Special Education Procedure Manual

O'Fallon School District 203

Updated – July, 2026

Executive Summary

Two educational laws guide the implementation of special education services. The Individuals with Disabilities Education Act (IDEA) at the federal level as well as the Illinois Administrative Code at the state level regulate the procedures and practices for school districts. Because these two laws provide an outline of legal mandates that a district must adhere to but do not provide guidance as to how to adhere, the task is left to local districts such as O'Fallon 203 to determine this structure.

Due to the complex nature of special education law, simple correspondence and periodic staff development will not provide the background and knowledge needed to assist staff in meeting the requirements under both laws. Therefore, to properly implement IDEA and maintain the high quality of special education services provided to our students, this document will provide the "how to" portion that these laws do not.

This manual will be updated as the law changes and our implementation of special education continues to grow and develop to facilitate the greatest degree of success for each of our students.

District Mission Statement, Shared Values & Strategies

Mission Statement

The mission of O'Fallon Township High School is to access the talents of community, family, and staff to provide a positive environment that maximizes the potential of students to become informed decision makers, engaged learners and responsible citizens in an ever-changing and diverse society.

OTHS District Governing Values

(The OTHS Way)

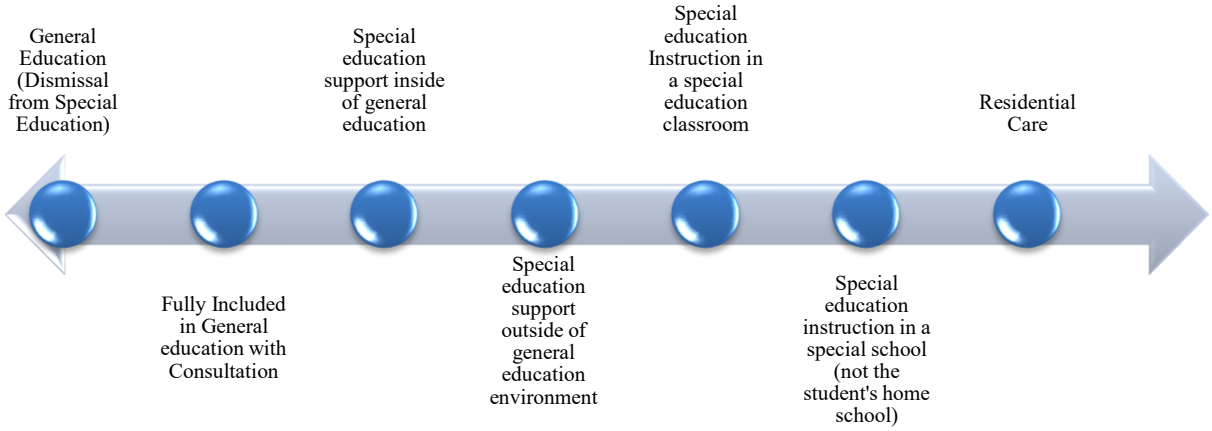
OTHS Educators Consistently:

- Focus on students first
- Choose to have a positive and enthusiastic attitude
- Set clear goals and work with intentionality to achieve them
- Interact with students in a respectful manner
- Value supportive relationships and collaboration
- Exhibit Pride in our school and school community
- Remember and renew our legacy of professional excellence

Continuum of Service Model

Least ……. Most

Restrictive



IDEA regulations require that children receive education in their Least Restrictive Environment (LRE). The district must therefore ensure that:

- To the maximum extent appropriate, children with disabilities are educated with children who are non-disabled; and
- Removal of children from their general education environment occurs only if the nature or severity of the disability is such that instruction in general education classes with the use of supplementary aids and services cannot occur satisfactorily.

Continuum of Service Explanations

General Education (Dismissal From Special Education)	**Fully Included in general education with Consultation**	**Special Education support inside of general education**	**Special education support outside of general education environment**	**Special education instruction in a special education classroom**	**Special education instruction in a special school (not student's home school)**	**Residential Care**
- Student is released from special education services. - General education without support is appropriate.	- Core curriculum in general education environment is utilized. - Student receives weekly minimal consultation from a case manager outside of the classroom.	- Core curriculum in general education environment is utilized. - Student receives accommodations and modifications to curriculum inside of the general education class but is not removed for any services.	- Core curriculum in general education environment is utilized for most of the student's academic day. - Resource Study Skills is taken one hour per day to assist with work completion, organization, and skill deficit.	- Because of a known inability to progress in the general education curriculum, students require more explicit instruction. - Differentiated and individualized education is offered in the special education classroom. - Students enroll in one to six special education courses depending on need.	- Placement in these facilities is sought when it has been demonstrated that a student's needs cannot be met in any program within the district. - Behavior, eligibility, or other factors may be at play when considering these placements.	- Student is provided all instruction outside of a district building and also is not able to participate in any program at an alternate school. Severity of the student's disability is so severe that living in the community and being educated by home district is not an option.

Individual Roles and Responsibilities

Director of Special Services (Smiley)

- Provide technical assistance to Administrators, special education staff, general education staff, and related service staff regarding all special education issues and procedures.
- Serve as LEA (Local Education Agent) representative as required for selected IEP team meetings.
- Monitor referral, evaluation, eligibility, IEP development, and placement process for students with disabilities.
- Facilitate the placement of students into special education programs that adhere to federal, state, and district guidelines regarding least restrictive environment.
- Monitor district compliance of federal and state legal mandates and grant funding and advise staff regarding changes to district and state-level procedures.
- Design and implement various professional development opportunities for staff (teachers, paraprofessionals, various admin staff) to maintain state level compliance.
- Identify and provide curricular options for students who speak English as a second language; including but not limited to programming at the Regional Office of Education.
- Facilitate placement and planning for PSAT 10, SAT, ACT, and DLM students who receive testing accommodations.
- Oversee Administrative Outreach Time Study for Medicaid reimbursement.

Assistant Principal of Special Services (Milburn)

- Serve as LEA representative at IEP meetings for 9th grade and SOAR students with disabilities, including 8th grade feeder school meetings.
- Serve as liaison and provide leadership for SOAR self-contained program.
- Coordinate and implement building level special education services.
- Monitor school level compliance with federal and state legal mandates.
- Assure that district problem-solving procedures are followed prior to initiating a referral for a case study evaluation.

