The public school districts and charter schools of Delaware County, Pennsylvania, and the Delaware County Intermediate Unit ("the Delaware County school entities"), provide special education and related service to eligible children with disabilities who are aged three through twenty-one. The purpose of this notice is to describe (1) the types of disabilities that might qualify the child for such programs and services, (2) the special education programs and related services that are available, (3) the process by which each of the Delaware County School entities screens and evaluates such students to determine eligibility, and (4) the special rights that pertain to such children and their parents or legal guardians.

What types of disability might qualify a child for special education and related services?

Under the Individuals with Disabilities Education Act, commonly referred to as the "IDEA," children qualify for special education and related services if they have one or more of the following disabilities and as a result, demonstrate a need for special education and related services: (1) intellectual disability, (2) hearing impairments, including deafness, (3) speech or language impairments, (4) visual impairments, (5) serious emotional disturbance, (6) orthopedic impairments, (7) autism, including pervasive developmental disorders, (8) traumatic brain injury, (9) other health impairment, (10) specific learning disabilities, (11) multiple disabilities, or (12) for preschool age children, developmental delays. If a child has more than one of the above-mentioned disabilities, the child could qualify for special education and related services as having multiple disabilities. Children ages three through nine years old may also be eligible if they have developmental delays and, as a result, need special education and related services.

The legal definitions of these disabilities, which the public schools are required to apply under the IDEA, may differ from those used in medical or clinical practice. Moreover, the IDEA definitions could apply to children with disabilities that have very different medical or clinical disorders. A child with attention deficit hyperactivity disorder, for example, could qualify for special education and related services as a child with "other health impairments," "serious emotional disturbance," or "specific learning disabilities" if the child meets the eligibility criteria under one or more of these disability categories and if the child needs special education and related services as a result.

Under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, some school-age children with disabilities who do not meet the eligibility criteria under the IDEA might nevertheless be eligible for special protections and for adaptations and accommodations in instruction, facilities, and activities. Children are entitled to such protections, adaptations, and accommodations if they have a mental or physical disability that substantially limits or prohibits participation in or access to an aspect of the school program.

Information regarding potential signs of developmental delays and other risk factors that could indicate disabilities can be found in our Handbook and on our website.

What programs and services are available for children with disabilities?

Each of the Delaware County public school entities must ensure that children with disabilities are educated to the maximum extent appropriate in settings with their non-disabled peers, commonly referred to as the least restrictive environment. Programs and services available to students with disabilities, in descending order of preference, are: (1) regular class placement with supplementary aids and services provided as needed in that environment, (2) regular class placement for most of the school day with itinerant service by a special education teacher either in or out of the regular classroom, (3) regular class placement for most of the school day with instruction provided by a special education teacher in a resource classroom, (4) part time special education class placement in a regular public school or alternative setting, and (5) special education class placement or special education services provided outside the regular class for most or all of the school day, either in a regular public school or alternative setting.

Depending on the nature and severity of the disability, a Delaware County School entity can provide special education programs and services in (1) the public school the child would attend if not disabled, (2) an alternative regular public school either in or outside the school district of residence, (3) a special education center operated by a public school entity, (4) an approved private school or other private facility licensed to serve children with disabilities, or (5) a residential school, approved out-of-state program, or (7) the home. Special education services are provided according to the primary educational needs of the child, not the category of disability. The types of services available are: (1) learning support, for students who primarily need assistance with the acquisition of academic skills, (2) life skills support, for students who primarily need assistance with development of skills for independent living, (3) emotional support, for students who primarily need assistance with social or emotional development, (4) deal or hearing impaired support, for students who primarily need assistance with blindness, (5) blind or visually impaired support, for students who primarily need assistance with deafness, (6) physical support, for students who primarily need physical assistance in the learning environment, (7) autism support, for students who primarily need assistance in the areas affected by autism spectrum disorders, and (8) multiple disabilities support, for student who primarily need assistance in multiple areas affected by their disabilities.

