

Greetings! This week I would like to discuss the topic "Prior Written Notice". Prior Written Notice is a legal requirement and we must provide it to the parent whenever the school district proposes or refuses "to initiate or change the identification, evaluation or educational placement of the child, or the provision of FAPE to the child." 34 CFR 300.503(a). Prior Written Notice can be either included in the IEP or can be written as a separate letter. The letter should specify that it serves as a prior written notice.

- IDEA 2004 and 2006 final regulations modified the minimum content requirements of the prior written notice. Under 34 CFR 300.503(b)(1)-(7), the notice must include:
- A description of the action proposed or refused by the district.
- An explanation of why the district proposes or refuses to take the action.
- A description of each evaluation procedure, assessment, record, or report the district used as a basis for the proposed or refused action.
- A statement that the parents have protection under Part B's procedural safeguards.
- If the prior written notice is not an initial referral for an evaluation, the means by which a copy of a description of the procedural safeguards can be obtained.
- Sources for parents to contact to obtain assistance in understanding the provisions of Part B.
- A description of the other options considered by the IEP team and the reasons why those options were rejected.
- A description of the factors relevant to the district's proposal or refusal.
- The district must provide enough information in its notice for parents to understand why the placement team has concluded that the proposed placement option is the LRE in which the student can receive FAPE. Following the general contents of the prior written notice requirement described above, the explanation must contain, at least a description of the proposed new placement, identification of the setting selected and alternative settings that were considered, and an explanation of why the proposed option, as opposed to the alternatives, was selected.

Please be sure to contact me or the coordinators if you are in a situation that warrants a prior written notice. One of us should be present in those meetings.

Thanks for all you do for our students. Have a great week!

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