

Steps in the Special Education Process	Action Required		
	Notification or Informed Consent	Prior Written Notice to Parents PR-01	Whose IDEA Is This?
1. Procedural safeguards must be provided to the parents once a year (see narrative for exceptions to this requirement)			X
2. Initial referral by parents for a suspected disability	Informed consent (Parent Consent for Evaluation Form PR-05)		X
3. Initial referral by district for a suspected disability	Informed consent (Parent Consent for Evaluation Form PR-05)	X	X
4. Initial evaluation and parents want services	Parent Invitation (PR-02)		
5. Initial evaluation and parents refuse services		X	
6. IEP meeting	Notification (Parent Invitation to Meeting Form PR-02)	Provide after the IEP meeting but before the implementation of the new IEP	
7. IEP Amendment		Provide after the IEP amendment but before the implementation of the new IEP	
8. Reevaluation with assessments conducted	Informed consent (Parent Consent for Evaluation Form PR-05)	Provide before in all instances, and provide after the reevaluation if the district proposed or refused to change the category of disability or the child's eligibility	
9. Reevaluation without further assessments conducted	Notification	Provide before in all instances, and provide after the reevaluation if the district proposed or refused to change the category of disability or the child's eligibility	

Steps in the Special Education Process	Action Required		
	Notification or Informed Consent	Prior Written Notice to Parents PR-01	<i>Whose IDEA Is This?</i>
10. Parents and district agree, without holding an IEP meeting, that no reevaluation will be conducted.	Notification	Not required, but may be provided	
11. Transfers from out-of-state or transfers from another district in state and team determines to reevaluate	Informed consent (Parent Consent for Evaluation Form PR-05)	Provide prior to evaluation and after the IEP meeting but before implementation of new IEP	If moved from out-of-state
12. Exit from special education (child ages out/graduates)	Notification (Summary of Performance OP-8)	Provide after the IEP meeting but before exiting the child from services	
13. Exit from special education (evaluation done/no longer eligible)		Provide after the meeting to review the evaluation, but before exiting the child from services	
14. Releasing personally identifiable information	Informed consent (written consent)		
15. Destruction of personally identifiable information	Notification prior to destruction		
16. Transfer of parental rights	Statement included in IEP Form PR-07		X
17. Mediation or Resolution Session when Parent files for hearing		Provide before the implementation of a changed IEP	
18. Mediation when District files for hearing		Provide before the mediation and before the implementation of a changed IEP	
19. Upon receipt of the first due process complaint or upon receipt of first state complaint in school year			X
20. Parent files due process complaint and district has not provided parent PWN on topic of complaint		X	
21. Disciplinary change in placement		X	X
22. Revocation of consent		X	

**1. Procedural safeguards must be provided to the parents once a year**

The school district must give a copy of the procedural safeguards notice (*Whose IDEA Is This?*) to the parents at least once a year, except as noted below:

- Upon initial referral or the parents request for evaluation;
- Upon request by the parents;
- Upon receipt of the first due process complaint or state complaint in a school year; or
- Upon a change in placement for disciplinary action.

**2. Initial referral by parents for a suspected disability**

Upon initial referral by the parents for a suspected disability, the district must provide the parents with a copy of the procedural safeguards notice (*Whose IDEA Is This?*) and complete Referral for Evaluation (PR-04). For a parental referral, the date of referral is the date that the district received either the verbal or written request from the parents to conduct an evaluation.

Within 30 days of the date of initial referral by the parents for a suspected disability, the district must provide Prior Written Notice (PR-01) to the parents if the district does or does not suspect a disability. If the district does suspect a disability they will also provide the parents with a Parent Consent for Evaluation (PR-05).

**3. Initial referral by district for a suspected disability**

Upon initial referral by district personnel for a suspected disability, the district must provide the parents with a copy of the procedural safeguards notice (*Whose IDEA Is This?*) and complete Referral for Evaluation (PR-04). For a district referral, the date of referral is the date that the screening or review team decided that an evaluation should be conducted. (See [Evaluation – 6.2 Request and Referral for Initial Evaluation](#))

If the parents agree with a referral for an initial evaluation the district will also provide the parents with a Prior Written Notice (PR-01) and a Parent Consent for an Evaluation (PR-05). If the parents disagree with a referral for an initial evaluation and will not provide consent for an evaluation, the district will provide the parents with a Prior Written Notice (PR-01).

**4. Initial evaluation and parents want services**

When the district completes the initial evaluation and finds the child eligible for services and the parent agrees that they want to write an IEP for services, the district will provide the parent a Parent Invitation (PR-02) early enough to allow the parent to attend the IEP meeting. There is no requirement to provide the parent a Prior Written Notice (PR-01).

