



West Northfield School District 31

Special Education Procedure Manual

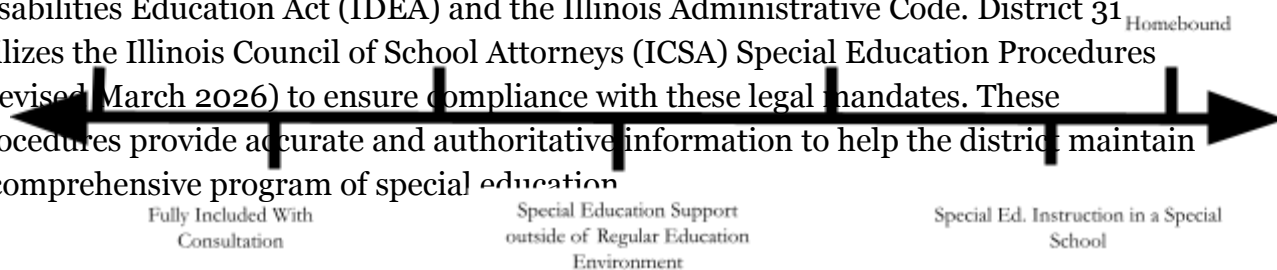


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Special Education Overview

The implementation of special education services is guided by the Individuals with Disabilities Education Act (IDEA) and the Illinois Administrative Code. District 31 utilizes the Illinois Council of School Attorneys (ICSA) Special Education Procedures (Revised March 2026) to ensure compliance with these legal mandates. These procedures provide accurate and authoritative information to help the district maintain a comprehensive program of special education.



Continuum of Service Model

Least Restrictive.....More Restrictive

Regular Education
(Dismissal from
Special Education)

Special Ed. Support inside of
Regular Ed. Environment

Special Ed. Instruction in a Special
Ed. Environment

The goals of the Special Education Program in School District 31 are to: (1) maintain compliance with the law; (2) consistently apply district procedures; (3) ensure that students who meet eligibility criteria are enrolled in special education; (4) fully implement the continuum of services and (5) be proactive in meeting the needs of special education students.

Special education is defined as specially designed instruction, at no cost to the parent(s), to meet the unique needs of a child with a disability, including instruction conducted in a classroom, in the home, in hospitals, in therapeutic schools, and in other settings. Regulations define a child with a disability as a child with a developmental delay, an intellectual disability, a hearing impairment, deafness, a speech or language impairment, a visual impairment (including blindness), an emotional disability, an orthopedic impairment, autism, a traumatic brain injury, other health impairment, a specific learning disability, deaf-blindness, or multiple disabilities who, by reason thereof, needs special education and related services.

According to federal law, students with disabilities must be educated in the Least Restrictive Environment (LRE) possible. This means that students must be educated with nondisabled peers to the maximum extent possible, given the student's

individualized needs, including specialized instruction, accommodations, modifications, and other supports.

Referral for Initial Evaluation

Child Find

Child Find is a part of the Individuals with Disabilities Act (IDEA) in federal law that requires states and school districts to have a comprehensive system to locate, identify, and evaluate any students living within the attendance area of the district for special education services or related services. This process takes place from birth (for Early Intervention) through age 21. District 31 actively seeks to identify, locate, and evaluate all students in the district attendance area who need special education and related services. In District 31, this includes screening processes for incoming students, our Multi Tiered Systems of Support (MTSS) and Problem Solving Teams, and Special Education Evaluations.

When a student is referred for special education by parents, school staff, or representatives from community agencies, available data is reviewed by the school team. At that time, intervention strategies and supports may be implemented, and/or an initial evaluation may be initiated to determine eligibility for special education and related services. The process occurs sequentially, over a period of time, with each step building upon the previous step(s). It is important for parents/guardians to understand how the special education process works, so they can effectively participate and collaborate with school staff members in making appropriate decisions regarding their child's educational needs. Caregivers are an integral part of the decision-making team.

School Problem Solving Team

In District 31, our Multi-Tiered Systems of Support (MTSS) process includes ongoing problem solving with a school team for students who show signs of struggling at school with academics, social competencies, executive functioning, and behavior and self-regulation. This process can include providing additional supports or intervention for students at the Tier 1 and Tier 2 levels (Please see the District 31 MTSS process for more information). As students move through the MTSS process, the school team may make a referral for an initial special education evaluation if data indicate that the student is continuing to experience challenges in one or more areas.

Parent/Guardian or Outside Professional Referral

A parent or guardian may request a case study evaluation by submitting a request for an evaluation to the District. The District prefers parents and guardians submit these requests to the child's Building Principal or Building Psychologist. For students referred for an evaluation from a parent/guardian or outside professional, the school problem solving team must take several steps when determining whether to complete an initial

evaluation.

Step 1: At a minimum, the problem solving team must review:

- The data gathered by the problem solving team, which should include existing evaluation data;
- Classroom based assessments;
- Observations of the child related to the suspected disability;
- Information obtained from the parents or outside professional.

Step 2: The problem solving team determines whether an evaluation is warranted to establish if the student is eligible for special education services.

Step 3: In making decisions about conducting an evaluation for special education, the school team may choose from several options.

- A) The consensus of the team may be that an evaluation for special education is warranted, in which case your informed written consent is required before your child can be evaluated.
- B) The consensus of the team may be, instead, to observe your child further and possibly request a consultation from staff members to clarify your child's needs and then reconvene at a later date. The problem solving team may develop a plan and/or strategy to help your child within the regular classroom setting. In this case, evaluation for special education services is not warranted until further Tier 1 and Tier 2 interventions, supports, and problem solving will be tried.
- C) The school team is also responsible for deciding if qualification for a Section 504 plan is warranted for a student with a disability(ies) who may not be eligible for special education services.

Step 4: Within 14 school days of receiving the written request for the evaluation, the school team will provide written notice of the team's decision. The date of referral is the date the District receives a written request for an evaluation or reevaluation from Parent(s) or other authorized persons. If the team determines that the evaluation is not warranted, information will be shared as to the rationale for this decision. If the team determines that an evaluation is warranted, parent/guardian consent will be requested and the planned assessments will be shared.

Step 5 (if applicable): If the school team determines that an evaluation is warranted, once consent has been received for the evaluation, the school team has 60 days to complete the evaluation and hold a meeting to share the results.

Your Rights as a Parent/Guardian

The full Notice of Procedural Safeguards will be provided to you upon the initial referral for evaluation and at other steps in the process. You can request a copy of this notice at any time.

You must provide written consent prior to the initial eligibility evaluation for your child. An initial assessment for special education services cannot be performed without this consent.

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

All documents and reports should be provided in your primary, home language or mode of communication (e.g., Braille). If requested or needed, an interpreter in your primary, home language should be provided for all meetings with the school team.

If you disagree with the findings of the school team, as regards the decision to complete an evaluation, you may appeal the decision. Please contact Dr. Janine Gruhn, Assistant Superintendent of Student Services to discuss your concerns.

Students Identified as Multilingual Learners

The right to receive special education services applies to all students. It is not limited only to 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 student's English language acquisition not be mistaken for learning deficits requiring the services of special education. We must determine if the student is struggling academically due to not understanding the English language or if there is truly a disability that requires special education services.

The process for conducting a case study evaluation is largely the same for a native English speaker or a student who has been identified as a Multilingual Learner except that the evaluation tool may be different. For any English Language Learner the IEP Team must identify the appropriate type of evaluation.

- If the student speaks another language, the student may be referred to the Bilingual Assessor for testing to assess proficiencies in both English and the native language.

