



W e l c o m e

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OFFICE HOURS

This Training is being Recorded.

Please feel free to ask questions as they come up, but we will have Chat Box Check-Ins throughout the training.

Advance Written Notice & Written Notice

Maine DOE

Office of Special Services and Inclusive Education

Supervision, Monitoring, and Support Team

Updated 10/17/2024



Our Agenda

- 1. Team Introductions**
- 2. Advance Written Notice**
- 3. Written Notice**
- 4. Importance in Case Law**
- 5. Other Considerations**
- 6. Questions**
- 7. Resources**

Meet the Supervision, Monitoring and Support Team



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Procedural Manual-Advance Written Notice

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Advance Written Notice

The AWN is used to provide notice to parties of an upcoming IEP/IFSP Team meeting.



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Advance Written Notice



Advance Written Notice of IEP/IFSP Team Meetings

Maine Unified Special Education Regulations (MUSER VI.2.A)

Date Sent to Parents:			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:	

Dear _____,

An IEP/IFSP Team meeting has been scheduled for:

Date:	
Time:	
Location:	

The purpose(s) of the meeting is:

- ☐ Initial referral/eligibility (MUSER IV.2.D.)
- ☐ Annual review and other IEP program/placement changes including graduation (MUSER XV) 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) & .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))
- ☐ Parent Request
- ☐ Other (e.g., MUSER IX.1.B or MUSER IX.3.D(1)(a))

❖ The notice must indicate the purpose, time, and location of the meeting

300.322

MUSER VI.2.A



Advance Written Notice

parents or agency. Members and participants invited to attend the IEP/IFSP Team meeting will include the following:

❖ And who will be in attendance
300.322
MUSER VI.2.A

Title	Name
Administrator/CDS Site Director:	
Administrator/CDS Site Director contact #:	
Special education teacher(s)/CDS providers:	
Regular education teacher(s):	
Evaluator(s):	
Representative of outside agencies:	
Child or adult student:	
CDS staff:	
CDS case manager:	
Other:	

Advance Written Notice

Parental Participation

If the SAU is unable to convince the parent to attend, records of attempts to arrange a mutually agreed upon time and place must be documented. (MUSER VI.2.H.(4))

(Type or provide handwritten documentation of at least two attempts to gain parents attendance at IEP meetings when appropriate.)

1.

2.

- ❖ Noting attempts to contact the parent is necessary to show that there was an attempt **to ensure that they have an opportunity to attend; and scheduling the meeting at a mutually agreed upon time and place** MUSER VI.2.A

Advance Written Notice

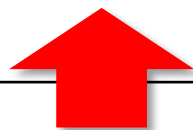
Waiver of 7 Day Advance Notice of IEP Meeting

Each SAU or IEU must take steps to ensure that one or both of the parents of a child with a disability are present at each IEP/IFSP Team meeting, or are afforded the opportunity to participate. These steps include notifying the parents of the meeting early enough, but at least 7 days prior to the meeting to ensure that they will have an opportunity to attend and scheduling the meeting at a mutually agreed on time and place.

If you have not been provided notice of the meeting at least 7 days before the meeting date, your signature waiving your rights to the timeframe is required below before the IEP/EFSP Team meeting may be convened.

Signature of parent/guardian for waiver

Date



Parents must sign here whenever the IEP meeting is held less than 7 days from when notice was provided.

Advance Written Notice

Enclosures may be included within this document and may be recorded below.

Might include:

- Procedural Safeguards
 - Evaluation reports
 - Or other items

Advance Written Notice-Transition



Advance Written Notice of IEP/IFSP Team Meetings

Maine Unified Special Education Regulations (MUSER VI.2.A)

Date Sent to Parents:			SAU:	
Child's Name:			School:	
Date of Birth:		Grade:	School Phone:	
Parent/Guardian Name	<div style="border: 1px solid blue; padding: 5px; text-align: center;"> Best Practice: Invite the student in the salutation </div>		School Address:	
Parent/Guardian Address			City, State Zip:	
Parent/Guardian City, State Zip			School Contact:	

Dear **Mom, Dad, and Bill,**

An IEP/IFSP Team meeting has been scheduled for:

Date:	
Time:	
Location:	

