

Prior Written Notice Example Document

Student Name: Mikayla Baxter

ID: 000000000

Date: 10/5/2017

School: Walden Lake Middle School

Grade: 6

DOB: 07/02/2005

Dear

You are receiving this notice because the school is proposing and/or refusing actions regarding your child's identification, evaluation, educational placement, or free appropriate public education (FAPE).

1. Actions Proposed or Refused

The school is proposing to conduct a reevaluation of Mikayla. The following list includes the proposed assessments and information to be collected or reviewed for the reevaluation:

Intellectual

- Review of 2014 results from the Differential Ability Scale – Second Edition, by the school psychologist.

Academic and Information Processing

- Woodcock-Johnson Test of Achievement – Fourth Edition, to be given by the special education teacher.
- Specific Learning Disability interviews, to be completed by parent and classroom teachers.
- Classroom observation, to be conducted by the special education teacher.
- Review of relevant educational records (including report cards, 2016-2017 state and districtwide assessment results, and attendance records), by the school psychologist and special education teacher.

Sensory, Health, and Physical

- Vision and hearing screening, to be conducted by the school nurse.
- Update on current health status, provided by parent.
- Review of medical records and health history, by the school nurse.

2. Explanation (Why)

The reevaluation is needed to determine if Mikayla continues to be a student with a disability and continues to need special education services. The reevaluation will provide her IEP team with updated information about Mikayla's present levels of performance and educational needs in order to appropriately plan her program.

3. Sources of Information (Basis)

The team reviewed information from the following sources to make decisions about the proposed evaluation and assessment tools:

- Parent input
- Classroom teachers' input
- Special education teacher input
- Results from Mikayla's previous evaluation report
- Current information from report cards, attendance records, and state and districtwide assessment results

4. Other Options Considered

The team considered assessing Mikayla in the areas of communication, social/emotional/behavioral development, and functional and adaptive behavior; however, because neither Mikayla's parents nor her teachers have expressed concerns in these areas, the team decided against such assessments.

5. Other Relevant Factors

Because of Mikayla's difficulties with information processing and maintaining focus for long periods of time, she will be tested over several days and given frequent breaks during assessments.

Your Rights

For initial proposed evaluations or an initial individualized education program (IEP):

- The school will not proceed with the actions proposed in this notice without first receiving your written consent.
- If you provide written refusal to an initial evaluation or the initial provision of special education services, the school may not override your decision.

For other proposed actions:

- Unless you provide a written objection within 14 calendar days from the date the school sent you this notice, the school will move forward with the proposed actions.

What happens if I object to the proposed action?

- The school district must offer a conciliation conference within 10 calendar days from the date the district receives your objection to a proposal or refusal. You also may request a *conciliation conference* (see definition below).
- If you prefer, you may request mediation or a facilitated team meeting to resolve disagreements.
- You or the school may request a due process hearing in order to resolve the disagreements.

Procedural Safeguards:

You are protected under the *procedural safeguards of the Individuals with Disabilities Education Act (IDEA)* (see definition below). You can get a copy of these safeguards by contacting:

- John Doe, Specific Learning Disability Teacher, at 651.111.1111 or johndoe@school.k12.mn.us

Other Resources:

If you would like help in understanding what this prior written notice means, you can contact:

- Pacer Center at [651-838-9000](tel:651-838-9000) or www.pacer.org
- The ARC of Minnesota at 651-523-0823 or <http://thearcofminnesota.org/>
- Minnesota Department of Education at 651-582-8689 or <http://education.state.mn.us/mde/index.html>

Definitions

alternative dispute resolution

In Minnesota, alternative dispute resolution includes mediation and facilitated team meetings. Both you and the school district would need to agree to participate in mediation or a facilitated team meeting. The process is free and involves an impartial person provided by the state to help you and the district resolve differences while keeping the focus on the student's needs. For more information, here is a link to MDE's webpage: <https://education.mn.gov/MDE/fam/sped/conf/>.

conciliation conference

"Conciliation conference" means a meeting with the parent and school staff to resolve disagreements about the school's proposed or refused actions described in the prior written notice. A conciliation conference must be attended by at least a parent and a school staff person with authority to resolve the dispute.

procedural safeguards of the Individuals with Disabilities Education Act

A procedural safeguards notice or parental rights document explains some of the special education rights and procedural safeguards available to parents under federal and state law. For example, you will find information about when you need to provide written consent (agreement), how your child's records are protected, and your options if you do not believe your child is receiving appropriate special education services. ¹

¹ Special education rights and procedural safeguards are provided to parents by the Individuals with Disabilities Education Act (IDEA), the implementing regulations at 34 C.F.R. Part 300, and applicable Minnesota laws and rules.