



Education Law Center

Making sure that all of Pennsylvania's children
have access to quality public schools

GETTING HELP FOR CHILDREN WHO ARE WAITING FOR AN APPROPRIATE PLACEMENT: "Intensive Interagency Coordination"

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 HELP IS AVAILABLE FOR A CHILD WHO IS EXPERIENCING A LONG WAIT FOR NEEDED SPECIAL EDUCATION SERVICES?

The Pennsylvania Department of Education has set up a special system for helping children who are experiencing delays in getting the special education services they need. This system, known as "intensive interagency coordination," is available when:

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 eligible for "intensive interagency coordination." 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 eligible for intensive interagency coordination. (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.)

The "intensive interagency coordination" system was created as the result of a lawsuit known as *Cordero*.

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

If a child meets the requirements for intensive interagency coordination, the child's school district must report him or her to the state Department of Education (PDE) within five (5) days. School districts must also report all students with disabilities who are placed on "in-home" instruction so that the Department can determine whether these students need intensive interagency coordination.

In addition, parents, advocates, representatives of child serving agencies and others may call PDE's ConsultLine at 800-879-2301 to get help for a child who needs intensive interagency coordination.

WHAT HAPPENS AFTER A CHILD IS REPORTED?

First, the Department of Education checks to make sure that the child, in fact, appears to need intensive interagency coordination. 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 NEEDING INTENSIVE INTERAGENCY COORDINATION?

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.

Funding for this brochure was provided, in part, by the Disability Rights Network of Pennsylvania (DRN), pursuant to the Developmentally Disabled Assistance and Bill of Rights Act, P.L. 101-496, and the P&A for Mentally Ill Individuals Act, P.L. 99-319. DRN is located at 1414 N. Cameron Street, Suite C, Harrisburg, PA 17103. Telephone: 800-692-7443 or 717-236-8110. Website: www.drnpa.org.

Prepared by: Education Law Center (Rev. 9/08)
(215) 238-6970 (Philadelphia)
(412) 258-2120 (Pittsburgh)
www.elc-pa.org