The purpose(s) of the meeting is:

- ☐ Initial referral/eligibility (MUSER IV.2.D.)
- ☒ Annual review and other IEP program/placement graduation (MUSER XV) and revocation of consent (MUSER XV)
- ☐ IFSP annual or 6 month review (MUSER VI.1.B.)
- ☐ Evaluation/re-evaluation (MUSER V.1.A(4)(i) & .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))
- ☐ Parent Request
- ☐ Other (e.g., MUSER IX.1.B or MUSER IX.3.D(1)(a))

Compliance:
purpose of the
meeting
checked

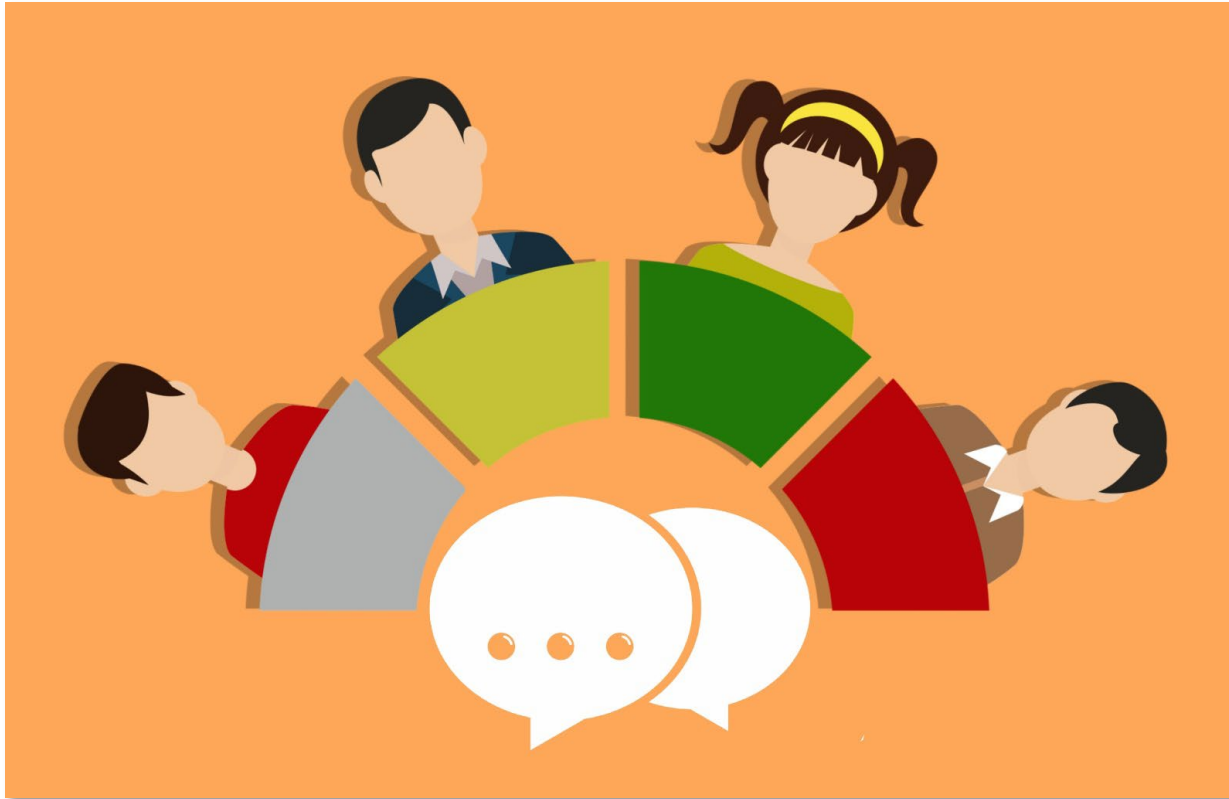
Advance Written Notice-Transition

parents or agency. Members and participants invited to attend the IEP/IFSP Team meeting will include the following:

Title	Name
Administrator/CDS Site Director:	
Administrator/CDS Site Director contact #:	
Special education teacher(s)/CDS providers:	
Regular education teacher(s):	
Evaluator(s):	
Representative of outside agencies:	
Child or adult student:	Bill
CDS staff:	
CDS case manager:	
Other:	

