**Revised November 2022**

***This document provides EXAMPLES of information that might be included in a prior written notice. It is being provided only to exemplify the type of information that might be presented in the various sections of the Prior Written Notice Form. The examples should not be construed as a model notice of recommendation for any particular child.***

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| **Prior Written Notice ( Notice of Recommendation )** |

 Date:

Dear Parent or Guardian of

 Student’s DOB:       Local ID Number:

The purpose of this notice is to inform you, in writing, of the school district’s recommendation(s) regarding the identification, evaluation, educational placement and/or provision of special education services to your child.

**Subject of this notice**:

*Select one or more subject(s) of the notice and/or type in additional subjects,*

*as appropriate*

 Initial evaluation

 Reevaluation

 Initial eligibility recommendation

 Initial provision of special education programs and services

 Changes to special education programs and services

 Revocation of parental consent

 Declassification recommendation

 Receipt of a nondiploma credential

 Graduation with a local high school or Regents diploma

**Description of action proposed or refused:**

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| **Annotation:**The prior written notice must inform the parent of any action(s) proposed or refused by the school district. Examples include:* *The district proposes to conduct an individual evaluation to determine the student's initial eligibility for special education services.*
* *The Committee on Special Education (CSE) recommends that the student be identified as having a disability to receive special education services under the disability classification of autism.*
* *The CSE recommends that the student receive special education services to include consultant teacher services in his English and Math classes twice a week for 30-minute sessions, resource room services 2 times a week for 30 minute sessions and extended time (time and a half) as a testing accommodation for tests requiring reading.*
* *The CSE proposes to cease (stop) providing special education services to the student at the end of the school year (i.e., declassification).*
* *The school district will cease (stop) providing special education services to the student on January 15 because the parent has revoked consent. The student will no longer receive any special education services, including testing accommodations and transition services.*
* *The CSE does not agree that it is appropriate to change the student’s disability classification from 'Emotional Disturbance' to 'Other Health Impaired.’*
* *The CSE has refused the parent's request for an independent educational evaluation at public expense.*
* *The CSE has refused the parent's request to recommend extended school year services.*
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**Explanation of why the action is proposed or refused:**

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| **Annotation:**The explanation must provide the parent with the reason(s) why a particular action is proposed or refused and should be based on the needs of the student. Examples include:* *The student was evaluated in this area three months earlier.*
* *The student’s hypersensitivity to noise and visual distractions cannot be accommodated in a general education class.*
* *The CSE determined that the student’s delay in reading is attributed to a lack of instruction in reading rather than a disability in this area.*
* *The evaluation data indicate that the student does not meet the eligibility criteria for a preschool child with a disability,*
* *The school district conducted a psychological evaluation on 9-16-09 and considers the data to be valid and comprehensive. Therefore, the district refuses to reimburse you for the independent psychological evaluation that you obtained in August of 2009. The independent evaluation for which you seek reimbursement was conducted before the district conducted its evaluation and yielded similar results. The school district has requested an impartial hearing regarding your request for reimbursement of the independent education evaluation.*
* *The parent notified the district on December 1 that she has revoked consent for the district to provide special education services to her child.*
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**Description of each evaluation procedure, assessment, record, or report used in the decision to propose or refuse the action:**

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| **Annotation:**The prior written notice must include a description of any evaluations, assessments, records or reports that served as the basis for a proposed or refused action. Examples include:* *The CSE recommends that the student receive speech and language therapy 3 times a week for 30-minute sessions based on the results a reevaluation of his speech/language skills which included an assessment of articulation and fluency, an oral-motor assessment and a hearing test.*
* *The recommendation for a behavioral intervention plan (BIP) and the addition of counseling as a related service is based on the results of a functional behavioral assessment (FBA) which included behavioral observations, parent and student interviews, a psychological evaluation and data collected on the student's behaviors in each of his academic classrooms over a three-day period.*
* *The declassification recommendation was based on a reevaluation of the student, which included a psychological evaluation, educational assessments, progress reports and observations of the student in English, math and science classes and an independent evaluation of learning disabilities dated 9/09 provided by the parent.*
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**For an initial or reevaluation - Description of the proposed initial or reevaluation and the uses to be made of the information:**

