

B. WHAT IS PRIOR WRITTEN NOTICE? (34 CFR §300.503)

THIS SECTION EXPLAINS WHAT, HOW, AND WHEN AN LEA MUST TELL YOU ABOUT ACTIONS IT PROPOSES OR REFUSES TO TAKE.

1. When Notice Is Required

Your local education agency (LEA) – the entity responsible for providing a free appropriate public education to your child – must notify you in writing whenever it:

- a. Proposes to initiate or to change the identification, evaluation, or educational placement of your child, or the provision of a free appropriate public education (FAPE) to your child; or
- b. Refuses to initiate or to change the identification, evaluation, or educational placement of your child, or the provision of FAPE to your child.
- c. Change of placement for disciplinary reasons.
- d. Due process hearing, or an expedited due process hearing, initiated by LEA.
- e. Refusal of LEA to agree to an independent educational evaluation (IEE) at public expense.
- f. Parents' revocation of consent for special education and related services.

In Pennsylvania, prior written notice is provided by means of a LEA Prior Written Notice Form/Notice of Recommended Educational Placement. You should be given reasonable notice of this proposal or refusal so that if you do not agree with the LEA you may take appropriate action. Reasonable Notice means ten days.