

**Special Education Guidelines
for
Parentally Placed
Private School Children**

**School District Version
2015-2016**



Intermediate Unit 1

INTERMEDIATE UNIT 1

Parentally Placed Private School Children With Disabilities Duties under IDEA 2004

Guidelines

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SECTION ONE

I. LOCATE/SCREEN

- A. Public Schools annual notice to the community (Child Find)
- B. Consult with Nonpublic School on Prereferral Activities
 - 1. Nonpublic School – Review Records
 - 2. Prereferral Intervention
- C. Available for Preschool and School Age (CA 3 to 21) at an Elementary or Secondary Nonpublic School
 - 1. Public/Nonpublic health screenings (e.g. vision, hearing, physicals, etc.)

II. EVALUATE

- A. Parent Request for an Evaluation
- B. The Evaluation is completed by a Multidisciplinary Team (MDT) consisting of (at a minimum):
 - 1. The Parent(s)
 - 2. A Representative of the public agency who –
 - a) is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
 - b) is knowledgeable about the general education curriculum;
 - c) is knowledgeable about the availability of resources of the public agency.
 - 3. A Certified School Psychologist (when evaluating a child for autism, emotional disturbance, mental retardation, multiple disabilities, other health impairments, specific learning disability or traumatic brain injury)
 - 4. A General Education Teacher
 - 5. An individual who can interpret the instructional implications of evaluation results (when evaluating a child for deaf-blindness, deafness, hearing impairment, orthopedic impairment, speech or language impairment or visual impairment/blindness)
 - 6. Other qualified professionals (as appropriate)
- C. The MDT compiles/writes the Evaluation Report (ER) and documents the determination that the child:
 - 1. Is a child with a disability as defined in Chapter 14, and
 - 2. Needs specially designed instruction (SDI).

The public agency must provide a copy of the Evaluation Report and the documentation of determination of eligibility to the parent within **60 Calendar Days** from receipt of the signed Permission to Evaluate – Consent Form.

- D. Definitions of Disability terms (IDEA 2004 and Chapter 14) [§300.8 (a)-(c)]:
 - 1. Autism
 - 2. Deaf-blindness
 - 3. Deafness
 - 4. Emotional Disturbance
 - 5. Hearing Impairment
 - 6. Mental Retardation /Intellectually Disabled
 - 7. Multiple Disabilities
 - 8. Orthopedic Impairment
 - 9. Other Health Impairment

10. Specific Learning Disability
11. Speech or Language Impairment
12. Traumatic Brain Injury
13. Visual Impairment including Blindness

III. IDENTIFY - ELIGIBLE FOR SPECIAL EDUCATION

After sharing the ER with the team:

Option A *Public School – Full Time Enrollment – Free Appropriate Public Education (FAPE)*

1. School District writes an Individualized Education Program (IEP) within **30 Calendar Days** of the Evaluation Report
2. School District provides parent(s) with Notice of Recommended Educational Placement (NOREP)
3. Child is enrolled in the public school and receives all services there

or

Option B *Public/Nonpublic School – Dual Enrollment - FAPE for public school services only.*

1. School District writes an Individualized Education Program (IEP)
2. School District issues Notice of Recommended Educational Placement (NOREP) to parent(s)
3. Parents sign NOREP indicating in writing their refusal of FAPE (no IEP)
4. School district develops schedule to provide course(s)
5. Child is enrolled in both the public and nonpublic school
6. Transportation to and from the course(s) is the responsibility of the school district
7. Reevaluate every 3 years (2 years for ID students)

or

Option C *Nonpublic School Enrollment – Not FAPE*

1. School district writes and Individualized Education Program (IEP)
2. School District issues a Notice of Recommended Educational Placement (NOREP) to parent(s)
3. Parents indicate in writing their refusal of FAPE
4. If parents choose this option, the student remains in the Nonpublic School
5. Reevaluate every 3 years (2 years for ID students)

IV. REEVALUATE

- A. The LEA must reevaluate the child at least once every three years or for children with mental retardation / intellectually disability once every two years.
- B. A reevaluation can also occur if requested by the parents.

V. DISPUTE RESOLUTION

- A. Due process is applicable when an LEA has failed to meet child find obligation [§300.140 (a) through (c)] including evaluation and reevaluation
- B. Due Process is inapplicable to *contents* of child's Services Plan
- C. All other disputes resolved via PA Department of Education's complaint procedures

SUMMARY

DUTIES OWED TO PARENTALLY PLACED PRIVATE SCHOOL CHILDREN WITH DISABILITIES

Role of School District and Intermediate Unit 1

School District

- Provide child find information to all private and religiously affiliated schools within their geographic boundaries. (ie. Annual Public Notice, Parent Booklet, Screenings, etc.)
- Conduct an evaluation, upon parent request, of a child residing in their district and attending a private and/or religiously affiliated school whose parent(s) suspects the child is in need of special education.
- Develop an IEP and offer FAPE within the public school setting.
- Forward to IU1 the child's name, name of the private school the child is attending, a copy of the Evaluation Report, and the date the parents either enrolled their child in the district or declined the district's FAPE offering.

Intermediate Unit 1

- Provide child find information to all Fayette, Greene, and Washington county private and religiously affiliated schools regarding special education and equitable participation services.
- Conduct an evaluation, upon parent request, of a child attending a private and/or religiously affiliated school within Washington, Greene, or Fayette County whose parent(s) suspects the child is in need of special education.
- Maintain a "child count" database of all children attending nonpublic/private elementary or secondary schools located in Fayette, Greene, and Washington counties that have been evaluated for special education services.
- Maintain files for all parentally placed private school children with disabilities that contain, at a minimum, the ER for the child.
- Consult with the private and religiously affiliated school representatives annually to determine the "equitable participation" services that will be offered to the FAPE-declined children, where the services will be located, and how they will be evaluated.

Early Intervention

- For the purposes of this procedure, Intermediate Unit I, as the MAWA holder, will have all responsibilities related to the provision of services to preschool children with respect to child find and survey activities.

SECTION TWO

I. SERVICES PROVIDED IN THE NONPUBLIC SCHOOL

- A. Services must be provided by personnel meeting the same standards as personnel providing services in the public schools, except that private elementary and secondary school teachers who are providing equitable services to parentally-placed private school children with disabilities do not have to meet the highly qualified special education teacher requirements....(§ 300.138)
- B. Nonpublic school children with disabilities may receive a different amount of services than children with disabilities in the public schools.
- C. Nonpublic school children have no individual entitlement to receive some or all of the special education and related services that the child would receive if enrolled in a public school.
- D. The IU, in consultation with nonpublic schools and parent representatives, will make the final decision about the equitable participation services to be provided.
 - 1. Service decisions must be made annually
 - 2. Type and amount of services may vary from year to year
 - 3. No guarantee that the same services would continue for specific schools, staff, or individual children
- E. Types of services that can be provided to nonpublic school children with disabilities are proportionate to the services provided to children with disabilities in the public schools of Intermediate Unit 1:
 - 1. **Equitable Participation Services (IDEA-Part B)** - Technical assistance, training/staff development, observation, and/or consultation, will be provided in the following areas:
 - a) Curriculum Adaptation and Modifications
 - b) Developmentally Appropriate Practices
 - c) Inclusion
 - d) Transition
 - e) Behavior Support
 - f) Interagency Coordination
 - g) Parent Training
 - 2. **Act 89 Services** (available as per State Guidelines)
 - a) Speech and Language Services (K-2)
 - b) Counseling
 - c) Remedial Math and Language Arts
 - d) Standardized Testing (Terra Nova, IOWA)
 - e) Consultant for Nonpublic Schools
 - 3. **Title I Services** (available as per Federal Guidelines)
 - a) Language Arts
 - b) Math

SECTION THREE

I. RELIGIOUS AND NONPUBLIC SCHOOLS SERVED

- A. Any elementary or secondary religious or other nonpublic school located within Fayette, Greene, or Washington counties is eligible for an evaluation provided by the public agency.
 - 1) *Elementary school* means a nonprofit institution, day or residential, including a public elementary charter school, that provides elementary education as determined under state law.
 - 2) *Secondary school* means a nonprofit institution, day or residential, including a public secondary charter school, that provides secondary education, as determined under state law, except it does not include any education beyond grade 12.
- B. Any elementary or secondary private nonpublic school located within Intermediate Unit 1 will be eligible for equitable participation services.
- C. As a result of consultation with nonpublic and parent representatives, equitable participation funds may be used to provide direct services. The Intermediate Unit would be the provider of these services. The current agreement with nonpublic and parent representatives does not include direct services.
- D. Agreed upon services will be provided to the nonpublic schools until the designated amount of IDEA-B funds have been exhausted. This may occur at any point throughout the school year.

