4. REFERRAL BUT NO EVALUATION

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:

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:

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):**

   After consideration of the parent’s request to refer (student) for a special education evaluation, the team determined that the intervention strategies utilized as a result of the intervention team process appear to be working. Additional evaluation measures are not warranted at this time.

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

   A structured phonics program was implemented along with daily guided reading session. This has increased (student’s) performance and we feel that (student) is progressing at a significant rate.

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

   (Student’s) current performance does not indicate the need for a special education evaluation at this time.

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

   (Student’s) classroom teacher has experience with research-based reading strategies and is able to accommodate (student’s) needs in the general classroom.

   ☒ 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](http://www.nd.gov/dpi).