



Age 3 to 21 Part B File Review Tool

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NDE Office of Special Education

2024-2025

District:  
ESU:  
School:  
Student Name:  
Student Identifier:

Updated September 2024

Data Elements	Drop Out (2), Assessment (3), School-Age LRE (5), Preschool LRE (6), Preschool Outcomes (7), Child Find (11)	
<b>Multidisciplinary Evaluation Team Report</b>		006.03E/F
<b>The report shall include a statement of whether the child qualifies as a child with a disability based on the criteria and the definition contained in 92 NAC 51-006.04.</b>		006.03E2a 006.03F2a
The MDT written report must include a statement whether the child qualifies as a child with a disability. The determination of whether the child qualifies must be based on the definition and criteria included in 92 NAC 51.006.04. (Typically districts will utilize the information contained in the Verification Guidelines Technical Assistance Document to assist in making that determination, however the MDT <u>must contain the Rule 51 language that the child qualifies per Rule 51</u> ).		
Compliant	✓	Response Criteria:
Yes		The report indicates whether the child is a child with a disability based on the criteria contained in 92 NAC 51-006.04.
No		The report does not indicate whether the child is a child with a disability based on the criteria contained in 92 NAC 51-006.04.
Rationale for response:		
<b>The child's educational needs;</b>		006.03E2b
The MDT written report must include information regarding the child's educational needs. The information may be drawn from a variety of sources including the child and family assessment and formal and informal evaluation results.		006.03F2b
Compliant	✓	Response Criteria:
Yes		The MDT includes a statement of the child's educational needs.
No		The MDT does not include a statement of the child's educational needs.
Rationale for response:		
<b>The basis for making the determination;</b>		006.03E2c
The MDT report must include the basis for making the determination of eligibility.		006.03F2c
Compliant	✓	Response Criteria:
Yes		The MDT includes the basis for making the determination.
No		The MDT does not include the basis for making the determination.
Rationale for response:		
<b>Ensure a variety of assessment tools and strategies are used</b>		006.02C5
<b>No single measure or assessment is used</b>		006.02C9
Compliant	✓	Response Criteria:
Yes		More than one measure or assessment used.
No		Only one measure or assessment used.
Rationale for response:		
<b>Ensure tests and other evaluation materials include those tailored to assess specific areas of educational need</b>		
Evaluation materials used include those tailored to assess specific areas of need. The evaluation shows evidence of thoughtful, individual student		006.02C7

consideration.		
Compliant	✓	Response Criteria:
Yes		Evaluation materials include those tailored to assess specific areas of educational need and shows evidence of thorough, individual student consideration.
No		Evaluation materials do <u>not</u> include those tailored to assess specific areas of educational need and does <u>not</u> show evidence of thorough, individual student consideration.
Rationale for response:		
<b>School districts and approved cooperatives must ensure the child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities</b>		<b>006.02C10</b>
Student was assessed in all areas related to the suspected disability and may include, as appropriate, health, hearing, general intelligence, communicative status, vision, social and emotional areas, academic performance, and motor abilities.		
Compliant	✓	Response Criteria:
Yes		Student was assessed in all areas related to the suspected disability.
No		Student was <u>not</u> assessed in all areas related to the suspected disability.
Rationale for response:		
<b>Evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs</b>		<b>006.02C11</b>
Compliant	✓	Response Criteria:
Yes		Previous MDT questions marked as "yes".
No		One or more MDT questions marked as "no".
Rationale for response:		