Related services are designed to enable the child to participate in or access his or her program of special education. Examples of related services are speech and language therapy, occupational therapy, physical therapy, counseling, and family training. Children of preschool age are served by the Delaware County Intermediate Unit in a variety of home and school-based settings that take into account the chronological and developmental age and primary needs of the child. As with school age programs, preschool programs must ensure that to the maximum extent appropriate, children with disabilities are educated with non-disabled peers.

Each Delaware County School entity, in conjunction with the parents of each identified child, determines the type and intensity of special education and related services that a particular child needs based exclusively on the unique program of special education and related services that the school develops for that child. The child's program is described in writing in an individualized education program, commonly referred to as an "IEP," which is developed by an IEP team consisting of educators, parents, and other persons with special expertise or familiarity with the child. The parents of the child have the right to be notified of and to participate in all meetings of their child's IEP team. The IEP is revised as often as circumstances warrant but at least annually. The law requires that the program and placement of the child, as described in the IEP, be reasonably calculated to ensure meaningful educational progress to the student at all times. IEPs contain, at a minimum, the projected start date and duration for the IEP, a statement of the child's present levels of educational and functional performance, an enumeration of annual goals, a description of how the child's progress toward meeting the annual goals will be measured and reported, a statement of the special education, program modifications, and related services to be provided; an explanation of the extent, if any, to which the child will not participate with non-disabled children, an anticipated frequency and location of the services and a statement of any accommodations necessary to measure academic achievement and functional performance of the child on state and district wide assessments. For children aged fifteen and older, the IEP must also include a transition plan to assist in the attainment of post-secondary objectives. The public school must invite the
child to the IEP team meeting if a purpose of the meeting will be the consideration of the post-secondary goals and transition services needed for the child.

All Delaware County School entities are required to allow parents of children with disabilities reasonable access to their child's classrooms, subject to the provisions of each entity's school visitation policy or guidelines.

How do the public schools screen and evaluate children to determine eligibility for special education and related services?

Multidisciplinary Team Evaluation

Delaware County School entities must conduct a multidisciplinary team evaluation of every child who is thought to have a disability. The multidisciplinary team is a group of professionals who are trained in and experienced with the testing, assessment, and observation of children to determine whether they have disabilities and, if so, to identify their primary educational strengths and needs. Parents are members of the multidisciplinary team. Delaware County School entities must reevaluate school-age students receiving special education services every three years and must reevaluate children with mental retardation and pre-school-age children receiving special education services every two years.

Parents may request a multidisciplinary team evaluation of their children at any time. They must do so in writing. Every public school has a procedure in place by which parents can request an evaluation. For information about each Delaware County School entity's procedures applicable to your child, contact the elementary, middle, or high school which your child attends. Telephone numbers and addresses for these schools can be found in the School entity's website. Parents of preschool age children, age three through five, may request an evaluation in writing by addressing a letter as follows: Delaware County Intermediate Unit, Early Intervention Services, 200 Yale Avenue, Morton, Pennsylvania 19070, (610) 938-9000. The telephone number for the Early Intervention Program is (610) 938-2830.

Parents of children in private schools may request a multidisciplinary team evaluation of their children without enrolling in their public schools. However, while some services might be available to some private school children who are found eligible by the responsible Delaware County School entity, that entity is not required to provide all or any of the special education and related services those children would receive if enrolled in the public schools. If, after an evaluation, the multidisciplinary team determines that the child is eligible for special education and related services, the responsible Delaware County School entity must offer the parents an IEP and a public school-sponsored placement, unless the parents of the child are not interested in such an offer. If parents wish to take advantage of such an offer, they may have to enroll or re-enroll their child in the responsible Delaware County School entity to do so.

Before a Delaware County School entity can proceed with an evaluation, it must notify the parents in writing of the specific types of testing and assessment it proposes to conduct, of the date and time of the evaluation, and of the parents' rights. The evaluation cannot begin until the parent has signed the written notice indicating that he or she consents to the proposed testing and assessments and has returned the notice to the public school.