Compliance:
 Child is invited
 to the meeting

Chat Box Check In



Let's talk about the Written Notice



Procedural Manual – Written Notice

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Written Notice

- The WN is based on Federal Law from Individuals with Disabilities Education Act (IDEA).
- “You” refers to the parent(s).
- The WN allows parents to review decisions before implementation of the IEP, and potentially change their mind.
- **Courts and hearing officers view the Written Notice as a critical document that provides a written record of how and why decisions are made.**



Written Notice

(MUSER) Appendix 1, 34 CFR §300.503 page 220

WRITTEN NOTICE 34 CFR §300.503

Notice

Your school administrative unit (SAU) must give you written notice (provide you certain information in writing), *at least 7 days prior to the date the school administrative unit:*

1. Proposes to initiate or to change the identification, evaluation, or educational placement of your child, or the 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; or*
2. Refuses to initiate or to change the identification, evaluation, or educational placement of your child, or the provision of *early intervention services for your child age birth through 2 years, or a FAPE to your child age 3 through 20 years.*

Maine State Requirements – Italicized

Federal Statutory or Regulatory Requirements – Not Italicized

Procedural Safeguards

34 CFR §300.504

The written notice must:

1. Describe the action *regarding the referral, evaluation, identification, programming or placement* that your SAU proposes or refuses to take;
2. Explain why your SAU is proposing or refusing to take the action;
3. Describe each evaluation procedure, assessment, record, or report your SAU used in deciding to propose or refuse the action;
4. Include a statement that you have protections under the procedural safeguards provisions in Part B of the IDEA;
5. Tell you how you can obtain a description of the procedural safeguards if the action that your SAU is proposing or refusing is not an initial referral for evaluation;
6. Include resources for you to contact for help in understanding *your rights under* Part B of the IDEA, *such as and the Due Process Office of the Maine Department of Education (207-624-6644), the Maine Parent Federation (1-800-870-7746), and Southern Maine Parent Awareness (1-800-564-9696)*
7. Describe any other choices that your child's individualized education program (IEP) Team, *which includes* the parent, considered and the reasons why those choices were rejected;
8. Provide a description of other reasons why your SAU proposed or refused the action.
9. *Include a summary of comments made by the parents, including the parents' description of their child's progress; and*
10. *Names and titles of each member.*

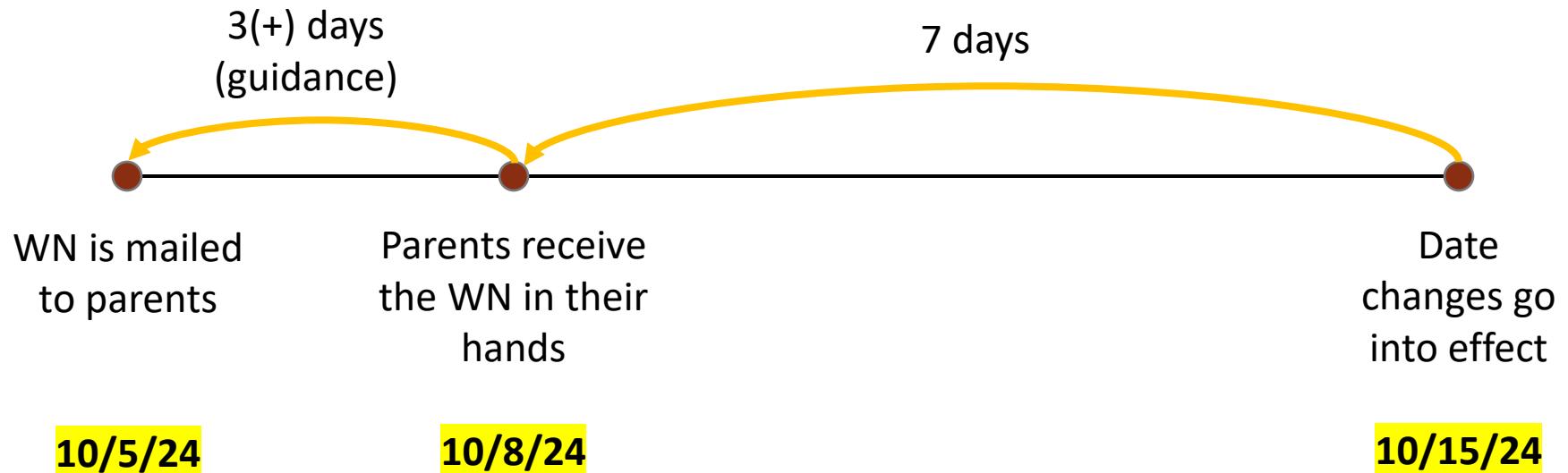
Written Notice: Timeline Consideration

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):