Updated September 2024

Data Elements	Drop Out (2), Assessment (3), School-Age LRE (5), Preschool LRE (6), Preschool Outcomes (7)	
<b>Additional MDT Requirements for SLD Identification</b>		
Additional MDT Report Requirements for SLD Identification		006.03F
<b>The relevant behavior, if any, noted during the observation of the child; and the relationship of that behavior to the child’s academic functioning;</b>		006.03F2d
The district must document any relevant behavior noted during the observation of the child, and provide evidence of the relationship of that behavior to the child’s academic functioning.		
Compliant	✓	Response Criteria:
Yes		MDT report contains information on the behavior, and its impact on the child’s academic functioning, or there is written documentation that no relevant behavior was observed.
No		MDT report has no documentation on relevant behavior, and its impact on the child’s academic functioning, nor is there written documentation that no relevant behavior was observed.
Rationale for response:		
<b>The educationally relevant medical findings, if any;</b>		006.03F2e
The district must include information from the child’s physician regarding medical findings which may be affecting the child’s performance in the classroom.		
Compliant	✓	Response Criteria:
Yes		MDT report contains information if there are any medical findings and if so include relevant medical information; Or that there was no relevant medical information?
No		MDT does not report whether or not there are any medical findings or includes any relevant medical information.
Rationale for response:		
<b>Whether the child does not achieve adequately for the child’s age or to meet state-approved grade level standards consistent with 92 NAC 51-006.04K3;</b>		006.03F2f
006.04K3a		
1. The MDT report include information if the child did not achieve adequately for the child’s age or to meet State-approved grade-level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the child’s age or State- approved grade-level standards; oral expression, listening comprehension, written expression, basic reading skills, reading fluency skills, reading comprehension, mathematics calculations, mathematics problem solving.		
AND		
006.04K3b		
2. The MDT report includes information if the child does not make sufficient progress to meet age or state approved grade-level standards in one or more of the areas identified in 92 NAC 51-006.04K3a when using a process based on the child’s response to scientific, research-based intervention,		
OR		

<u>006.04K3b(i)</u>		
3. The MDT report includes information that the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state approved, grade-level standards, or intellectual development, that is determined by the team to be relevant to the identification of a specific learning disability, using appropriate assessments consistent with the general evaluation process outlined in 92 NAC 51-006.02		
Compliant	✓	Response Criteria:
Yes		The MDT includes information on whether the child does not achieve adequately for the child's age or to meet state approved grade level standards in #1 and either #2 <b>OR</b> #3 above.
No		The MDT does NOT include this information.
Rationale for response:		
<b>The determination of the team concerning the effects of a visual, hearing, or motor disability; intellectual disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child's achievement level</b>		006.03F2g
The district must document the effects of a vision, hearing, or motor disability; mental handicap; behavior disorder; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child's achievement level.		
Compliant	✓	Response Criteria:
Yes		MDT includes a statement including all of the above information.
No		MDT does NOT include a statement including the above information.
Rationale for response:		
<b>Response to Scientific, Research Based Intervention</b>		006.04K3b
<b>If the child has participated in a process that assesses the child's response to scientific, research based intervention, then the instructional strategies used and the student centered data collected;</b>		006.03F2h
The district must include information on whether or not an RTI process was used in determining the child's eligibility under Rule 51.		
Compliant	✓	Response Criteria:
Yes		The MDT report contains documentation that an Rtl process was used in determining eligibility.
No		The MDT Report does not contain documentation that an Rtl process was used in determining eligibility after the district indicates that they use Rtl for determining eligibility.
Rationale for response:		
<b>The documentation that the parents were notified about: The amount and nature of student performance data that would be collected and the general education services that would be provided.</b>		006.03F2h(1)
The school district maintains written documentation that parents were notified of the district's policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided.		
Compliant	✓	Response Criteria:
Yes		If using Rtl, documentation is on file.
No		If using Rtl, documentation is not on file.
Rationale for response:		
<b>The documentation that the parents were notified about: Strategies for increasing the child's rate of learning;</b>		006.03F2h(2)
The school district maintains written documentation that parents were notified of the strategies being used to increase their child's rate of learning.		

Compliant	✓	Response Criteria:
Yes		If using Rtl, documentation is on file.
No		If using Rtl, documentation is not on file.

Rationale for response:

<b>The documentation that the parents were notified about: The parent's right to request an evaluation.</b>	<b>006.03F2h(3)</b>
The school district maintains written documentation that parents were notified of their right to request an evaluation.	

Compliant	✓	Response Criteria:
Yes		If using Rtl, documentation is on file.
No		If using Rtl, documentation is not on file.