Screening

Each Delaware County school entity is responsible to adopt and use a public outreach awareness system to locate and identify children thought to be eligible for special education within its jurisdiction, including homeless children, wards of the state, and those attending private schools. Written information shall be published in the district's handbook and website. All Delaware County School entities undertake screening activities before referring students for a multidisciplinary team evaluation. Screening activities could involve an instructional support team, commonly referred to as the "IRT," or an alternative screening process. Regardless of the particular screening method employed, the screening process must include (1) periodic vision and hearing assessments by the school nurse as mandated by the School Code and (2) screening at reasonable intervals to determine whether all students are performing based on grade-appropriate standards in core academic subjects.

If screening activities produce no or improvement within sixty (60) school days, the child will then be referred for a multidisciplinary team evaluation.

For information about the dates of various screening activities in your child's school or to request screening activities for a particular child, contact the local public school directly. Telephone numbers and addresses for these schools can be found in the blue pages of the telephone book under the heading "Schools." Parents of preschool age children, age three through five, may obtain information about screening activities, or may request a screening of their child, by calling or writing the Delaware County Intermediate Unit, Early Intervention Services, 200 Yale Avenue, Morton, Pennsylvania 19070, (610) 938-9000. The telephone number for the Early Intervention Program is (610) 938-2830.

Private school administrators, teachers, and parent groups, or individual parents of students in private schools, who are interested in establishing Screening activities, or may request a screening of their child, by calling or writing the Delaware County Intermediate Unit, Early Intervention Services, 200 Yale Avenue, Morton, Pennsylvania 19070, (610) 938-9000. The telephone number for the Early Intervention Program is (610) 938-2830.

What special rights and protections do children with disabilities and their parents have?

State and federal law affords many rights and protections to children with disabilities and their parents. A summary of those rights and protections follows. Interested persons may obtain a complete written summary of the rights and protections afforded by federal law, together with information about free or low cost legal services and advice, by contacting their school district's special education or student services department at the address and telephone number listed in the blue pages section of the telephone book under the heading "Schools." The written summary is also available through the Delaware County Intermediate Unit, 200 Yale Avenue, Morton, Pennsylvania 19070, (610) 938-9000.

Rights and Protections

Prior Written Notice. The responsible Delaware County School entity must notify you in writing whenever it proposes to initiate or to change the identification, evaluation, educational program or placement of a child or whenever it refuses to initiate or to make a change in the identification, evaluation, educational program or placement requested by a parent. Such notice must be accompanied by a written description of the action proposed or rejected, the reasons for the proposal or refusal, a description of the evaluation information and other relevant factors used as a basis for the decision, the other options considered, if any, the reasons why such options were rejected and a statement that the parent has the right to procedural safeguards.
The parent or local educational agency (commonly referred to as the “LEA”) may request a due process hearing with respect to any matter relating to the identification, evaluation, or the Individualized Education Program (“IEP”) Team considered, if any, (3) and the reasons why those options were rejected, (4) a description of each evaluation procedure, assessment, and the other party in writing within fifteen (15) days of receipt that the receiving party believes the Request does not meet the requirements listed above.

3. A proposed resolution of the problem to the extent known and available to the party filing the Due Process Hearing Request. The Due Process Hearing Request must contain the following information:

1. The name of the child, the address where the child lives, and the name of the school the child is attending or, if the child is homeless, available contact information for the child and the name of the school the child is attending;

2. A description of the nature of the problem, including facts relating to such problem; and

3. A proposed resolution of the problem to the extent known and available to the party filing the Due Process Hearing Request.

Challenging Sufficiency of the Due Process Hearing Request. The Due Process Hearing Request will be considered to be sufficient unless the party receiving it notifies the Hearing Officer that the Request does not meet the requirements listed above.

