

Written Notice

Maine Unified Special Education Regulations (MUSER) Appendix I, 34 CFR 300.503

Compliance: **Must be given to parents at least 7 days prior to implementation**

Best Practice: **Send 10 days prior to account for mail**



Date Sent to Parent:		SAU:	
Child's Name:		School:	
Date of Birth:	Grade:	School Phone:	
Parent/Guardian Name:		School Address:	
Parent/Guardian Address:		City, State Zip:	
Parent/Guardian City, State Zip:		School Contact:	



Date of Team Meeting:	
Date of agreement for amendment without Team meeting:	

Date amended IEP/IFSP sent, if parent requested a copy:

Best Practice: **Include relevant dates**

Written Notice must be given in accordance with MUSER Appendix 1, 34 CFR 300.503 for:

- Initial referral/eligibility(MUSER IV.2.D)
- Annual review and other IEP program/placement changes including graduation and revocation of consent for continued placement(MUSER XV)
- IFSP annual or 6 month review (MUSER VI.1.B.)
- Evaluation/re-evaluation (MUSER V.1.A (4)(i) & V.3.D.)
- Post-secondary goals and transition services(MUSER IX.3.A(1)(h))
- Transfer student(MUSER IX.3.B(5)(a)(i)and (ii))
- CDS/public school transition(MUSER VI.2.C(2))
- Transition from Part C to Part B(MUSER VI.2.C(1))
- Consent for Initial Placement(MUSER V.1.A(4)(a)(ii))
- Amendments after the annual IEP meeting(MUSER IX.3.C(4))
- Other (e.g., MUSER IX.1.B or MUSER IX.3.D(1)(a))

Best Practice: **Check one (or multiple) to indicate purpose of the meeting**

[Reminder: per LD 489, the Individualized Education Program (IEP) Team for children identified under 619 must make a determination about extended school year (ESY) services at every IEP Team meeting; the IEP Team may make a determination about ESY services based on available data, including information about a child's disability, even if an interruption in service has not occurred; and, in accordance with the federal Individuals with Disabilities Education Act of 2004, 20 United States Code, sections 1400 to 1485 (2008), a regional site may not unilaterally limit the duration of ESY services.]

Dear ,

At least 7 days prior to the date upon which the school unit proposes or refuses to initiate or change the identification, evaluation or educational placement or provision of early intervention services for your child age birth to 2 years, or a free appropriate public education (FAPE) to your child age 3 through 20 years, you must be provided the following notice (MUSER Appendix 1, 34 CFR 300.503):

Compliance: **Must be given to parents at least 7 days prior to the date the SAU proposes or refuses to initiate or change identification, evaluation, or educational placement, or the provision of FAPE**

1. Describe the action(s) regarding the referral, evaluation, identification, programming or placement proposed or refused by the SAU:

Compliance: **Description of the action(s) proposed or refused**
 Document date proposals/refusals will begin

Best Practice:

Statements of all determinations made by the Team during the IEP meeting.

Think of this as your outline or table of contents for the IEP being developed, so each section of the IEP should be discussed, and determinations made.

1. **Child Information: Parental waiver noted for IEP begin date**
 - **Statement of offer of Procedural Safeguards**
 - **Parents cannot waive 7-day notice if:**
 - **If parent doesn't attend the meeting**
2. **Disability: Determinations of disability only at initial and reevaluation**
 - **Mention the form used to determine adverse effect**
3. **Considerations: Document those the IEP Team agreed applicable**
 - **Behavior, ELL, communication needs, etc.**
4. **Academic and Functional/Developmental Evaluations, Strengths and Needs:**
 - **List evaluations completed and/or data collected to make determinations**
5. **Measurable annual goals: Determined by the IEP Team**
6. **Supplemental Aids, Services, Modifications, and/or Supports: Determined by the IEP Team**
7. **Special Education and Related Services: Determined by the IEP Team**
 - **Specifics to be determined at the local level**

2. Explain why the SAU is proposing or refusing to take the above action(s):

Compliance: **Explanation of why the SAU proposes or refuses to take the action(s)**

Best Practice:

Descriptions and evidence of all determinations made by the Team during the IEP meeting.

