

CYD LASH ACADEMY



SEDOL STUDENT HANDBOOK 2025-2026

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Cyd Lash Academy reserves the right to change, without any requirement of notice, any statement in this handbook concerning, but not limited to, the practices of the organization. It is the policy of Cyd Lash Academy School not to discriminate against any individual on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, age, disability, or veteran status in matters of employment in the educational programs, student services or activities they operate. **This handbook provides only a summary of board policies governing the District. Board policies are available to the public at the District office and on its website.**

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General District Information

Overview

Cyd Lash provides an alternative high school setting, which uses a team approach, a variety of program models and support services to meet the unique academic, emotional and social needs of the students. Students must be deemed eligible for this setting by their home district's Individual Education Program (IEP) team. Cyd Lash Academy uses the Circle of Courage model to guide the therapeutic approach used with students.

Mission

SEDOL's mission is Exceptional Services for Exceptional Students by Exceptional Staff.

Vision

SEDOL's vision is for all learners to lead productive, responsible, and healthy lives.

Our Beliefs

- All persons shall be valued and treated with respect and dignity;
- All students can succeed;
- Students shall be educated in or as close to their home school as appropriate;
- Students shall be provided services based upon their individual needs;
- Quality educational services shall be made available to all students; and,
- Schools, families, and communities shall work cooperatively to provide and promote appropriate educational services for all students.

School Calendar

School Calendar 2025-2026

August 2025						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	TI	TI	TI	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September 2025						
S	M	T	W	T	F	S
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7	8	9	10	11	12	13
14	15	16	////	18	19	20
21	22	23	24	25	26	27
28	29	30				

October 2025						
S	M	T	W	T	F	S
			1	X	3	4
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12	H	14	15	16	////	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

November 2025						
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						1
2	3	4	5	6	7	8
9	10	11	////	13	14	15
16	17	18	19	20	21	22
23	24	25	X	H	X	29
30						

December 2025						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	////	20
21	X	X	X	H	X	27
28	X	X	X			

January 2026						
S	M	T	W	T	F	S
					H	X
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	H	20	21	22	23	24
25	26	27	////	29	30	31

Aug 13 Institute Day- No Students
 Aug 14 Institute Day- No Students
 Aug 15 Institute Day- No Students
 Aug 15 Open House 2:30 - 3:30 pm
 Aug 18 First Day Student Attendance - Full Day
 Sep 1 Labor Day - School Holiday
 Sep 4 Curriculum Night 6:00 - 7:00 pm
 Sep 17 1/2 Day School Improvement, 11:45 Dismissal
 Oct 2 Non-Attendance Day
 Oct 13 Indigenous Peoples' Day - School Holiday
 Oct 17 1/2 Day School Improvement, 11:45 Dismissal*
 Oct 23 Evening Parent/Teacher Conference 3:45-7:45pm
 Oct 24 No Student Attendance
 P/T Conferences 8:00-11:00am

Nov 12 1/2 Day School Improvement, 11:45 Dismissal
 Nov 26 Non-Attendance Day
 Nov 27 Thanksgiving- School Holiday
 Nov 28 Non-Attendance Day
 Dec 19 1/2 Day School Improvement, 11:45 Dismissal*
 Dec 22 Winter Break Begins

Jan 5 School Resumes
 Jan 19 ML King's Birthday- School Holiday
 Jan 28 1/2 Day School Improvement, 11:45 Dismissal

Feb 13 Institute Day - No Students
 Feb 16 Presidents' Day - School Holiday

Mar 2 Casimir Pulaski Day - School Holiday**
 Mar 6 Parent/Teacher Conference All Day - No Students
 Mar 20 1/2 Day School Improvement, 11:45 Dismissal*
 Mar 23 Spring Break Begins
 Mar 30 School Resumes

Apr 3 Non-Attendance Day
 Apr 22 1/2 Day School Improvement, 11:45 Dismissal

May 25 Memorial Day - School Holiday
 May 27 Last Day (if no Emergency Days used)
 May 27 1/2 Day School Improvement, 11:45 Dismissal*

End of 1st quarter - 10/17
 End of 2nd quarter - 12/19
 End of 3rd quarter - 03/13
 End of 4th quarter - 05/27

School Day - 8:45am - 2:30pm

February 2026						
S	M	T	W	T	F	S
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15	H	17	18	19	20	21
22	23	24	25	26	27	28

March 2026						
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15	16	17	18	19	////	21
22	X	X	X	X	X	28
29	30	31				

April 2026						
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19	20	21	////	23	24	25
26	27	28	29	30		

May 2026						
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17	18	19	20	21	22	23
24	H	26	////	ED	ED	30
31						

June 2026						
S	M	T	W	T	F	S
	ED	ED	ED	4	5	6
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

First Day / School Resumes
 X Non-Attendance Day
 H Holiday
 TI Institute Day - No Students
 //// 1/2 Day School Improvement
 Parent/Teacher Conference - No Student
 ED Emergency Days - if needed

YJC:rh Board approved on 03.20.25

Revised Board approved on 05.22.25

*IEP paperwork days: 10/17, 12/19, 03/20, 05/2
 **Use as a potential emergency day if needed.

Exceptional Services for Exceptional Students by Exceptional Staff

Free Appropriate Public Education

SEDOL School Board Policy 6:120

The District shall provide a free appropriate public education in the least restrictive environment and necessary related services to all children with disabilities enrolled in the District, as required by the Individuals With Disabilities Education Act (IDEA) and implementing provisions of the School Code, Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act. The term children with disabilities, as used in this policy, means children between ages 3 and 21 (inclusive) for whom it is determined, through definitions and procedures described in the Ill. State Board of Education (ISBE) Special Education rules that special education services are needed. Children with disabilities who turn 22 years old during the school year are eligible for such services through the end of the school year.

Registration/School Fees

Parents/guardians must register students in their home school districts on an annual basis. Please look for notification of registration by mail or in local newspapers and go to the assigned school or district office to register the student. If you do not receive notification of registration, please call your local school for information. School fees are to be paid to your local school district. SEDOL does not assess a registration fee. Please refer to your local district policy for waiver of school fees.

School Wellness

SEDOL School Board Policy 6:50

All SEDOL schools adhere to the guidelines and requirements described in the District Wellness Policy. This policy includes topics such as goals for nutrition education and physical activity as well as nutrition guidelines for foods. For additional information refer to SEDOL policy documents listed above.

Emergency Forms and Waivers

A copy of the emergency form is to be completed in full each school year, providing requested information to secure the health and safety of each child. It is vital that you include all of the required information on the emergency forms. It is very important that you provide us with a name of someone whom you wish to be notified in an emergency, in case we are unable to contact you. Please print clearly on the forms so they are legible. If you provide an alternate emergency person, please make sure that they are aware. Please notify the school office in writing if and when any information changes during the school year.

General School Information

School hours

CLA School hours are Monday through Friday from 8:45am until 2:30pm. On occasion, early release days are held for the purpose of staff training. Please refer to the CLA Calendar for information on early release days and school holidays.

Meal Program

SEDOL School board Policy 4:120
SEDOL School Procedures 4:120 AP

Cyd Lash Academy provides a hot breakfast daily for \$2.50 and lunch daily for \$4.50. If a lunch is not purchased, students should attend daily with a ready-to-eat sack lunch. Checks should be made out to SEDOL. Cash is accepted, credit cards will not be accepted.

Your child may qualify for the federal free or reduced lunch program. An application form which is included in the packet must be completed and returned to the school.

If an approved application is not on file with the school, your student will not be eligible for free/reduced lunch. (SEDOL School Board Policy 4:130)

Attendance Rules

Attending school every day contributes to the successful school experience - unnecessary absences are discouraged. Parents/guardians are responsible for making sure that their child attends school. Parents/guardians must notify the school in advance or at the time of the absence with the reason and length of absence. Valid absences include illness, observance of a religious holiday, death in the immediate family, family emergency, situations beyond the control of the student, and circumstances that cause reasonable concern to the parent/guardian for the student's safety or health.

Closed Campus

SEDOL is a closed campus facility. Students are not permitted to leave the school building without a staff member or parent. If a student leaves the building, the staff will attempt to redirect the student back into the building. Students walking off school grounds who are under the age of 18 may be subject to a truancy ticket written by the school's resource officer.

Notification of Absence

SEDOL School Policy 7:70

If a child is absent, the school requires parents/guardians to call the school's attendance line any time. The following information is required when reporting an absence: name of child, teacher's name, reason for absence, and person reporting the absence. Call the number listed below to report an absence.

Cyd Lash Academy	847-986-1000
Nursing Office	847-986-1046

Late Drop Off/Early Pick-up

School Board Policy 7:90

Students who are late to school must check into the office before going to class so they can be counted as present. If the office is unaware of that student's presence, an unnecessary and sometimes frightening telephone call is made to parents. Parents should sign-in their child in the office upon arrival.

All students must have a parent or other parent-designated adult sign them out in the office if they need to leave early or if a parent is picking them up early. When you come to pick up your child we ask that you "sign out" your child in the office so that we have a record of when and with whom he/she left the building. Students must be dismissed to the care of a parent, guardian or other parent-designated adult.

Excused/Unexcused Absences

SEDOL School Board Policy 7:70

- Absences shall be considered unexcused if a call is not received with a valid reason for absence.
- It is the decision of the school, rather than the parent/guardian, what determines if an absence is excused or unexcused.

- If a student is absent from school due to the observance of a religious holiday, that student will have an equal opportunity to make up any school requirements missed due to absence. (SEDOL procedure 7:80)
- NON-PARTICIPATION IN EXTRACURRICULAR ACTIVITIES: If students are absent from school for ANY PART of the school day due to illness, they will not be permitted to participate in extracurricular activities scheduled after school, such as dances, athletics, performances, etc. Other absences, which arise due to appointments or other circumstances, will be evaluated on an individual basis at the discretion of the administration.
- If a student is chronically absent and the absences are determined to be unexcused, SEDOL board policy will be followed. Staff may also make a referral to Lake County Regional Office of Education for chronic truancy and attendance issues.
- Excused absences include:
 - Illness
 - Including mental or behavioral health of the student
 - court appearance
 - death in the immediate family
 - unavoidable doctor's appointments
 - family emergency as determined by school officials
 - Observance of a religious holiday
 - Attendance at a civic event

Non-Student Attendance Days

Throughout the school year there will be days scheduled that students will not attend or will be released early. Please refer to the school calendar in your packet or on the school website. Early release and non-student attendance days are used for the purpose of staff development and staff IEP collaboration.

Emergency School Closing

When snow or other circumstances cause our schools to close, the automated emergency calling system will send a message to the telephone number or email address provided by each family. Please be sure contact information is current. The system is also capable of sending a text message. Information will also be posted on the school website. Information can be accessed through the SEDOL website at www.sedol.us or call SEDOL 847-548-8470.

You may also access school closing information for SEDOL and many other Lake County school districts through social media and the district website.

- 1) WWW.SEDOL.US
- 2) [FACEBOOK@SEDOL.US](https://FACEBOOK.COM/SEDOL.US)
- 3) [TWITTER.COM @SEDOL_IL](https://TWITTER.COM/@SEDOL_IL)
- 4) [INSTAGRAM SEDOL_IL](https://INSTAGRAM.COM/SEDOL_IL)

Additional information may also be available by calling Cyd Lash Academy.

Even if schools are open, the final decision about a child's attendance remains with the parent. A decision to close or open school cannot take into account every circumstance. We can best protect the safety and welfare of all students if parents decide what is best for their child.

Nursing and Medical

Medical Overview

Children's health is a key element in positive educational outcomes. The goal of SEDOL Health Services is to promote, protect, support, improve, and sustain the health, emotional well-being, and safety of all students and staff for optimal learning and quality of life. This is accomplished in collaboration with students, families, staff, administrators, and community resources.

“School nursing is a specialized practice of professional nursing that advances the well being, academic success and lifelong achievement of students. To that end, school nurses facilitate positive student responses to normal development, promote health and safety, intervene with actual and potential health problems, provide case management services and actively collaborate with others to build student and family capacity for adaptation, self management, self advocacy and learning” - National Association of School Nurses.

Medication Procedure Overview

[SEDOL School Board Policy 7:270](#)
[SEDOL School Procedure 7:270-AP1](#)
[SEDOL School Procedure 7:270-AP2](#)

If it is necessary for a student to take medication at school, the Parental Medication Request Form must be completely filled out and signed by the physician and parent. No medications (prescription or over-the-counter) can be given without a physician's order. The medication must be in a current prescription bottle with the student's name, medication name, correct dose, time to be given, and physician's name on it. Non-prescription medication must be in a new, sealed package. Medications will be kept at school until a refill is needed. The school has a refrigerator for medications that need to be kept cold.

Physician orders will be needed for:

- Medications
- Nebulizer treatments
- Suctioning *Epi-pens
- G-tube feeding *Oxygen Therapy
- Wound care

Asthma/ Anaphylaxis Medications: In accordance with 105 ILCS 5/22-30 (P.A. 94-0792: effective May 19, 2006) the school will permit, the self-administration of medication by a pupil with asthma or use of an epinephrine auto-injector by a pupil at risk of anaphylaxis. SEDOL is required to notify parents/guardians after the administration of any epi-pen, and to notify the prescribing doctor within 24 hours after the administration of any undesignated epi-pen.

Administration of medication, including asthma medication, epinephrine auto-injectors to students, and opioid antagonist: In accordance with 105 ILCS 5/10-20.14b, 10-22.21b, 22-30 (P.A. 94-0792: effective May 19, 2006) the school will permit, the self-administration of medication by a pupil with asthma or use of an epinephrine auto-injector by a pupil at risk of anaphylaxis. SEDOL is required to notify parents/guardians after the administration of any epi-pen, and to notify the prescribing doctor within 24 hours after the administration of any undesignated epi-pen. The school district, school, and its employees and agents are exempt from liability or professional discipline, except for willful and wanton conduct, as a result of any injury arising from the administration of asthma medication, an epi-pen (whether or not undesignated), or an opioid antagonist. The parents /guardians must sign and return an acknowledgement to the school district that they indemnify and hold harmless the school district, school, and its employees and agents against any claims, except for a claim based on willful and wanton conduct arising out of the administration of asthma medication, an epi-pen (whether or not undesignated), or an opioid antagonist.

Concussions and head injuries: (105 ILCS 5/22-80; 105 ILCS 25/1.15) SEDOL complies with the concussion protocols, policies, and bylaws of the Illinois High School Association, including its Protocol for NFHS Concussion Playing Rules and its Return to Play Policy. (School Board Policy 7:305)

Communicable and Infectious Diseases: (School Board Policy 7:280). A student with or carrying a communicable and/or chronic infectious disease has all rights, privileges, and services provided by law and the district's policies.

SEDOL maintains a supply of stock medications within the SEDOL building based program health offices, in the event of an emergency. These stock medications include Albuterol Metered Dose Inhalers, Epipen, Epipen jr, Narcan, Baqsimi glucagon and oxygen. Administration of these medications will follow the State regulations and prescriptions signed by a medical doctor. Parents have the right to opt-out of this program by sending an email or written letter to your building nurse or Sue Kruckman, Nursing Coordinator at skruckman@sedol.us

Parent's Role and Responsibilities for their Child's Health

In the event that your child's health status changes at school, arrangements for your child's transportation from school to home must be in place. If transportation is not available to parents and/or caregiver alternative arrangements must be made. All persons listed as Emergency Contacts must be available to pick up your child from school and must be comfortable caring for him/her. It is expected that any person called to pick up your child will arrive at school within an hour of the initial call from the school Nurse.

All parents/guardians are expected to inform SEDOL nursing when there is a change in the health status of their child or when there has been a change in the dosage of medications

prescribed. In addition, the school nurse must be informed when there is a change in the phone number of emergency contacts. It is important for the safety and well being of your child that emergency contact information be kept current throughout the year.

Clarification of Physical Restrictions: A statement from one's physician explaining any physical restrictions must be kept on file in the nurse's office for every student requiring special consideration, i.e. casts, crutches, diabetics, heart conditions, seizure disorders, medication, etc. For students to be excused from participation in physical education class because of health reasons for any period longer than three days, they must have a note from their physician.

Observe your child for signs of illness: fever, coughing, runny nose, eye discharge, sore throat, swollen glands in the neck, skin rash, unusual pallor, dizziness, nausea, vomiting, diarrhea, aches (such as earache, backache, stomach ache) or pain. If your child exhibits any of these symptoms, please keep him/her home from school. If a child is not feeling well enough to participate in school activities, the parent will be notified to take their child home.

Note: According to the American Academy of Pediatrics 2006 Red Book: Report on Infectious Diseases, a "fever" is defined as a temperature of 100 degrees Fahrenheit or greater. Our district policy concerning students with fevers is that the student cannot return to school until he/she has been fever free without the use of medication for 24 hours. (School Board Policy 7:280)

In accordance with Care of Students with Diabetes Act (105ILCS 145/1), SEDOL requires a diabetes care plan as necessary. (SEDOL School Board Procedure 6:120 AP4, 7:285E2 SO)

SEDOL adheres to the food allergy guidelines. (105ILCS 5/2-3.149, SEDOL School Board Policy 7:285)

Medicaid

See Appendix A

Written notice will be provided to parents of children with disabilities of all of their legal protections when public agencies seek to access public benefits or insurance (e.g. Medicaid) to pay for services required under the IDEA.

The initial notice (to be provided prior to access) and subsequent notices will contain the following information:

- The personally identifiable information may be disclosed
- The purpose of the disclosure (e.g. billing for service)
- The agency to which disclosure will be made (e.g. Medicaid)
- The following no-cost statements:
 - Parents may not be required to enroll in public benefits in order for their child to receive FAPE
 - Parents may not be required to incur out-of-pocket expenses such as a deductible or co-pay

- A district may not use a child's benefits if that use would decrease lifetime coverage, increase premiums, result in the family paying for services that would otherwise be covered, or risk loss of eligibility for certain waivers.
- The parents have the right to withdraw their consent at any time
- The withdrawal of consent or refusal to consent does not relieve the district of its obligation to provide all required services at no cost to parents.

State of Illinois Requirements

School Board Policy 7:100

School Board Policy 6:140

Physical Exams and Immunizations: A student's parent(s)/guardian(s) shall present proof that the student received a health examination, with proof of the immunizations against, and screenings for, preventable communicable diseases, as required by the Illinois Department of Public Health, within one year prior to:

1. Entering kindergarten or first grade;
2. Entering the sixth grade (age 11) and ninth grade (age 15); and
3. Enrolling in an Illinois school, regardless of the student's grade (including nursery school, special education, Head Start programs operated by elementary or secondary schools, and students transferring into Illinois from out-of-state or out of the country).

Proof of immunization against meningococcal disease is required from students in grades 6 and 12, beginning with the 2015-2016 school year.

A copy of the Illinois Child Health Exam report, signed by a physician and dated within the past 12 months, must be on record with the District or the school nurse. Record of immunizations against measles, tetanus, diphtheria, poliomyelitis and pertussis (whooping cough) must also be present. All fifth grade students are required to have hepatitis B inoculations. If health/immunization records are not in compliance with the Illinois School Code and the report is not received by October 15 of the school year, the student must be excluded from school until the student is in compliance.

Vision Exams: The state of Illinois requires mandatory vision examinations of all students entering school in kindergarten (or grade 1) or transferring from a school outside of Illinois. Please have your optometrist or ophthalmologist complete the State of Illinois Eye Exam Report and return it to your school nurse prior to October 15. If you are unable to obtain the required vision examination, please complete the Illinois Eye Exam Waiver Form, which is available from your school nurse.

Vision Screenings: Vision screening is not a substitute for a complete eye and vision evaluation by an eye doctor. Your child is not required to undergo this vision screening if an optometrist or ophthalmologist has completed and signed a report form indicating that an examination has been administered within the previous 12 months.

Dental Exams: Illinois law requires all students in kindergarten, second grade and sixth grade present proof of a completed dental examination by a licensed dentist before May 15 of the current school year in accordance with rules adopted by the Illinois Department of Public Health. Parents/Guardians will be provided notice, at least 60 days before May 15th of each school year.

The State of Illinois legally requires the Special Education District of Lake County to exclude any students who do not comply with the regulations.

Religious Objection: The parent or legal guardian of a student may object to health examination, immunization, vision and hearing screening tests, and dental examinations for their child on religious grounds. If a religious objection is made, a written and signed statement

from the parent or legal guardian detailing such objections must be presented to the local school authority.

The objection must set forth the specific religious belief which conflicts with the examination, immunization or other medical intervention. The religious objection may be personal and need not be directed by the tenets of an established religious organization. A general philosophical or moral reluctance to allow examinations will not provide a sufficient basis for an exception to statutory requirements. The local school authority is responsible for determining whether the written statement constitutes a valid religious objection.

Medical Objection: Any medical objection to an immunization must be made by a physician licensed to practice in all branches of medicine. The medical statement must include the student's medical condition and must be endorsed and signed by the physician on the certificate of child health examination and placed in the child's permanent record. Should the condition of the child later permit immunization, this requirement will then have to be met.

Vision and/or Dental exemption: Eye examination and/or dental requirement if the student's parents/guardians show an undue burden or lack of access to a physician licensed to practice medicine in all of its branches who proves eye examinations or a licensed optometrist or dentist.

Homeless Child: Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce immunization and health records normally required for enrollment.

CPR-AED Training

SEDOL Board Policy 4:170

SEDOL Board procedure 4:170 AP6 E2

Parents have an opportunity to view a CPR-AED training video, all are encouraged to take advantage of this resource. This video may be viewed at the following website: <https://cpr.heart.org/en/cpr-courses-and-kits/hands-only-cpr>

Code of Conduct Overview

SEDOL School Board Policy 7:170

SEDOL School Board Policy 7:190

SEDOL School Board Policy 7:230

SEDOL School Procedure 7:230AP-SO

Student Behavior

School Board Policy 7:190

Students are expected to conduct themselves in accordance with School Rules and the behavioral expectations of their IEP while in school. Administration and/or the classroom therapeutic team will determine consequences for gross misconduct on an individual basis identified below.

Behavioral Expectations and School Rules

The school administration is authorized to discipline students for gross disobedience or misconduct, which includes behavior on school property and/or school transportation at any time, including, but not limited to:

01. Using, possessing, distributing, purchasing, or selling tobacco or nicotine materials, including without limitation, electronic cigarettes.
02. Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who are under the influence of an alcoholic beverage are not permitted to attend school or school functions and are treated as though they had alcohol in their possession.
03. Using, possessing, distributing, purchasing, or selling, or offering for sale:
 - a. Any illegal drug, controlled substance, or cannabis (including marijuana and hashish).
 - b. Any anabolic steroid unless being administered in accordance with a physician's or licensed practitioner's prescription.
 - c. Any performance-enhancing substance on the Illinois High School Association's most current banned substance list unless administered in accordance with a physician's or licensed practitioner's prescription.
 - d. Any prescription drug when not prescribed for the student by a physician or licensed practitioner, or when used in a manner inconsistent with the prescription or prescribing physician's or licensed practitioner's instructions.
 - e. Any inhalant, regardless of whether it contains an illegal drug or controlled substance: (a) that a student believes is, or represents to be capable of, causing intoxication, hallucination, excitement, or dulling of the brain or nervous system, or (b) about which the student engaged in behavior that would lead a reasonable person to believe that the student intended the inhalant to cause intoxication, hallucination, excitement, or dulling of the brain or nervous system.
 - f. Any substance inhaled, injected, smoked, consumed, or otherwise ingested or absorbed with the intention of causing a physiological or psychological change in the body, including without limitation, pure caffeine in tablet or powdered form.
 - g. "Look-alike" or counterfeit drugs, including a substance that is not prohibited by this policy, but one: (a) that a student believes to be, or represents to be an illegal drug or controlled substance; or (b) about which a student engaged in behavior that would lead a reasonable person to believe that the student expressly or impliedly represented to be an illegal drug or controlled substance, or other substance that is prohibited by this policy.
 - h. Drug paraphernalia, including devices that are or can be used to: (a) ingest, inhale, or inject cannabis or controlled substances into the body; and (b) grow, process, store, or conceal cannabis or controlled substances.
 - i. Any non-prescription drugs.

Students who are under the influence of any prohibited substance are not permitted to attend school or school functions and are treated as though they had the prohibited substance, as applicable, in their possession.

04. Using, possessing, controlling, or transferring a "weapon" as that term is defined in the *Weapons* section of this policy, or violating the *Weapons* section of this policy.
05. Using or possessing a laser pointer unless under a staff member's supervision and in the context of instruction.

06. No using or possessing an electronic paging device or any electronic device that has picture or texting capabilities. Using a cellular telephone, video recording device, personal digital assistant (PDA), or other electronic device in any manner that disrupts the educational environment or violated the rights of others, including using the device to take photographs, specifically in locker rooms or bathrooms, cheat or otherwise violate student conduct rules. Prohibited conduct specifically includes, without limitations, creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person through the use of a computer, electronic communication device, or cellular phone. Unless otherwise banned under this policy or by the Building Principal, all electronic devices must be kept powered-off and out-of-sight during the regular school day unless: (a) the supervising teacher grants permission; (b) use of the device is provided in a student's individualized education program (IEP); or (c) it is used during the student's lunch period, or (d) it is needed in an emergency that threatens the safety of students, staff, or other individuals.
07. Disobeying rules of student conduct or directives from staff members or school officials. Examples of disobeying staff directives include refusing a District staff member's request to stop, present school identification, or submit to a search.
08. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, altering report cards, and wrongfully obtaining test copies or scores.
09. Engaging in hazing or any kind of bullying or aggressive behavior that does physical and psychological harm to a staff person or another student, or urging other students to engage in such conduct (See Appendix **B** for sample of parent notification form). Prohibited conduct specifically includes, without limitation, any use of violence, intimidation, force, noise, coercion, threats, stalking, harassment, sexual harassment, public humiliation, theft or destruction of property, retaliation, hazing bullying, bullying using a school computer or a school computer network, or other comparable conduct.
10. Engaging in any sexual activity, including without limitation, offensive touching, sexual harassment, indecent exposure (including mooning), and sexual assault. This does not include the non-disruptive: (a) expression of gender or sexual orientation or preference, or (b) display of affection during non-instructional time.
11. Teen dating violence, as described in Board Policy 7:185, *Teen Dating Violence Prohibited* is prohibited.
12. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's personal property.
13. Entering school property or a school facility without proper authorization.
14. In the absence of a reasonable belief that an emergency exists, calling emergency responders (such as calling 911); signaling or setting off alarms or signals indicating the presence of an emergency; or indicating the presence of a bomb or explosive device on school grounds, school bus, or at any school activity.
15. Being absent without a recognized excuse; State law and Board policy regarding truancy control will be used with chronic and habitual truants.
16. Being involved with any public school fraternity, sorority, or secret society, by: (a) being a member; (b) promising to join; (c) pledging to become a member; or (d) soliciting any other person to join, promise to join, or be pledged to become a member.
17. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia. Violating any criminal law, such as assault and battery, arson, theft, gambling, and hazing.

18. Violating any criminal law, including but not limited to, assault, battery, arson, theft, gambling, eavesdropping, vandalism, and hazing.
19. Making an explicit threat on an Internet website against a school employee, a student, or any school-related personnel if the Internet website through which the threat was made is a site that was accessible within the school at the time the threat was made or was available to third parties who worked or studied within the school grounds at the time the threat was made, and the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of his or her duties or employment status or status as a student inside the school.
20. Operating an unmanned aircraft system (EJAS) or drone for any purpose on school grounds or at any school event unless granted permission by the Superintendent or designee.
21. Engaging in any activity, on or off campus, that interferes with, disrupts, or adversely affects the school environment, school operations, or an educational functions, including but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property.