Rationale for response:

Updated September 2024

Data Elements	Drop Out (2), Assessment (3), School-Age LRE (5), Preschool LRE (6)	
Review of Existing Data		006.06
As a part of an initial evaluation (if appropriate) and as part of any reevaluation, the IEP team and other qualified professionals as appropriate, shall: review existing evaluation data on the child, including evaluations and information provided by the parents of the child, current classroom-based local or State assessments and classroom-based observations by teachers and related service providers		006.06A
		006.06A1
Compliant	✓	Response Criteria:
Yes		Documentation of a review of existing evaluation data on the child, including evaluations and information provided by the parents of the child, current classroom-based local or State assessments and classroom-based observations, and observations by teachers and related services providers, may be found in the MDT or “No Further Testing Needed” notification to parents.
No		No documentation of a review of existing evaluation data on the child, including evaluations and information provided by the parents of the child, current classroom-based local or State assessments and classroom-based observations, and observations by teachers and related services providers, may be found in the MDT or “No Further Testing Needed” notification to parents.
<u>Rationale for response:</u>		
On the basis of that review, and input from the child’s parents, identify what additional data, if any are needed to determine: the <b>present levels of academic achievement and related developmental needs of the child;</b>		006.06A2
The MDT Report documents the information shared, and the decision of the team. MDT or No Further Testing Needed Forms.		006.06A2b
Compliant	✓	Response Criteria:
Yes		Documentation exists of the present levels of academic achievement and related developmental needs of the child.
No		No documentation exists of the present levels of academic achievement and related developmental needs of the child.
<u>Rationale for response:</u>		
On the basis of that review, and input from the child’s parents, identify what additional data, if any are needed to determine: <b>whether the child needs special education and related services, or in the case of a reevaluation of a child, whether the child continues to need special education and related services; and</b>		006.06A2c
The MDT Report identifies what additional data, if any, is needed to determine the need for or the continued provision of special education and related services. MDT or No Further Testing Needed Forms.		
Compliant	✓	Response Criteria:
Yes		Documentation exists the child needs special education and related services, or in the case of a reevaluation of a child, whether the child continues to need special education and related services.
No		No documentation exists the child needs special education and related services, or in the case of a reevaluation of a child, whether the child continues to need special education and related services.
<u>Rationale for response:</u>		

On the basis of that review, and input from the child's parents, identify what additional data, if any are needed to determine: <b>whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the individualized education program of the child and to participate, as appropriate, in the general education curriculum.</b>		006.06A2d
The MDT Report documents the information shared, and the decision of the team. MDT or No Further Testing Needed Forms.		
Compliant	✓	Response Criteria:
Yes		Documentation exists whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP of the child and to participate, as appropriate, in the general education curriculum.
No		No documentation exists whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP of the child and to participate, as appropriate, in the general education curriculum.
<u>Rationale for response:</u>		



Updated September 2024

Data Elements

Drop Out (2), Assessment (3), School-Age LRE (5), Preschool LRE (6)

<b>Reevaluation</b>		
A school district or approved cooperative shall assure that a reevaluation of each child with a disability is conducted in accordance with the verification procedures in Section 006;		006.05A
Must occur at least once every three years, unless the parent and the school district or approved cooperative agree that a reevaluation is unnecessary.		006.05B2
The date on the MDT report does not exceed three (3) calendar years from the date of the previous MDT report.		
Compliant	✓	Response Criteria:
Yes		Reevaluation was completed within three years or documentation that it was unnecessary (see 92 NAC 51-006.06D). The IEP team, or other qualified professionals and parents agree that no additional data is needed to continue to be a child that qualifies for special education services.
No		Reevaluation not completed within three years.
N/A		Evaluation is an initial evaluation
N/A		Notification of No Additional Information Is Needed To Determine Continued Eligibility
Rationale for response:		

Updated September 2024

Data Elements

Graduation (1), Drop Out (2), Assessment (3), School-age LRE (5), Preschool LRE (6), Preschool Outcomes (7)

**IEP - Timeline & Access**

**IEP Timelines and Accessibility**

**The IEP team shall review the child’s IEP periodically, but not less frequently than annually, to determine whether the annual goals for the child are being achieved.**

**007.09C**

There is not more than 365 days between the date of the previous IEP meeting and the current IEP meeting. (Example: May 1 to April 30). Look at current IEP and previous IEP meeting dates. IEP goals and/or objectives are changed/updated from year to year.

