Legislation Details (With Text)

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On agenda:				**Final action:**	

Title: Authorizing the Committee on the Disabled and Persons with Special Needs and the Committee on Education to hold joint hearings regarding the School District of Philadelphia's obligation to provide special education to students with disabilities.

Sponsors: Councilmember Green, Councilmember Blackwell, Councilmember Gym, Councilmember Taubenberger, Councilmember Domb, Councilmember Greenlee, Councilmember Parker

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Date	Ver.	Action By	Action	Result	Tally
12/8/2016	0	CITY COUNCIL	Introduced and Ordered Placed on This Week's Final Passage Calendar	Pass	
12/8/2016	0	CITY COUNCIL	ADOPTED & REFERRED		

Authorizing the Committee on the Disabled and Persons with Special Needs and the Committee on Education to hold joint hearings regarding the School District of Philadelphia’s obligation to provide special education to students with disabilities.

WHEREAS, The School District of Philadelphia (“SDP”) has both a moral and a legal obligation to provide a free appropriate public education to students with disabilities, which is accomplished by developing and implementing Individualized Education Programs (“IEP”) for each eligible student with a disability; and

WHEREAS, Staffing shortages among permanent and short-term teaching positions - that were widely-reported and resulted in SDP changing its contracted substitute teacher provider-- caused SDP to fail to meet its obligations to many students, including a number of students with disabilities, who failed to receive mandatory special education and related services from credentialed special education teachers; and

WHEREAS, In response to a complaint this summer regarding the deleterious effects of teacher shortages on students with disabilities during the 2015-16 school year, the Commonwealth’s Bureau of Special Education (“BSE”) investigated SDP staffing and its delivery of mandated services to students with disabilities; and

WHEREAS, BSE found that SDP was not in compliance with state and federal regulations at eight schools and was ordered to convene IEP Team meetings with the parents of affected students and offer compensatory education services to these students to make them whole for the deprivation of their right to a free appropriate public education; and

WHEREAS, Further review is pending by the BSE regarding additional aspects of the initial complaint that may have affected students at additional schools, namely the *qualification* of each contract or per-diem substitute teacher to teach special education the attendance records of these substitutes, and the progress made

by their students; and

WHEREAS, The non-compliance already found by BSE, the potential ongoing non-compliance due to current special education teaching vacancies, and the effective provision of mandated compensatory education to affected students are critical issues that face our children and the future of the City; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That Council does hereby authorize the Committee on the Disabled and Persons with Special Needs and the Committee on Education to hold joint hearings regarding the School District of Philadelphia's obligation to provide special education to students with disabilities.

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