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

Special Education Evaluations

The purpose of all special education evaluations include:

- Identifying the present levels of performance and educational needs of the child
- Determining whether the child has, or continues to have, one or more disabilities
- Determining whether the disability is adversely affecting the child's education
- Determining whether the child needs, or continues to need, special education and related services

An evaluation considers 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 school team determines the specific assessments needed to evaluate the individual needs of the student. These eight domains include:

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

Types of Evaluations

There are three types of evaluations: initial evaluation to establish if a student is eligible for special education services, reevaluation to reestablish eligibility, and independent evaluation.

Initial Evaluation

An initial evaluation must be conducted prior to students receiving special education services. The purpose of the initial evaluation is to determine whether a student meets eligibility in one of 14 educational disability categories and whether there is an adverse effect on their educational progress as a result of the disability. As noted above, parental consent is required prior to conducting an initial evaluation.

Reevaluation

For students who have been found eligible for special education services and have been receiving services with an IEP, reevaluations are required by law to reestablish eligibility every three years.

Reevaluations of students with identified disabilities are also required:

1. Prior to a change in eligibility.
2. If the child's parent or teacher requests a reevaluation.
3. When ordered by a hearing officer.

The school team will take all available measures to get parent/guardian consent for the reevaluation. However, as the reevaluation is required by law to be conducted every three years, if the school is not able to contact parents for consent for reevaluation, the school team may proceed with the reevaluation process in order to honor the legally required timeline.

Reevaluation 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 will complete whatever assessments are deemed appropriate to answer parent questions.

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, or contacts the district and notifies 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 in order to work with the family in a proactive manner.

Here are the steps to to request an independent evaluation:

Step 1: If the parent/guardian disagrees with the District's evaluation and wishes to obtain an evaluation at public expense, they shall submit the request in writing to the Superintendent.

Step 2A (If Applicable): If the district agrees to provide the evaluation at expense to the district:

- a. The school district will provide a list of independent educational evaluators (developed from ISBE)

- b. 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.
- c. Once the independent evaluation is completed, the written result of the evaluation must be considered by the IEP team. The district must send notice and convene an IEP meeting within 10 days.

Step 2B (If Applicable): If the district disagrees, the Assistant Superintendent for Student Services shall initiate a due process to demonstrate the evaluation is appropriate within five days of the written request for an independent evaluation.

- a. If during the due process hearing the district's evaluation was shown to be appropriate, the parents can obtain an independent evaluation, but not at public expense.
- b. If the District's evaluation is deemed inappropriate, the District must pay for the independent evaluation.

Evaluation Process

Step 1: The school team will determine the specific assessments that are proposed to be included in the evaluation. It may be that no additional data is needed in some or all areas if the team already has comprehensive data in the area(s).

Step 2: At what is typically referred to as the Domains Meeting, the school psychologist will share the proposed evaluation with the parents/guardians and obtain consent to conduct the evaluation.

Step 3: The evaluation process, including completion of agreed assessments and the development of an individual education plan if applicable, shall be completed within 60 school days from the date written permission for evaluation was obtained from the child's Parent/Guardian.

Step 4: Following the completion of the evaluation, the team will reconvene to review results.

Timelines

- The evaluation process, including the development of an individual education plan if applicable, shall be completed within 60 school days from the date written permission for evaluation was obtained from the child's Parent/Guardian. If for any reason the evaluation timeline needs to be extended past 60 school days, written agreement will be obtained from the parent/guardian.
- When a referral for evaluation is made with less than 60 school days of attendance remaining in the school year, the IEP Team will meet and discuss the

referral. Should the team recommend an evaluation, all attempts will be made to complete the evaluation prior to the end of the academic year.

- Any evaluation initiated or in process 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 next school year.

Private Evaluations - Frequently Asked Questions

1. *I am having my child evaluated by a private evaluator outside of the school district and they would like to speak with someone at the school, who should I contact?*
Please contact your child's Principal.

2. *What documents will I need to complete to allow my child's private evaluator to speak to District staff?*
In order to allow any District staff member to communicate about your child to your child's private evaluator, the District requires that you complete a Release of Information Form.

3. *Can my child's evaluator come to school to observe them in the school setting?*
Yes, we welcome partnerships with your child's private providers and evaluators.

4. *What documents will I need to complete in order to allow my child's private evaluator to come to school to observe them in the school setting?*
In order to allow your child's private evaluator to observe them in the school setting, the District will need a Release of Information Form signed by the child's Parent or Guardian, as well as a written request pursuant to Board Policy 7:029, *School Visitation and Observation*. Board Policy 7:029, *School Visitation and Observation*, specifically provides that parents/guardians must submit a written request to the Principal which includes: (1) the independent educational evaluator's or qualified professional's qualifications or credentials; (2) written authorization from the parent for the visit; (3) the purpose of the visit; (4) the proposed date and time of the visit; and (5) the approximate duration of the visit. If an interview with educational personnel is requested, the request must include the following information: identification of staff persons to be interviewed and the reasons for the interview.

5. *Are there any restrictions on my child's evaluator's ability to observe in the school setting?*
Yes, Board Policy 7:029, *School Visitation and Observation*, provides that visits and observations must be of reasonable scope and duration.

6. *What should I do once I receive the final report from the private evaluator?*

When you receive the final copy of your private evaluator's report, please contact your child's Principal and Dr. Janine Gruhn, Assistant Superintendent, and provide a copy of the evaluation report. The Principal and/or Dr. Gruhn will share a copy of the evaluation with the School Psychologist who will then contact you to schedule a meeting to review and consider the report. Within ten days of receiving the report, the District will provide you with written notice that states the date upon which the District will meet to consider the results of the report.

7. *Will obtaining a private evaluation guarantee that my child is eligible for special education (an Individualized Education Plan – IEP – or Section 504 Plan)?*

Not necessarily. Pursuant to state and federal law, the District has an obligation to consider such a report. The District is not required to adopt the conclusions or findings of a private report. Sometimes, children present differently in different settings. A child may present differently in the home setting, the school setting, and a clinical setting which they are evaluated for a private evaluation. However, the District can guarantee that the District will meaningfully consider the results of the private evaluation.

Determining Eligibility for Special Education

Once the initial evaluation has been completed, an eligibility team must meet to determine whether the data collected from the initial evaluation qualifies the student under one of the eligibility categories in IDEA. At the eligibility meeting, the team must examine the evidence obtained from the initial evaluation and determine if it meets the eligibility criteria under one of the 14 eligibility categories listed below:

1. Autism
2. Deaf-Blindness
3. Deafness
4. Developmental Delay
5. Emotional Disability
6. Hearing Impairment
7. Intellectual Disability
8. Orthopedic Impairment
9. Other Health Impairment
10. Specific Learning Disability
11. Speech or Language Impairment
12. Multiple Disabilities
13. Traumatic Brain Injury
14. Vision Impairment

The team members must consider exclusionary (for example, inconsistent schooling) and inclusionary factors to determine eligibility for each specific disability. Eligibility decisions are a team decision.

In addition, it is important to note that in order to be eligible for special education services, the child's disability must have an adverse effect on their ability to make progress in the general education environment and curriculum. This adverse effect must also necessitate specially designed instruction and/or related services in order for the student to make progress in the general education curriculum. Students may qualify for services under one or more categories. These categories do not tell the whole story of the student. Categories alone do not identify where the student will go to school or determine what kind of services he or she needs.

The school team that determines eligibility should include:

- the student's parent(s)
- a regular education teacher
- a special education teacher
- a representative of the local school district
- an individual who can interpret the evaluation results
- at the discretion of the parent(s) or the district, other individuals with knowledge or special expertise regarding the student

- the student, when appropriate
- a qualified bilingual specialist or bilingual teacher, if needed

How to Prepare for the Eligibility Meeting

Parents and caregivers are important, equal members of the team. Here are some steps you can take to prepare for your child's eligibility meeting.

