

First Steps Policy and Procedure Manual
Relates to: VII Family Rights – 911 KAR 2:130E Section 2 (7)(b)
Revised November 3, 2004

Reference Part C of IDEA

Written prior notice and Reasonable Time (34 CFR 303.403)

Written prior notice must be given to the parents of a child eligible for First Steps services a reasonable time before a service provider proposes or refuses to initiate or change the identification, evaluation or placement of the child (including transition at age three) or the provision of appropriate early intervention services for the child and the child's family. This prior notice must be given three **(3)** working days prior to the initiation of service or change in service.

Documentation of Written Prior Notice

First Steps Prior Notice Form (Form 15), be used to document written prior notice. The Initial or the Primary Service Coordinator must complete this form. A copy of this form will be placed in the child's file, along with a corresponding staff note. In situations where the Service Coordinator finds out about a service change after it is implemented, written notice should be immediately issued and the circumstances surrounding the late notice should be documented in the service coordinator notes in the child's record.

Refusal to Act on Request

Families must receive written notice if the service provider refuses to act on a request.

Content of Notice

- The written notice must contain a description of the action proposed or refused by the service provider and the reasons for taking the action.
- The notice must be in the parent's native language, unless it is clearly not feasible to do so, and include all procedural safeguard rights available to the family as well as the Family Complaint Process and Procedures including a description of how to file a complaint and the timelines under those procedures.

Native language

- The notice must be written in language understandable to the general public and provided in the native language of the parents unless it is clearly not feasible to do so.
- If the native language or other mode of communication of the parent is not a written language the service provider shall take steps to ensure that:

First Steps Policy and Procedure Manual

Relates to: VII Family Rights – 911 KAR 2:130E Section 2 (7)(b)

Revised November 3, 2004

1. The notice is translated orally or by other means to the parent in the parent's native language or other mode of communication;
 2. The parent understands the notice;
- If a parent is deaf or blind, or has no written language, the mode of communication must be that normally used by the parent (such as sign language, Braille, or oral communication).

Occurrences Subject to Written Prior Notice

Examples of Occurrences that are subject to written prior notice, include:

- Initial evaluation and eligibility determination
- Assessment
- IFSP update which result in new, changed or terminated services, providers or locations.
- Change in type, frequency, intensity or duration of services
- Change in service location
- Change in service provider
- Refusal to change or initiate a particular service, provider or location
- Termination of a particular service
- Termination from participation in First Steps