For purposes of this policy, the term "possession" includes having control, custody, or care, currently or in the past, of an object or substance, including situations where the item is: (a) on the student's person; (b) contained in another item belonging to, or under the control of, the student, such as in the student's clothing, backpack, or automobile; (c) in a school's student locker, desk, or other school property; or (d) at any location on school property or at a school-sponsored event. Efforts, including the use of positive interventions and supports, shall be made to deter students, while at school or a school-related event, from engaging in aggressive behavior that may reasonably produce physical or psychological harm to someone else. The Superintendent or designee shall ensure that the parent/guardian of a student who engages in aggressive behavior is notified of the incident. The failure to provide such notification does not limit the Board's authority to impose discipline, including suspension or expulsion, for such behavior.

No disciplinary action shall be taken against any student that is based totally or in part on the refusal of the student's parent/guardian to administer or consent to the administration of psychotropic or psychostimulant medication to the student.

Weapons

Subject to SEDOL's Special Education policies and procedures, a student who is determined to have brought one of the following objects to school, any school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school shall be expelled for a period of at least one calendar year but not more than two calendar years

- A firearm, meaning any gun, rifle, shotgun, or weapon as defined by Section 921 of Title 18 of the United States Code (18 U.S.C 921), firearm as defined in Section 1.1 of the Firearm Owner Identification Card Act (430 ILCS 65/), or firearm as defined in Section 24-1 of the Criminal Code of 1961 (720 ILCS 5/24-1).
- A knife, brass knuckles, or other knuckle weapon regardless of its composition, a "billy club", or any other object if used or attempted to be used to cause bodily harm, including "look-alike" of any firearm as defined above.

Any incident of possession of a “weapon” at school will result in a police contact and contact made with the home school district. An investigation will follow and recommendations for response will be made by the team.

Gangs or Gang-Related Activities

SEDOL prohibits the presence of gangs, gang activities, or other undesirable groups that by their nature interfere with and/or disrupt school and school activities. A gang is defined as any group of two or more persons not affiliated with school or school sponsored activities whose purposes include the disruption of the learning environment and/or the commission of illegal acts.

It is the school’s position that no student on or about the school premises or at any school activity shall engage in the following:

- Wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign, or other item which is evidence of membership or affiliation in any gang;
- Commit any act, or use any speech, either verbal or non-verbal (gestures, handshakes, etc.) showing membership in or affiliation with a gang;
- Use any speech or commit any act to further the interests of any gang or gang activity, including but not limited to:
 - Soliciting others for membership in any gangs;
 - Requesting any person to pay protection or otherwise intimidating or threatening any person;
 - Committing any other illegal act or other violation of school district policies;
 - Inciting other students to act with physical violence upon any other person.
 - Students in violation will be subject to disciplinary action by Administration, including police contact, possible family meetings, and a possible stricter dress code for that student for the remainder of the school year.

Student Dress Code/Appearance

SEDOL School Board Policy 7:160

SEDOL schools recognize that there are individual differences among students and that the major responsibility for acceptable dress lies with the individual student and his/her parent/guardian. Student dress and grooming must not disrupt the educational process; interfere with the maintenance of a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency.

Clothing determined to be inappropriate by schools include but not limited to:

01. Any type of clothing considered to be:
 - a. Disruptive to the educational process
 - b. A threat to the health, safety, welfare, or property of self or others
 - c. In violation with public decency and civil statutes
 - d. Gang related: for example, the color combinations of black/blue, black/red, black/gold etc.

02. Sunglasses, hats, gloves, or hand coverings, headgear, or outerwear of any kind while inside the building. Hats may be worn either straight forward or straight backwards while outside on school grounds.
03. Clothing which exposes torso skin, and excessively revealing clothing (anything which is covered by a bathing suit) such as:
 - a. Short shorts or short skirts
 - b. Halter tops/strap T-shirts/tank tops
 - c. Bare midriff tops/swimsuits/mesh/spandex
04. Inappropriate language or drawing on clothing, including but not limited to
 - a. Cigarette, alcohol, or drug advertising or symbols
 - b. Sexual, violent, racist, vulgar, satanic, or anarchy drawings or pictures
 - c. Gang or cult representations or language
05. Chains (including wallet chains) or other items that could be used as a weapon.

In addition:

- a. Cleanliness of person and clothing is expected.
- b. Pants must be worn around the waist or a loaner belt will be provided. Pant legs cannot be tied off at the bottom with rubber bands, shoelaces, etc. Pants may not be cut or worn above the knee
- c. Undergarments must not be seen
- d. Comb, picks, etc. are not allowed to be worn in the hair
- e. All tattoos must be covered PRIOR to coming to school

Students will be given an opportunity to adjust dress to be in compliance with school policy (ex. change a shirt). Failure to comply with these rules may result in parent/guardian contact and disciplinary action, as determined by the student's educational team.

Transportation

Students are transported by vehicles (bus, van, cab) provided by the student's home school district. The bus ride is an extension of the school day; all expectations for conduct apply. Improper conduct on a bus may result in disciplinary measures including bus write-ups, parent/guardian meetings, and the suspension of bus riding privileges.

- Students are not allowed to walk, ride bicycles or any other mode of transportation other than provided by the school district.
- A student may be driven to or from school by parents/guardians or an authorized person only, and must be signed in or out by that person. Please wait with your child until a staff person is able to escort your child to class.
- Please notify the transportation company as soon as a student's address change is known.
- To ensure the proper change in transportation services at least three days notice must be given to the transportation company and school.
- Students must be transported to and from their homes unless parents/guardians have completed the Alternate Pick-up and Drop Off form, included in the opening packet.
- The driver is in charge of the van/bus/cab.
- If medications need to be transported to the school, the parent/guardian must put medication in a secure container in a designated area, out of reach of the student, and preferably with the bus driver.

- *Please note: Some districts prohibit their drivers from receiving and transporting student medication.
- All riders must follow all bus rules and procedures.
- Seat belts are to be worn at all times.
- There is no eating or drinking on buses/cabs/vans unless indicated on the student's IEP.
- Parents are responsible to secure student properly in wheelchair before boarding bus.
- Bus dismissal times may vary due to loading configurations of the school. Based on the order of bus loading, your student's arrival home may vary. Contingent on the age and/or disability of the student, there must be a parent/guardian or designee available to accept students upon arrival home.
- All bags of early childhood and primary students must be kept in the front of the bus. Older, responsible students may keep them if no problems occur. The children are asked to keep all personal possessions in the bags. Playing with toys on the bus can create distractions for the driver and sometimes causes fights among the students. It is very difficult for the drivers to communicate with the students while they are driving. If they have to stop the bus to deal with problems, the ride is lengthened.

Bus Surveillance Policy

SEDOL School Board Policy 7:220

SEDOL School Procedure 7:220AP

Some buses are equipped with boxes that may contain a video camera. This is for monitoring behavior, safety, and security of all riders. Illinois Law (PA 95-0352) states and allows:

- Both visual and audio recordings may be made on the interior of school buses when transportation is provided for any school-related activity. Notice of such recordings will have to be provided to parents and students, be clearly posted on the entrance door and inside the school bus. Recordings must be held confidential and can only be used by school officials and law enforcement personnel for disciplinary actions or prosecutions related to incidents occurring in or around the school bus.

Computer, Electronic Devices and Internet Use

SEDOL School Board Policy 6:235

SEDOL School Procedures 6:235AP1, 6:235AP1E1, 6:235AP2, 6:235E3, 6:235E4

Access to Electronic Networks

Electronic networks, including the Internet, are a part of the District's instructional program in order to promote educational excellence by facilitating resource sharing, innovation, and communication.

The District is not responsible for any information that may be lost, damaged, or unavailable when using the network, or for any information that is retrieved or transmitted via the Internet. Furthermore, the District will not be responsible for any unauthorized charges or fees resulting from access to the Internet.

The use of the District's electronic networks shall:

- Be consistent with the curriculum adopted by the District as well as the varied instructional needs, learning styles, abilities, and developmental levels of the students.
- Comply with the selection criteria for instructional materials and library-resource center materials.

As required by federal law and Board policy 6:60, Curriculum Content, students will be educated about appropriate online behavior, including but not limited to:

- Interacting with other individuals on social networking websites and in chat rooms.
- Cyberbullying awareness and response. Staff members may, consistent with the Superintendent's implementation plan, use the Internet throughout the curriculum.

The District's electronic network is part of the curriculum and is not a public forum for general use. Acceptable Use All use of the District's electronic network must be:

- In support of education and/or research, and be in furtherance of the Executive Board's stated goals.
- For a legitimate school business purpose. Use is a privilege, not a right. Students and staff members have no expectation of privacy in any material that is stored, transmitted, or received via the District's electronic network or District computers.

General rules for behavior and communications apply when using electronic networks. The District's administrative procedure, Acceptable Use of the District's Electronic Networks, contains the appropriate uses, ethics, and protocol. Electronic communications and downloaded material, including files deleted from a user's account, may be monitored or read by school officials. Internet Safety Technology protection measures shall be used on each District computer with Internet access. They shall include a filtering device that protects against Internet access by both adults and minors to visual depictions that are obscene, pornographic, or harmful or inappropriate for students, as defined by federal law and as determined by the Superintendent or designee. The Superintendent or designee shall enforce the use of such filtering devices. The Superintendent or designee shall include measures in this policy's implementation plan to address the following:

- Ensure staff supervision of student access to online electronic networks
- Restrict student access to inappropriate matter as well as restricting access to harmful materials
- Ensure student and staff privacy, safety and security when using electronic communications
- Restrict unauthorized access, including "hacking" and other unlawful activities
- Restrict unauthorized disclosure, use, and dissemination of personal identification information, such as names and addresses.
- Each student and his or her parent(s)/guardian(s) must sign the Authorization before being granted unsupervised use. All users of the District's computers to access the Internet shall maintain the confidentiality of student records. Reasonable measures to protect against unreasonable access shall be taken before confidential student information is loaded onto the network. The failure of any student or staff member to follow the terms of the Authorization for Electronic Network Access, or this policy, will result in the loss of privileges, disciplinary action, and/or appropriate legal action.

Student Electronic Devices

SEDOL Board Procedure 7:190AP5

Cellular telephones and other communication devices must be turned off during the school day. Unauthorized use during the school day is not permitted. Use of personal devices during the school day, or unauthorized/inappropriate use of any electronics (cell phones, cameras, laptops, etc.) at any time (including off-school time) is unacceptable. Schools may develop other rules, for instance, requiring that cell phones be stored in a locker and not on a person. In addition, emergency procedures may require the powering down of all wireless communication devices (including laptops, cell phones, walkie-talkies, etc.), as directed by law enforcement. Failure to comply may result in the cell phone/device being confiscated as well as disciplinary measures consistent with the Behavior Code. Parents may be required to come to the school to retrieve the device, especially if the device is suspected of containing inappropriate content. Additionally, devices may be turned over to local authorities if suspected of containing inappropriate content. If the violation involves the use of school property, the student may also be restricted from using school technology.

In accordance with 105 ILCS 75/15, the school/district may not request or require a student to provide a password or other related account information to gain access to the student's account or profile on a social networking website. The school may conduct an investigation or require a student to cooperate in an investigation if there is "specific information about activity on the student's account...that violates a school disciplinary rule or policy." As part of a school's investigation, a student may be required to "share the content that is reported in order to make a factual determination."

Telephone Use

Students may not use school telephones without the permission and direct supervision of a faculty member. All cell phones need to be checked in during the check in process.

Sexting

(See Appendix C for a letter from the Superintendent regarding parent resources for sexting.)

Sexting: a portmanteau word of sex and texting with no clear definition. It is commonly explained as the act of sending sexually explicit photos, images, or messages electronically, primarily by mobile phone or the internet. For purposes of this procedure, it also includes:

- Indecent visual depiction, which means a depiction or portrayal in any pose, posture, or setting involving a lewd exhibition of the unclothed or transparently clothed genitals, pubic area, buttocks, or, if such person is female, a fully or partially developed breast of the person (705 ILCS 405/3-40(a) (enacted to provide law enforcement officials an alternative to bringing child pornography charges against minors in possession of indecent visual depictions through placing them under the supervision of juvenile courts))

- Non-consensual dissemination of private sexual images, which is a crime that is committed when a person:
 - intentionally disseminates an image of another person:
 - who is at least 18 years of age
 - who is identifiable from the image itself or information displayed in connection with the image
 - who is engaged in a sexual act or whose intimate parts are exposed, in whole or in part; and
 - obtains the image under circumstances in which a reasonable person would know or understand that the image was to remain private
 - knows or should have known that the person in the image has not consented to the dissemination (720 ILCS 5/11-23.5, added by P.A. 98-1138).

Behavior Management

SEDOL schools utilize a therapeutic social skills approach to behavior management. Relationships are built on mutual trust and respect and developed through teacher's having an awareness and understanding of their students' emotional needs. A student's behavior is strengthened by the way we communicate and give feedback through therapeutic interventions. SEDOL behavior management systems use positive reinforcers that can strengthen behavior. The goal of the behavior management system is for students to internalize appropriate social skills and self-control and apply those skills in a variety of settings. Internalization of appropriate social skills and self-control is shown when students demonstrate these skills independently, without teacher intervention.

Disciplinary Measures

School officials shall limit the number and duration of expulsions and out-of-school suspensions to the greatest extent practicable, and, where practicable and reasonable, shall consider forms of non-exclusionary discipline before using out-of-school suspensions or expulsions. School personnel shall not advise or encourage students to drop out voluntarily due to behavioral or academic difficulties.

Potential disciplinary measures include, without limitation, any of the following:

01. Notifying parent/guardian.
02. Disciplinary conference.
03. Withholding of privileges.
04. Temporary removal from the classroom.
05. Return of property or restitution for lost, stolen, or damaged property.
06. In-school suspension. The Building Principal or designee shall ensure that the student is properly supervised.
07. After-school study or Saturday study, provided the student's parent/guardian has been notified. If transportation arrangements cannot be agreed upon, an alternative disciplinary measure must be used. The student must be supervised by the detaining teacher or the Building Principal or designee.

08. Community service with local public and nonprofit agencies that enhances community efforts to meet human, educational, environmental, or public safety needs. The District will not provide transportation. School administration shall use this option only as an alternative to another disciplinary measure, giving the student and/or parent/guardian the choice used to violate this policy or school disciplinary rules.
09. Seizure of contraband; confiscation and temporary retention of personal property that was used to violate this policy or school disciplinary rules.
10. Suspension of bus riding privileges in accordance with Board Policy 7:220, *Bus Conduct*.
11. Out-of-school suspension from school and all school activities in accordance with Board Policy 7:200, *Suspension Procedures*. A student who has been suspended may also be restricted from being on school grounds and at school activities.
12. Transfer to an alternative program if the student is expelled or otherwise qualifies for the transfer under State law. The transfer shall be in the manner provided in Article 13A or 13B of the School Code.
13. Notifying juvenile authorities or other law enforcement whenever the conduct involves criminal activity, including but not limited to, illegal drugs (controlled substances), "look-alikes," alcohol, or weapons or in other circumstances as authorized by the reciprocal reporting agreement between the District and local law enforcement agencies.

The above list of disciplinary measures is a range of options that will not always be applicable in every case. In some circumstances, it may not be possible to avoid suspending or expelling a student because behavioral interventions, other than a suspension and expulsion, will not be appropriate and available, and the only reasonable and practical way to resolve the threat and/or address the disruption is a suspension or expulsion.

Corporal punishment is prohibited. Corporal punishment is defined as slapping, paddling, or prolonged maintenance of students in physically painful positions, or intentional infliction of bodily harm. Corporal punishment does not include reasonable force as needed to maintain safety for students, staff, or other persons, or for the purpose of self-defense or defense of property.

Behavioral Interventions

SEDOL Board Policy 7:230

Supporting positive student behaviors in and outside of the classroom is a central focus of our school. Facilitating behavior change and fostering positive choice making is the primary goal of any behavioral intervention at SEDOL schools. When students engage in negative behaviors, it is the staff's role to collaboratively determine what individualized interventions provide the greatest opportunities for positive change. While these interventions may include traditional disciplinary measures, SEDOL staff primarily facilitate relationship building, engage students in problem-solving activities, and encourage self-advocacy to increase functional and socially appropriate behaviors at school. Staff are committed to reducing and eliminating violence and drug use and the impact these causes have on student's lives.

Behavioral interventions shall be used with students with disabilities to promote and strengthen desirable behaviors and reduce identified inappropriate behaviors. The fundamental principle of this policy is that nonaversive or positive interventions designed to develop and strengthen

desirable behaviors shall be used to the maximum extent possible and are preferable to the use of aversive and restrictive interventions. The use of positive interventions is consistent with the educational goals of enhancing a student's academic, social and personal growth. While positive approaches alone may not always succeed in controlling extremely inappropriate behavior, the use of more restrictive procedures should always be considered to be temporary and approached with caution and restraint. The use of restrictive interventions should maintain respect, care, welfare, safety and security for the individual student's dignity and personal privacy and adhere to professionally accepted treatment practices. All of the procedural protection available to students with disabilities and their parents under the Individuals with Disabilities Education Act (IDEA), including notice and consent, opportunity for participation in meetings, and right to appeal, shall be observed when implementing and/or developing behavior interventions.

Physical Restraint/Isolated Time Out

SEDOL School Procedures 7:190AP4

All SEDOL staff are trained in nonviolent crisis intervention/CPI. Reasonably necessary physical restraint may be utilized by a SEDOL employee to maintain the care, welfare, safety, and security of all students and staff as a last resort when a student's behavior presents a danger to self or others. Physical restraint will be utilized as a last resort by staff, giving due consideration to the particular circumstances involved. Parent/Guardian will be notified in writing of any physical restraint or isolated time out. Hallways, time out rooms and Office Intervention may be under video surveillance at SEDOL schools.

Searches and Seizures

SEDOL School Board Policy 7:140

To maintain order and security in the schools, attending district authorities are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects, including the use of metal detectors. "School authorities" includes school liaison police officers.

District authorities may inspect and search school property and equipment owned or controlled by the school (such as lockers, desks, and parking lots), as well as personal effects left there by a student, without notice to or the consent of the student. Students have no reasonable expectation of privacy in these places or areas or in their personal effects left there.

The Superintendent may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs.

School authorities may search a student and/or the student's personal effects in the student's possession (such as purses, wallets, knapsacks, book bags, lunch boxes, etc.) when there is a reasonable ground for suspecting that the search will produce evidence the particular student has violated or is violating either the law or the District's student conduct rules. The search itself

must be conducted in a manner that is reasonably related to its objectives and not excessively intrusive in light of the student's age and sex, and the nature of the infraction. When feasible, the search should be conducted as follows:

- Outside the view of others, including students
- In the presence of a school administrator or adult witness
- By a certificated employee or liaison police officer of the same sex as the student.

Immediately following a search, a written report shall be made by the school authority who conducted the search, and given to the Superintendent.

If a search produces evidence that the student has violated or is violating either the law or the District's policies or rules, such evidence may be seized and impounded by school authorities, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities.

The Superintendent or designee shall notify students and their parents/guardians of each of the following in accordance with the Right to Privacy in the School Setting Act, 105 ILCS 75/: 1. School officials may not request or require a student or his or her parent/guardian to provide a password or other related account information to gain access to the student's account or profile on a social networking website.

Searches are conducted each morning when students enter the building at Cyd Lash Academy. Students walk through a metal detector and staff members search backpacks, outerwear, and student pockets. Students at Gages Lake School and Cyd Lash Academy may be subjected to search using a hand held metal detector by staff.

Reciprocal Reporting of Criminal Offenses Committed by Students

According to the Illinois School Code, the Police Department School Liaison Officer and the School Administration are obligated to verbally report to each other the following activities when committed by a student enrolled in a school:

01. Unlawful use of weapons under Section 24-1 of the Criminal Code of 1961.
02. A violation of the Illinois Controlled Substances Act.
03. A violation of the Cannabis Control Act.
04. A forcible felony as defined in Section 2-8 of the Criminal Code of 1961.

Student Substance Abuse Policy

The SEDOL Board recognized that the use of drugs illegally and/or inappropriately constitutes a hazard to the positive development of students. In addition to maintaining a realistic, meaningful drug education program, SEDOL shall be actively concerned with drug use and abuse by students. Therefore, they shall create a climate whereby students may seek and receive counseling about drugs and related problems without fear of reprisal. The relationship shall be a strict confidential relationship between the school staff member and the student.

- Under no circumstances shall a teacher/therapist be forced to reveal the student's name or any confidential information given during the counseling session.
- Without breaking confidentiality by revealing the child's name, the school staff member shall use his or her best judgment to decide with of these approaches to follow:
 - to listen and discuss in confidence the situation as related by the student;
 - to consult with the administration, nurse, and/or mental health personnel (highly recommended); and/or
 - consult appropriate in-school or approved out-of-school agencies.
- The confidential relationship shall be broken when a student is seen using and/or possessing drugs; or if, in the best judgment of the staff member, there is an immediate, clear, and present danger to the safety and well-being of the student and/or others. In such instances, the staff member shall contact his supervisor for further instructions.

Suspension Procedures

SEDOL Board Policy 7:190

SEDOL Board Procedure 7:190AP8

SEDOL Board Policy 7:200

The resident district of a student enrolled in a SEDOL program has the legal jurisdiction in matters of student suspension. Gross disobedience or misconduct by students in SEDOL programs may result in a recommendation to the student's district of residence that he/she be suspended.

In-School Suspension- At the first indication of a need to suspend a student, the teacher shall immediately contact the supervisor of the sector/program. The supervisor then contacts the district of residence designated administrator or alternate designee for permission to suspend. If the designated district administrator or alternate cannot be reached in a timely basis, a SEDOL central office administrator will make the determination on behalf of the district of residence. The SEDOL supervisor then follows up with a notification letter to the parents/guardian indicating the reason for suspension and indicating a contact at the student's district of residence regarding hearing rights and procedures. The SEDOL supervisor will also follow up with the district administrator regarding the reason for the suspension. The Superintendent or designee is authorized to maintain an in-school suspension program. The program shall include, at a minimum, each of the following:

- Before assigning a student to in-school suspension, the charges will be explained and the student will be given an opportunity to respond to the charges.
- Students are supervised by licensed school personnel.
- Students are given the opportunity to complete classroom work during the in-school suspension for equivalent academic credit.

Out-of-School Suspension- The Superintendent or designee shall implement suspension procedures that provide, at a minimum, for each of the following:

- A conference during which the charges will be explained and the student will be given an opportunity to respond to the charges before he or she may be suspended.
- A pre-suspension conference is not required, and the student can be immediately suspended when the student's presence poses a continuing danger to persons or

property or an ongoing threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.

- Any attempted phone call to the student's parent/guardian.
- A written notice of the suspension to the parent/guardian and the student, which shall:
 - Provide notice to the parent/guardian of their child's right to a review of the suspension
 - Include information about an opportunity to make up work missed during the suspension for equivalent academic credit
 - Detail the specific act of gross disobedience or misconduct resulting in the decision to suspend
 - Provide rationale or an explanation of how the chosen number of suspension days will address the threat or disruption posed by the student or his or her act of gross disobedience or misconduct
 - Depending upon the length of the out-of-school suspension, include the following applicable information
 - For a suspension of 3 school days or less, an explanation that the student's continuing presence in school would either pose: a) A threat to school safety, or b) A disruption to other students' learning opportunities.
 - For a suspension of 4 or more school days, an explanation: a) That other appropriate and available behavioral and disciplinary interventions have been exhausted. b) As to whether school officials attempted other interventions or determined that no other interventions were available for the student.
 - That the student's continuing presence in school would either: i) Pose a threat to the safety of other students, staff, or members of the school community, or ii) Substantially disrupt, impede, or interfere with the operation of the school. iii. For a suspension of 5 or more school days, the information listed above, along with documentation by the Superintendent or designee determining what, if any, appropriate and available support services will be provided to the student during the length of his or her suspension.
 - A summary of the notice, including the reason for the suspension and the suspension length, must be given to the Board by the Superintendent or designee.
 - The first time a student is removed for more than 10 cumulative days during the school year, the District shall, no later than 10 school days after the decision to suspend a student is made, convene an IEP meeting to review and, if appropriate, modify the student's behavior intervention plan, as necessary, to address the student's behavior. If no behavior intervention plan is in place, the IEP team shall develop a plan for a functional behavioral assessment that must be used to develop a behavior intervention plan. In addition, the supervisor shall determine whether a change in placement has occurred necessitating a determination by the IEP team as to whether the student's conduct was a manifestation of the student's disability. In making this determination the supervisor shall consider (1) whether the child's behavior is substantially similar to the child's behavior in previous incidents resulting in suspensions and (2) the length of each removal, the total days of suspension and the proximity of the suspensions to one another.

- For all subsequent removals of the student that do not constitute a change in placement, the IEP team members must review the behavior intervention plan and its implementation. If any team member indicates that the plan may need to be modified, the IEP team must be convened to review the plan and revise it, if appropriate. In addition, the supervisor must determine, consistent with the criteria stated above, whether a change in placement has occurred necessitating an IEP meeting to conduct a manifestation determination review.
- For all removals that exceed 10 cumulative days during one school year, the District shall provide services to the student. School personnel, in conjunction with the student's teacher, shall determine the services to be provided. Such services must be designed to enable the student to progress in the general curriculum and IEP goals.
- Upon request of the parent/guardian, a review of the suspension shall be conducted by the district of residence Board or a hearing officer appointed by that Board. At the review, the student's parent/guardian may appear and discuss the suspension with the Board or its hearing officer and may be represented by counsel. Whenever there is evidence that mental illness may be the cause for the suspension, the district of residence shall invite a representative from the Department of Human Services to consult with the Board. After presentation of the evidence or receipt of the hearing officer's report, the Board shall take such action as it finds appropriate.

All discipline at SEDOL schools reflects an effort to increase student learning and emotional functioning. Discipline may involve counseling, teaching, family meeting(s), mediation, loss of privileges, suspension, alternative to suspension program involvement, restitution, or contacts with outside agencies including the police. A student attending both their home school and a SEDOL specific school who is suspended from either placement will not be permitted to attend either setting until the suspension has been served.

Re-Engagement of Returning Students

The Superintendent or designee shall maintain a process to facilitate the re-engagement of students who are returning from an out-of-school suspension, expulsion, or an alternative school setting. The goal of re-engagement shall be to support the student's ability to be successful in school following a period of exclusionary discipline and shall include the opportunity for students who have been suspended to complete or make up work for equivalent academic credit.

Teen Dating Violence Policy

SEDOL School Board Policy 7:185

SEDOL board policy prohibits teen dating violence that takes place at school, on school property, at school sponsored events, or in school provided transportation vehicles.

Bullying/Hazing Policy

SEDOL School Board Policy 7:180

No person, including a District employee or agent, or student, shall harass, intimidate or bully a student on the basis of actual or perceived: race; color; nationality; sex; sexual orientation; gender identity; gender-related identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; status of being homeless; actual or potential marital or parental status, including pregnancy; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. The District will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, visual or electronic, that affects tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above. Supporters (those who encourage bullying) and bystanders (those who observe and do nothing to stop it) may be considered as having roles in bullying situations. Similarly, hazing is defined as any group action or situation created intentionally to produce mental or physical discomfort, embarrassment, harassment or ridicule.

Complaints of harassment, intimidation, or bullying are handled according to the provisions on sexual harassment below. The Superintendent shall use reasonable measures to inform staff members and students that the District will not tolerate harassment, intimidation, or bullying by including this policy in the appropriate handbooks.

