

SPECIAL EDUCATION PROCEDURE	
District Name	Warren Woods Public Schools
Subject/Topic of This Procedure	<i>PRIOR WRITTEN NOTICE OF AN OFFER OF A FREE APPROPRIATE PUBLIC EDUCATION</i>
Date Procedure was Adopted or Revised	06/19/2023

Legal Requirement with Citation	<p>§300.503 of the Individuals with Disabilities Education Act (IDEA) describes the required content of Prior Written Notice Written. Notice must be given to the parents of a child with a disability a reasonable time before the school district:</p> <ul style="list-style-type: none"> • Proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child; or • Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child. <p>Notice must include all the following:</p> <ul style="list-style-type: none"> • A description of the action proposed or refused by the district; • An explanation of why the district proposes or refuses to take the action; • A description of each evaluation procedure, assessment, record, or report the district used as a basis for the proposed or refused action; • A statement that the parents of a child with a disability have protection under the procedural safeguards of this part and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained. • Sources for parents to contact to obtain assistance in understanding the provisions of IDEA; • A description of other options that the IEP Team considered and the reasons why those options were rejected; • A description of other factors that are relevant to the district’s proposal or refusal. <p>The notice must be:</p> <ul style="list-style-type: none"> • Written in language understandable to the general public; and
--	---

	<ul style="list-style-type: none"> • Provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so. <ul style="list-style-type: none"> ◦ If the native language or other mode of communication of the parent is not a written language, the district must take steps to ensure that the notice is translated orally or by other means to the parent in his or her native language or other mode of communication; that the parent understands the content of the notice; and that there is written evidence that these requirements have been met. <p>R 340.1721b of the Michigan Administrative Rules for Special Education (MARSE) outlines additional requirements relative to the Notice of an Offer of FAPE. Specifically, MARSE indicates the following:</p> <ul style="list-style-type: none"> • Within 7 school days from the date of the individualized education program team meeting, the school district shall provide the parent with the notice of an offer of a free appropriate public education or determination of ineligibility. • The school district shall document mode and date of delivery. • The notice shall identify where the programs and services are to be provided and when the individualized education program begins.
<p>Under what circumstances will this procedure be used?</p>	<p>This procedure will be used when making an offer of a free, appropriate, public education relative to any IEP or amendment.</p> <p>NOTE: There are other times when Prior Written Notice may be required; those other situations are addressed in a separate procedure entitled "<i>Prior Written Notice: Generally.</i>"</p>
<p>Who will implement this procedure?</p>	<p>Special education service providers and IEP Team members from the school district, including (but not limited to) special education teachers and related services staff</p>
<p>Describe the steps in this procedure.</p>	<ol style="list-style-type: none"> 1. After completing every IEP or amendment, the parent must be provided with Prior Written Notice of an Offer of a Free, Appropriate, Public Education (FAPE). <ol style="list-style-type: none"> a. The persons responsible for developing and providing the Notice of an Offer of FAPE are the student’s case manager, district representative or the special education administrator.

2. The following requirements/steps apply to provision of Prior Written Notice of an Offer of FAPE:
- a. Notice must be written on the PowerSchool Special Education form of the same name.
 - b. Notice must include the actions that the district proposes to take and the reasons/basis for those actions.
 - Actions and the reports/data that serve as the basis for decision-making should be reflected in the body of the IEP, typically within the PLAAFP section.
 - Notice must reflect the district's intent to implement the IEP/amendment.
 - The IEP/amendment must be attached when the Notice is provided to the parent.
 - c. Notice also must include any other concepts that were considered during IEP development but were not included in the IEP itself.
 - These are considered actions that the district is refusing to take.
 1. These actions must be documented in either
 - a. the "options considered/not selected" section of the Notice form, or
 - b. in the "other relevant factors to the district's proposal or refusal" section of the Notice form.
 - Documentation must include
 1. action(s) that are not being taken,
 2. reason for not taking them and
 3. reports/data that form the basis for decision-making.
 - Topics that may be appropriate to address in the "options considered but not selected" section of the Notice form include (but are not limited to):
 1. Needs that are not considered priorities at this time and therefore will not be addressed by this IEP.
 2. Ideas for goals/objectives that were considered and rejected by the team.
 3. Programs/services that were discussed but not included in the IEP itself.
 4. Rationale for not including behavioral strategies in the IEP even if the

student clearly has had some behavioral issues.

5. Supplementary aids that have been discontinued from the previous IEP.
 6. Changes in the way the student will participate in district-wide or state-wide assessments which are not explained in the IEP itself.
 7. Reasons that ESY was determined unnecessary.
 8. Reasons that Assistive Technology was determined unnecessary.
 9. Ideas that were suggested by any team member (parent or staff) which were not included in the IEP.
- Topics that may be appropriate to address in the "other relevant factors" section of the Notice page include (but are not limited to):
 1. Least restrictive environment considerations that were not documented in the IEP itself, including the potential harmful effects of any programming or placement decisions made by the IEP team.
 2. Annual goals or short-term objectives that have been removed from the IEP or modified without an explanation in the IEP itself.
 3. Changes in the time for various programs/services (i.e., increase or reduction in the minutes per week, including any changes that are related to differences in building schedules.)
 4. An explanation of health/medical issues that are documented but do not impact the student educationally.
 5. Rationale for items that are included in the IEP when such rationale is not clearly stated within the IEP itself.
 6. Documentation of any future steps that the IEP team has agreed to pursue, such as submitting some type of Form 2 request or reconvening after receipt of an outside report.

	<p>3. The following steps/requirements also apply to provision of Prior Written Notice of an Offer of FAPE:</p> <ol style="list-style-type: none"> a. Notice must include the date on which the IEP will be implemented. b. Notice must include the location where the IEP will be implemented. c. Notice must include either: <ul style="list-style-type: none"> • a copy of the procedural safeguards available to the parent under IDEA (required if it is the initial IEP), or • for review IEPs or amendments, information about where the parent may obtain a copy of the procedural safeguards. d. Notice must include a list of organizations that are available to assist parents in understanding IDEA. e. Notice must be completed and provided to the parents within 7 days of the IEP team meeting. <ul style="list-style-type: none"> • If the due date of the new IEP will occur sooner than 7 days, prior written notice must be provided before the due date of the IEP. • The date and method of delivery of Notice must be documented on the Notice form. f. Notice must be signed by the district superintendent or designee. <ul style="list-style-type: none"> • The following individual(s) are authorized to sign the "Notice of an Offer of FAPE" page as the superintendent's designee: district representative at the IEP meeting or the special education administrator.
<p>What forms are necessary to implement this procedure?</p>	<p>IEP form and related "Notice of an Offer of FAPE" form from PowerSchool Special Education</p>
<p>How, when and by whom will this procedure be consistently documented?</p>	<p>Compliance with this procedure is documented on the IEP form itself and on the Notice of an Offer of FAPE form.</p>
<p>How, when and by whom will this procedure be routinely supervised?</p>	<p>Compliant provision of Prior Written Notice of an Offer of FAPE will be supervised by the Special education administrator. Prior Written Notice of an Offer of FAPE will be reviewed for compliance monthly based on a random sample.</p>

How, when and by whom will changes to this procedure be communicated?	<p>Changes to this procedure will be communicated by the Special education administrator.</p> <p>Changes to this procedure will be communicated annually and as a result of MDE guidance.</p> <p>Changes will be communicated using the district website, hard copies to staff and during scheduled professional development.</p>