ANNUAL PUBLIC NOTICE OF 2026/2027
SPECIAL EDUCATION SERVICES and PROGRAMS

Notice to Parents

According to state and federal special education regulations, annual public notice to parents who reside within a school district is required regarding child find responsibilities. School districts, intermediate units and charter schools are required to conduct child find activities for children who may be eligible for services via Section 504 of the Rehabilitation Act of 1973. For additional information related to Section 504/Chapter 15 services, the parent may refer to Section 504, Chapter 15, and the Basic Education Circular entitled Implementation of Chapter 15. Also, school districts are required to conduct child find activities for children who may be eligible for gifted services via 22 PA Code Chapter 16. For additional information regarding gifted services, the parent may refer to 22 PA Code Chapter 16. If a student is both gifted and eligible for Special Education, the procedures in IDEA and Chapter 14 shall take precedence.

This notice shall inform parents throughout the school district, intermediate unit, and charter school of the child identification activities and of the procedures followed to ensure confidentiality of information pertaining to students with disabilities or eligible young children. In addition to this public notice, each school district, intermediate unit, and charter school shall publish written information in the handbook and on the website. Children ages three through twenty-one can be eligible for special education programs and services. If parents believe that the child may be eligible for special education, the parent should contact the appropriate staff member identified at the end of this public notice.

Under the federal law, the Individuals with Disabilities Education Act (IDEA), it is the responsibility of the Pennsylvania Department of Education to ensure that all children with disabilities, regardless of the severity of the disability residing in the Commonwealth who are suspected to be in need of special education and related services, are located, evaluated, and identified.

To fulfill IDEA's requirement, Pennsylvania law requires each school district to provide notice to parents regarding the school district's identification and screening activities, the location and time of the activities, and also any evaluation activity which takes place in the school district.

School districts are required to provide a free appropriate public education (FAPE) to children with disabilities who are determined, through the evaluation process, to need special education and related services under IDEA and 22 Pa. School Code §14. A school age child with a disability, who is determined to be in need of special education and related services, is identified as a child with a disability eligible for special education and in need of specially designed instruction. The following are disability categories under IDEA:

- Autism
- Deafness
- Deaf / Blindness
- Emotional Disturbance
- Hearing Impairment
- Intellectual Disability
- Multiple Disabilities
- Orthopedic Impairment
- Other Health Impairment
- Specific Learning Disability
- Speech and Language Impairment
- Traumatic Brain Injury
- Visual Impairment including Blindness

The legal definitions of these disabilities, which the schools are required to apply under IDEA, may differ from those used in the medical or clinical practice.

Under section 504 of the Rehabilitation Act of 1973, and under the Americans with Disabilities Act, some school age children with disabilities who do not meet the criteria outlined above might be eligible for special protections, 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.

Compliance Statement

The school districts do not discriminate on the basis of race, age, sex, religion, color, national origin, handicap or disability as applicable in educational programs, activities or employment policies. This policy is as required by Title IX of the 1972 Educational Amendments, Title VII of the Civil Rights Act of 1964, Section 504 Regulations of the Rehabilitation Act of 1973, the Americans with Disabilities Act and all other applicable state, federal, and local laws and ordinances.

Gifted Education

All school districts also offer 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 which requires special programs and services not ordinarily available in the general education program.

The school entity 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 a gifted screening or 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 and revision of their child's gifted individualized education program (GIEP). The GIEP describes present levels, annual goals, measurable objectives, and specially designed instruction and/or related services. The district will provide the enrichment or acceleration 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 due process hearing or to file a compliance complaint with the Pennsylvania Department of Education. Details concerning the procedures governing hearing requests can be found on the website of the Office for Dispute Resolution at **http://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.

Early Intervention

Children ages three to school-age may be eligible for Early Intervention services if they are experiencing developmental delays. Developmental delays, as defined by the State and as measured by appropriate diagnostic instruments, include a 25 percent delay or a test performance of 1.5 standard deviations below the mean on a standardized assessment in one of the following developmental areas: physical development, cognitive development, communication development, social or emotional development or adaptive development. A young child may also be deemed eligible if they are determined to have a diagnosed disability as defined by PA Chapter 14 regulations. Eligibility for Early Intervention services is two-pronged. The child must be diagnosed with a developmental delay or a diagnosed disability and display a need for specially designed instruction. Specially designed

instruction means adapting the content, methodology, or delivery of instruction to address the unique needs of the child and to ensure access to the general education curriculum.