**SPECIAL EDUCATION
PROGRAM/SERVICE OPTIONS**

**OPTION A
Full Time
Enrollment in
Public School**

- * **Conduct Evaluation**
- * **Write ER**
- * **Write IEP**
- * **Issue NOREP**
- * **FAPE**
- * **SD PIMS**

**Full Special
Education Funding**

**OPTION B
Dual Enrollment in
Public/Nonpublic School**

- * **Conduct Evaluation**
- * **Write ER**
- * **Write IEP**
- * **Issue NOREP**
- * **Not FAPE (no IEP)**
- * **Course Schedule Developed**
- * **Provide Services of
Equitable Participation**
(as agreed to by Nonpublic School)

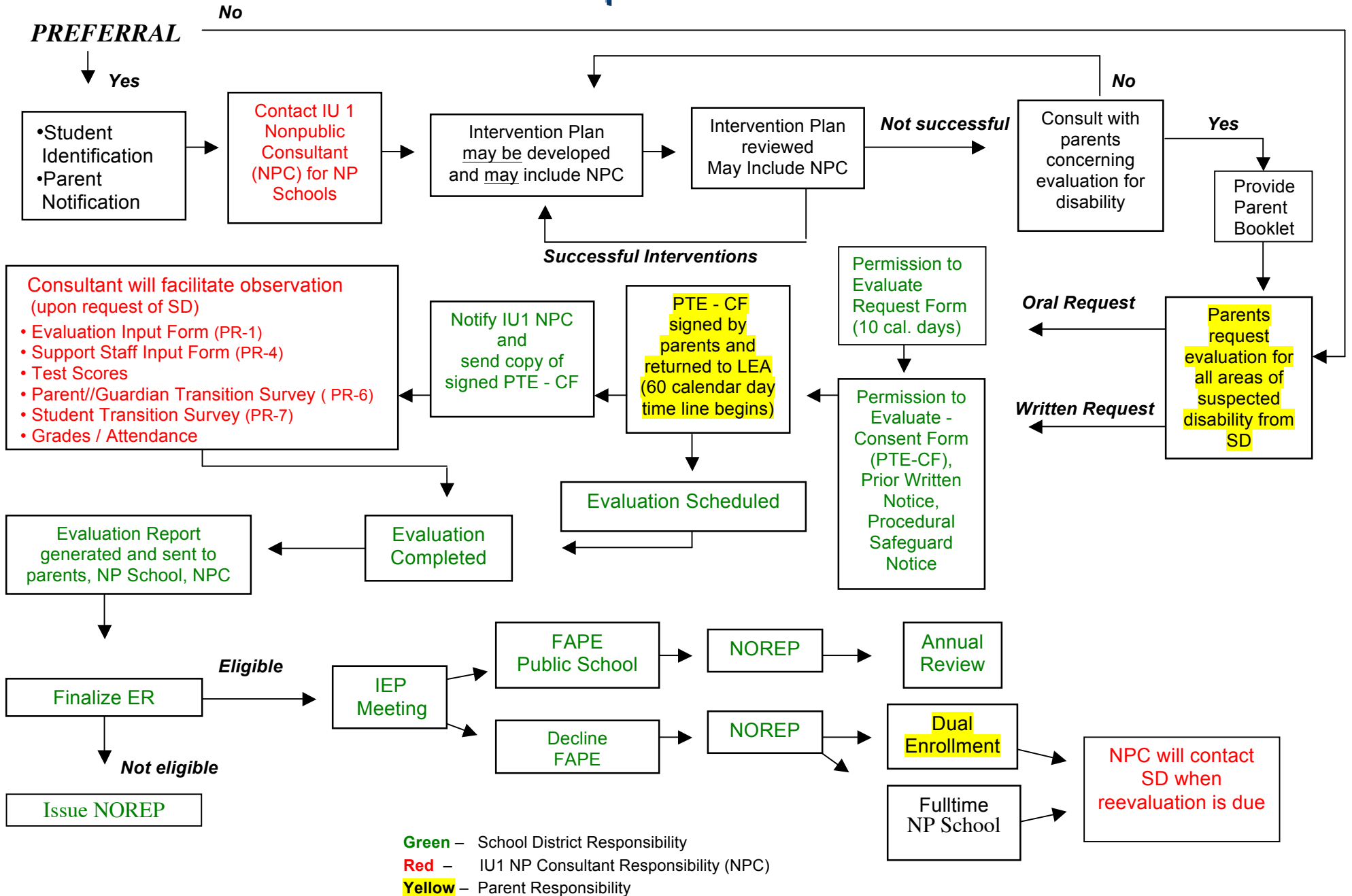
**Use % of IDEA Funds Based on
Proportionate Share
EP Funding**

**OPTION C
Full Time
Enrollment in a
Nonpublic School**

- * **Conduct Evaluation**
- * **Write ER**
- * **Write IEP**
- * **Issue NOREP**
- * **Not FAPE (no IEP)**
- * **Provide Services of
Equitable Participation**
(as agreed to by Nonpublic School)

**Use % of IDEA Funds
Based on Proportionate
Share
EP Funding**

2015-2016 School District REFERRAL PROCEDURE for Nonpublic School Students



**DUTIES OWED TO PARENTALLY PLACED
PRIVATE SCHOOL CHILDREN WITH DISABILITIES**

Contents of Appendix

- APPENDIX A** **Equitable Participation – Duties Owed to Students with Disabilities
Enrolled in Private Schools by Their Parents**
- APPENDIX B** **Nonpublic Evaluation Input Form (PR-1)
Nonpublic Classroom Observation Summary (PR-2)
Nonpublic Support Staff MDT Input Form (PR-3)
Nonpublic Parent/Guardian Input Form (PR-4)
Parent Guardian Transition Survey (PR-5)
Student Transition Survey (PR-6)**
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- APPENDIX D** **School Listings
Special Education Liaison Personnel
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APPENDIX A

Equitable Participation Duties Owed to Students with Disabilities Enrolled in Private Schools by Their Parents

Pre K-12: Special Education

Equitable Participation

EP IDEA Regulations

Federal Register / Vol. 71, No. 156 / Monday, August 14, 2006 / Rules and Regulations

§ 300.129 State responsibility regarding children in private schools.

The State must have in effect policies and procedures that ensure that LEAs, and, if applicable, the SEA, meet the private school requirements in §§ 300.130 through 300.148.

(Approved by the Office of Management and Budget under control number 1820-0030)
(Authority: 20 U.S.C. 1412(a)(10))

Children With Disabilities Enrolled by Their Parents in Private Schools

§ 300.130 Definition of parentally-placed private school children with disabilities.

Parentally-placed private school children with disabilities means children with disabilities enrolled by their parents in private, including religious, schools or facilities that meet the definition of elementary school in § 300.13 or secondary school in § 300.36, other than children with disabilities covered under §§ 300.145 through 300.147.

(Approved by the Office of Management and Budget under control number 1820-0030)
(Authority: 20 U.S.C. 1412(a)(10)(A))

§ 300.131 Child find for parentally-placed private school children with disabilities.

- (a) General. Each LEA must locate, identify, and evaluate all children with disabilities who are enrolled by their parents in private, including religious, elementary schools and secondary schools located in the school district served by the LEA, in accordance with paragraphs (b) through (e) of this section, and §§ 300.111 and 300.201.
- (b) Child find design. The child find process must be designed to ensure—
 - (1) The equitable participation of parentally-placed private school children; and
 - (2) An accurate count of those children.
- (c) Activities. In carrying out the requirements of this section, the LEA, or, if applicable, the SEA, must undertake activities similar to the activities undertaken for the agency's public school children.
- (d) Cost. The cost of carrying out the child find requirements in this section, including individual evaluations, may not be considered in determining if an LEA has met its obligation under § 300.133.
- (e) Completion period. The child find process must be completed in a time period comparable to that for students attending public schools in the LEA consistent with § 300.301.
- (f) Out-of-State children. Each LEA in which private, including religious, elementary schools and secondary schools are located must, in carrying out the child find requirements in this section, include parentally-placed private school children who reside in a State other than the State in which the private schools that they attend are located.

(Approved by the Office of Management and Budget under control number 1820-0030)
(Authority: 20 U.S.C. 1412(a)(10)(A)(ii))

§ 300.132 Provision of services for parentally-placed private school children with disabilities—basic requirement.

- (a) General. To the extent consistent with the number and location of children with disabilities who are enrolled by their parents in private, including religious, elementary schools and secondary schools located in the school district served by the LEA, provision is made for the participation of those children in the program assisted or carried out under Part B of the Act by providing them with special education and related services, including direct services determined in accordance with § 300.137, unless the Secretary has arranged for services to those children under the by-pass provisions in §§ 300.190 through 300.198.
- (b) Services plan for parentally-placed private school children with disabilities. In accordance with paragraph (a) of this section and §§ 300.137 through 300.139, a services plan must be developed and implemented for each private school child with a disability who has been designated by the LEA in which the private school is located to receive special education and related services under this part.
- (c) Record keeping. Each LEA must maintain in its records, and provide to the SEA, the following information related to parentally-placed private school children covered under §§ 300.130 through 300.144:
 - (1) The number of children evaluated;
 - (2) The number of children determined to be children with disabilities; and
 - (3) The number of children served.