- As parents/guardians, you should receive a copy of all reports, including the Documentation of Evaluation Results, at least 3 days prior to the meeting. Review all reports and paperwork ahead of the meeting.
- Be prepared to ask questions. Please do not hesitate to ask clarifying questions if you hear unfamiliar terms or want further explanation.
- Be prepared to talk about your child's strengths and needs.
- Review your procedural safeguards and learn about your rights as a parent.

There are two possible outcomes to the eligibility meeting.

- Your child is found to be eligible for special education services. If this is the case, the district has 30 calendar days to schedule and hold an initial IEP meeting. Often this initial IEP meeting will occur immediately following the eligibility meeting.
- Your child is not found to be eligible for special education services, nor requires further evaluation. They may still be eligible for a 504 Plan and can continue to receive Tier 1 and Tier 2 services at school.

Eligibility Categories

In order to qualify for special education services with an Individualized Education Plan (IEP), a student must meet the requirements under one of the following eligibility categories. In addition, the student's disability must have an adverse impact on their ability to make progress and access general education curricula, activities, and environment. These 14 categories are described below.

Autism is a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three that adversely affects a child's educational performance. (A child who manifests the characteristics of autism after age 3 could be diagnosed as having autism if the other criteria of this Section are satisfied.) Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. The term does not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance.

Deaf-Blindness means concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness.

Deafness means a hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification that adversely affects a child's educational performance.

Developmental Delay includes a child aged three through nine (1) Who is experiencing developmental delays, as defined by the State and as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: Physical development, cognitive development, communication development, social or emotional development, or adaptive development; and (2) Who, by reason thereof, needs special education and related services.

Emotional Disability (includes schizophrenia but does not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance) means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:

- An inability to learn that cannot be explained by intellectual, sensory, or health factors;
- An inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
- Inappropriate types of behavior or feelings under normal circumstances;

- A general pervasive mood of anxiety or unhappiness or depression; or
- A tendency to develop physical symptoms or fears associated with personal or school problems.

Hearing Impairments means impairment in hearing, whether permanent or fluctuating, that adversely affects a child's educational performance but that is not included under the definition of deafness.

Intellectual Disability means significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period that adversely affects a child's educational performance.

Multiple Disabilities means concomitant impairments (such as intellectual disability-blindness, intellectual disability-orthopedic impairment, etc.), the disturbancecombination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blindness.

Orthopedic Impairment means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member, etc.), impairments caused by disease (e.g., Poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (e.g., cerebral palsy, amputations, and fractures or burns that cause contractures).

Other Health Impairment means having limited strength, vitality or alertness, including a heightened sensitivity to environmental stimuli, that results in limited alertness with respect to the educational environment that

- is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, or sickle cell anemia; and
- adversely affects a child's educational performance.

Specific Learning Disabilities means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations, including such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include learning problems that are primarily the result of visual, hearing or motor disabilities, of intellectual disability, of emotional disturbance, or of environmental, cultural, or economic disadvantage. [105 ILCS 5/14-1.03(a)]

Speech or Language Impairment means a communication disorder, such as stuttering, impaired articulation, language impairment, or a voice impairment, that adversely

affects a child's educational performance. Listed below are related sites for speech-language:

Traumatic Brain Injury means an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance. The term applies to open or closed head injuries resulting in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual, and motor abilities; psychosocial behavior; psychosocial functions; information processing; and speech. The term does not apply to brain injuries that are congenital or degenerative or to brain injuries induced by birth trauma.

Visual Impairment means impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes both partial sight and blindness.

504 Plans

What is a 504 Plan?

A 504 Plan provides accommodations, modifications, and related services for any student who has, has a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activity. Any accommodations or related services provided are limited to those which enable the student to have an equal access to learning, activities, and the school environment.

What might qualify a student to have a 504 Plan?

Students who have impairment(s) in the areas of a physical or mental impairment that impact a major life activity.

- “Physical or mental impairment” means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine, or any mental or psychological disorder such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability.
 - One example is an impairment in the area of attention that requires accommodations for the student to access learning activities
 - Another example is a physical impairment that impacts the use of the bathroom/toileting that requires accommodations to the amount of transition time provided between classes in middle school
- The major life activity (or activities) limited by the impairment(s) includes, but is not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, and communicating. This also includes the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

Individuals being considered for qualification under Section 504 should not be disqualified solely because they manage their own adaptive strategies or receive accommodations (including informal or undocumented ones) that have reduced or eliminated the effects of a physical or mental impairment.

What are the differences between a 504 Plan and an Individualized Education Plan (IEP)?

	IEP	504 Plan
Primary focus	Educational benefit	Equal access
Who is covered?	Must meet requirements in one of 14 eligibility categories	No eligibility categories
What is included	Goals with regular progress updates focused on what the student will learn or do, in addition to accommodations and modifications	Does not include goals or progress updates
Parental consent	Parent consent is required for eligibility, initial services, and changes in placement.	Parent consent is required for initial Section 504 evaluations and any formal assessments.
Parent participation	Parents' right to participate in outlined in regulations	It is required that parents be invited to all meetings related to the 504 Plan

The Individualized Education Plan (IEP)

Development of the IEP

The IEP is a written plan for the special education services for a student. It describes the specialized instruction and related services specifically designed to meet the unique educational needs of the student. It contains measurable goals based on the student's present level of academic and functional performance. The IEP specifies the educational placement and setting where the special education services will be delivered and describes the related services and accommodations necessary to reach the goals and objectives.

The IEP describes what your child needs to learn in order to access the general education curriculum. It lists the supports, services, and accommodations that your child will need in order to make progress in the least restrictive environment (LRE). The IEP must be reviewed and rewritten at least once a year, though the IEP team can reconvene at any time to review and revise the document should there be a concern on the part of any team member, including the parents.

The IEP describes the types of specialized instruction and services the IEP team has agreed your child needs, yet it is not a guarantee that these interventions will lead your child to meet all of the goals articulated in the IEP. If you feel that the interventions have not been successful, contact your child's teacher or the school team. If your child is not meeting the benchmarks leading up to a goal, the IEP team should communicate to address progress and may consider revisions to the IEP.

Your Rights as a Parent/Guardian

- After the development of the initial IEP, parental consent is required before the IEP can be implemented. Your child will not receive the services outlined in the IEP until the consent form is signed. The placement can start in 10 calendar days or the parent can waive the 10 days and indicate that placement should begin as soon as possible.
- The IEP should be written in language that is understood by both parents/guardians and professionals.
- The IEP is developed collaboratively. It represents consensus among parents, the student (when appropriate), and school personnel. Therefore, it is important that you know the procedures and the steps you can take if you and your child's school team have difficulty reaching agreement.
- The Illinois State Board of Education requires that a special education child's parents/guardians be regularly informed of their child's progress on the IEP goals and objectives, at least as often as parents/guardians are informed of non-disabled children's progress. This notice must include specific data that demonstrates for the parents, in terms they understand, what progress their child has made or not made on the IEP goals and objectives.

The IEP Team should include, but is not limited to:

- the student's parent(s)/guardian(s)
- a regular education teacher
- a special education teacher
- a representative of the local school district
- at the discretion of the parent(s) or the district, other individuals with knowledge or special expertise regarding the student
- the student, when appropriate
- a qualified bilingual specialist or bilingual teacher, if needed
- Any related service members who provide services to the student

Parts of the IEP

Cover page: In addition to demographic information, the cover page lists the members of the IEP team participating in the meeting. Members sign this page to document their attendance and participation in the meeting.