Some signs of potential development delays and/or disabilities might include: a failure to achieve developmental milestones at an expected age, an absence of the desire to communicate, delays in early speech development, inability to follow a simple command, the sudden loss or regression of skills previously acquired, trouble with vision or hearing, an absence of curiosity and/or inquisitiveness, an absence of interest in playing with other young children, a failure to imitate the behavior of others, and the inability to move in a strong and coordinated manner.

If you believe that your child may be in need of special education services, there are screening and evaluation procedures in place to assess your child's needs and his/her eligibility. You may request a free screening and evaluation at any time. Requests for screening and evaluation can be made by calling the Early Intervention Office at (814) 887-5512, ext. 302. Developmental screenings and speech/language screenings are also held at your local family center(s). If your child attends Head Start or a PreK program, screenings will be provided, with your permission, at no cost to you. The Intermediate Unit Nine also provides free screenings at a number of private child care centers and preschools. Please call the Early Intervention Office at (814) 887-5512, ext. 302 for a schedule of screening dates and times as they occur at various times throughout the year.

All information gathered about your child is subject to the confidentiality provisions contained in federal and state law. The Intermediate Unit has policies and procedures in effect governing the collection, maintenance, destruction and disclosure of this information. The Family Rights and Privacy Act (FERPA) provides parents of eligible young children certain rights with respect to the child's educational records. These rights are summarized in the section titled "confidentiality".

Screening

Each school district must establish and implement procedures to locate, identify, and evaluate students suspected of being a child with a disability eligible for special education. Screening activities include but are not limited to: review of group-based data (cumulative records, enrollment records, health records, and report cards); hearing screening; vision screening; motor screening; and speech and language screening.

Some school districts elect to have Instructional Support Teams (IST), Response to Intervention and Instruction (RtII), Multi-Tier Systems of Support (MTSS) or pre-referral teams. These teams include parents and members of the professional staff of the school district. They analyze information from the screening activities listed above as well as classroom behavior and performance and recommends strategies for the student in the classroom. If screening activities produce little or no improvement, the student is referred for an evaluation to determine eligibility for special education services.

Except as indicated above or otherwise announced publicly, screening activities are conducted on an on-going basis throughout the school year. Screening is conducted in the student's home school unless other arrangements are necessary. Parents can request screening in writing for their children by contacting the school that their child attends. When screening indicates that a student may be a child with a disability eligible for special education, the school district will seek parental consent to conduct an evaluation.

Screening activities cannot block the rights of a parent to request, at any time, including prior to or during screening activities, an evaluation for the purpose of determining if the student is a child with a disability and eligible for special education services.

Evaluation

"Evaluation" is the procedure used to determine whether a child has a disability and if the child's disability is of the nature and extent that the child would be eligible for special education and related services. Evaluation procedures used are determined on an individual basis by an Evaluation team, which includes the parents. Parents are asked to provide permission to conduct the evaluation via a Permission to Evaluate form. The Evaluation team takes into consideration cultural issues as they determine the assessment tools that will be administered for the student. A single test or procedure cannot be the sole factor in determining that a child is eligible for special education services. The initial evaluation shall be completed and a copy of the evaluation report shall be presented to the parents no later than 60 days after the agency receives written parental consent. Evaluation, for the purpose of determining if a child is a child with a disability and is eligible for special education, does not include the procedures or basic tests that are administered to all children.

Parents who think their child is a child with a disability may request, at any time, that the school district conduct an evaluation to determine if the child is eligible to receive special education and related services. This request must be made in writing to the building principal. If a parent makes an oral request for an evaluation, the school district shall provide the parent with a Permission to Evaluate form to complete.

Parents of preschool age children, age three through five, may request an evaluation in writing by addressing a letter to the Intermediate Unit staff.

School entities cannot proceed with an evaluation or with the initial provision of special education and related services, without the consent of the parents or guardians. For additional information related to consent, please refer to the Procedural Safeguards Notice which can be found at the PaTTAN website at **http://www.pattan.net**.

Independent Educational Evaluation

The parents of a child with a disability have the right under 34 CFR Part 300 to obtain an independent educational evaluation of his/her child, subject to the provisions outlined below. The LEA provides to parents, upon request for an independent educational evaluation, information about where an independent educational evaluation may be obtained, and the LEA criteria applicable for independent educational evaluations as set forth below. For the purposes of this part, "independent educational evaluation" means an evaluation conducted by a qualified examiner who is not employed by the LEA and "public expense" means that the LEA either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent.

