ILLINOIS STATE BOARD OF EDUCATION MEETING
March 19-20, 2003

TO:  Illinois State Board of Education

FROM:  Robert E. Schiller, Superintendent
        Christopher Koch, Director of Teaching and Learning

Agenda Topic:  Action Item:  Continuous Improvement Plan for Special Education – Part B (Revised)

Materials:  Illinois Continuous Improvement Plan (Revised)
            Illinois Continuous Improvement Plan Status Report
            Illinois Continuous Improvement Plan Cost Projection

Staff Contact(s):  Anthony Sims
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Purpose of Agenda Item

- To present the revised Illinois Continuous Improvement Plan (ICIP) for Special Education – Part B to the Board for review and approval.
- To provide a report of progress to date on each goal of the ICIP.
- To provide a cost projection for ICIP implementation.

Expected Outcome(s) of Agenda Item

The Board will approve the revised ICIP for final submission to the United States Department of Education, Office of Special Education Programs. The Board will also be informed of ICIP activities that have been completed or are in progress.

Background Information

In January 2002, the State Board of Education approved the ICIP. On January 16, 2002, ISBE staff submitted the plan to the U.S. Department of Education, Office of Special Education Programs (OSEP) as a required component of OSEP’s Continuous Improvement Monitoring Process for Illinois.

During the weeks of October 15, 2001, and April 22, 2002, OSEP conducted a review in Illinois for the purpose of assessing compliance in the implementation of the Individuals with Disabilities Education Act (IDEA) and assisting us in developing strategies to improve results for children with disabilities. OSEP issued its monitoring findings in the December 31, 2002, document entitled “OSEP Monitoring Report – Illinois.”
The OSEP report contained the following findings of noncompliance relevant to IDEA Part B:

1. ISBE’s monitoring procedures are not effective in identifying and ensuring the correction of all systemic noncompliance with the requirements of Part B.
2. ISBE has not reported to the public regarding the performance of students with disabilities in the alternate assessment.
3. ISBE has not ensured that all children with disabilities are educated in the least restrictive environment.
4. ISBE has not ensured that children with behavioral or emotional disabilities are receiving all of the services that they need as part of a free, appropriate public education, including psychological counseling services.

The report also required that ISBE prepare and submit an amended ICIP that includes revisions in strategies, benchmarks, timelines, and evidence of change necessary to ensure that each of the findings of noncompliance will be corrected within one year from the date on which OSEP approves the revised plan.

To assist with the ICIP revision, staff in the Special Education Services – Springfield Division reconvened the work group that assisted in our preparation of the final version of the January 16, 2002, ICIP. This group included stakeholders such as parents of children with disabilities, members of the Illinois State Advisory Council on the Education of Children with Disabilities, special education administrators, a higher education representative, and technical assistance providers in the areas of positive behavioral supports and least restrictive environment.

Upon review of the January 16, 2002, Improvement Plan, the work group determined that the majority of findings in the OSEP Monitoring Report were already addressed in the existing ICIP goals and activities. On February 25, 2003, OSEP confirmed this conclusion. OSEP indicated that Finding 1 is currently addressed in Goal 5, and Finding 3 is specifically addressed in Goals 2 and 3 and indirectly addressed in Goal 5. OSEP also informed us that no further action is required on Finding 2 since ISBE reported performance results for the Illinois Alternate Assessment in 2002 and will do so in all subsequent years.

Finding 4 was the only area not addressed in the January 12, 2002, ICIP. With the input of the work group, we made the following changes to address this finding:

- Under Goal 2, Desired Result 2A, Activity 3, we added “appropriate related services” as one of the topics for training and technical assistance to special education joint agreements and local education agencies (LEAs).
- We made the same addition to the list of parent training topics under Goal 4, Desired Result 4A, Activity 5.
- Under Goal 5, Desired Result 5C, we added a new activity that requires ISBE to “issue a memorandum to LEAs and stakeholder groups notifying them that the district practices with respect to special education and related services must be
consistent with state and federal regulations, including specific reference to the consideration of related services such as psychological counseling.