**5. Initial evaluation and parents refuse services**

When the district completes the initial evaluation and finds the child eligible for services and the parent refuses those services and participation in an IEP team meeting, the district will provide the parent a Prior Written Notice (PR-01).

**6. IEP Meeting**

The district must use the required Parent Invitation (PR-02) to notify and invite the parents to an IEP meeting. Districts must take steps to ensure that one or both parents are present at each IEP meeting or are afforded the opportunity to participate. If the child, who is the

subject of the IEP meeting, will be 14 years of age prior to the expiration of the new or revised IEP the child must also be invited to the IEP meeting. The child's name may be added to the parent invitation to fulfill this requirement. In sending the invitation the district must:

- Notify the parents of the IEP meeting early enough to ensure that they have an opportunity to attend; and
- Schedule the meeting at a mutually agreed upon time and place.

A district must provide Prior Written Notice (PR-01) to the parents after an IEP meeting but before implementation of the new or revised IEP.

A district must provide Prior Written Notice (PR-01) to the parents and receive written informed consent from the parents before the initial placement of a child in special education. Written informed consent to initiate special education and related services is provided through the parents' signature on the IEP (PR-07).

## **7. IEP Amendment**

The district will contact the parent and ask if the parent would agree to discuss a proposed change to their child's IEP without holding an IEP team meeting. If the parent agrees district personnel will discuss the proposed changes with the parent and revise the child's IEP accordingly. The district will then send the parent a prior written notice (PR-01) prior to implementation of the amended IEP along with a copy of the amended IEP. The amended IEP will not be implemented until the parent has received their copy of the prior written notice (PR-01).

## **8. Reevaluation with assessments conducted**

A district must provide Prior Written Notice (PR-01) to the parents and obtain informed parental consent using the Parent Consent for Evaluation (PR-05) from the parents before conducting any tests or assessments as part of any reevaluation of a child with disabilities, unless the district has provided notice and the parents have failed to respond to reasonable attempts to obtain consent.

The district must provide Prior Written Notice (PR-01) to the parents after the reevaluation is completed only if the district proposed or refused to change the category of the disability or the child's eligibility.

## **9. Reevaluation without further assessments conducted**

The district must provide Prior Written Notice (PR-01) to the parents before conducting any reevaluation.

If the IEP team determines that no additional data are needed to determine that the child continues to be a child with a disability and to determine the child's educational needs, the district must notify the child's parents no further assessments are necessary. The notification must include:

- The team's determination and the reasons for the determination; and
- The right of the parents to request an assessment to determine whether the child continues to be a child with a disability and to determine the child's educational needs.

The Prior Written Notice (PR-01) may be used for this notification as long as it includes the information listed directly above.

The district must provide Prior Written Notice (PR-01) to the parents after the reevaluation is completed only if the district proposed or refused to change the category of the disability or the child's eligibility.

**10. Parents and district agree, without holding an IEP meeting, that no reevaluation will be conducted**

If the parents and the district agree that a reevaluation is unnecessary, this decision should be documented in writing. The district may but is not required to provide Prior Written Notice (PR-01).

**11. Transfers from out-of-state or transfers from another district in state and team determines to reevaluate**

Upon the enrollment of a child with an existing IEP from another district or state, the district must convene the IEP team and determine if the team will accept the existing IEP or change the existing IEP.

In either case a Prior Written Notice (PR-01) must be provided to the parents at the conclusion of the IEP meeting and before the IEP is implemented. (See [IEP – 7.1 General](#))

**Transfer from out-of-state**

If the child moved into the district from another state, the district must provide the parents with a copy of the procedural safeguards notice (*Whose IDEA Is This?*).

If the district determines that a new evaluation is necessary for a child who transfers from out-of-state, the evaluation is considered an initial evaluation and the district must provide Prior Written Notice (PR-01) to the parents and obtain written parental consent using the Parent Consent for Evaluation (PR-05). (See [Evaluation – 6.2 Request and Referral for Initial Evaluation](#))

**Transfer from another district in state**

If the child transfers into the district from another district in the state, the district provides the parents with a copy of the procedural safeguards notice (*Whose IDEA Is This?*) if the sending school district has not provided the parents with a copy during the current school year.