A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the LEA. If a parent requests an independent educational evaluation at public expense, the LEA, with unnecessary delay, either initiates a hearing under procedures described below to show that its evaluation is appropriate or to ensure that an independent educational evaluation is provided at public expense, unless the LEA demonstrates in a hearing that the evaluation obtained by the parent did not meet the LEA criteria. If the LEA initiates a hearing and the final decision is that the LEA's evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at LEA expense.

If a parent requests an independent educational evaluation, the LEA may ask for the parent's reason why he or she objects to the public evaluation. However, the explanation by the parent is not required and the LEA does not unreasonably delay either providing the independent educational evaluation at the LEA expense or initiating a due process hearing to defend the LEA's evaluation.

Parent-initiated evaluations

If the parent obtains an independent educational evaluation at private expense, the results of the evaluation must be considered by the LEA, if it meets the LEA's criteria, in any decision made with respect to the provision of FAPE to the child, and may be presented as evidence at a hearing under this subpart regarding that child.

Program Development

After the evaluation team has determined that a student is eligible with a disability for special education, an IEP team develops an educational program. The IEP is based on the evaluation that identifies the type of services, the level of intervention, and the location of intervention.

The IEP team must include:

- a school district representative, (LEA)
- the general education teacher
- the special education teacher
- the child's parents and the student when 14 years of age

The public school, in conjunction with the parents, determine 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 (IEP), which is developed by an IEP team. The parents of the child have the right to be notified of and to participate in all meetings of their child's IEP. The IEP is revised as often as circumstances warrant but reviewed at least annually. The law requires that the program and placement of the child, as described by the IEP, be reasonably calculated to ensure meaningful educational progress to the student at all times. IEPs contain a statement of present levels of educational performance, annual goals established for the child, and a statement of the special education services and/or related services. For students that are fourteen and older, the IEP must include an appropriate transition to assist in the attainment of post-secondary objectives. The public school must invite the child to the IEP team meeting at which the transition plan is developed.

These services include:

- Learning support class
- Life skills support class
- Emotional support class
- Sensory support
- Deaf or hard of hearing support
- Blind or vision loss support
- Speech and language support
- Physical support
- Autistic support class
- Multiple disabilities support class

A student's special education placement must be made in the least restrictive environment in which the student's educational needs can be addressed. All students with disabilities must be educated to the maximum extent appropriate with students who are not disabled as determined by the IEP team.

Programs and services available to students with disabilities, in descending order of preference, are:

- Regular class placement with supplementary aides and services provided as needed in that environment
- 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
- Regular class placement for most of the school day with instruction provided by the special education teacher in a special education classroom
- 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 school setting or alternative setting

Depending on the nature and severity of the disability, the public school can provide special education programs and services in:

- The public school the child would attend if not disabled
- An alternative regular public school in or outside the school district or residence
- A special education center operated by a public school entity
- An approved private school or other private facility licensed to serve children with disabilities
- A residential school
- Approved out of state program
- The home setting

Services for Protected Handicapped Students

In compliance with state and federal law, and 22 Pa. School Code Chapter 15, the school district will provide to each protected handicapped student without discrimination or cost to the student or family, those related aids, services, or accommodations which are needed to provide an equal opportunity to participate in and obtain the benefits of the school programs and participate in extracurricular activities to the maximum extent appropriate to the student's abilities.

Protected Handicapped Student

In order to qualify as a protected handicapped student, the child must be of school age with a physical or mental disability which substantially limits a life activity and prohibits participation in, or access to, an aspect of school programs. These services and protections for "protected handicapped students" are different from those applicable to all students eligible or thought to be eligible for special education services.

The school district or parent may at any time initiate an evaluation of a student. Parents who wish to have a child evaluated or are in need of further information on the evaluation procedures and provisions of services to protected handicapped students, should communicate with the individual district contact(s) that are listed at the end of this document.

Educational Records

"Educational records" mean those records that are directly related to the student which are maintained by an educational agency or by a party acting for the agency. "Education agency", for purposes of this notice, means the local school district. For all students, the school district maintains educational records. Educational records include but are not limited to personally identifiable and confidential information, as well as, directory information.

