

## IMPORTANT INFORMATION FOR PARENTS OF CHILDREN WITH IEPs: WHAT TO WATCH OUT FOR THIS SCHOOL YEAR IN PHILADELPHIA

### ➤ **WAITING LISTS AND GAPS IN SERVICE DELIVERY ARE ILLEGAL UNDER SPECIAL EDUCATION LAW.**

Children with IEPs *cannot* and *should not* be made to wait for special education services or programs which are part of their IEPs. A child's entire special education program must start **within 10 school days** of when the child's parent approves the child's IEP by signing a Notice of Recommended Educational Placement (NOREP). Children with IEPs have the right to receive **ALL** the services listed on their IEPs *even if* staff have been laid off or transferred.

There also should be **no gaps** in the delivery of services. For example, if a child's IEP says she will get 45 minutes of speech therapy per week, then she must get that therapy every week. Her speech therapist could quit or be fired, but her school must still find her a new therapist for her right away. If a child is not getting the services listed on his or her IEP, and the parent has tried to work out the problem with the school and nothing has changed, then a **complaint** can be filed with the state's **Bureau of Special Education**. A complaint form can be requested by calling 1-800-879-2301 or can be found at [http://odr-pa.org/wordpress/wp-content/uploads/complaintpkt\\_rev\\_info\\_1-08-07\\_eng.pdf](http://odr-pa.org/wordpress/wp-content/uploads/complaintpkt_rev_info_1-08-07_eng.pdf).

### ➤ **CHILDREN CANNOT BE MADE TO WAIT FOR EVALUATIONS OR REEVALUATIONS.**

The school must complete a child's special education evaluation within **60 calendar days** (minus the summer months) of when the parent gives his or her written permission for the evaluation to begin by signing a **Permission to Evaluate- Consent Form** (called a PTE). The school should give the PTE form to the parent to sign within 10 days of when the parent asks for the evaluation. If the parent doesn't receive the PTE form, or an evaluation is not done within 60 calendar days of when the parent gives his or consent, then a complaint can be filed with the state's Bureau of Special Education (see above). The same timelines apply to **reevaluations** as well.

### ➤ **PARENTS MUST RECEIVE WRITTEN NOTICE BEFORE THEIR CHILD'S SPECIAL EDUCATION PROGRAM AND/OR PLACEMENT IS CHANGED.**

Where a child receives special education services and how much service a child receives *should not* change without **written notice** to the parent before the change is made. The parent must agree to or disagree with the change on a form called a **Notice of Recommended Educational Placement/Prior Written Notice (NOREP/PWN)**. A school must give a parent a NOREP to sign when the school wants to change the child's placement, *including* when the school wants the child to graduate. **Students with IEPs can stay in school through the age of 21.** Parents who would like their child to remain in school and not graduate **MUST** disagree on the NOREP. Parents must also receive a NOREP when the school wants to make changes to the child's special education program (like cutting speech therapy).

### ➤ **REASONS THAT SCHOOL DISTRICT STAFF CANNOT GIVE FOR NOT PROVIDING SPECIAL EDUCATION SERVICES:**

- We don't have the money to do that.
- We don't have the staff to do that.
- We'll evaluate your child as soon as we can, but we won't be able to do it within 60 days.
- We will have to take those services away from another child to give them to your child.

### ➤ **PLACES IN PHILADELPHIA TO GO FOR HELP WITH SPECIAL EDUCATION PROBLEMS:**

- **The Arc of Philadelphia – Special Education Advocacy Team:** 215-229-4550
- **Bureau of Special Education's ConsultLine:** 1-800-879-2301
- **The Disability Rights Network of Pennsylvania (DRN):** 1-800-692-7443 (Toll-Free Voice); 1-877-375-7139 (TDD)
- **Hispanics United for Exceptional Children (HUNE, Inc.):** 215-425-6203
- **Parents Involved Network of Philadelphia (PIN):** 267-507-3860
- **Parent Education Network (PEN):** 1-800-522-5827
- **Public Interest Law Center of Philadelphia (PILCOP):** 215-627-7100
- **Vision for Equality:** 215-923-3349