Response to Request. If the LEA does not have a prior written notice, such as a Notice of Recommended Educational Placement (commonly referred to as a “NOREP”) to the parent regarding the subject matter contained in the parent’s Due Process Hearing Request, the LEA must notify the parent, within ten (10) days of receiving the Due Process Hearing Request, of a response including the following information: (1) an explanation of why the LEA proposed or refused to take the action raised in the Hearing Request, (2) a description of other options the Individualized Education Program (“IEP”) Team considered, if any, (3) and the reasons why those options were rejected, (4) a description of each evaluation procedure, assessment, record, or report the LEA used as the basis for the proposed or refused action and (5) a description of the factors that are relevant to the proposal or refusal. Filing this response to the parent’s Due Process Hearing Request does not prevent the LEA from challenging the sufficiency of the Due Process Hearing Request. If the party receiving the Due Process Hearing Request does not respond to the LEA within ten (10) days of receipt of the request, the response should specifically address the issues raised in the Due Process Hearing Request.

Hearing Officer Determination of Sufficiency of the Due Process Hearing Request. Within five (5) days of receiving a party’s challenge to the sufficiency of the Due Process Hearing Request, the Hearing Officer must make a determination based solely on the information contained within the Request whether the Request meets content requirements listed above. The Hearing Officer must immediately notify both parties in writing of his or her determination.

Subject Matter of the Hearing. The party requesting the due process hearing is not permitted to raise issues at the due process hearing that were not raised in the Due Process Hearing Request (or Amended Due Process Hearing Request) unless the other party agrees otherwise.

Resolution Session. Before a due process hearing can take place, the LEA must convene a preliminary meeting with the parent and the relevant member or members of the IEP Team who have specific knowledge of the facts identified in the Due Process Hearing Request in an attempt to resolve those issues without the need to proceed to a due process hearing. This preliminary meeting must be convened within fifteen (15) days of the receipt of the Due Process Hearing Request. A representative of the LEA who has decision-making authority must be present at this meeting. The LEA may not have an attorney attend the meeting unless the parent is also accompanied by an attorney. Parent advocates may attend the meeting.
the meeting, the parent will discuss the Due Process Hearing Request, and the LEA will be provided the opportunity to resolve the Due Process Hearing Request until the parent and the LEA agree. In writing, to resolve the issues in the Due Process Hearing Request at the preliminary meeting, they must agree to the terms in writing, and both the parent and a representative of the LEA who has the authority to bind the LEA will sign the agreement. The agreement is a legally binding document and may be enforced by a court. Either the parent or LEA may void the agreement within three (3) business days of the date of the agreement. After three (3) business days, the agreement is binding on both parties.

Amended Due Process Hearing Request: Either the parent or LEA may amend its Due Process Hearing Request only if the other party consents in writing to the amendment and is given the opportunity to resolve the issues raised in the Due Process Hearing Request through a resolution session, or the Hearing Officer grants permission for the party to amend the Due Process Hearing Request. However, the Hearing Officer may grant this permission not later than five (5) days before a due process hearing occurs.

Timeline for Completion of Due Process Hearing. If the LEA has not received the Due Process Hearing Request within thirty (30) days of receiving it, or within thirty (30) days of receiving the Amended Due Process Hearing Request, the due process hearing process may proceed and applicable timelines commence. The timeline for completion of due process hearings is forty-five (45) days, unless the Hearing Officer specifies extensions of time at the request of either party.

Disclosure of Evaluations and Recommendations. Not less than five (5) business days prior to a due process hearing, each party must disclose to all other parties all evaluations completed by that date, and recommendations based on the offering party's evaluations that the party intends to use at the due process hearing. Failure to disclose this information may result in a Hearing Officer prohibiting the party from introducing the information at the hearing unless the other party consents to its introduction.

Due Process Hearing Rights. The hearing for a child with a disability or thought to have a disability must be conducted and held in the LEA's place and time reasonably convenient to the parent and child involved. The hearing must be conducted in public unless the parent requests an open hearing. If the hearing is open, the decision issued in the case, and only the decision, will be available to the public. If the hearing is closed, the decision will be treated as a record of the child and may not be available to the public.

