



January 2010

TO: District Superintendents
Superintendents of Schools
Presidents of Boards of Education
New York City Board of Education
Principals of Public Schools
Chairpersons, Committees on Preschool Special Education
Chairpersons, Committees on Special Education
Approved Private Schools for Students with Disabilities
Approved Preschool Programs for Children with Disabilities
Other New York State Agencies
State-Operated and State-Supported Schools
Organizations, Parents and Individuals Concerned with Special Education
Impartial Hearing Officers
Commissioner's Advisory Panel for Special Education Services
Regional Special Education Technical Assistance Support Centers
Special Education Parent Centers
Early Childhood Direction Centers

FROM: James P. DeLorenzo

SUBJECT: New York State Model Forms: Prior Written Notice (Notice of Recommendation) Relating to Special Education

The New York State Education Department (NYSED) has developed a model Prior Written Notice form to assist school districts to provide the parent(s) of a student with a disability (or the parent(s) of a student suspected of having a disability) with the required written notification whenever the district proposes (or refuses) to initiate or change the identification, evaluation, educational placement of a student with a disability or the provision of a free appropriate public education (FAPE) to the student.

The State's Prior Written Notice form (Attachment 1) may be used in its current Word document format, or may be converted to another format, including a computerized format and may be inserted on school district letterhead. While the form is being released at this time as a 'model' form, it will be required for use by all local and State educational agencies for all prior written notices issued during the 2011-12 school year and thereafter, pursuant to section 200.5(a)(1) of the Regulations of the Commissioner of Education. NYSED does not expect to make any further changes to the form except as required by changes to federal and/or State law and regulations.



Attachment 2 provides directions for the use of this form. Attachment 3 provides information to assist districts in completing the prior written notice form. Attachment 4 provides examples. Attachment 5 provides important information in a Question and Answer format on federal and State requirements relating to Prior Written Notices that must be considered in completing Prior Written Notice forms for parent(s).

Beginning in February 2010, the State will announce web-based seminars through Elluminate to provide additional training and information on the use of the State's forms and the accompanying guidance. In addition, specialists from the Regional Special Education Technical Assistance Support Centers (RSE-TASC) will offer training in their respective regions of the State.

Questions regarding this form may be directed to SEFORMS@mail.nysed.gov. NYSED will review questions submitted and post a Question and Answer document on its web site at www.vesid.nysed.gov/specialed/formsnotices/ to respond, as appropriate, to questions received. Questions may also be directed to the Special Education Policy Unit at 518-473-2878.

Attachments