Compliant	✓	Response Criteria:
Yes		Date of previous IEP meeting and current IEP meeting are not more than 365 days (May 1 to April 30). Goals are changed/updated from year to year.
No		IEP dates are more than 365 days apart and/or goals have not been changed/updated.
N/A		IEP is an initial IEP, and a year has not passed (no previous IEP to compare to)

Rationale for response:

**Each school district or approved cooperative shall ensure that an IEP is in effect before special education and related services are provided to a child with a verified disability under this Chapter and is implemented as soon as possible following the IEP meetings.**

**007.02B**

The district documents that the IEP meeting and development of the IEP occurred prior to the initial provision of special education and related services. (Note: The standard for “as soon as possible” is not defined in the Rule, therefore, the standard to be applied is similar to what is applied for “reasonable amount of time”, whether a “reasonable person” would find the amount of time sufficient.)

**009.04A3**

Compliant	✓	Response Criteria:
Yes		Special education and related service dates are not prior to the date of the IEP meeting, but soon after the meeting.
No		Special education and related service dates are prior to the date of the IEP meeting.

Rationale for response:

Data Elements	Graduation (1), Drop Out (2), Assessment (3), School-age LRE (5), Preschool LRE (6), Preschool Outcomes (7),	
<b>Special Education Services/Special Considerations</b>		
<b>The projected date for the beginning of the services and modifications described in 92 NAC 51-007.07A5 and the anticipated frequency, location, and duration of those services and modifications.</b>		
The IEP contains:		
1. Projected beginning dates for each of the special education and related services, support for school personnel, supplementary aids and services, and program modifications and accommodations, to indicate the beginning of services. The beginning dates include the day, month and year.		
2. The anticipated frequency for each of the special education and related services, support for school personnel, supplementary aids and services, and program modifications and accommodations, the frequency may include, but are not limited to: times per week, times per month, or times per year.		
3. The anticipated duration of each of the special education and related services, support for school personnel, supplementary aids and services, and program modifications and accommodations. Duration may include, but are not limited to: minutes, class period, or activity.		
4. The location of the service (separate classroom, regular classroom, etc.).		
Compliant	✓	Response Criteria:
Yes		All sections completed and include projected beginning dates, frequency, duration and location on all identified services.
No		Section not completed or missing section components.
Rationale for response:		
<b>In developing, reviewing or revising each child's IEP. (Special Considerations)</b>		
<b>The IEP team shall consider whether the child needs assistive technology devices and services.</b>		
The IEP indicates whether or not the child needs assistive devices and services, and if yes, the child's IEP includes a statement of the device or service		
Compliant	✓	Response Criteria:
Yes		Documentation the team considered the child's assistive technology needs.
No		No documentation the team considered the child's assistive technology needs.
Rationale for response:		

007.07A5  
007.07A8

007.07B

007.07B7

Data Elements Graduation (1), Drop Out (2), Assessment (3), School-age LRE (5), Preschool LRE (6), Preschool Outcomes (7)

**Excusal from the Meeting**

A member of the IEP team described in 92 NAC 51-007.03A2 through 007.03A5 shall not be required to attend an IEP meeting, in whole or in part, if the parent of a child with a disability and the school district or approved cooperative agree, **in writing**, that the attendance of such member is not necessary because the member’s area of the curriculum or related services is not being modified or discussed in the meeting.

007.04A

Compliant	✓	Response Criteria:
Yes		Excusal agreement documentation by both parent and school district is in the child’s file.
No		Required member (regular education teacher, special education teacher, school representative, person to interpret results, parents) was invited, did not attend, and no documentation of excusal agreement by the parent and school in the child's file.
N/A		All members in attendance.

Rationale for response:

A member of the IEP team described in 92 NAC 51-007.04A may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the team member’s area of the curriculum or related services, if: the parent, in writing, and the school district approved cooperative consent to the excusal; and

The student’s file contains documentation that the parents and the school district agreed that the member could be excused. This documentation may include, but not limited to:

- a. A signed written agreement between the district and the parent; or
- b. The district’s IEP meeting notification form contains a statement of agreement to the member’s absence from the meeting, signed by the parent; or
- c. The IEP contains a statement that the parent agreed to the member’s absence, signed by the parent.