(Approved by the Office of Management and Budget under control numbers 1820-0030 and 1820-0600)

(Authority: 20 U.S.C. 1412(a)(10)(A)(i))

§ 300.133 Expenditures.

- (a) Formula. To meet the requirement of § 300.132(a), each LEA must spend the following on providing special education and related services (including direct services) to parentally placed private school children with disabilities:
 - (1) For children aged 3 through 21, an amount that is the same proportion of the LEA's total subgrant under section 611(f) of the Act as the number of private school children with disabilities aged 3 through 21 who are enrolled by their parents in private, including religious, elementary schools and secondary schools located in the school district served by the LEA, is to the total number of children with disabilities in its jurisdiction aged 3 through 21.
 - (2)
 - (i) For children aged three through five, an amount that is the same proportion of the LEA's total subgrant under section 619(g) of the Act as the number of parentally-placed private school children with disabilities aged three through five who are enrolled by their parents in a private, including religious, elementary school located in the school district served by the LEA, is to the total number of children with disabilities in its jurisdiction aged three through five.
 - (ii) As described in paragraph (a)(2)(i) of this section, children aged three through five are considered to be parentally-placed private school children with disabilities enrolled by their parents in private, including religious, elementary schools, if they are enrolled in a private school that meets the definition of elementary school in § 300.13.

- (3) If an LEA has not expended for equitable services all of the funds described in paragraphs (a)(1) and (a)(2) of this section by the end of the fiscal year for which Congress appropriated the funds, the LEA must obligate the remaining funds for special education and related services (including direct services) to parentally-placed private school children with disabilities during a carry-over period of one additional year.
- (b) Calculating proportionate amount. In calculating the proportionate amount of Federal funds to be provided for parentally-placed private school children with disabilities, the LEA, after timely and meaningful consultation with representatives of private schools under § 300.134, must conduct a thorough and complete child find process to determine the number of parentally-placed children with disabilities attending private schools located in the LEA. (See Appendix B for an example of how proportional share is calculated).
- (c) Annual count of the number of parentally-placed private school children with disabilities.
 - (1) Each LEA must—
 - (i) After timely and meaningful consultation with representatives of parentally-placed private school children with disabilities (consistent with § 300.134), determine the number of parentally-placed private school children with disabilities attending private schools located in the LEA; and
 - (ii) Ensure that the count is conducted on any date between October 1 and December 1, inclusive, of each year.
 - (2) The count must be used to determine the amount that the LEA must spend on providing special education and related services to parentally-placed private school children with disabilities in the next subsequent fiscal year.
- (d) Supplement, not supplant. State and local funds may supplement and in no case supplant the proportionate amount of Federal funds required to be expended for parentally-placed private school children with disabilities under this part.

(Approved by the Office of Management and Budget under control number 1820-0030)
(Authority: 20 U.S.C. 1412(a)(10)(A))

§300.134 Consultation.

To ensure timely and meaningful consultation, an LEA, or, if appropriate, an SEA, must consult with private school representatives and representatives of parents of parentally-placed private school children with disabilities during the design and development of special education and related services for the children regarding the following:

- (a) Child find. The child find process, including—
 - (1) How parentally-placed private school children suspected of having a disability can participate equitably; and
 - (2) How parents, teachers, and private school officials will be informed of the process.
- (b) Proportionate share of funds. The determination of the proportionate share of Federal funds available to serve parentally-placed private school children with disabilities under § 300.133(b), including the determination of how the proportionate share of those funds was calculated.
- (c) Consultation process. The consultation process among the LEA, private school officials, and representatives of parents of parentally-placed private school children with disabilities, including how the process will operate throughout the school year to ensure that parentally-placed children with disabilities identified through the child

- find process can meaningfully participate in special education and related services.
- (d) Provision of special education and related services. How, where, and by whom special education and related services will be provided for parentally-placed private school children with disabilities, including a discussion of—
 - (1) The types of services, including direct services and alternate service delivery mechanisms; and
 - (2) How special education and related services will be apportioned if funds are insufficient to serve all parentally-placed private school children; and
 - (3) How and when those decisions will be made;
 - (e) Written explanation by LEA regarding services. How, if the LEA disagrees with the views of the private school officials on the provision of services or the types of services (whether provided directly or through a contract), the LEA will provide to the private school officials a written explanation of the reasons why the LEA chose not to provide services directly or through a contract.

(Approved by the Office of Management and Budget under control numbers 1820–0030 and 1820–0600)

(Authority: 20 U.S.C. 1412(a)(10)(A)(iii))

§ 300.135 Written affirmation.

- (a) When timely and meaningful consultation, as required by § 300.134, has occurred, the LEA must obtain a written affirmation signed by the representatives of participating private schools.
- (b) If the representatives do not provide the affirmation within a reasonable period of time, the LEA must forward the documentation of the consultation process to the SEA.

(Approved by the Office of Management and Budget under control numbers 1820–0030 and 1820–0600)

(Authority: 20 U.S.C. 1412(a)(10)(A)(iv))

§ 300.136 Compliance.

- (a) General. A private school official has the right to submit a complaint to the SEA that the LEA—
 - (1) Did not engage in consultation that was meaningful and timely; or
 - (2) Did not give due consideration to the views of the private school official.
- (b) Procedure.
 - (1) If the private school official wishes to submit a complaint, the official must provide to the SEA the basis of the noncompliance by the LEA with the applicable private school provisions in this part; and
 - (2) The LEA must forward the appropriate documentation to the SEA.
 - (3) (i) If the private school official is dissatisfied with the decision of the SEA, the official may submit a complaint to the Secretary by providing the information on noncompliance described in paragraph (b)(1) of this section; and
 - (ii) The SEA must forward the appropriate documentation to the Secretary.

(Approved by the Office of Management and Budget under control numbers 1820–0030 and 1820–0600) (Authority: 20 U.S.C. 1412(a)(10)(A)(v))

§ 300.137 Equitable services determined.

- (a) No individual right to special education and related services. No parentally-placed private school child with a disability has an individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school.
- (b) Decisions.
 - (1) Decisions about the services that will be provided to parentally-placed private school children with disabilities under §§ 300.130 through 300.144 must be made in accordance with paragraph (c) of this section and § 300.134(c).
 - (2) The LEA must make the final decisions with respect to the services to be provided to eligible parentally-placed private school children with disabilities.
- (c) Services plan for each child served under §§ 300.130 through 300.144. If a child with a disability is enrolled in a religious or other private school by the child's parents and will receive special education or related services from an LEA, the LEA must—
 - (1) Initiate and conduct meetings to develop, review, and revise a services plan for the child, in accordance with § 300.138(b); and
 - (2) Ensure that a representative of the religious or other private school attends each meeting. If the representative cannot attend, the LEA shall use other methods to ensure participation by the religious or other private school, including individual or conference telephone calls.

(Approved by the Office of Management and Budget under control number 1820-0030)
(Authority: 20 U.S.C. 1412(a)(10)(A))

§300.138 Equitable services provided.

- (a) General.
 - (1) The services provided to parentally-placed private school children with disabilities must be provided by personnel meeting the same standards as personnel providing services in the public schools, except that private elementary school and secondary school teachers who are providing equitable services to parentally-placed private school children with disabilities do not have to meet the highly qualified special education teacher requirements of § 300.18.
 - (2) Parentally-placed private school children with disabilities may receive a different amount of services than children with disabilities in public schools.
- (b) Services provided in accordance with a services plan.
 - (1) Each parentally-placed private school child with a disability who has been designated to receive services under § 300.132 must have a services plan that describes the specific special education and related services that the LEA will provide to the child in light of the services that the LEA has determined, through the process described in §§ 300.134 and 300.137, it will make available to parentally-placed private school children with disabilities.
 - (2) The services plan must, to the extent appropriate—
 - (i) Meet the requirements of § 300.320, or for a child ages three through five, meet the requirements of § 300.323(b) with respect to the services provided; and
 - (ii) Be developed, reviewed, and revised consistent with §§ 300.321 through 300.324.

- (c) Provision of equitable services.
 - (1) The provision of services pursuant to this section and §§ 300.139 through 300.143 must be provided:
 - (i) By employees of a public agency; or
 - (ii) Through contract by the public agency with an individual, association, agency, organization, or other entity.
 - (2) Special education and related services provided to parentally-placed private school children with disabilities, including materials and equipment, must be secular, neutral, and nonideological.

(Approved by the Office of Management and Budget under control number 1820-0030)
(Authority: 20 U.S.C. 1412(a)(10)(A)(vi))

§ 300.139 Location of services and transportation.