1. Personally Identifiable and Confidential Information includes, but are not limited to:
   - the student's name, name of parents and/or of other family members;
   - the address of the student and/or the student's family; and
   - personal information or personal characteristics which would make the student's identity easily traceable.
2. Directory information is information contained in an educational record of a student which would not generally be considered harmful or an invasion of privacy if disclosed.
   Directory information includes, but is not limited to:
   - the student's name, address, telephone number, date and place of birth, major field of study;
   - participation in officially recognized activities and sports;
   - weight and height of members of athletic teams;
   - dates of attendance;
   - degrees and awards received; and
   - previous educational agency or institution attended.

Directory information may be released without parental consent to anyone who is entitled to see it under FERPA. Parents have the right to refuse to let

an agency designate any or all of the above information including directory information. If a parent does not want directory information released about their child, the parent should contact the school contact listed for their district.

Consent
Consent means the parents have been fully informed regarding the activity requiring consent, in their native language or other mode of communication; they understand and agree in writing to the activity; and, they understand that consent is voluntary and may be revoked at any time.

The school district must obtain parental consent before disclosing personally identifiable information to anyone not entitled to see it under the law. (Note: Student consent takes the place of parent consent if the student is 18 years old or attending a postsecondary institution.)

Confidentiality
Each school district protects the confidentiality of personally identifiable information regarding its students that are identified as children with disabilities and eligible for special education services and protected handicapped students, in accordance with the Family Educational Rights and Privacy Act (FERPA) of 1974 and other applicable federal and state laws.

All records are maintained in the strictest confidentiality. Your consent or the consent of an eligible child who has reached the age of eligibility, must be obtained before personally identifiable information is released, except as permitted under FERPA. Each participating agency must protect the confidentiality of any personally identifiable information. Each participating agency must maintain, for public inspection, a current listing of names and positions of those employees within the agency who have access to personally identifiable information.

FERPA affords parents and eligible students certain rights with respect to the student's educational records:

1. Parents have the right to inspect and review their child's educational record. The school district will comply with a request to inspect and review educational records without unnecessary delay and before any meeting regarding an IEP or any due process hearing, but no later than 30 days after the written request has been made. The written request should be submitted to the building principal. The request should identify the record(s) that they wish to inspect. Parents have the right to a response from the school district to reasonable requests for explanations and interpretations of the records. The principal will make arrangements and notify the parent or eligible student of the time and place where the records may be inspected.
2. Parents have the right to request copies of the records. While the district cannot charge a fee to search for or to retrieve information, it may charge a copying fee as long as it does not prevent the parent from exercising their right to inspect and review the records.
3. Parents have the right to appoint a representative to inspect and review their child's records. If any educational record contains information on more than one child, parents have the right only to inspect and review the information relating to their child.
4. The parent or eligible student has the right to request an amendment of the student's educational records that he or she believes is inaccurate or misleading. If the district decides not to amend a record as requested, the district will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment.
5. One exception, that permits disclosure without consent for the release of personally identifiable information contained in the student's education records, is disclosure to school officials with legitimate educational interests. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the district discloses educational records without consent to officials of another school district or educational agency in which a student seeks to enroll.
6. Under FERPA, the district may disclose without consent "directory information" concerning a student. Directory information may include publications such as sports programs, newspapers, awards and graduation programs, yearbooks, alumni directories, and other school publications. Directory information is information not generally considered harmful or an invasion of privacy, if disclosed. Parents who wish to have their children exempted from publication or other disclosure of directory information may do so by letter to the school principal. The letter must be received by the school principal at least 30 days prior to the date of publication.
7. The parent or eligible student has the right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with FERPA.
   The name and address that administers FERPA is:
   Family Policy Compliance Office
   U.S. Department of Education
   400 Maryland Avenue, S.W.
   Washington, D.C. 20201

Procedural Safeguards
Procedural safeguards protect the rights of parents and students.
Parental consent is always required prior to:

- conducting an initial (for the first time) evaluation;
- conducting a reevaluation; seeking new or additional information.
- initially placing an exceptional or eligible young child in a special education program; and
- disclosing to unauthorized persons personally identifiable information.

Parental consent may be revoked at any time.

The school district must notify parents in writing whenever it wants to begin, change, or discontinue special education and related services. Along with this notification, the school district will provide the parents with a comprehensive, written description of their rights. Specifically, parents must be notified in writing if the school district proposes to or refuses to:
- conduct an evaluation or reevaluation, or
- initiate or change the identification or placement of a student.