Written Notice: Timeline Consideration



Parents have right to 7-day notice (WN)

- Parent(s) must have the WN 7 calendar days prior to effective date
- 3 days for mail

Written Notice: Timeline Consideration

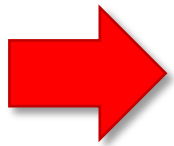
- Parent(s) can waive their right to 7-day notice
 - Implement IEP sooner than 7 days
 - 7 Day Waiver form (optional)
- Must be documented in the Written Notice

1. Describe the action(s) regarding the referral, evaluation, identification, programming or placement proposed or refused by the SAU:
 - The child's parents waived their right to 7-day notice prior to the IEP implementation, and agreed to make the IEP effective starting the next day.

**When can a parent/guardian NOT
waive their 7-day notice?**



Parents cannot waive their 7-day notice if:



do not attend the meeting



- (ii) Consent for services.--An SAU that is responsible for making a free appropriate public education available to a child with a disability under this part must obtain **informed consent from the parent** of such child before providing special education and related services to the child. The SAU must make reasonable efforts to obtain informed consent from the parent for the initial provision of special education and related services to the child.[34 CFR 300.300(b)(1,2)]

So...



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What if you hold the meeting, but the parent/guardian is not in attendance?



Can you call them later and share with them the details of the meeting?



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Consider the following:

- If you contact the parent/guardian after the meeting, you are getting input from them after the fact.
- This would most likely change the outcome of the meeting.
- You would need to write an amendment to the IEP and complete a new Written Notice to capture this conversation.

Chat Box Check In



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Written Notice Quick Reference Checklist

*Compliance

*Best Practice



Compliance: ☐ Notice must be in understandable language 34 CFR 300.503 MUSER pg. 220-221 Appendix 1

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 amended IEP/IFSP sent, if parent requested a copy:	
Date of agreement for amendment without Team meeting:			

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

Written Notice

- This form is used to meet the requirements to notify parents at least 7 days prior to the date upon which the SAU takes any proposed action or refuses to act with regard to:
 - referral
 - evaluation
 - identification
 - programming
 - placement
 - informed consent for initial placement of services
 - provision of early intervention services or free appropriate public education to a child

Written Notice-Understandable Language



Compliance: ☐ **Notice must be in understandable language** 34 CFR 300.503 MUSER pg. 220-221
Appendix 1

Written Notice

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

The notice must be:

1. Written in language understandable to the general public; and
2. 2. Provided in your native language or other mode of communication you use, unless it is clearly not feasible to do so.

If your native language or other mode of communication is not a written language, your SAU must ensure that:

1. The notice is translated for you orally by other means in your native language or other mode of communication;
2. 2. You understand the content of the notice

Written Notice

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 amended IEP/IFSP sent, if <u>parent</u> requested a copy:	
Date of agreement for amendment without Team meeting:			

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**

Written Notice: Purpose of the Meeting

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))

Examples of other: manifestation determination, 30-day program review, and parent request.

*You can check more than one box above

**Post-secondary goals and transition services are checked off for transition planning discussions

Section 1

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

List the proposal(s) or refusal(s) separately in specific terms. What they are and the date that they will start, not WHY, that explanation is in 2.



Section 1

These proposal(s) or refusal(s) may include:

- Referral of a child for a special education evaluation
- Eligibility decisions reached about a special education evaluation using an eligibility form(s)
- Agreements reached with parents without a meeting
- After an IEP meeting to reflect decisions such as special education and related services, LRE, goals developed, ESY, accommodations (+/-), modifications, and supplementary aids
- Transition planning, if appropriate
- Determination of when to start the IEP based on parent involvement and approval

Section 1: Important Points



- ❖ Be specific, parents should be able to go to Section 1 and easily find each determination that was made.
- ❖ Determinations are made by consensus not majority. If consensus is not reached, the SAU will make the final decision.
- ❖ The purpose is *not necessary* to discuss here, as a box on the front page indicated that purpose.