1. **Child Information:** Parental waiver noted for IEP begin date
2. **Disability:** Determinations of disability and what data and evaluation scores supported the decision of the Team, determined at the initial or reevaluation review only.
3. **Considerations:** Provide specific data that the IEP Team considered in order to determine necessary goals, services, accommodations.
 - a. Document why the team agreed upon these considerations
4. **Academic and functional/developmental evaluations, strengths and needs (skill gaps)**
5. **Measurable annual goals:** These were addressed, based on the data the team considered.
 - a. Goals should be written to address distinctly measurable and persistent gaps that can be reasonably achieved within one year.
6. **Supplementary aids, services, modifications, and/or supports:** Determined by the team and data that supports the decision.
 - a. Only need to document changes made (deletions or additions), after the initial.
7. **Special Education and Related Services:** All services that have been determined by the team and data that supports the decision.

3. Describe each evaluation procedure, assessment, record or report the SAU used as a basis for the proposed or refused action(s):

Compliance: **Description of each evaluation procedure, assessment, record, or report used as a basis for the proposed or refused action**

Best Practice:

Reflects the Team discussion and supporting data of what decisions were made for the IEP and how they were supported.

1. **Child Information: Not addressed in this section**
2. **Disability: Not addressed in this section**
3. **Considerations: Not addressed in this section**
4. **Academic and functional/developmental evaluations, strengths and needs: How do the most recent evaluations and assessments of the child support the goals (academic and functional) developed for the IEP?**
 - a. **Data collected in the educational setting**
5. **Measurable annual goals that are supported by data and evaluations.**
6. **Supplementary aids, services, modifications, and/or supported by data and evaluations.**
7. **Special education and related services supported by the evaluation data.**

4. Describe any other options that the Team, which includes the parent, considered and the reasons why those options were rejected:

Compliance: **Description of other options that the IEP Team considered and the reasons those options were rejected**

Best Practice:

Statement of the Team decision for the least restrictive environment for the student.

- Least restrictive environment must be discussed at every IEP meeting**
- **Continuum of LRE and offer of FAPE which extends back to general education**
 - **SPPS LRE guidelines pg. 120 of MUSER**

5. Describe any other factors that are relevant to the SAU's proposed or refused action(s) described above:

Compliance: **Description of other factors that are relevant to the SAU's proposal or refusal**

Best Practice:

Any other factors that might have impacted the decisions of the IEP Team.

ELL/MLL concerns

Behavioral concerns that might be addressed outside the school setting as well (counseling)

6. Description of the points made by the parent including the parent's description of their child's progress:

Compliance: **Include a summary of comments made by the parents, including the parents' description of their child's progress**

Best Practice:

Parent opportunity to be included in the IEP process and describe their child's program.

As parents of a child with a disability or (suspected disability) you have protections under the procedural safeguards of the MUSER. For initial referrals, a copy of those safeguards is enclosed. For reasons other than initial referrals, 34CFR 300.504 describes circumstances when you are required to be given a copy.

Compliance: **Statement that the parents have protection under the procedural safeguards, if this notice is not an initial referral, the means by which a copy of a description of the procedural safeguards can be obtained**

Child's Name: _____

Date: _____

Sources for parents to contact to obtain assistance in understanding the provisions described in the procedural safeguards or how to obtain a description of the procedural safeguards are (the SAU), the Due Process office of the Maine Department of Education ((207) 624-6644), <http://maine.gov/doe/specialed> Maine Parent Federation (1-800-870-7746), the Disability Rights Maine (1-800-452-1948) and Southern Maine Parent Awareness (207-324-7955) or KIDSLEGAL (1-866-624-7787).

Compliance: **Sources for parents to contact to obtain assistance in understanding the provisions of this part**

Team members attending Team meeting or informed of the changes to the plan as defined in MUSER IX.3.C(4) & (6) and MUSER IX.3.C(4).

Name and Position	Date
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	

Compliance: **Names and titles of each member**

Only needed for initial provision of services

Parental signature for consent for **initial** provision of special education and when appropriate, related services, as stated above (this signature is needed for initial provision of special education and related services only).

Parent Signature: _____

Date: _____

Enclosures may be included within this document and recorded below:

Best Practice:

List any/all documents being sent with WN, such as Procedural Safeguards, eligibility forms, consent to evaluate, etc.

Abbreviated Day Documentation Compliance: **MUSER 2.L pgs. 69-71**

Out-of-Unit Documentation Compliance: **MUSER 3.H-I pgs. 104-106**