



# What's the Big IDEA? # 5

*The Individuals with Disabilities Education Act (IDEA) is a law ensuring services to children with disabilities throughout the nation. IDEA governs how states and public agencies provide early intervention, special education, and related services to more than 6.5 million eligible infants, toddlers, children, and youth with disabilities. This series is designed to offer information about IDEA as amended in 2004. Each fact sheet will focus on a different aspect of IDEA.*

## Prior Written Notice – Part 2

In Part 1 of our series on Prior Written Notice, we discussed how the PWN is used as a communication tool at IEP meetings. It is the written summary of all of the proposals introduced at the meeting, whether they are accepted or rejected, and the reasons for the acceptance or rejection. The sample form on the back of this page shows you how all of the proposals that are brought up by either parents or school staff during the IEP meeting should be documented.

While the PWN is most often completed at an IEP meeting, you may receive a PWN in the mail. For example, the school may send you a PWN when they are proposing to evaluate your child. In this case, the school would complete the form and send it to you.

### ***Language***

Whether or not the PWN is completed at an IEP meeting or is mailed to you, it must be in a language understandable to you. It must be provided in the native language or other mode of communication used by the parents unless it is clearly not feasible to do so. If the native language or other mode of communication is not a written language, the district must take steps to make sure the following occurs:

- The notice is translated orally or by other means to a parent in the parent's native language or other mode of communication.
- A parent understands the content of the notice.
- There is written evidence that the notice requirements of this section have been met.

### ***Parental Rights***

The PWN must include a statement that the parent has protection under procedural safeguards, or parental rights. It must also inform parents how they can obtain a copy of ***Parent and Child Rights in Special Education - Procedural Safeguards Notice***. Your child's school should give you a copy of this parent rights document at least once a year. However, you may ask for a copy at anytime. The document is also available online at the New Mexico Public Education Department, Special Education Bureau website: <http://www.ped.state.nm.us/seb/technical/Parent%20and%20Child%20Rights.pdf>

The procedural safeguards outline the procedures that must be followed in order to protect the legal rights of parents and students under IDEA. The document details the processes that must be followed for: providing informed consent, dispute resolution options, evaluations, IEPs, discipline, and access to your child's educational records.

The parent rights document also lists parent organizations (such as PRO) and providers of low-cost legal services you can contact if you need help understanding your rights. ***Remember, a family liaison at Parents Reaching Out can help you understand your rights under IDEA.***

# Family Proposal Worksheet

The Family Proposals Worksheet is a tracking tool to use during the IEP meeting

IEP meeting for:

Age:

Date:

Proposals			Outcomes			
Concerns/ Discussion Questions	Proposal and Reason	Action		Reason for Action	Start Date	Person Responsible
		Accept	Reject			

*“What’s the Big IDEA?” fact sheets are developed by Parents Reaching Out under a grant from the US Department of Education, Office of Special Education. Views expressed do not necessarily represent the policy of the US Department of Education and should not be assumed to be an endorsement by the federal government.*