The Present Levels of Academic and Functional Performance (PLAAFP):

The PLAAFP section is the heart of the IEP. It includes information about the academic and functional strengths of the student and indicates the student's current area(s) of need. Parental concerns regarding their child's educational performance are also documented here. There should be a direct relationship between the PLAAFP and other components of the IEP. For example, if a goal is included in the IEP, it should be connected to the information documented in the PLAAFP. Information is gathered from a variety of sources including the parents, regular 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 the child's performance and what involvement the student will have in the general curriculum.

Annual Goals and Short-Term Objectives/Benchmarks: Annual goals state what the student can reasonably be expected to accomplish in specific areas during the duration of the IEP (typically one year). Goals answer the question: What do we want the student to be able to do at the end of the timeframe of this IEP? Goals should be written to address the unique needs of the student, not to describe the specific program in which the student will participate. Goals must be measurable. Documentation of how the student's progress toward the annual goals will be measured is included. 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.

Accommodations and Modifications: Accommodations and modifications provide students with disabilities the opportunity to access the curriculum and demonstrate achievement. Accommodations also provide access to nonacademic and extracurricular activities and settings. Accommodations may include but are not limited to, the areas of

timing, scheduling, setting, presentation and response, including assistive technology, and/or accessible materials. Classroom accommodations may also become testing accommodations.

Assessments: This section reviews the assessments that the student will participate in, including districtwide and state assessments. If a student will not participate in a standard assessment or will participate in an alternative assessment, an explanation is included. The Assessments section also lists any accommodations and modifications that a student needs to appropriately participate in the assessment and demonstrate their knowledge. Assessment accommodations and modifications should be clearly linked to student need and the supports in place across a typical school day.

Educational Services and Placement: The educational services, related services (e.g., social work, occupational therapy), and placement of the student are determined directly from the student's needs, annual goals, and accommodations/modifications. Projected dates for the initiation of the services and the anticipated frequency, location and duration of the services are clearly listed in the IEP. Participation in the general education setting, including academic and non-academic times of day (e.g., math, recess, assemblies), is also clearly defined in this section.

Related 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.

Placement is a determination of the setting in which the student will receive his or her instruction. Options may include general education classes, special education classes, public separate day school, private day school, private residential school, homebound services, etc. The IEP team should identify all that were considered as well as all that were selected.

The Services and Placement section also documents whether the student requires special transportation, including travel to and from school and between school locations. The need for Extended School Year (ESY) services is also documented here (see more below about ESY).

Special Considerations: As needed, specific to student need, additional parts of the IEP may include Autism Considerations or a Behavior Intervention Plan.

Transition Services: For students who will turn 14 ½ years old during the life of the IEP (typically within one calendar year), the team will also create a transition plan that begins to link the student's strengths, interests, and needs to their goals for after high school. These goals, in turn, will guide the services provided to the student.

IEP Meetings

The IEP team must meet within 30 calendar days after an eligibility meeting to develop the Individual Education Plan for the student. Following the initial IEP meeting, the team must meet at least once a year to review the IEP and to develop a new one for the current year. However, the IEP team (which includes the parent and/or eligible student) can meet to consider a request to amend the IEP at any time.

Scheduling an IEP Meeting

Parents must be notified, in writing, within a reasonable amount of time prior to the IEP meeting. The meeting must be scheduled at a time and location that are mutually convenient for the parents and list the school personnel who will attend. If the parents cannot attend the meeting, the school must use other methods to ensure parent participation. Parents may also participate by phone.

If there have been at least 3 documented attempts on 3 separate occasions to schedule an IEP meeting with the parent and they either cannot make the meetings, or fail to attend, then the team can proceed without the parent.

You will receive a Notification of Conference form at least 10 days prior to the meeting (though this can be waived as appropriate). The form lists everyone who will be in attendance at your child's meeting.

Requesting an IEP Meeting

A parent may request an IEP meeting at any time during the school year. The Case Manager (usually the special education teacher or speech pathologist) must convene the IEP meeting within 10 days of the request. If the Case Manager feels the IEP meeting is not necessary, the District must respond in 2 days of the request as to why the IEP meeting is not necessary and parents must be given the procedures as to how to challenge this decision.

Prior to an IEP meeting

For annual reviews of an existing IEP, a draft of the IEP must be sent home at least 3 school days, but ideally one week, before the meeting.

How to prepare for your child's IEP meeting:

- Complete any forms provided by the school team to give input
- If this is an annual IEP that is not following an evaluation or reevaluation, review the previous IEP and note areas in which your child has made sufficient and/or insufficient progress. This will help you develop ideas about the areas to be addressed in new IEP goals.

- Review the draft. This will allow you time to read through it in depth and to make notes. If the draft does not address your areas of concern, contact the teacher. Remember that you are a valued member of the IEP team and should have a significant role in the IEP development.
- If you have questions to be resolved or issues of concern for one or two specific staff members, try to address them before the annual review meeting. You should have an ongoing dialogue with your child's teacher throughout the school year so that issues can be resolved as they arise.

Members of the IEP team

Attendees at the IEP meeting are similar to those of the IEP team. Members may include, but are not limited to:

- the student's parent(s)/guardian(s)
- a regular education teacher
- a special education teacher
- a representative of the local school district
- at the discretion of the parent(s) or the district, other individuals with knowledge or special expertise regarding the student
- the student, when appropriate
- a qualified bilingual specialist or bilingual teacher, if needed
- Any related service members who provide services to the student

When appropriate, team members may serve in more than one role at a meeting, for example the special education teacher may also serve as the school district representative.

You may bring additional people with you to your child's IEP meeting, either to provide support, take notes, or to help you advocate for your child. Please let the Case Manager know if you are planning to bring others to your child's meeting so that they can be listed on the Notification of Conference and so that the team has a shared understanding of why they are attending.

In accordance with IDEA, parents and the school team may excuse any required IEP team member from attending the IEP meeting under certain conditions. If the team member's curriculum area or related service is not being modified or discussed, the team member may be excused from the meeting. If the curriculum area or related service is to be discussed, a team member who must miss the meeting must also submit his or her input in writing and may discuss this input with the parents ahead of time. In either case, the agreement between the parent(s) and the school to excuse the member must be obtained in writing.

At an IEP Meeting

At an annual review or initial IEP meeting, the team will review all parts of the IEP. This is a group discussion and a chance to edit and add to the draft. The team will discuss

- Strengths of the student
- Parent input/concerns
- Present levels of academic and functional performance (PLAAFP)
- Annual goals (including a review of previous goals)
- Accommodations/modifications
- Assessments
- Services and placement
- Additional considerations, if needed (Autism Considerations or Behavior Intervention Plan)
- Transition plan, if needed (age 14 ½)

The team's discussion should begin with the student's strengths and needs and the annual goals. The team then discusses the specialized instruction and related services needed to meet these goals. This discussion should lead to a placement decision in the least restrictive environment (LRE) in the continuum of service. This means that students should be educated with their general education peers to the maximum extent possible while still receiving the services and supports that will allow them to make progress.