- Provide technical assistance to general education and special education teachers in working with students with disabilities.
- Oversee and plan for annual ACCESS testing for students who speak English as a second language.
- Oversee and plan for annual ESY programming.
- Facilitate placement and planning for PSAT 9 students who receive testing accommodations.

Special Education Teacher (Case Manager)

- Monitor timelines for students on caseload to assure that legal mandates are met.
- Complete appropriate educational assessments for assigned students.
- Confirm meetings required by legal guidelines or as requested by parents, building administration, or central office administration.
- Serve as a team member for assigned students' Individualized Education Program (IEP) meetings.
- Maintain a legally written IEP for each child on caseload including the collection of appropriate data toward goals and provide quarterly updates on goal progress to families.
- Assist in maintaining school based confidential records.
- Work collaboratively with caseload students' other teachers (both general and special educators) to ensure IEP procedures are being followed.
- Monitor student grades
- Participate in the development, management, and implementation of behavior intervention plans.

Paraprofessional

- Implement lesson plans as specified by the teacher.
- Administer non-standardized tests under the instruction of the teacher.
- Assist in creating a safe environment for instruction by establishing relationships with students as well as serving as a student advocate while fostering independence.

- Assist in the implementation and recording of behavioral, academic, or social emotional data as outlined in the students' IEPs.
- Assist students with various organizational, daily living, communicative, social skills, or academic tasks as outlined by the teacher.
- Assist in Crisis Prevention Intervention (CPI) activities when necessary.
- Assist in preparing students for transition from high school.
- Assist students with various personal hygiene, medical, and behavioral needs.
- Share ideas and concerns while carrying out duties directed by the classroom teacher.
- All other duties per Paraprofessional Job Description

Related Service Staff

- Complete appropriate assessments as requested by the Individualized Education Plan team.
- Serve as a member for assigned students' IEP meetings.
- Provide the IEP team with suggested goals and benchmarks for specific specialty areas based on evaluation results.
- Maintain evaluation and treatment records as appropriate within the school based confidential folder.
- Participate in district Child Find activities.
- Participate in the development, management, and implementation of behavior intervention plans including functional behavioral assessment and manifestation determination.
- Complete Medicaid paperwork for service time study for Medicaid reimbursement.

Operational Goals

The goals of the special education department in the O'Fallon Township High School district are to:

- Maintain compliance with the law.
- Consistently apply district procedures and policies.
- Ensure those students who truly meet eligibility criteria are enrolled in and receiving special education.
- Fully implement the continuum of services by providing a free and appropriate public education (FAPE) in each student's least restrictive environment (LRE)
- Collaborate with other special education, general education, as well as administration and staff members to ensure students are receiving access to curriculum and services to the greatest degree possible.
- Align special education curriculum to the greatest degree possible with general education curriculum and deliver this curriculum via differentiated instruction in each classroom.
- Provide transition services to students throughout their high school education that ensure the development of post-secondary goals as well as advocate for students in the arena of post-secondary agencies.
- Ensure that students receive the services that are appropriate to meet their needs through, if appropriate, the school year the turn 22 years of age.
- Ensure that students exit high school with either a standard diploma or certificate of completion; whichever is appropriate for their individual course of study as well as their post-secondary goals.

Note: OTHS adheres to all components of Brittany's Law in respect to students' desire to walk in graduation and the issuance of a certificate of completion rather than diploma when appropriate.

Referral for Evaluation

Referral for an Initial Evaluation

Staff Offering Support (S.O.S.) Team

Prior to determining if a child should be referred for a full case study evaluation, it is the responsibility of the school district to establish whether the child has received a thorough general education experience with every possible assistance or intervention to master the skills necessary for academic success. This requirement presents the need for schools to organize a team that will examine student skills levels, identify areas of need by reviewing data, determine interventions, develop a plan of implementation, review data collected as a result of implementation, and determine effectiveness and additional interventions if needed. This process is commonly referred to as a form of Multi-Tiered Systems of Support (MTSS) which is a requirement in IDEA. At OTHS, this team is the Staff Offering Support or "S.O.S. Team".

Most importantly, a student will not proceed to full case study evaluation unless he or she has participated in a quality MTSS process involving a variety of interventions. Although this initiative has been widely publicized as a general education initiative, special education staff plays a pivotal role both on the team as well as in a consultative manner.

Initial Referral Process (if deemed appropriate)

Step 1:

At a minimum, the S.O.S. team must review:

- The data gathered by the S.O.S. team members which should include any existing evaluation data
- Classroom based assessments
- Observations of the child related to the suspected disability
- Information obtained from the classroom teacher
- Information obtained from parents

The S.O.S. team's responsibility will determine whether additional data or information is needed and ultimately to determine if there is sufficient evidence to suggest that the student would likely meet the initial eligibility criteria for one of the eligibility categories.

If the S.O.S. team determines that there is insufficient evidence to warrant an evaluation for special education eligibility, written notice must be provided to the parent of the district's refusal to conduct an evaluation and why by the Director or coordinator of special education within fourteen school days of receiving the request for evaluation.

Step 2:

If the S.O.S. team determines that there is sufficient evidence to suggest that the student has a suspected disability, then the Director of Special Services must notify the school psychologist of the referral. The Director/coordinator must contact the parent and must provide written notice to the parents of the intent to proceed with an initial evaluation within ten school days. This written notice should include an invitation to the evaluation planning (domain) meeting and a copy of the procedural safeguards in the parent's native language.

Step 3:

At the time of the domain meeting, the IEP team must determine appropriate assessments necessary to complete the evaluation. For each domain, the consent for evaluation shall either describe the needed assessments or explain why none are needed.

Step 4:

Written parental permission must be obtained before the initial evaluation can commence. This permission must identify all the evaluation tools and procedures that will be used.

Step 5:

Once the domain meeting has been held and written permission for the initial evaluation has been obtained, the IEP team must complete the evaluation within 60 school days.

Special circumstances that may affect this timeline are defined as circumstances outside the district's control. Lack of availability of qualified staff is not considered a special circumstance.

Step 6:

If the assessments given determine that the student is eligible for services, the IEP team will meet to develop an Individualized Education Plan (IEP). An IEP meeting shall be held within thirty school days of the date evaluation has been completed. The entire process of evaluation and the completed IEP must be completed within sixty school days of the date that parental permission was obtained.