The decision of the Hearing Officer must include findings of fact, discussion, and conclusions of law. Although technical rules of evidence will not be followed, the decision must be based upon substantial evidence presented at the hearing. A written or, at the option of the parent, electronic verbatim record of the hearing will be provided to the parent at no cost. Parents may be represented by legal counsel and accompanied and advised by individuals with special knowledge or training with respect to the problems of children with disabilities. Parents or parent representatives must be given access to educational records, including any tests or reports upon which the proposed action is based. A party has the right to compel the attendance of and question witnesses who may have evidence upon which the proposed action might be based. A party has the right to present evidence and testimony, including expert medical, psychological, or educational testimony.

Decision of Hearing Officer. A decision made by a Hearing Officer is made on the ground that the child received a FAPE. In disputes alleging procedural violations, a Hearing Officer may award remedies only if the procedural inadequacies impeded the child's right to a FAPE; significantly impeded the parents' opportunity to participate in the IEP decision-making process; caused a deprivation of a FAPE; or caused an educationally significant discriminative delay. A Hearing Officer may order the LEA to comply with procedural requirements even if the Hearing Officer determines that the child received a FAPE. The parent may still file a Complaint with the Bureau of Special Education for the Pennsylvania Department of Education regarding procedural violations.

Civil Action. A party that disagrees with the findings and decision of the Hearing Officer has the right to file an appeal in state or federal court. In notifying the parties of the decision, the Hearing Officer should indicate the courts to which an appeal may be taken. The party filing an appeal is encouraged to seek legal counsel to determine the appropriate court with which to file an appeal. A party filing an appeal to state or federal court has forty-five (45) days from the date of the decision to do so.

Attorney's Fees. A court, in its discretion, may award reasonable attorney's fees to the parent of a child who is a prevailing party or to a State Educational Agency or LEA against the attorney of the parent who files a Due Process Hearing Request or subsequent cause of action that is frivolous, unreasonable, or without foundation, or against the attorney of the parent who continued to litigate after the litigation clearly became frivolous, unreasonable, or without foundation; or to a prevailing State Educational Agency or LEA against the attorney of the parent, or against the parent's Due Process Hearing Request or subsequent cause of action was presented for an improper purpose, such as to harass, to cause unnecessary delay, or to needlessly increase the cost of litigation. Fees awarded will be based on rates prevailing in the community in which the action or proceeding arose for the kind and quantity of attorney services furnished.

The federal law imposes certain requirements upon the parent and LEA and in some circumstances may limit attorney fees awards. Parents should consult with their legal counsel regarding these matters. The following rules apply: Attorney's fees may not be awarded and related costs may not be reimbursed in any action or proceeding for services performed subsequent to the time of a written offer of settlement to the parent if the offer is made within the time prescribed by Rule 68 of the Federal Rules of Civil Procedures, or, in the case of an administrative hearing, at any time more than ten (10) days before the proceeding begins; the offer is not accepted within ten (10) days; and the court finds that the relief finally obtained by the parent is not more favorable to the parent than the offer of settlement. Attorney's fees may not be awarded as a result of an administrative proceeding or judicial action. A due process resolution session is not considered to be a meeting convened as a result of an administrative hearing or judicial action, nor as an administrative hearing or judicial action for purposes of reimbursing attorney's fees. The court may reduce the amount of any attorney's fee award when: (a) the parent or the LEA or the attorney, during the course of the action or proceeding unreasonably protected the provision of educational services; (b) the amount of the attorney's fee otherwise authorized to be awarded unreasonably exceeds the hourly rate prevailing in the community for similar services by attorneys of reasonably comparable skill, reputation, and experience; (c) the time spent and legal services furnished were excessive considering the nature of the action or proceeding; or (d) the attorney representing the parent did not provide to LEA the appropriate information in the Due Process Hearing Request. These reductions do not apply to any action or proceeding if the court finds that the State or LEA unreasonably protracted the final resolution of the action or proceeding.