Bullying, intimidation, and harassment are not acceptable in any form and will not be tolerated at school or any school related activity. The School District will protect students against retaliation for reporting incidents of bullying, intimidation, or harassment and will take disciplinary action against any student who participated in such conduct.

Suicide Awareness and Prevention Policy

SEDOL School Board Policy 7:290

SEDOL Board Policy 7:290 AP

The Superintendent or designee shall develop, implement, and maintain a suicide and depression awareness and prevention program that advances the Board's goals of increasing awareness and prevention of depression and suicide. This program must be consistent with the requirements of Ann Marie's Law. For additional information, see SEDOL School Board Policy 7:290.

National Suicide Prevention Lifeline

Hours: Available 24 hours. Languages: English, Spanish

800-273-8255

Crisis Text Line

Text HOME to 741741 to connect with a Crisis Counselor 24/7

Safe2Help Illinois

Call: 844-4-SAFEIL (723345)

Text: SAFE2 (72332)

Email: HELP@safe2helpIL.com

Lake County Illinois Suicide Prevention

847-377-8088

Student and Family Rights

Student Safety

SEDOL Board Policy 8:30

The safety of students shall be assured through close supervision of students in all school buildings and grounds. All school buildings owned and/or operated by SEDOL will observe security procedures.

Safety Drill

Safety Drills (105 ILCS 128/1) All students will participate in mandated safety drills in accordance with the Illinois School Code. Fire and or/law enforcement personnel may be present for these drills.

Visitor Policy

SEDOL Board Policy 8:30

All visitors to school property are required to report to the main office and receive permission to remain on school property. All visitors must sign a visitor's log, show identification, and wear a visitor's badge. When leaving the school, visitors must return their badge. Persons on school property without permission will be directed to leave and may be subject to criminal prosecution.

Parental Involvement

SEDOL Board Policy 8:95

In order to assure collaborative relationships between students' families, the Executive Board, and District personnel, and to enable parents/guardians to become active partners in their children's education, the Superintendent shall:

- Keep parents/guardians thoroughly informed about their child's school and education.
- Encourage parents/guardians to be involved in their child's school and education.

- Establish effective two-way communication between parents/guardians and the District.
- Seek input from parents/guardians on significant school-related issues.
- Inform parents/guardians on how they can assist their children's learning.

School Visitation Rights Act

SEDOL Board Policy 8:30

The School Visitation Rights Act permits employed parents/guardians, who are unable to meet with educators because of a work conflict, the right to time off from work to attend necessary educational or behavioral conferences at their child's school.

Inspection of Instructional Materials

Parents or guardians of any student may inspect any instructional materials used in the schools. Items for inspection may include Audio-visual materials and electronic material. Call the school for an appointment to view any of these items. The rights concerning the sale or purchase of information relating to children is prohibited under the Children's Privacy Protection and Parental Empowerment Act (325 ILCS 17/1).

Transfer of Rights Due to Age of Majority

Public Law 105-17, amendments to the Individuals with Disabilities Education Act (IDEA), requires that when a child with a disability reaches the age of majority under State law, both parent(s) guardian(s) and the child must be notified of the transfer educational rights one year prior to the child's eighteenth birthday. When a child with a disability reaches the age of eighteen (18):

- All rights accorded to the parent(s)/guardian(s) under the IDEA transfer to the child;
- All rights accorded to the parent(s)/guardian(s) under the IDEA transfer to children who are incarcerated in an adult or juvenile federal, state, or local correctional institution;
- All rights accorded to the parent(s)/guardian(s) under the IDEA will be afforded to the individual/agency as directed by the court for the child with a disability who has been determined to be incompetent under State law.
- Parent(s)/guardian(s) of children with disabilities retain the right to receive ten-(10) day notice, prior to the date of any FIE or IEP conference.

Publicity Release

Pictures of Unnamed Students: Students may occasionally appear in photographs and video recordings taken by school staff members, other students, or other individuals authorized by the Building/Program Administrator. The school may use these pictures, without identifying the student, in various publications, including the school yearbook, school newspaper, and school website. No consent or notice is needed or will be given before the school uses pictures of unnamed students taken while they are at school or a school-related activity.

Pictures of Named Students Sometimes the school may want to identify a student in a school picture. For example, school officials want to acknowledge those students who participate in a school activity or deserve special recognition. In order for the school to publish a picture with a student identified by name, one of the student's parents or guardians must sign the consent. Parent/Guardian will be asked to sign SEDOL form #161. Publicity release forms are sent home annually in the beginning of the school year parent/guardian packet.

Student Records

School student records are confidential. Information from them shall not be released other than as provided by law. A school student record is any writing or other recorded information concerning a student and by which a student may be identified individually that is maintained by a school or at its direction by a school employee, regardless of how or where the information is stored, except as provided in State or federal law as summarized below:

- Records kept in a staff member's sole possession.
- Records maintained by law enforcement officers working in the school.
- Video and other electronic recordings (including without limitation, electronic recordings made on school buses) that are created in part for law enforcement, security, or safety reasons or purposes. The content of these recordings may become part of a school student record to the extent school officials create, use, and maintain this content, or it becomes available to them by law enforcement officials, for disciplinary or special education purposes regarding a particular student.
- Any information, either written or oral, received from law enforcement officials concerning a student less than the age of 17 years who has been arrested or taken into custody.

State and federal law grants students and parents/guardians certain rights, including the right to inspect, copy, and challenge school student records. The information contained in school student records shall be kept current, accurate, clear and relevant. All information maintained concerning a student receiving special education services shall be directly related to the provision of services to that child.

The parents/guardians may authorize SEDOL to release records by signing a consent form. Release of information forms must be signed yearly.

Surveys of Private Information

In accordance with federal law (Public Law 103-227), students who participate in federally-funded programs (e.g. Chapter 1 remedial reading) are not required to divulge in a survey, analysis or evaluation of any of the following without the prior written consent of their parents or guardians: (1) political affiliations; (2) embarrassing mental or psychological problems; (3) sex behavior and attitudes; (4) illegal, antisocial, self-incriminating and demeaning behavior; (5) critical appraisals of family members; (6) privileged relationships such as those involving lawyers, physicians and clergy; and (7) income (other than as required to determine eligibility for participation in a program or for financial assistance).

Student and Family Privacy Rights

SEDOL Board Policy 7:15

Any survey information that is obtained at school will be kept confidential and will not be released without your prior knowledge.

Military Recruiting

From time-to-time, military recruiters and postsecondary educational institutions request the names, telephone numbers, and addresses of our secondary students. The school must provide this information unless the parent(s)/guardian(s) request that it not be disclosed without their prior written consent.

Important: If you do not want military recruiters or institutions of higher learning to be given your secondary school student's name, address, and telephone number, please complete the form located in Appendix **D** and return it to the Building Principal.

Equal Educational Opportunities

SEDOL Board Policy 7:10

Equal educational and extracurricular opportunities shall be available for all students without regard to color, race, nationality, religion, sex, sexual orientation, ancestry, age, physical or mental disability, gender identity, status of being homeless, immigration status, order of protection status, actual or potential marital or parental status, including pregnancy.

Parents /guardians of children who are deaf, hard of hearing, blind, or visually impaired of the existence and services of the Illinois School for the Deaf or Illinois School for the Visually Impaired and will be notified of other schools that provide services similar to those provided by Illinois School for the deaf or Illinois School for the Visually Impaired.

The Superintendent or designee shall ensure that students who choose to breastfeed an infant after returning to school are provided reasonable accommodations. A student who is a nursing mother may take reasonable breaks during the school day to express breast milk or breastfeed her infant. The District's Title IX Coordinator, in consultation with the Building Principal, will implement reasonable accommodations for the nursing mother in a manner that minimizes disruption to the student's education.

Sex Equity

School Board Policy 7:10

No student shall, based on sex, sexual orientation, or gender identity be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and extracurricular programs and activities.

Any student may file a sex equity complaint by using Board policy 2:260, Uniform Grievance Procedure. A student may appeal the Board's resolution of the complaint to the Regional Superintendent (pursuant to 105 ILCS 5/3-10) and, thereafter, to the State Superintendent of Education (pursuant to 105 ILCS 5/2-3.8).

Harassment of Students Prohibited

School Board Policy 7:20

No person, including a District employee or agent, or student, shall harass, intimidate or bully a student on the basis of actual or perceived: race; color; national origin; military status; unfavorable discharge status from military service; sex; sexual orientation; gender identity; gender-related identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; status of being homeless; actual or potential marital or parental status, including pregnancy; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. The District will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, sexual, visual or electronic, that affects the tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

Sexual Harassment Prohibited

SEDOL Board Policy 7:20

SEDOL Board Policy 7:180

Sexual harassment of students is prohibited. Any person, including a district employee or agent, or student, engages in sexual harassment whenever he or she makes sexual advances, requests sexual favors, and engages in other verbal or physical conduct of a sexual or sex-based nature, imposed on the basis of sex, that:

01. denies or limits the provision of educational aid, benefits, services, or treatment; or that makes such conduct a condition of a student's academic status; or has the purpose or effect of:
 - a. substantially interfering with a student's educational environment;
 - b. creating an intimidating, hostile, or offensive educational environment;
 - c. depriving a student of educational aid, benefits, services, or treatment; or
 - d. making a submission to or rejection of such conduct basis for academic decisions affecting a student.

The terms "intimidating," "hostile," and "offensive" include conduct that has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, and spreading rumors related to a person's alleged sexual activities.

Persons who believe a student is the victim of sexual harassment or have witnessed sexual

harassment, are encouraged to discuss the matter with the Nondiscrimination Coordinator, Building Principal, Assistant Principal or a Complaint Manager. Complaints will be kept confidential to the extent possible given the need to investigate. An allegation that one student was sexually harassed by another student shall be referred to the Building Principal, Program Supervisor, or Resident District Administrator for appropriate action.

Procedures for Student Sexual Harassment

SEDOL School Board Policy 7:20

01. A copy of this policy and accompanying procedures shall be distributed annually in the Student and Staff Handbooks.
02. Copies of this policy may be distributed in other ways as deemed appropriate by the District's administration.
03. The health education program for grades Kindergarten through 12 shall include age appropriate instruction which leads to the students understanding of sexual abuse and harassment.
04. Teachers, Certified School Nurses and/or School Social Workers shall obtain and disseminate age appropriate informational materials concerning sexual abuse and harassment.
05. The Nondiscrimination Coordinator should follow the Uniform Grievance Procedures.
06. The student's parent(s)/guardian(s) will be notified that they may attend any investigatory meetings in which their child is involved. The parents/guardians will be kept informed of the investigation's progress.
07. The student's oral or written statements will be kept confidential, except that the Superintendent will be kept informed of the investigation's progress. District personnel shall, however, comply with the child abuse reporting laws.

The Superintendent shall use reasonable measures to inform staff members and students that the District will not tolerate sexual harassment, such as by including this policy in the appropriate handbooks.

Any District employee who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any District student who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action, including but not limited to, suspension and expulsion consistent with the discipline policy. Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

Nondiscrimination Coordinator

Dr. Laura Wojcik, Asst. Supt.
18160 W. Gages Lake Rd.
Gages Lake, IL 60030
lwojcik@sedol.us
847-986-2360

Complaint Managers

Dr. Laura Wojcik, Asst. Supt.
18160 W. Gages Lake Rd.
Gages Lake, IL 60030
lwojcik@sedol.us
847-986-2360

Mr. Matthew Crowley
18160 W. Gages Lake Rd.
Gages Lake, IL 60030
mcrowley@sedol.us
847-986-2368

Illinois Sex Offender Registration Act

This is to inform you that, per the "Sex Offender Registration Act," all families may get information regarding offenders in the Lake County area by calling: 847-377-4200 or on the website: www.isp.state.il.us/sor.

Parents have the right to view the following materials: 8:30-E1 - Letter to Parents Regarding Visits to School by Child Sex Offenders 8:30-E2 - Child Sex Offender's Request for Permission to Visit School Property

Homeless Children

Each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education, as provided to other children and youths, including a public preschool education. A "homeless child" is defined as provided in the McKinney Homeless Assistance Act and State law. Based on homeless status, as determined by the member district, and eligibility for SEDOL programs, SEDOL will provide appropriate services.

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. § 11431 et seq. 105 ILCS 45/1-1 et seq. CROSS REF.: 2:260 (Uniform Grievance Procedure), 4:110 (Transportation), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment), 7:50 (School Admissions/Eligibility for Services), 7:60 (Residence), 7:100 (Health Examinations, Immunizations, and Exclusion of Students) ADOPTED: December 19, 2007

Accommodating Individuals with Disabilities

School Board Policy 8:70

See Appendix **E** for Procedural Safeguards

Individuals with disabilities shall be provided an opportunity to participate in all district-sponsored services, programs, or activities on an equal basis to those without disabilities and will not be subject to illegal discrimination. Where necessary, the District may provide to persons with disabilities separate or different aids, benefits, or services from, but as effective as those provided to others.

As used in this policy and any implementing regulations, the term "disability" means an individual who has a physical or mental impairment that substantially limits one or more of the individual's major life activities. The term also includes individuals who have a record of such impairment or who are regarded as having such impairment. Major life activities include

functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

The District will provide auxiliary aids and services where necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. Each service, program, or activity operated in existing facilities shall be readily accessible to, and usable by, individuals with disabilities. New construction and alterations to facilities existing before January 26, 1992, will be accessible when viewed in their entirety.

The Superintendent is designated the Americans With Disabilities Act, Title II Coordinator and, in that capacity, is directed to:

01. Oversee the District's compliance efforts, recommend necessary modifications to the Board, and maintain the District's final Title II self-evaluation document and keep it available for public inspection, for at least 3 years after its completion date.
02. Institute plans to make information regarding Title II's protection available to any interested party.

Individuals with disabilities should notify the Superintendent or Principal/Supervisor if they have a disability, which will require special assistance or services, and, if so, what services are required. This notification should occur as far as possible before the district-sponsored function, program, or meeting.

Individuals with disabilities may allege a violation of this policy or federal law by reporting it to the Superintendent, as the Title II Coordinator, or by filing a grievance under the Uniform Grievance Procedure.

Service Animals

School Board Procedure 6:120AP3

State and federal laws allow a student with a disability to be accompanied by a service animal that is individually trained to perform work or tasks for the benefit of a student. The animal may accompany the student to all school functions, whether in or outside the classroom. See policy and procedure 6:120 for additional information.

Curriculum Overview

Physical Education

SEDOL School Board Policy 7:260

SEDOL Schools participate in a state required physical education program. The focus of the program is to encourage teamwork, sportsmanship, the use of problem solving skills, positive peer relations and physical fitness.

In order to be excused from participation in physical education, a student must present an appropriate excuse from his or her parent/guardian or from a person licensed under the Medical Practice Act. The excuse may be based on medical or religious prohibitions. An excuse because of medical reasons must include a signed statement from a person licensed under the

Medical Practice Act that corroborates the medical reason for the request. An excuse based on religious reasons must include a signed statement from a member of the clergy that corroborates the religious reason for the request. Special activities in physical education will be provided for a student whose physical or emotional condition, as determined by a person licensed under the Medical Practice Act, prevents his or her participation in the physical education course. State law prohibits the Board from honoring parental excuses based upon a student's participation in athletic training, activities, or competitions conducted outside the auspices of the District.

A student who is eligible for special education may be excused from physical education courses in either of the following situations: 1. He or she (a) is in grades 3-12, (b) his or her IEP requires that special education support and services be provided during physical education time, and (c) the parent/guardian agrees or the IEP team makes the determination; or 2. He or she (a) has an IEP, (b) is participating in an adaptive athletic program outside of the school setting, and (c) the parent/guardian documents the student's participation as required by the Superintendent or designee.

A student requiring adapted physical education must receive that service in accordance with his or her Individualized Educational Program/Plan (IEP).

Social/Emotional Curriculum

SEDOL School Board Policy 6:60-AP1

SEDOL as a district creates a social emotional curriculum to meet the varied needs of students in programs. Each school will utilize a curriculum that meets those specific student needs.

In grades pre-K through 12, age appropriate sexual abuse and assault awareness and prevention education shall be included in a child sexual abuse prevention program. Through grade 5, the comprehensive health education program will provide one to four age-appropriate instructional sessions per school year to instruct students to (a) recognize and report sexual abuse, and (b) focus on methods to reduce students' vulnerability to sexual abuse.

Parents/Guardians are provided at least 5 days written notice of before commencing any class or course providing instruction in recognizing and avoiding sexual abuse to afford parents/guardians an opportunity to submit a written objection to their child's participation in said instruction.

English Learners

SEDOL School Board Policy 6:160

The District offers opportunities for resident English Learners to achieve at high levels in academic subjects and to meet the same challenging State academic standards that all children are expected to meet.

Alternative Learning Opportunities Program (ALOP)

(105 ILCS 5/13B-60.5)

SEDOL Schools may offer alternative learning opportunities to students in grades 6-12. These opportunities include, but are not limited to, computerized instruction, audio-visual enhancement of lessons, multisensory presentations, etc.

Graduation

SEDOL School Board Policy 6:300

Graduation requirements are identified on each student's Individualized Education Program (IEP). To graduate from high school, unless otherwise exempted, each student is responsible for: 1. Completing all District graduation requirements of the student's district of residence that are in addition to the State requirements. 2. Completing all courses as provided in The School Code, 105 ILCS 5/27-22. 3. Completing all minimum requirements for graduation as specified by the Illinois State Board of Education rule, 23 Ill.Admin.Code § 1.440. 4. Passing an examination on patriotism and principles of representative government, proper use of the flag, methods of voting, and the Pledge of Allegiance. 5. Participating in State assessments that are required for graduation by the School Code, 105 ILCS 5/2-3.64a-5(c).

Certificate of Completion

A student with a disability who has an Individualized Education Program prescribing special education, transition planning, transition services, or related services beyond the student's four years of high school, qualifies for a certificate of completion after the student has completed four years of high school. The student is encouraged to participate in the graduation ceremony of his or her high school graduation class. The district of residence shall provide timely written notice of this requirement to children with disabilities and their parents/guardians.

Report Cards/Honor Roll/Progress Reports

Report cards:

- Report cards will be sent home after each trimester (John Powers Center) and quarterly (Cyd Lash Academy and Gages Lake School).
- Progress reports will be sent home regularly (at least every nine weeks) with updated information on student's progress of IEP goals and benchmarks.

- Whenever it becomes evident that a student is in danger of failing, a written notification or phone call will be sent to the parent/guardian.

Honor Roll: A student may earn Honor Roll distinction by achieving an average grade of B based on all classes, with no grade lower than a C in any one class.

Building and Grounds

Integrated Pest Management

Structural and landscape pests can pose significant hazards to people, property and the environment. Pesticides can also pose hazards to people, property, and the environment. It is therefore the policy of SEDOL to incorporate Integrated Pest Management (IPM) procedures for control of pests. This policy has been developed to ensure the health and safety of children, teachers, staff, administration and all others using SEDOL buildings and grounds.

Asbestos Plan Management

The Special Education District of Lake County (SEDOL) has an Asbestos Management Plan in each school and district office that is available for inspection during normal business office hours, without cost or restriction. Please contact:

Stephen Johns
18160 W. Gages Lake Rd.
Gages Lake, IL 60031
sjohns@sedol.us
847.548.8470

APPENDIX A

How Do Medicaid and Illinois Schools Work Together?

The State of Illinois participates in a federal program called Medicaid School-Based Services. This program helps school districts by allowing them to receive reimbursement for medical services provided to students. School districts frequently utilize this Medicaid reimbursement to help meet the costs of providing services.

Who Can the District Submit Reimbursement For?

While medical services will be provided to all students, school districts may only receive reimbursement for services provided to students who are Medicaid eligible.

What Services Does Medicaid Cover?

- Occupational Therapy
- Physical Therapy
- Nursing Services
- Speech/Language Services
- Psychological Services
- Social Work Services
- Audiology Services
- Special Transportation
- School Health Aides
- Screenings/Evaluations

Why Does the District Need Parental Consent?

Federal law requires school districts to seek parental consent prior to submitting bills for reimbursement from public insurers such as Medicaid. The school district is required to obtain your written permission to release information to Medicaid before the district can submit any information for billing purposes.

Is There Any Cost To Me?

No. Services provided to a student within a school setting are provided at no cost to the parent/guardian.

Will This Impact My Child's Medicaid Benefits?

Granting permission for the school district to bill Medicaid will not reduce your ability to seek other Medicaid-covered health-related services outside the school setting. This permission will not decrease lifetime coverage, increase premiums, or lead to the discontinuation of benefits, as Medicaid does not have a maximum number of eligible visits or a lifetime maximum for services.

Who Will See This Information?

Your student's demographic and service information will be shared with our billing agent and HFS (Healthcare and Family Services) for the purpose of verifying Medicaid eligibility and submitting claims.

What If I Do Not Grant Consent? -or- What If I Change My Mind?

You have the right to withdraw consent at any time. Your child's free appropriate public education and related services will continue regardless of consent, refusal of consent, or withdrawal.

Who Do I Contact If I Have Questions?

Please contact your school district with any questions or concerns.

APPENDIX A (Spanish)

¿Cómo trabajan juntos Medicaid y las escuelas de Illinois?

El estado de Illinois participa en un programa federal llamado Servicios escolares de Medicaid. Este programa ayuda a los distritos escolares al permitirles recibir reembolso por los servicios médicos brindados a los estudiantes con discapacidades, según lo documentado en el formulario del Programa de educación individual (IEP) del niño. Los distritos escolares frecuentemente utilizan este reembolso de Medicaid para ayudar a cubrir los costos de brindar servicios educativos especiales.

¿A quién puede presentar el distrito el reembolso?

Si bien se brindarán servicios médicos a todos los estudiantes con discapacidades, los distritos solo pueden recibir reembolso por los servicios proporcionados a los estudiantes que son elegibles para Medicaid.

¿Cuáles servicios cubre Medicaid?

Terapia ocupacional	Fisioterapia
Servicios de enfermería	Servicios de habla/lenguaje
Servicios psicológicos	Servicios de trabajo social
Servicios de audiología	Transporte especial
Asistentes escolares de salud	Exámenes/evaluaciones

¿Hay algún costo para mí?

No. Los servicios proporcionados a un estudiante dentro de un entorno escolar se brindan sin costo para el padre/tutor.

¿Esto afectará los beneficios de Medicaid de mi hijo?

El dar permiso al distrito para facturar a Medicaid no reducirá su capacidad de buscar otros servicios de salud cubiertos por Medicaid, fuera del ámbito escolar. Este permiso no disminuirá la cobertura por vida, no aumentará las primas ni dará lugar a la interrupción de beneficios, ya que Medicaid no tiene un número máximo de visitas elegibles ni un máximo por vida de servicios.

¿Quién verá esta información?

La información demográfica y de servicio de su estudiante se compartirá con nuestro agente de facturación y con HFS (Servicios de atención médica y familiares) para el propósito de verificar la elegibilidad para Medicaid y de presentar reclamos.

¿Qué pasará si no doy mi consentimiento? -o- ¿Qué pasará si cambio de opinión?

Tiene derecho a retirar el consentimiento en cualquier momento. La educación pública gratuita y apropiada de su hijo y los servicios relacionados continuarán independientemente del consentimiento, la denegación del consentimiento, o la retirada.

¿Con quién me comunico si tengo preguntas?

Comuníquese con el departamento de educación especial de su distrito escolar si tiene alguna pregunta o inquietud.

APPENDIX B

Aggressive Behavior Reporting Letter and Form (sample)

Dear Parent(s)/Guardian(s):

Please be advised that your child engaged in behavior that, if repeated, may escalate into aggressive behavior, such as bullying. Illinois law requires school districts to notify the parent or guardian of a child who demonstrated behaviors that put him or her at risk for aggressive behavior.

The School Board policy on student behavior prohibits a student while at school or a school-related activity from: (1) engaging in any kind of bullying or aggressive behavior that causes physical or psychological harm to someone else, and/or (2) urging other students to engage in such conduct.

This early notification is intended to help all of us work together to avoid repetition of the behavior.

Student _____ Incident date _____

Incident location _____ Incident time _____

Reported by _____ Reporting date _____

Description of the behavior: (Reporters, be specific. Describe what happened, what harm resulted, the child's explanation, and any known or suspected causes for what happened.)

Follow-up conference: I or someone from my office will telephone you to schedule an in-person meeting or telephone conference to discuss what occurred and ways to help your child, (1) be aware of how others were affected by the behavior, and (2) to understand boundaries and manage conflict.

The following consequence(s) or intervention(s) is/are recommended:

- Counseling or other support services for your child.
- Providing opportunities for all individuals involved in an incident to reach a resolution.
- Enabling your child to make amends for the harm caused.
- Suggesting your child receive non-District affiliated services.
- Other: _____

The District is committed to helping those involved learn from this experience.

Building Principal

Date

APPENDIX C

RE: Preventing and Reducing Incidences of Sexting

Dear Parent/Guardian:

Many parents are unfamiliar with *sexting*. It is generally defined as sending, sharing, viewing, receiving or possessing *indecent visual depictions* of oneself or another person using a cell phone. A student will be disciplined for sexting at school.

Discussing sexting and its legal and social consequences with your children may prevent and reduce incidences of it at school and elsewhere. A recent survey revealed that about 20 percent of teen boys and girls have sent sext messages. It can cause enormous emotional pain for the students involved, often with legal implications. The following talking points from the American Academy of Pediatrics may help start the discussion:

- Introduce the issue as soon as a child is old enough to have a cell phone. Even if the issue hasn't directly impacted your school building's community, ask "have you heard of sexting?" "Tell me what you think it is." Learn what your child's understanding is and add an age appropriate explanation. For more information about starting age appropriate discussions, see *The New Problem of Sexting* subhead on the American Academy of Pediatrics website at: www.aap.org/advocacy/releases/june09socialmedia.htm.
- Make sure children of all ages understand that the District's student discipline policy prohibits sexting at school, and that it is further punishable in Illinois through the Juvenile Court Act and The Criminal Code of 2012.
- Collect cell phones at gatherings of tweens and teens. Experts have noted that peer pressure can play a major role in sexting, with attendance at parties being a major contributing factor.
- Monitor the media for stories about sexting that illustrate the consequences for both senders and receivers of these images. Ask "Have you seen this story?" "What did you think about it?" "What would you do if you were this child?"
- Rehearse ways your child can respond if asked to participate in sexting.

For more information on sexting and how to talk to your children about it, please see the following links:

www.aap.org/advocacy/releases/june09socialmedia.htm;
www.education.com/magazine/article/child-sexting-parents/;
www.athinline.org.

APPENDIX C (Spanish)

Re: Prevenir y Reducir la Incidencia de Sexting

Estimado Padre/Guardian:

Muchos padres no están familiarizados con sexting. En general se define como el envío, el compartir, ver, recibir o poseer indecente representaciones visuales de uno mismo o otra persona que usa un teléfono celular. Un estudiante será disciplinado por sexting en la escuela.

