

Understanding Prior Written Notice – WAC 392-172A-05010

Prior Written Notice v. Meeting Invitations

Prior Written Notice (PWN) must be sent every time a district proposes or refuses to initiate a change to the identification, evaluation, educational placement of or provision of FAPE to a student. Often, *but not always*, these decisions are made during IEP meetings. PWN is not a meeting invitation; which is how the district notifies the team, including the parent, of the meeting particulars. PWN is a document the district uses to inform the parent of any decisions the team has made that affect the identification, evaluation, educational placement of or provision of FAPE to a student. PWN is sent AFTER a decision is made but PRIOR TO implementing the decision. For example:

January 1 st	January 15 th	January 16-18 th ish or ASAP	A reasonable time <u>after</u> Parent receives notice prior written notice.
Send invitation to meeting (after selecting a mutually agreeable time and place.)	Hold the meeting, at which time options are discussed and decisions are made.	Provide PWN to parent explaining the team's decision(s), the action the District is taking/refusing to take, and the date on which the change will take effect.	Implement changes outlined in PWN. Make sure that you allow enough time for the parent to receive the PWN before implementation. Depending on issues, (for ex. placement changes), implementation date may need to be later, giving time for parent to exercise due process option.

Drafting Prior Written Notice

- In the “**Description of the proposed or refused action**” section:
 - List *every action* discussed during the meeting. Actions will include issues related to the identification, evaluation, educational placement of or provision of FAPE to a student.
 - List and identify each meeting participant. This will help you document that you had a properly assembled team for your meeting, if you do not have documentation of the participants elsewhere.
- In the “**The reason why we are proposing or refusing to take action is:**” section:
 - State the action that you are taking/refusing to take.
 - State *each reason* why you are proposing/refusing to take this action.
- In the “**Description of any other options considered and rejected**” section, describe *in detail* each of the other options that were considered and rejected.
- In the “**Reasons why we Rejected**” section:
 - State *each reason* why you rejected the other options.
 - Do not list options or reasons that are *unavoidable*. For example, if you are preparing a PWN following an annual IEP meeting, don't write that you considered and rejected the option of not holding the meeting – You don't have the option of not holding the meeting!
- In the “**Description of Each Evaluation Procedure, etc.**” section:
 - List each evaluation, test, record or report that the team used in making the decision to take or refuse to take the action.
 - If PWN is being sent to inform the parent of a reevaluation, list each of the areas in which the student will be reevaluated (eg: cognitive, behavioral, reading, etc.)

Other Requirements and Tips

- Don't avoid PWN because of its awkward name – PWN is **required**. It is a **highly effective** way to communicate with parents and **document that you have done your job**.
- Describe the facts (who said what and when) of the meeting in a neutral tone; avoid making emotional, judgmental or speculative statements.
- PWN must be in the parent's native language or other mode of communication used by the parent.
- Check all the boxes and fill in all the blanks – if you don't, it may appear that you overlooked a section – avoid N/A.
- PWN should be sent following EVERY DECISION even if there was no meeting.