Child's Status During Administrative Proceedings. Except for discipline cases, which have specific rules, while the due process case is pending, the child must remain in his or her present educational placement unless the parent and LEA agree otherwise. If the due process hearing involves an application for initial admission to public school, the child, with parental consent, must be placed in the public school program until completion of all the proceedings, unless the parent and LEA agree otherwise.

Private School Tuition Reimbursement. In some cases, parents of children who are identified by the public school as eligible for special education and related services and who received such services can recover in a due process hearing or from a court an award of private school tuition reimbursement. Parents can also receive such awards if their child was in need of special education and related services but were not offered such services in a timely manner. To obtain an award of tuition reimbursement, parents must notify their public school of their
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A child can be identified as both a child with a disability and mentally gifted. In such cases, the rights of the child and his or her parents are governed by the rules applicable to children with disabilities. Parents have the right to request gifted screening or a GMDT evaluation at any time. Parents are part of the GMDT and, if their child is determined to be mentally gifted, are part of the multidisciplinary team as "mentally gifted." A child is considered mentally gifted when his or her cognitive ability or other factors, as determined by a multidisciplinary team, are needed to develop the outstanding mental ability of the child. Parents of students who are mentally gifted have the right to request a special education due process hearing or to file a complaint concerning the education of a child with disabilities and their parents, as described above.

Student Records – Record Retention and Confidentiality of Information

All Delaware County School entities, except charter schools, also offer special education services, in the form of acceleration or enrichment, for students who are identified by a gifted multidisciplinary team ("GMDT") as "mentally gifted." A child is considered mentally gifted when his or her cognitive ability or other factors, as determined by a multidisciplinary team evaluation, indicate that he or she has outstanding intellectual ability. The development of programs for gifted students is also governed by the requirements of the IDEA and Section 504. As noted above, some students with disabilities who are not in need of special education and related services are nevertheless entitled to adaptations and accommodations in their school program. The District engages in screening activities during regular classroom instruction and uses the data thus generated to determine whether a GMDT evaluation is warranted. In addition, parents may request gifted screening or a GMDT evaluation at any time. Parents are part of the GMDT, and, if their child is determined to be mentally gifted, are part of the development and annual review team of the child's gifted individualized education program.

All records are maintained, in the secure possession of teachers, building administrators, specialists, psychologists, counselors, and other school staff with a legitimate educational interest in the information contained therein. All records are maintained in the strictest confidentiality.

Records are maintained as long as they remain educationally relevant. The purposes of collecting and maintaining records are to ensure that the child receives programs and services consistent with his or her IEP; to monitor the ongoing effectiveness of programming for the child; to document for the public school and the parents that the student is making progress; and to ensure the rights of the child and his or her parents are protected. Records maintained by either the IDEA or Section 504 may be requested from the Pennsylvania Department of Education, which must investigate such complaints and issue written findings and conclusions. Information concerning such complaints can be obtained at the following address:

Pennsylvania Department of Education
Division of Compliance Monitoring and Planning
333 Market Street, 7th Floor
Harrisburg, PA 17128-0333
(800) 879-2301

Student Who are Mentally Gifted

All Delaware County School entities, except charter schools, also offer special education services, in the form of acceleration or enrichment, for students who are identified by a gifted multidisciplinary team ("GMDT") as "mentally gifted." A child is considered mentally gifted when his or her cognitive ability or other factors, as determined by a multidisciplinary team evaluation, indicate that he or she has outstanding intellectual ability. The development of programs for gifted students is also governed by the requirements of the IDEA and Section 504. The District engages in screening activities during regular classroom instruction and uses the data thus generated to determine whether a GMDT evaluation is warranted. In addition, parents may request gifted screening or a GMDT evaluation at any time. Parents are part of the GMDT, and, if their child is determined to be mentally gifted, are part of the development and annual review team of the child's gifted individualized education program ("GIEP") as a member of the GIEP team. The GIEP describes the present levels, annual goals and measurable objectives, and specially designed instruction and related services through which the District will provide the enrichment or acceleration, or both, that is needed to develop the outstanding mental ability of the child. Parents of students who are mentally gifted have the right to request a special education due process hearing or to file a complaint complaint with the Pennsylvania Department of Education at the above address. Details concerning the procedures governing hearing requests can be found on the Website of the Office for Dispute Resolution at www.pattan.k12.pa.us.

