

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 090228)

RESOLUTION

Authorizing City Council’s Committee on Education to hold public hearings to examine the School District of Philadelphia’s procedures for the identification, evaluation, and referral of children with special needs and the corresponding development and implementation of appropriate individualized education plans for these children.

WHEREAS, The Pennsylvania Department of Education, in conformance with the Individuals with Disabilities Act has promulgated regulations requiring that “[c]hildren with disabilities have available to them a free appropriate public education which is designed to enable the student to participate fully and independently in the community, including preparation for employment or higher education”; and

WHEREAS, Pursuant to these regulations, each school district is required to develop and implement a special education plan that, among other requirements, sets forth “procedures for the education of all students with disabilities who are residents of the district, including those receiving special education in approved private schools, and students with disabilities who are nonresidents placed in private homes or institutions in the school district”; and

WHEREAS, Each school district is primarily responsible for identifying and evaluating all exceptional children and developing an individualized education plan (IEP), in a timely manner, that meets the student’s unique needs in the least restrictive environment; and

WHEREAS, There are many students who are residents of the School District of Philadelphia (“School District”) who are eligible for special education services; and

WHEREAS, There are concerns that when applications for such services are made to the School District, the process for obtaining them is often protracted, and that when services finally are provided, they sometimes are not tailored to meet the particular needs of the child; and

City of Philadelphia

RESOLUTION NO. 090228 continued

WHEREAS, In some cases, the School District itself cannot provide the services required by a child, and the child must be placed in an approved private school with the capability of meeting the child's unique requirements; and

WHEREAS, There are concerns that, in certain instances, an approved private school may not meet the child's special needs and as a result, provides nothing more than baby sitting services; and

WHEREAS, The efficient and timely implementation of individualized services for children with special needs, and when necessary, the placement of these children in appropriate educational settings outside the regular classroom, and sometimes outside of the City of Philadelphia, will enable them to participate more fully and independently in the community thereby attaining the goals of the Pennsylvania Department of Education; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That City Council's Committee on Education is hereby authorized to hold public hearings to examine the School District of Philadelphia's procedures for the identification, evaluation and referral of children with special needs and the corresponding development and implementation of appropriate individualized education plans for these children.

City of Philadelphia

RESOLUTION NO. 090228 continued

City of Philadelphia

RESOLUTION NO. 090228 continued

CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the nineteenth of March, 2009.

Anna C. Verna
PRESIDENT OF THE COUNCIL

Patricia Rafferty
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmembers Reynolds Brown and Blackwell

Sponsored by: Councilmembers Reynolds Brown, Blackwell, Greenlee, Rizzo, Council President Verna, Councilmembers Goode, Kenney, Sanchez, DiCicco, Green, Krajewski, Tasco, Jones, Miller, Kelly, Clarke and O'Neill