

February 23, 2023

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: Carole L. Clancy, Director
Bureau of Special Education

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

The Individuals with Disabilities Education Act (IDEA), as amended, requires the Pennsylvania Department of Education to identify in writing to local educational agencies regulations, rules, and policies that are state-imposed requirements and not required by IDEA and its regulations (20 USC §1407 (a) (2)). This notice fulfills the requirement to distribute an updated list of state-imposed requirements that exceed IDEA and its regulations.

Chapter 14 (22 Pa. Code Chapter 14)

§14.101	(Relating to Definitions)
§14.104	(Relating to Special Education Plans)
§14.105	(Relating to Personnel)
§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)
§14.122	(Relating to Screening)
§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 Positive Behavior Support)
§14.143	(Relating to Disciplinary Placements)
§14.144	(Relating to Facilities)
§14.145	(Relating to Least Restrictive Environment Requirements)
§14.146	(Relating to Age Range Restrictions)
§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)
§14.156	(Relating to System of Quality Assurance)
§14.157	(Relating to Exit Criteria)
§14.158	(Relating to Data Collection)

- §14.162 (Relating to Impartial Due Process Hearing and Expedited Due Process Hearing)
- §14.163 (Relating to Resolution Session)

Chapter 711 (22 Pa. Code Chapter 711)

- §711.1 (Relating to Definitions)
- §711.5 (Relating to Personnel)
- §711.6 (Relating to Annual Report)
- §711.7 (Relating to Enrollment)
- §711.8 (Relating to Education Records)
- §711.9 (Relating to Payments)
- §711.21 (Relating to Child Find)
- §711.22 (Relating to Reevaluation)
- §711.23 (Relating to Screening)
- §711.24 (Relating to Evaluation)
- §711.25 (Relating to Criteria for the Determination of Specific Learning Disability)
- §711.41 (Relating to IEP)
- §711.42 (Relating to Transportation)
- §711.43 (Relating to Educational Placement)
- §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 Procedural Safeguards)

If you have any questions regarding this information, please contact Jeanette Alexander at jealexand@pa.gov or 717-783-6882.