A child can be identified as both a child with a disability and mentally gifted. In such cases, the rights of the child and his or her parents are governed by the rules applicable to children with disabilities and their parents, as described above.

Student Records – Record Retention and Confidentiality of Information

All Delaware County School entities maintain records concerning all children enrolled in public school, including students with disabilities. Records containing personally identifiable information about or related to children with disabilities could include, but are not limited to, cumulative grade reports, discipline records, enrollment and attendance records, health records, individualized education programs, notices of intent to evaluate and revoke, comprehensive evaluation reports, other evaluation reports by public school staff and by outside evaluators, work samples, test data, data entered into the Penn Data system, correspondence between school staff and home, Instructional support team documents, referral data, memos, and other education-related documents. Records can be maintained on paper, on microfiche, on audio or videotape, and electronically. Records can be located in the central administrative offices of the public school, the administrative offices of the Delaware County Intermediate Unit, the school building or building at which the student attended or attends school, private schools and facilities at which the public school has placed the child for educational purposes, central storage facilities and electronic storage systems, and in the secure possession of teachers, building administrators, specialists, psychologists, counselors, and other school staff with a legitimate educational interest in the information contained therein. All records are maintained in the strictest confidentiality.

Records are maintained as long as they remain educationally relevant. The purposes of collecting and maintaining records are to ensure that the child receives programs and services consistent with his or her IEP; to monitor the ongoing effectiveness of programming for the child; to document for the public school and the parents that the student is making progress; and to ensure the rights of the child and his or her parents are protected.
meaningful progress; (4) to satisfy the requirements of state and federal agencies who have an interest in inspecting or reviewing documents concerning particular students or groups of students for purposes of compliance monitoring, complaint investigation, and fiscal and program audits; and (5) to inform future programming for and evaluations of the child, When educational records, other than those which must be maintained, are no longer educationally relevant, the public school must notify the parents in writing and may destroy the records on or before the first day of the school term. Written notice must identify the specific types of directory information that the parent does not want the District to disclose without consent. If the parent fails to notify the District in writing by the first day of the school term, the District may release directory information upon request and without consent.

Disclosures of records containing personally identifiable information to other schools and institutions. Public school entities disclose personally identifiable information concerning students to educational agencies or institutions at which the student seeks to enroll, intends to enroll, or is enrolled, or from which the student receives services, when that agency or institution requests such records.

Access to records by school officials with a "legitimate educational interest." School officials with a legitimate educational interest in the personally-identifiable information contained in education records without parent or student consent. Each school entity designates in its education records policy those persons who have a legitimate educational interest that would allow such access to education records. Such persons typically include teachers of the child, building administrators, guidance counselors to whom the child is assigned, members of instructional support and multidisciplinary teams in the course of screening and evaluation activities, records custodians and clerks, public school administrators with responsibility for programs in which the student is enrolled or intends to be enrolled, school board members sitting in executive session in consideration of matters concerning the child upon which only the school board can act, program specialists and instructional aides working with the child, therapeutic staff working with the child, and substitutes for any of the foregoing persons.

Amendment of education records. After reviewing records, a parent or a student who has attained the age of eighteen (18) can request that records be amended. The school will make the requested changes or reject the request within forty-five (45) days of the receipt of the request in writing. If the school rejects the request, the parent or student may request an informal hearing. The hearing can be held before any school official who does not have a direct interest in the outcome. If the parents are dissatisfied with the outcome of the informal hearing, they may submit to the public school a written statement of their disagreement with the record. The school thereafter must attach a copy of that statement to all copies of the record disclosed to third parties.