NOTE: A parent may revoke consent at any time before the completion of the activity or action for which they have given consent. If a parent revokes consent, that revocation is not retroactive. A parent may revoke consent for evaluation or reevaluation that has not yet been conducted. A parent may revoke consent for initial special education placement before the initiation of that placement.

Child Find

Child Find Requirements

The district is required by law and will make every effort to identify, evaluate, and serve any student in our attendance area who may have a suspected disability, which would qualify them for special education services.

Once the S.O.S. team or other referring party has completed and documented appropriate interventions and suspects that a student may have a disability that adversely affects his or her educational performance, a special education evaluation may take place. The referral must include all relevant information and data collected from the process. This information then goes to the IEP evaluation team.

Students Identified as English Language Learners

The right to receive special education services applies to all students. It is not limited to only those students who speak English. However, completing a referral for a student who is not a native English speaker can pose challenges. It is critical that a students' English language acquisition not be mistaken for learning deficits requiring the services of special education. It must be determined whether the student is struggling academically due to lack of understanding of the English language or if there is truly a disability that requires special education services.

Language proficiency data is used to determine if the student requires an evaluation in English, a bilingual evaluation, or a non-verbal cognitive evaluation.

Evaluation Process

Types of Evaluations

There are three types of evaluations: initial evaluation, reevaluation, and independent evaluation. The following will identify procedures for completing re-evaluations and independent evaluations.

Reevaluation

Reevaluations of students with identified disabilities are required:

- Every three years
- Prior to a change in eligibility
- If the child's parent or teacher requests an evaluation
- When ordered by a hearing officer

Reevaluations may or may not include formal assessment.

- Formal testing shall be done only when a question exists as to whether the student continues to be eligible for special education services.
- If no questions exist regarding the student's eligibility, the IEP team may limit the reevaluation to a review of records, work samples, teacher reports, and other anecdotal records.
- If the Parent/Guardian requests additional testing as part of the reevaluation process, the IEP team may complete whatever assessments are deemed appropriate to answer parent questions.

Responsibilities of the Director/coordinator in completing reevaluations include:

- Identify eligible students for reevaluation 60 days before the annual review date to ensure that reevaluation information is available at the annual review meeting.
- Convene the IEP team to carefully consider what data and/or assessments are needed to determine ongoing eligibility for special education services.

Independent Evaluation

A parent has the right to initiate an Independent Educational Evaluation at public expense only after a district has conducted an evaluation, the parent disagrees with the results of that evaluation, and the parent initiates the independent evaluation. The parent must notify the district of their intent to initiate an independent evaluation after the parent has received the results of the district's evaluation.

While the parent is not required to provide an explanation, the district will ask for an explanation of the area(s) of disagreement to work with the family in a proactive manner.

The steps for this process are as follows:

1. If the parent/guardian disagrees with the district's evaluation and wishes to obtain an evaluation at public expense, the parent shall request this independent evaluation by submitting a request in writing to the Director of Special Education.
2. If the district disagrees, the Director of Special Education shall initiate a due process to demonstrate the evaluation is appropriate within five days of the written request for an independent evaluation.
3. If the district agrees, an independent evaluation at public expense shall be completed within 30 days after receipt of a parent's written request. If an extension is required, both parties must agree in writing.
4. If during the due process hearing the district's evaluation was shown to be appropriate by the appointed hearing officer, the parent can obtain an independent evaluation, but not at public expense.
5. If the district's evaluation was inappropriate, the district must pay for the independent evaluation.

6. Once the independent evaluation is completed, the IEP team must consider the written results of the evaluation. The district must send notice and convene an IEP meeting within ten school days.
7. The district must consider the results and make appropriate changes to the IEP to ensure a free appropriate public education is being provided to the student.

Evaluation Process

Consent for Evaluation

Step One:

The evaluation team shall ensure that a full and individual evaluation is conducted for each child being considered or reconsidered for special education and related services. The purpose of an evaluation is to determine:

- Whether the child has, or continues to have, one or more disabilities;
- The present levels of performance and educational needs of the child;
- Whether the disability is adversely affecting the child's education;
- Whether the child needs, or continues to need, special education and related services; and
- Whether any additions or modifications to the child's special education and related services are needed to enable the child to meet the goals set out in the Individualized Education Plan (IEP) and to participate appropriately in the general curriculum.

An evaluation explores eight domains (areas related to the suspected disability) that may be relevant to the educational problems experienced by the individual child under consideration.

The nature and intensity of the evaluation, including which domains will be addressed, will vary depending on the needs of the student and the type of existing information already available.

The evaluation team determines the specific assessments needed to evaluate the individual needs of the student. The team includes but is not limited to the following individuals:

- Student's Parent(s)

- General Education Teacher
- Special Education Teacher
- Building administrator/LEA Representative
- Individual who can interpret evaluation results, eg. School Psychologist, Speech Language Pathologist, Physical Therapist, Occupational Therapist, or other licensed related service providers
- Qualified bilingual specialist or bilingual teacher, if necessary

The IEP team must complete all relevant information on the domain page prior to obtaining parental consent for evaluation.

Domains include the following:

- Academic Performance
- Functional Performance
- Cognitive Functioning
- Communicative Status
- Health
- Hearing/Vision
- Motor Abilities
- Social/Emotional Functioning

Step Two:

If the evaluation team determines that no additional evaluation data is needed, then the school psychologist or case-manager will obtain parental agreement that NO additional assessment data is needed. The school psychologist is responsible for this signature during both initial evaluations as well as reevaluations.

Step Three:

If the evaluation team determines that additional evaluation data IS needed, then the school psychologist will obtain parental consent to collect additional evaluation data.

Timelines:

- The evaluation process, including the development of an individualized education plan (IEP), will be completed within sixty school days from the date written permission for the evaluation was obtained from the child's parent/guardian.
- When a referral for evaluation is made with less than sixty school days of attendance remaining in the school year, the IEP team will meet and discuss the referral. Should the team recommend an evaluation, that evaluation shall be completed prior to the first day of the following school year.
- Any evaluation in progress but not completed prior to the end of the school year will be completed and an IEP (if applicable) be in place prior to the first day of the following school year.

If a situation arises in which it is not possible to complete an evaluation prior to the end of the school year, the school psychologist will notify the Director of Special Services.