Tips for participating in your child's IEP meeting:

- Bring copies of reports and drafts so that it is easy to follow along with the discussion
- Ask school personnel to explain terms or statements that are unclear
- Ask to schedule an additional meeting if you have concerns or questions that cannot be answered in one meeting or are not relevant to your child's IEP
- Stay focused - if you have questions about something off-topic (e.g., the timing of an upcoming field trip), try to address them at a different time
- Take notes on any important decisions, follow-up needed, and dates to remember
- If you cannot reach agreement and you are beginning to feel upset, frustrated, or uncomfortable, ask to pause and take a break in the meeting. Or you may ask to end the meeting and reconvene at another time. Before the meeting ends, agree on a date to reconvene. It will be easier to collaborate when everyone is feeling calm.
- If you need more time to consider the proposed IEP, let the staff know that you would like to take it home for review

Following an IEP Meeting

For an initial IEP or at another time when placement of a student is changing, the placement can start in 10 calendar days or the parent can waive the 10 days and indicate that placement should begin as soon as possible.

Once all forms have been signed by participants and the team agrees on the content, the parent will receive a copy of the completed IEP in its entirety.

The Case Manager will share the IEP with each general education teacher, special education teacher, related services provider, and any other service provider who is responsible for its implementation.

Amendments to an IEP

The team can choose to meet to develop the amendments if the parents and school team agree; however, the IEP may be amended without a meeting. Amendments must be documented in writing. However, best practice dictates that there should be a meeting if any member of the team is contemplating significant changes to the IEP.

Related Services

Students who are eligible for special education may require the additional support of a related service. The federal definition of related service is a service required to assist a student with a disability to benefit from special education. Related services are specialized services and could include speech, occupational or physical therapy, counseling, or orientation and mobility services, to name a few, that the IEP team may determine are necessary for a student with a disability to successfully participate in his or her special education program.

Related services should be provided in the least restrictive and natural environments of the classroom and other educational settings. They should be directly related to special education services and support the student's access to the curriculum. Related services are not provided for needs or challenges that the student experiences only outside of the school setting or those that do not impact their ability to access and make progress in the general education curriculum and environment. The majority of related services are listed and described below.

Audiology

Audiologists consult with classroom teachers, parents, and support staff regarding a child's hearing loss and technical aspects of the hearing loss. They may

- Interpret audiological testing results
- Assess the classroom environment and individual auditory skills to make appropriate recommendations for assistive listening devices and aural habilitation
- Monitor hearing aid function and middle ear status using a variety of audiological tests and equipment
- Serve as liaisons between the schools and private health care professionals in matters related to hearing loss.

Counseling Services

These are services provided by qualified social workers, psychologists, guidance counselors or other qualified personnel. School social workers, counselors, and psychologists provide individual and group counseling to students, using evidence-based practices and programs to

- Develop social-emotional competencies
- Foster resiliency
- Cope with crisis situations and conflicts
- Foster social skills
- Address mental health concerns
- Enhance self-regulation skills

Occupational Therapy

School-based occupational therapists assist students and their teams by addressing areas of need that impact their ability to access, participate in, and benefit from school occupations, tasks, roles, and routines within the school setting and educational program. Occupational therapists provide evidence-based expertise and work collaboratively with the student's team to

- Assist in the identification and provision of interventions, modifications, accommodations, and specialized supports/strategies
- Identify adapted equipment related to the underlying performance skills needed to participate in learning, life skill, and social occupations in the school environment.
- Suggest ways to modify the educational environment to meet the needs of the student and provide access to instruction and educational activities

Orientation and Mobility Services

These are services provided to blind or visually impaired students by qualified personnel to enable those students to attain systematic orientation to and safe movement within their environments in school, home, and community.

Physical Therapy

School-based physical therapists assist students and their teams by addressing needs that impact the student's ability to access instructional programs and school settings. They support students who require additional specialized interventions so that the student can access, participate in, and maximize opportunities for independent functioning in the school environment. Physical therapists may

- assist in the identification and provision of specialized interventions, modifications, accommodations, and individualized supports related to motor skills in the school setting that support the student's participation in his or her educational program
- make recommendations regarding environmental adaptations or equipment needed by the student to access instruction and educational activities

Speech/Language Pathology Services

The school-based speech-language pathologist participates in the prevention, identification, assessment, evaluation, eligibility determination, treatment plan development, and treatment management of those students with disorders in the areas of speech and language.

Speech-language pathologists evaluate and diagnose specific speech or language impairments including voice, fluency, articulation, and receptive and expressive language disorders that adversely impact educational performance.

School-based speech language services may include

- counseling and guidance for teachers, staff, and parents to address the communication needs of students
- provision of speech and language therapy interventions for special education students who require additional specialized supports for access to curriculum

- supports for successful participation and communication in the educational setting.

Transportation

District 31 offers travel to and from school and within the school environment as needed. This may include the provision of specialized equipment (such as adapted buses, lifts, and ramp), accommodations, and/or supports as required to provide transportation for a student with a disability.

Extended School Year Services

Extended School Year (ESY) Services are those special education services that are provided to students beyond the scope of the regular school year, are in accordance with the student's IEP, and provided at no cost to parents through the public school district.

Whether or not a student is eligible for ESY is determined on an individual basis by the student's IEP team. There are two main factors that the team will examine: has the student made adequate progress over the school year and will there be a regression or loss of skills with an extended break in schooling. Here are some questions, from ISBE, that the team may consider to make this determination:

- To what extent are IEP benchmarks and objectives being met?
- Did the student make progress towards IEP goals?
- Is the student developing mastery of a foundational, important life skill and a break in instruction may cause the loss of mastery?
- Does data indicate that the student's loss of acquired skills over breaks are severe and that it would take a period of time for lost skills to be regained upon return that is longer than that of a nondisabled student (i.e., 30 school days after summer break)?

Extended school year services (ESY) are typically designed to support maintenance of skills, not to develop new ones. These skills are those addressed by the specialized instruction documented in the IEP. Related services are only required if they are needed for the student to benefit from the ESY special education services.

The team must provide evidence that the student requires ESY services. This documented evidence may include, but is not limited to:

- Evidence or data that demonstrates that the very nature and severity of the child's disability alone justifies the need for ESY services;
- Evidence or data that demonstrates the child's rate of progress would be negatively affected by an interruption in services.
- Evidence or data that identify the impact of an interruption in services on areas of the child's curriculum, or specific IEP goals and objectives, that have demonstrated a significant need for continuous and ongoing attention
- Data or evidence that demonstrates emerging skills, or breakthrough opportunities, that are occurring.

Additional Information about Parental Rights

During the evaluation process and prior to IEP meetings, you will be provided with a copy of your parental rights. Here is some information to highlight.

Prior Written Notice

There are certain times when the school is required to put information in writing for parents. This written communication is called Prior Written Notice (PWN). Parents have the right to receive prior written notice whenever the school wants to do something or refuses to do something such as

- Evaluate the child
- Change the child's disability category
- Change the child's educational placement
- Terminate special education and related services in response to a parent's revocation of consent for special education placement.

Sometimes a school representative will tell a parent about a decision over the telephone, in a meeting, through an email, or in a conversation. However, even if the school informs the parent in one of these ways, the school still must provide the parents with prior written notice before it can proceed.

Revocation of Consent

Parents have the right at any time to revoke consent for special education services. However, it is very important for the parent to understand that if consent for special education is revoked, the school district must terminate ALL special education services. As a result, the student will no longer receive any services set forth in the student's IEP.

In order to revoke your consent for special education, Illinois rules permit the parent to do so either in writing or orally. To ensure that the revocation is received by the district, it is highly recommended that the parent provide the revocation in writing or follow up an oral revocation with a short letter confirming that the parent has revoked consent for special education. The parent's revocation of consent should be directed to the Assistant Superintendent for Student Services.

Once the parent has provided revocation of consent to the district, the district must provide the parent with prior written notice to tell the parent exactly when the services for the student will end. Once the district has provided the parent with written notice in response to revocation, the district must terminate all special education services to the child. Almost all the rights and protections the parent possessed as a parent of a student with a disability will also end. Additionally, protections that the student possessed as a student with a disability will also end. For example, if the student had accommodations for responses to inappropriate behaviors, this may end, and the consequences for the student's behaviors will be similar to nondisabled peers.

