

EASTERN LEBANON COUNTY SCHOOL DISTRICT
180 ELCO Drive
Myerstown, PA 17067

PROCEDURAL SAFEGUARDS NOTICE

SECTION I: PRIOR WRITTEN NOTICE*

When prior written notice must be provided:

A Local Educational Agency (LEA) must provide the parent with prior written notice each time it:

1. Proposes to initiate or change the identification, evaluation, or educational placement of the child;
2. Refuses to initiate or change the identification, evaluation, or educational placement of the child;
3. Proposes or refuses to make changes regarding the provision of a free appropriate public education (FAPE) to the child; and
4. No later than the date on which the decision to take disciplinary action is made, LEA must notify the parent of that decision and of all available procedural safeguards.

What prior written notice must contain:

Prior written notices must be written in the native language of the parent, unless it clearly is not feasible to do so. Prior written notice must contain:

1. A description of the action proposed or refused by the LEA;
2. An explanation of why the LEA proposes or refuses to take the action and a description of each evaluation procedure, assessment, record, or report the LEA used as a basis for the proposed or refused action;
3. A description of other options considered by the Individualized Education Program (IEP) Team and the reasons why those options were rejected;
4. A description of the factors that are relevant to the LEA's proposal or refusal;
5. A statement that the parent of a child with a disability has procedural safeguards protection and, if the notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained;
6. Sources the parent may contact to obtain assistance in understanding these provisions;
7. A statement informing the parent about the state complaint procedures, including a description of how to file a complaint and the timelines under those procedures.

*In Pennsylvania, prior written notice is provided on the form "Notice of Recommended Educational Placement" (NOREP).

SECTION II: PROCEDURAL SAFEGUARDS NOTICE

When a Procedural Safeguards Notice must be provided:

A copy of the Procedural Safeguards Notice must be given to the parent one (1) time a year, except that a copy must also be given to the parent:

1. Upon initial referral for evaluation;
2. Upon the parent's request for evaluation;
3. Upon receipt of the first occurrence of the filing of a request for due process; and
4. Upon request by the parent.

A LEA may place a current copy of the Procedural Safeguards Notice on its Internet website if such website exists.