Reporting Results

Upon the completion of an evaluation, a written report of evaluation results must be developed. The report will follow guidelines as outlines in the Illinois Administrative Code and must include:

- Demographic data (reported on IEP form)
- Dates of assessment
- Reasons for referral
- Assessment methods used
- Results of assessment
- Interpretation of results, including student strengths and weaknesses
- A report of classroom observations if appropriate

Determining Eligibility And Completing an IEP

General Information

Expectations

The Director of Special Services, Assistant Principal of Special Services, and School Psychologist are the legal and programmatic leaders of special education implementation. These parties along with the entire IEP team must maintain composure, be fair and impartial, seek external assistance when needed, and above all maintain compliance with the law.

When situations arise in which the team is unable to comfortably address an issue, a date may be chosen to reconvene and should be scheduled at that time. The meeting should then be recessed to consult and obtain further guidance from the Director of Special Services.

Individualized Education Plan (IEP) Team Composition

The special education IEP team should include but is not limited to:

- Parent(s) of the student
- General education teacher who is, or may be responsible for implementing the IEP
- Special education teacher who is, or may be responsible for implementing the IEP
- Representative of the local school district (LEA):
    - Qualified to supervise specially designed instruction
    - Knowledgeable about the general education curriculum
    - Knowledgeable about the availability of resources and the authority to commit resources
- An individual who can interpret the instructional implications of evaluation results

- At the parent(s) discretion or the district's suggestion, any other individuals with knowledge or special expertise regarding the student
- Student (when appropriate)
- When transition services must be planned, a representative of any agency that may be providing or paying for transition services
- Qualified bilingual specialist or ESL teacher, if needed
- Representative of a state-operated or nonpublic facility if it is anticipated that placement in said facility will be considered
- Appropriate related service staff members who do or will work with the student
- Sign Language/Bilingual interpreters, if needed

Procedural Safeguards

Notice

1. Written procedural safeguards will be given to the parent/guardian of a child with a disability a minimum of one time per year. However, a copy MUST be given to the parent/guardian:
    a. Upon a student's initial referral for evaluation
    b. Upon receipt of the first state complaint and upon receipt of the first due process complaint
    c. In accordance with the discipline procedures, upon request of a parent
2. The LEA representative must obtain confirmation of receipt of the Procedural Safeguards via parent signature or initials at the students annual meeting.
3. The procedural safeguards shall include a full explanation of all the procedures relating but not limited to:
    a. Independent educational evaluations
    b. Prior written notice (Transfer of Rights Paperwork)
    c. Parental consent
    d. Access to educational records
    e. The filing of written complaints with the ISBE, including a description of how to file a complaint and the timeline
    f. The availability of mediation
    g. Procedures for students who are subject to placement in an interim alternative educational setting

h. Requirements for parent/guardian's unilateral placement of students in private schools at public expense
i. Due process hearings, including requirements for disclosure of evaluation results and recommendations
j. The student's placement during a due process proceeding
k. Civil action
l. Attorney fees

At the beginning of each IEP meeting, the Director or coordinator of Special Services will verbally give the "Rights in Brief" and ask the parent/guardian if they have questions or would like any further information.

IEP Meeting

Eligibility Determination

Once the initial evaluation has been completed, the IEP team must meet to determine whether the data collected from the initial evaluation qualifies the student under one of the eligibility categories in IDEA.

The Documentation of Evaluation results form must be completed to document the results of the evaluation.

Written notice and a copy of the procedural safeguards written in the parent's native language must be sent to the parent inviting them to the eligibility meeting.

The IEP team should include:

- Student, when appropriate
- Parent(s)/Guardian(s)
- General Education teacher who is, or may be responsible for implementing the IEP
- Special Education teacher who is, or may be responsible for implementing the IEP
- Representative of the local school district (LEA)
    - Qualified to supervise specially designed instruction
    - Knowledgeable about the general education curriculum
    - Knowledgeable about the availability of LEA resources and the authority to commit said resources

- Individual who can interpret evaluation results
- At the discretion of the parent or district, other individuals with knowledge or special expertise regarding the student
- In the case of a student for whom transition services must be planned, a representative of any agency that may be providing or paying for transition services.
- Qualified bilingual specialist, bilingual teacher, or sign language interpreter if necessary
- Representative of a state-operated or nonpublic facility, if it is anticipated that placement in a nonpublic facility will be considered
- Appropriate related service staff members who work with the student

Special Education Categories

At the eligibility meeting, the team must examine the evidence obtained from the initial evaluation and determine if it meets the initial criteria under one of the thirteen eligibility categories listed below:

- Autism
- Deaf-Blindness
- Deafness
- Emotional Disability
- Hearing Impairment
- Intellectual Disability
- Orthopedic Impairment
- Other Health Impairment
- Specific Learning Disability
- Speech or Language Impairment
- Multiple Disabilities
- Traumatic Brain Injury
- Vision Impairment Including Blindness

The team members must consider exclusionary and inclusionary factors to determine eligibility for each specific disability. Eligibility determinations are a team decision.

Eligibility under Specific Learning Disability

The criteria for determining whether a child has a specific learning disability under IDEA 2004: (1) must NOT require the use of a severe discrepancy between intellectual ability and achievement, (2) must permit the use of a process based on the child's response to scientific, research-based intervention, (3) may permit the use of other alternative research-based procedures for determining whether a child has a specific learning disability.

Initial IEP Development

Once initial eligibility has been established, the district has thirty calendar days to develop an appropriate IEP for the student. An IEP meeting must be scheduled, and the Director/coordinator provides written notice and a copy of the procedural safeguards in the parent's native language. It is the responsibility of the student's IEP team to evaluate the results of the eligibility assessment and determine what specific instruction the student requires based upon the evaluation results.

