



GETTING HELP FOR CHILDREN WHO ARE WAITING FOR AN APPROPRIATE PLACEMENT: THE CORDERO COURT ORDER

IMPORTANT: ELC's publications are intended to give you a general idea of the law. However, each situation is different. If, after reading our publications, you have questions about how the law applies to your particular situation, contact us for a referral or contact an attorney of your choice.

WHAT IS CORDERO?

Cordero is a court decision involving certain children with complex needs. The decision says that the state Department of Education, and (if necessary) other state agencies, are responsible for making sure that appropriate services are arranged for these children, in the least restrictive setting.

IS MY CHILD COVERED BY THE CORDERO COURT ORDER?

A child is covered by the *Cordero* Order if s/he is eligible for special education, and:

1. the child's parents and school district (or charter school) *both* acknowledge that the child's current program or placement is not appropriate; *and*
2. the child has already waited, or is likely to wait, at least 30 days in

order to get the services or placement that s/he needs.

The child does *not* have to be assigned to "in-home" instruction in order to be covered by *Cordero*.

However, it *is* a requirement that the parents and district (or charter school) agree that the current program or placement is not appropriate. If there is a disagreement on this point - for example, the district believes the program/placement is appropriate, but the parents believe it is not - the child is not covered by the *Cordero* Order. (However, the parents can still use the Special Education Mediation Services, and/or ask for a special education "due process hearing," to resolve the problem.)

WHAT DOES IT MEAN TO "REPORT" A CHILD, AND HOW IS A REPORT MADE?

If a child meets the requirements for coverage under the *Cordero* Order, the child's school district must report him or her to the state Department of Education within five (5) days. The district must also report any child who is assigned to "in-home" instruction.

The child's parents (or other persons working with the family) can also report the child, even if the school district has not done so. *To report a child, call the "CONSULT Line" (800- 879-2301).*

WHAT HAPPENS AFTER A CHILD IS REPORTED?

First, the Department of Education checks to make sure that the child is, in fact, covered by the *Cordero* Court Order. If the answer is yes,

- A "Regional Interagency Coordinator" from the Pennsylvania Training and Technical Assistance Network (PaTTAN) is assigned to the child's case. This person is located at the PaTTAN offices in King of Prussia (800-441-3215), near Harrisburg (800-360-7282), or near Pittsburgh (800-446-5607).

- The Regional Interagency Coordinator decides whether the child needs "intensive interagency coordination." Intensive interagency coordination is a process of working with multiple agencies that may be able to help arrange services for the child. These agencies might include, for example, the school district, the intermediate unit (IU), county offices of Mental Retardation, Mental Health, and Children, Youth and Families, and/or regional offices of Vocational Rehabilitation.
- The Regional Interagency Coordinator may arrange a meeting of the appropriate agencies, together with the parents and, if appropriate, the student. The purpose of the meeting is to plan appropriate services and supports for the child in the least restrictive setting. In some cases, several meetings will be required.
- If the local interagency team is not able promptly to arrange the services the child needs, the Regional Interagency Coordinator is expected to request assistance from the Bureau of Special Education of the Pennsylvania Department of Education. That Bureau may in turn seek help from other state agencies.
- Also assigned to the case will be a staff member of the Division of Compliance Monitoring and Planning of the Department of Education (telephone (717-783-6913). This individual is available to resolve problems involving the school district's compliance with legal requirements.
- For more information about this process, see the Basic Education Circular entitled "Intensive Interagency Coordination" issued by the Pennsylvania Department of Education. It's available on-line at http://www.pde.state.pa.us/k12/cwp/view.asp?A=11&QUESTION_ID=87825.

WHAT CAN I DO ONCE MY CHILD HAS BEEN REPORTED AS A CORDERO CLASS MEMBER?

Find out, from your nearest PaTTAN office (see numbers above), which Regional Interagency Coordinator is responsible for your child's case. Feel free to contact that person. The Regional Interagency Coordinator may also suggest people at the local level (such as an IU Interagency Coordinator) with whom you should be in touch.

Attend the interagency meeting that is set up for your child. Take a friend or advocate with you if you wish. Make sure that you understand what is being discussed, and that your views are heard. Before you leave, clarify what steps are to be taken, when, and by whom.

If you have concerns about the process, discuss them with the Regional Interagency Coordinator. Also, if you believe there are legal compliance problems, find out which staff member of the Division of Compliance Monitoring and Planning (see number above) is assigned to your case, and contact him or her as well.

If these steps are unsuccessful, or if you have further questions, contact the Education Law Center.

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