**INFORMATION TO ASSIST SCHOOL DISTRICTS TO COMPLETE THE**

**PRIOR WRITTEN NOTICE (NOTICE OF RECOMMENDATION) FORM**

**Revised July 2013**

**Subject of the Notice**

The form prompts the school district to select the subject of the Prior Written Notice. The form includes drop-down selections and text fields to enter other subjects. It is likely that the subject of the notice might include multiple subjects.

**Description of Action Proposed or Refused**

In this section, the district should identify the specific actions proposed and/or refused. Attachment 4 provides examples of proposed or refused actions that would be provided in this section of the notice.

**Explanation of Why the Action is Proposed or Refused**

In this section, the district must provide the reasons why the action(s) is proposed or refused. Attachment 4 provides examples.

**For an Initial or Reevaluation - Description of the Proposed Initial or Reevaluation and the Uses to be Made of the Information**

Before a school district initiates an initial or reevaluation of a student, it must provide the parent(s) with prior written notice and describe the proposed evaluation and the uses to be made of the information. If the district is proposing to base its initial or reevaluation on existing information, the form must still identify the evaluations to be considered as part of the evaluation. In describing the proposed evaluation, the district can identify the type of assessment (e.g., language assessment, psychological assessment, etc.), without identifying the specific test(s) (e.g., Vineland Social Emotional Early Childhood Scale) to be used as part of those assessments. Attachment 4 provides examples.

**Description of Any Other Options Considered and the Reasons Why Those Options were Rejected:**

In proposing or refusing actions, the district must describe other options considered and the reasons why those options were rejected. For placement recommendations, for example, this is the section of the notice that would describe the other less restrictive environment placements considered. If there were no other options considered, the form should so indicate. Attachment 4 provides examples.

**Description of Other Factors that are Relevant to the Proposed or Refused Action:**

In proposing or refusing an action, there may be other factors relevant to the recommendation. This is the section of the form where those factors would be described. If there are no other relevant factors to the proposed or refused action, the form should so indicate. Attachment 4 provides examples.

**Statement that the Parent(s) Has Protection under the Procedural Safeguards of the Regulations of the Commissioner of Education**

Each prior written notice must inform the parent(s) of their procedural safeguard rights. If the prior written notice is being provided upon initial referral of the child for an individual evaluation, a copy of the Procedural Safeguards Notice must be provided to the parent. In this case, the following should be checked:

A copy of the Procedural Safeguards Notice is enclosed.

For all other prior written notices, the notice must describe how the parent can obtain a copy of the Procedural Safeguards Notice.

A copy of the Procedural Safeguards Notice may be obtained by: Contact Mrs. Jones in the CSE Office by calling 518-XXX-1234

**Sources the Parent May Contact to Obtain Assistance in Understanding the Special Education Process**

Each prior written notice to the parent(s) must identify the sources the parent(s) may contact to obtain assistance in understanding the special education process. While documents and web sites often provide useful information for parents to assist them in understanding the special education process, this requirement specifically requires that the district identify sources for the parent(s) to contact. Therefore, names of individuals or agencies should be specifically noted. More than one source should be indicated. Attachment 4 provides examples.

**Additional Information Related to the Subject of the Notice and Enclosures**

As part of the Notice of Recommendation form, for certain recommendations, a district must include additional information required by law and regulation that is not pre-printed on the State’s Model form. In addition, certain information must be provided to the parent(s) at the same time prior notice is given to the parent(s).

The following information (presented separately for preschool students and school-age students) is provided to assist the district to insert additional required information related to the subject of the notice as applicable for a student and to provide the appropriate enclosures with the notice. If the subject of the notice does not require any of the following information, indicate “none” or “not applicable” in the "Additional Information Related to the Subject of the Notice" text box on the Notice of Recommendation.

Nothing in this attachment should be construed to mean that the school district could not add other information in the "Additional Information Related to the Subject of the Notice" section of prior notice in addition to the information noted below.

**FOR PRESCHOOL STUDENTS**

**INITIAL EVALUATION**

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

Your written consent to the proposed initial evaluation is requested and a consent form is enclosed. You have the right to consent or to withhold consent to the initial evaluation of your child.

You must select a preschool program to conduct an initial evaluation 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.

You may also submit evaluation information which will be considered by the Committee as part of the initial evaluation.