If the IEP team refers a child who transfers from another district in the state for an evaluation, the evaluation is considered to be a reevaluation. The district must provide Prior Written Notice (PR-01) to the parents and obtain written parental consent using the Parent Consent for Evaluation (PR-05), prior to conducting the reevaluation. (See [Evaluation – 6.5 Reevaluation](#))

**12. Exit from special education (child ages out/graduates)**

The district must provide Prior Written Notice (PR-01) to the parents at the conclusion of the IEP meeting where it is determined that the child will exit special education. In addition, for a child whose eligibility for special education terminates because the child is graduating with a regular diploma or exceeding the age eligibility for special education, the school district must provide the child with a summary of the child's academic achievement and functional performance, i.e., Summary of Performance (OP-8), which shall include recommendations on how to assist the child in meeting the child's postsecondary goals.

**13. Exit from special education (evaluation done/no longer eligible)**

The district must provide Prior Written Notice (PR-01) to the parents whenever a child exits special education due to the child being found no longer eligible through the completion of a reevaluation. The district will provide the parents with a Prior Written Notice (PR-01) prior to the reevaluation, please see item number six above, and will provide a second Prior Written Notice (PR-01) to the parents at the conclusion of the meeting of the team where the reevaluation is discussed. This notice must be received by the parents prior to exiting the child from special education services.

**14. Releasing personally identifiable information**

The district must obtain written parental consent prior to releasing any personally identifiable information about the child to any person or agency not entitled by law to see it and to a representative of any participating agency that is likely to be responsible for providing or paying for transition services.

**15. Destruction of personally identifiable information**

The school district must inform the parents when personally identifiable information collected, maintained and used are no longer needed to provide educational services to the child. The information must be destroyed at the request of the parents. However, a permanent record of a child's name, address, telephone number, grades, attendance record, classes attended, grade level completed and year completed shall be maintained without time limitation.

This notification may be in writing or provided verbally. If provided verbally, the school district should document this notification in the child's education record.

**16. Transfer of parental rights**

One year before the child's 18<sup>th</sup> birthday, the district must notify both the child and the parents of the parental rights under IDEA Part B that will transfer to the child upon reaching the age of majority and provide the child with a copy of the procedural safeguards notice (*Whose IDEA Is This?*). This notification is documented on the child's IEP (PR-07).

**17. Mediation or Resolution Session when parent files for hearing**

Since the district is neither proposing or refusing a change to the identification, evaluation or educational placement of the child or the provision of a free appropriate public education (FAPE), but is agreeing to listen to the parent's concerns and resolution for those concerns there is no need for a prior written notice.

IF as a result of a mediation or resolution session the child's IEP is changed, please see item number 6, IEP Meeting, above.

**18. Mediation when district files for hearing**

The district must provide the parents Prior Written Notice (PR-01) if the district is holding a mediation or resolution session because the district is proposing a change or refusing a change to the identification, evaluation or educational placement of the child or the provision of a free appropriate public education (FAPE) even if the change never takes place.

**19. Upon receipt of the first due process complaint or upon receipt of the first state complaint in the school year**

The school district must give the parents a copy of the procedural safeguards notice (*Whose IDEA Is This?*) upon receipt of the parents' first due process request. The Ohio Department of Education, Office for Exceptional Children, gives the parent a copy of the procedural safeguards notice (*Whose IDEA Is This?*) upon the parents' filing of the first state complaint within the school year.

**20. Parent files due process complaint and district has not provided parent PWN on topic of complaint**

The district must provide Prior Written Notice (PR-01) to the parents within ten days of receiving the parents' filing for a due process hearing if the district has not already provided the parents with a Prior Written Notice (PR-01) on the subject of the due process request.

**21. Disciplinary change in placement**

Whenever a change of placement occurs due to disciplinary action, a copy of the procedural safeguards notice (*Whose IDEA Is This?*) and Prior Written Notice (PR-01) must be provided to the parents. The parent must receive the Prior Written Notice (PR-01) prior to any change of placement due to disciplinary action.

**22. Revocation of consent**

The parents may revoke consent for and remove the child from all special education and related services. The revocation of consent for the continued provision of special education and related services must be in writing.

Actions the school district takes when consent is revoked:

- Continue to implement the child's IEP as written, until the district provides the parents with prior written notice.
- Provide Prior Written Notice (PR-01) that includes the following:
  - A summary of the educational needs of the child;
  - A summary of all of the supports and services the child will no longer receive; and
- A statement that none of the rights and protections provided to children with disabilities will be provided to the child once the child is exited from special education; and
- Once prior written notice is provided to the parents, the district will no longer implement the child's IEP and will treat that child as any child without a disability.

The school district does not need to provide the procedural safeguards notice (*Whose IDEA Is This?*) when a parent revokes consent.