007.04B1

Compliant	✓	Response Criteria:
Yes		Documentation of parent and school district giving prior written consent to the excusal.
No		No documentation of parent and school district giving prior written consent to the excusal.
N/A		All members in attendance or absent team member’s area of the curriculum or related services is not being modified or discussed in the meeting (written agreement required).

Rationale for response:

A member of the IEP team described in 92 NAC 51-007.04A may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the team member’s area of the curriculum or related services, if: the member submits, in writing, to the parent and the IEP team, input into the development of the IEP prior to the meeting.

The student’s file contains written documentation of the excused member’s input into the development of the IEP. The receipt of the written input was prior to the meeting and documented by the district and the parent.

007.04B2

Compliant	✓	Response Criteria:
Yes		Documentation of excused member’s written input was provided prior to the meeting.
No		No documentation of excused member’s written input provided prior to the meeting.

N/A		All members in attendance or absent team member's area of the curriculum or related services is not being modified or discussed in the meeting (written agreement required).
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Rationale for response:

Data Elements

Graduation (1), Drop Out (2), Assessment (3), School-age LRE (5), Preschool LRE (6), Preschool Outcomes (7), Child Find (11)

**Individualized Education Plan Content**

Regulatory Requirements

**The IEP shall include:**

**007.07A**

**A statement of the child’s present levels of academic achievement and functional performance, including:**

1. The child’s present levels of academic achievement and functional performance as reported within the child’s IEP is documented through information from the MDT report, through the measured status of the previous IEP goals, and through written results of objective, projective and/or subjective formal and informal diagnostic information gathered by the student’s teacher(s). 07.07

2. For preschool children, as appropriate, the child’s present levels of academic achievement and functional performance as reported within the child’s IEP includes a statement or information on how the child’s participation in appropriate activities. Appropriate activities are based on age-appropriate developmental activities for preschool children

**007.07A1**

Quality statements of the present levels of both academic achievement and functional performance, through information from the MDT report or previous IEPs, and for preschool children based on age-appropriate developmental activities. The statements should NOT be a long history of the child as this is the **present levels**.

Compliant	✓	Response Criteria:
Yes		IEP includes appropriate levels of academic achievement and functional performance statements, age appropriate, and based on the MDT report or previous IEPs.
No		IEP does not include appropriate levels of academic achievement and functional performance statements, age appropriate, and based on the MDT report or previous IEPs.

Rationale for response:

**How the child’s disability affects the child’s involvement in and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children); or**

**007.07A1a**

**For preschool children, as appropriate, how the disability affects the child’s participation in appropriate activities.**

**007.07A1b**

The PLAAFP includes information on how the child’s disability affects the child’s involvement in and progress in the general curriculum (or appropriate activities for preschool children).

Compliant	✓	Response Criteria:
Yes		Statements of how the child’s disability affects their involvement in the general curriculum (or age-appropriate activities for preschool) are documented in the present levels.
No		Missing statements of how the child’s disability affects their involvement in the general curriculum (or age-appropriate activities for preschool).

Rationale for response:

**Goals designed to enable the child to be involved in and make progress in the general education curriculum; or for preschool children, as appropriate, to participate in appropriate activities**

**007.07A2a**

Goals relate to the general educational standards, or in the case of a student taking the alternate assessment, aligned to the grade level alternate academic achievement standards. For preschool students, the goals are designed to enable the child to participate in learning activities.			
Compliant	✓	Response Criteria:	
Yes		Goals are aligned to grade-level (age-level) standards.	
No		Goals are not aligned to grade-level (age-level) standards.	
Rationale for response:			
<b>Goals designed to meet each of the child's educational needs</b>			<b>007.07A2b</b>
Goals are aligned to educational needs identified in the Present Levels of Academic Achievement and Functional Performance.			
Compliant	✓	Response Criteria:	
Yes		Goals are aligned to the educational needs identified in the PLAAFP.	
No		One or more goals written do not relate to an educational need identified. Educational need identified but no goal found.	
Rationale for response:			
<b>The placement decision is made in conformity with the least restrictive environment requirements in 92 NAC 51-008.01 and based on the child's unique needs and not on the child's disability.</b>			<b>008.01C2</b>
<b>Educational placement is based on his or her individualized education program (IEP)</b>			<b>008.01E2</b>
PLAAFP and educational services and placement are <b>aligned</b> . Student receives special education services for areas in which deficit is noted. Student attendance is for a full school day. If on shortened day, placement on Adviser matches what is on the student's IEP.			
Compliant	✓	Response Criteria:	
Yes		PLAAFP, educational services, and placement are <b>aligned</b> . Student receives special education services for which a deficit is noted.	
No		PLAAFP does <b>not support</b> the designated <b>educational placement</b> . Student receives special education services for classes in which <u>no</u> educational need is noted, or student is <u>not</u> receiving special education services for areas in which an educational need is noted.	
Rationale for response:			