- (a) Services on private school premises. Services to parentally-placed private school children with disabilities may be provided on the premises of private, including religious, schools, to the extent consistent with law.
- (b) Transportation—
 - (1) General.
 - (i) If necessary for the child to benefit from or participate in the services provided under this part, a parentally-placed private school child with a disability must be provided transportation—
 - (A) From the child’s school or the child’s home to a site other than the private school; and
 - (B) From the service site to the private school, or to the child’s home, depending on the timing of the services.
 - (ii) LEAs are not required to provide transportation from the child’s home to the private school.
 - (2) Cost of transportation. The cost of the transportation described in paragraph (b)(1)(i) of this section may be included in calculating whether the LEA has met the requirement of § 300.133.

(Approved by the Office of Management and Budget under control number 1820-0030)
(Authority: 20 U.S.C. 1412(a)(10)(A))

§ 300.140 Due process complaints and State complaints.

- (a) Due process not applicable, except for child find.
 - (1) Except as provided in paragraph (b) of this section, the procedures in §§ 300.504 through 300.519 do not apply to complaints that an LEA has failed to meet the requirements of §§ 300.132 through 300.139, including the provision of services indicated on the child’s services plan.
- (b) Child find complaints—to be filed with the LEA in which the private school is located.
 - (1) The procedures in §§ 300.504 through 300.519 apply to complaints that an LEA has failed to meet the child find requirements in § 300.131, including the requirements in §§ 300.300 through 300.311.
 - (2) Any due process complaint regarding the child find requirements (as described in paragraph (b)(1) of this section) must be filed with the LEA in which the private school is located and a copy must be forwarded to the SEA.

(c) State complaints.

- (1) Any complaint that an SEA or LEA has failed to meet the requirements in §§ 300.132 through 300.135 and 300.137 through 300.144 must be filed in accordance with the procedures described in §§ 300.151 through 300.153.
- (2) A complaint filed by a private school official under § 300.136(a) must be filed with the SEA in accordance with the procedures in § 300.136(b)

(Approved by the Office of Management and Budget under control number 1820–0030)
(Authority: 20 U.S.C. 1412(a)(10)(A))

§ 300.141 Requirement that funds not benefit a private school.

- (a) An LEA may not use funds provided under section 611 or 619 of the Act to finance the existing level of instruction in a private school or to otherwise benefit the private school.
- (b) The LEA must use funds provided under Part B of the Act to meet the special education and related services needs of parentally-placed private school children with disabilities, but not for meeting—
 - (1) The needs of a private school; or
 - (2) The general needs of the students enrolled in the private school.

(Approved by the Office of Management and Budget under control number 1820–0030)
(Authority: 20 U.S.C. 1412(a)(10)(A))

§ 300.142 Use of personnel.

- (a) Use of public school personnel. An LEA may use funds available under sections 611 and 619 of the Act to make public school personnel available in other than public facilities—
 - (1) To the extent necessary to provide services under §§ 300.130 through 300.144 for parentally-placed private school children with disabilities; and
 - (2) If those services are not normally provided by the private school.
- (b) Use of private school personnel. An LEA may use funds available under sections 611 and 619 of the Act to pay for the services of an employee of a private school to provide services under §§ 300.130 through 300.144 if—
 - (1) The employee performs the services outside of his or her regular hours of duty; and
 - (2) The employee performs the services under public supervision and control.

(Approved by the Office of Management and Budget under control number 1820–0030)
(Authority: 20 U.S.C. 1412(a)(10)(A))

§ 300.143 Separate classes prohibited.

An LEA may not use funds available under section 611 or 619 of the Act for classes that are organized separately on the basis of school enrollment or religion of the children if—

- (a) The classes are at the same site; and
- (b) The classes include children enrolled in public schools and children enrolled in private schools.

(Approved by the Office of Management and Budget under control number 1820–0030)
(Authority: 20 U.S.C. 1412(a)(10)(A))

§ 300.144 Property, equipment, and supplies.

- (a) A public agency must control and administer the funds used to provide special education and related services under §§ 300.137 through 300.139, and hold title to and administer materials, equipment, and property purchased with those funds for the uses and purposes provided in the Act.
- (b) The public agency may place equipment and supplies in a private school for the period of time needed for the Part B program.
- (c) The public agency must ensure that the equipment and supplies placed in a private school—
 - (1) Are used only for Part B purposes; and
 - (2) Can be removed from the private school without remodeling the private school facility.
- (d) The public agency must remove equipment and supplies from a private school if—
 - (1) The equipment and supplies are no longer needed for Part B purposes; or
 - (2) Removal is necessary to avoid unauthorized use of the equipment and supplies for other than Part B purposes.
- (e) No funds under Part B of the Act may be used for repairs, minor remodeling, or construction of private school facilities.

(Authority: 20 U.S.C. 1412(a)(10)(A)(vii))

Children With Disabilities Enrolled by Their Parents in Private Schools When FAPE Is at Issue

§ 300.148 Placement of children by parents when FAPE is at issue.

- (a) General. This part does not require an LEA to pay for the cost of education, including special education and related services, of a child with a disability at a private school or facility if that agency made FAPE available to the child and the parents elected to place the child in a private school or facility. However, the public agency must include that child in the population whose needs are addressed consistent with §§ 300.131 through 300.144.
- (b) Disagreements about FAPE. Disagreements between the parents and a public agency regarding the availability of a program appropriate for the child, and the question of financial reimbursement, are subject to the due process procedures in §§ 300.504 through 300.520.
- (c) Reimbursement for private school placement. If the parents of a child with a disability, who previously received special education and related services under the authority of a public agency, enroll the child in a private preschool, elementary school, or secondary school without the consent of or referral by the public agency, a court or a hearing officer may require the agency to reimburse the parents for the cost of that enrollment if the court or hearing officer finds that the agency had not made FAPE available to the child in a timely manner prior to that enrollment and that the private placement is appropriate. A parental placement may be found to be appropriate by a hearing officer or a court even if it does not meet the State standards that apply to education provided by the SEA and LEAs.
- (d) Limitation on reimbursement. The cost of reimbursement described in paragraph (c) of this section may be reduced or denied --
 - (1) If -
 - (i) At the most recent IEP Team meeting that the parents attended prior to removal of the child from the public school the parents did not inform the IEP Team that they were rejecting the placement

- proposed by the public agency to provide FAPE to their child, including stating their concerns and their intent to enroll their child in a private school at public expense; or
- (ii) At least ten (10) business days (including any holidays that occur on a business day) prior to the removal of the child from the public school, the parents did not give written notice to the public agency of the information described in paragraph (d)(1)(i) of this section;
- (2) If, prior to the parents' removal of the child from the public school, the public agency informed the parents, through the notice requirements described in §300.503(a)(1), of its intent to evaluate the child (including a statement of the purpose of the evaluation that was appropriate and reasonable), but the parents did not make the child available for the evaluation; or
- (3) Upon a judicial finding of unreasonableness with respect to actions taken by the parents. (e) Exception. Notwithstanding the notice requirement in paragraph (d)(1) of this section, the cost of reimbursement--
- (1) Must not be reduced or denied for failure to provide the notice if--
 - (i) The school prevented the parents from providing the notice;
 - (ii) The parents had not received notice, pursuant to §300.504, of the notice requirement in paragraph (d)(1) of this section; or
 - (iii) Compliance with paragraph (d)(1) of this section would likely result in physical harm to the child; and
 - (2) May, in the discretion of the court or a hearing officer, not be reduced or denied for failure to provide this notice if--
 - (i) The parents are not literate or cannot write in English; or
 - (ii) Compliance with paragraph (d)(1) of this section would likely result in serious emotional harm to the child.

Authority: 20 U.S.C.1412(a)(10)(C))

Content Last Modified on 9/25/09



APPENDIX B

- Nonpublic Evaluation Input Form (PR-1)**
- Nonpublic Classroom Observation Summary (PR-2)**
- Nonpublic Support Staff MDT Input Form (PR-3)**
- Nonpublic Parent/Guardian Input Form (PR-4)**
- Parent Guardian Transition Survey (PR-5)**
- Student Transition Survey (PR-6)**



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NONPUBLIC EVALUATION INPUT FORM PR-1

Student Name _____ Date _____

General Education Teacher _____ Grade/Subject _____

1) Student Strengths and Weaknesses

Please indicate weaknesses with a W, strengths with an S, and N/A if not applicable.

