

**PENNSYLVANIA DEPARTMENT OF EDUCATION  
BUREAU OF SPECIAL EDUCATION  
COMPLAINT INVESTIGATION REPORT**

**LOCAL EDUCATION AGENCY:** Pennsylvania Leadership Charter School

**DATE INFORMATION**

**RECEIVED/ACTIVATED:** April 8, 2009

**DATE OF REPORT:** June 3, 2009

**COMPLAINANT:** Grandparent

**NAME:**

**ADDRESS:**

**RE:**

**SPECIFIC COMPLAINT(S):**

The Pennsylvania Leadership Charter School (PLCS) failed to implement the child find procedures.

**APPLICABLE REGULATORY AUTHORITY:**

**§ 300.111 Child find.**

(c) *Other children in child find.* Child find also must include—

(1) Children who are suspected of being a child with a disability under § 300.8 and in need of special education, even though they are advancing from grade to grade; and

**SOURCES OF INFORMATION:**

1. Phone interview with [REDACTED] grandmother, on April 2, 2009 and May 22, 2009.
2. Phone interview with Tara Adams, Special Education Supervisor, on April 2; 2009, May 27; May 28 and May 29, 2009.
3. Phone interview with Gary Donahue, 504 Coordinator, on May 22, 2009.
4. Notice of Recommended Educational Placement (NOREP), dated October 22, 2008.
5. Permission to Evaluate, dated March 26, 2009.
6. Referral for Special Education Services, dated March 26, 2009, received May 1, 2009.
7. Section 504 Accommodation Plan, dated April 15, 2009.
8. Documentation from Tara Adams, from October 15, 2009 to present.
9. Academic Reports for 2008-2009.

## **FINDINGS:**

██████████ grandmother, reported that in October of 2008 ██████████ parents requested an evaluation due to an accident that happen to ██████████ in December of 2007 which caused a brain injury. The PLCS declined this request because ██████████ had only been in the school for three days.

The NOREP, dated October 22, 2008 indicates that the request was being rejected at this time, being that ██████████ enrolled into our district cyber environment only three days ago. The school will instead be monitoring ██████████ progress for a term of 30 days. After 30 days, the Coordinator of Student Interventions will reconvene a meeting with ██████████ mother, to determine if any further action is needed.

The documentation from Tara Adams indicates that in October 2008 a 504 Service Agreement was discussed and it was decided that it would be needed for ██████████ to be successful. A 504 Plan was to be completed.

The 504 Service Agreement indicates it was developed on April 15, 2009.

The Academic Report indicates that ██████████ did not make progress the second and third quarters, receiving "F's" in all subjects.

Documentation from Ms. Adams indicates that on March 26, 2009 a referral packet, request form and the Permission to Evaluate was mailed out. On May 7, 2009 Ms. Starr reported to Ms. Adams that she completed all of the forms and sent them back to the district. Ms. Adams reported that she received the referral packet but did not receive the Permission to Evaluate. Ms. Adams resent the Permission to Evaluate. The Permission to Evaluate was received to the school district on May 28, 2009.

## **CONCLUSIONS:**

The PLCS was unable to demonstrate compliance with § 300.111 Child find.

## **CLOSURE/CORRECTIVE ACTION:**

The PLCS shall complete an evaluation for ██████████ by June 30, 2009. If ██████████ is determined to be eligible for Special Education Services the school district shall convene an Individualized Education Program (IEP) Team meeting and provide ██████████ compensatory education in the amount of 655 hours (131 days x 5 hours) of compensatory education. The PLCS shall provide a copy of the NOREP and the compensatory education agreement to this Complaint Specialist, delivered to the Division of Monitoring and Improvement-West, August 15, 2009.

If ██████████ does not qualify for Special Education Services, the 504 Services Agreement team shall reconvene and determine compensatory education in the amount of 560 hours (112 days x 5 hours) by June 30, 2009. The district shall forward a copy of the compensatory education agreement to this Complaint Specialist, delivered to the Division of Monitoring and Improvement-West by August 15, 2009.

The PLCS shall provide training to all staff and administration with regards to § 300.111 Child find by September 1, 2009. The district shall forward a copy of the agenda and sign in sheet to this Complaint Specialist, delivered to the Division of Monitoring and Improvement-West by September 15, 2009.

Handwritten signature of Tyann Neal in cursive, with "unc" written below the name.

Tyann Neal  
Special Education Adviser  
Division of Monitoring and Improvement-West

NOTICE: In accordance with federal regulations, this report constitutes the Pennsylvania Department of Education's final decision with regard to this complaint.

If a party to this complaint has new information that was not provided in the course of this complaint investigation, or disagrees with the conclusions or corrective action set forth herein, that party may submit a request for reconsideration. Requests for reconsideration must specify the findings or corrective action the parties are contesting and must include the reasons for the disagreement(s). All requests for reconsideration must be received in the Bureau of Special Education *no later than 10 days* from the date of this report. The "Date of Report" is indicated on the first page of this document. Requests received after 10 days will not be accepted. Requests should be mailed or faxed to: Thomas N. Seben, Division Chief, Compliance Monitoring and Planning-West, Bureau of Special Education, 333 Market Street, 7<sup>th</sup> Floor, Harrisburg, PA 17126-0333, Fax number 717-783-6139.

cc: Dr. James Hanak, CEO  
Tara Adams, Special Education Director  
Thomas N. Seben, Division Chief  
Central File