Also, parents must be notified in writing if the school district refuses to:
- provide an independent educational evaluation at public expense,
- conduct an evaluation that the parent requests, or
- make changes to an IEP when requested by parents.

Parents who disagree with actions, proposed or refused by the school district, have the right to request mediation, prehearing conference or a due process hearing, which is a hearing, conducted by an impartial third party, or file a complaint as outlined in IDEA. Parents may request either mediation by checking their choice on the Notice of Recommended Educational Placement or by letter. Each of the dispute resolution mechanisms available to parents and school districts are described as follows.

Mediation
Pennsylvania has mediation services available throughout the Commonwealth at Commonwealth expense. Mediation services help parents and agencies, involved in a dispute over special education, to attempt to reach a mutually agreeable settlement with the assistance of an impartial mediator. Mediation does not deny or delay a party's right to a due process hearing.

Prehearing Conference
A prehearing conference is between the school district and the parents, although either party may waive the right to a prehearing conference. The school district, parents, and the attorneys representing each, attempt to resolve the dispute. If a prehearing conference does not resolve the dispute, the parent may request an impartial due process hearing with an independent hearing officer, or if a hearing has been scheduled, move to the due process hearing.

Due Process Hearing
Parents requesting a due process hearing must notify the school in writing of the nature of the problem with the school's proposed or existing program, placement, evaluation, or identification; the facts relating to such problem; and a proposed resolution of the problem to the extent known and available to the parents at the time. This notice is mandatory, and the failure to provide it to the school district can diminish or extinguish a claim for attorney's fees and costs if counsel represents the parents.

Due process hearings are oral, personal hearings open to the public, unless the parents request a closed hearing. The decision of the hearing officer shall include findings of fact, a discussion, and conclusions of law. The decision of the hearing officer may be appealed to a three-member panel of hearing officers. The panel's decision may be appealed to the appropriate court.

During a due process procedure, a student must remain in the last agreed upon educational placement (a status called pendency). Due process procedures are governed by timelines and procedures in IDEA.

Details concerning the procedures governing hearing requests can be found on the website of the Office for Dispute Resolution at **http://www.pattan.k12.pa.us**.

Complaint with the Bureau of Special Education
Pennsylvania Department of Education
Parents who believe that special education procedures, as outlined in regulations, have not been adhered to regarding the identification, evaluation, educational plan development, and/or the implementation of the IEP may file a written complaint with the Bureau of Special Education. The Bureau has staff assigned to each Intermediate Unit that will investigate the accusations of the complaint. If parents want to file a written complaint with the Pennsylvania Department of Education, a complaint packet is available by calling the Special Education Consult Line at 1-800-879-2301.

Mode of Communication
If a person has questions regarding the contents of any of this notice, he or she should contact their school district and request an explanation. If the parent needs an interpreter or support for assistive technology for communication purposes, the school district will arrange for the services for the parent. If a parent is deaf or blind or has no written language, the school district will arrange for communication of this notice in the mode normally used by the parent (e.g., sign language, Braille, or oral communication).

DISTRICT CONTACTS

District	Member	Title	Phone
Austin	Kimberly Rees	Superintendent	(814) 647-8603
Bradford	Jennifer Morgan	Director of Special Education	(814) 362-3841
Cameron County	Hali Goodrow	Director of Special Education	(814) 486-4000
Coudersport	Dan Eskesen	Principal	(814) 260-4027
Galeton	Carrie Carleton	Assistant Principal	(814) 435-6571
SENECA HIGHLANDS INTERMEDIATE UNIT 9	Julia Anderson	Director of Special Education (Birth- School Age)	(814) 887-5512
	Amy Jacob	Early Intervention (Three to School Age)	(814) 887-5512
Johnsonburg	Kara Vollmer	Supervisor of Special Education	(814) 965-2556
Kane	Chelsey Murray	Principal of Student Services	(814) 837-9570
Northern Potter	Nathan Jones	Superintendent	(814) 848-7506
Oswayo Valley	Glenn Smith	Superintendent	(814) 260-1700
Otto-Eldred	Lindsay Burns	Director of Pupil Services and Special Education	(814) 817-1380
Port Allegany	Kathleen Bostjancic	Assistant Principal	(814) 642-2544
Ridgway	Noel Petrosky	Superintendent	(814) 773-3146
St. Marys	Brandon Maines	Supervisor of Special Education	(814) 781-2120
Smethport	Brice Benson	Superintendent	(814) 887-5545