If the parent later decides that the decision to revoke was a mistake and the district has already terminated special education services for the student, the district may need to evaluate the student all over again before the student's special education services can be restarted. There is no guarantee that the student will receive the same services that were in place before the parent revoked consent.

Termination of Eligibility

The IEP team must evaluate a child with a disability before determining that the child is no longer eligible for special education services.

An evaluation is not required before the termination of a student's eligibility if: (a) Due to graduation with a regular high school diploma; or (b) For student's who are no longer eligible due to their age.

This evaluation is similar to the initial evaluation process. A meeting (Domain meeting) must be scheduled to determine the appropriate evaluations. 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. Once the team has determined what, if any, additional data is needed, parental consent must be obtained by the psychologist to complete any evaluation procedures.

Once the evaluation is complete, an eligibility termination meeting is held. All draft evaluation reports must be shared with parents at least 3 school days, but ideally one week, prior to the meeting. The team will review the evaluation data available and determine if the student continues to meet eligibility criteria set forth by the Illinois State Board of Education. If the student is found to no longer meet these criteria, the team must find the student no longer eligible and sign the eligibility form accordingly.

Conflict Resolution

The vast majority of the time, the school team and parents are able to work collaboratively to support a student's special education needs and can engage in productive discussion and come to agreed upon decisions. Both sets of parties each have the student's best interests in mind and can work as partners. However, even the best teams may need support reaching consensus. When disagreements occur that cannot be resolved, there are multiple options available. For more information on each option, please see the Parent Guide produced by ISBE:

<https://www.isbe.net/Documents/Parent-Guide-Special-Ed-Aug20.pdf>

Request a Conversation with an Administrator

There are steps available to you to resolve disagreements or conflicts with your child's IEP team prior to initiating steps with outside sources. If you feel that you are not able to come to a consensus with your child's team or you have concerns that their needs are not being met, please contact the Assistant Superintendent for Student Services, Dr. Janine Gruhn. Dr. Gruhn can support a conversation that may allow you and the team to resolve differences.

Request a Neutral Facilitator for IEP Meetings

IEP facilitation is a process in which a neutral facilitator guides a discussion that can help parents and districts understand one another. A trained facilitator uses a neutral manner to encourage everyone to respectfully participate in the discussion of the services a student may need. This facilitator is a neutral third party appointed by ISBE and is not a school district employee. As a voluntary process, both the parent and district must agree to allow a facilitator to be present at the IEP meeting.

The IEP facilitation process is intended to promote effective communication before, during, and after an IEP meeting and to prevent or resolve conflicts. Therefore, a conflict does not need to exist to make a request. However, if a conflict is likely or occurring, a request might still be appropriate. Either party may request a facilitated IEP meeting 10 to 14 days ahead of time by submitting a completed request form which is located on the ISBE website. You can also call the ISBE Facilitation Coordinator at (217) 782-5589

Mediation

A mediation is a formal process to resolve a disagreement between a family and a district about the services and supports needed by a student with a trained mediator. Mediation can occur whether or not a formal complaint or due process hearing request

has been made. The mediator is a neutral third party who is specially trained to understand special education matters and facilitate a discussion that can resolve differences. One of the primary advantages of mediation is that it seeks to be collaborative; it can lead to a resolution of differences between parent and school while maintaining a positive relationship between the parties. In addition, mediation is less costly than typical due process hearings.

Like facilitation, mediation is a voluntary process: both the parent and the district need to agree to participate in mediation before a mediation can take place. Either party may initiate a request for mediation by calling the ISBE Mediation Coordinator at (217)782-5589 or by submitting via email a completed mediation request form which is located on the ISBE website.

If an agreement can be reached between the parties on all or some of the issues, the mediator will then help the parties to write up a mediation agreement. If mediation fails to resolve the dispute between the parties, the parent has 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 (if due process has not already been filed).

What is a “stay put” provision?

If the disagreement between the school and parents involves the placement of the student, filing a request for a mediator or a due process hearing invokes a “stay put” provision. This means that the student must stay in the placement that was last agreed upon by the two parties. If one party requests a mediator and this is declined by the other party, either party has 10 days to file a due process hearing in order to continue the “stay put” placement. If the mediation fails to resolve the conflict, either party also has 10 days to file a due process hearing in order to continue the “stay put” placement.

When a party files a due process hearing request, the request also triggers what the “stay-put” provision. This is designed to make sure that no changes are made to your child’s placement until issues that might affect the placement have been decided by a due process hearing officer. The school district can make changes to placement within 10 calendar days of an IEP meeting unless you make a formal objection to the placement.

Due Process Hearing

The biggest difference between the facilitated IEP/mediation and a due process hearing is that in a due process hearing a person other than the parent and the district will decide how to resolve the issue. In this case, it is an “impartial hearing officer.”

If you decide to proceed with a due process hearing, your request for the hearing should be filed with the Superintendent of the school district. If your child is receiving services from our special education cooperative, True North, you still must file your request with the District 31 Superintendent. When the district receives your request, the district has five calendar days to forward your request to ISBE. Within three calendar days of receiving the request from the district, ISBE will appoint a hearing officer and inform you of who the hearing officer will be.

Under both federal and state law, the school district has two options for responding to the request for a due process hearing.

1. Within 10 calendar days of receiving your request, the district may provide you and the hearing officer with a written response to the hearing request. A written response, however, is not required if the district has already provided you with “prior written notice” of its actions that led you to file your hearing request. This response may include an explanation of why the district proposed or refused to take the action raised in the complaint, a description of other options that the IEP team considered and reasons why they were rejected, and a description of each evaluation procedure, assessment, record, or report the agency used as the basis for the proposed or refused action.
2. Within 15 calendar days of receiving your request, the district may file “Notice of Insufficiency” with you and the hearing officer. A Notice of Insufficiency is a request by the district to have your request dismissed because it lacks the required information for a hearing request.

Within 15 days after receiving the request for a due process hearing, the district must hold a resolution meeting. This is required by IDEA and is a mandatory part of all hearing requests. This process provides an opportunity for the school team and parents to resolve the disagreement prior to holding the full hearing. The school district and parents have up to 30 calendar days to resolve the dispute.

If the resolution process does not resolve the dispute, the due process hearing will proceed. Under Illinois law, the hearing officer must render a decision in the case within 45 calendar days after receiving the request for the hearing.

Behavioral Interventions

Both Winkelman Elementary and Field Middle School utilize schoolwide Positive Behavior Interventions and Supports (PBIS). Problem-Solving Teams, through the MTSS system, can be a first step in supporting students with behavioral needs. Some students with disabilities may have additional needs in the area of behavior.

Functional Behavioral Assessment

A Functional Behavioral Assessment (FBA) may be conducted when a behavior demonstrated by a student significantly impedes the student's learning and/or the learning of other students. Completing a functional behavior 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, the team develops hypotheses as to the function of behaviors (for example, to escape work demands or gain access to items). The FBA is not a single observation, test, or interview but rather a multi-method process, so that appropriate behavior interventions can be developed.

A Functional behavioral assessment should be conducted in the following circumstances:

1. When a student's problem behavior interferes with his/her learning or the learning of others
2. When a student's behavior presents a danger to him/herself or others.
3. 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 should 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, parent/guardian, 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 will 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.

