

ANCHORAGE SCHOOL DISTRICT
SPECIAL EDUCATION

MEMORANDUM

SEPTEMBER 20, 2005

TO: SPECIAL EDUCATION AND RELATED SERVICES
ADMINISTRATORS, STAFF AND TEACHERS

FROM: JERRY SJOLANDER, EXECUTIVE DIRECTOR
SPECIAL EDUCATION

RE: WRITTEN PRIOR NOTICE

When must the school district provide parents with prior written notice (PWN)?

Special education staff shall provide prior written notice to parents of a child with a disability or child with a suspected disability, in a reasonable time (generally ten school days) prior to the following:

1. When the district proposes to initiate or change the:
 - a. **Identification** – eligibility for services, need for services, change of disability category
 - b. **Evaluation** – initial evaluation and reevaluation
 - c. **Educational placement of the child** – graduation, program completion, a placement that changes the degree of interaction with children without disabilities, placement in an interim alternative education setting, suspension for more than 10 days, expulsion
 - d. **Provision of FAPE to the child** – IEP changes

OR

2. When the district **refuses** to initiate or change the identification, evaluation, or educational placement of the child or refuses to make any changes requested by the parent in the provision of FAPE to the child.

Is prior written notice required for all assessment or testing situations?

Neither prior written notice nor consent is required for tests administered to both regular and special education students in a grade or class, or for teacher-made tests or criterion-referenced tests used to determine the child's progress toward IEP goals and objectives/benchmarks.

How does prior written notice relate to situations requiring parental consent?

If prior written notice relates to an action proposed by the district that also requires parental consent, the district may give notice at the same time it requests parent consent.

In what language or format must notice be provided?

1. The notice must be written in language understandable to the general public and, where appropriate, in the native language or other mode of communication used by the parents.
2. If necessary, the notice must be communicated orally in the native language or by other means so that the parent understands the content of the notice.
3. Prior written notice is available in all languages for which the district has a bilingual program. Assistance to special education staff in the provision of alternate language formats can be obtained through Special Education Records at 742-6077.
4. If a native language is not available, a tape of the translated PWN can be obtained through Special Education Records at 742-6077.
5. Prior written notice is available in Braille and can be obtained through Special Education Records at 742-6077.

Does the parent need to agree with the content of a PWN?

NO. The PWN is not a meeting minutes form. A description of any other factors that are relevant to the proposal or refusal.

1. A description of the proposed or refused action by the district.
2. An explanation of why the district proposes or refuses to take action.
3. A description of each evaluation procedure, test, record or report used in deciding to propose or refuse action.
4. A description of any options the district considered.
5. The reasons for the options being rejected.
6. A description of any other factors that are relevant to the proposal or refusal.
7. A statement that the parent has protection under procedural safeguards, or parental rights, and how they can obtain a copy of the parental rights document. If the notice is for initial referral for evaluation, a copy of the notice of procedural safeguards must be provided with the notice.
8. Resources for parents to contact for assistance in understanding their rights.

The PWN is the district's proposal. If a parent disagrees with the proposal he or she should be given a copy of the Notice of Procedural Safeguards.