January 3, 2014

Matt Vanover, FOIA Officer
Freedom of Information Office
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777-0001
Fax: (217) 524-8585
E-mail: FOIA@isbe.net

RE: FREEDOM OF INFORMATION ACT (FOIA) REQUEST

Dear Mr. Vanover:

I am writing to request information in the public domain, pursuant to the Illinois Freedom of Information Act (FOIA), 5 ILCS 140/1, et seq. In accordance with the Illinois FOIA, all records in the custody or possession of a public body are presumed to be open to inspection or copying. If any part of this request is denied, please reference the specific document denied and the statutory authority upon which disclosure is denied.

➤ Records, indicating the special exemption negotiated by the Mayor Richard Daley on behalf of the City of Chicago Public Schools (District 299 “CPS”) in the mid-1990’s, effectively exempting CPS from submitting student-by-student reimbursement for federal funds that pass through the state for the purpose of Special Education and related services, pursuant to the Individuals with Disabilities Education Act (IDEA). This special arrangement allows CPS to receive approximately 30% of the State of Illinois’ entire IDEA budget, through a guaranteed block grant issued annually.

➤ Records, including memoranda, correspondence, contracts, whether published or unpublished that describes the terms and conditions of said extraordinary funding arrangement, as well as any dissenting opinions and challenges to the legality of this funding scheme, as contrary to the intent of the US Congress in enacting and reauthorizing the IDEA.

➤ Records, indicating the policies and procedures, required of all local educational agencies (LEA’s) public school districts in the State of Illinois for the purpose of receiving federal funds, administered by ISBE for the purpose of reimbursing Special Education and related services, pursuant to the federal IDEA provisions and in compliance with the Illinois School Code.

➤ Records of the exact number, names and addresses of the LEA’s public school districts within the State of Illinois, including the names of the current superintendents.
Records, indicating the annual disbursement of federal IDEA funds to the LEA’s for the past ten (10) years, tabulated by individual school district.

Any current or proposed policies and procedures, standards, guidelines or practices, adopted and implemented by ISBE, regarding cultural / linguistic awareness with respect to the provisions of Child Find under IDEA, including screening, evaluation and interventions, especially with respect to Limited English Proficiency (LEP) students, families and communities.

Twelve (12) most recent State Complaints brought against the Chicago Public School District 299 (CPS), finding CPS to be in violation of some provision of IDEA and/or corresponding part of the Illinois School Code, and the final letters of determination.

Twelve (12) most recent Due Process Complaints, initiated against CPS, resulting in either a mediated settlement or published decision by an ISBE impartial hearing officer (IHO), in favor of the student and his or her parents.

Twelve (12) most recent State Complaints brought against the Glencoe Public School District 35, as well as the letters of determination in those cases.

Twelve (12) most recent Due Process Complaints, initiated by the Glencoe Public School District 35, along with the resulting outcome.

Twelve (12) most recent Due Process Complaints, initiated by Parents (or other persons with standing) against the Glencoe Public School District 35, along with the resulting disposition of the case, either through State-sponsored mediation or hearing.

Records, indicating the total amount of federal IDEA funds requested by and reimbursed to the Glencoe Public School District 35 for the past ten (10) years.

Records, indicating unresponsive FOIA requests made by ISBE on CPS, including any correspondence requesting compliance and resolution of FOIA violations by CPS.

Please provide these records in electronic format, if at all possible. I respectfully request a waiver of all fees, pursuant to 5 ILCS 140/6(c), as disclosure of the requested information is in the public interest and likely to contribute to public understanding of the openness and accountability of the Illinois State Board of Education and local educational agencies.

This request is not for commercial purposes. I look forward to receiving your reply within the statutory timeline of five (5) business days. This request is being sent today, via E-mail and Fax, and will have been received by you, in your official capacity as the designated FOIA Officer for
the Illinois State Board of Education. Beforehand, thank you for your thoughtful attention and consideration of this matter.

Respectfully,

[Redacted]