Hablar de sexting y sus consecuencias legales y sociales con sus hijos puede prevenir y reducir la incidencia de ello en la escuela y otros lugares. Una encuesta reciente reveló que alrededor del 20 por ciento de los adolescentes han enviado mensajes de sexting. Puede causar dolor emocional enorme para los estudiantes que participan, a menudo con implicaciones legales. Los siguientes puntos de hablar de la American Academy of Pediatrics pueden ayudar a iniciar la discusión:

- Introduzca el tema tan pronto como el niño(a) tenga edad suficiente para tener un teléfono celular. Incluso si el problema no ha afectado directamente la comunidad de su edificio de la escuela, pregunte "¿Has oído hablar sexting?" "¿Dime lo que piensas que es?" Aprenda el conocimiento de su niño(a) y agregue una explicación de edad apropiada. Para obtener más información acerca de discusiones de edad de inicio apropiado, consulte *The New Problem of Sexting* subtítulo de la American Academy of Pediatrics de la página web: www.aap.org/advocacy/releases/june09socialmedia.htm.
- Asegúrese de que los niños de todas las edades entiendan que la política del distrito de disciplina estudiantil prohíbe sexting en la escuela, y que es más penado en Illinois a través del Juvenile Court Act y The Criminal Code of 2012.
- Guarde los teléfonos celulares en las reuniones de los preadolescentes y adolescentes. Los expertos han indicado que la presión social puede jugar un papel importante en sexting, la asistencia a reuniones es un factor importante que contribuye.
- Monitoree los medios de comunicación por historias sobre sexting que ilustran las consecuencias tanto para los remitentes y los receptores de estas imágenes. Pregunte "¿Has visto esta historia?" "¿Qué piensa de él?" "¿Qué harías si fueras este niño(a)?"
- Ensaye formas en que su niño(a) pueda responder si se les pide que participen en sexting.

Para más información sobre sexting y cómo hablar con sus hijos acerca de ello, por favor vea los siguientes enlaces:

www.aap.org/advocacy/releases/june09socialmedia.htm;
www.education.com/magazine/article/child-sexting-parents/;
www.athinline.org.

APPENDIX D

NOTICE OF PROCEDURAL SAFEGUARDS FOR PARENTS/GUARDIANS OF STUDENTS WITH DISABILITIES (June 2022)

The following procedural safeguards apply to all eligible students with disabilities, including eligible students who require continued public school educational experience to facilitate his or her successful transition and integration into adult life through age 21, inclusive -- unless his or her 22nd birthday occurs during the school year, in which case he or she is eligible for such services through the end of the school year. In addition, beginning January 1, 2022, children who received early intervention services prior to their third birthday and are found eligible for an Individualized Education Program (IEP) and whose birthday falls between May 1 and August 31 may continue to receive early intervention services until the beginning of the school year following their third birthday. As the parent/guardian, you have the right to choose to take the extended option and then reverse your decision and deny this option at a later date, so that your child will start early childhood education services prior to the beginning of the school year.

As the parent/guardian of a student or adult student with a disability who is receiving or may be eligible to receive special education and related service, you have rights that are safeguarded by state and federal law. Part B of the Individuals with Disabilities Education Act (IDEA), the federal law concerning the education of students with disabilities, requires schools to provide parents of a child with a disability with a notice containing a full explanation of the procedural safeguards available under IDEA and U.S. Department of Education regulations. The rights to which you are entitled are included in this document. A full explanation of these rights is available from your child's school district. Please review this document carefully and contact the district if you have questions or need additional clarification regarding your child's services or the procedural safeguards available to you.

The notice of your procedural safeguards must be made available to you only one time a year. However a copy also must be given upon an initial request for an evaluation, upon receipt of the first written complaint or first due process complaint to the Illinois State Board of Education (ISBE), upon a disciplinary removal that constitutes a change in placement, or upon request.

Additional information about your rights is available on the ISBE website in a document entitled [The Parent Guide](#).

PRIOR WRITTEN NOTICE

General Information

The local district is required to provide you with prior written notice (certain information in writing):

- When the district proposes to initiate or change the identification, evaluation, educational placement, or the provision of a free and appropriate public education (FAPE) to your child; or
- When the district refuses to initiate or change the identification, evaluation, educational placement, or the provision of FAPE to your child; or
- One year prior to your child reaching the age of majority (18 years of age). All educational rights transfer from parent(s)/guardian(s) to the student unless determined otherwise.

The written notice must be provided at least 10 days prior to the proposed or refused action and must include:

- 1) A description of the action proposed or refused by the agency;
- 2) An explanation of why the agency proposes or refuses to take the action;
- 3) A description of each evaluation procedure, assessment, record, or report the agency used as a basis for the proposed or refused action;
- 4) A statement that the parents of a child with a disability have protection under the procedural safeguards and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained;
- 5) Sources for parents to contact to obtain assistance in understanding the provisions of this part;
- 6) A description of other options that the IEP team considered and the reasons why those options were rejected; and
- 7) A description of other factors that are relevant to the agency's proposal or refusal.

A public agency may use the IEP as part of the prior written notice as long as the document(s) that you receive meet all of the requirements listed previously.

If the IEP team determines at a meeting to develop or revise your child's IEP that a certain service is required in order for your child to receive FAPE -- and that service is not implemented within 10 school days after the service was to be initiated as set forth by your child's IEP -- then the local school district shall provide you with written notification that the service has not yet been implemented. The notification must be provided to you within three school days of the local school district's non-compliance with your child's IEP and must inform you about the school district's procedures for requesting compensatory services. For the purpose of this section, "school days" does not include days when a child is absent from school for reasons unrelated to a lack of IEP services or when the service is available, but the child is unavailable.

At any time, you may request an IEP meeting to be held at a time convenient for both you and the school. Within 10 days after receipt of a request, the district shall either agree and notify you in accordance with IDEA regulations or notify you in writing of its refusal, including an explanation of the reason no meeting is necessary to ensure the provision of FAPE for your child.

Notice in an Understandable Language

The notice must be written in language understandable to the general public and provided in the native language or other mode of communication used by you, unless it is clearly not feasible. If your native language or other mode of communication is not a written language, the local district shall take steps to ensure that: (a) the notice is translated orally or by other means to you in your native language or other mode of communication, (b) that you understand the content of the notice, and (c) that there is written evidence that these requirements have been met.

Electronic Mail

You may choose to receive the following by email if your school district offers such a choice:

- Prior written notice;
- Procedural safeguards notice; and
- Notices related to a due process complaint.

PARENTAL CONSENT

Overview

Your informed consent indicates that you were given all the relevant information in your native language or other mode of communication. It also indicates that you understand and agree in writing to the activity. The local district must obtain your informed written consent (using state-mandated forms) in the following instances:

- Initial Evaluation - Conducting an initial evaluation to determine eligibility for special education services,
- Initial Services/Placement - Initially providing special education and related services to your child, or
- Reevaluation - Reevaluating your child.

Your consent is not required before your school district reviews existing data as part of an evaluation or reevaluation or before your school district administers a test or other evaluation that is administered to all children, unless consent is required from the parents of all children before that test or evaluation.

Consent is voluntary on your part and you may withdraw your consent at any time. Your withdrawal of consent does not negate (undo) an action that has occurred after you gave your consent and before you withdrew it. For more information on the revocation of consent, please refer to the "Revocation of Consent" section on page 4 of this document.

Special Rules for Initial Evaluation for Wards of the State or Youth in Care

In Illinois "Ward of the State" may be referred to as "Youth in Care"

Ward of the State, as used in the IDEA, means a child who is:

- 1) A foster child, unless the child's foster parent has been assigned the right to make educational decisions on the child's behalf by a judge overseeing the child's case or a public agency with responsibility for the general care of the child;
- 2) Considered a ward of the state under state law;
- 3) Considered a ward of the court under state law; or
- 4) In the custody of a public child welfare agency.

For initial evaluations only, if the child is a ward of the state and is not residing with the child's parent, the public agency is not required to obtain informed consent from the parent for an initial evaluation to determine whether the child is a child with a disability if –

- 1) Despite reasonable efforts to do so, the school district cannot find the child's parent;
- 2) The rights of the parents have been terminated in accordance with state law; or
- 3) A judge or a public agency with responsibility for the general care of the child has assigned the right to make educational decisions and to consent for an initial evaluation to an individual other than the parent.

ABSENCE OF PARENTAL CONSENT

Certain conditions are applicable if you refuse to provide consent for the following:

- **Initial Evaluation** - If you do not provide consent for an initial evaluation or fail to respond to a request to provide consent, the district may, but is not required to, pursue having an initial evaluation conducted using mediation and/or due process hearing procedures.

If a due process hearing is held, a hearing officer may order the school district to proceed in conducting an initial evaluation without your consent. This is subject to your right to appeal the decision and to have your child remain in his/her present educational placement pending the outcome of any administrative or judicial proceeding.

- **Initial Services/Placement** – If you refuse to provide consent for the initial provision of special education and/or related services, the district will not provide these services. Furthermore, the district may not pursue mediation or due process procedures in order to obtain a ruling that services may be provided.

In the event that you refuse to consent to the initial provision of special education and/or related services, the district will not be considered to be in violation of its requirement to make FAPE available to your child. Nor is the district required to convene a meeting to develop an IEP for your child.

Reevaluation – If you refuse to provide consent for a reevaluation, the school district may, but is not required to, pursue override procedures through mediation or a due process hearing. However, the school district may pursue the reevaluation if it made reasonable efforts to obtain your consent and you failed to respond. If the school district chooses not to pursue such procedures, the school district is not in violation of providing FAPE to your child.

REVOCATION OF CONSENT

If your child is currently receiving special education and related services, you have the right to revoke (take back) your consent for such services at any time. You may revoke consent either orally or in writing. If you revoke your consent orally, the district must provide you with written confirmation within five days of your oral revocation. When you revoke your consent, either orally or in writing, the district must provide you with prior written notice to acknowledge your revocation and the date upon which all special education and related services will cease.

When you revoke consent, your school district:

- 1) May not continue to provide special education and related services to your child;
- 2) Must provide you with timely prior written notice, consistent with IDEA regulations, of its proposal to discontinue special education and related services based on receipt of your written revocation of consent;
- 3) May not use due process procedures (i.e., mediation, resolution meeting, or an impartial due process hearing) in order to obtain agreement or a ruling that the services may be provided to your child;
- 4) Is not in violation of the requirement to make FAPE available to your child for its failure to provide further special education and related services to your child;
- 5) Is not required to have an IEP meeting or develop an IEP for your child for the further provision of special education and related services; and
- 6) Is not required to amend your child's education records to remove any reference to your child's receipt of special education and related services because of the revocation of consent.

Once services have ceased, your child will be considered to be a general education student. All rights and responsibilities previously held by your child (as described in this document), including special education disciplinary protections, will also cease.

NOTE: The effect of your revocation will result in a complete termination of all special education and related services to your child. However, if you are in a disagreement with the type or amount of services your child is receiving, but believe that your child should continue to receive special education and related services, please review the “Complaint Resolution,” “Mediation,” and “Due Process Hearing” sections to learn about your rights in the case of a disagreement over services.

PARENT PARTICIPATION IN MEETINGS

You must be afforded the opportunity to participate in meetings regarding the identification, evaluation, eligibility, reevaluation, and educational placement of your child. The school district must provide you with a 10-day written notice of the meeting. The notice must inform you of the purpose, be held at a mutually agreeable place and time, and inform you who will be in attendance. The notice for the IEP meeting must also include a statement that you have the right to invite individuals with special knowledge or expertise about your child to attend the IEP meeting with you. You have the right to request that the school district provide an interpreter for the meeting. You have the right to request that the interpreter serve no other role in the IEP meeting other than as an interpreter, and the school district should make reasonable efforts to fulfill this request. If you believe that the school district unreasonably denied your request for an interpreter who serves no other role in the IEP meeting, you have all rights under IDEA and Article 14 of the School Code. These rights include a due process hearing, State complaint, mediation, ISBE monitoring, and by filing a complaint with the Office for Civil Rights.

You have the right to written translations of vital IEP process documents. The school district is required to notify you through the *Parent/Guardian Notification of Conference* form (ISBE form 34-57D) on how to request translated documents and who to contact with any questions or complaints about the translations.

As a parent, you are an important member of your child’s IEP team and are encouraged to be involved in meetings where decisions are made regarding the educational placement of your child. However, if you cannot attend the meeting, the school district must use other methods to ensure your participation, including individual or conference telephone calls. Decisions about your child’s services and placement can be made by the IEP team even if you do not attend the meeting, but the district must maintain a record of its attempts to arrange a mutually agreed-upon time and place for the meeting that includes evidence, such as detailed telephone calls made or attempted and the results of those calls, copies of correspondence sent to you and any responses received, or detailed records of visits made to your home or workplace and the results of those visits.

The notice for a child beginning at age 14½ (or younger if determined appropriate by the IEP team) must indicate that one purpose of the meeting will be the development of a statement of the transition service needs of your child and that the school district will invite your child to the meeting and indicate any other agency that will be invited to send a representative to the meeting. The district must take whatever action is necessary to ensure that you and your child understand the proceedings at a meeting, which may include arranging for an interpreter if you or your child is deaf or your native language is not English.

The IEP team must meet at least once a year and must have an IEP for your child in effect by the beginning

of each school year. After the annual meeting, you and the school may agree not to convene an IEP meeting for the purpose of amending your child's IEP. Instead, the IEP may be amended or modified via a written document. The IEP team members must be informed of the changes.

No later than three school days prior to a meeting to determine your child's eligibility for special education and related services or a meeting to review your child's IEP (or as soon as possible if an IEP meeting is scheduled within three school days with your written consent), the local school district must provide you with copies of all written material that will be considered by the IEP team at the meeting so that you may participate in the meeting as a fully informed team member. You have the option of choosing from the available methods of delivery, which must include regular mail and picking up the materials at the school.

You must be informed of your right to review and copy your child's school student records prior to any special education eligibility or IEP review meeting, subject to the requirements of applicable federal and state law.

EVALUATION PROCEDURES

Your school district must use a variety of evaluation tools and strategies when conducting an evaluation of your child. The evaluation must assess your child in all areas related to the suspected disability. The school district must use technically sound instruments and procedures that are not biased against your child because of race, culture, language, or disability. The materials and procedures must be provided and administered in the language and form most likely to provide accurate information on what your child knows and can do.

Initial Evaluation

Either you or the school district may initiate a request for an initial evaluation of your child. Within 14 school days after receiving a request for an evaluation, the district shall determine whether an evaluation is warranted. If the district determines not to conduct an evaluation, it shall provide written notice to you.

If the district determines that an evaluation is to be conducted:

A) The district shall convene a team of individuals (including you) having the knowledge and skills necessary to administer and interpret evaluation data. The composition of the team will vary depending upon the nature of the child's symptoms and other relevant factors.

B) The team shall identify the assessments necessary to complete the evaluation and shall prepare a written notification for you. The notification shall either describe the needed assessments for each domain or explain why none are needed.

C) The district shall ensure that the notification of the team's conclusions is transmitted to you within the 14-school day timeline, along with the district's request for the parents' consent to conduct the needed assessments.

If it is determined that an evaluation is necessary, the district must complete the evaluation no later than 60 school days following the date you signed the written consent to perform the needed assessments. If fewer than 60 school days remain in a school year after the date you have provided consent, the eligibility determination shall be made, and the IEP meeting shall be completed prior to the first day of the following school year.

The evaluation must be conducted by a team of qualified individuals and include your input. Your child will not be determined to be a child with a disability if lack of appropriate instruction in reading, math, or limited English proficiency are judged to be determinant factors.

If a district fails to conduct the evaluation, you may appeal this failure in an impartial due process hearing, request consideration of this failure using the state complaint procedures, or request mediation.

Reevaluation

The school must reevaluate your child at least every three years after the initial evaluation, unless you and the school agree a reevaluation is unnecessary.

Independent Educational Evaluation

General

You shall be given a copy of the *Parent/Guardian Notification of Conference Recommendations* form at the conclusion of an IEP meeting. This specifies the options considered by the team and informs you of your right to obtain an independent educational evaluation (IEE) if you disagree with the findings.

Definitions

- An *independent educational evaluation* means an evaluation conducted by a qualified person who is chosen by you and is not employed by your school district.
- *Public expense* means that the district either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to you.

Parent Right to Evaluation at Public Expense

You have the right to obtain an IEE at public expense if you disagree with evaluation findings conducted or obtained by the school district. You must initiate the request in writing and submit the request to the local school district superintendent.

Once the request is received, the district must either:

- Agree to the request and provide an IEE at public expense, or
- Initiate an impartial due process hearing within five days of the written request to show that the district's evaluation was appropriate.

The school district may ask you why you object to its evaluation, but it cannot unreasonably delay or deny the evaluation by requiring you to explain your disagreement.

If the district agrees to pay for the IEE, it must provide information to you upon your request about where an independent educational evaluation may be obtained. Whenever an IEE is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that the district uses when it initiates an evaluation.

If the district initiates a due process hearing and the hearing officer orders an evaluation, the cost of the evaluation must be at public expense. If the final decision of the hearing officer is that the district's evaluation is appropriate, you still have the right to an IEE, but at your own expense.

If you obtain an IEE at public expense or share with the district an evaluation obtained a private expense,

the results of the evaluation must be considered by the public agency, if it meets agency criteria, in any decision made with respect to the provision of FAPE to your child.

You may also present the IEE as evidence in a due process hearing.

Within 10 days after receiving a report of an IEE conducted at either public or private expense, the district shall provide written notice stating the date upon which the IEP team will meet to consider the results.

REQUIREMENTS FOR UNILATERAL PLACEMENT BY PARENTS OF CHILDREN IN PRIVATE SCHOOLS

This section describes your child's rights when you voluntarily place him/her in a private (including religious) school/facility.

Overview

All children with disabilities residing in the state who are in need of special education and related services, including children attending private schools, must be located, identified, and evaluated. This process, called *Child Find*, is the responsibility of the public school district where your child's private or home school is located. If your child is determined eligible for special education services, *Child Find* includes the right to a reevaluation, which must occur once every three years. The rights described in this document related to identification and evaluation apply even when you place your child in a private school/facility.

However, when you choose to place your child with a disability in a private school, your child does not have a right to receive any of the special education or related services he or she would receive if enrolled in the public school. Some special education services may be available to your child while enrolled in the private school, but the type and amount will be limited by how the public school where your child's private school is located decides to serve private school students. The school's decision is made after consulting with representatives of private schools and a representative group of parents of private school children with disabilities. The school determines how to use the limited federal funds that are designated for private school services. If a public school elects to provide any type of service to your child, then a *services plan* must be developed and implemented.

Services Plan

The services plan must include the "how, where, and by whom" special education and related services will be provided for your child. A services plan must reflect only the services offered to a parentally placed private school child with a disability designated to receive services, and must, to the extent appropriate, meet the IEP content requirements in IDEA. Since students with disabilities who are entitled to FAPE must receive the full range of services under Part B, their IEPs generally will be more comprehensive than the more limited services plans developed and implemented for those parentally placed private school children with disabilities designated to receive services from a Local Education Agency (LEA). The requirement that a services plan meet the requirements of an IEP, to the extent appropriate, will ensure that the services actually provided to a parentally placed private school child with a disability will meaningfully address the child's individual needs.

Reimbursement for private school placement

If you enroll your child in a private elementary or secondary school due to your belief that a FAPE was not being provided by the public school, the following may be applicable:

- A court or hearing officer may require the district to reimburse you for the cost of that enrollment if it is found that the district did not make a FAPE available in a timely manner prior to that enrollment.

The amount of reimbursement awarded by the hearing officer may be reduced or denied:

- If, at the most recent IEP meeting you attended prior to the removal of your child from the public school, you did not inform the IEP team that you were rejecting the placement proposed by the district, including stating your concerns and intent to enroll your child in a nonpublic school or facility;
- If 10 business days (including any holidays that occur on a business day) prior to the removal of the student from the public school, you did not give notice to the district of the information mentioned above;
- If prior to your removal of your child from the public school, the school district informed you of its intent to evaluate your child, but you did not make him/her available for such evaluation; or
- Upon a judicial finding of unreasonableness with respect to actions taken by you.

The cost of reimbursement may **not** be reduced or denied for failure to provide such notice if:

- A parent/guardian cannot read and write in English;
- Compliance with the notice requirements would likely result in physical or serious emotional harm to your child;
- The school prevented you from providing such notice; or
- You were not made aware of the notice requirement mentioned above.

DISCIPLINE OF STUDENTS WITH DISABILITIES

If your child's behavior impedes his/her learning or the learning of others, strategies that include positive behavioral interventions and supports must be considered in the development of your child's IEP. If your child violates the student code of conduct, school personnel may remove him/her from the current placement.

Definition of Suspensions

When you, as the parent, are asked to come to the school and pick up your student due to a disciplinary infraction, this removal is counted as a "suspension" under the regulations. ***Suspension or expulsion may include suspension or expulsion from school and all school activities and a prohibition from being present on school grounds.***

Short-Term Removals (Less than 10 School Days Over the Course of a School Year)

If your child violates the student code of conduct, school personnel may remove him/her from the current placement for 10 days or fewer in a school year. The school district is not required to provide educational services during these removals unless services are provided to students without disabilities under similar circumstances.

Long-Term Removals (For a Total of 10 Days or More Within a School Year)

A removal of a child with a disability from the child's current educational placement is a **change of placement** if:

- 1) The removal is for more than 10 consecutive school days; or

- 2) The child has been subjected to a series of removals that constitute a pattern because:
 - a) The series of removals total more than 10 school days in a school year;
 - b) The child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals; and
 - c) Of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.

Whether a pattern of removals constitutes a change of placement is determined on a case-by-case basis by the school district and, if challenged, is subject to review through due process and judicial proceedings.

Once the disciplinary removals total more than 10 school days, the school district must continue to provide educational services. School personnel, in consultation with at least one of your child's teachers, must determine the extent to which services are needed so as to enable your child to continue to participate in the general education curriculum -- although in another setting, -- and to progress toward meeting the goals set out in the IEP during the removals.

Disciplinary removals beyond a total of 10 school days during the school year may be considered a change in placement by school officials. If this occurs, the school district must notify you of its decision and provide you with a copy of the procedural safeguards on the same day that the decision to remove is made. School personnel, in consultation with at least one of your child's teachers, must determine the extent to which services are needed during the period of removal. Your child shall receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, which are designed to address the behavior violation so that it does not recur. Additionally, an IEP meeting must be convened as soon as possible, but no later than 10 school days after the decision to remove has been made, in order to conduct a manifestation determination review (MDR).

Manifestation Determination Review

When conducting an MDR, the IEP team shall consider all relevant information in your child's file, including your child's IEP, staff observations, and any relevant information supplied by you. The IEP team determines:

- If the behavior was caused by or had a direct and substantial relationship to your child's disability, or
- If the behavior was the direct result of the school district's failure to implement your child's IEP.

If the team determines that either of the above statements is applicable, then your child's behavior must be considered a manifestation of his/her disability.

The district shall be required to review the student's behavioral intervention plan or, if a behavioral intervention plan has not yet been developed, to develop one.

A. Manifestation of the Disability

Upon determination that the behavior was a manifestation of your child's disability, the IEP team shall:

- Conduct a functional behavioral assessment and implement a Behavioral Intervention Plan (BIP), provided that the school district had not already conducted such an assessment prior to the determination of the behavior that resulted in change of placement,
- In the situation where a BIP is in place, review the it and/or modify the plan as necessary to address

the behavior; and

- Return your child to the placement from which he/she was removed, unless you and the school district agree to a change of placement, except when the student has been removed to an interim alternative education setting for drugs, weapons, and/or serious bodily injury. (See the next page for more information on interim alternative educational setting [IAES].)

B. Not a Manifestation of the Disability

If it is determined that the behavior of your child was not related to his/her disability, pertinent disciplinary procedures may be applied in the same manner they would be for students without disabilities — **except** that students with disabilities must continue to receive a FAPE if removed for more than 10 school days in that school year.

If the local district initiates pertinent disciplinary procedures that apply to all students, the district must ensure that special education and disciplinary records of your child are transmitted for consideration by the person(s) making the final determination about the action.

Expedited Due Process Hearing

If you disagree with any decision regarding disciplinary placement or the MDR, you have the right to request an expedited due process hearing. The local district or ISBE must arrange for an expedited hearing when you make a request in writing.

Additionally, if the school district believes that maintaining your child in his or her current placement is substantially likely to result in injury to your child or to others, the school may request an expedited due process hearing to change your child's placement to an IAES. The hearing officer may order the placement even if your child's behaviors are a manifestation of his or her disability.

The expedited hearing must occur within 20 school days of the date the hearing is requested and must result in a determination within 10 school days after the hearing.

Interim Alternative Educational Setting

An IAES is a different location where educational services are provided for a specific time period for disciplinary reasons. This setting will be determined by the IEP team and must be selected so as to enable your child to continue to progress in the general curriculum, although in another setting, and to continue to receive those services and modifications including those described in the current IEP that will enable him or her to meet IEP goals. The alternative setting must also include services and accommodations to address the behavior that resulted in the removal.

School personnel may remove your child from his/her current educational placement to an IAES without your consent if he/she:

- Carries a weapon to school or to a school function;
- Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or at a school function; and/or
- Has inflicted serious bodily injury upon another person while at school or at a school function.

Removal to an IAES shall not be more than 45 school days without regard to whether the behavior is determined to be a manifestation of his/her disability.

If you disagree with the decision and request an expedited due process hearing to challenge the decision,

your child will remain in the interim alternative educational setting during the pendency of the hearing unless you and the school district agree otherwise or until the 45-school day time period expires. A school district may seek subsequent expedited hearings and alternative placements if after the first 45-school day term has expired the school district believes your child is still dangerous.

Protections for Students Not Yet Eligible for Special Education and Related Services If your child has not been found eligible for special education but the district has knowledge that your child is disabled before a behavior occurred for which disciplinary action is being taken, you may assert the same protections in discipline afforded to a student with a disability.

The school district is considered to have knowledge of a disability if:

- You have expressed concerns in writing that your child needs special education and related services;
- Your child's behavior or school performance shows the need for special education; • You have requested an evaluation to determine if your child needs special education; or • One of your child's teachers or other district staff has made a request for special education services to the special education director or other appropriate district personnel.

The school district is not considered to have knowledge of a disability if:

- You have not allowed an evaluation of your child;
- You have refused services;
- An evaluation was conducted, and it was determined that your child does not have a disability; or • It was determined that an evaluation was not needed, and you were informed in writing of the determination.

If, prior to taking disciplinary action against a student, the local district had no knowledge that the student was a student with a disability, the student may be subjected to the same disciplinary procedures as those applied to students without disabilities who engaged in comparable behaviors.

An evaluation requested during the time period in which the student is subjected to disciplinary procedures must be conducted in an expedited manner. However, the student must remain in the educational placement determined by school authorities pending results of the evaluation. If the student is determined to be a student with a disability based on the evaluation, the local district must provide appropriate special education and related services.

Referral to and Action by Law Enforcement and Judicial Authorities

Local districts or other agencies are not prohibited from reporting a crime committed by a student with a disability to appropriate authorities. In addition, state law enforcement and judicial authorities are not prevented from exercising their responsibilities regarding the application of federal and state law to crimes committed by a student with a disability.

Local districts or other agencies reporting a crime committed by a student with a disability must ensure that copies of the special education and disciplinary records of the student are transmitted to the appropriate authorities for their consideration.

COMPLAINT RESOLUTION

Concerns with respect to any matter relating to the identification, evaluation, or educational placement of a student or the provision of FAPE to a student should be directed to the local school district.

You may file a signed, written complaint with ISBE, alleging that the rights of your child or several children with disabilities have been violated. The following information must be included in a formal complaint:

- A statement alleging that a responsible public entity has committed a violation of a special education requirement;
- The facts on which the statement is based;
- The names and addresses of the involved students and schools of attendance; •
The signature and contact information for the complainant;
- A description of the nature of the problem, including the facts relating to the problem; and •
A proposed resolution for the problem, to the extent known.

