

Special Education (from doe.mass.edu 8/19/14)

Parent's Notice of Procedural Safeguards, English Version -- updated 12/2013

To: Special Education Administrators
From: Marcia Mittnacht, State Director of Special Education
Date: February 2, 2010 -- updated December 18, 2013

I am pleased to announce the posting of the updated Parent's Notice of Procedural Safeguards (PNPS) in English that now includes information to meet the requirement of annual notice regarding the school district's use of MassHealth. The PNPS is posted at <http://www.doe.mass.edu/sped/prb/>. This PNPS replaces the February 2010 PNPS and should be used from this date forward. Translations posted on the website in the following languages have been updated and meet the requirement of annual notice; Arabic, Cape Verdean, Chinese, Haitian Creole, Spanish, Russian, Khmer, and Portuguese.

Under IDEA 2004 school districts must give this PNPS once per year to all parents of eligible students with disabilities. The Department recommends that school districts identify a specific date each school year when the parents of every eligible student enrolled in the district, including those in out-of-district placements, will be sent a copy of the PNPS. Districts may distribute the PNPS by mail or, if the district makes information available electronically, the parent may choose that option.

In addition to the annual distribution of the PNPS, school districts must give the PNPS to parents when an initial evaluation of a student is requested by the parent or another person; upon the parent's request for a copy; and when a student with a disability is removed from his or her placement to an interim alternative education setting as a result of discipline.

If parents speak languages other than English or the nine languages translated here, then school districts must take additional steps to ensure that parents have the information you are required by law to provide to them. Districts may need to obtain interpreters or prepare additional translated materials describing the procedural rights of parents and students under IDEA-2004.

The PNPS follows a question and answer format to provide information on the provisions in special education law that enables parents to be involved in educational decisions about their student. The electronic version of the PNPS, available on the ESE website, uses features that enable parents to find specific sections of the PNPS quickly through embedded hyperlinks. The electronic version of the PNPS also includes hyperlinks to additional useful information on the ESE Web site. The Department hopes that the PNPS will assist parents and school districts as they work together to provide special education and related services to students with disabilities.

* See Advisory on this subject with mandated form for one-time consent at:
http://www.doe.mass.edu/sped/advisories/13_1.html

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