Section 1

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**
 - o **Statement of offer of Procedural Safeguards**
 - o **Parents cannot waive 7-day notice if:**
 - **If parent doesn't attend the meeting**
2. **Disability: Determinations of disability only at initial and reevaluation**
 - o **Mention the form used to determine adverse effect**
3. **Considerations: Document those the IEP Team agreed applicable**
 - o **Behavior, ELL, communication needs, etc.**
4. **Academic and Functional/Developmental Evaluations, Strengths and Needs:**
 - o **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**
 - o **Specifics to be determined at the local level**

Section 2

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

- For each proposal or refusal in Section #1 individually outline WHY the team decided on the action. This should include data and evidence.
- If services are not changing for the child, you still need to record WHY that proposal or refusal was made.
- This should be written in a way that the parent(s) can understand.



Section 2

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.



Section 3

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

- Record all information used by the team at the meeting to make determinations and support programming based on eligibility of the child
- Documenting introductions of Team members and a confidentiality statement made at the meeting, is recommended
- Evaluations – the description of the evaluation procedure considered by the IEP team must include names and dates of the evaluations considered, the subtests that were considered and the scores

Section 3

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.**

Section 4

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

- Continue present program vs. change in program
- Discussions around more than one eligibility criterion
- ESY (yes/no) – amount of ESY
- LRE options that were not chosen (general vs. special education)

Section 4

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**

Section 5

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

Could include, but are not limited to:

- Medication/other health conditions
- Change in residence
- Multilingual Learner
- Family related factors
- Attendance

Section 5

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)

Written Notice: Section 6

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

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.**

Procedural Safeguards

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**

Compliance: Fill in name/position, address, phone number of the SAU contact (usually the Special Education Director)

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**

<https://www.maine.gov/doe/learning/specialed/law>

Written Notice

No section(s) of the Written Notice can be left blank. Instead, at least write...

- None at this time
- Not applicable
- Etc.



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Written Notice – Members Attended

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**

❖ Meeting held, record those members that attended the meeting



❖ If no meeting was held, record those who were informed of the decision and when

Initial Provision of Service

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: _____



- ❖ Must obtain informed consent from the parent before providing special education and related services

34 CFR 300.300(b)(1,2)

MUSER V.1.A(4)(a)(ii)

Enclosures

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.**



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Remember...

If it's not in the
Written Notice,
it didn't
happen.



Importance in Case Law

The U.S. Supreme Court's ruling in [*Endrew vs. Douglas County School District*](#), highlighted the fact that IEP teams must discuss and develop IEP goals for students that are “appropriately ambitious” and that “to met its substantive obligation under the IDEA, a school must offer an IEP that is reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances.”

Therefore, it is important to remember -

IEP teams must demonstrate the following indicators of progress:

- The child is receiving all special education, supplementary aids, and related services outlined in the IEP
- The IEP team is making appropriate modifications as required
- School personnel receive the supports and professional development they need
- Appropriate accommodations are provided
- Measurable IEP goals enable a clear assessment of whether the child is making adequate progress.”

<https://www.smartersteps.com/2018/11/28/endrew-decision-how-do-you-write-ambitious-iep-goals/>



Other Considerations



Written Notice-Other

Out of Unit Placement

<u>Finding</u>	<u>What</u>	<u>Where</u>
OOU2	IEP Team documentation of program components of a placement to support the IEP developed 34 CFR 300.325(a)(1) MUSER IX.3.H	WN
OOU3	Representative of the placement is present at an IEP meeting prior to out-of-unit placement 34 CFR 300.325(a)(2) MUSER IX.3.H	AWN, WN
OOU5	IEP review meeting within 30 days after placement MUSER IX.3.H	AWN, WN
OOU7	Annual IEP review 34 CFR 300.325(b)(2) MUSER IX.3.I(2)	AWN, WN
OOU9	Document discussion of reevaluation, if needed 34 CFR 300.303(b) MUSER V.1.B(2) MUSER IX.3.I(4)	AWN, WN
OOU12	IEP and WNs provided to parents: IEP sent within 21 days and WN sent within 7 days of IEP meeting 34 CFR 300.322(f) 34 CFR 300.503(a) MUSER VI.2.H(6) MUSER IX.3.I(7)	IEP, WN