The complaint must allege that the violation occurred not more than one year prior to the date on which the complaint is received. Within 60 days after receiving a complaint that meets the requirements listed above, ISBE shall:

- Carry out an independent on-site investigation, if deemed necessary by ISBE.
- Give you an opportunity to submit additional information regarding the allegations.
- Require that the public entity that is the subject of the complaint submit a written response to the complaint. The public entity shall submit its response and all other documentation, including corrective action compliance documentation, to ISBE and the parent, individual, or organization filing the complaint no later than 45 days from the date our agency receives the complaint.
- Provide the public entity, during the complaint process, with the opportunity to offer a proposal to resolve the complaint and/or offer to engage you in mediation or alternative means of dispute resolution.
- Review all relevant information and make a determination as to whether the public entity violated a special education requirement.
- Issue a written decision that addresses each allegation and includes findings of fact and conclusions, the reasons for ISBE's decisions, and orders for any corrective actions.

These actions will be conducted within a 60-day timeline, unless that time limit is extended under exceptional circumstances or if you and the district engage in another method of dispute resolution, such as mediation.

If a complaint is filed involving one or more issues that are also the subject of a due process hearing, those portions of the complaint will be held in abeyance pending the completion of the hearing. In addition, if an issue has been previously decided in a due process hearing involving the same parties, the decision from the hearing will be binding and that issue will not be investigated through the complaint process.

Further information on the dispute resolution processes and resources can be found on ISBE's at the following link: [ISBE Effective Dispute Resolution](#)

MEDIATION

Illinois' mediation service is designed as a means of resolving disagreements regarding the appropriateness of special education and related services to children. You may request mediation whether or not there is a pending due process hearing, but mediation cannot be used to delay or deny a due process hearing. Both you and the school district must *voluntarily* agree to participate in the mediation process. This service is

administered and supervised by the ISBE and is provided at no cost to either you or the school district.

The mediation will be conducted by a qualified and impartial mediator who is trained in effective mediation techniques and is knowledgeable in laws and regulations relating to the provision of special education and related services. The mediator is an impartial third party and has no authority to force any action by either party.

The number of participants shall generally be limited to three persons per party. You may bring an attorney, advocate, interpreter, and other relevant parties. All discussions that occur during the mediation process shall be confidential and may not be used as evidence in *any subsequent due process hearing or civil proceeding*.

You will not be asked to abandon basic beliefs about your child's ability during mediation; rather you will be asked to (a) consider alternatives which could be included in your child's program, (b) listen to the concerns expressed by the other party, and (c) be realistic about your child's capabilities and the local district's obligations and resources.

If you resolve a dispute through the mediation process, an agreement will be written and signed by both you and a representative of the school district who has the authority to bind such agreement. Mediation agreements are legally binding and enforceable in any state court of competent jurisdiction or in a district court of the United States.

A request for mediation by a parent challenging a district proposal to change the child's educational placement shall invoke the "stay-put" provision. The "stay-put" placement shall be the last agreed-upon placement between the parties. In the event a party declines to use mediation, the parent (or student if 18 years of age or older or emancipated) shall have 10 days from the date of the refusal to request a due process hearing in order to continue the "stay-put" placement. If mediation fails to resolve the dispute between the parties, the parent (or student if 18 years of age or older or emancipated) shall have 10 days after the mediation concludes to file a request for a due process hearing in order to continue to invoke the "stay-put" provision

Efforts to mediate the disagreement will not be admissible as evidence at any subsequent administrative or civil proceeding except for the purpose of noting the mediation that did occur and the terms of any written agreement(s) that were reached as a result of mediation. The mediator may not be called as a witness at *any subsequent administrative or civil proceeding*.

If you wish to request mediation services or to learn more about the mediation system, you may contact the ISBE Special Education Department at (217) 782-5589 or toll-free for parents at (866) 262-6663.

Further information on the dispute resolution processes and resources can be found on ISBE's at the following link: [ISBE Effective Dispute Resolution](#)

DUE PROCESS HEARING

Requesting a Due Process Hearing

In addition to the use of mediation and the state complaint procedures, you also have the right to request an impartial due process hearing. A due process hearing is a legal process in which a hearing officer gathers evidence and hears testimony from both you and the school district in order to make a legally binding decision. You may initiate a due process hearing regarding the district's proposal or refusal to initiate or

change the identification, evaluation, or educational placement of a student or the district's provision of FAPE. Your request for a due process hearing must discuss matters that have occurred within the past two years or within two years of the date you reasonably should have known about the district's actions concerning your child's placement of services. You may request that your school district provide a list of free or low-cost legal and other relevant services available locally to assist you in initiating an impartial due process hearing.

A request for a hearing must be made in writing to the superintendent of the district in which you and your child reside and must include the following information:

- The name and address of the student;
- The name of the school attended;
- A description of the nature of the problem about which you are complaining that relates to the proposed initiation or change, including facts relating to the problem; and
- A proposed resolution of the problem to the extent known and available to you at the time.

Within five school days of receipt of the request for a hearing, the district will contact ISBE by certified mail to request the appointment of an impartial due process hearing officer. A model form for requesting a due process hearing shall be made available upon request.

Within five calendar days of filing your hearing request with the district, you are permitted the right to file an amended hearing request that may cover issues that were not raised in your initial hearing request. After five calendar days, you will only be allowed to file an amended hearing request with the agreement of the district or with the authorization of the hearing officer. If you file an amended hearing request that raises issues other than issues in your initial hearing request, you will be required to restart all hearing timelines and potentially complete new resolution sessions and prehearing conferences. (See below.)

Resolution Meetings

Prior to the impartial due process hearing, the district will convene a meeting with you and relevant members of the IEP team who have specific knowledge of the facts identified in the request for a due process hearing. The purpose of the resolution meeting is for you to discuss your request for the hearing and the facts that form the basis of the request so that the school district has the opportunity to resolve the dispute.

The resolution meeting shall:

- Be conducted within 15 days of receiving the district's notice of the request for a due process hearing;
- Include a representative of the district who has decision-making authority;
- Not include district attorney unless you are also accompanied by an attorney;
- Allow you to discuss your request for a due process hearing.

You and the district may mutually agree in writing to waive the resolution meeting or agree in writing to use the mediation process as described previously. Please note that you may use mediation at a later date if the resolution session proves unsuccessful.

If a resolution is reached, the parties must execute a legally binding agreement that is signed by both you and a representative of the district who has the authority to bind the district. The signed agreement is normally enforceable in any state court of competent jurisdiction or in a district court of the United States.

However, either party may void such agreement within three business days of signing the agreement by providing notice of the intent to void the agreement in writing to the other party.

If the school district has not resolved the request for due process hearing to your satisfaction within 30 days of the receipt of the request, the due process hearing will continue. The due process hearing timelines will begin at the expiration of the 30-day period.

Your failure to participate in the resolution meeting will delay the timelines for the resolution process and due process hearing until the meeting is held unless you and the school district have jointly agreed to waive the resolution meeting or have agreed to use mediation and you have filed a request for a due process hearing. In rare instances, a hearing officer could dismiss your hearing request if it is determined that you have intentionally hindered the district's ability to conduct the resolution session.

Appointment of an Impartial Due Process Hearing Officer

An impartial hearing officer will be appointed by ISBE to conduct the hearing. The hearing officer cannot be an employee of any agency involved in the education or care of your child and cannot have any personal or professional interest that would conflict with objectivity in the hearing.

A party to a due process hearing will be permitted one substitution of a hearing officer as a matter of right. A request for a substitute hearing officer must be made in writing to ISBE within five days after you receive notification of the hearing officer's appointment. In the event that you and the district submit written requests on the same day -- and these are received simultaneously -- ISBE will consider the substitution to have been at the request of the party initially requesting the hearing. The right of the other party to a substitution will be absolutely protected. When a party to the hearing submits a proper request for substitution, ISBE will select and appoint another hearing officer at random within three days.

ISBE will appoint a new hearing officer if the appointed hearing officer is unavailable or removes himself/herself before the parties are notified of his/her appointment.

Prehearing Conference

If you and the district are unable to reach an agreement through the resolution process, the due process hearing requirements shall proceed. Unless a permissible extension of time is granted by the hearing officer, a hearing decision must be rendered within 45 days after the close of the resolution session process described previously. Prior to conducting the hearing, the hearing officer must conduct a prehearing conference with the parties.

Within five days after receiving written notification by ISBE, the appointed hearing officer must contact the parties to determine a time and place to convene the prehearing conference. The prehearing conference may be conducted by telephone or in-person at the discretion of the hearing officer in consultation with both you and the district. At the prehearing conference, you, as well as the district, will be expected to disclose the following:

- 1) The issues believed to be in dispute at the hearing;
- 2) The witnesses that may be called at the hearing;
- 3) The list of documents that may be submitted to present the case at the hearing.

Please note that if you raise issues at the prehearing conference that were not included in your hearing request, you may be required to submit an amended hearing request and to complete a new resolution session and prehearing conference at a later date. An amended hearing request may also result in a delay of the

hearing. (See “Requesting a Due Process Hearing” on page 13.)

At the conclusion of the prehearing conference, the hearing officer must prepare a report of the conference and enter it into the hearing record. The report must include, but need not be limited to:

- The issues, the order of presentation, and any scheduling accommodations that have been made for the parties or witnesses;
- A determination of the relevance and materiality of documents or witnesses, if raised by a party or the hearing officer; and
- A listing of the stipulated (or agreed) facts as discussed during the prehearing conference.

Rights Prior to the Hearing

You have the right to:

- Be accompanied and advised by counsel and by individuals with special knowledge with respect to the problems of students with disabilities;
- Inspect and review all school records pertaining to the student and obtain copies of any such records;
- Have access to the district’s list of independent evaluators and obtain an independent evaluation of the student at your own expense;
- Be advised at least five days prior to the hearing of any evidence to be introduced; • Compel the attendance of any local school district employee at the hearing, or any other person who may have information relevant to the needs, abilities, proposed program, or the status of the student; • Request that an interpreter be available during the hearing;
- Maintain the placement and eligibility status of the student until the completion of all administrative and judicial proceedings; and
- Request an expedited hearing to change the placement of your child or if you disagree with the district’s manifestation determination or the district’s removal of the student to an interim alternative educational setting.

Rights During the Hearing

You have the right to:

- Have a fair, impartial, and orderly hearing;
- Have the opportunity to present evidence, testimony, and arguments necessary to support and/or clarify the issue in dispute;
- Close the hearing to the public;
- Have your child present at the hearing;
- Confront and cross-examine witnesses; and
- Prohibit the introduction of evidence not disclosed at least five days prior to the hearing.

The Hearing

ISBE and the hearing officer must ensure that a hearing is held within 45 days after receipt of a request for a hearing, unless the hearing officer grants a specific time extension at the request of either party. Within 10 days after the conclusion of the hearing, the hearing officer must issue a written decision that sets forth the issues in dispute, findings of fact based upon the evidence and testimony presented, and the hearing officer’s conclusions of law and orders. The hearing officer must make a determination about all issues raised in the hearing request (unless settled by the parties prior to hearing) as well as the overall determination of whether the district has provided the student FAPE based on the facts of the case.

Expedited Hearings

As described in the “Discipline of Students with Disabilities” section starting on page 8, an expedited hearing may be requested when you have a disagreement about the district’s decision to remove your child from the current educational placement due to disciplinary issues. Expedited hearings have a number of similarities with, but several major differences from, regular due process hearings. The principal differences with regular due process hearings are the following:

- The resolution session must be convened within seven calendar days of the filing of the expedited hearing request;
- The hearing must be conducted within 20 school days of the filing of the hearing request;
- The hearing decision must be rendered within 10 school days of the close of the hearing;
- No substitution of the appointed hearing officer may be requested.

Request for Clarification

After a decision is issued, the hearing officer will retain jurisdiction over the case for the sole purpose of considering a request by either party for clarification of the final decision. You may request clarification of the final decision by submitting the request in writing to the hearing officer within five days after receipt of the decision. The request for clarification must specify the portions of the decision for which you seek clarification. A copy must be mailed to all parties involved in the hearing and to ISBE. The hearing officer must issue a clarification of the specified portion of the decision or issue a denial of the request in writing within 10 days of receipt of the request.

Appealing the Decision

Following a due process hearing, a party dissatisfied with the hearing officer’s final order has the right to initiate a civil action. Civil action can be brought in any state court of competent jurisdiction or a United States District Court within 120 days after a copy of the decision is mailed to the parties. Procedures for filing such actions are available from the office of the clerk for the court in which the filing is to be made.

Stay of Placement

During a pending due process hearing or any judicial proceeding, your child must remain in his/her present educational placement with the eligibility status and special education and related services that were provided at the time of the filing of the hearing request. However, if the district changed the student’s placement in response to a disciplinary incident and this placement is subject to an expedited hearing, the district’s new placement will be maintained pending the final decision in the expedited hearing. (Please see the “Discipline of Students with Disabilities” section starting on page 8.)

Award of Attorneys’ Fees

In any action or proceeding brought under IDEA, a court of competent jurisdiction may award reasonable attorneys’ fees. These are fees incurred by your attorney (not including an unlicensed advocate or other non attorney representative) in connection with his or her representation of your interests in the due process hearing proceedings. A court may award such fees:

- To the parent or guardian of a student with disabilities who is the prevailing party;
- To the prevailing party that is a State Education Agency (SEA) or district against the attorney of a parent who files a complaint or subsequent case of action that is frivolous, unreasonable, or without foundation;
- To a prevailing SEA or district against the attorney of a parent, or against the parent, if the parent’s complaint or subsequent cause of action was presented for any improper purpose, such as to harass,

to cause unnecessary delay, or to needlessly increase the cost of litigation.

Fees awarded shall be based on rates prevailing in the community in which the action or proceeding arose for the kind and quality of services furnished. Attorney fees may be reduced by the court based on a number of factors, including unreasonable rates charged, unnecessarily protracted proceedings, or the existence of a settlement agreement between the parties. You are urged to discuss these matters with your attorney. Further information on the dispute resolution processes and resources can be found on ISBE's at the following link: [ISBE Effective Dispute Resolution](#)

EDUCATIONAL SURROGATE PARENTS

Upon enrollment of a student, the resident school district must make reasonable attempts to contact the parent of a child who has been referred for, or needs, special education and related services. If the parent cannot be identified or located or the child is a ward of the state residing in a residential facility and the residential facility has not done so already, a representative of that facility shall submit to ISBE a request for an appointment of a surrogate parent to ensure the educational rights of the child are protected. If the child is a ward of the state, a surrogate parent may alternatively be appointed by the judge overseeing the child's care. In the case of an unaccompanied homeless student, the district will appoint a surrogate parent.

A child residing in a foster home or relative caretaker setting no longer requires the appointment of an educational surrogate parent. The foster parent or relative caretaker will represent the educational needs of each child placed in his/her home.

If your school appointed you to be a surrogate parent, all of the rights explained in this document belong to you. You may not be an employee of a public agency that is involved in the education or care of the child, may have no conflict of interest with the child, and must have the knowledge and skills necessary to ensure adequate representation of the child. If you are an employee of a residential facility, you may be selected as an educational surrogate parent for a child residing in that facility if that facility only provides non educational care for the child.

As an educational surrogate parent, you may represent the child in all matters relating to the identification, evaluation, educational placement, and the provision of FAPE.

ACCESS TO EDUCATIONAL RECORDS

Your local district is responsible for protecting the confidentiality of your child's educational records.

Definitions

- *Destruction* means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.
- *Education records* – The Family Educational Rights and Privacy Act (FERPA) defines “education records” as records that are directly related to a student and maintained by an educational agency or by a party acting for the agency.
- *Participating agency* means any school district, agency, or institution that collects, maintains, or uses personally identifiable information, or from which information is obtained.
- *Personally identifiable* means information that has:
 - a) Your child's name, your name as the parent, or the name of another family member;

- b) Your child's address;
- c) A personal identifier, such as your child's Social Security number or student number; or d) A list of personal characteristics or other information that would make it possible to identify your child with reasonable certainty.

Access Rights

As a parent, you have a right to inspect and review any educational records relating to your child that are collected, maintained, or used by the district. The district shall comply with a request to review the educational record without unnecessary delay and before any meeting relating to the identification, evaluation, or placement of the student. The request to inspect and copy records must be granted within 10 business days after the request has been received by the official records custodian. The school district may extend this by not more than an additional five business days for one of the following reasons:

- The records are stored off site or at multiple locations;
- The request requires the collection of a substantial number of specified records;
- The request requires an extensive search;
- Additional efforts are needed to locate the records;
- The request creates an undue burden on the school district; or
- There is a need for consultation with another public body or school district regarding the request.

In no case will a request to inspect and copy records be granted more than 15 business days after the request is made unless the parent and the school district have agreed in writing to an extension of the time period.

The right to inspect and review educational records includes:

- The right to a response from the school district to reasonable requests for explanations and interpretations of the records;
- The right to have your representative inspect and review the records; and
- The right to request that the school district provide copies of education records, if failure to provide those copies would effectively prevent you from exercising your right to inspect and review the records at a location where they are normally maintained.

A local school district may presume that you have authority to inspect and review records relating to your child unless the school district has been advised that you do not have the authority under applicable state law governing such matters as guardianship, separation, and divorce.

A local school district must provide you, upon request, a list of the types and locations of the educational records collected, maintained, or used by the district.

Local school districts must make logs that record the delivery of related services administered under your child's IEP and the minutes of each type of related service that has been administered available to you at any time upon your request. The local school district must inform you within 20 school days from the beginning of the school year or upon establishment of an IEP that you have the option to request those related service logs. A local school district must make logs for speech and language services, occupational therapy services, physical therapy services, school social work services, school counseling services, school psychology services, and school nursing services.

You shall be provided all data collected and reviewed by the school district with regard to your child in the scientific, research-based intervention or multi-tiered system of support process.

Fees for Searching, Retrieving, and Copying Records

A local school district may not charge a fee to search for or retrieve information. However, a local school district may charge a reasonable cost (but not more than \$.35 per page) for the copying of a student's school records. No parent or student shall be denied a requested copy of records due to the inability to bear the cost of such copying.

Record of Access

A district may only release information with your consent unless otherwise allowed by state or federal law. A local school district must keep a record of parties obtaining access to educational records collected; maintained; or used (except for parents and authorized employees of the local district), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

Records on More Than One Child

If any education record includes information on more than one child, the parents of those children have the right to inspect and review only the information relating to their child or to be informed of that specific information.

Amendment of Records at Parent's Request

If you believe that information in your child's records are inaccurate, misleading, or violates the privacy or other rights of your child, you may ask the school district to amend the record. The local school district must decide whether to amend the information within 15 school days from the date of receipt of your request. If the district refuses to amend the information in accordance with the request, the district must inform you of the refusal and advise you of your right to a record's hearing as set forth below.

Record's Hearing

The school district must, upon request, provide you with an opportunity for a record's hearing to challenge information in your child's records. This is not a due process hearing and is not held before a hearing officer appointed by ISBE; rather, it is a hearing held at the local level.

If, as the result of a records hearing, it is decided that the information is inaccurate, misleading, or violates your child's rights, the school district must amend the information and inform you in writing that it has done so.

If, as a result of the records hearing, it is decided that the information is not inaccurate, misleading, or violates your child's rights, the school district must inform you of your right to place a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the school district. Any explanation placed in the records of your child must be maintained by the school district as part of your child's records for as long as the record or contested portion is maintained by the school district. If the records are disclosed by the district to any party, the explanation must also be disclosed.

Consent for Disclosure of Personally Identifiable Information

Your consent must be obtained before personally identifiable information is disclosed to parties other than officials of participating agencies unless disclosure of such information contained in education records is authorized under FERPA.

Except under the circumstances specified below, your consent is not required before personally identifiable information is released to officials of participating agencies for purposes of meeting a requirement of IDEA.

- Your consent, or consent of an eligible child who has reached the age of majority under state law, must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.
- If your child is enrolled or is going to enroll in a private school that is not located in the same school district that you reside in, your consent must be obtained before any personally identifiable information about your child is released between officials in the school district where the private school is located and officials in the school district where you reside.

Safeguards

The following safeguards are in place for maintaining the confidentiality of student's records:

- Each participating agency must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.
- One official at each participating agency must assume responsibility for ensuring the confidentiality of any personally identifiable information.
- All persons collecting or using personally identifiable information must receive training or instruction regarding confidentiality under Part B of IDEA and FERPA.
- Each participating agency must maintain, for public inspection, a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information.

Destruction of Information

Your school district must inform you when personally identifiable information collected, maintained, or used under Part B of IDEA is no longer needed to provide educational services to your child.

- Each school shall maintain student permanent records and the information contained therein for not less than 60 years after the student has transferred, graduated, or otherwise permanently withdrawn from the school.
- Each school shall maintain student temporary records and the information contained in those records for not less than five years after the student has transferred, graduated, or otherwise withdrawn from the school

Student's Rights

FERPA specifies that the rights of parents regarding education records are transferred to the student at age 18. The rights of parents under Part B of IDEA regarding education records are also transferred to the student at age 18. However, a public agency must provide any notice required under Part B of IDEA to both the student and to the parents.

TRANSFER OF PARENTAL RIGHTS

Your child becomes an adult student at the age of 18. All of the parental rights discussed in this document will transfer to him/her at that time unless the school district is notified otherwise. You will share the right to receive all of the required prior written notices and the school will provide these notices to both you and

your child.

On or before your child's 17th birthday, the IEP must include a statement that you and your child were informed that these rights will transfer at the 18th birthday. Additionally, at this meeting, you will receive a *Delegation of Rights to Make Educational Decisions* form.

Your child may decide to use this form to delegate you or another individual to represent his/her educational interests upon his or her reaching the age of majority. This form must then be presented to the local school district.

The *Delegation of Rights to Make Educational Decisions* form must identify the individual designated to represent your child's educational rights and include both the individual's signature as well as your child's signature (or by other means, such as audio or video format compatible with his/her disability). Your child may terminate the Delegation of Rights at any time and begin making his/her own educational decisions. The Delegation of Rights will remain in effect for one year after signing it and may be renewed annually.

This statement of parental rights was developed by the U.S. Department of Education Office of Special Education Programs and modified by the Illinois State Board of Education to comply with Illinois rules.

The reauthorized Individuals with Disabilities Education Act of 2004 (IDEA 2004) was signed into law on December 3, 2004. The provisions of the Act became effective on July 1, 2005. ISBE has provided this Notice of Procedural Safeguards to inform you of your rights under the changes to the federal law.

APPENDIX D (Spanish)

AVISO DE SALVAGUARDIAS PROCESALES PARA PADRES/TUTORES DE ALUMNOS CON DISCAPACIDADES

(junio 2022)

Las siguientes Salvaguardias procesales se aplican a todos los alumnos elegibles con discapacidades, incluidos los alumnos elegibles que requieren experiencia educativa continua en escuelas públicas para facilitar su transición e integración exitosas en la vida adulta hasta los 21 años, inclusive, a menos que su cumpleaños de 22 años ocurra durante el año escolar, en cuyo caso él o ella es elegible para dichos servicios hasta el final del año escolar. Además, a partir del 1 de enero de 2022, los niños que recibieron servicios de intervención temprana antes de su tercer cumpleaños y se encuentran elegibles para un Programa de Educación Individualizado (IEP – Individualized Education Program) y cuyo cumpleaños cae entre el 1 de mayo y el 31 de agosto pueden continuar recibiendo servicios de intervención temprana hasta el comienzo del año escolar después de su tercer cumpleaños.

Como padre/tutor, usted tiene el derecho de elegir tomar la opción extendida y luego revertir su decisión y negar esta opción en una fecha posterior, para que su hijo comience los servicios de educación de la primera infancia antes del comienzo del año escolar. Como padre/tutor de un alumno o alumno adulto con una discapacidad que está recibiendo o puede ser elegible para recibir educación especial y servicios relacionados, usted tiene derechos que están Salvaguardias por las leyes estatales y federales. La Parte B de la Ley de Educación para Individuos con Discapacidades (IDEA – Individuals with Disabilities Education Act), la ley federal sobre la educación de alumnos con discapacidades requiere que las escuelas les proporcionen a los padres de un niño con una discapacidad un aviso que contenga una explicación completa de las Salvaguardias procesales disponibles bajo la IDEA y las regulaciones del Departamento de Educación de los Estados Unidos. Los derechos a los que tiene derecho se incluyen en este documento. Una explicación completa de estos derechos está disponible en el distrito escolar de su hijo. Revise este documento cuidadosamente y comuníquese con el distrito si tiene preguntas o necesita aclaraciones adicionales sobre los servicios de su hijo o las Salvaguardias procesales disponibles para usted.

La notificación de sus Salvaguardias procesales debe ponerse a su disposición solo una vez al año. Sin embargo, también debe entregarse una copia en una solicitud inicial de evaluación, al recibir la primera queja por escrito o la primera queja de debido proceso a la Junta de Educación del Estado de Illinois (ISBE), en una remoción disciplinaria que constituye un cambio en la colocación, o a solicitud. Información adicional sobre sus derechos está disponible en la página web de ISBE en un documento titulado Guía para padres.

AVISO PREVIO POR ESCRITO

Información General

Se requiere que el distrito local le proporcione un aviso previo por escrito (cierta información por escrito):

- Cuando el distrito propone iniciar o cambiar la identificación, evaluación, colocación educativa o la provisión de una educación pública gratuita y apropiada (FAPE) a su hijo; o
- Cuando el distrito se niega a iniciar o cambiar la identificación, evaluación, colocación educativa o la provisión de FAPE a su hijo; o

- Un año antes de que su hijo alcance la mayoría de edad (18 años). Todos los derechos educativos se transfieren de los padres / tutores al alumno a menos que se determine lo contrario.

La notificación por escrito debe proporcionarse al menos 10 días antes de la acción propuesta o rechazada y debe incluir:

- 1) Una descripción de la acción propuesta o rechazada por la agencia;
- 2) Una explicación de por qué la agencia propone o se niega a tomar la acción; Página 1 ISBE 34-57J Spanish (7/22)
- 3) Una descripción de cada procedimiento de evaluación, registro o informe que la agencia utilizó como base para la acción propuesta o rechazada;
- 4) Una declaración de que los padres de un niño con discapacidad tienen protección bajo las Salvaguardias procesales y, si este aviso no es una remisión inicial para su evaluación, los medios por los cuales se puede obtener una copia de una descripción de las Salvaguardias procesales;
- 5) Fuentes con las que los padres deben ponerse en contacto para obtener asistencia en la comprensión de las disposiciones de esta parte;
- 6) Una descripción de otras opciones que el IEP consideró y las razones por las que esas opciones fueron rechazadas; y
- 7) Una descripción de otros factores que son relevantes para la propuesta o rechazo de la agencia.

Una agencia pública puede usar el IEP como parte de la notificación previa por escrito, siempre y cuando los documentos que reciba cumplan con todos los requisitos enumerados anteriormente.

Si el equipo del IEP determina en una reunión para desarrollar o revisar el IEP de su hijo que se requiere un determinado servicio para que su hijo reciba FAPE, y ese servicio no se implementa dentro de los 10 días escolares posteriores al inicio del servicio según lo establecido por el IEP de su hijo, entonces el distrito escolar local le proporcionará una notificación por escrito de que el servicio aún no se ha implementado. La notificación debe proporcionarse dentro de los tres días escolares posteriores al incumplimiento del IEP de su hijo por parte del distrito escolar local y debe informarle sobre los procedimientos del distrito escolar para solicitar servicios compensatorios. Para el propósito de esta sección, los "días escolares" no incluyen los días en que el niño está ausente de la escuela por razones no relacionadas con la falta de servicios del IEP o cuando el servicio está disponible, pero el niño no está disponible.

En cualquier momento, puede solicitar que se lleve a cabo una reunión del IEP en un momento conveniente tanto para usted como para la escuela. Dentro de los 10 días posteriores a la recepción de una solicitud, el distrito aceptará y le notificará de acuerdo con las regulaciones de IDEA o le notificará por escrito de su rechazo, incluida una explicación de la razón por la que no es necesaria ninguna reunión para garantizar la provisión de FAPE para su hijo.

