

MEMO: REVISIONS TO STATE FORM 7a

TO: Vermont Department of Education Staff; Vermont Special Education Administrators;
Vermont Special Education Advisory Council

FROM: Alice S. Farrell, State Director of Special Education

RE: Changes to the State Form 7a effective January 1, 2012

Date: December 16, 2011

The Vermont Education Department has revised the Prior Written Notice Form (7a) to assist local education agencies in providing 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 local education agency 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 revised form (Attachment 1) combines the check boxes previously listed separately into two possible circumstances, the proposal to make a change or the refusal to make a change, which must be checked appropriately by LEA staff.

The State's Prior Written Notice Form, 7a, (Attachment 1) may be used in its current format, or may be converted to another format and may be inserted on school district letterhead or within proprietary IEP programs at the discretion of the LEA. It will be required for use by all local educational agencies beginning January 1, 2012.

As in the previous Form 7a, there is a section where the LEA must provide a description of and justification for the proposed change or refusal, a section on the information the LEA used to in making this decision, and a section for the documentation of any other options considered while making this decision.

Documentation of the Effective Date of this decision remains on this form and must be completed by the LEA. There must be an adequate space of time, determined by the LEA, between the date on which the parent was *informed* of the proposed decision through the use of Form 7a and the Effective Date of the decision. Enough time must be allotted for the parent to receive the written Form 7a notice prior to the implementation of services.

The new Form 7a more clearly specifies for a parent where they can find additional resources in order to understand their parental rights in regards to special education law regarding to the LEA decision documented on this form.

Enc: Vermont DOE Form 7a

Prior Written Notice of Decision

Local Education Agency: _____ Date Form Completed: ____/____/____

Student Name: _____ DOB: ____/____/____ Child Count ID#: _____

Dear _____:

The Local Education Agency (LEA) must, by law, provide you written notice whenever it:

- Proposes to begin or change the identification, evaluation or educational placement of your child or the provision of a free and appropriate public education to your child, AND/OR
- Refuses to begin or change the identification, evaluation or educational placement of your child, or the provision of a free and appropriate public education to your child.

This notice is sent to you for that purpose.

A description of the action(s) the LEA proposes or refuses to take:

An explanation of why the LEA proposes or refuses to take the action(s):

A description of each evaluation procedure, assessment, record or report the LEA used in deciding to propose or refuse the action(s):

Other options, if any, that the district considered, and the reasons why those options were not chosen:

A description of other reasons (if any) why the district is proposing or refusing the action(s):

The Effective Date of this proposal or refusal decision will be: ____/____/____.

Procedural Safeguards to Protect Parent Rights

Resources that you may contact for help in understanding the special education law are located at the back of the Procedural Safeguards (Parental Rights) booklet put out by the Vermont Department of Education:

To obtain a copy of your "Parental Rights in Special Education," which describe your rights, including procedural safeguard protections under special education law, or if you have any questions about this notice or the Parental Rights, please contact me at: _____ (Tel.) or write to me at:

Mailing Address: _____

Printed Name/Position: _____

Enclosures: