***Insert Charter/LEA Letterhead***

*Insert Date*

*VIA FIRST CLASS MAIL AND EMAIL*

*Insert Parent Name and Address*

RE: **Insert Student Name** **Prior Written Notice Re: Delayed Special Education Assessment or Assessment Plan due to COVID-19 (Coronavirus).**

Dear\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_:

This letter is prior written notice by the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Charter/LEA (“Charter”), pursuant to 34 CFR § 300.503, of the delay of a pending current initial, triennial or requested special education evaluation.

SELECT THE PARAGRAPH THAT APPLIES (1 OR 2)

1. The Charter/LEA has determined that it is necessary to postpone \_\_\_\_\_\_\_\_\_\_\_(students name), current (select which one: initial, triennial or requested) special education evaluation in light of COVID-19 and the temporary physical closures of the school sites. As a result of COVID-19, it is necessary for \_\_\_\_\_\_\_\_\_\_(student’s name) assessment to be completed in person and observations completed within the classroom setting. Once students physically return to school, assessments will continue and IEP meetings will reconvene.
2. The Charter/LEA has determined that it is necessary to postpone the development of \_\_\_\_\_\_\_\_\_\_\_(students name), current special education assessment plan in light of COVID-19 and the temporary physical closures of the school sites. In accordance with Educational Codes § 56043 and 56321, Assembly amended AB 117, and Senate SB 117, due to COVID-19, the bill ***waives*** California timelines associated with the development and submission of a proposed special education assessment plan to a parent or guardian “if a school is closed due to the Coronavirus.” (1). As a result of COVID-19, timelines have been extended even if an LEA continues to offer educational opportunities through distance learning, or independent study, or both, during the period of time a school is closed due to COVID-19. (2) Consequently, the 15-day timeline for new assessment plans is ***tolled*** during school closures for COVID-19.

In terms of other options that were considered, the LEA considered conducting assessments in-person, however, the LEA wishes to protect its students and employees from potential exposure to COVID-19 and obey the California shelter in place guidelines.

In making its determination, the LEA reviewed and considered the following:

* Recommendations from the CDC,
* Recommendations from the CDE,
* Recommendations from the DPH,
* Educational Codes § 56043 and 56321,
* Assembly amended AB 117, and Senate SB 117
* All other relevant information available to the LEA

Finally, please be advised that the parents of a child with a disability have protection under the federal parental rights and procedural safeguards set forth in 34 C.F.R Part 300. Enclosed you will find a copy of those parental rights and procedural safeguards. ALTERNATELY, FAMILIES MAY BE DIRECTED TO RETRIEVE A COPY OF THE PARENTAL RIGHTS AND PROCEDURAL SAFEGUARDS FROM: <https://www.cde.ca.gov/sp/se/qa/pseng.asp>.

The sources which you may contact to obtain assistance in understanding the provisions of the enclosed procedural safeguards are:

El Dorado Charter Special Education Local Plan Area (SELPA)

6767 Green Valley Rd.

Placerville, CA 95667

And

California Department of Education

P.O. Box 944272

Sacramento, CA 94244-2720

If you have any questions, please do not hesitate to call me at \_\_\_\_\_\_\_\_\_\_\_\_\_\_ between 8:00 a.m. and 5:00 p.m.

Sincerely,

*Administrator*

Enc: Parental Rights and Procedural Safeguards

**References**

1. <https://www.aalrr.com/newsroom-alerts-3620>
2. <https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=56043.>
3. AB 117:<http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB117&search_keywords=coronavirus>),
4. SB 117:<http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB117&search_keywords=coronavirus>).
5. Non-Regulatory Guidance on Flexibility and Waivers for Grantees and Program Participants Impacted by Federally Declared Disasters:<https://safesupportivelearning.ed.gov/sites/default/files/disaster-guidance.pdf>
6. <http://girardedwards.com/blog/>