**Enclosures:**

• Parent consent form

• Procedural Safeguards Notice

• List of approved evaluators

• Procedures to select an approved evaluator

**INITIAL EVALUATION BASED ON EXISTING EVALUATION INFORMATION ONLY**

***If, in the review of existing evaluation information, a determination is made that no additional data are needed******to determine the student's initial eligibility for special education services, the following statement must also be included in the prior written notice:***

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

No additional tests or assessments are needed to determine your child’s initial 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 initial eligibility for special education and educational needs.

You may also submit evaluation information which will be considered by the Committee as part of the initial evaluation.

**Enclosure:** Procedural Safeguards Notice

**REEVALUATION**

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

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.

**Enclosures:**

• Parent consent form

• List of approved evaluators

• Procedures to select an approved evaluator

**REEVALUATION BASED ON EXISTING EVALUATION INFORMATION ONLY**

***If, in the review of existing evaluation information, a determination is made that no additional data are needed******to determine the student's continued eligibility for special education services, the following statement must also be included in the prior written notice:***

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

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.

You may also submit evaluation information which will be considered by the Committee as part of the reevaluation.

**INITIAL PROVISION OF SPECIAL EDUCATION SERVICES**

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

Your written consent is requested to provide special education services to your child and a consent form is enclosed. You have the right to consent or to withhold consent to the initial provision of special education services to your child. In the event that you do not provide written consent for the initial provision of special education services, no further action will be taken by the Committee until such consent is obtained.

**Enclosure:** Parent consent form

**INITIAL PROVISION OF SPECIAL EDUCATION SERVICES DURING THE MONTHS OF JULY AND AUGUST**

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

Your written consent is requested to provide special education services/programs during July and August to your child and a consent form is enclosed.

**Enclosure:** Parent consent form

**FOR SCHOOL-AGE STUDENTS**

**INITIAL EVALUATION**

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

Your written consent to the proposed initial evaluation 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 initial evaluation.

**Enclosure:**

• Parent consent form

• Procedural Safeguards Notice

**INITIAL EVALUATION BASED ON EXISTING EVALUATION INFORMATION ONLY**

***If, in the review of existing evaluation information, a determination is made that no additional data are needed******to determine the student's initial eligibility for special education services, the following statement must also be included in the prior written notice:***

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

No additional tests or assessments are needed to determine your child’s initial 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 initial eligibility for special education and educational needs.

You may also submit evaluation information which will be considered by the Committee as part of the initial evaluation.

**Enclosure:** Procedural Safeguards Notice

**REEVALUATION**

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

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.

**Enclosure:** Parent consent form

**REEVALUATION BASED ON EXISTING EVALUATION INFORMATION ONLY**

***If, in the review of existing evaluation information, a determination is made that no additional data are needed******to determine the student's continued eligibility for special education services, the following statement must also be included in the prior written notice:***

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

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.

You may also submit evaluation information which will be considered by the Committee as part of the reevaluation.

**INITIAL PROVISION OF SPECIAL EDUCATION SERVICES**

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

Your written consent is requested to provide special education services to your child and a consent form is enclosed.

**Enclosure:** Parent consent form

**INITIAL PROVISION OF SPECIAL EDUCATION SERVICES DURING THE MONTHS OF JULY AND AUGUST**

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

Your written consent is requested to provide special education services/programs to your child during July and August and a consent form is enclosed.

**Enclosure:** Parent consent form

**DECLASSIFICATION RECOMMENDATION**

If the student is recommended to receive declassification support services:

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

The following declassification support services will be provided to your child, and/or your child’s teachers, for up to one year as indicated below.

**STUDENT’S RECEIPT OF A SKILLS AND ACHIEVEMENT COMMENCEMENT CREDENTIAL**

**OR**

**STUDENT’S RECEIPT OF A NEW YORK STATE CAREER DEVELOPMENT AND OCCUPATIONAL STUDIES COMMENCEMENT CREDENTIAL**

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

Your child continues to be eligible for a free appropriate public education until the end of the school year in which the student turns age 21 or until the receipt of a regular (local or Regents) high school diploma, whichever is earlier.

**STUDENT’S GRADUATION WITH A LOCAL HIGH SCHOOL OR REGENTS DIPLOMA**

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

Your child is not eligible to receive a free appropriate public education after graduation with the receipt of a local or Regents diploma.