Aviso en un lenguaje comprensible

El aviso debe estar escrito en un lenguaje comprensible para el público en general y proporcionado en el idioma nativo u otro modo de comunicación utilizado por usted, a menos que sea claramente inviable. Si su idioma nativo u otro modo de comunicación no es un idioma escrito, el distrito local

tomará medidas para garantizar que: (a) el aviso se traduzca oralmente o por otros medios para usted en su idioma nativo u otro modo de comunicación, (b) que entienda el contenido del aviso y (c) que haya evidencia escrita de que se han cumplido estos requisitos.

Correo electrónico

Puede optar por recibir lo siguiente por correo electrónico si su distrito escolar ofrece tal opción:

- Aviso previo por escrito;
- Aviso de Salvaguardias procesales; y
- Avisos relacionados con una queja de debido proceso.

CONSENTIMIENTO DE LOS PADRES

Visión general

Su consentimiento informado indica que se le dio toda la información relevante en su idioma nativo u otro modo de comunicación. También indica que usted entiende y acepta por escrito la actividad. El distrito local debe obtener su consentimiento informado por escrito (utilizando formularios exigidos por el estado) en los siguientes casos:

- Evaluación inicial - Realizar una evaluación inicial para determinar la elegibilidad para los servicios de educación especial, Página 2 ISBE 34-57J (04/22)
- Servicios iniciales / Colocación - Inicialmente proporcionar educación especial y servicios relacionados a su hijo, o
- Reevaluación - Reevaluación de su hijo.

No se requiere su consentimiento antes de que su distrito escolar revise los datos existentes como parte de una evaluación o reevaluación o antes de que su distrito escolar administre una prueba u otra evaluación que se administre a todos los niños, a menos que se requiera el consentimiento de los padres de todos los niños antes de esa prueba o evaluación.

El consentimiento es voluntario de su parte y puede retirar su consentimiento en cualquier momento. Su retiro de consentimiento no niega (deshace) una acción que haya ocurrido después de que usted dio su consentimiento y antes de que lo retirara. Para obtener más información sobre la revocación del consentimiento, consulte la sección "Revocación del consentimiento" en la página 4 de este documento.

Reglas especiales para la evaluación inicial de los menores bajo la tutela del Estado o jóvenes bajo cuidado.

En Illinois, "Menor bajo tutela del estado" puede referirse a los "Jóvenes bajo cuidado".

Tutela del estado, como se usa en la IDEA, significa un menor que es:

- 1) Un niño de crianza, a menos que al padre de crianza del niño se le haya asignado el derecho de tomar decisiones educativas en nombre del niño por un juez que supervise el caso del niño o una agencia pública con responsabilidad sobre el cuidado general del niño;
- 2) Considerado un menor bajo tutela del estado bajo la ley estatal;
- 3) Considerado un menor bajo tutela de la corte bajo la ley estatal; o
- 4) Bajo la custodia de una agencia pública del bienestar de menores.

Solo para las evaluaciones iniciales, si el menor bajo la tutela del estado y no reside con el padre del menor, la agencia pública no está obligada a obtener el consentimiento informado del padre para una evaluación inicial para determinar si el menor es un menor con una discapacidad si:

- 1) A pesar de los esfuerzos razonables para hacerlo, el distrito escolar no puede encontrar al padre del niño;
- 2) Los derechos de los padres han sido terminados de acuerdo con la ley estatal; o
- 3) Un juez o una agencia pública responsable del cuidado general del niño ha asignado el derecho a tomar decisiones educativas y a dar su consentimiento para una evaluación inicial a una persona que no sea el padre.

AUSENCIA DEL CONSENTIMIENTO DE LOS PADRES

Ciertas condiciones son aplicables si usted se niega a dar su consentimiento para lo siguiente:

- **Evaluación inicial** - Si usted no da su consentimiento para una evaluación inicial o no responde a una solicitud de consentimiento, el distrito puede, pero no está obligado a, buscar una evaluación inicial realizada utilizando procedimientos de mediación y / o audiencia de debido proceso.

Si se lleva a cabo una audiencia de debido proceso, un oficial de audiencias puede ordenar al distrito escolar que proceda a realizar una evaluación inicial sin su consentimiento. Esto está sujeto a su derecho a apelar la decisión y a que su hijo permanezca en su ubicación educativa actual en espera del resultado de cualquier procedimiento administrativo o judicial.

- **Servicios iniciales / Colocación** – Si usted se niega a dar su consentimiento para la provisión inicial de educación especial y / o servicios relacionados, el distrito no proporcionará estos servicios. Además, el Página 3 ISBE 34-57J Spanish (7/22) distrito no puede llevar a cabo procedimientos de mediación o debido proceso para obtener una decisión de que se pueden proporcionar servicios.

En el caso de que usted se niegue a dar su consentimiento para la provisión inicial de educación especial y/o servicios relacionados, no se considerará que el distrito está en violación de su requisito de poner FAPE a disposición de su hijo. Tampoco se requiere que el distrito convoque una reunión para desarrollar un IEP para su hijo.

Reevaluación: Si se niega a dar su consentimiento para una reevaluación, el distrito escolar puede, pero no está obligado a hacerlo, seguir procedimientos de anulación a través de la mediación o una audiencia de debido proceso. Sin embargo, el distrito escolar puede proseguir la reevaluación si hizo esfuerzos razonables para obtener su consentimiento y usted no respondió. Si el distrito escolar decide no proseguir tales procedimientos, el distrito escolar no está violando la provisión de FAPE a su hijo.

REVOCACIÓN DEL CONSENTIMIENTO

Si su hijo está recibiendo educación especial y servicios relacionados, usted tiene derecho a revocar (recuperar) su consentimiento para dichos servicios en cualquier momento. Puede revocar el consentimiento ya sea oralmente o por escrito. Si revoca su consentimiento oralmente, el distrito debe proporcionarle una confirmación por escrito dentro de los cinco días posteriores a su revocación oral.

Cuando revoca su consentimiento, ya sea oralmente o por escrito, el distrito debe proporcionarle un aviso previo por escrito para reconocer su revocación y la fecha en que cesarán todos los servicios de educación especial y servicios relacionados.

Cuando revoca el consentimiento, su distrito escolar:

- 1) No puede continuar brindando educación especial y servicios relacionados a su hijo;
- 2) Debe proporcionarle un aviso previo por escrito oportuno, de acuerdo con las regulaciones de IDEA, de su propuesta de suspender la educación especial y los servicios relacionados en función de la recepción de su revocación por escrito de su consentimiento;
- 3) No puede utilizar los procedimientos de debido proceso (es decir, mediación, reunión de resolución o una audiencia imparcial de debido proceso) para obtener un acuerdo o una decisión de que los servicios se pueden proporcionar a su hijo;
- 4) No viola el requisito de poner FAPE a disposición de su hijo por no proporcionar educación especial adicional y servicios relacionados a su hijo;
- 5) No se requiere tener una reunión del IEP o desarrollar un IEP para su hijo para la provisión adicional de educación especial y servicios relacionados; y
- 6) No está obligado a enmendar los registros educativos de su hijo para eliminar cualquier referencia a la recepción de educación especial y servicios relacionados de su hijo debido a la revocación del consentimiento.

Una vez que los servicios hayan cesado, su hijo será considerado como un alumno de educación general. Todos los derechos y responsabilidades que anteriormente tenía su hijo (como se describe en este documento), incluidas las protecciones disciplinarias de educación especial, también cesarán.

NOTA: El efecto de su revocación resultará en la terminación completa de todos los servicios de educación especial y servicios relacionados con su hijo. Sin embargo, si usted está en desacuerdo con el tipo o la cantidad de servicios que su hijo está recibiendo, pero cree que su hijo debe continuar recibiendo educación especial y servicios relacionados, revise las secciones "Resolución de quejas", "Mediación" y "Audiencia de debido proceso" para conocer sus derechos en caso de un desacuerdo sobre los servicios.

PARTICIPACIÓN DE LOS PADRES EN LAS REUNIONES

Se le debe dar la oportunidad de participar en reuniones relacionadas con la identificación, evaluación, elegibilidad, reevaluación y colocación educativa de su hijo. El distrito escolar debe proporcionarle un aviso por escrito de 10 días de la reunión. El aviso debe informarle del propósito, celebrarse en un lugar y hora mutuamente aceptables, e informarle quién estará presente. El aviso para la reunión del IEP también debe incluir una declaración de que usted tiene el derecho de invitar a personas con conocimientos o experiencia especiales sobre su hijo a asistir a la reunión del IEP con usted. Usted tiene el derecho de solicitar que el distrito escolar proporcione un intérprete para la reunión. Usted tiene el derecho de solicitar que el intérprete no desempeñe ningún otro papel en la reunión del IEP que no sea como intérprete, y el distrito escolar debe hacer esfuerzos razonables para cumplir con esta solicitud. Si usted cree que el distrito escolar le negó injustificadamente su solicitud de un intérprete que no cumple ninguna otra función en la reunión del IEP, tiene todos los derechos bajo IDEA y el Artículo 14 del Código Escolar. Estos derechos incluyen una audiencia de debido proceso, una queja ante el Estado, una mediación, el monitoreo de ISBE y la presentación de una queja ante la Oficina de Derechos Civiles (Office for Civil Rights).

Usted tiene derecho a recibir traducciones escritas de los documentos vitales del proceso del IEP. Se requiere que el distrito escolar le notifique a través del formulario de Notificación de Conferencia para Padres/Tutores (Parent/Guardian Notification of Conference) (ISBE form 34-57D) sobre cómo solicitar documentos traducidos y a quién dirigirse para cualquier pregunta o queja sobre las traducciones.

Como padre, usted es un miembro importante del equipo del IEP de su hijo y se le anima a participar en reuniones donde se toman decisiones con respecto a la colocación educativa de su hijo. Sin embargo, si no puede asistir a la reunión, el distrito escolar debe usar otros métodos para garantizar su participación, incluidas las llamadas telefónicas individuales o de conferencia. Las decisiones sobre los servicios y la colocación de su hijo pueden ser tomadas por el equipo del IEP incluso si usted no asiste a la reunión, pero el distrito debe mantener un registro de sus intentos de organizar una hora y un lugar mutuamente acordados para la reunión que incluya evidencia, como llamadas telefónicas detalladas realizadas o intentadas y los resultados de esas llamadas. copias de la correspondencia que se le envió y cualquier respuesta recibida, o registros detallados de las visitas realizadas a su hogar o lugar de trabajo y los resultados de esas visitas.

El aviso para un niño a partir de los 14 años y medio (o menos si el equipo del IEP determina que es apropiado) debe indicar que uno de los propósitos de la reunión será el desarrollo de una declaración de las necesidades de servicio de transición de su hijo y que el distrito escolar invitará a su hijo a la reunión e indicará cualquier otra agencia que será invitada a enviar un representante a la reunión. El distrito debe tomar las medidas necesarias para asegurarse de que usted y su hijo entiendan los procedimientos en una reunión, lo que puede incluir organizar un intérprete si usted o su hijo son sordos o su idioma nativo no es el inglés.

El equipo del IEP debe reunirse al menos una vez al año y debe tener un IEP para su hijo vigente al comienzo de cada año escolar. Después de la reunión anual, usted y la escuela pueden acordar no convocar una reunión del IEP con el propósito de enmendar el IEP de su hijo. En cambio, el IEP puede ser enmendado o modificado a través de un documento escrito. Los miembros del equipo del IEP deben ser informados de los cambios.

A más tardar tres días escolares antes de una reunión para determinar la elegibilidad de su hijo para la educación especial y los servicios relacionados o una reunión para revisar el IEP de su hijo (o tan pronto como sea posible si se programa una reunión del IEP dentro de los tres días escolares con su consentimiento por escrito), el distrito escolar local debe proporcionarle copias de todo el material escrito que será considerado por el equipo del IEP en la reunión para que usted puede participar en la reunión como un miembro del equipo plenamente informado. Tiene la opción de elegir entre los métodos de entrega disponibles, que deben incluir correo regular y recoger los materiales en la escuela.

Debe ser informado de su derecho a revisar y copiar los registros de los alumnos de la escuela de su hijo antes de cualquier reunión de elegibilidad de educación especial o revisión del IEP, sujeto a los requisitos de la ley federal y estatal aplicable.

PROCEDIMIENTOS DE EVALUACIÓN

Su distrito escolar debe usar una variedad de herramientas y estrategias de evaluación al realizar una evaluación de su hijo. La evaluación debe evaluar a su hijo en todas las áreas relacionadas con la sospecha de discapacidad. El distrito escolar debe usar instrumentos y procedimientos técnicamente sólidos que no estén no es parcial en contra de su hijo debido a su raza, cultura, idioma o

discapacidad. Los materiales y procedimientos deben proporcionarse y administrarse en el idioma y la forma más probables para proporcionar información precisa sobre lo que su hijo sabe y puede hacer.

Evaluación inicial

Usted o el distrito escolar pueden iniciar una solicitud de evaluación inicial de su hijo. Dentro de los 14 días escolares posteriores al recibir una solicitud de evaluación, el distrito determinará si se justifica una evaluación. Si el distrito determina no realizar una evaluación, le proporcionará un aviso por escrito.

Si el distrito determina que se llevará a cabo una evaluación:

A) El distrito convocará a un equipo de personas (incluido usted) que tengan el conocimiento y las habilidades necesarias para administrar e interpretar los datos de evaluación. La composición del equipo variará dependiendo de la naturaleza de los síntomas del niño y otros factores relevantes.

B) El equipo identificará las evaluaciones necesarias para completar la evaluación y preparará una notificación por escrito para usted. La notificación describirá las evaluaciones necesarias para cada dominio explicará por qué no se necesita ninguna.

C) El distrito se asegurará de que la notificación de las conclusiones del equipo se le transmita dentro del plazo de 14 días escolares, junto con la solicitud del distrito del consentimiento de los padres para realizar las evaluaciones necesarias.

Si se determina que una evaluación es necesaria, el distrito debe completar la evaluación a más tardar 60 días escolares después de la fecha en que firmó el consentimiento por escrito para realizar las evaluaciones necesarias. Si quedan menos de 60 días escolares en un año escolar después de la fecha en que usted ha dado su consentimiento, se tomará la determinación de elegibilidad y la reunión del IEP se completará antes del primer día del siguiente año escolar.

La evaluación debe ser realizada por un equipo de personas calificadas e incluir su opinión. No se determinará que su hijo es un niño con una discapacidad si la falta de instrucción adecuada en lectura, matemáticas o dominio limitado del inglés se consideran factores determinantes.

Si un distrito no realiza la evaluación, puede apelar esta falla en una audiencia imparcial de debido proceso, solicitar la consideración de esta falla utilizando los procedimientos de queja estatales o solicitar mediación.

Reevaluación

La escuela debe reevaluar a su hijo al menos cada tres años después de la evaluación inicial, a menos que usted y la escuela acuerden que una reevaluación es innecesaria.

Evaluación Educativa Independiente

General

Se le entregará una copia del *formulario de Notificación de Recomendaciones de la Conferencia para Padres/Tutores* al final de una reunión del IEP. Esto especifica las opciones consideradas por el equipo y le informa de su derecho a obtener una evaluación educativa independiente (IEE – Independent Educational Evaluation) si no está de acuerdo con los hallazgos.

Definiciones

- Una *evaluación educativa independiente* significa una evaluación realizada por una persona calificada que es elegida por usted y no está empleada por su distrito escolar.
- *El gasto público* significa que el distrito paga el costo total de la evaluación o se asegura de que la evaluación se proporcione de otra manera sin costo alguno para usted.

Derecho de los Padres a la Evaluación a Expensas del Público

Usted tiene derecho a obtener un IEE a expensas del público si no está de acuerdo con los hallazgos de la evaluación realizada u obtenida por el distrito escolar. Debe iniciar la solicitud por escrito y enviarla al superintendente del distrito escolar local.

Una vez recibida la solicitud, el distrito debe:

- Aceptar la solicitud y proporcionar un IEE a expensas del público, o
- Iniciar una audiencia imparcial de debido proceso dentro de los cinco días posteriores a la solicitud por escrito para demostrar que la evaluación del distrito fue apropiada.

El distrito escolar puede preguntarle por qué se opone a su evaluación, pero no puede retrasar o negar irrazonablemente la evaluación al exigirle que explique su desacuerdo.

Si el distrito acepta pagar por el IEE, debe proporcionarle información a su solicitud sobre dónde se puede obtener una evaluación educativa independiente. Siempre que un IEE sea a expensas del público, los criterios bajo los cuales se obtiene la evaluación, incluida la ubicación de la evaluación y las calificaciones del examinador, deben ser los mismos que los criterios que el distrito utiliza cuando inicia una evaluación.

Si el distrito inicia una audiencia de debido proceso y el oficial de audiencias ordena una evaluación, el costo de la evaluación debe ser a expensas del público. Si la decisión final del oficial de audiencias es que la evaluación del distrito es apropiada, usted todavía tiene derecho a un IEE, pero a su propio costo.

Si obtiene un IEE a expensas del público o comparte con el distrito una evaluación obtenida un gasto privado, los resultados de la evaluación serán considerados por la agencia pública, si cumple con los criterios de la agencia, en cualquier decisión tomada con respecto a la provisión de FAPE a su hijo.

También puede presentar el IEE como evidencia en una audiencia de debido proceso.

Dentro de los 10 días posteriores a la recepción de un informe de un IEE realizado a expensas públicas o privadas, el distrito deberá proporcionar un aviso por escrito indicando la fecha en que el equipo del IEP se reunirá para considerar los resultados.

REQUISITOS PARA LA COLOCACIÓN UNILATERAL DE LOS PADRES DE LOS NIÑOS EN ESCUELAS PRIVADAS

Esta sección describe los derechos de su hijo cuando usted lo coloca voluntariamente en una escuela / instalación privada (incluso religiosa).

Visión general

Todos los niños con discapacidades que residen en el estado que necesitan educación especial y servicios relacionados, incluidos los niños que asisten a escuelas privadas, deben ser localizados, identificados y evaluados. Este proceso, llamado *Child Find*, es la responsabilidad del distrito escolar público donde se encuentra la escuela privada o en el hogar de su hijo. Si se determina que su hijo es elegible para los servicios de educación especial, *Child Find* incluye el derecho a una reevaluación, que debe ocurrir una vez cada tres años. Los derechos descritos en este documento relacionados con la identificación y la evaluación se aplican incluso cuando coloca a su hijo en una escuela / instalación privada.

Sin embargo, cuando elige colocar a su hijo con una discapacidad en una escuela privada, su hijo no tiene derecho a recibir ninguno de los servicios de educación especial o relacionados que recibiría si estuviera inscrito en la escuela pública. Algunos servicios de educación especial pueden estar disponibles para su hijo mientras está inscrito en la escuela privada, pero el tipo y la cantidad estarán limitados por la forma en que la escuela pública donde se encuentra la escuela privada de su hijo decida servir a los alumnos de escuelas privadas. La decisión de la escuela se toma después de consultar con representantes de escuelas privadas y un grupo representativo de padres de niños de escuelas privadas con discapacidades. La escuela determina cómo usar los fondos federales limitados que se designan para los servicios escolares privados. Si una escuela pública elige proporcionar cualquier tipo de servicio a su hijo, entonces se debe desarrollar e implementar un plan de *servicios*.

Plan de Servicios

El plan de servicios debe incluir el "cómo, dónde y por quién" se proporcionará educación especial y servicios relacionados para su hijo. Un plan de servicios debe reflejar solo los servicios ofrecidos a un niño de escuela privada colocado por los padres con una discapacidad designada para recibir servicios, y debe, en la medida apropiada, cumplir con los requisitos de contenido del IEP en IDEA. Dado que los alumnos con discapacidades que tienen derecho a FAPE deben recibir la gama completa de servicios bajo la Parte B, sus IEP generalmente serán más completos que los planes de servicios más limitados desarrollados e implementados para aquellos niños de escuelas privadas con discapacidades colocados por los padres designados para recibir servicios de una Agencia Educativa Local (LEA – Local Education Agency). El requisito de que un plan de servicios cumpla con los requisitos de un IEP, en la medida apropiada, asegurará que los servicios realmente proporcionados a un niño de escuela privada colocado por los padres con una discapacidad aborden significativamente las necesidades individuales del niño.

Reembolso por colocación en escuela privada

Si inscribe a su hijo en una escuela primaria o secundaria privada debido a su creencia de que la escuela pública no estaba proporcionando una FAPE, lo siguiente puede ser aplicable:

- Un tribunal o un oficial de audiencias pueden requerir que el distrito le reembolse el costo de esa inscripción si se determina que el distrito no puso a disposición una FAPE de manera oportuna antes de esa inscripción.

El costo del reembolso concedido por el consejero auditor podrá reducirse o denegarse:

- Si, en la reunión más reciente del IEP a la que asistió antes de la remoción de su hijo de la escuela pública, no informó al equipo del IEP que estaba rechazando la colocación propuesta por el distrito, incluso declarando sus preocupaciones e intención de inscribir a su hijo en una escuela o instalación no pública;

- Si 10 días hábiles (incluidos los días festivos que ocurren en un día hábil) antes de la eliminación del alumno de la escuela pública, no notificó al distrito de la información mencionada anteriormente;
- Si antes de retirar a su hijo de la escuela pública, el distrito escolar le informó de su intención de evaluar a su hijo, pero no lo puso a disposición para dicha evaluación; o
- Sobre un hallazgo judicial de irracionalidad con respecto a las acciones tomadas por usted.

El costo del reembolso no podrá reducirse ni denegarse por **no** haber proporcionado dicha notificación si:

- Un padre/tutor no puede leer y escribir en inglés;
- El cumplimiento de los requisitos de notificación probablemente resultaría en un daño físico o emocional grave para su hijo;
- La escuela le impidió proporcionar dicho aviso; o
- No se le informó del requisito de notificación mencionado anteriormente.

DISCIPLINA DE LOS ALUMNOS CON DISCAPACIDADES

Si el comportamiento de su hijo impide su aprendizaje o el aprendizaje de otros, se deben considerar estrategias que incluyan intervenciones y apoyos conductuales positivos en el desarrollo del IEP de su hijo. Si su hijo viola el código de conducta del alumno, el personal de la escuela puede removerlo de la colocación actual.

Definición de suspensiones

Cuando a usted, como padre, se le pide que venga a la escuela y recoja a su alumno debido a una infracción disciplinaria, esta remoción se cuenta como una "suspensión" según las regulaciones. *La suspensión o expulsión puede incluir la suspensión o expulsión de la escuela y de todas las actividades escolares y la prohibición de estar presente en los terrenos de la escuela.*

Remoción a corto plazo (menos de 10 días escolares en el transcurso de un año escolar)

Si su hijo viola el código de conducta del alumno, el personal de la escuela puede retirarlo de la colocación actual durante 10 días o menos en un año escolar. El distrito escolar no está obligado a proporcionar servicios educativos durante estas mudanzas a menos que se brinden servicios a alumnos sin discapacidades en circunstancias similares.

Remoción largo plazo (por un total de 10 días o más dentro de un año escolar) La remoción de un niño con una discapacidad de la colocación educativa actual es un cambio de colocación si:

- 1) La remoción es por más de 10 días escolares consecutivos; o
- 2) El niño ha sido sometido a una serie de remociones que constituyen un patrón porque:
 - a) La serie de remociones totaliza más de 10 días escolares en un año escolar;
 - b) El comportamiento del niño es sustancialmente similar al comportamiento del niño en incidentes anteriores que resultaron en la serie de remociones; y
 - c) De factores adicionales tales como la duración de cada mudanza, la cantidad total de tiempo que el niño ha sido retirado y la proximidad de las remociones entre sí.

Si un patrón de expulsiones constituye un cambio de colocación es determinado caso por caso por el distrito escolar y, si se impugna, está sujeto a revisión a través del debido proceso y procedimientos judiciales.

Una vez que las eliminaciones disciplinarias suman más de 10 días escolares, el distrito escolar debe continuar brindando servicios educativos. El personal de la escuela, en consulta con al menos uno de los educadores de su hijo, debe determinar en qué medida se necesitan servicios para permitir que su hijo continúe participando en el currículo de educación general, aunque en otro entorno, y para progresar hacia el cumplimiento de las metas establecidas en el IEP durante las mudanzas.

Las remociones disciplinarias más allá de un total de 10 días escolares durante el año escolar pueden considerarse un cambio en la colocación por parte de los funcionarios escolares. Si esto ocurre, el distrito escolar debe notificarle su decisión y proporcionarle una copia de las Salvaguardias procesales el mismo día en que se toma la decisión de eliminar. El personal de la escuela, en consulta con al menos uno de los educadores de su hijo, debe determinar en qué medida se necesitan servicios durante el período de remoción. Su hijo recibirá, según corresponda, una evaluación funcional del comportamiento y servicios y modificaciones de intervención conductual, que están diseñados para abordar la violación del comportamiento para que no se repita. Además, se debe convocar una reunión del IEP lo antes posible, pero a más tardar 10 días escolares después de que se haya tomado la decisión de eliminar, para llevar a cabo una revisión de determinación de manifestación (MDR – Manifestation Determination Review).

Revisión de la determinación de manifestaciones

Al realizar un MDR, el equipo del IEP considerará toda la información relevante en el archivo de su hijo, incluido el IEP de su hijo, las observaciones del personal y cualquier información relevante proporcionada por usted. El equipo del IEP determina:

- Si el comportamiento fue causado por o tuvo una relación directa y sustancial con la discapacidad de su hijo, o
- Si el comportamiento fue el resultado directo de la falla del distrito escolar para implementar el IEP de su hijo.

Si el equipo determina que cualquiera de las declaraciones anteriores es aplicable, entonces el comportamiento de su hijo debe considerarse una manifestación de su discapacidad.

Se requerirá que el distrito revise el plan de intervención conductual del alumno o, si aún no se ha desarrollado un plan de intervención conductual, que desarrolle uno.

A. Manifestación de la discapacidad

Al determinar que el comportamiento fue una manifestación de la discapacidad de su hijo, el equipo del IEP deberá:

- Realizar una evaluación funcional del comportamiento e implementar un Plan de Intervención de comportamiento (BIP - Behavioral Intervention Plan), siempre que el distrito escolar no haya realizado dicha evaluación antes de la determinación del comportamiento que resultó en el cambio de colocación,
- En la situación en la que un BIP está en su lugar, revisarlo y / o modificar el plan según sea necesario para abordar el comportamiento; y
- Regrese a su hijo a la colocación de la que fue removido, a menos que usted y el distrito escolar acuerden un cambio de ubicación, excepto cuando el alumno haya sido trasladado a un entorno de educación alternativa provisional para drogas, armas y / o lesiones corporales

graves. (Vea la página siguiente para obtener más información sobre el entorno educativo alternativo provisional [IAES interim alternative educational setting])

B. No es una manifestación de la discapacidad

Si se determina que el comportamiento de su hijo no estaba relacionado con su discapacidad, los procedimientos disciplinarios pertinentes se pueden aplicar de la misma manera que lo harían para los alumnos sin discapacidades, **excepto** que los alumnos con discapacidades deben continuar recibiendo una FAPE si se eliminan por más de 10 días escolares en ese año escolar.

Si el distrito local inicia los procedimientos disciplinarios pertinentes que se aplican a todos los alumnos, el distrito debe asegurarse de que los registros de educación especial y disciplinarios de su hijo se transmitan para su consideración por la persona (s) que toma la determinación final sobre la acción.