- _____ independent reading assignments
- _____ oral reading fluency
- _____ reading comprehension
- _____ following oral instructions
- _____ following written instructions
- _____ grasping new skills
- _____ mastery of prerequisite skills
- _____ completing homework assignments
- _____ test taking skills
- _____ note taking skills
- _____ attendance (days missed _____)
- _____ behavior (please explain in #9)
- _____ organizational skills
- _____ perception skills
- _____ transfer skills (copy from board, etc.)
- _____ written communication skills/spelling skills
- _____ spelling skills
- _____ math skills
- _____ other

2) **Student Performance** (Please *check* appropriate level for each)

Student is performing _____ at levels consistent with grade level peers
_____ above _____ below

Student is working _____ consistently _____ inconsistently in academic efforts

Student's motivation is _____ average _____ high _____ low

Student's overall grades _____ Subject _____
_____ Subject _____
_____ Subject _____

Adapted grades: **Yes** **No** Use information below to assist with this response

3) **What is the student's learning style?**

_____ Auditory _____ Visual _____ Multisensory

4) **Please indicate ALL teacher adaptations/modifications made.**

Listed are *some* examples of adaptations/modifications:

Environmental - preferential seating, use of headphones, assistive devices, quiet setting

Instructional – alternate teaching strategies, rewording information, extra time, non-verbal cues, reinforcement incentives, frequent breaks, graphic organizers, manipulatives, peer tutoring, copy of notes, reducing homework, lower grade level materials

Assessment – extended time, alternative setting, reduction in number of tasks, reading of test to student, alternative test formats

1) Adaptation/modification used: _____

Frequency: [] Daily [] Weekly [] Monthly [] Other

Effectiveness: [] High [] Medium [] Low

2) Adaptation/modification used: _____

Frequency: [] Daily [] Weekly [] Monthly [] Other

Effectiveness: [] High [] Medium [] Low

3.) Adaptation/modification used: _____

Frequency: [] Daily [] Weekly [] Monthly [] Other

Effectiveness: [] High [] Medium [] Low

4.) Adaptation/modification used: _____

Frequency: [] Daily [] Weekly [] Monthly [] Other

Effectiveness: [] High [] Medium [] Low

5.) Adaptation/modification used: _____

Frequency: [] Daily [] Weekly [] Monthly [] Other

Effectiveness: [] High [] Medium [] Low

- 5) Please provide a detailed description of this student's strengths and weaknesses that you have observed in an academic setting.

Strengths:

Weaknesses: (provide examples when possible)

- 6) What content area(s) are a particular problem for the student?

What textbook series are being used in the content area(s)?

Reading _____ Science _____

Math _____ Social Studies _____

Language Arts _____

- 7) What is the average number of students in the class(es) this student attends? _____

- 8) Homework by the student is completed...

_____ Almost Always

_____ Sporadically

_____ Almost Never

9) **Other Areas of Concern:**

	Yes	No
The student ...		
is overly active	_____	_____
follows class/school rules	_____	_____
has mild speech irregularities	_____	_____
exhibits poor organization skills	_____	_____
displays poor printing, writing or drawing	_____	_____
shows confusion about instruction	_____	_____
demonstrates explosive or aggressive behavior, more than other students	_____	_____
has difficulty initiating and sustaining good peer relationships	_____	_____
displays short attention span for age	_____	_____
accepts adult authority	_____	_____
comes prepared to class	_____	_____
exhibits withdrawn behavior	_____	_____

10) **Other information which may be pertinent in this evaluation:**

Please feel free to attach work samples, behavior records, or additional information.



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NONPUBLIC SUPPORT STAFF MDT INPUT FORM PR-3

Date: _____ Please return by: _____

Initial Referral

Reevaluation

Student's Name: _____ School: _____

Classroom Teacher: _____ Grade/Program: _____

Information Provided By:

Title

Name

Speech/Language Therapist _____

Title I / Act 89 Teacher _____

Counselor _____

Other _____

EDUCATIONAL, SOCIAL, & PHYSICAL HISTORY (Pertaining to specific area) (Only additional information/changes if a Reevaluation):

SUMMARY OF FINDINGS/INTERPRETATION OF ASSESSMENT RESULTS:

STRENGTHS:

NEEDS:

RECOMMENDATIONS :

*This form may be attached to the ER, but the content must be summarized in the ER.



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NONPUBLIC PARENT/GUARDIAN INPUT FORM **PR-4**

Student: _____ Date: _____

Person Completing Form: _____ Phone: _____

Address: _____ Student's Date of Birth: _____

Non-public School: _____ Title: _____

Return Form To: _____

As part of the pre-referral/evaluation process and/or IEP Revision, we ask that you provide us with information and opinions that will be helpful in identifying your child's educational needs. This information will help nonpublic school staff to identify your child's needs and prepare recommendations for educational planning.

1. Please indicate any concerns regarding you child's medical/social history.

2. Please indicate the progress you child has experienced in school.

3. Please list those things your child does well:

4. Please indicate those areas that you consider to be your child's educational needs:

Written Communication Skills

_____ poor notetaking skills

_____ poor handwriting

_____ poor written communication skills

_____ slow in completing assignments

Visual Skills

- poor oral reader
- poor writing and spelling
- near or far point copying

- reversals in reading or writing
- trouble taking notes in content areas

Auditory Skills

- poor at following directions
- poor verbal skills

- reading and spelling problems
- poor speech or articulation skills

Organizational/Study Skills

- poor work habits
- fails to complete assignments
- lacks motivation
- unorganized

- can't get started or stay on task
- short attention span
- distractible

Social Skills

- trouble with relationships
- disruptive
- discourteous

- hyperactive
- uncooperative
- poor self-esteem

Indicate those academic areas that you consider to be your child's educational needs.

Language Arts

- poor expressive writing skills
- poor grammar and sentence structure
- poor capitalization and punctuation
- poor spelling skills

Reading

- poor phonics skills
- poor decoding
- poor comprehension, study skills
- avoids reading magazines, books, etc.

Math

- does not know computation facts
- does not apply math skills for time money, measurement
- does not understand word problems
- has difficulty with complex math processes

History

- has difficulty reading text and tests
- has difficulty understanding concepts
- poor recall of facts or events

Science

- has difficulty reading text and tests
- has difficulty understanding concepts
- poor recall and application of content/skills taught
- other

5. Do you have any suggestions that would help the school in meeting your child's educational needs?

Parent/Guardian Signature

Date

Please return to _____



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PARENT/GUARDIAN TRANSITION SURVEY

PR-5

(Complete before the Transition IEP Meeting)

Address: _____ Phone No.: _____

Student's Name: _____ Age: _____ Birthdate: _____

School: _____

1) Upon completion of public school, you would like to see your child participate in:

- _____ College Program
- _____ Technical School Program
- _____ Competitive Part-time Employment
- _____ Competitive Full-time Employment
- _____ Other (Specify) _____

2) Upon completion of public school, you anticipate your child's living situation to be:

- _____ At home
- _____ Independent living situation
- _____ At home while completing post-secondary studies
- _____ Other (Specify) _____

3) After graduation, do you feel that your child will receive financial support from:

- _____ His or her own wages
- _____ Parent's financial support while completing post-graduate studies
- _____ Parent's financial support
- _____ Other (Specify) _____

4) After graduation, do you feel that your child will most likely have the following transportation:

- _____ His/her own car
- _____ Family transportation
- _____ Public transportation
- _____ Other (Specify) _____

- 5) Will your child need services from any of the following Adult Special Needs Service Providers?
 No _____ Yes _____ If yes please specify which.

_____	United Cerebral Palsy	_____	Handicapped Bus Pass
_____	Association for the Blind	_____	Handicapped Fishing License
_____	Sheltered Workshops	_____	Office for Vocational Rehabilitation
_____	Group Home System	_____	Special Olympics
_____	Local Guidance Center	_____	Other (Specify)
_____	Family Guidance Center		
_____	Local Mental Health/Mental Retardation Office		
_____	Association for Retarded Citizens		
_____	Association of Children with Learning Disabilities		
_____	Other (Specify) _____		

- 6) Which of the following services have been provided for your child as he/she has progressed through school?

_____	Physical Therapy
_____	Occupational Therapy
_____	Speech Therapy
_____	Psychological Testing
_____	Vocational Counseling
_____	Other (Specify) _____

- 7) How comfortable would you be with your child living in his/her own supported environment?

_____	Very comfortable	_____	Uncomfortable
_____	Moderately comfortable	_____	Very uncomfortable

- 8) In what areas do you feel your child needs additional training before graduation?

_____	Learning self-help skills	_____	How to get along with people
_____	Learning preparation of food	_____	Vocational planning
_____	Cleaning house	_____	Self advocacy skills
_____	Sex education	_____	Realistic goal setting
_____	Drug education	_____	How to locate help if needed
_____	How to shop	_____	How to be as independent as possible
_____	Management/budgeting money		
_____	How to plan leisure time activities		
_____	How to avoid potentially dangerous situations		
_____	Other (Specify) _____		

- 9) After graduation, which of the following leisure/recreational activities would your child benefit from and enjoy?

