

ANNOUNCEMENT: EI-12 #9

Effective Date: 10/26/2012

SUBJECT: Public Participation Requirements under the Individuals with Disabilities Education Act

TO: Infant/Toddler and Preschool Leadership

FROM: Barbara G. Minzenberg, Ph.D.
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PURPOSE:

The purpose of this announcement is to provide guidance on policies and procedures the Bureau of Early Intervention Services (BEIS) is adopting for the public review and comment of new or revised policies and procedures necessary to comply with the Individuals with Disabilities Education Act (IDEA).

BACKGROUND:

The Pennsylvania Early Intervention (EI) Program is implemented in compliance with IDEA, the Pennsylvania Early Intervention Services System Act, Pennsylvania Act 212-1990, Chapter 14. Special Education Services and Programs, and Title 55, Chapter 4226. Early Intervention Services. IDEA establishes requirements for states related to providing opportunities for public comment and public hearings on state policies and procedures.

DISCUSSION:

Before adopting or revising policies and procedures, BEIS will:

- Hold public hearings on the new or revised policies or procedures;
- Provide notice of the hearings at least 30 days before the hearings are conducted;
- Provide an opportunity for the general public, including individuals with disabilities, parents of infants, toddlers, and preschool children with disabilities, EI service providers and members of the State Interagency Coordinating Council to submit written comment for at least 30 days on the new or revised policy or procedure.

In addition, at least 60 days prior to submitting the grant application for IDEA funds to the federal Office of Special Education Programs, the BEIS shall publish the grant application, along with any policies, procedures, descriptions, methods, certifications, assurances, and other

information as required for a 60 day period, with an opportunity to provided public comment for at least 30 days. These procedures are consistent with the requirements of 34 CFR§303.208.

NEXT STEPS:

Infant/Toddler and Preschool EI programs shall ensure that all staff and providers receive information on the public participation procedures.

Comment and questions should be directed to the Office of Child Development and Early Learning, Bureau of Early Intervention Services at 717-346-9320 or ra-ocdintervention@pa.gov.