Finally, changes have been made to activity timelines in order to 1) ensure that activities required to address the findings of noncompliance will be completed within the OSEP-specified timeline and 2) more evenly distribute other activities across the plan’s five-year span. We believe these timeline revisions will improve the agency’s ability to achieve the desired results and thereby improve outcomes for students with disabilities.

**Analysis and Implications for Policy, Budget, Legislative Action and Communications**

The January 16, 2002, report to the Board stated that the ICIP provides a comprehensive five-year agenda for special education services in Illinois. The ICIP is performance-based and sets clear expectations for the Illinois State Board of Education and local school districts. One of the first major accomplishments under the ICIP will be the development of a comprehensive general supervision and monitoring system that will include a risk-based approach to monitoring. Districts that do not meet the performance standards established under this risk-based approach will be held accountable for improvements in their service delivery and individual student outcomes.

The revised plan will provide for the OSEP Monitoring Report findings to be addressed within the required timeline and for other activities to be completed across the five-year time span.

**Policy Implications**

Staff identified major policy implications of the ICIP in the January 16, 2002, Report to the Board. There are no new policy implications associated with the revised Improvement Plan.

**Budget Implications**

A summary of estimated annual costs to implement the ICIP is attached. It is expected that the cost to the agency will be a combination of existing and new costs, with the majority being existing costs. Thus, it will be necessary to redirect certain existing resources to some degree to focus more directly on the ICIP goals. This will primarily pertain to the technical assistance and training projects that the agency currently funds with IDEA Part B discretionary funds. These projects will play an important role in assisting with the implementation of many ICIP activities. It is, however, anticipated that some additional funding will be required to implement certain activities. Cost estimates associated with staff salaries and travel assume that vacancies in the Department of Special Education will be filled.

In addition to state budget implications, the ICIP has implications for local district costs, particularly with relation to Goal 2 (increase in the number of students with disabilities educated in general education classrooms 80% or more of the time). In its March 2002 Special Education Expenditure Project report entitled “What are We Spending on
Special Education Services in the United States, 1999-2000?”, the Center for Special Education Finance (CSEF) found that during the 1999-2000 school year, the national average per pupil total spent to educate the average student with a disability amounted to $12,639 ($8,080 per pupil on special education services, $4,394 per pupil on regular education services, and $165 per pupil on services from other special need programs such as Title I, English language learners, and Gifted and Talented Education).

As noted in the ICIP cost projection attachment, CSEF has also reported that although costs associated with educating students in less restrictive environments are higher in the beginning due to start-up costs, over time more inclusive service delivery models are not likely to be more costly than other models (McLaughlin & Warren, 1994). In fact, when comparing costs of services provided in home schools and the costs of transportation and services in cluster programs or specialized schools, more inclusive service delivery models appear to be less expensive. In order for these savings to be realized, however, dollars need to follow each student into the home school program. Therefore, it will be important that the State Board of Education work with special education joint agreements and school districts to ensure that funding follows students locally.

**Legislative Action**
No legislative action is required.

**Communication**
Staff will post a copy of the revised ICIP on the agency website. It will also be disseminated to state-approved special education directors, the Illinois State Advisory Council on the Education of Children with Disabilities, and possibly to district superintendents. We will also provide copies to various parent organizations, including the three Parent Training and Information Centers.

**Pros and Cons of Various Actions**
As stated previously, the revised ICIP will allow the agency to address OSEP’s findings of noncompliance within the required timeline (one year from the date that OSEP approves the revised plan). It will also provide for activities to be conducted across the five-year time span and improve the agency’s ability to achieve the plan’s desired outcomes. Approval of the revised ICIP is an essential component in the overall process of maintaining our eligibility to receive federal special education funding. Failure to respond to the OSEP Monitoring Report through submission of the revised ICIP will result in our agency being out of compliance and could jeopardize federal IDEA funds.

**Superintendent’s Recommendation**
The State Board should approve the revised ICIP for final submission to the U.S. Department of Education.
Next Steps

- Make any changes to the ICIP requested by the Board, submit the final plan to the U.S. Department of Education for review and wait for their response; make subsequent modifications if needed.

- Continue implementation of activities.

- Provide the State Board with periodic updates on the progress of major activities in accordance with the timelines for accomplishing the desired results.