_____	Fishing/hunting	_____	Winter sports
_____	Water sports	_____	The Arts
_____	Special Olympics	_____	Bowling
_____	Church related activities	_____	Social functions(e.g.; parties with friends, visiting friends)
_____	Activities limited to handicapped individuals	_____	Music and television
_____	Horseback riding	_____	Gardening
_____	Other (Specify) _____		

10) Are there any work activities with which your child is involved at home?

11) What is your child's reaction to doing activities at home?

Are there any activities which he/she does enjoy? _____

Are there any activities which he/she does not enjoy? _____

12) Are there any activities from past vocational programs that you think should be continued in your child's vocational training? _____

13) Are there any programs in which you object to your child's participation?

14) Will your child need the services of one of the agencies listed below?

No _____ Yes _____ If yes please specify which.

_____ Mental Health/Mental Retardation Services

_____ Vocational Rehabilitation

_____ Social Security Administration

_____ Other (Specify) _____

15) Does your child have any behaviors that concern you or others? Explain: _____

What do you do when it occurs? _____

Does he have inappropriate behaviors in any of these situations:

No _____ Yes _____ If yes, please indicate which.

Meal Time: _____

Socially: _____

Personal Hygiene: _____

16) What things are important to you or other family members regarding programs that we have not discussed elsewhere in this survey?

Please return to _____



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STUDENT TRANSITION SURVEY
PR-6

Please answer the questions below. Some students may answer independently. Others may require an interview.

Name: _____

Address: _____

Phone Number: _____ Date of Birth: _____ Grade: _____

A. Educational Interests:

1. What subject(s) do you like best in school?

2. What subject(s) don't you like as well?

B. Work History/Interests:

1. What kind of work do you think you would like to do?

2. Have you ever worked for money? _____

Where? _____

What did you do? _____

How did you feel about working? _____

What was the best part about having a job? _____

What was the worst part about having a job? _____

C. Living Skills:

1. Please check how you think you do in each of the areas below:

	I can do this on my own	I can do this in my own if someone helps me	I cannot do this on my own
Shop for my clothes			
Shop for food			
Eat at a restaurant			
Drive a car			
Use buses and subways			
Cook a snack			
Cook a meal			

2. Can you manage money alone? Please check below:

	I do not need help in this area	I may need help in this area
Can you make change?		
Can you keep a checking account?		
Can you budget a weekly allowance or pay check?		

3. Are you responsible for any special chores at home?

D. Recreation/Leisure Time Activities:

1. What do you do in your free time?

Do you spend most of your time alone or with friends? _____

What are your hobbies and interests? _____

What games do you enjoy? _____

2. What new activities, hobbies, or sports would you like to try? _____

E. Living Arrangements:

1. Have you ever lived away from your parents? _____ if so, where? _____

How did you feel about it? _____

2. Where would you like to live when you finish school? _____

F. Future Plans:

1. What do you plan to do after high school?

College _____

Employment _____

Military Service _____

Other _____

Vocational School _____

Don't Know _____

2. What classes would you like to take before you graduate from school?

(Please list)

G. Services:

1. Which of the following services/programs are you aware of? (Please check all appropriate responses)

Jobs

General Assistance

- _____ 1. Office of Vocational Rehabilitation
- _____ 2. Job Training Partnership
- _____ 3. Job Service/Employment Office
- _____ 4. Private employment agency
- _____ 5. Other, please specify

- _____ 1. Group Homes
- _____ 2. Social Security (SSI, SSDI)
- _____ 3. MH/MR Base Service Unit/Case Management Offices
- _____ 4. Department of Public Assistance
- _____ 5. Other, please specify

Initial Survey Date _____

Revision _____

Revision _____

Revision _____

Please return to _____



APPENDIX C

Act 89 and Guidelines

No 89
AN ACT

HB 1439

Amending the act of March 10, 1949 (P L 30 No 14), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto," providing for auxiliary services for the benefit of children attending nonpublic schools in the Commonwealth.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 922-A act of March 10, 1949 (P.L. 30. No. 14) known as the "Public School Code of 1949," is repealed.

Section 2. The act is amended by adding a section to read:

Section 922.1-A. Auxiliary Services. –

- (a) *Legislative Finding: Declaration of Policy.* The welfare of the Commonwealth requires that the present and future generation of school age children be assured ample opportunity to develop to the fullest, their intellectual capacities. It is the intent for the General Assembly by this enactment to ensure that the intermediate units in the Commonwealth in both public and nonprofit nonpublic schools.
- (b) *Definitions.* The following terms, whenever used or referred to in this section, shall have the following meanings, except in those circumstances where the context clearly indicates otherwise: "Auxiliary services" means guidance, counseling and testing services: psychological services: services for exceptional children: remedial services: speech and hearing services: services for the improvement of the educationally disadvantaged (such as, but not limited to, the teaching of English as a second language), and such other secular, neutral, nonideological services as are of benefit to all school children and are presently or hereafter provided for public school children of the commonwealth. "Nonpublic school" means nonprofit school, other than a public school within the Commonwealth of Pennsylvania, wherein a resident of the Commonwealth may legally fulfill the compulsory school attendance requirements of this act and which meet the requirements of Title VI of the Civil Rights Act of 1964 (Pub.L. 88-352: 42 U.S.C. Section 2000 et seq).
- (c) *Program of Auxiliary Services.* Students attending nonpublic schools shall be furnished a program of auxiliary services which are provided to public school students in the school district in which their nonpublic school is located. The program of auxiliary services shall be provided by the intermediate unit in which the nonpublic school is located, in accordance with standards of the Secretary of Education. Such services shall be provided directly to the nonpublic school students by the intermediate unit except that such services shall not be provided in a church or in any facility under the control of a sectarian school. Such auxiliary services shall be provided directly by the intermediate units and no auxiliary services presently provided to public school students by the intermediate units and/or school districts by means of State or local revenues, during the school year 1974-1975, shall be eliminated. No school districts shall be required, pursuant to any section of this act, to offer auxiliary services provided by any other school districts within such intermediate unit.
- (d) *Allocations.* In July of 1975 and annually thereafter in July, the Secretary of Education shall allocate to each intermediate unit an amount equal to the number of nonpublic school students as of October 1 of the preceding school year who are enrolled in nonpublic schools within the intermediate unit times forty-five dollars (\$45). The Secretary of Education shall increase this figure on a proportionate basis whenever the maximum reimbursable limit for the basic instructional subsidy under section 2502 of this act (presently seven hundred fifty dollars (\$750) is increased. The Commonwealth shall pay to each intermediate unit fifteen per centum (15%) of its allocation on August 1, seventy-five per centum (75%) on October 1, and the remaining ten per centum (10%) on the first day of February.

- (e) *Limitations. The intermediate unit shall not use more than six per centum (6%) of the funds it receives for administration or eighteen per centum (18%) for rental of facilities. The Department of Education shall not use more than one per centum (1%) of the funds it allocates under this section for administrative expenses. If all funds allocated by the intermediate units to administration, or rental facilities are not expended for those purposes, such funds may be used for the program costs.*
- (f) *Interest. There shall be no adjustment in the allocation as provided in subsection (d) because of interest earned on the allocations by the intermediate units. Interest so earned shall be used for the purpose of this section but shall not be subject to the limitations of subsection (e).*
- (g) *Preliminary Budget. Annually, each intermediate unit shall submit to the secretary a preliminary budget on or before January 31 and a final budget on or before June 15, for the succeeding year: and shall file a final financial report on or before October 31 for the preceding year.*

Section 3. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid, in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 4. This act shall take effect immediately

APPROVED – The 1st day of August. A.D 1975.

MILTON I SHAPP

Official Advance Copy of Statute Enacted at 1978 Session
No. 1978 – 147
AN ACT

SB 1204

Amending the act of March 10, 1949 (P.L.30. No 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools: amending, revising, consolidating and changing the laws relating thereto," providing for diagnostic and evaluative psychological services for the benefit of children attending nonpublic schools in the Commonwealth.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The act of March 10, 1949 (P.L.30, No. 14), known as the "Public School Code of 1949," is amended by adding a section to read:

Section 923.1-A. Psychological Services –

- (a) *Legislative Finding; Declaration of Policy.* It is today recognized that diagnostic and evaluative psychological services to children are closely related to their physical, mental and emotional health. Such services can best be rendered upon the premises of the school which the child regularly attends, and forcing children to go to other premises in order to have such needed services is found by the General Assembly to be both inadequate and harmful. The General Assembly expressly finds and declares diagnostic and evaluative psychological services for children to be health services, and it is the intention of the General Assembly now to make these available, on a general and even-handed basis, to all school children in the Commonwealth.
- (b) *Definitions –* The following terms, whenever used or referred to in this section, shall have the following meanings, except in those circumstances where the context clearly indicates otherwise: "Nonpublic school" means any nonprofit school, other than a public school within the Commonwealth of Pennsylvania, wherein a resident of the Commonwealth may legally fulfill the compulsory school attendance requirements and which meets the requirements of Title VI of the Civil Rights Act of 1964 (Public Law 88-352). "Psychological services" means diagnostic and evaluative psychological services for children.
- (c) *Provision of Services.* – The Secretary of Education directly, or through the intermediate units out of their allocation under section 922.1-A of this act shall have the power and duty to furnish free to non public school students, upon the premises of the nonpublic schools which they regularly attend, psychological services provided that such services are also afforded to public school students by the public school district in which such nonpublic school is located.