Updated September 2024

Data Elements	Graduation (1), Drop Out (2), Assessment (3), School-age LRE (5), Preschool LRE (6), Preschool Outcomes (7)	
<b>Assessment Accommodations</b>		<b>007.07A7</b>
<b>For children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives;</b>		<b>007.07A3</b>
1. For children with disabilities who take alternate assessments aligned to alternate achievement standards, intermediate short-term objectives and benchmarks are included with each of the measurable goals. The objectives may include the criteria for measuring the annual goal(s).		
2. The child's IEP includes documentation that the child will be taking an alternate assessment aligned to alternate achievement standards as evidenced through a review of 92 NAC 51-007.07A7		
Compliant	✓	Response Criteria:
Yes		Child takes the alternate assessment AND short-term objectives and benchmarks are included in annual goal(s) and there is documentation that the child will be taking alternate assessment aligned to alternate achievement standards.
No		Child takes the alternate assessment AND no short-term objectives and benchmarks are included in annual goal(s) and/or there is no documentation that the child will be taking alternate assessment aligned to alternate achievement standards.
N/A		Child is not a child who takes the alternate assessment.
<u>Rationale for response:</u>		
<b>A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on state and district-wide assessments; and if the IEP team determines that the child <u>must</u> take an alternate assessment <u>instead of</u> a particular <u>regular state</u> or district-wide assessment of student achievement, a statement of WHY:</b>		<b>007.07A7</b>
The IEP contains a written statement of the accommodations or modifications the child will receive when participating in the state and district-wide assessments.		
Compliant	✓	Response Criteria:
Yes		IEP includes documentation of accommodations or modifications the child needs for taking state or district-wide assessments or IEP states accommodations and/or modifications are not needed.
No		No documentation is found on IEP and/or partial information is provided.
<u>Rationale for response:</u>		
<b>Why the child cannot participate in the regular assessment; and</b>		<b>007.07A7a</b>
The IEP contains a written statement of why the child cannot participate in the regular assessment.		
Compliant	✓	Response Criteria:
Yes		IEP documents why the child cannot participate in the regular assessment
No		No documentation is found on the IEP.
N/A		Child is taking the regular assessment.
<u>Rationale for response:</u>		



<b>The particular alternate assessment selected is appropriate for the child.</b>		<b>007.07A7b</b>
The IEP contains a written statement of why the particular alternate assessment selected is appropriate for the child.		
Compliant	<input checked="" type="checkbox"/>	Response Criteria:
Yes	<input type="checkbox"/>	IEP documents why the alternate assessment is appropriate.
No	<input type="checkbox"/>	No documentation is found on the IEP.
N/A	<input type="checkbox"/>	Child is taking the regular assessment.
<u>Rationale for response:</u>		

Updated March 2024

Data Elements

Graduation (1), Drop Out (2), Assessment (3), School-age LRE (5), Preschool LRE (6), Preschool Outcomes (7), Child Find (11)

**Prior Written Notice**

**Prior written notice shall be given to the parents of a child with a disability a reasonable time before a school district or approved cooperative:**

**009.05A1 Proposes to initiate or change the identification, evaluation or educational placement of a child or the provision of a free appropriate public education; or**

**009.05A2 Refuses to initiate or change the identification, evaluation or educational placement of a child or the provision of a free appropriate education.**

009.05A1&2

NOTE: Reviewers must look at a variety of prior written notices contained in the child's file (i.e. change of placement, addition or termination or services, proposal or refusal to conduct evaluations, etc.).

