form from the Office of Special Education and Rehabilitative Services

<http://idea.ed.gov/static/modelForms>

Model forms on Prior Written Notice

<http://www.townhall.virginia.gov/l/viewcomments.cfm?commentid=1749>

Virginia Regulatory Town Hall documentation on Prior Written Notice

http://www.doe.virginia.gov/VDOE/Instruction/Sped/proc_safe.pdf

Virginia Procedural Safeguards notice from the Virginia Department of Education



School _____

Date _____

Student's Name _____

To Whom it May Concern

It is my commitment as a parent to advocate for my child's success in school. I am highly committed, as a parent, to work together with you and I know we have high expectations for my child's development. As we work to reach those expectations, today I write to you to make it clear, what I want for my child and what information about my child and your decisions that I need to understand before giving my consent or refusing my consent.

1. Propose to begin or change the identification, evaluation, or educational placement of my child or the provision of a free appropriate public education (FAPE) for my child; or
2. Refuse to begin or change the identification, evaluation or educational placement of my child or the provision of FAPE.

The required content under 34CFR Section 300.503(b) is listed below. I would appreciate it if you would give me an explanation for each item listed.

1. What action the school proposes or refuses to take.
2. Why the school district is proposing or refusing to take the action.
3. Description of each evaluation procedure, assessment, record, or report the school district used to deciding to propose or refuse the action.
4. Description of any other choices the IEP team considered and the reason why those choices were rejected.
5. Description of other reasons why the school proposed or refused the action.

Following you will find the action I am asking the school to provide further and detailed information:

Describe the action the school proposes or refuses to take.

- 1.
- 2.
- 3.

Thank you for your attention,

Your Signature

Address _____

Telephone _____

Other Information _____