Behavior Intervention Plan

A formal Behavior Intervention Plan (BIP) may be created for students whose behavior impedes their learning or the learning of others. Illinois State Board of Education Policies and Procedures require an IEP team to 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 BIP is based on the FBA 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 should be the teaching of replacement behaviors and remediation of performance and skill deficits.

The development of the BIP 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.

Restraint and Time Out

District 31 is committed to fostering an environment where all students feel safe and supported, and staff use trauma-informed practices to ensure student's psychological safety. District 31 carefully follows guidelines from ISBE regarding restraint and isolated time-out (RTO). All available de-escalation methods are used prior to the use of restraint and isolated time-outs, including for students who are a danger to themselves or others. If less restrictive methods are ineffective, RTO may be used as a last resort for students who are engaging in behaviors that pose an imminent risk of serious harm to themselves or others only by specially trained staff members who have participated in Crisis Prevention training. Any RTO procedures are carefully documented, including providing information to ISBE, and parents are informed of any time their child is involved in restraints or isolated time-outs. Please see the District 31 Handbook for information on the District's plan to reduce RTO procedures.

Discipline of Students with Disabilities

Students with disabilities may be disciplined in the same ways as students without disabilities in most situations. The main difference is that there are additional protections for students with disabilities who are suspended from school for more than 10 school days in a school year. Students with disabilities may be suspended for short periods if the removal does not constitute a change of placement. For purposes of removals of a child with a disability from the child's current educational placement, a change of placement occurs 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 cumulate 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 provides services necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving individualized education program goals. In such a case, school personnel, in consultation with the child's special education teacher, determine the extent of the services. In addition, a manifestation determination review (MDR) must be held as soon as possible, but no later than the tenth day of the removal.

Manifestation Determination (MDR)

If the individualized education program 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. These 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 the MDR team answers "yes" to either of the two questions, the finding is that there is a manifestation. If the answers to both questions are "no" then the finding is that there is not a manifestation.

The team considers, in terms of the behavior subject to disciplinary action, all relevant information, including:

- Evaluation and diagnostic results including the results or other relevant information supplied by the parents of the child
- Observations of the child
- The child's individualized education program and placement

If the District determines the behavior of the child with a disability was not a manifestation of the child's disability, the District can apply the relevant disciplinary procedures in the same manner in which they would be applied to children without disabilities.

If the District determines that the behavior was a manifestation of the child's disability, the district may not apply additional suspension or recommend the child for expulsion. If, in the manifestation determination review, the District identifies deficiencies in the child's individualized education program or placement or in their implementation, immediate steps must be taken to remedy those deficiencies. This may also include conducting a Functional Behavior Assessment and creating or updating a Behavior Intervention Plan.

Placement in an Interim Alternative Educational Setting

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;
- 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; or
- 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.

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

- Is selected so as to enable the 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 child's current individualized education program, that will enable the child to meet the goals set out in that individualized education program; and

- Includes services and modifications that are designed to prevent the behavior that resulted in the child's placement in an interim alternative educational setting behavior from recurring.

Special Circumstances: Students in Private Schools and Home Schooled Students

Children in Private Schools Enrolled by Their Parents

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

The Serving District

For students who are enrolled in a private school by their parents and are eligible to receive special education services, the district in which the private school is located is the district that will be responsible for providing special education services to children with disabilities in the private school. This may be different from the school district that is responsible for conducting an eligibility evaluation and determination, and the school that would provide services if the student attended their home school. This school district is based on the student's home address.

Child Find and Evaluations

Unlike the issue of services, districts are obligated to conduct Child Find in the same manner for families of private school students as it would do with families of public school students

IEP versus ISP

Unlike students in public schools, students with disabilities in private schools are not entitled to an IEP. Instead, District 31 may provide an Individual Service Plan (ISP) to students with disabilities who will be receiving services from the serving school district. An ISP is a much less detailed document that often will only describe the types of service being provided, the frequency of the services, and the location where those services will be provided.

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

Transportation and Other Services

The district is not obligated to provide transportation from the child's home to the child's private school. However, the district is obligated to provide transportation if transportation is necessary for the child to benefit from or participate in the services provided by the district. The district will assure that the services identified on an ISP are provided according to the State outlining services to private school students.

IDEA defines the legal rights of a private school student to publicly funded special education services. Specifically, a private school student does not have the same legal rights to special education services as a special education student in a public school.

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 parents request an evaluation, the child's home school will be responsible for acting as the evaluation/IEP team. The psychologist will assure 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.

Children in Private Schools Placed by the School District

For students with significant needs, the student's IEP team, including the parents, may decide that the child would best be served by a placement in a private school. This means that the IEP team has determined that the public school the child was attending can no longer offer services that match the student's needs, either educationally or emotionally. In these situations, the private schools in question are schools with a specific expertise in working with students with disabilities. From the point of view of the parent, there isn't any real difference between the rights the parent has with regard to the IEP or the protections and rights provided to the student and family.

Glossary

Assistive Technology Device

Any item, piece of equipment or product system that is used to increase, maintains, or improves the functional capabilities of a child with a disability.

Accommodation

Changes HOW the student will learn or demonstrate his/her knowledge, keeping content expectations the same.

Adaptive Physical Education

Adapted physical education teachers provide support, consultation, and collaboration for students requiring specialized instruction.

Annual Review

A scheduled meeting of school staff members and parents to develop, review, and revise a student's IEP goals and objectives and to determine the appropriateness of new or continued services.

Assistive Technology Service

Any service that directly assists a child with a disability in the selection, acquisition or use of an assistive technology device, including all of the following:

- Evaluating the needs of the child, including a functional evaluation of the child in the child's customary environment
- Purchasing, leasing or otherwise providing for the acquisition of assistive technology devices by children;
- Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing or replacing of assistive technology devices;
- Coordinating and using other therapies, interventions or services with assistive technology devices, such as those associated with existing education and rehabilitative plans and programs;
- Training or technical assistance for the child or, if appropriate, the child's family; and
- Training or technical assistance for professionals, including individuals providing education and rehabilitation services, employers or other individuals who provide services to, employ or are otherwise substantially involved in the major life functions of that child.

Business Day

Monday through Friday, except for federal and state holidays unless holidays are specifically included in the designation of business day.

Case Manager

Staff member responsible for collecting, monitoring, and processing information pertaining to an individual student.

Child

Any person who is at least three years old but not yet 21 years old and who has not graduated from high school and, for the duration of a school term, any person who becomes 21 years old during that school term and who has not graduated from high school.

Child Find

A public school program that locates and identifies children and young adults aged 2 through 21 years who may be in need of special education and related services.

Child with a Disability

A child who, by reason of any of the following, needs special education and related services:

- Cognitive disabilities;
- Hearing impairments;
- Speech or language impairments;
- Visual impairments;
- Emotional disability;
- Orthopedic impairments;
- Autism;
- Traumatic brain injury;
- Other health impairments; and/or learning disabilities

Consent

- The parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or other mode of communication;
- The parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom; and
- The parent also understands the granting of consent is voluntary on the part of the parent and may be revoked at any time. If a parent revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked).

Continuum of Services

Refers to the range of service delivery options offered to eligible students

Controlled Substance

A drug or other substance identified under schedules I, II, III, IV, V in section 202 (c) of the Controlled Substance Act [21 U.S.C. 81(c)].

Education Records

Type of records covered under the definition of “education records” set forth in the regulations implementing the Family Educational Rights and Privacy Act of 1974.

Evaluation

Procedures used to determine whether a child has a disability and the nature and extent of the special education and related services the child needs.

Extended School Year Services

Special education and related services that are provided to a child with a disability and meet the standards of the State of Illinois. These services are provided beyond the normal school year of the local educational agency, in accordance with the child’s individualized education program, and at no cost to the parents of the child.