Compliant



Response Criteria:

Yes

The district documents that written notice was provided prior to the district taking an action, or refusing to take an action, regarding the initiation or change in the identification, evaluation, educational placement or the provision of a free appropriate public education to the child.

No

The district cannot document that written notice was provided prior to the district taking an action, or refusing to take an action, regarding the initiation or change in the identification, evaluation, educational placement or the provision of a free appropriate public education to the child.

Rationale for response:

**Such prior written notice shall include:**

**A description of the action proposed or refused by the school district or approved cooperative**

009.05B1

The prior written notice must include a description of the action being proposed or refused by the district.

Compliant



Response Criteria:

Yes

The prior written notice contains a description of the action proposed or refused by the district.

No

The prior written notice does not contains a description of the action proposed or refused by the district.

Rationale for response:

**An explanation of why the school district or approved cooperative proposes or refuses to take action;**

009.05B2

The prior written notice must include an explanation of why the district proposes or refuses to take the action.

Compliant



Response Criteria:

Yes

The prior written notice contains an explanation of why the district proposed or refused to take the action.

No

The prior written notice does not contain an explanation of why the district proposed or refused to take the action.

Rationale for response:

**an explanation of other options the team considered and the reasons why those options were rejected;**

009.05B3

The prior written notice must include an explanation of any other options the team considered, and why rejected. (If the district did not consider any other options, the notice should include a statement indicating that no other options were considered.)

Compliant



Response Criteria:

Yes		The notice sent to the parents contains a description of other options considered and the reason(s) why the options were rejected.
No		The notice does not contain a description of other options considered and the reason(s) why the options were rejected.

Rationale for response:

<b>a description of each evaluation procedure, assessment, record, or report the school district or approved cooperative uses as a basis for the proposal or</b>	<b>009.05B4</b>
The prior written notice must include a description of each evaluation procedure, assessment, record or report used by the district as a basis for the proposal or refusal.	

Compliant	✓	Response Criteria:
Yes		The prior written notice contains a description of each evaluation procedure, test, record, or report that district used as a basis for the proposed action.
No		The prior written notice does not contain a description of each evaluation procedure, test, record, or report that district used as a basis for the proposed action.

Rationale for response:

<b>A description of any other factors which are relevant to the school district's or approved cooperative's proposal or refusal;</b>	<b>009.05B5</b>
The prior written notice must include a description of any other factors which are relevant to the district's proposal or refusal. If there are no other factors, the district must include a statement that no other factors were relevant to the proposal or refusal.	

Compliant	✓	Response Criteria:
Yes		The prior written notice includes a description of any other factors which are relevant to the district's proposal or refusal of the action.
No		The prior written notice does not include a description of any other factors which are relevant to the district's proposal or refusal of the action.

Rationale for response:

<b>a statement that the parents of a child with a disability have protection under the procedural safeguards of this Chapter and, if this notice is not an initial referral for evaluation, the means by which a copy or description of the procedural safeguards can be obtained; and</b>	<b>009.05B6</b>
The prior written notice must include a statement that the parents of a child with a disability have protection under the procedural safeguards of Rule 51 (parent rights) and, all prior written notices (except for notice regarding an initial evaluation) must indicate the means by which a copy of or description of the parent rights can be obtained.	

Compliant	✓	Response Criteria:
Yes		The prior written notice contains a statement that the parents of a child with a disability have protection under the procedural safeguards contained in Rule 51 and (except for notices regarding an initial evaluation) the means by which a copy or description of the procedural safeguards can be obtained.
No		The prior written notice <u>does not</u> contain a statement that the parents of a child with a disability have protection under the procedural safeguards contained in Rule 51 or (except for notices regarding the initial evaluation) the means by which a copy or description of the procedural safeguards can be obtained.

Rationale for response:

<b>sources for parents to obtain assistance in understanding the provisions of this part.</b>	<b>009.05B7</b>
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The prior written notice must include sources for parents to obtain assistance in understanding the procedural safeguards (parent rights).

009.05B7

Compliant



Response Criteria:

Yes

The prior written notice contains a listing of sources for parents to contact to obtain assistance in understanding the provisions of this part.

No

The prior written notice does not contain a listing of sources for parents to contact to obtain assistance in understanding the provisions of this part.

Rationale for response: