

PENNSYLVANIA DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

April 4, 2018

PENN*LINK

TO: School District Superintendents
School District Special Education Directors
Intermediate Unit Executive Directors
Intermediate Unit Special Education Directors
Charter School Chief Executive Officers
Charter School Special Education Directors

FROM: Ann Hinkson-Herrmann, Director
Bureau of Special Education

SUBJECT: Individuals with Disabilities Education Act: State Regulations that
Exceed Federal Requirements

The Individuals with Disabilities Education Act, as amended, requires the Pennsylvania Department of Education to identify school entities and local educational agencies, regulation, rule, or policy that is a state-imposed requirement that is not required by the federal special education statute and regulation (20 USC §1408 (1) (2)). This notice fulfills the requirement to distribute an updated list of state-imposed requirements that exceed the Individuals with Disabilities Education Act.

Chapter 14 (22 PA Code § Chapter 14)

§14.101 Developmental Delay (Relating to Definitions)
§14.105 (Relating to Personnel Qualifications and Caseload)
§14.106 (Relating to Access to Instructional Materials)
§14.108 (Relating to Access to Classrooms)
§14.121 (Relating to Child Find)
§14.123 (Relating to Evaluation)
§14.124 (Relating to Reevaluation)
§14.125 (Relating to Criteria for Specific Learning Disability)
§14.131 (Relating to Individualized Education Program)
§14.132 (Relating to Extended School Year)
§14.133 (Relating to Behavior Support)
§14.143 (Relating to Disciplinary Placements)
§14.144 (Relating to Facilities)
§14.145 (Relating to Least Restrictive Environment)
§14.146 (Relating to Age Range)
§14.152 (Relating to Child Find, Public Awareness and Screening)
§14.153 (Relating to Evaluation)

- §14.154 (Relating to Individualized Education Program)
- §14.155 (Relating to Range of Services)
- §14.157 (Relating to Exit Criteria)
- §14.158 (Relating to Data Collection)
- §14.162(a) (Relating to Impartial Due Process Hearing and Expedited Due Process Hearing)

Chapter 711 (22 PA Code § Chapter 711)

- §711.5 (Relating to Personnel)
- §711.6 (Relating to Annual Report)
- §711.8 (Relating to Education Records)
- §711.21 (Relating to Child Find)
- §§711.22 & 24 (Relating to Reevaluation and Evaluation)
- §711.44 (Relating to Extended School Year)
- §711.45 (Relating to Access to Instructional Materials)
- §711.46 (Relating to Positive Behavior Support)
- §711.61 (Relating to Suspension and Expulsion)
- §711.62 (Relating to Due Process)

If you have any questions regarding this information, please contact John Gombocz by email at jgombocz@pa.gov or by phone at 717.772.3745.