The school district must ensure that the IEP team for each child with a disability includes:

- Student, when appropriate
- Parent(s)/Guardian(s)
- General Education teacher who is, or may be responsible for implementing the IEP
- Special Education teacher who is, or may be responsible for implementing the IEP
- Representative of the local school district (LEA)
    - Qualified to supervise specially designed instruction
    - Knowledgeable about the general education curriculum
    - Knowledgeable about the availability of LEA resources and the authority to commit said resources
- Individual who can interpret evaluation results
- At the discretion of the parent or district, other individuals with knowledge or special expertise regarding the student

- In the case of a student for whom transition services must be planned, a representative of any agency that may be providing or paying for transition services.
- Qualified bilingual specialist, bilingual teacher, or sign language interpreter if necessary
- Representative of a state-operated or nonpublic facility, if it is anticipated that placement in a nonpublic facility will be considered
- Appropriate related service staff members who work with the student

Excusal

A member of the IEP team is not required to attend an IEP team meeting, in whole or in part if the parent and child with a disability and the school district agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services are **not being modified or discussed in the meeting.**

A team member may be excused from part or all of a meeting when his/her curriculum area or related service is being modified or discussed, if parents, in writing, and the LEA consent to the excusal, and the member submits written input to the parents and team **prior to the meeting.**

Types of IEP Meetings

Initial IEP

Step One:

The Director/coordinator must send written notice and a copy of the procedural safeguards in the parent's native language to parents informing them of the initial IEP meeting and the members who will be attending.

Step Two:

Prior to the initial IEP meeting, the special education case manager should develop a draft of the present levels of educational performance (PLAAFP) to be reviewed and potentially revised at the IEP meeting in the following areas:

- Student Strengths
- Parental concerns regarding their child's educational performance
- The results from the initial evaluation or previous evaluations
- If appropriate, the results of previous state and district assessments
- For students fourteen years of age or older, details of student needs and interests in a post secondary setting

The above information should be gathered from a variety of sources including the parents, general education teachers, the student when appropriate, and others who may have direct knowledge of the student's strengths and needs.

The PLAAFP must define how the student's disability affects his/her performance. The initial IEP meeting is when goals, objectives, and the need for any related services are determined. It is acceptable and helpful for the special education case manager to bring suggested goals and objectives to the IEP meeting, but parental input is vital in the development of an initial IEP.

The main task at the initial IEP meeting is to review the evaluation data, develop an IEP based on the individual student's identified disability and the data collected. The IEP shall include the appropriate measurable goals and short-term objectives to best meet the student's needs. This shall enable the student to be involved in and progress in the general education curriculum, to the greatest extent possible.

Step Three:

Once the PLAAFP has been reviewed and the team has given input, it is crucial to identify the impact of the student's disability on his/her educational performance in the general educational setting. This will assist in identifying the specific, specially designed instruction that the student will need to progress in the general curriculum.

Step Four:

The team must develop measurable goals and short-term objectives based upon the student's PLAAFP and the impact the student's disability has upon his/her learning.

- The measurable goals must be written in such a way that data can be collected which shows whether or not the student is progressing toward the annual goal. This data must be sufficient to allow the IEP team to evaluate the effectiveness of the goal and the short-term objectives.
- The short-term objectives must also be measurable and must be consistent with the best practices identified for the subject being taught. The short-term objectives, or short-term goals, should be designed as steps, which will assist the student in achieving the overall annual goal.

Step Five:

The team must determine the projected dates for the initiation of the services and the anticipated frequency, location, and duration of the services.

Step Six:

Related services, support services, and consultation services, or indirect services, should be implemented to help students:

- Advance appropriately toward attaining the annual goals;
- Be involved and progress in the general curriculum and participate in extracurricular and other nonacademic activities.

Step Seven:

The next step is to determine if any special factors exist that require additional assistance. These include but are not limited to: behavior, the need for assistive technology, and language and vision issues. Also, to be considered is whether the student should or should not participate in general education courses and/or activities. Finally, extended school year (ESY) must be discussed as well as the need for transition services for students who will reach the age of fourteen during the IEP period. All areas must be discussed as a team.

Step Eight:

The team also must discuss and decide if the student will participate in district or statewide assessments and if so, what level of assessments would be appropriate and what accommodations, if any, the team considers appropriate. Accommodations may include such things as extended time for a student who demonstrates processing difficulties, having test items on an assessment read aloud to a student who has a reading disability, or having a student take a more appropriate benchmark test that more accurately reflects their ability level. Any or all of these may be considered when determining the extent of participation or accommodations that the team may feel are appropriate when testing.

Step Nine:

For students who reach the age of fourteen before or during the IEP period, a statement of transition service needs of the student in the appropriate areas must be written. The statement must focus on the student's future course of studies. It is the responsibility of the IEP team to determine what this transition plan should look like and may include career exploration activities, interest assessments, and/or specific courses of study designed to help the student prepare for further educational needs. Transition plans should incorporate interests around education and/or training, employment, and independent living.

For students fourteen years of age or older, transition goals should be written and include the above-mentioned areas. The transition plan should also include a statement of outside agency services the IEP team determines to be appropriate to help create future success and planning for the student.

Fundamentally, the purpose of the transition goals is to help students begin to develop an understanding and plan for their future needs not only in the world of work, but also in post-secondary education as well as personal needs.

Step Ten:

At least one year prior to the student reaching the legal age of eighteen, becoming legally emancipated, or if court ordered, the Director/coordinator must have documentation of sending the transfer of procedural rights. The transfer of procedural rights to the student must be documented on the IEP.

Step Eleven:

The team should discuss and define an appropriate setting for the student to receive the specially designed instruction that is identified in the IEP. This discussion should lead to a placement decision in the Least Restrictive Environment (LRE) in the district's continuum of service. The parent must consent for initial placement in this environment. The placement can start ten calendar days from the meeting, or the parent can waive the ten-day requirement and indicate that placement should begin as soon as possible.

Step Twelve:

Finally, once an appropriate IEP has been developed and the team agrees on the content and duration of the IEP, the district requires that all team members present sign in on the signature page indicating their participating in the meeting and involvement in the planning process. The parent must receive a copy of the completed IEP in its entirety at the conclusion of the IEP meeting. A copy of the parental rights document must be included with the copy of the IEP.

Step Thirteen:

The OTHS school district must ensure that:

- The student's IEP is accessible to each general education teacher, special education teacher related service provider, and any other service provider who is responsible for its implementation, and;
- Each teacher and provider described in this provision is informed of his or her specific responsibilities related to implementing the child's IEP and the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP. The case manager shall work with each person to ensure all aspects of the IEP are being implemented properly. The Director/coordinator will work with each person to sign an Acknowledgement of Accommodations form that will be kept on file.