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| **Annotation:**Prior written notice for an initial or reevaluation must include a description of the proposed evaluation/reevaluation and uses to be made of the information. Examples include:* *A FBA will be completed to ascertain the physical, mental, behavioral and emotional factors which contribute to the student’s suspected disabilities. The FBA will assist the Committee in determining if a BIP should be developed in order to address any of the student’s behaviors that impede his/her learning or that of others .*
* *A vocational assessment that includes a review of school records, teacher assessments and parent and student interviews will be completed in order to determine vocational skills, aptitudes and interests of the student. This information will assist the Committee to identify the student's post-secondary goals and transition activities needed to prepare the student to meet those goals.*
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**Description of any other options considered and the reasons why those options were rejected:**

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| **Annotation:**The prior written notice must provide an explanation of other options considered. The reasons other options were rejected should be based on the needs of the student. Examples include:* *A resource room program was considered but not recommended because of Richard’s need for intensive specialized instruction to address his difficulties with verbally presented information.*
* *Consultant teacher services were considered but not recommended due to Pedro's need for specially designed instruction throughout the school day to address his problems processing verbally presented information and his inability to recall information.*
* *Placement in a special education class was considered but not recommended as Anne has been able to maintain her attention to task and to progress in general education classes when provided with written notes to accompany the teacher’s instruction.*
* *Results of the evaluation indicate that the student's needs can be met with supplemental support services in the general education classroom.*
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**Description of other factors that are relevant to the proposed or refused action:**

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| **Annotation:**The prior written notice must provide an explanation of other factors relevant to the proposed or refused action. Examples include:* *Marci's age and physical limitations were considered in the Committee's recommendation.*
* *Donny’s parent’s expressed concern that he needs peers who model socially- appropriate behavior. Classroom observations confirm that Donny often mimics behaviors of other students.*
* *Sandra expressed that she feels embarrassed when a one-to-one aide works with her in the classroom.*
* *Cassandra is reading at grade level.*
* *Because the parent has revoked consent for special education services, the student will not be protected by the federal and State discipline procedures for students with disabilities in the event the student violates the code of conduct.*
* *The CSE offered to hold another meeting to review your concerns.*
* *At the last CSE Meeting, it was determined that the student was benefiting from special education and progressing in the general curriculum in all subjects except math. The CSE proposed additional goals and services to address this area of need.*
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**You have protection under the procedural safeguards of the Regulations of the Commissioner of Education.**

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| [ ]  A copy of the Procedural Safeguards Notice is enclosed.[x]  A copy of the Procedural Safeguards Notice may be obtained by: accessing the district's web site at (school district website inserted) or by calling the district office at (\_\_\_-\_\_\_-\_\_\_\_). |

**Sources you may contact to obtain assistance in understanding the special education process**:

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| **Annotation:**The prior written notice must include sources for the parent to contact in order to obtain assistance in understanding the special education process. As examples, the prior written notice could provide contact information for:* *A school district contact person, such as the CSE or CPSE chairperson.*
* *The phone number and/or a contact person at one of the NYSED funded* *New York State Education Department Office of Special Education* [*Educational Partnership Regional Level Teams*](https://osepartnership.org/)

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**Additional information related to the subject of the notice:**

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| **Annotation:** As examples\*:* *Your written consent to the proposed reevaluation is requested and a consent form is enclosed.*
* *You may also submit evaluation information which will be considered by the Committee as part of the reevaluation.*
* *You must select a preschool program to conduct a reevaluation of your child. Enclosed is a list containing a description of preschool programs that have been approved to provide evaluations and the procedures you must follow to select a program that is available to conduct the evaluation of your child within the time period required by State regulations.*
* *No additional tests or assessments are needed to determine your child’s continued eligibility for special education. The reason(s) for this determination is provided above. In this case, you have the right to request an assessment to determine your child’s continued eligibility for special education and educational needs.*
* *Your written consent is requested to provide special education services/programs to your child during July and August and a consent form is enclosed*.
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\* *For additional examples, see attachment 3.*

You have the right to address the Committee, either in person or in writing, on the appropriateness of the Committee’s recommendations. If you have any questions or would like to request a meeting to further discuss information contained in this notice, please contact       at      .

 Sincerely,

Enclosures:

*Select one or more enclosures as appropriate. See attachments 3 and 5 for list of required enclosures. This list is not exhaustive. Use the text box to enter additional enclosures, as appropriate.*

 Preschool evaluation programs