Audiencia acelerada de debido proceso

Si no está de acuerdo con cualquier decisión con respecto a la colocación disciplinaria o el MDR, tiene derecho a solicitar una audiencia acelerada de debido proceso. El distrito local o ISBE debe organizar una audiencia acelerada cuando usted hace una solicitud por escrito.

Además, si el distrito escolar cree que mantener a su hijo en su ubicación actual es sustancialmente probable que resulte en lesiones a su hijo o a otros, la escuela puede solicitar un debido proceso acelerado escuchar para cambiar la ubicación de su hijo a un IAES. El oficial de audiencias puede ordenar la colocación incluso si los comportamientos de su hijo son una manifestación de su discapacidad.

La audiencia acelerada debe ocurrir dentro de los 20 días escolares posteriores a la fecha en que se solicita la audiencia y debe resultar en una determinación dentro de los 10 días escolares posteriores a la audiencia.

Entorno educativo alternativo provisional

Un IAES es un lugar diferente donde los servicios educativos se proporcionan durante un período de tiempo específico por razones disciplinarias. Este ajuste será determinado por el equipo del IEP y debe seleccionarse para permitir que su hijo continúe progresando en el currículo general, aunque en otro entorno, y para continuar recibiendo esos servicios y modificaciones, incluidos los descritos en el IEP actual, que le permitirán cumplir con las metas del IEP. La configuración alternativa también debe incluir servicios y adaptaciones para abordar el comportamiento que resultó en la eliminación.

El personal de la escuela puede retirar a su hijo de su colocación educativa actual a un IAES sin su consentimiento si él/ella:

- Lleva un arma a la escuela o a una función escolar;
- Posee o usa drogas ilegales a sabiendas o vende o solicita la venta de una sustancia controlada mientras está en la escuela o en una función escolar; y/o
- Ha infligido lesiones corporales graves a otra persona mientras estaba en la escuela o en una función escolar.

La remoción a un IAES no será más de 45 días escolares sin tener en cuenta si se determina que el comportamiento es una manifestación de su discapacidad.

Si no está de acuerdo con la decisión y solicita una audiencia acelerada de debido proceso para impugnar la decisión, su hijo permanecerá en el entorno educativo alternativo provisional durante la pendency de la audiencia, a menos que usted y el distrito escolar acuerden lo contrario o hasta que expire el período de tiempo de 45 días escolares. Un distrito escolar puede buscar audiencias aceleradas posteriores y colocaciones alternativas si después de que el primer período de 45 días escolares ha expirado, el distrito escolar cree que su hijo sigue siendo peligroso.

Protecciones para alumnos que aún no son elegibles para educación especial y servicios relacionados

Si su hijo no ha sido declarado elegible para la educación especial, pero el distrito tiene conocimiento de que su hijo está discapacitado antes de que ocurriera un comportamiento por el cual se están tomando medidas disciplinarias, puede hacer valer las mismas protecciones en la disciplina otorgadas a un alumno con una discapacidad.

Se considera que el distrito escolar tiene conocimiento de una discapacidad si:

- Usted ha expresado su preocupación por escrito de que su hijo necesita educación especial y servicios relacionados;
- El comportamiento o el rendimiento escolar de su hijo muestra la necesidad de educación especial;
- Usted ha solicitado una evaluación para determinar si su hijo necesita educación especial; o
- Uno de los educadores de su hijo u otro personal del distrito ha hecho una solicitud de servicios de educación especial al director de educación especial u otro personal apropiado del distrito.

No se considera que el distrito escolar tenga conocimiento de una discapacidad si:

- No ha permitido una evaluación de su hijo;
- Ha rechazado servicios;
- Se realizó una evaluación, y se determinó que su hijo no tiene una discapacidad; o
- Se determinó que no se necesitaba una evaluación, y se le informó por escrito de la determinación.

Si, antes de tomar medidas disciplinarias contra un alumno, el distrito local no tenía conocimiento de que el alumno era un alumno con una discapacidad, el alumno puede estar sujeto a los mismos procedimientos disciplinarios que los aplicados a los alumnos sin discapacidades que participaron en comportamientos comparables.

Una evaluación solicitada durante el período de tiempo en el que el alumno está sujeto a procedimientos disciplinarios debe llevarse a cabo de manera expedita. Sin embargo, el alumno debe permanecer en la colocación educativa determinada por las autoridades escolares a la espera de los resultados de la evaluación. Si se determina que el alumno es un alumno con una discapacidad en función de la evaluación, el distrito local debe proporcionar educación especial adecuada y servicios relacionados.

Remisión y actuación de las autoridades policiales y judiciales

Los distritos locales u otras agencias no tienen prohibido denunciar un delito cometido por un alumno con una discapacidad a las autoridades apropiadas. Además, las autoridades estatales policiales y judiciales no están impedidas de ejercer sus responsabilidades con respecto a la aplicación de la ley federal y estatal a los delitos cometidos por un alumno con una discapacidad.

Los distritos locales u otras agencias que informan sobre un delito cometido por un alumno con una discapacidad deben asegurarse de que las copias de los registros de educación especial y disciplinarios del alumno se transmitan a las autoridades apropiadas para su consideración.

RESOLUCIÓN DE RECLAMACIONES

Las preocupaciones con respecto a cualquier asunto relacionado con la identificación, evaluación o colocación educativa de un alumno o la provisión de FAPE a un alumno deben dirigirse al distrito escolar local.

Puede presentar una queja firmada y por escrito ante ISBE, alegando que se han violado los derechos de su hijo o de varios niños con discapacidades. La siguiente información debe incluirse en una queja formal:

- Una declaración que alegue que una entidad pública responsable ha cometido una violación de un requisito de educación especial;
- Los hechos en los que se basa la declaración;
- Los nombres y direcciones de los alumnos involucrados y las escuelas de asistencia;
- La firma y la información de contacto del denunciante;
- Una descripción de la naturaleza del problema, incluidos los hechos relacionados con el problema; y
- Una propuesta de resolución para el problema, en la medida en que se conozca.

La queja debe alegar que la violación ocurrió no más de un año antes de la fecha en que se recibe la queja. Dentro de los 60 días posteriores a la recepción de una queja que cumpla con los requisitos enumerados anteriormente, ISBE deberá:

- Llevar a cabo una investigación independiente in situ, si ISBE lo considera necesario. Darle la oportunidad de presentar información adicional sobre las acusaciones.
- Exigir que la entidad pública objeto de la queja presente una respuesta por escrito a la queja. La entidad pública presentará su respuesta y toda otra documentación, incluida la documentación de cumplimiento de acciones correctivas, a ISBE y al padre, individuo u organización que presenta la queja a más tardar 45 días a partir de la fecha en que nuestra agencia recibe la queja.
- Proporcionar a la entidad pública, durante el proceso de queja, la oportunidad de ofrecer una propuesta para resolver la queja y / u ofrecer involucrarlo en la mediación o medios alternativos de resolución de disputas.
- Revisar toda la información relevante y determine si la entidad pública violó un requisito de educación especial.
- Emitir una decisión por escrito que aborde cada alegación e incluya hallazgos de hechos y conclusiones, las razones de las decisiones de ISBE y las órdenes de cualquier acción correctiva.

Estas acciones se llevarán a cabo dentro de un plazo de 60 días, a menos que ese límite de tiempo se extienda en circunstancias excepcionales o si usted y el distrito participan en otro método de resolución de disputas, como la mediación.

Si se presenta una queja que involucra uno o más asuntos que también son objeto de una audiencia de debido proceso, esas partes de la queja se mantendrán en suspenso hasta que se complete la

audiencia. Además, si un asunto se ha decidido previamente en una audiencia de debido proceso que involucra a las mismas partes, la decisión de la audiencia será vinculante y ese asunto no se investigará a través del proceso de queja.

Puede encontrar más información sobre los procesos y recursos de resolución de disputas en ISBE en el siguiente enlace: <https://www.isbe.net/Pages/Special-Education-Effective-Dispute-Resolution.aspx>

MEDIACIÓN

El servicio de mediación de Illinois está diseñado como un medio para resolver desacuerdos con respecto a la idoneidad de la educación especial y los servicios relacionados con los niños. Puede solicitar la mediación independientemente de si hay o no una audiencia pendiente del debido proceso, pero la mediación no se puede utilizar para retrasar o denegar una audiencia del debido proceso. Tanto usted como el distrito escolar deben aceptar voluntariamente participar en el proceso de mediación. Este servicio es administrado y supervisado por el ISBE y se proporciona sin costo alguno para usted o para el distrito escolar.

La mediación será llevada a cabo por un mediador calificado e imparcial que esté capacitado en técnicas de mediación efectivas y tenga conocimientos de leyes y reglamentos relacionados con la prestación de educación especial y servicios relacionados. El mediador es un tercero imparcial y no tiene autoridad para forzar ninguna acción por parte de ninguna de las partes.

El número de participantes se limitará generalmente a tres personas por parte. Puede traer un abogado, defensor, intérprete y otras partes relevantes. Todas las discusiones que ocurran durante el proceso de mediación serán confidenciales y no podrán ser utilizadas como evidencia en *ninguna audiencia posterior de debido proceso o procedimiento civil*.

No se le pedirá que abandone las creencias básicas sobre la capacidad de su hijo durante la mediación; más bien, se le pedirá que (a) considere alternativas que podrían incluirse en el programa de su hijo, (b) escuche las preocupaciones expresadas por la otra parte y (c) sea realista sobre las capacidades de su hijo y las obligaciones y recursos del distrito local.

Si resuelve una disputa a través del proceso de mediación, usted y un representante del distrito escolar que tiene la autoridad para vincular dicho acuerdo será escrito y firmado. Los acuerdos de mediación son legalmente vinculantes y exigibles en cualquier tribunal estatal de jurisdicción competente o en un tribunal de distrito de los Estados Unidos.

Una solicitud de mediación por parte de un padre que impugne una propuesta del distrito para cambiar la ubicación educativa del niño invocará la disposición de "permanencia". La colocación "stay-put" será la última colocación acordada entre las partes. En el caso de que una parte se niegue a utilizar la mediación, el padre (o alumno si tiene 18 años o más o emancipado) tendrá 10 días a partir de la fecha de la negativa para solicitar una audiencia de debido proceso con el fin de continuar la colocación de "permanencia". Si la mediación no resuelve la disputa entre las partes, el padre (o alumno si tiene 18 años o más o emancipado) tendrá 10 días después de que concluya la mediación para presentar una solicitud de audiencia de debido proceso para continuar invocando la disposición de "suspensión".

Los esfuerzos para mediar en el desacuerdo no serán admisibles como prueba en ningún procedimiento administrativo o civil posterior, excepto con el propósito de señalar la mediación que

ocurrió y los términos de cualquier acuerdo escrito que se alcanzó como resultado de la mediación. El mediador no podrá ser llamado como testigo en ningún procedimiento administrativo o civil *posterior*.

Si desea solicitar servicios de mediación o para obtener más información sobre el sistema de mediación, puede comunicarse con el Departamento de Educación Especial de ISBE al (217) 782-5589 o al número gratuito para padres al (866) 262-6663.

Puede encontrar más información sobre los procesos y recursos de resolución de disputas en ISBE en el siguiente enlace: <https://www.isbe.net/Pages/Special-Education-Effective-Dispute-Resolution.aspx>

AUDIENCIA DE DEBIDO PROCESO

Solicitar una audiencia de debido proceso

Además del uso de la mediación y los procedimientos de quejas estatales, también tiene derecho a solicitar una audiencia imparcial de debido proceso. Una audiencia de debido proceso es un proceso legal en el que un oficial de audiencias reúne evidencia y escucha testimonios tanto de usted como del distrito escolar para tomar una decisión legalmente vinculante. Puede iniciar una audiencia de debido proceso con respecto a la propuesta o negativa del distrito a iniciar o cambiar la identificación, evaluación o colocación educativa de un alumno o la provisión de FAPE por parte del distrito. Su solicitud de una audiencia de debido proceso debe discutir asuntos que han ocurrido en los últimos dos años o dentro de los dos años posteriores a la fecha en que razonablemente debería haber sabido sobre las acciones del distrito con respecto a la colocación de servicios de su hijo. Usted puede solicitar que su distrito escolar le proporcione una lista de servicios legales gratuitos o de bajo costo y otros servicios relevantes disponibles localmente para ayudarle a iniciar una audiencia imparcial de debido proceso.

Una solicitud de audiencia debe hacerse por escrito al superintendente del distrito en el que usted y su hijo residen y debe incluir la siguiente información:

- El nombre y la dirección del alumno;
- El nombre de la escuela a la que asistió;
- Una descripción de la naturaleza del problema sobre el que se queja que se relaciona con la iniciación o el cambio propuesto, incluidos los hechos relacionados con el problema; y
- Una propuesta de resolución del problema en la medida en que se conozca y esté disponible para usted en ese momento.

Dentro de los cinco días escolares posteriores a la recepción de la solicitud de audiencia, el distrito se comunicará con ISBE por correo certificado para solicitar el nombramiento de un oficial imparcial de audiencias de debido proceso. Se facilitará un modelo de formulario para solicitar una audiencia de debido proceso ha pedido.

Dentro de los cinco días calendario posteriores a la presentación de su solicitud de audiencia ante el distrito, se le permite el derecho de presentar una solicitud de audiencia enmendada que puede cubrir problemas que no se plantearon en su solicitud de audiencia inicial. Después de cinco días calendario, solo se le permitirá presentar una solicitud de audiencia enmendada con el acuerdo del distrito o con la autorización del oficial de audiencias. Si presenta una solicitud de audiencia enmendada que plantea problemas distintos de los problemas en su solicitud de audiencia inicial, se le pedirá que reinicie todos los plazos de audiencia y potencialmente complete nuevas sesiones de resolución y conferencias previas a la audiencia. (Vea a continuación.)

Reuniones de resolución

Antes de la audiencia imparcial de debido proceso, el distrito convocará una reunión con usted y los miembros relevantes del equipo IEP que tengan conocimiento específico de los hechos identificados en la solicitud de una audiencia de debido proceso. El propósito de la reunión de resolución es que usted discuta su solicitud para la audiencia y los hechos que forman la base de la solicitud para que el distrito escolar tenga la oportunidad de resolver la disputa.

La reunión de resolución deberá:

- Llevarse a cabo dentro de los 15 días posteriores a la recepción de la notificación del distrito de la solicitud de una audiencia de debido proceso;
- Incluir un representante del distrito que tenga autoridad para tomar decisiones;
- No incluya al fiscal de distrito a menos que también esté acompañado por un abogado;
- Permitirle discutir su solicitud de una audiencia de debido proceso.

Usted y el distrito pueden acordar mutuamente por escrito renunciar a la reunión de resolución o acordar por escrito utilizar el proceso de mediación como se describió anteriormente. Tenga en cuenta que puede utilizar la mediación en una fecha posterior si la sesión de resolución no tiene éxito.

Si se llega a una resolución, las partes deben ejecutar un acuerdo legalmente vinculante que sea firmado tanto por usted como por un representante del distrito que tenga la autoridad para vincular al distrito. El acuerdo firmado es normalmente ejecutable en cualquier tribunal de jurisdicción competente o en un tribunal de distrito de los Estados Unidos. Sin embargo, cualquiera de las partes puede anular dicho acuerdo dentro de los tres días hábiles posteriores a la firma del acuerdo mediante notificación de la intención de anular el acuerdo por escrito a la otra parte.

Si el distrito escolar no ha resuelto la solicitud de audiencia de debido proceso a su satisfacción dentro de los 30 días posteriores a la recepción de la solicitud, la audiencia de debido proceso continuará. Los plazos de audiencia del debido proceso comenzarán al vencimiento del período de 30 días.

Su falta de participación en la reunión de resolución retrasará los plazos para el proceso de resolución y la audiencia de debido proceso hasta que se celebre la reunión, a menos que usted y el distrito escolar hayan acordado conjuntamente renunciar a la reunión de resolución o hayan acordado usar la mediación y usted haya presentado una solicitud para una audiencia de debido proceso. En raras ocasiones, un oficial de audiencias podría desestimar su solicitud de audiencia si se determina que usted ha obstaculizado intencionalmente la capacidad del distrito para llevar a cabo la sesión de resolución.

Nombramiento de un oficial imparcial de audiencias de debido proceso

ISBE nombrará un oficial de audiencia imparcial para llevar a cabo la audiencia. El oficial de audiencias no puede ser un empleado de ninguna agencia involucrada en la educación o el cuidado de su hijo y no puede tener ningún interés personal o profesional que entre en conflicto con la objetividad en la audiencia.

A una parte en una audiencia de debido proceso se le permitirá una sustitución de un oficial de audiencias como una cuestión de derecho. Una solicitud de un oficial de audiencias sustituto debe hacerse por escrito a ISBE dentro de los cinco días posteriores a la recepción de la notificación de la designación del oficial de audiencias. En el caso de que usted y el distrito presenten solicitudes por escrito el mismo día, y estas se reciban simultáneamente, ISBE considerará que la sustitución ha sido

a solicitud de la parte que inicialmente solicitó la audiencia. El derecho de la otra parte a una sustitución estará absolutamente protegido. Cuando una parte en la audiencia presenta una solicitud adecuada de sustitución, ISBE seleccionará y nombrará a otro oficial de audiencias al azar dentro de los tres días.

ISBE nombrará un nuevo oficial de audiencias si el oficial de audiencia designado no está disponible o se retira antes de que las partes sean notificadas de su nombramiento.

Conferencia previa a la audiencia

Si usted y el distrito no pueden llegar a un acuerdo a través del proceso de resolución, los requisitos de audiencia del debido proceso continuarán. A menos que el oficial de audiencia otorgue una extensión de tiempo permisible, se debe emitir una decisión de audiencia dentro de los 45 días posteriores al cierre del proceso de la sesión de resolución descrito anteriormente. Antes de llevar a cabo la audiencia, el oficial de audiencias debe llevar a cabo una conferencia previa a la audiencia con las partes.

Dentro de los cinco días posteriores a la recepción de la notificación por escrito por parte de ISBE, el oficial de audiencia designado debe comunicarse con las partes para determinar la hora y el lugar para convocar la conferencia previa a la audiencia. La conferencia previa a la audiencia puede llevarse a cabo por teléfono o en persona a discreción del oficial de audiencias en consulta con usted y el distrito. En la conferencia previa a la audiencia, se espera que usted, así como el distrito, divulguen lo siguiente:

- 1) Los temas que se creía que estaban en disputa en la audiencia;
- 2) Los testigos que puedan ser llamados a la audiencia;
- 3) La lista de documentos que se pueden presentar para presentar el caso en la audiencia.

Tenga en cuenta que, si plantea problemas en la conferencia previa a la audiencia que no se incluyeron en su solicitud de audiencia, es posible que deba presentar una solicitud de audiencia enmendada y completar una nueva sesión de resolución y una conferencia previa a la audiencia en una fecha posterior. Una solicitud de audiencia enmendada también puede resultar en un retraso de la audiencia. (Vea "Solicitar una Audiencia de Debido Proceso" en la página 13.)

Al concluir la conferencia previa a la audiencia, el consejero auditor debe preparar un informe de la conferencia e inscribirlo en el acta de la audiencia. El informe debe incluir, pero no es necesario que se limite a:

- Los asuntos, el orden de presentación y cualquier adaptación de la programación que se haya hecho para las partes o los testigos;
- Una determinación de la pertinencia y materialidad de los documentos o testigos, si son planteados por una parte o el consejero auditor; y
- Una lista de los hechos estipulados (o acordados) discutidos durante la conferencia previa a la audiencia.

Derechos previos a la audiencia

Usted tiene derecho a:

- Estar acompañado y asesorado por un abogado y por personas con conocimientos especiales con respecto a los problemas de los alumnos con discapacidades;

- Inspeccionar y revisar todos los registros escolares relacionados con el alumno y obtener copias de dichos registros;
- Tener acceso a la lista de evaluadores independientes del distrito y obtener una evaluación independiente del alumno a su propio costo;
- Ser informado al menos cinco días antes de la audiencia de cualquier evidencia que deba presentarse;
- Obligar a la asistencia de cualquier empleado del distrito escolar local a la audiencia, o cualquier otra persona que pueda tener información relevante para las necesidades, habilidades, programa propuesto o el estado del alumno;
- Solicitar que un intérprete esté disponible durante la audiencia;
- Mantener el estado de colocación y elegibilidad del alumno hasta la finalización de todos los procedimientos administrativos y judiciales; y
- Solicitar una audiencia acelerada para cambiar la colocación de su hijo o si no está de acuerdo con la determinación de manifestación del distrito o la remoción del alumno por parte del distrito a un entorno educativo alternativo provisional.

Derechos durante la audiencia

Usted tiene derecho a:

- Tener una audiencia justa, imparcial y ordenada;
- Tener la oportunidad de presentar pruebas, testimonios y argumentos necesarios para apoyar y/o aclarar el tema en disputa;
- Cerrar la audiencia al público;
- Hacer que su hijo esté presente en la audiencia;
- Confrontar e interrogar a los testigos; y
- Prohibir la introducción de pruebas no reveladas al menos cinco días antes de la audiencia.

La audiencia

ISBE y el oficial de audiencias deben asegurarse de que una audiencia se celebre dentro de los 45 días posteriores a la recepción de una solicitud de audiencia, a menos que el oficial de audiencias otorgue una extensión de tiempo específica a solicitud de cualquiera de las partes. Dentro de los 10 días posteriores a la conclusión de la audiencia, el oficial de audiencias debe emitir una decisión por escrito que establezca los problemas en disputa, los hallazgos de hecho basados en la evidencia y el testimonio presentados, y las conclusiones del oficial de audiencias de la ley y las órdenes. El oficial de audiencias debe tomar una determinación sobre todos los asuntos planteados en la solicitud de audiencia (a menos que las partes lo resuelvan antes de la audiencia), así como la determinación general de si el distrito ha proporcionado al alumno FAPE basado en los hechos del caso.

Audiencias aceleradas

Como se describe en la sección "Disciplina de alumnos con discapacidades" que comienza en la página 8, se puede solicitar una audiencia acelerada cuando tenga un desacuerdo sobre la decisión del distrito de retirar a su hijo de la colocación educativa actual debido a problemas disciplinarios. Las audiencias aceleradas tienen una serie de similitudes con, pero varias diferencias importantes, con las audiencias regulares de debido proceso. Las principales diferencias con las audiencias regulares de debido proceso son las siguientes:

- La sesión de resolución debe convocarse dentro de los siete días calendario siguientes a la presentación de la solicitud de audiencia acelerada;

- La audiencia debe llevarse a cabo dentro de los 20 días escolares posteriores a la presentación de la solicitud de audiencia;
- La decisión de la audiencia debe emitirse dentro de los 10 días escolares posteriores al cierre de la audiencia;
- No podrá solicitarse la sustitución del consejero auditor designado.

Solicitud de aclaración

Después de que se emita una decisión, el oficial de audiencias conservará la jurisdicción sobre el caso con el único propósito de considerar una solicitud de cualquiera de las partes para aclarar la decisión final. Puede solicitar una aclaración de la decisión final presentando la solicitud por escrito al oficial de audiencias dentro de los cinco días posteriores a la recepción de la decisión. La solicitud de aclaración debe especificar las partes de la decisión para las que solicita aclaración. Se debe enviar una copia por correo a todas las partes involucradas en la audiencia y a ISBE. El oficial de audiencias debe emitir una aclaración de la parte especificada de la decisión o emitir una denegación de la solicitud por escrito dentro de los 10 días posteriores a la recepción de la solicitud.

Apelación de la decisión

Después de una audiencia de debido proceso, una parte insatisfecha con la orden final del oficial de audiencias tiene derecho a iniciar una acción civil. La acción civil se puede presentar en cualquier tribunal de jurisdicción competente o en un tribunal de distrito de los Estados Unidos dentro de los 120 días posteriores a la entrega de una copia de la decisión a las partes. Los procedimientos para presentar tales acciones están disponibles en la oficina del secretario del tribunal en el que se va a realizar la presentación.

Estancia de colocación

Durante una audiencia pendiente de debido proceso o cualquier procedimiento judicial, su hijo debe permanecer en su ubicación educativa actual con el estado de elegibilidad y la educación especial y los servicios relacionados que se proporcionaron en el momento de la presentación de la solicitud de audiencia. Sin embargo, si el distrito cambió la colocación del alumno en respuesta a un incidente disciplinario y esta colocación está sujeta a una audiencia acelerada, la nueva colocación del distrito se mantendrá en espera de la decisión final en la audiencia acelerada. (Consulte la sección "Disciplina de los alumnos con discapacidades" que comienza en la página 8.)

Concesión de Honorarios de Abogados

En cualquier acción o procedimiento iniciado bajo IDEA, un tribunal de jurisdicción competente puede otorgar honorarios razonables de abogados. Estos son honorarios incurridos por su abogado (sin incluir un defensor sin licencia u otro representante que no sea abogado) en relación con su representación de sus intereses en los procedimientos de audiencia de debido proceso. Un tribunal puede conceder tales tasas:

- Al padre o tutor de un alumno con discapacidades que es la parte prevaleciente;
- A la parte vencedora que es una autoridad estatal (SEA) o de distrito contra el abogado de un padre que presenta una queja o un caso posterior de acción que es frívolo, irrazonable o sin fundamento;
- A un SEA o distrito prevaleciente contra el abogado de un padre, o contra el padre, si la queja del padre o la causa posterior de acción se presentó para cualquier propósito inapropiado, como acosar, causar demoras innecesarias o aumentar innecesariamente el costo del litigio.

Las tasas concedidas se basarán en las tarifas vigentes en la comunidad en la que surgió la acción o procedimiento por la clase y calidad de los servicios prestados. Los honorarios de los abogados pueden ser reducidos por el tribunal en función de una serie de factores, incluidas las tarifas irrazonables cobradas, los procedimientos innecesariamente prolongados o la existencia de un acuerdo de conciliación entre las partes. Se le insta a discutir estos asuntos con su abogado.

Puede encontrar más información sobre los procesos y recursos de resolución de disputas en ISBE en el siguiente enlace: <https://www.isbe.net/Pages/Special-Education-Effective-Dispute-Resolution.aspx>

PADRES SUSTITUTOS EDUCATIVOS

Al inscribir a un alumno, el distrito escolar residente debe hacer intentos razonables para comunicarse con el padre de un niño que ha sido referido para, o necesita, educación especial y servicios relacionados. Si el padre no puede ser identificado o localizado o el niño es un pupilo del estado que reside en una instalación residencial y la instalación residencial aún no lo ha hecho, un representante de esa instalación presentará a ISBE una solicitud de nombramiento de un padre sustituto para Salavaguardiasizar que los derechos educativos del niño estén protegidos. Si el niño es un pupilo del estado, un padre sustituto puede ser designado alternativamente por el juez que supervisa el cuidado del niño. En el caso de un alumno sin hogar no acompañado, el distrito designará a un padre sustituto.

Un niño que reside en un hogar de acogida o en un entorno de cuidador familiar ya no requiere el nombramiento de un padre sustituto educativo. El padre adoptivo o el cuidador familiar representarán las necesidades educativas de cada niño colocado en su hogar.

Si su escuela lo designó para ser un padre sustituto, todos los derechos explicados en este documento le pertenecen a usted. Usted no puede ser un empleado de una agencia pública que está involucrada en la educación o el cuidado del niño, puede no tener conflicto de intereses con el niño y debe tener el conocimiento y las habilidades necesarias para Salvaguardias una representación adecuada del niño. Si usted es un empleado de un centro residencial, puede ser seleccionado como padre sustituto educativo para un niño que reside en ese centro si ese centro solo brinda atención no educativa para el niño.

Como padre sustituto educativo, puede representar al niño en todos los asuntos relacionados con la identificación, evaluación, colocación educativa y la provisión de FAPE.

