



Change in Age of Eligibility for Free and Appropriate Public Education

Effective no later than September 5, 2023, all students entitled to FAPE and all of the rights and procedural safeguards under the Individuals with Disabilities Education Act (IDEA) and Chapter 14 of Title 22 of the Pennsylvania Code may remain enrolled in public school until they turn 22 years of age. This includes students who turned 21 and exited during or after the 2022-2023 school term.

The Policy Revision is outlined below:

PDE has revised its guidance pertaining to INDIVIDUALS WITH DISABILITIES EDUCATION ACT PART B POLICIES AND PROCEDURES UNDER 34 CFR §§ 300.101—300.176 as follows: www.education.pa.gov/Documents/IDEAB.pdf

The Commonwealth of Pennsylvania ensures that all children with disabilities ages 3 years through 21 years residing in Pennsylvania have the right to a FAPE, including children with disabilities who have been suspended or expelled from school. The commonwealth shall make FAPE available to a child with a disability eligible under IDEA until the student turns 22. Notwithstanding any other provision of law to the contrary, a child eligible under IDEA who attains the age of twenty-one (21) years may remain enrolled in their resident district free of charge until their 22nd birthday.

Eligible students received a letter from the Pennsylvania Department of Education. If you believe your child may be eligible but you have not been notified please call 412-532-0036.