Annual Review Meeting:

Each district must ensure that the IEP team reviews the child's IEP at least once per year to determine whether the annual goals for the child are being achieved and revise the IEP as appropriate to address:

- Any lack of expected progress toward the annual goals and in the general education curriculum, if appropriate;
- The results of any evaluation;
- Information about the child provided to, or by, the parents, as described under IDEA

Step One:

Written notice and a copy of the procedural safeguards in the parent's native language, must be sent by the Director/coordinator to the parent and an IEP meeting must be scheduled before the expiration date of the current IEP. Ensure that there is time to reschedule the meeting prior to the expiration date should a situation arise requiring the meeting to be canceled.

NOTE: If there have been at least three documented attempts on three separate occasions to schedule an IEP meeting with the parent(s) and they either cannot make the meetings, or fail to attend, and have not requested an alternate date, the team can then proceed without the parent. The Illinois State Board of Education specifically notes that "sufficient attempts" means:

- Parent(s)/Guardian(s) have been communicated with directly to arrange a meeting
- Written notice has been sent which includes parent rights to request a change in meeting date or time
- Proof that this process occurs prior to the date of the annual review for the IEP being due

Examples of sufficient communicative attempts include:

- Call or email to parents to arrange and confirm date and time (Attempt #1)
- Send notice in the mail with date and time listed (Attempt #2)
- If returned in mail, send notice with child (write on notice sent to home address but returned please update in school system) (Attempt #2 *again* because notice did not originally reach parent)
- Call parents the day of IEP meeting and remind that meeting is being held (Attempt #3)

Step Two:

At the annual review of the IEP, it is necessary to evaluate the student's progress on the previous IEP before developing measurable goals and objectives for a new annual IEP. This examination should include a review of the data collected that outlines the student's progress on the measurable annual goals. The team should discuss the data and interpret how the student has progressed on the measurable goals and short-term objectives.

Step Three:

For the purposes of revising an IEP, the steps identified above for the development of an initial IEP still apply. This includes identification of specially designed instruction, related services, placement, ESY consideration, age-appropriate transition statements, and documentation.

NOTE: ISBE requires that a special education student's parent be regularly informed of their child's progress on IEP goals and objectives, at least as often as parents are informed of non-disabled children's progress (quarterly). This notice must include specific information that demonstrates for the parent in terms they can understand what progress their child has made or not made on the IEP goals and objectives.

Step Four:

The IEP must be implemented within ten days of development or revisions. Additionally, parents must receive a copy of the complete annual review IEP and the case manager must make a documented effort to discuss the IEP with the parents if they are not in attendance.

Step Five:

Finally, when an amendment is necessary, the case manager must send a copy of the procedural safeguards in the parents' native language to the parent notifying them that their student's IEP has been changed. This notice should include any information regarding modifications or changes made to the IEP including the amount of time specially designed instruction will be provided, any changes regarding related services, and/or the addition of goals and objectives.

Step Six:

A parent may request an IEP meeting at any time during the school year. The Director/coordinator must respond in writing within ten days by complying with the request and setting a date or reusing the request and including a reason why no meeting is necessary to ensure the child is currently receiving a Free and Appropriate Public Education (FAPE).

<u>Reevaluation</u>

Step One:

At least every three years, the IEP team must meet to determine if any additional information is needed to reevaluate the student's need for services and/or continue eligibility. The parent should be included in the meeting. A face-to-face meeting does not need to take place. The domain page can be explained to the parent over the phone and sent home for a signature.

Step Two:

If the team determines that no additional data is needed to reestablish the student's eligibility, the school psychologist will get parental agreement to obtain no additional assessment data on the "Consent for Re-Evaluation form".

Step Three:

If the IEP team determines that additional data is needed for reestablishing eligibility and once the assessment areas for the reevaluation are identified, parental consent must be obtained by the school psychologist. If a district cannot obtain parental consent within ten days, the district may file due process.

Step Four:

Once the reevaluation is completed, or in the case of a team decision to obtain no new data, then written notice and a copy of the procedural safeguards in the parent's native language must be sent to the parent to convene the results meeting. The student's IEP team will act as the reevaluation team during this meeting. The team needs to review any additional data that was obtained from reevaluation assessments or previous data and review the eligibility criteria.

<u>IEP Review/Revision – Amendments</u>

IEP Amendments may take place in one of two different ways:

- An IEP meeting shall be conducted for significant changes (i.e. change in placement, change in behavior intervention plan)
- The IEP team may agree not to hold a meeting for the purpose of making the changes and develop a written document (i.e. change in accommodations or modifications, change in state testing information, academic course changes)

If the team chooses to use the written document, the parent must agree to the change verbally or in writing. The parent must then receive a revised copy of the IEP with the amendments incorporated and explained. The action of amending the IEP does not change the annual review meeting date.

Termination of Eligibility

The IEP team must evaluate a child with a disability in accordance with the Evaluation procedures or with the Review of Existing Data and Evaluation Planning before determining that the child is no longer a child with a disability.

The evaluation described in the previous section is not required before the termination of a student's eligibility:

- Due to graduation with a typical high school diploma
- For students who are no longer eligible due to their age

Step One:

A meeting must be scheduled with the IEP team present to develop an appropriate evaluation for eligibility. This evaluation must include all measures necessary for an initial evaluation of the suspected disability. Prior written notice and a copy of the procedural safeguards must be sent to parents and written in their native language.

Step Two:

The IEP team MUST review prior evaluation information and determine what, if any, additional information is needed to complete a thorough reevaluation of the student's eligibility.

Step Three:

Once the team has determined if any additional data is needed, the Director/coordinator/school psychologist must obtain consent to complete any evaluation procedures.

Step Four:

Once the evaluation is complete, the case manager must schedule an eligibility termination meeting and written notice with a copy of procedural safeguards must be sent to the parent. If at the eligibility termination meeting, the team determines that, based upon the evaluation data available, the student no longer meets the initial eligibility criteria set forth by the Illinois State Board of Education; the team MUST find the student no longer eligible for services and complete the eligibility form accordingly.

Step Five:

Finally, if the parent does not attend the termination meeting, the Director/coordinator must send written notice to the parent notifying them that their student no longer meets eligibility criteria and the intent of the school district to discontinue special education services.

Special Circumstances: Transfer, Private and Home-Schooled Students

<u>Children in Private Schools Enrolled by their Parents</u>

There are several very specific laws and rules regarding the district's process and responsibilities for eligible students in a private school setting.