ACCESO A REGISTROS EDUCATIVOS

Su distrito local es responsable de proteger la confidencialidad de los registros educativos de su hijo.

Definiciones

- *La destrucción* significa la destrucción física o la eliminación de identificadores personales de la información para que la información ya no sea personalmente identificable.
- *Registros educativos* – La Ley de Derechos Educativos y Privacidad de la Familia (FERPA – Family Educational Rights and Privacy Act) define los "registros educativos" como registros que están directamente relacionados con un alumno y mantenidos por una agencia educativa o por una parte que actúa para la agencia.
- *Agencia participante* significa cualquier distrito escolar, agencia o institución que recopile, mantenga o use información de identificación personal, o de la cual se obtenga información.
- Identificación personal significa información que tiene:

- a) El nombre de su hijo, su nombre como padre o el nombre de otro miembro de la familia;
- b) La dirección de su hijo;
- c) Un identificador personal, como el número de Seguro Social de su hijo o el número de alumno; o
- d) Una lista de características personales u otra información que permita identificar a su hijo con certeza razonable.

Derechos de acceso

Como padre, usted tiene derecho a inspeccionar y revisar cualquier registro educativo relacionado con su hijo que sea recopilado, mantenido o utilizado por el distrito. El distrito deberá cumplir con una solicitud para revisar el expediente educativo sin demora innecesaria y antes de cualquier reunión relacionada con la identificación, evaluación o colocación del alumno. La solicitud de inspeccionar y copiar registros debe otorgarse dentro de los 10 días hábiles posteriores a la recepción de la solicitud por parte del custodio de los registros oficiales. El distrito escolar puede extender esto por no más de cinco días hábiles adicionales por una de las siguientes razones:

- Los registros se almacenan fuera del sitio o en múltiples lugares;
- La solicitud requiere la recopilación de un número sustancial de registros especificados;
- La solicitud requiere una búsqueda exhaustiva;
- Se necesitan esfuerzos adicionales para localizar los registros;
- La solicitud crea una carga indebida para el distrito escolar; o
- Existe la necesidad de consultar con otro organismo público o distrito escolar con respecto a la solicitud.

En ningún caso se otorgará una solicitud para inspeccionar y copiar registros más de 15 días hábiles después de que se realice la solicitud, a menos que el padre y el distrito escolar hayan acordado por escrito una extensión del período de tiempo.

El derecho a inspeccionar y revisar los registros educativos incluye:

- El derecho a una respuesta del distrito escolar a las solicitudes razonables de explicaciones e interpretaciones de los registros;
- El derecho a que su representante inspeccione y revise los registros; y
- El derecho a solicitar que el distrito escolar proporcione copias de los registros educativos, si el hecho de no proporcionar esas copias le impediría efectivamente ejercer su derecho a inspeccionar y revisar los registros en un lugar donde normalmente se mantienen.

Un distrito escolar local puede presumir que usted tiene autoridad para inspeccionar y revisar los registros relacionados con su hijo, a menos que se le haya informado al distrito escolar que no tiene la autoridad bajo la ley estatal aplicable que rige asuntos tales como la tutela, la separación y el divorcio.

Un distrito escolar local debe proporcionarle, previa solicitud, una lista de los tipos y ubicaciones de los registros educativos recopilados, mantenidos o utilizados por el distrito.

Los distritos escolares locales deben hacer que los registros que registran la prestación de servicios relacionados administrados bajo el IEP de su hijo y las actas de cada tipo de servicio relacionado que se ha administrado estén disponibles para usted en cualquier momento a su solicitud. El distrito escolar local debe informarle dentro de los 20 días escolares a partir del comienzo del año escolar o al

establecer un IEP que tiene la opción de solicitar esos registros de servicio relacionados. Un distrito escolar local debe hacer registros de servicios del habla y el lenguaje, servicios de terapia ocupacional, servicios de fisioterapia, servicios de trabajo social escolar, servicios de asesoramiento escolar, servicios de psicología escolar y servicios de enfermería escolar.

Se le proporcionarán todos los datos recopilados y revisados por el distrito escolar con respecto a su hijo en el proceso científico, de intervención basada en la investigación o del sistema de apoyo de múltiples niveles.

Tarifas por buscar, recuperar y copiar registros

Un distrito escolar local no puede cobrar una tarifa para buscar o recuperar información. Sin embargo, un distrito escolar local puede cobrar un costo razonable (pero no más de \$.35 por página) por la copia de los registros escolares de un alumno. A ningún padre o alumno se le negará una copia solicitada de los registros debido a la incapacidad de asumir el costo de dicha copia.

Registro de acceso

Un distrito solo puede divulgar información con su consentimiento a menos que la ley estatal o federal permita lo contrario. Un distrito escolar local debe mantener un registro de las partes que obtienen acceso a los registros educativos recopilados; mantenido; o utilizado (excepto para los padres y empleados autorizados del distrito local), incluido el nombre de la parte, la fecha en que se dio acceso y el propósito para el cual la parte está autorizada a usar los registros.

Registros de más de un niño

Si algún registro educativo incluye información sobre más de un niño, los padres de esos niños tienen derecho a inspeccionar y revisar solo la información relacionada con su hijo o a ser informados de esa información específica.

Modificación de registros a petición de los padres

Si cree que la información en los registros de su hijo es inexacta, engañosa o viola la privacidad u otros derechos de su hijo, puede pedirle al distrito escolar que enmiende el registro. El distrito escolar local debe decidir si enmendar la información dentro de los 15 días escolares a partir de la fecha de recepción de su solicitud. Si el distrito se niega a enmendar la información de acuerdo con la solicitud, el distrito debe informarle de la negativa y aconsejarle sobre su derecho a una audiencia de registro como se establece a continuación.

Audiencia del registro

El distrito escolar debe, previa solicitud, brindarle la oportunidad de que la audiencia de un registro impugne la información en los registros de su hijo. Esta no es una audiencia de debido proceso y no se lleva a cabo ante un oficial de audiencia designado por ISBE; más bien, es una audiencia celebrada a nivel local.

Si, como resultado de una audiencia de registros, se decide que la información es inexacta, engañosa o viola los derechos de su hijo, el distrito escolar debe enmendar la información e informarle por escrito que lo ha hecho.

Si, como resultado de la audiencia de registros, se decide que la información no es inexacta, engañosa o viola los derechos de su hijo, el distrito escolar debe informarle de su derecho a colocar una declaración comentando la información o exponiendo cualquier razón para estar en desacuerdo con la decisión del distrito escolar. Cualquier explicación colocada en los registros de su hijo debe ser

mantenida por el distrito escolar como parte de los registros de su hijo durante el tiempo que el registro o la parte impugnada sea mantenida por el distrito escolar. Si los registros son divulgados por el distrito a cualquiera de las partes, la explicación también debe ser divulgada.

Consentimiento para la divulgación de información de identificación personal

Su consentimiento debe obtenerse antes de que la información de identificación personal se divulgue a partes que no sean funcionarios de las agencias participantes, a menos que la divulgación de dicha información contenida en los registros educativos esté autorizada por FERPA.

Excepto en las circunstancias especificadas a continuación, no se requiere su consentimiento antes de que la información de identificación personal se divulgue a los funcionarios de las agencias participantes con el fin de cumplir con un requisito de IDEA.

- Su consentimiento, o el consentimiento de un niño elegible que ha alcanzado la mayoría de edad bajo la ley estatal, debe obtenerse antes de que la información de identificación personal se divulgue a los funcionarios de las agencias participantes que brindan o pagan por los servicios de transición.
- Si su hijo está inscrito o va a inscribirse en una escuela privada que no se encuentra en el mismo distrito escolar en el que usted reside, su consentimiento debe obtenerse antes de que se divulgue cualquier información de identificación personal sobre su hijo entre los funcionarios del distrito escolar donde se encuentra la escuela privada y los funcionarios del distrito escolar donde usted reside.

Salvaguardias

Las siguientes salvaguardias están en su lugar para mantener la confidencialidad de los registros de los alumnos:

- Cada agencia participante debe proteger la confidencialidad de la información de identificación personal en las etapas de recopilación, almacenamiento, divulgación y destrucción.
- Un funcionario de cada agencia participante debe asumir la responsabilidad de garantizar la confidencialidad de cualquier información de identificación personal.
- Todas las personas que recopilen o utilicen información de identificación personal deben recibir capacitación o instrucción sobre confidencialidad bajo la Parte B de IDEA y FERPA.
- Cada agencia participante debe mantener, para inspección pública, una lista actualizada de los nombres y puestos de aquellos empleados dentro de la agencia que pueden tener acceso a información de identificación personal.

Destrucción de información

Su distrito escolar debe informarle cuando la información de identificación personal recopilada, mantenida o utilizada bajo la Parte B de IDEA ya no es necesaria para proporcionar servicios educativos a su hijo.

- Cada escuela mantendrá los registros permanentes de los alumnos y la información contenida en ellos durante no menos de 60 años después de que el alumno se haya transferido, graduado o retirado permanentemente de la escuela.
- Cada escuela mantendrá los registros temporales de los alumnos y la información contenida en esos registros durante no menos de cinco años después de que el alumno se haya transferido, graduado o retirado de la escuela.

Derechos de los alumnos

FERPA especifica que los derechos de los padres con respecto a los registros educativos se transfieren al alumno a los 18 años. Los derechos de los padres bajo la Parte B de IDEA con respecto a los registros de educación también se transfieren al alumno a los 18 años. Sin embargo, una agencia pública debe proporcionar cualquier aviso requerido bajo la Parte B de IDEA tanto al alumno como a los padres.

TRANSFERENCIA DE LA PATRIA POTESTAD

Y nuestro hijo se convierte en un alumno adulto a la edad de 18 años. Todos los derechos de los padres discutidos en este documento se transferirán a él / ella en ese momento a menos que se notifique al distrito escolar lo contrario. Usted compartirá el derecho a recibir todos los avisos previos por escrito requeridos y la escuela proporcionará estos avisos tanto a usted como a su hijo.

En o antes del cumpleaños número 17 de su hijo, el IEP debe incluir una declaración de que usted y su hijo fueron informados de que estos derechos se transferirán al cumplir 18 años. Además, en esta reunión, recibirá un formulario de *Delegación de Derechos para Tomar Decisiones Educativas*.

Su hijo puede decidir usar este formulario para delegarlo a usted u otra persona para que represente sus intereses educativos al alcanzar la mayoría de edad. Este formulario debe presentarse al distrito escolar local.

El formulario de *Delegación de Derechos para Tomar Decisiones Educativas* debe identificar a la persona designada para representar los derechos educativos de su hijo e incluir tanto la firma del individuo como la firma de su hijo (o por otros medios, como formato de audio o video compatible con su discapacidad). Su hijo puede terminar la Delegación de Derechos en cualquier momento y comenzar a tomar sus propias decisiones educativas. La Delegación de Derechos permanecerá en vigor durante un año después de su firma y podrá renovarse anualmente.

Esta declaración de los derechos de los padres fue desarrollada por los Estados Unidos. Oficina de Programas de Educación Especial del Departamento de Educación y modificada por la Junta de Educación del Estado de Illinois para cumplir con las reglas de Illinois.

La Ley de Educación para Individuos con Discapacidades reautorizada de 2004 (IDEA 2004) se convirtió en ley el 3 de diciembre de 2004. Las disposiciones de la Ley entraron en vigor el 1 de julio de 2005. ISBE ha proporcionado este Aviso de Salvaguardias Procesales para informarle sobre sus derechos en virtud de los cambios a la ley federal.

APPENDIX E

EMERGENCY CLOSING INFORMATION

Keeping parents informed is a top priority at SEDOL. The District will once again be using an automated emergency messaging system to send phone calls and emails regarding SEDOL school closings due to inclement weather as well as any other emergency situation that may arise. **Please Note: The term “SEDOL Schools” refers to the following:**

Cyd Lash Academy, Gages Lake	847-986-1000
Gages Lake School, Gages Lake	847-986-1200
Vocational Center, Gages Lake	847-986-7050
Laremont School, Gages Lake	847-986-2500
Fairhaven School, Mundelein	847-986-1150
Early Childhood Assessment Team, Gages Lake	847-548-8470
Regional Safe School Program, Vernon Hills	847-872-1900
John Powers Center Transition, Vernon Hills	847-986-7000

The emergency messaging system will call your home and/or cell phone and send a message to your email provided we have the correct contact information for you. The contact information entered in the system is pulled from the emergency information form that parents are asked to complete and/or update and return to the school at the beginning of the school year. If you did not submit an updated emergency form to your student's school, it is important that you contact the school to ensure the information we have on file for you is correct.

You may also access school closing information for SEDOL and many other Lake County school districts through social media and the district website.

- 1) WWW.SEDOL.US
- 2) FACEBOOK@SEDOL.US
- 3) TWITTER.COM @SEDOL_IL
- 4) INSTAGRAM SEDOL_IL

Important: When you are trying to determine if school is open or closed, please remember the following:

- John Powers Center for the DHH in Vernon Hills follows the Hawthorn District #73 emergency closing. If District #73 is open, John Powers Center DHH classrooms are open.
- John Powers Center Transition Classes will follow the SEDOL emergency procedures.
- SEDOL Vocational Programming at all locations will follow SEDOL emergency procedures.
- SEDOL classrooms housed in member school districts follow the calendar for the district in which the class is housed. **If your child attends a SEDOL class at a member school district, please check your host district website, or call the school.**
- The decision to open and close member district schools rests with the member district superintendent, not SEDOL.

- Parents should always remember that they have the option to keep their children at home if they have concerns about health or safety issues for any reason including poor weather days.

APPENDIX E (Spanish)

INFORMACIÓN DE CIERRE DE EMERGENCIA

Mantener a los padres informados es una prioridad principal en SEDOL. El Distrito nuevamente utilizará un sistema automatizado de mensajería de emergencia para enviar llamadas telefónicas y correos electrónicos con respecto al cierre de las escuelas de SEDOL debido a las inclemencias del tiempo, así como cualquier otra situación de emergencia que pueda surgir. **Tenga en cuenta: El término "Escuelas de SEDOL" se refiere a lo siguiente:**

Cyd Lash Academy, Gages Lake	847-986-1000
Gages Lake School, Gages Lake	847-986-1200
Vocational Center, Gages Lake	847-986-7050
Laremont School, Gages Lake	847-986-2500
Fairhaven School, Mundelein	847-986-1150
Early Childhood Assessment Team, Gages Lake	847-548-8470
Regional Safe School Program, Vernon Hills	847-872-1900
John Powers Center Transition, Vernon Hills	847-986-7000

El sistema de mensajería de emergencia llamará a su casa y / o teléfono celular y le enviará un mensaje a su correo electrónico siempre y cuando tengamos la información de contacto correcta para usted. La información de contacto ingresada en el sistema se extrae de la forma de información de emergencia que se les pide a los padres que completen y / o actualicen y regresen a la escuela al inicio del año escolar. Si no envió una forma de emergencia actualizada a la escuela de su hijo(a), es importante que se comunique con la escuela para asegurarse de que la información que tenemos en nuestros archivos sea correcta.

También puede acceder a la información de cierre de escuelas para SEDOL y muchos otros distritos escolares del condado de Lake a través de las redes sociales y el sitio web del distrito.

1. WWW.SEDOL.US
2. FACEBOOK@SEDOL.US
3. [TWITTER.COM @SEDOL_IL](https://twitter.com/SEDOL_IL)
4. [INSTAGRAM SEDOL_IL](https://www.instagram.com/SEDOL_IL)

Importante: cuando intente determinar si la escuela está abierta o cerrada, recuerde lo siguiente:

- El Centro John Powers para el DHH en Vernon Hills sigue el cierre de emergencia del Distrito #73 de Hawthorn. Si el Distrito #73 está abierto, las aulas DHH del John Powers Center están abiertas..
- Las clases de transición del Centro John Powers seguirán los procedimientos de emergencia de SEDOL.
- La programación vocacional de SEDOL en todas las ubicaciones seguirá los procedimientos de emergencia de SEDOL.
- Los salones de clases de SEDOL ubicados en distritos escolares miembros siguen el calendario del distrito en el que se encuentra la clase. **Si su hijo asiste a una clase de SEDOL en un distrito escolar miembro, consulte el sitio web de su distrito anfitrión o llame a la escuela.**
- La decisión de abrir y cerrar las escuelas del distrito miembro recae en el superintendente del distrito miembro, no en SEDOL.
- Los padres siempre deben recordar que tienen la opción de mantener a sus hijos en casa si tienen preocupaciones sobre problemas de salud o seguridad por cualquier motivo, incluidos los días de mal tiempo.

APPENDIX F

SPECIAL EDUCATION DISTRICT OF LAKE COUNTY

18160 W Gages Lake Road, Gages Lake, Illinois 60030-1819

847-548-8470 Fax 847-548-8472 VP 224-207-8476

www.sedol.us

Judy Hackett, Ed.D.

Tim Thomas, Ed.D.

Co-Interim Superintendents

Student Use of Online, Web-Based Educational Tools/Services

In order for the Special Education District of Lake County to provide your student with the most effective digital tools and applications for learning, the District utilizes several online computer software applications, assessments and web-based services operated by third parties.

In order for our students to use these programs and services, certain personal identifying information such as the student's name and grade must be provided to the website operator. Under federal law, these organizations must provide parental notification and obtain consent before collecting information from children under the age of thirteen. The law permits schools to consent to the collection of personal information on behalf of all of its students, thereby eliminating the need for individual parental consent given directly to each web site operator.

This form will constitute consent for the Special Education District of Lake County to provide identifying information for your child such as first name, last name, and grade to the operators of any web-based educational programs and services that the District uses during the upcoming academic year.

For further information about the privacy policies of specific educational software subscriptions and services go to the following web URL: <https://www.sedol.us/Page/1883>

Please contact Matthew Barbini, Director of Innovation & Technology with any questions at mbarbini@sedol.us or 847-986-2353.

Please return this signed form to your child's teacher.

Permission for use of online, web-based educational tools and services

Student Name *(Please Print)*: _____

Student Signature: _____

Parent/Guardian Name *(Please Print)*: _____

Parent/Guardian Signature: _____

Date: _____

APPENDIX F (Spanish)

SPECIAL EDUCATION DISTRICT OF LAKE COUNTY

18160 W Gages Lake Road, Gages Lake, Illinois 60030-1819
847-548-8470 Fax 847-548-8472 VP 224-207-8476
www.sedol.us

Judy Hackett, Ed.D.

Tim Thomas, Ed.D.

Superintendentes Cointerinos

El Uso de Herramientas/Servicios Educativos Web-Basados y en Línea

Para que el Distrito de Educación Especial del Condado de Lake proporcione a su estudiante con las herramientas más efectivas digitales y aplicaciones para aprender, el Distrito utiliza varias aplicaciones en línea de software de computadora, evaluaciones y servicios web-basados operados por tercer partido.

Para que nuestros estudiantes utilicen estos programas y servicios, cierta información de identificación personal como el nombre del estudiante y el grado debe ser proporcionada al operador del sitio web. Bajo la ley federal, estas organizaciones deben proporcionar notificación paternal y obtener consentimiento antes de reunir información de los niños bajo la edad de trece. La ley permite que las escuelas consientan a la colección de información personal a favor de todos sus estudiantes, así elimina la necesidad para el consentimiento paternal individual sea dado directamente a cada operador del sitio web.

Esta forma constituirá consentimiento para que el Distrito de Educación Especial del Condado de Lake proporcione información de identificación para su niño(a) como su nombre, apellido, y el grado a los operadores de cualquier programa y servicios educativos web-basados que el Distrito utilizara durante el próximo año académico.

Para obtener más información sobre las políticas de privacidad de las suscripciones de software específicas y servicios educativos vaya a la siguiente URL web: <https://www.sedol.us/Page/1883>

Favor de ponerse en contacto con Matthew Barbini, Director de Innovación y Tecnología, con cualquier pregunta a mbarbini@sedol.us o 847-986-2353.

Favor de regresar esta forma firmada a la maestra de su niño(a).

Permiso para el uso en línea, herramientas y servicios educativos web-basado

Nombre del Estudiante: _____

Firma del Estudiante: _____

Nombre de Padre/Tutor: _____

Firma de Padre/Tutor: _____

Fecha: _____

APPENDIX G

RE: Student Authorization for Electronic Network Access

Each student and his or her parent(s)/guardian(s) must sign the Authorization before being granted access. Please read carefully before signing.

All use of the Internet shall be consistent with the District's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. This *Authorization* does not attempt to state all required or proscribed behavior by users. However, some specific examples are provided. **The failure of any user to follow the terms of the *Authorization for electronic Network Access* may result in the loss of privileges, disciplinary action, and/or appropriate legal action.** The signature(s) at the end of this document is legally binding and indicates the party who signed has read the terms and conditions carefully and understands their significance.

Terms and Conditions

1. Acceptable Use – Access to the District's electronic networks must be for the purpose of education or research and be consistent with the educational objectives of the District.
2. Privileges – The use of the district's electronic networks is a privilege, not a right, and inappropriate use may result in a cancellation of those privileges. The system administrator or Building Principal will make all decisions regarding whether or not a user has this *Authorization* and may deny, revoke, or suspend access at any time.
3. Unacceptable Use – The user is responsible for his or her actions and activities involving the network. Some examples of unacceptable uses are:
 - a. Using the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any U.S. or State law;
 - b. Unauthorized downloading of content (software, audio, visual, print, images) software, regardless of whether it is copyrighted or free or viruses and malware;
 - c. Downloading copyrighted material for other than personal use;
 - d. Installation or connection of any computer hardware, components, or software;
 - e. Using the network for private financial or commercial gain;
 - f. Wastefully using resources, such as file space and bandwidth including streaming of audio or video;
 - g. Hacking or gaining unauthorized access to files, resources or entities;
 - h. Invading the privacy of individuals, which includes the unauthorized disclosure, dissemination, and use of information about anyone that is of a personal nature;
 - i. Using another user's account or password;
 - j. Posting material authored or created by another without his/her consent;
 - k. Posting anonymous messages;
 - l. Using the network for commercial or private advertising;
 - m. Accessing, submitting, posting, publishing, or displaying any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, harassing, or illegal material; and
 - n. Using the network while access privileges are suspended or revoked.
4. Network Etiquette – You are expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:

- a. Be polite. Do not become abusive in your messages to others.
 - b. Use appropriate language. Do not swear, or use vulgarities or any other inappropriate language.
 - c. Do not reveal the personal information, including the addresses or telephone numbers, of students or staff.
 - d. Recognize that electronic mail (E-mail) is not private. People who operate the system have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.
 - e. Do not use the network in any way that would disrupt its use by other users.
 - f. Consider all communications and information accessible via the network to be private property.
5. No Warranties – The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any damages the user suffers. This includes loss of data resulting from delays, non-deliveries, missed-deliveries, or service interruptions caused by its negligence or the user’s errors or omissions. Use of any information obtained via the Internet is at the users own risk. The district specifically denies any responsibility for the accuracy or quality of information obtained through its services.
 6. Indemnification – The user agrees to indemnify the School District for any losses, costs, damages, including reasonable attorney fees, incurred by the District relating to, or arising out of, any breach of this *Authorization*.
 7. Security – Network security is a high priority. If you can identify a security problem on the Internet, you must notify a teacher. Do not demonstrate the problem to other users. Keep your account and password confidential. Do not use another individual’s account. Attempts to log-on to the Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk may be denied access to the network.
 8. Vandalism – Vandalism will result in cancellation of privileges and other disciplinary action. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet, or any other network. This includes, but is not limited to, the uploading or creation of computer viruses.
 9. Telephone Charges – The District assumes no responsibility for any unauthorized charges or fees, including telephone charges, long-distance charges, per-minute surcharges, and/or equipment or line costs.
 10. Web Publishing Rules – SEDOL does not approve of individual student or staff creation and posting of web pages under the SEDOL auspices.
 11. Use of personal devices – Personal electronic devices are not allowed to access the SEDOL network unless specified in student’s IEP for educational purposes. When an IEP team agrees that educational benefit may be derived from the use of a personal mobile learning device, both student and parent/guardian must complete the “Student Personal Mobile Learning Device Agreement,” and submit it to the Building Principal/Supervisor.

Internet Safety

1. Internet access is limited to only those “acceptable uses” as detailed in these procedures. Internet safety is almost assured if users will not engage in “unacceptable uses,” as detailed in this Authorization and otherwise follow this Authorization.
2. Staff members shall supervise students while students are using District Internet access to ensure that the students abide by the Terms and Conditions for Internet access contained in this Authorization.
3. Each District computer with Internet access has a filtering device that blocks entry to visual depictions that are: (1) obscene, (2) pornographic, or (3) harmful or inappropriate for students, as defined by the Children’s Internet Protection Act and as determined by the Superintendent or designee.
4. The system administrator and Building Principals shall monitor student Internet access.

Students in SEDOL operated facilities will be provided a form from the Principal. Students

attending in member districts will follow procedures in that district. *(Required if the user is a student:)*

See page 3 for authorization form for parent and student signature.

Page 2 of 3

Authorization for Electronic Network Access Form

Students must have a parent/guardian read and agree to the following before being granted unsupervised access.

All use of the Internet shall be consistent with the District's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. **The failure of any user to follow the terms of the *Acceptable Use of Electronic Networks* will result in the loss of privileges, disciplinary action, and/or appropriate legal action.** The signatures at the end of this document are legally binding and indicate the parties who signed have read the terms and conditions carefully and understand their significance.

I have read this *Authorization for Electronic Network Access*. I understand that access is designed for educational purposes and that the District has taken precautions to eliminate controversial material. However, I also recognize it is impossible for the District to restrict access to all controversial and inappropriate materials. I will hold harmless the District, its employees, agents, or Board members, for any harm caused by materials or software obtained via the network. I accept full responsibility for supervision if and when my child's use is not in a school setting. I have discussed the terms of this *Authorization* with my child. I hereby request that my child be allowed access to the District's Internet.

Parent/Guardian Name *(Please Print)*:

Parent/Guardian Signature:

Date:

Students must also read and agree to the following before being granted unsupervised access.

I understand and will abide by the above *Authorization for Electronic Network Access*. I understand that the District and/or its agents may access and monitor my use of the Internet, including my email and downloaded material, without prior notice to me. I further understand that should I commit any violation, my access privileges may be

revoked, and school disciplinary action and/or legal action may be taken. In consideration for using the District's electronic network connection and having access to public networks, I hereby release the District and its Board members, employees, and agents from any claims and damages arising from my use of, or inability to use the District's electronic network, including the Internet.

Student Name *(Please Print)*:

Student Signature:

Date:

APPENDIX H

Chicago Area Alternative Education League (CAAEL)

Cyd Lash Academy participates in The Chicago Area Alternative Education League (CAAEL). CAAEL is a sports league designed for students with exceptional needs.

Examples of possible programs (but not limited to):

- Chess
- Flag Football
- Volleyball
- Basketball
- Softball

The selected students that wish to participate in a sport must:

- have a current sports physical on file
- have proof of insurance on file
- meet the behavioral expectations of their Individual Education Plan and/or Educational Team
- have no unexcused/excessive absences
- academically have a C average or above

Parent/guardian permission forms will be sent home prior to the starting date of each sport. The Cyd Lash Academy Educational Teams and coaches review athletic eligibility on a case by case basis. Sportsmanship ribbons are presented to those students who have demonstrated exceptional character traits (e.g. respect, fairness, honesty) during competition.

Insurance:

Students planning to participate in any CAAEL sport during the school year must have health insurance coverage. Please submit a copy of the front and back sides of your insurance card, which will be kept on file at school. School insurance is available through local school districts of residence for those students without insurance.