Written Notice-Other

Abbreviated Day – Educational

<u>Finding</u>	<u>What</u>	<u>Where</u>
ADWN	Basis of Abbreviated Day – Educational or Medical Only MUSER VI.2.L(1)(e) MUSER VI.2.L(2)(a)	WN
ADLR	LRE Percentage is based on full school day MUSER X.2.C(2)(c)	IEP 8
ADE1	How the student will access curriculum and IEP services MUSER VI.2.L(1)(a)	IEP 6&7, WN
ADE2	How the student will access assessments MUSER VI.2.L(1)(b)	IEP 6, WN
ADE3	Revised IEP including: <ul style="list-style-type: none"> - Re-entry plan – no longer than 45 calendar days - Actions the SAU will take to assist the child to participate in full day MUSER VI.2.L(1)(c) MUSER VI.2.L(1)(d)	IEP, WN
ADE4	If more than 45 calendar days, IEP team must convene every 20 school days MUSER VI.2.L(1)(e)	AWN, WN
ADE5	Documentation that 20-day meeting addresses the following: <ul style="list-style-type: none"> - Review progress toward return - Review progress in education setting - Determine what setting will allow the student to progress MUSER VI.2.L(1)(e)	AWN, WN
ADE6	Revised IEP addresses reason for abbreviated day (i.e. FBA, behavior plan, counseling, gaps/goals/services/accommodations)	IEP, WN

Written Notice-Other

Abbreviated Day – Medical

<u>Finding</u>	<u>What</u>	<u>Where</u>
ADWN	Basis of Abbreviated Day – Educational or Medical Only MUSER VI.2.L(1)(e) MUSER VI.2.L(2)(a)	WN
ADLR	LRE Percentage is based on full school day MUSER X.2.C(2)(c)	IEP 8
ADM1	How the student will access curriculum and IEP services MUSER VI.2.L(2)(b)	IEP 6&7, WN
ADM2	How the student will access assessments MUSER VI.2.L(2)(c)	IEP 6, WN
ADM3	Team must meet every 90 calendar days to review progress and amend IEP as necessary MUSER VI.2.L(2)(d)	AWN, IEP, WN
ADM4	IEP Team reconvenes when student is medically able to increase school day MUSER VI.2.L(2)(d)	AWN, WN

Questions?



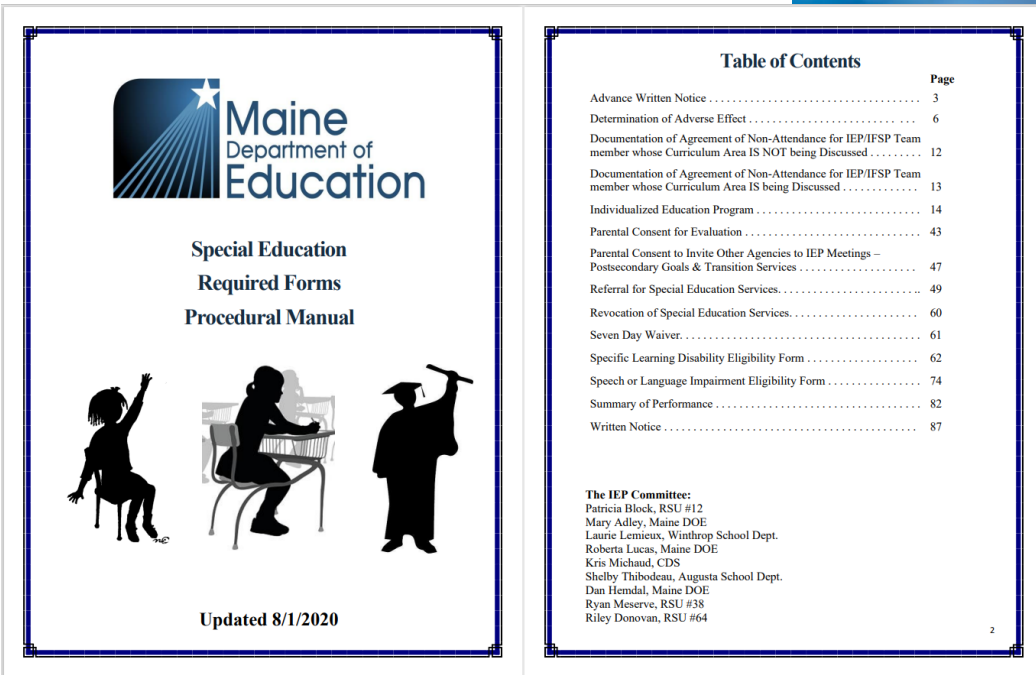
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Resources



