

PRIOR WRITTEN NOTICE
for
IDENTIFICATION,
INITIAL SERVICES, PLACEMENT,
CHANGE IN SERVICES,
CHANGE OF PLACEMENT, AND
REQUEST FOR CONSENT

To _____ Date _____
(Parent/Legal Educational Decision Maker)

On behalf of _____ Address _____
(Student's Name)

On _____, we met to review the evaluation/assessment data on your child, including any evaluations or information you provided, current classroom-based assessments and observations, and teacher or other staff observations to determine, with your input:

- Whether your child was eligible for special education
- Special education and related services needed by your child
- The appropriate educational placement to provide special education and related services identified in your child's Individualized Education Program (IEP)
- Any additions, changes or modifications to the special education and related services or educational placement that are needed to enable your child to meet the measurable annual goals set in the IEP and to participate, as appropriate, in the general curriculum.

To the maximum extent appropriate, your child is to be educated with other children in the general education classroom. Your child shall be removed from the general educational environment only when the nature or severity of his/her needs are such that education in general education classes, with support services, cannot be achieved satisfactorily. If services are not to be provided in the general education classroom, the reasons for that are given below, along with the results of our meeting.

A. IDENTIFICATION/ELIGIBILITY (Parental Consent Not Required)

YOUR CHILD IS ELIGIBLE FOR SPECIAL EDUCATION

Your child meets the criteria as a child with an exceptionality

and

Special education services are necessary to enable your child to receive educational benefits in accordance with his/her abilities or capabilities

YOUR CHILD IS NOT ELIGIBLE FOR SPECIAL EDUCATION

Your child does not meet the criteria as a child with an exceptionality.

or

Special education services are not necessary to enable your child to receive educational benefits in accordance with his/her abilities or capabilities

B. INITIAL SERVICES & PLACEMENT (Parental Consent Required)

As explained below, an Individualized Education Program (IEP) proposing appropriate Special Education and related services and an appropriate instructional environment for delivering special education and related services was written for your child.

C. CHANGE IN SERVICES

CHANGE IN SERVICES (Parental Consent Not Required)

As explained below, we are proposing a change (not a material change) of a special education service, a related service, or a supplementary aid or service specified on your child's IEP.

MATERIAL CHANGE IN SERVICES (Parental Consent Required)

As explained below, we are proposing a change that results in a decrease or increase of 25% or more of the duration or frequency of a special education service, a related service, or a supplementary aid or a service specified on your child's IEP.

D. CHANGE IN PLACEMENT

CHANGE IN PLACEMENT (Parental Consent Not Required)

As explained below, we are proposing a change (not a substantial change) in placement from a less restrictive environment to a more restrictive environment, or from a more restrictive environment to a less restrictive environment.

SUBSTANTIAL CHANGE IN PLACEMENT (Parental Consent Required)

As explained below, we are proposing a change in placement that results in the movement of more than 25% of your child's school day from a less restrictive environment to a more restrictive environment, or from a more restrictive environment to a less restrictive environment.

E. OTHER CHANGES TO IEP, NOT INVOLVING SERVICES OR PLACEMENT (Parental Consent Not Required)

F. THE [LEA] REFUSES TO INITIATE OR CHANGE THE IDENTIFICATION, EDUCATIONAL PLACEMENT, OR PROVISION OF SPECIAL EDUCATION AND RELATED SERVICES AS EXPLAINED BELOW. (Parental Consent Not Required)

1) A DESCRIPTION OF THE ACTION PROPOSED OR REFUSED:

2) EXPLANATION OF WHY THE ACTION IS PROPOSED OR REFUSED:

3) OPTIONS CONSIDERED AND WHY THE OPTIONS WERE REJECTED:

4) DESCRIPTION OF THE DATA USED AS BASIS FOR THE PROPOSED OR REFUSED ACTION
(including each evaluation procedure, assessment, record or report used as a basis for the proposed or refused action):

5) OTHER FACTORS RELEVANT TO THE PROPOSAL OR REFUSAL (e.g. LRE, harmful effects):

ADDITIONAL INFORMATION

You may contact any of the following resources to help you understand the federal and state laws for educating children with exceptionalities and parental rights (procedural safeguards) granted by those laws: Kansas State Dept. of Education 800-203-9462; Disability Rights Center of Kansas (DRC) (877) 776-1541; Families Together, Inc. 800-264-6343; and Keys for Networking 785-233-8732.

PROCEDURAL SAFEGUARDS TO PROTECT PARENT'S RIGHTS

Both state and federal laws concerning the education of children with exceptionalities include many parental rights. Receiving notices of action the school wants to take in regard to your child and being a part of your child's educational planning team are examples of the rights these laws give you. These laws also require that the school follow certain procedures to make sure you know your rights and have an opportunity to exercise those rights. The school is required to give you a copy of the rights of a parent at least one time each school year. To receive an additional copy of your rights and the procedural safeguards available to you, and if you have any questions regarding your rights, you may contact the special education director of the school or special education cooperative.

DELIVERY

I, _____.

- hand delivered,
 mailed,
 other _____
(specify)

this notice to _____ on _____.
(Name) (Date)

REQUEST FOR CONSENT FOR SPECIAL EDUCATION ACTION
(If Required)

We ask that you give us consent to carry out the special education action as indicated. Any disagreement we have regarding any of the above matters may be resolved by our mutual agreement, through mediation or through due process proceedings. An explanation of mediation and due process proceedings is provided upon request.

The proposed action(s) will begin within 10 school days (unless there is a reasonable justification for delay) upon receiving your written consent. If you have any questions regarding this notice, you may contact the following school representative:

_____ at _____ or _____
(School Contact) (Address) (Phone)

If you wish to consent to the special education actions specified in this notice, please sign and date this form (below) and return it to the school representative indicated above.

CONSENT

I ***give consent*** for the special education placement and services action(s) in this notice for my child. I understand this consent is voluntary and may be revoked at any time, but that revocation does not negate an action that occurs after consent is given and before consent is revoked. I also understand that I may revoke my consent for a particular service or placement only if the IEP team certifies in writing that the particular services or placement is not necessary for this student to receive a free appropriate public education.

DO NOT GIVE CONSENT

I ***do not give consent*** for the special education placement and services action(s) in this notice for my child.

_____ Date _____
(Parent/Legal Education Decision Maker)

_____ Date _____
(Parent/Legal Education Decision Maker)