



Education Law Center

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

## TIPS ON GETTING A SPECIAL EDUCATION EVALUATION FOR YOUR CHILD

### For Philadelphia Parents

**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.

- ✓ The purpose of a special education evaluation is to find out whether your child has a disability (such as a specific learning disability, an emotional disturbance, mental retardation, an autism spectrum disorder, or a health impairment) that means that she has to be instructed differently from other children to make reasonable progress.
- ✓ Before asking for a special education evaluation, you may want to talk with school staff about other help that might be available. Sometimes, a change of reading group, more frequent parent-teacher meetings, time with a tutor, a prescription for glasses, or some other step that does *not* involve special education will solve the problem.
- ✓ It's also important to make sure that your child is getting the right instruction in her regular classes. In addition, if the child's first language is not English, it is important to consider whether she needs (and is getting) support in her studies and special help to learn English.
- ✓ All Philadelphia schools should offer the **Comprehensive Student Assistance Program** ("CSAP"). CSAP can provide classroom-based and individualized help to get a child back on track without the need for formal evaluation for special education. Or a family can ask for a special education evaluation and also use the CSAP process - if CSAP works and the child's behavior or academic

performance improves, the family can withdraw its evaluation request. However, the District cannot require a family to use the CSAP process before asking for a special education evaluation. For more information on CSAP, see <http://webgui.phila.k12.pa.us/offices/s/oss/programs--services/csap>.

- ✓ If you have tried the CSAP process, or if you are sure that an evaluation for special education is needed:
  - Send or deliver a *letter* to the principal, stating clearly that you want your child evaluated for special education. Keep a copy. A *Sample Letter Requesting an Initial Special Education Evaluation* can be found at [www.elc-pa.org](http://www.elc-pa.org).
  - For a child between the ages of three and five, the rules are the same, except that the time limit for completing the evaluation and giving you the report is **60 calendar days**.
  - For a child age six or older, the school has **60 calendar days (minus the summer)** from the date you sign the permission form to do the evaluation and give you a written report.
  - Once the principal has received your letter, ask her (or ask the counselor) to allow you to sign a **Permission to Evaluate-Consent Form** so that the evaluation can take place. Remember, the timeline for the District to evaluate your child does not begin to run until you have signed this form. Read the form before you sign it so that you will understand how the District is planning to evaluate the child. Remember that you are part of the evaluation team and share whatever information, reports, and insights about your child's academic, functional, or behavioral problems and what you think is needed.
- ✓ If the evaluation process does not seem to be moving forward, *talk again* with your child's counselor or principal, or write them a letter. (Be sure to keep a copy of the letter for your records.) The District cannot simply ignore your request for an evaluation. In addition, school staff cannot tell you that there is a waiting list for an evaluation or that you should get your child tested privately. The District must either give you the permission form to sign, or else it must give you a form explaining why it does not think your child should be tested (which you can disagree with). You can also contact the Special Education Director of the Regional Office for your school. To find the name of

the Special Education Director for your Region, go to <http://webgui.phila.k12.pa.us/offices/s/oss/contact-us/regional-offices3>, or call the District's Parent Helpline at 215-400-6161.

- ✓ If you do not receive the evaluation report within the required time period, or if it seems clear that the deadline will not be met, you can *file a complaint* with the Bureau of Special Education (BSE), which is part of the Pennsylvania Department of Education. For information on how to file a complaint, see ELC's fact sheet, *How to Resolve Special Education Disputes*, at [www.elc-pa.org](http://www.elc-pa.org) or order a copy of this publication from ELC at the address or phone number listed below. You may also call the BSE's Special Education ConsultLine at 1-800-879-2301.
- ✓ Once the evaluation is complete, there are some further steps in the special education process. The Education Law Center publishes *The Right to Special Education in Pennsylvania: A Guide for Parents and Advocates* and many fact sheets that discuss special education evaluations, how "Individualized Education Programs" (IEPs) are developed, how to resolve special education disputes, and more. All ELC's publications can be obtained from our website at [www.elc-pa.org](http://www.elc-pa.org), or by calling the telephone numbers listed below.

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**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](http://www.drnpa.org).**

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