

Place on school district letterhead

DATE

MOM AND/OR DAD
ADDRESS
ADDRESS

Dear PARENTS:

I am writing in response to your request on _____, that the school district conduct an evaluation of your child, _____, to determine whether she is a student with a disability under the Individuals with Disabilities in Education Rights Act. The district is refusing to conduct a formal evaluation at this time.

As you know, _____ has been absent ____ days during the current school year and has been tardy for ____ additional days. Students have only been scheduled for _____ days, which means that your student has missed ____% of the classroom instruction provided to general education students. The school believes that any academic deficits _____ is experiencing are best explained by a lack of adequate instruction, based on _____'s failure to be in school. The district does not have a basis to suspect that _____ is a student with a disability in need of specialized instruction and support.

The school district is making this decision as there is not sufficient data to warrant special education evaluations of _____. At this time, the district does not have reason to suspect that _____'s absences are caused by a disabling condition.

The school district considered simply agreeing to administer the assessments you requested. The district rejected this option as it is not best practice for districts to administer formal evaluations when educational data indicates that a student's lack of academic achievement is based on the student's failure to be exposed to adequate instruction. Once _____ resumes regular attendance, and the district will continue to monitor HIS/HER progress. If the district comes to have a reasonable basis to suspect your student will meet verification criteria set by the state of Nebraska or that the student is in need of specialized instruction and support, the district will seek consent to evaluate at that time.

This communication will serve as prior written notice that the district is refusing your request for a formal evaluation of _____. I have enclosed a copy of the Notice of Parental Rights for your convenience.

If you have any questions or concerns about this communication, please contact my office.

Yours very truly,

Director of Special Education