Section 2. This act shall take effect immediately.

We certify that this bill, Senate Bill No. 1204, Printer's No. 1962, having passed both Houses, vetoed by the Governor, official notification of which was returned to the Senate where the Senate reconsidered and passed the bill by a two-thirds majority of the members elected to the Senate September 19, 1978, the objections of the Governor, official notification of which was returned to the Senate where the Senate reconsidered and passed the bill by a two-thirds majority of the members elected to the Senate September 19, 1978, the objections of the Governor to the contrary notwithstanding. Upon notification by the Senate as to their action, the House of Representatives reconsidered and passed the bill on September 26, 1978, by a two-thirds majority of the members elected to the House of Representatives, the objections of the Governor to the contrary notwithstanding.

Given under our hand and seal this twenty-seventh day of September, one thousand nine hundred and seventy-eight.

ERNEST P. KLINGE
President, Senate

K. LEROY IRVIS
Speaker, House of Representatives

MARK GRUELL, JR.
Secretary, Senate

VINCENT F. SCARCEL
Chief Clerk House of E

Note. The date of final enactment of Act No. 1978-147 is Sept. 26, 1978.

Official Advance Copy of Statute Enacted at 1975 Session
No. 129
AN ACT

SB 955

Providing services for the diagnosis and correction of speech and hearing defects to nonpublic school children.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Legislative Finding: Declaration of Policy. – Defects in speech and hearing are health-related. They are also the frequent cause of emotional instability in children and are vitally connected to behavior and to learning ability. Services to remedy these defects can best be conducted upon the premises of the school which the child regularly attends, and forcing children to go to other premises in order to have such needed services is found by the General Assembly of the Commonwealth of Pennsylvania to be both inadequate and harmful. The General Assembly expressly finds and declares speech and hearing correctional services to be health services, and it is the intention of the General Assembly now to make these available, on a general and even-handed basis to all school children in the Commonwealth.

Section 2. Definition. – As used in this act:

“Nonpublic school” means any nonprofit school, other than a public school within the Commonwealth of Pennsylvania, wherein a resident of the Commonwealth may legally fulfill the compulsory school attendance requirements and which meets the requirements of Title VI of the Civil Rights Act of 1964 (Pub.L. 88-352).

Section 3. Provision of Services.- The Secretary of Education directly, or through the intermediate units out of their allocation under section 922.1-A of the act of March 10, 1949 (P.L.30, No. 14), known as the “Public School Code of 1949,” shall have the power and duty to furnish free to nonpublic school students, upon the premises of the nonpublic schools which they regularly attend, services adequate for the diagnosis and correction of speech and hearing defects provided that such services are also afforded to public school students by the public school district in which such nonpublic school is located.

Section 4. Effective Date. – This act shall take effect immediately.

APPROVED – The 26th day of November, A.D. 1975.

MILTON J. SHAPP

Official Advance Copy of Statute Enacted at 1980 Session
No 1980-159
AN ACT

SB 1341

Amending the act of March 10, 1949 (P.L.30, No. 14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools: amending, revising, consolidating and changing the laws relating thereto," prohibiting fee sharing among school district officers, employees and consultants or persons contracting for personal services with the school district and providing for certain visual services.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 751, act of March 10, 1949 (P.L.30, No. 14), known as the "Public School Code of 1949," is amended by adding a subsection to read:

Section 751. Work to be Done Under Contract Let on Bids: Exception.-***

(a) *No person, consultant, firm or corporation contracting with a school district for purposes of rendering personal or professional services to the school district shall share with any school district officer or employee shall accept, any portion of the compensation or fees paid by the school district for the contracted services provided to the school district except under the following terms or conditions:*

- (1) *Full disclosure of all relevant information regarding the sharing of the compensation or fees shall be made to the board of school directors.*
- (2) *The board of school directors must approve the sharing of any fee or compensation for personal or professional services prior to the performance of said services.*
- (3) *No fee or compensation for personal or professional services may be shared except for work actually performed.*
- (4) *No shared fee or compensation for personal or professional services may be paid at a rate in excess of that commensurate for similar personal or professional services.*

Section 2. The act is amended by adding a section to read:

Section 751.1. Architects and Engineers Employed Prohibited From Bidding on Public Works: Penalty. - It shall be unlawful for any architect or engineer, in the employ of any school district, and engaged in the preparation of plans, specifications or estimates, to bid or negotiate on any public work at any letting of such work by the school district, except that any such architect or engineer who shall have prepared preliminary plans only shall not be prohibited from bidding or negotiating on the final contract for such work.

It shall be unlawful for the officers of school districts charged with the duty of letting any public work, to award a contract to any such architect or engineer, in the employ of the school district who is in any way interested in any contract for public work for the school district or for any such architect or engineer to receive any remuneration or gratuity from any person interested in such contract except under the terms and conditions as provided in section 751 (a).



APPENDIX D

School Listings Special Education Liaison Personnel Intermediate Unit 1 Contacts

NONPUBLIC SCHOOLS OF FAYETTE, GREENE AND WASHINGTON COUNTIES

A.G. MONTESSORI

Ms. Marjorie Murphy, Director
199 Edison Street
Uniontown, PA 15401
724-439-6116

BIBLE BAPTIST ACADEMY

Ken Kremer, Principal
1 Evergreen Terrace
Uniontown, PA 15401
724-439-0464

CHAMPION CHRISTIAN

Belinda Lane, Principal
2166 Indianhead Road
Champion, PA 15622
724-455-2122

CHRIST THE DIVINE TEACHER

J. Kevin Fry, Principal
323 Chestnut St.
Latrobe, PA 15650
724-539-1561

DIocese OF GREENSBURG

Barb Sabo, Director
723 East Pittsburgh Street
Greensburg, PA 15601
724-552-2591

FIRST LOVE CHRISTIAN ACADEMY

Zonie Jackson, Dean of Students
150 Sunset Boulevard
Washington, PA 15301
724-228-3547

GWEN'S MONTESSORI SCHOOL

Gwendolyn Powell, Administrator
860 Allison Avenue
Washington, PA 15301
724-225-9494

JOHN F KENNEDY CATHOLIC

Dr. Kathleen Harrington
111 West Spruce Street
Washington, PA 15301-4356
724-225-1680

KINDERCARE McMurray

Kelly Kramer, Center Director
118-124 Wilhaven Drive
McMurray, PA 15317
724-941-5569

MOUNT CARMEL CHRISTIAN

Sherwood Edwards
1231 Mt. Pleasant Road
Mt. Pleasant, PA 15666
724-887-7169

ADELPHOI Education at Fairchance

Tracey Kuchar Education Supervisor
25 South Main Street
Fairchance, PA 15436
724-564-2860

CALVARY CHAPEL CHRISTIAN

Rebecca Cannon, Principal
PO Box 19
Fredericktown, PA 15333
724-377-2523

CHESTNUT RIDGE CHRISTIAN

Patricia Cowser, Principal
115 Downer Avenue
Uniontown, PA 15401
724-439-1090

CONN AREA CATHOLIC

Ceal Solan, Administrator
613 East Crawford Avenue
Connellsville, PA 15425
724-628-5090

ECHO CHILD DEVELOPMENT

Carol Dzavan
10 South Main Street
Masontown, PA 15461
724-583-2780

GEIBEL CATHOLIC JR. SR. HIGH

Don Favero, Principal
611 E. Crawford Street
Connellsville, PA 15425
724-628-5600

HIGHLANDS HOSP. CTR FOR AUTISM

Amanda Freger, Director
323 Breakneck Road
Connellsville, PA 15425
724-603-3360

KIDS WORLD, INC.

Dana Shepler, Director
P.O. Box 524
Lawrence, PA 15055
724-745-4333

LAKEVIEW CHRISTIAN ACADEMY

Joan Doty, Administrative Asst.
Two Lakeview Place
Bridgeville, PA 15017
724-746-1555

MOUNT MORIAH CHRISTIAN SCHOOL

Renee DuBois, Principal
P.O. Box 903, 30 Church St.
Smithfield, PA 15478
724-569-4890

APOSTOLIC CHRISTIAN ACAD

Mr. Ronald E. Boyd, Jr., Principal
296 Juiata Road
Dunbar, PA 15431
724-529-7665

CENTRAL CHRISTIAN

Kate Fisher, Principal
145 McGovern Road
Houston, PA 15342
724-746-4902

CHILDREN'S SCHOOL OF WASH.