Resources

Procedural Manual



Resources

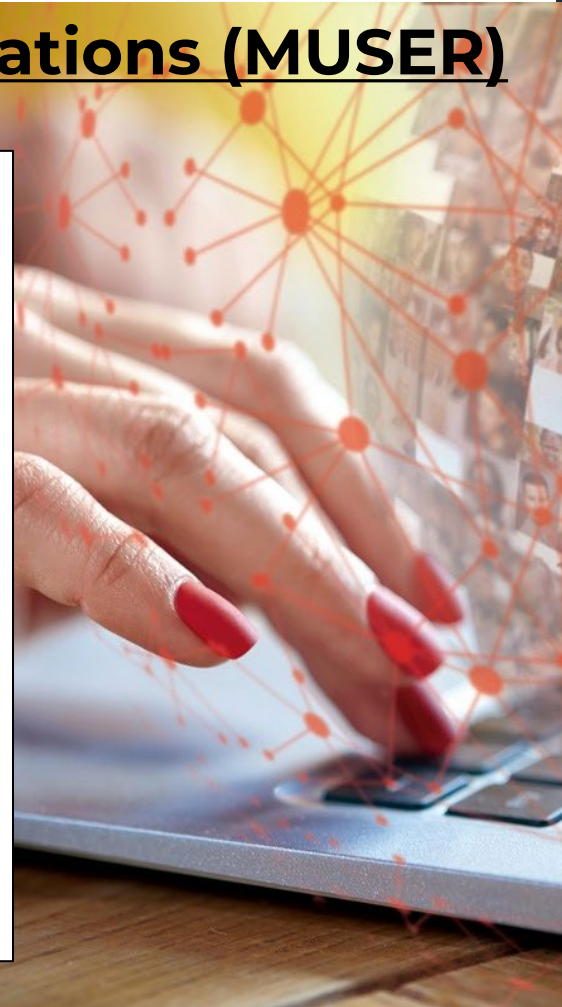
Maine Unified Special Education Regulations (MUSER)



05-071 Chapter 101

Maine Unified Special Education Regulation Birth to Age Twenty-Two

Effective Date: July 26, 2024



Resources

2024-25 Cohort IEP Quick Reference Document

*Compliance
*Best Practice



Maine Unified Special Education Regulations (MUSER IX.3.G.)

INDIVIDUALIZED EDUCATION PROGRAM (IEP)

SAU or CDS Site:

Date IEP Sent to Parent:

FOT7- Compliance:

☐ Date sent to parent is \leq 21 school days from Annual Date of IEP Meeting

1. CHILD INFORMATION

Child's Name:	Annual Date of IEP Meeting:
Date of Birth:	Duration of the IEP:
Age:	Grade:
	Date of Next Annual IEP Meeting:
	FOT8- Compliance:
	<input type="checkbox"/> Date of next annual is within 364 days of annual meeting date
School/Program:	Date of Re-Evaluation:
Parent/Guardian Name:	Date(s) of Amended IEP:
Child's Address:	Case Manager:
City, State, ZIP:	
State Agency Client? <input type="checkbox"/> YES <input type="checkbox"/> NO	

