

THE SPECIAL EDUCATION PROCESS IN PHILADELPHIA

Information about the Special Education Process for Children from Kindergarten
to 21 years old



**Compiled by
Parents Involved Network (PIN)
Summer 2013**

If you think or know that your child may have a disability, your child may need a special education program. You may write a letter to the principal of your child's school requesting that the school conduct a Multi-Disciplinary Evaluation (MDE) of your child.

The purpose of the initial MDE is to gather the information necessary to determine whether your child has a disability that affects his or her learning, and to design a program in which your child can make real progress. Your child can be determined to be eligible for special services even if he or she has been progressing from grade to grade.

An MDE is "multi-disciplinary" and uses a "team" approach - that is, several methods are used by a group of people to do the evaluation. No one test (such as an IQ test), or one person, can determine your child's needs. **Parents are part of the MDE "Team."**

The school **cannot** evaluate your child unless you give them written permission. Be sure to contact the school Principal and ask to have the Permission to Evaluate Form (PTE) sent to you or go to the school and request the form in person. **After receiving your signed PTE**, the school has 60 calendar days (minus the summer) to complete the evaluation.

To be eligible for special education services, your child must fit into at least one of the 13 disability categories listed in the Individuals with Disabilities Education Act (IDEA) special education law.

The following is a list of IDEA disabilities categories:

- Autism
- Deaf-blindness
- Deafness
- Emotional disturbance
- Hearing impairment
- Mental retardation/Intellectual Disability
- Multiple disabilities
- Orthopedic impairment
- Other health impairment- (ADD, ADHD)
- Specific Learning Disability.
- Speech or language impairment
- Traumatic brain injury
- Visual impairment

If your child is found to be eligible,

- An Individualized Education Program (IEP) must be developed and a meeting held within 30 days after the evaluation is completed.

- The school must give you a copy of the evaluation report 10 days before the IEP meeting, or you can sign a waiver form; which waives your rights to the 10 day review of the evaluation report and you and the rest of your IEP team can go straight to developing your child's IEP.

The IEP team meeting must include:

- At least one parent of a child with a disability
- At least 1 regular education teacher (if the child is, or may be, participating in the regular education classes)
- At least 1 special education teacher,
- A representative of the Local Educational Agency (LEA), The school principle determines who will fills this role (i.e. The Special Education Liaison (SEL) or School Counselor)
- An individual who can interpret the results of the evaluation. (i.e. School Psychologist, SEL, School Counselor etc.)
- And if deemed appropriate, the child with a disability. **(If the team is discussing transition goals, the child must attend the meeting),**
- At the discretion of the parent or the school representative, other individuals who have knowledge or special expertise regarding the child. This person can be a friend, an advocate, related services personnel (speech and language and/or occupational therapist, etc.) or anyone you or the school invites to the meeting for support

The parent has the following Rights:

- The right to be part of the team that decides their child's education program.
- The right to disagree with school decisions about their child's program or placement.
- The right to request Independent Educational Evaluation (IEE), if they disagree with the school district's evaluation.

- The rights to have their child educated in the Least Restricted Environment with all the special services and supports needed for their child to make meaningful progress.
- The right to a school placement that can provide the needed services for their child.
- The right to request IEP facilitation Mediation or a Due Process Hearing if they disagree with the school decisions on non-eligibility for special education and/or the child's educational program or placement
- The right to file a Division of Compliance (DOC) complaint when the school is not implementing some or all of the provisions in their child's IEP or did not complete an evaluation within the required timelines.

You can call or write the Division of Compliance & Monitoring and file a DOC complaint;

Address: Pennsylvania Department of Education
 Bureau of Special Education
 Division of Monitoring & Compliance
 333 Market Street, 7th Floor
 Harrisburg, PA 11726-0333
 Phone: 717-783-6913
 TTY: 717.787.7367
 Fax: 717-783-6139
 Special Education Consult Line at 1-800-879-2301,

For IEP facilitation, Mediation, or Due Process you can send your written request to:

Office for Dispute Resolution,
 6340 Flank Drive
 Harrisburg, PA 17112-2764
 Phone: 717-541-4960
 Toll Free: 800-222-3353 (PA only)
 TTY: 800-654-5984
 Fax: 717-657-5983
 Parent help Line: 800-879-2301
www.odr-pa.org

You MUST also send a copy of your complaint or due process request to the school. Be sure to keep a copy of your complaint for your records.

Information and help is also available:

Disability Rights Network (DRN)

Philadelphia Office - 1315 Walnut St., Suite 500
Philadelphia, PA 19107-4798
Phone: 215-238-8070
Harrisburg Office Phone: 1-800-692-7443

Education Law Center (ELC)

The Philadelphia Building - 1315 Walnut Street, 4th Floor
Philadelphia, PA 19107-4717
Phone: 215-238-6970

HUNE (Spanish)

2200 North 2nd St.
Philadelphia, PA, 19133
Phone 215-425-6203

National Information Center for Children and Youth with Disabilities (NICHCY)

www.nichcy.gov

Pennsylvania Department of Education

333 Market Street
Harrisburg, PA 17126
Main Number: 717-783-6788

Public Interest Law Center of Philadelphia (PILCOP)

United Way Building, 2nd Floor
1709 Benjamin Franklin Parkway
Philadelphia, PA 19103
Phone: 215-627-7100

Parents Involved Network (PIN)

Parents Involved Network is a Peer to Peer run program, of the Mental Health Association of SE PA which assists parents/caregivers of children and adolescents with emotional and behavioral challenges.

PIN provides:

- Information
- Support
- Referral
- Advocacy
- Education/Trainings
- Monthly parents/family Educational support groups in the community

We support families and youth in all child serving systems

PIN- Delaware County 267-507-3870

PIN- Philadelphia County 267-507-3860

Family Mentor-Montgomery County 267-507-3486

1-800-688-4226 Ext 3860

www.mhasp.org