<u>Private Schools: Service Plans</u>

The district will ensure the process used to develop an Individual Service Plan (ISP) for a parentally placed private school special education student is consistent with the process used to develop and review an IEP for a public-school special education student.

Specifically, the district will ensure that measurable goals and short-term objectives are discussed that address the child's needs resulting from the identified disability.

These goals and objectives should address not only ways for the student to benefit from the general curriculum, but also other educational needs as well.

However, **only** those goals and objectives that are related to the services the district has identified as being offered to parentally placed private school children should be written into the ISP.

The district is not obligated to provide transportation from the child's home to the child's private school.

Consultation with Representatives of Private School Children with Disabilities

The case manager is required to invite and include a private school student's private school teachers on the special education team consistent with the involvement of teachers in the public school setting. This includes meetings to discuss eligibility or the ISP.

The district will invite and consult with the private school teachers of a private school special education student in all meetings related to special education services in a timely manner.

After consulting with the parents and teachers of a private school student, the district personnel make the final decision regarding the provision of special education services.

The district does not use private school personnel to provide any special education services. The district assigns public school personnel to provide services in a public facility.

If an eligible private school child receives special education services at the private school and the child is partially enrolled (at least one 60 minute academic period per day apart from special education services) in the district, the student can receive a Free and Appropriate Education if the team can:

- Identify the student's present level of educational performance in relation to the area of disability.
- Identify the specific services that will be offered to the student and where those services will be administered.
- Identify the method of testing or measuring the progress of the student in the areas they are being served.

- Ensure the student a FAPE and the same access to programs as non-disabled peers.

NOTE: The district will track any student being served on an ISP who is dually enrolled.

Home-Schooled Students

The level of responsibility the district has for providing special education services to eligible home-schooled students depends on whether a special education team determines that services should be provided or not.

If a home-schooled student is suspected of having a disability, or a parent requests an evaluation, the child's home district will be responsible for acting as the evaluation/IEP team.

The LEA will ensure that the process used to determine special education eligibility and the possible delivery of IEP services followed for a home-schooled student is identical to that for a public-school student regarding:

- Written notice of the district's intent to evaluate for special education eligibility or not and why along with a copy of parental procedural safeguards;
- Obtaining parental written permission to complete a special education evaluation, place the child in special education, and hold meetings to develop an appropriate IEP;
- Developing an appropriate plan to measure "satisfactory educational progress of the home-schooled child;
- Reevaluating the special education eligibility of a home-schooled child every three years.

The LEA will send written notice to parents of a home-schooled child stating the district stands ready to serve a home-schooled child and have no further legal obligation regarding special education if:

- The parent of a home-schooled child refuses to give written permission for a special education evaluation, revokes permission, refuses to make the child available for an evaluation, refuses to respond to or attend a meeting to consider placement into special education;
- A home-schooled child is identified as not eligible for special education services;
- Home-schooled children are eligible for an ISP based on the agreement developed with the district and the home-schooled parents and parentally placed private students.

If an eligible home-schooled child is receiving special education services, they must be dually enrolled where the home-schooled child is partially enrolled (at least one 60-minute academic period per day in addition to the special education services) in a public school and receiving special education services in conjunction with being home schooled, the district will ensure that the IEP team will:

- Identify the student's present level of educational performance in relation to the area of disability;
- Identify the specific services that will be offered to the student and where those services will be administered;
- Identify the method of testing or measuring the progress of the student in the areas they are being served.
- Ensure the student is receiving a FAPE and has the same access to programs as non-disabled peers.

Behavior

Functional Behavioral Assessment

Completing a functional behavioral assessment will assist the IEP team in understanding and modifying problem behavior by looking at the relationship between behavior and the environment. During this process, environmental events and circumstances are analyzed and the team develops hypotheses as to the functional intent of target behaviors. The Functional Behavioral Assessment (FBA) is not a single observation, test, or interview but rather a multi-method evaluation process designed to identify setting events, antecedents and consequences associated with the occurrence and nonoccurrence of behaviors so that appropriate behavior interventions can be developed.

An FBA shall be conducted in the following circumstances:

- When a student's problem behavior interferes with his/her learning or the learning of others
- When a student's behavior presents a danger to him/herself or others;
- Before a behavior intervention plan is developed as the behavior intervention plan is based on the functional behavior assessment.

When completing the FBA, the team shall use both direct and indirect methods of data collection. Direct methods include behavioral observations in all settings where the behavior occurs. Indirect methods include gathering information from a variety of sources (teachers, administrators, parents, student), review of records (discipline and historical), and the utilization of rating scales and checklists. Data collected should gather general information about student strengths, student weaknesses, student skills, health and medical issues, peer and family relationships, involvement in activities and personal interests. Specific information gathered would assist in identifying when the behavior is most likely and least likely to occur, what happens immediately before the behavior and immediately after the behavior and what appears to be the goal of the behavior for the student. The process will also identify functional alternatives that the student could develop to replace the target behavior.

Since the IEP team will need to gather additional/new information, parental consent is needed. The IEP team must call a domain meeting and determine if there is information from other domains that will be needed. This starts the process for determining eligibility as well. The team needs to determine what information is currently available as well as what information is needed to determine eligibility and to write an appropriate IEP.

Behavior Intervention Plan

Illinois State Board of Education policies and procedures require that an IEP team consider special factors in developing an IEP for a student with a disability. For students whose behavior impedes their learning or the learning of others, the IEP team must consider the implementation of positive behavior strategies and interventions. This may include a formal behavior intervention plan.

The Behavior Intervention Plan (BIP) is based on the functional assessment of behavior and includes positive behavior strategies, program or curricular modifications and the use of supplementary aids and supports to modify target behaviors. The emphasis of the behavior intervention plan shall be the teaching of replacement behaviors and remediation of performance

and skill deficits. The behavior intervention plan clearly identifies target behaviors, positive behavioral interventions, needed supplementary aids and supports and potential restrictive interventions. The plan also identifies provisions for coordinating the behavior intervention plan with the parent(s).

The development of the behavior intervention plan should be viewed as one step in the behavior intervention process. As a part of the plan, the IEP team will identify methods for collecting data and monitoring progress. If anticipated progress is not being made, the IEP team will reconvene to discuss lack of progress and make necessary adjustments to the behavior intervention plan or the IEP.

