








Quick Guide for BIE-Funded Schools

Prior Written Notice

Prior written notice is a requirement in the Individuals with Disabilities Education Act (IDEA). Prior written notice refers to the requirement for the school to provide notice in writing to the parent to document the actions being proposed or refused throughout the special education process.

Element	Overview
<p>General Requirements</p> 	<p>Prior Written Notice must be provided to the parent when the school proposes or refuses to initiate or change:</p> <ul style="list-style-type: none">• The identification• An evaluation• The educational placement of the student, or• The provision of a free appropriate public education (FAPE)
<p>Documentation</p> 	<p>The requirements for the prior written notice are documented on the <i>BIE Prior Written Notice of Proposed Actions</i>.</p>
<p>Eight Required Elements</p> 	<p>The prior written notice must:</p> <ol style="list-style-type: none">1. Describe the action the school proposes or refuses to take2. Explain why the school is proposing or refusing to take the action3. Detail each evaluation procedure, assessment, record, or report the school used in deciding to propose or refuse the action4. Include a statement that parents have protections under the Individuals with Disabilities Education Act5. Inform parents how they can obtain a copy of the Notice of Procedural Safeguards6. Include resources for parents to contact for help understanding their rights7. Describe any other options the child's IEP team considered and the reasons why those options were rejected8. Provide a description of other factors that were relevant to the BIE-funded school's proposal or refusal
<p>Language Considerations</p> 	<p>The prior written notice must be written:</p> <ul style="list-style-type: none">• In a language understandable to the general public• Provided in the parent's native language or other mode of communication, unless clearly not feasible to do so
<p>Language Requirements</p> 	<p>If the parent's native language or other mode of communication is not a written language, the school must ensure:</p> <ul style="list-style-type: none">• The prior written notice is translated orally, or by other means, in the parent's native language or other mode of communication• The parent understands the content of the prior written notice• There is written evidence that these conditions have been met