Nancy Cohen, Director
615 E. Beau Street
Washington, PA 15301
724-228-1409

CORNERSTONE MENNONITE

Ken Yoder
647 Eldersville Road
Burgettstown, PA 15021
724-350-5839

FAITH CHRISTIAN SCHOOL

Lucy Hall, Principal
524 E. Beau Street
Washington, PA 15301
724-222-5440

GREENE VALLEY CHRISTIAN ACAD.

Holly Hathaway, Director
179 Hathaway Road
Jefferson, PA 15344
724-966-8638

HOLY TRINITY

Alyce Edwards, Principal
327 W. Vincent St.
Ligonier, PA 15658
724-238-6430

KINDERCARE LEARNING CENTER

Jessica Sawich, Principal
63-67 Wilson Avenue
Washington, PA 15301
724-223-0331

MADONNA CATHOLIC REGIONAL

Don Militzer Jr., Principal
731 Chess Street
Monongahela, PA 15063
724-258-3199

NEW DIRECTIONS

Michelle DeMoss, Director
125 Chaffee Street
Uniontown, PA 15401
724-434-5437

NONPUBLIC SCHOOLS OF FAYETTE, GREENE AND WASHINGTON COUNTIES

NEW MEADOW RUN

Ethan O'Connell, Principal
Box 240, 101 New Meadow Run Dr.
Farmington, PA 15437
724-329-8573

PITTSBURGH DIOCESE

Sr Patricia Laffey
2900 Noblestown Rd. Domenec Hall
Pittsburgh, PA 15205
412-456-3000

ST FRANCIS CHILDREN'S SCHOOL

Andrea Jones, Director
2837 Main St., Box 79
Beallsville, PA 15313
724-632-6863

ST. PATRICK SCHOOL

Dr. Anthony F. Merante, Principal
200 Murdock Street
Canonsburg, PA 15317
724-745-7977

TRANSFORMATION LEARNING

Dr. Corinne Stephanik-White, Supervisor
3214 Constitution Blvd.
Claysville, PA 15323
724-948-3375

OPEN DOOR CHRISTIAN

Raelene Koller, Head Teacher, Admin.
793 Lippincott Road
Waynesburg, PA 15370
724-852-1871

RAINBOW'S END LEARNING

Desiree Morrell, Prog. Director
655 Jefferson Avenue
Washington, PA 15301
724-225-5668

ST SEBASTIAN SCHOOL

Steven Dorko, Principal
815 Broad Ave.
Belle Vernon, PA 15012
724-929-5143

TEC EDUCATION CENTER

Kendra Casella, Transition Coordinator
330 Central Ave.
Washington, PA 15301
724-225-3535

TRI-STATE CHRISTIAN

John Massey Principal
750 Steubenville Pike
Burgettstown, PA 15021
724-947-8722

PITTSBURGH DIOCESE

Michael Killmeyer
2900 Noblestown Rd. Domenec Hall
Pittsburgh, PA 15205
412-456-3070

SPRING VALLEY

Zachary Huleatt, Principal
100 Spring Valley Road
Farmington, PA 15437
724-329-1100

ST. JOHN THE EVANGELIST

Chris Roskovensky, Principal
52 Jefferson Street
Uniontown, PA 15401
724-438-8598

THE GODDARD SCHOOL

Jennifer Bular, Director
825 East McMurray Road
Venitia, PA 15367
724-941-6464

VERNA MONTESSORI SCHOOL

Sr. Letizia Tribuzio, Principal
268 Prittstown Road
Mt. Pleasant, PA 15666
724-887-8810

SPECIAL EDUCATION LIAISON PERSONNEL 2015-2016

ALBERT GALLATIN	CANON-MCMILLAN	FRAZIER	TRINITY
Sheri Dunham Albert Gallatin Area School District 2625 Morgantown Road Uniontown, PA 15401 564-7190 x 8111 Fax 564-7512 sdunham@agasd.org	Rebecca Lieb Canonsburg Middle School 25 East College Street Canonsburg, PA 15317 873-5231 x 4 Fax 746-9604 liebb@cmsd.k12.pa.us	Billi Jo Huffman Frazier School District 142 Constitution St. Perryopolis, PA 15473 736-1109 Fax 736-0688 bhuffman@fraziersd.org	Dr. Pamela Wolosky Special Education Office 231 Park Avenue Washington, PA 15301 225-5380 x 6518 Fax 228-6241 woloskyp@trinitypride.org

AVELLA	CARMICHAELS	JEFFERSON-MORGAN	UNIONTOWN
Matt Erickson Avella Area Elementary School 1000 Avella Road Avella, PA 15312 724-356-2218 ext. 5503 ericksonm@avella.k12.pa.us	Jeanine Hudock Carmichaels Area Middle Sr. High School 215 N. Vine St. Carmichaels, PA 15320 966-5045 x 2205 Fax 966-5839 jhudock@carmarea.org	Dr. Chris Winiarski 1351 Jefferson Road. P.O. Box 158 Jefferson, PA 15344 883-2310 x 286 Fax 883-4942 cwiniarski@jmsd.org	Dr. Annette Conti Uniontown High School 205 Wilson Street Uniontown, PA 15401 438-4501 x 1605 Fax 437-2868 annette.conti@uasdraiders.org

BENTWORTH	CENTRAL GREENE	LAUREL HIGHLANDS	WASHINGTON
Scott Martin Bentworth School District 150 Bearcat Drive Bentleyville, PA 15314 239-2861 x 3268 Fax 239-2865 smartin@bentworth.k12.pa.us	Tammy Mandich Administration Office P.O. Box 472 Waynesburg, PA 15370 627-8151 x 232 Fax 627-9591 tmandich@cgsd.org	Lori DiCenzo Administration Office 304 Bailey Avenue Uniontown, PA 15401 437-2821 x 1007 Fax 437-2887 dicenzol@lhsd.org	Michelle Kasula-Engle Washington Park School 801 East Wheeling Street Washington, PA 15301 223-5055 or 724-249-4482 Fax 223-5123 kasula@washington.k12.pa.us

BETHLEHEM-CENTER	CHARLEROI	MCGUFFEY	WEST GREENE
Lori Kubincanek Bethlehem Center School District 179 Crawford Road Fredericktown, PA 15333 267-4940 Fax 267-4906 kubincanekl@bc.k12.pa.us	Elaina Zitney Charleroi Area School District 125 Feesen Drive Charleroi, PA 15022 483-3509 x 1217 Fax 483-3776 ezitney@charleroisd.org	Megan Van Fossan Claysville Elementary P.O. Box 421, 119 Main St. Claysville, PA 15323 663-5364 Fax 663-3696 vanfossanm@mcguffey.k12.pa.us	Thelma Szarell West Greene School District 1367 Hargus Creek Road Waynesburg, PA 15370 499-5183 x 2211 Fax 499-5623 szarellt@wgsd.org

BROWNSVILLE	CHARTIERS-HOUSTON	PETERS TOWNSHIP
Mrs. Rachel Andler-McCloy Brownsville High School 5 Falcon Dr. Brownsville, PA 15417 785-2021 x 3130 Fax 785-4333 rmccloy@basd.org	John George Administration Office 2020 West Pike Street Houston, PA 15342 746-1400 x 107 Fax 746-3971 john.george@chartiers-houston.com	Patricia Kelly District Administrative Offices 631 East McMurray Road McMurray, PA 15317 941-6251 x 7271 Fax 941-6565 KellyP@pt-sd.org

NOTE: Area Code is 724 unless otherwise indicated.

BURGETTSTOWN AREA	CONNELLSVILLE	RINGGOLD
Michele Burton Burgettstown Middle High School 104 Bavington Road Burgettstown, PA 15021 947-8104 Fax 947-3325 MBurton@burgettstown.k12.pa.us	Lisa Hampe Connellsville Area School District 732 Rockridge Rd., P.O. Box 861 Connellsville, PA 15425 628-3300 x 1 x 312 Fax 628-4011 lhampe@casdfalcons.org	D.J. DiMascio Ringgold Administration Office 400 Main Street New Eagle, PA 15067 258-7141 Fax 258-2222 ddimascio@ringgold.org

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Rachel Nagy California Area High School 40 Trojan Way, Ste 100 Coal Center, PA 15423 785-5800 x 2414 Fax 785-4866 nagyrc@calasd.org	Dawn Smith Fort Cherry Elem. Center 110 Fort Cherry Road McDonald, PA 15057 796-1551 x 2005 Fax 356-2770 dsmith@fortcherry.org	Dr. Kimberly Tencer Mapletown Jr/Sr High School 1000 Mapletown Road Greensboro, PA 15338 943-3630 x 2627 Fax 943-3052 tencer.kimberly@segsd.org

Additional Information Contacts

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