Complaints to the United States Department of Education. Complaints concerning alleged failure of a public school entity to comply with the requirements of the Family Educational Rights and Privacy Act may be addressed to the United States Department of Education as follows:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, DC 20202-4605

This notice is only a summary of the special education services, evaluation and screening activities, and rights and protections pertaining to children with disabilities, children thought to be disabled, and is not a legally binding promise to provide any particular service, as each child's needs vary. In addition, this notice does not take precedence over applicable laws and regulations, or amendments thereto. For more information on or to request evaluation or screening of a public or private school child contact the responsible Delaware County School entity listed below.

For preschool age children, information can also be obtained, and screenings and evaluations requested, by contacting the Delaware County Intermediate Unit.
<table>
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<tr>
<th>Chester Charter Scholars Academy</th>
<th>Delaware County Intermediate Unit</th>
<th>Garnet Valley School District</th>
<th>Ridley School District</th>
<th>Wallingford-Swarthmore School District</th>
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<tr>
<td>Dr. Martha Hasler, Special Education Director</td>
<td>Early Intervention Program</td>
<td>Ms. Theresa Buckman, Director of Special Education</td>
<td>Dr. Gita C. DeSantis, Director of Specialized Learning</td>
<td>Ms. Tricia Modlin, Special Education Director</td>
</tr>
<tr>
<td>150 Highland Avenue</td>
<td>80 Station Road</td>
<td>610-615-7500</td>
<td>610-534-1900 ext. 1189</td>
<td>610-859-2470 ext. 1505</td>
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<tr>
<td>Chester, PA 19013</td>
<td>610-459-3010</td>
<td>610-379-7301</td>
<td>610-534-1900 ext. 1189</td>
<td>610-859-2470 ext. 1505</td>
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<tr>
<td>Dr. D. Clark, Chief Executive Officer</td>
<td>Adult Education/Technical Schools</td>
<td>Ms. Rachel Lamberti</td>
<td>Ms. Nicole Battestelli, Director of Special Education</td>
<td>Mrs. Olivia K. Garven, Chief Executive Officer</td>
</tr>
<tr>
<td>502 East 5th Street</td>
<td>20 South 69th Street</td>
<td>801 Graver Road</td>
<td>1360 Drexel Drive</td>
<td>50 East Eagle Road</td>
</tr>
<tr>
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<th>Chester County Intermediate Unit</th>
<th>Delaware County Technical Schools</th>
<th>Interboro School District</th>
<th>Southeast Delaware School District</th>
<th>William Penn School District</th>
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<tr>
<td>Early Intervention Program</td>
<td>Adult Education/Technical Schools</td>
<td>Ms. Rachel Lamberti</td>
<td>Ms. Nicole Battestelli, Director of Special Education</td>
<td>Mrs. Olivia K. Garven, Chief Executive Officer</td>
</tr>
<tr>
<td>850 Highland Avenue</td>
<td>20 South 69th Street</td>
<td>801 Graver Road</td>
<td>1360 Drexel Drive</td>
<td>50 East Eagle Road</td>
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Chester United School District: Dr. Patrice Whitaker, Director of Student Services. 100 Crozerville Road, Glen Mills, PA 19342. 610-579-7301. 610-938-2830 ext. 6141.

Chester County Intermediate Unit: Ms. Regina McClure, Director of Student Services. 200 Yale Avenue, Morton, PA 19070. 610-638-6900 ext. 2284.

Delaware County Intermediate Unit: Mrs. Natalie Paetz, Director of Student Services. 200 Yale Avenue, Morton, PA 19070. 610-638-9000 ext. 2284.

The Delaware County Intermediate Unit and the Delaware County Technical Schools are equal opportunity education institutions and will not discriminate on the basis of race, color, religion, national origin, age, sex, equal pay, disability or genetic information in their activities, programs or employment practices as required by Title VI, VII, IX, Section 504, the Americans with Disabilities Act, and the Genetic Information Nondiscrimination Act of 2008. For information regarding civil rights or grievance procedures, contact the Director of Human Resources at 200 Yale Avenue, Morton, PA 19070, 610-938-9000. For information regarding services, activities and facilities that are accessible to and usable by handicapped persons, contact the Supervisor of Facilities at 610-938-9000.