Free Appropriate Public Education

Special education and related services that are provided at public expense and under public supervision and direction, meet the standards of the Department of Instruction, include an appropriate preschool, elementary or secondary school education and are provided in conformity with an individualized education program.

General Curriculum

The same curriculum as for non-disabled children.

Home-based Instruction

Home-based instruction may be provided to special education students who have been removed from school due to disciplinary or other reasons. The goal of home-based instruction is to keep the student current with classroom instruction until the student is allowed to return to a classroom setting.

Homebound Instruction

Homebound services may be provided to students who have a medical condition preventing them from participating in classroom instruction because they are confined to home or a health care facility.

Home School

The public school serving the local home address

Individuals with Disabilities Education Act (IDEA)

The federal law that mandates that a free appropriate public education (FAPE) be available to all school- age children with disabilities. It is also known as Public Law 108-446.

Illegal Drug

A controlled substance but does not include such a substance that is legally possessed or used under the supervision of a licensed healthcare professional or that is legally

possessed or used under any other authority under that Act or under any other provision of federal law.

Independent Educational Evaluation

An evaluation conducted by a qualified examiner who is not employed by the public agency responsible for the education of the child in question.

Least Restrictive Environment (LRE)

The setting determined by the IEP team that gives the child as much time as possible in general education settings and activities while meeting the child's learning and physical needs. It also means that special classes, separate schooling, or other removal of a child with disabilities from the general education environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Local Education Agency (LEA)

The public-school system serving the student's home address.

Modification

A change in what is being taught to the student or the student is expected to learn

MTSS

A Multi-Tiered System of Supports (MTSS) is a systemic, continuous-improvement framework in which data-based problem solving and decision-making is practiced across all levels of the educational system for supporting students.

Native Language

The language normally used by that individual. For children with limited English proficiency, the term means the language normally used by the parents of the child, except that in all direct contact with a child (including evaluation of the child); the term means the language normally used by the child in the home or learning environment. For an individual with deafness or blindness, or for an individual with no written language, the mode of communication is that normally used by the individual (such as sign language, Braille, or oral communication).

Nonacademic and Extracurricular Services and Activities

May include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the public agency, referrals to agencies that provide assistance to individuals with disabilities and employment by the public agency and assistance in making outside employment available.

Parent

- A natural, adoptive or foster parent of a child,
- A guardian, or an individual acting in the place of a natural or adoptive parent (including a grandparent, step-parent, or other relative) with whom the child lives,
- An individual who is legally responsible for the child's welfare.

Parent Counseling and Training Services

Assisting parents in understanding the special needs of their child and providing parents with information about child development, and helping parents to acquire the necessary skills that will allow them to support the implementation of their child's individualized education program.

Participating Agency

- Participating agency means a state or local agency other than the local educational agency that is financially and legally responsible for providing transition services to the student.
- Participating agency means any agency or institution that collects maintains or uses personally-identifiable information, or from which information is obtained, under the Individuals with Disabilities Education Act.

Personally Identifiable

Information includes the name of the child, the child's parent or other family member; the address of the child; a personal identifier such as the child's social security number or student number; or a list of personal characteristics or other information that would make it possible to identify the child with reasonable certainty.

Private School Children with Disabilities

Are children with disabilities enrolled by their parents in private schools or facilities.

Qualified

A person has met the Illinois Board of Education approved or recognized certification, licensing, registration, or other comparable requirements that apply to the area in which he/she is providing special education or related services.

Related Services

Related services are developmental, corrective and other supportive services as are required to assist a child with a disability to benefit from special education. Please see the above section on Related Services for information on various related service areas.

Recreation

Recreation services may be provided to students with more significant needs and might include assessment of leisure function, therapeutic recreation services, and recreation programs in schools and community agencies.

Referral

Informing of a school or agency that a student may have special learning needs. A referral can be made by a parent, a teacher, or any staff member who has worked with the student. Children do not have to be in school to be referred.

Rehabilitation Counseling Services

Services provided by qualified personnel in individual or group sessions that focus specifically on career development, employment preparation, achieving independence, and integration in the workplace and community of a student with a disability. The term also includes vocational rehabilitation services provided to a student with disabilities by vocational rehabilitation programs funded under the Rehabilitation Act of 1973, as amended.

Response to Intervention (RTI)

The “use of a process that determines if (a) child responds to scientific, research-based intervention as part of ...evaluation procedures” for specific learning disabilities. RTI is the practice of providing high quality instruction/intervention matched to student needs in general education and using learning rate over time and level performance to make important educational decisions. Goals of RTI include early intervention and prevention to enhance outcomes for children by providing access to increasingly intense supports, eliminating a “wait to fail” system, and linking instruction to progress monitoring.

School Day

Any day, including a partial day that children are in attendance at school for instructional purposes. The term “school day” has the same meaning for all children in school, including children with and without disabilities.

School Health Services

Services provided by a qualified school nurse or other qualified person.

Secondary School

A nonprofit institutional day or residential school that provides secondary education, except that it does not include any education beyond grade 12.

Section 504

A federal statute in the Rehabilitation Act of 1973 designed to eliminate discrimination on the basis of a disability in any program or activity receiving federal financial assistance. In accordance with Section 504, a qualified student with a physical or mental impairment that substantially limits one or more major life activities shall not, on the basis of that disability, be excluded from participation in, be denied the benefits of, or be subject to discrimination in any program or activity offered by the school.

Serious Bodily Injury

Bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

Special Education

Specially-designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability, including:

- Instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings;
- Instruction in physical education;
- Speech/Language Pathology services, or any other related service, if the service consists of specially-designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability, and is considered special education rather than a related service.
- Travel training if it consists of specially-designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability; and
- Vocational education if it consists of specially-designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability.

The terms in the definition of special education are defined as follows:

- “At no cost”-
 - all specially-designed instruction is provided without charge, but does not preclude incidental fees that are normally charged to non-disabled students or their parents as a part of the regular education program.
- “Physical education” the development of:
 - Physical and motor fitness;
 - Fundamental motor skills and patterns; and
 - Skills in aquatics, dance, and individual and group games and sports (including intramural and lifetime sports).
 - The term includes special physical education, adaptive physical education, movement education and motor development.
- “Specially-designed instruction”
 - Adapting content, methodology or delivery of instruction:
 - To address the unique needs of an eligible child under this part that result from the child’s disability and
 - To ensure access of the child to the general curriculum, so he or she can meet the educational standards within the jurisdiction of the public agency that apply to all children.

Special Education Categories

The Special Education Categories site includes information, research, resources, and best practices on the following program areas: Deaf-Blindness, Deafness,

Developmental Delay, Emotional Disability, Hearing Impairment, Intellectual Disability, Multiple Disabilities, Orthopedic Impairment, Other Health Impairment, Specific Learning Disability, Speech/Language Impairment, Traumatic Brain Injury, and Visual Impairment.

Substantial Evidence

Beyond a preponderance of the evidence.

Supplementary Aids and Services

Aids, services, and other supports that are provided in regular education classes or other education-related settings to enable a child with a disability to be educated with non-disabled children to the maximum extent appropriate.

Transition Services

A coordinated set of activities for a student with a disability that is designed to link their educational services and supports to post-school outcomes and activities. The creation of a transition plan is required for students who will turn 14 ½ years old during the life of their IEP. Areas include postsecondary education, vocational training, employment (including supported employment), continuing and adult education, adult services, independent living or community participation. Transition services are based on the individual student's needs, taking into account the student's preferences and interests.

Weapon

Weapon has the meaning given the term "dangerous weapon" under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code.



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