What is Prior Written Notice?
A Prior Written Notice (PWN) is a written explanation of a change the school district or AEA wants to make or refuses to make in a child’s Individualized Educational Program (IEP). It is important that parents understand what the school plans to do (or not do) for their child. A PWN must give parents the information they need to actively participate in making decisions about their child’s educational program and services.

When should a PWN be provided to a family?
Parents should receive written notice after a proposed change has been discussed together by the team at an IEP meeting and before any changes are made. Parents may ask for written notice if the school tells them of changes they plan to make in a phone call, a meeting, an email or conversation.

The Individuals with Disabilities Education Act (IDEA) describes four situations when parents are entitled to and should receive Prior Written Notice.

PWN should be given to parents when the school:

1. Proposes to make a change in the identification, evaluation or educational placement of a child.
2. Refuses to make a change in the identification, evaluation or educational placement of a child.
3. Proposes to make a change to how a child is being provided a Free and Appropriate Public Education (FAPE).*
4. Refuses to make a change in how the child is being provided FAPE.

IDEA states a PWN must include these 7 things:

1. A description of the action proposed or refused by the school or AEA,
2. An explanation of why the school proposes or refuses to take action,
3. A description of each evaluation procedure, assessment or report used to make their decision,
4. A statement that parents of a child with disability have protections under the procedural safeguards and how parents can get a copy,
5. Sources for parents to get help understanding these provisions or procedural safeguards,
6. A description of other options considered and the reasons why they were rejected, and
7. A description of other factors important to the school’s proposal or refusal. [§300.503(b)]

All letters or notices schools send must be written in the parents’ native language. If parent’s native written language or communication mode is not available, the school must take steps to verbally translate the notice for the parents. If parents do not understand the notice they should keep asking questions until they do understand what the school is proposing or refusing.

If parents do NOT see their request or questions answered in the PWN, they should request an AMENDMENT to the PWN—as soon as possible.
It is important for families to remember that along with these parent rights, come parent responsibilities. If parents do not agree with what is being proposed, they can think of the PWN as a springboard for their action.

If parents disagree with what is being proposed or refused, they can appeal the decision through one of the conflict resolution options described in the Procedural Safeguards Manual. An appeal must happen no more than two years after the date the parent knew, or should have known, about the proposed action or reason for the complaint.

Most challenges can be made within that two-year time period but there are exceptions when it is a placement decision being considered. If a placement change is being proposed and parents do not want the student’s educational placement to change, an appeal should be filed and a “Stay Put”* should be invoked BEFORE the implementation date stated in the PWN.

*Stay Put is a provision keeps the IEP “as is” until the dispute resolved. It is explained fully in a separate ASK Resource Center information sheet.

ASK Essential Questions

- Have I received a Prior Written Notice explaining the changes being proposed or refused by the school or AEA?
  - If YES; Have I read the notice and asked all of the questions I need answered to fully understand what is being proposed or refused?
  - If NO; I should request one in writing asking for a description of the proposed change or refusal. I should also ask:
    - Who will be writing the PWN?
    - How will I receive the written notice? Email, printed mail or in person?
    - When will I receive the written notice?

Related Resources at askresource.org/resources:
- Sample Letter Requesting a PWN
- Alternate Methods of Conflict Resolution

The Center for Parent Information & Resources https://www.parentcenterhub.org/notice-prior/