

## **NOTICE TO PARENTS OF CHILDREN WITH DISABILITIES IN CUSD**

Under federal law and the settlement agreement between Chester Upland School District (“CUSD”) and the Commonwealth of Pennsylvania, each child with a disability is entitled to an Individual Education Plan (“IEP”), updated on annual basis. The purpose of the IEP is to ensure that all students with disabilities receive a free appropriate public education.

At each student’s annual IEP meeting, the IEP team will determine whether the student received the special education services the student was entitled to during the 2011-2012 school year. If not, CUSD intends to provide, in each IEP, services that remedy any prior deficiency in educating the student. This is known as compensatory education.

Students with plans developed under Section 504 are also entitled to a determination about needed compensatory education and can appeal the decision through an impartial hearing.

If a parent is not satisfied with the IEP prepared by CUSD, the parent has a right to initiate the following:

(1) Due Process Hearing: In this proceeding, an administrative judge will consider the IEP and the parent’s objections. There is no charge to initiate a due process hearing. The administrative judge will decide the matter as promptly as possible, and may order CUSD to take corrective action. Either the parent or the district can appeal the decision of the administrative judge to a federal court. If the parents are represented by a lawyer and are successful, the parents have the right to receive compensation for the services of their attorney.

(2) State Complaint: A parent can file a complaint with the Pennsylvania Department of Education, Bureau of Special Education (BSE). BSE will investigate the claim, and, if appropriate, order CUSD to take corrective action. There is no fee to file the complaint.

(3) Mediation: If the parent and school district agree, the Pennsylvania Office for Dispute Resolution will arrange for a neutral person to help resolve the dispute. Mediation is a free, voluntary, and confidential alternative to a formal due process hearing. No lawyers may be present at mediation.

Attached are forms including the Due Process Complaint Notice, the Mediation Request Form, and the Pennsylvania Department of Education Complaint Information Packet and Form, you can use to request a due process hearing, file a complaint, or ask for mediation. If you have questions about your rights and/or need help filling out the paperwork, contact ConsultLine at 1-800-879-2301. The Special Education Officer is also available as a resource for parents.

If you have other questions, you should contact Class Counsel:

The Public Interest Law Center of Philadelphia  
Chester Line: 267-546-1305  
Chester Email: [cusdsettlement@pilcop.org](mailto:cusdsettlement@pilcop.org)

You are also encouraged to join the Parents Council, comprised of parents of children with disabilities in CUSD, to exchange information and ideas and join together to communicate with CUSD.

In order to join, please contact PILCOP (see information above).