

5. DID NOT QUALIFY

Prior Written Notice of Special Education Action

This notice informs you of the action proposed or refused by the district:

Evaluation

- Initial evaluation of your child for special education services*
- Refuses initial evaluation of your child for special education services
- Reevaluation of your child for special education services*
- Refuses reevaluation of your child for special education services
- Additional evaluation of your child related to their IEP*
- Refuses additional evaluation of your child related to their IEP
- Independent Educational Evaluation (IEE)
- Refuses an Independent Educational Evaluation (IEE)
- Functional Behavior Assessment (FBA)*
- Other:

*Parent/guardian written consent required

Identification

- Eligible for special education and related services
- No longer eligible for special education and related services
- No longer qualifies for special education and related services (Graduated with a regular diploma or Reached maximum age.)
- Eligibility is being changed to
- No longer in need of related services in the area of
- Other: Refuses to qualify for special education and related services

Educational Placement

- Initial placement determination
- Change the child's placement to
- Refuses changing the child's placement to in resource room for English.
- Because of disciplinary action, the district will change the child's placement to
- The child is no longer in need of related services in the area of
- Other: Child is not eligible for special education and related services

Provision of FAPE

- Change in accommodations/modifications
- Change in services
- Other:

THE ACTION(S) WILL TAKE EFFECT

The following action(s) apply to this notice and a description is given below:

1. Explanation of why the district proposed or refused to take action(s):

Upon completion of the most recent evaluation, the school district finds your child does not meet criteria for placement and thus refuses to place your child in special education.

2. Description of the evaluation procedures, tests, records and reports used to make the decision.

A complete battery of assessments were administered to measure (student's) general learning aptitude and current academic achievement. In addition to these formal tests, the team reviewed current work samples, teacher observations, and input from the regular education and special education teacher.

3. Description of options considered prior to this decision and the reason each option was declined.

Your child, (student), does not meet the eligibility requirements for classification as a child with a disability under the IDEA regulations.

4. Description of other relevant factors that contributed to this decision.

Additional evaluations were discussed but the team decided that no further evaluations are necessary at this time.

A copy of the *"Parental Rights for Public School Students Receiving Special Education Services - Notice of Procedural Safeguards"* is enclosed.

You have protections under procedural safeguards. A copy of the *"Parental Rights for Public School Students Receiving Special Education Services - Notice of Procedural Safeguards"* must be given to you at least one time per year. You may also obtain a copy of this booklet at any time from your local special education office or from the NDDPI website at: www.nd.gov/dpi.