

What is Prior Written Notice?

Prior Written Notice (PWN) is a written explanation of a change or action the school intends to make **OR** refuses to make in your child's Individualized Education Program (IEP). The explanation will include when it will occur and why it is being proposed or refused.

When Must the School Provide Prior Written Notice?

As a parent/guardian, you must be provided with PWN *after a change is proposed* and discussed by the IEP Team *and before* any changes are made. PWN is also required if the changes are proposed in a phone call, a meeting, an email or conversation. PWN must also be provided if the IEP Team is not proposing a change but rather agreeing with a change that you have proposed. The Individuals with Disabilities Education Act (IDEA) describes the following situations when you are entitled to and should receive PWN:

1. **When the IEP Team proposes or refuses** to make a change in the identification, evaluation, or educational placement of your child.
2. **When the IEP Team proposes or refuses** to make a change to how your child is being provided a Free and Appropriate Public Education (FAPE).

What must be included in Prior Written Notice?

- **A description of the action the school proposed or refused.**
Example: The School District is denying the parent's request for a one-on-one paraprofessional to assist Jack in the general education classroom.
- **An explanation of why the school proposes or refuses to take the action.**
Example: The School District does not agree that Jack requires the support of a paraprofessional to access and benefit from his IEP. He is currently making progress toward his goals with the support already available in his general education classroom.
- **A description of each evaluation procedure, test, record, or report the school used as a basis for its decision.**
Example: Teachers' observations and input, grades, anecdotal records behavioral and progress reports were all considered in making this decision.
- **A description of other options the school considered and the reason(s) for rejecting (declining) these options.**
Example: The IEP Team discussed whether a more restrictive placement would be appropriate, and it was determined that it would be overly restrictive.
- **A description of other reasons why the school district proposed or refused the action.**
Example: The team is also concerned that Jack would become too dependent on adult support with this level of restrictive service.
- **Information on how to get a copy of the Procedural Safeguards if not included with the notice; and resources for you to contact for help in understanding the notice.**
Example: To request a copy of the Procedural Safeguards or if you require assistance in understanding the procedural safeguards, please contact GaDOE or Parent to Parent of Georgia.

- **A statement that you, as the parent of a child with a disability, have protections under the Procedural Safeguards in IDEA.**

Example: As the parent/guardian of a child with a disability, you are entitled to certain procedural safeguards under the IDEA, including this prior written notice. For your convenience, we have enclosed a copy of these procedural safeguards with this notice.

Can the Individualized Educational Program (IEP) Document Be Used as Prior Written Notice?

Yes, PWN can be included within the IEP document if it includes all the required elements of a PWN. However, robust discussions during IEP Team meetings where issues and reasons were discussed cannot substitute for written requirements of PWN.

Does The School Have to Provide Prior Written Notice in the Parents' Language?

The school must write the notice in your native language or other primary mode of communication. If your native language or other mode of communication is not a written language, the school must take steps to make sure the notice is translated orally or by other means and that you understand the content of the PWN. In addition, the notice should be written in a way that is understandable to the general public.

What are the Benefits of Prior Written Notice?

Prior Written Notice ensures that the school completely documents the actions it proposes or refuses to take. It ensures that you and the school have the same understanding of what those actions are and why the decision was made, and it allows you time to consider the actions. It also provides you with important documentation that can be used if you decide to proceed with any of the dispute resolution options offered under IDEA and State Special Education Rules.

Where to go for more information:

Parent to Parent of Georgia (P2P)
770 451-5484 or 800-229-2038
<https://www.p2pga.org>

Georgia Department of Education (GaDOE), Division for Exceptional Children
404-656-3963
<https://gadoe.org/special-education/>

Additional resources: Contact the **Special Education Director** for your school system