School District of Springfield Township
Parent Procedural Safeguards Notice
Section 504 of the Rehabilitation Act of 1973
Chapter 15 of the Regulations of the Pennsylvania State Board of Education

Parents of school-age children who have or are thought to have disabilities as defined in section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and the Americans with Disabilities Act, 42 U.S.C. § 12102, have the following procedural rights in the Commonwealth of Pennsylvania:

Request for Assistance from the Pennsylvania Department of Education

(a) Parental request for assistance. Parents may file a written request for assistance with the Pennsylvania Department Education, Bureau of Special Education, Division of Compliance Monitoring and Planning, 333 Market Street, 7th Floor, Harrisburg, PA 17126-0333, (800) 879-2301, if one or both of the following apply:
    (1) The school district is not providing the adaptations, modifications, related aids, and services specified in the student's service agreement; or
    (2) The school district has failed to comply with the procedures applicable to the identification and evaluation of, development and revision of a service agreement for, or change in the educational placement of a child with or thought to have a disability, as those procedures are described in Chapter 15 of the regulations of the Pennsylvania State Board of Education, 22 Pa. Code Ch. 15 (available at http://www.pacode.com/secure/data/022/chapter15/chap15toc.html)

(b) Resolution of parental request. The Department will investigate and respond to requests for assistance and, unless exceptional circumstances exist, will, within 60 calendar days of receipt of the request, send to the parents and school district a written response to the request. The response to the parents' request shall be in the parents' native language or mode of communication.

Informal Conference

At any time parents may file a written request with the school district for an informal conference with respect to the identification or evaluation of a student, or the student's need for related aid, service or accommodation. Within ten (10) school days of receipt of the request, the school district shall convene an informal conference. At the conference, every effort shall be made to reach an amicable agreement.

Formal Due Process Hearing

If the matters raised by the school district or parents are not resolved at the informal conference, the district or parents may submit a request for a hearing. Hearing request forms are available from the Office for Dispute Resolution at http://odr.pattan.net/dueprocess/RequestForms.aspx or at (800) 879-2301. The hearing shall be held before an impartial hearing officer and shall be governed by the following procedures:

(a) The hearing for a school aged child with a disability or thought to be a child with a disability shall be held in the school district at a place and time reasonably convenient to the parents and child involved.

(b) The hearing shall be an oral, personal hearing and shall be closed to the public unless the parents request an open hearing. If the hearing is open, the decision issued in the case, and only the

decision, shall be available to the public. If the hearing is closed, the decision shall be treated as a record of the student and may not be available to the public.

(c) The decision of the hearing officer shall include findings of fact, discussion and conclusions of law. Although technical rules of evidence will not be followed, the decision shall be based solely upon the substantial evidence presented at the hearing.

(d) The hearing officer shall have the authority to order that additional evidence be presented.

(e) A written or at the option of the parents, electronic verbatim record of the hearing shall, upon request, be made and provided to parents at no cost.

(f) 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.

(g) A parent or parent's representative shall be given access to educational records, including any tests or reports upon which the proposed action is based.

(h) A party may prohibit the introduction of evidence at the hearing that has not been disclosed to that party at least five (5) business days before the hearing.

(i) 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.

(j) A party has the right to present evidence and testimony, including expert medical, psychological or educational testimony.

(k) A party to a hearing has the right to obtain written, or, at the option of the parents, electronic findings of fact and decisions.

(l) The decision of the hearing officer regarding a child with, or thought to have, a disability may be appealed to a court of competent jurisdiction. In notifying the parties of the decision, the hearing officer shall indicate the courts to which an appeal may be taken.

(m) If, within sixty (60) calendar days of the completion of the administrative due process proceedings under this chapter, an appeal or original jurisdiction action is filed in State or Federal Court, the administrative order shall be stayed pending the completion of the judicial proceedings, unless the parents and school district agree otherwise.

Maintenance of Service Agreement

The school district will not modify or terminate your child's current service agreement, if any, without your written consent, pending completion any of the procedures outlined above that you chose to initiate.

Additional Rights and Protections

(a) You have right to inspect and review all relevant school records and to meet with appropriate school officials to discuss the issues associated with evaluating or accommodating your child.
(b) You must agree to the identification of your child as a child with a disability and, if adaptations, modifications, services, or related aids are required for your child during school hours or at school-related activities or events, you must execute a service agreement before the school district can provide such supports.

If you have any question concerning the foregoing procedural rights contact the Office of Student Services, at (814) 231-1054.