2. DISABILITY

<input type="checkbox"/> Autism	<input type="checkbox"/> Deaf-Blindness	<input type="checkbox"/> Deafness
<input type="checkbox"/> Developmental Delay (3-5)	<input type="checkbox"/> Developmental Delay (Kindergarten)	<input type="checkbox"/> Emotional Disturbance
<input type="checkbox"/> Hearing Impairment	<input type="checkbox"/> Intellectual Disability	<input type="checkbox"/> Visual Impairment (including Blindness)
<input type="checkbox"/> Other Health Impairment	<input type="checkbox"/> Orthopedic Impairment	<input type="checkbox"/> Speech/Language Impairment
<input type="checkbox"/> Specific Learning Disability	<input type="checkbox"/> Traumatic Brain Injury	<input type="checkbox"/> Multiple Disability
(check all applicable concomitant disabilities)		

Compliance:

- ☐ Only one disability checked, unless Multiple Disability is checked
- ☐ If Multiple Disability is checked, all disabilities making up the multiple are checked



Resources



[Professional Development Calendar](#)

[Link for Recordings and Power Points](#)



[Special Education Resources](#)

[Special Education Laws and Regulations](#)



[Special Education Forms and Reporting](#)



2024-25 Professional Development Schedule

<u>DATE</u>	<u>TOPIC/DESCRIPTION</u>	<u>REGISTRATION LINK</u>
Wednesday 9/11/24	Resources	Resources Registration Link
Wednesday 9/25/24	IEP Essentials for New Teachers	IEP Essentials for New Teachers Registration Link
Wednesday 10/9/24	Alignment	Alignment Registration Link
Tuesday 10/15/24	All District IEP Training	All District IEP Training Registration Link (10/15/24)
Wednesday 10/23/24	Advanced Written Notice and Written Notice	AWN & WN Registration Link
Thursday 10/31/24	All District B13 Training	All District B13 Transition Training Registration Link (10/31/24)
Wednesday 11/13/24	Inclusion Presented by: Tracy Whitlock	Inclusion Registration Link
Wednesday 12/11/24	How Community Case Managers Can Help IEP Teams Presented by: KVBH	How Community Case Manager Can Help the IEP Team Link

2024-25 Professional Development Schedule (cont.)

<u>DATE</u>	<u>TOPIC/DESCRIPTION</u>	<u>REGISTRATION LINK</u>
Wednesday 1/8/25	Alternate Assessments Guest Speaker: Jodi Bossio-Smith	<u>Alternate Assessment Registration Link</u>
Wednesday 1/22/25	Compliant versus Good IEPs Developing a Strong IEP Part 1	<u>Compliant vs Good IEPs Part 1 Registration Link</u>
Wednesday 2/12/25	Compliant versus Good IEPs Developing a Strong IEP Part 2	<u>Compliant vs Good IEPs Part 2 Registration Link</u>
Wednesday 2/26/25	Accommodations and Services	<u>Accommodations & Services Registration Link</u>
Wednesday 3/12/25	Transition from CDS to Public School Guest Speaker: Lori Whittemore	<u>Transition from CDS to Public School Registration Link</u>
Wednesday 3/26/25	Abbreviated Day	<u>Abbreviated Day Registration Link</u>
Wednesday 4/9/25	Special Education Law for General Education Teachers Guest Speaker: Leigh Lardieri	<u>Special Education Law for General Education Teachers Registration Link</u>
Monday 5/12/25	All District B13 Transition Training	<u>All District B13 Transition Training Registration Link (5/12/24)</u>
Wednesday 5/14/25	Forms	<u>Forms Registration Link</u>
Friday 5/28/25	Discipline & Manifestation Determination	<u>Discipline & Manifestation Determination</u>

Professional Learning Feedback and Contact Hour Form.



Feedback and Contact Hours

Complete this form to provide us with feedback and receive your contact hour certificate. Your feedback matters to us!

* Required

1

Did the training content meet your expectations? *

☐ Yes

☐ No

Next

<https://forms.office.com/g/by472QQLDJ>



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Use the link to complete the form
on your computer

OR

Use the QR code to complete the
form on your mobile device

The image shows a mobile device screen displaying the same feedback form as the desktop version. The form is titled 'Feedback and Contact Hours' and includes the Maine Department of Education logo. It asks the user to complete the form to receive a contact hour certificate. The first question is 'Did the training content meet your expectations?' with radio buttons for 'Yes' and 'No'. A 'Next' button is visible at the bottom of the form.



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