Authority of School Personnel

To the extent removal would be applied to children without disabilities, school personnel are authorized to remove a child with a disability from the child's current placement for not more than ten consecutive school days for any violation of school rules, consistent with state requirements relating to the suspension of pupils. School personnel are authorized to order additional removals of not more than ten consecutive school days, consistent with state requirements, in that same school year for separate incidents of misconduct (if those removals do not constitute a change of placement and are not a manifestation of the student's disability).

For purposes of removal of a child with a disability from the child's current educational placement, a change of placement is considered if:

- The removal is for more than ten consecutive school days or
- The child is subjected to a series of removals that constitute a pattern because they add up to more than ten school days in a school year, and because of factors such as the length of each removal, the total amount of time the child is removed and the proximity of the removals to one another.

After a child with a disability has been removed from the current placement for more than ten school days in the same school year, during any subsequent days of removal the district must conduct a Manifestation Determination (MDR) meeting (see below). It must be determined what services are necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving individualized education program goals. If that removal does not constitute a change of placement, the school personnel, in consultation with the child's case manager, will determine the extent of these services.

Manifestation Determination

A manifestation determination review (MDR) is conducted by the IEP team and other qualified personnel when a child's behavior has caused removal from school for more than a total of ten school days within one school year or the student is up for expulsion. In carrying out the review, the IEP team and other qualified personnel determine whether the behavior of the child was or was not a manifestation of the child's disability. The team must consider, in terms of behavior that is subject to disciplinary action, all relevant information including:

- Evaluation and diagnostic results including the results of relevant assessments,
- Observations of the child, and
- The child's IEP and current placement

If the IEP team and other qualified personnel determine that any of the standards below were met, the behavior IS considered a manifestation of the child's disability. The standards are as follows:

- The conduct in question was the direct result of the district's failure to implement the IEP
- The conduct in question was caused by or had a direct and substantial relationship to the child's disability.

If, in the MDR, the district identifies deficiencies in the child's IEP or placement or in their implementation, it takes immediate steps to remedy those deficiencies.

The district applies the relevant disciplinary procedures for children without disabilities to the special education student only if, as a result of the MDR, the district determines the behavior was NOT a manifestation of the child's disability. Disciplinary action in this case would follow the handbook in the same manner as it would for a nondisabled peer.

When the district conducts an MDR and determines that the behavior in question IS a manifestation of the child's disability, the district provides the services necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the IEP goals during a period of removal. In such a case, the child's IEP team determines the extent of said services, some of which may involve an interim alternative placement.

Interim Alternative Educational Settings

School personnel are authorized to order a change in placement of a child with a disability to an appropriate interim alternative educational setting for the same amount of time that a child without a disability would be subject to discipline but for not more than 45 school days if:

- The child carries or possesses a weapon to or at school or to a school function under the jurisdiction of the state or a local educational agency;
    - Weapons mean: a device, instrument, material, or substance, animate or inanimate, which is used for or is readily capable of causing death or serious bodily injury. The item does not include a pocketknife with a blade of less than 2.5 inches in length.
- The child knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function under the jurisdiction of the state or a local educational agency;
    - Illegal drug means: a controlled substance, but does not include legally possessed by a health care provider
- The child inflicts "serious bodily injury" to another student, staff member, or parent while at school or a school function under the jurisdiction of the state or a local educational agency.
    - Serious bodily injury means injury referring to: substantial risk of death, extreme physical pain, protracted or obvious disfigurement or loss or impairment of the function of a bodily member, organ, or mental faculty.

The IEP team determines the interim alternative education setting. Any interim alternative educational setting in which a child is placed:

- Is selected to enable the child to continue to progress in the general curriculum, albeit in another setting, and to continue to receive those services and modifications including those described in the child's current IEP that will enable the child to meet the goals set out in that IEP.
- Includes services and modifications that are designed to prevent the behavior that resulted in the child's placement in an interim alternative educational setting.

Record

Confidential Records

Special education records for students are confidential and are contained in the LEA district file located at the district office.

- The district file contains the student's complete special education record and is housed at the district office.
- The LEA district file must be kept in a locked file cabinet in the district office of the school. Access to this file is limited to authorized staff who have a demonstrable interest in the student (i.e. case manager, principal, education professionals and related service

staff). If the folder should need to be removed from the main office for review or update, the person removing it should sign the folder out using the sign out sheet. Items contained in the district file may not be removed, altered, or destroyed.

- As new confidential records are developed such as IEPs, evaluation reports, testing protocols, etc. the Director/coordinator should keep all original documents in the district LEA file. This process ensures that the official LEA district file is complete.
- A permanent record or cumulative record is:
    - Basic identifying information
    - Academic transcripts
    - Attendance record
    - Accident and health reports
    - Information pertaining to release of this record
    - Honors and awards
    - School-sponsored activities and athletics
- No other information shall be placed in the permanent record. The permanent record shall be maintained for at least sixty years after the student has graduated, withdrawn, or transferred from the home district.
- The temporary record (central file) may include:
    - Family background
    - Intelligence and aptitude scores
    - Psychological reports
    - Achievement test results
    - Participation in extracurricular activities
    - Honors and awards
    - Teacher anecdotal records
    - Disciplinary information
    - Special Education files
    - Verified reports or information from non-educational personnel
    - Verified information of clear relevance to the student's education
    - Information pertaining to release of this record
- The temporary record shall be maintained for at least five years after the student has graduated, withdrawn, or transferred from the home district or reviewed every four years.

Electronic files

Confidentiality rules apply to electronic files. Invitations and other documentation can be sent electronically. Because of this, a confidentiality statement should be added to all emails. For example:

- The contents of this email message and any attachments are intended solely for the addressee(s) named in this message. This communication is intended to be and to remain

> confidential and may be subject to applicable attorney/client and/or work product privileges. If you are not the intended recipient of this message, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and its attachment. Do not deliver, distribute, or copy this message and its attachments and if you are not the intended recipient, do not disclose the contents or take any action in reliance upon the information contained in this communication or any attachments.

Electronic communication can become part of student's temporary record when there is identifying information included in the electronic communication.

Documenting Information and Folder Access

Compliance with legal mandates requires careful documentation. The LEA district folder contains forms to document activities related to a student's special education program and to document access to the confidential folder.