

OMB NO. 1820-0030

Expires: 01/31/2026

**ANNUAL STATE APPLICATION UNDER PART B OF THE
INDIVIDUALS WITH DISABILITIES EDUCATION ACT AS AMENDED IN 2004
FOR FEDERAL FISCAL YEAR 2024**

CFDA No. 84.027A and 84.173A

ED FORM No. 9055

**UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION PROGRAMS**

Washington, DC 20202-2600

Public Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a currently valid OMB control number. The valid OMB control number for this collection is 1820-0030. Public reporting burden for this collection of information is estimated to average 14 hours per responses, and an average of 25 additional hours for responses reporting data related to significant disproportionality in a given year, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain a benefit under 20 U.S.C. 1411 and 1419. If you have comments or concerns regarding the status of your individual submission of this form, please contact Jennifer Simpson at Jennifer.Simpson@ed.gov or at the Office of Special Education and Rehabilitative Services US Department of Education, 400 Maryland Avenue SW, Washington, DC 20202.

Respondents are required to submit information for Sections I-IV of the Annual State Application in order to receive a grant under Section(s) 611 and/or 619 of the Individuals with Disabilities Education Act. Respondents are required to provide the data in Section V pursuant to IDEA section 618(a)(3), which provides the Secretary authority to collect annual data on any information that may be required by the Secretary and 34 CFR §300.647(b)(7), which requires States to report all risk ratio thresholds, minimum cell sizes, minimum n-sizes, standards for measuring reasonable progress if the State uses the “reasonable progress” flexibility in 34 CFR §300.647(d)(2), and the rationales for each, to the Department.

Section I

A. Submission Statement for Part B of IDEA

Please select 1 or 2 below. Check 3 if appropriate.

- ☒ 1. The State provides assurances that it has in effect policies and procedures to meet all eligibility requirements of Part B of the Act as found in PL 108-446, the Individuals with Disabilities Education Act and applicable regulations (IDEA). The State is able to meet all assurances found in Section II.A. of this Application.
- ☐ 2. The State cannot provide assurances for all eligibility requirements of Part B of the Act as found in PL 108-446. The State has determined that it is unable to make the assurances that are checked as 'No' in Section II.A. However, the State assures that throughout the period of this grant award the State will operate consistent with all requirements of IDEA in PL 108-446 and applicable regulations. The State will make such changes to existing policies and procedures as are necessary to bring those policies and procedures into compliance with the requirements of the IDEA, as amended, as soon as possible, and not later than June 30, 2025. The State has included the date by which it expects to complete necessary changes associated with assurances marked 'No'. (Refer to Assurances found in Section II.A.)

Optional:

- ☐ 3. The State is submitting modifications to State policies and procedures previously submitted to the Department. These modifications are: (1) deemed necessary by the State, for example when the State revises applicable State law or regulations; (2) required by the Secretary because there is a new interpretation of the Act or regulations by a Federal court or the State's highest court; and/or (3) because of an official finding of noncompliance with Federal law or regulations.

B. Conditional Approval for Current Grant Year

If the State received conditional approval for the current grant year, check the appropriate statement(s) below:

1. Conditional Approval Related to Assurances in Section II.A.:

- ☐ a. Section II.A. provides documentation of completion of all issues identified in the FFY 2023 conditional approval letter.
- ☐ b. As noted in Section II.A., the State has not completed all issues identified in the FFY 2023 conditional approval letter.

2. Conditional Approval Related to Other Issues:

- ☐ a. The State previously submitted documentation of completion of all issues identified in the FFY 2023 conditional approval letter.
- ☐ b. The State is attaching documentation of completion of all issues identified in the FFY 2023 conditional approval letter. *(Attach documentation showing completion of all issues.)*
- ☐ c. The State has not completed all issues identified in the FFY 2023 conditional approval letter. *(Attach documentation showing completion of any issues and a list of items not yet completed.)*

Section II

A. Assurances Related to Policies and Procedures

The State makes the following assurances that it has policies and procedures in place as required by Part B of the Individuals with Disabilities Education Act. (20 U.S.C. 1411-1419; 34 CFR §§300.100-300.174)

| Yes <i>(Assurance is given Place a check as applicable.)</i> | No <i>(Assurance cannot be given. Provide date on which State will complete changes in order to provide assurance.)</i> <i>Enter date(s) as applicable</i> | Assurances Related to Policies and Procedures |
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| x | | 1. A free appropriate public education is available to all children with disabilities residing in the State between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled, in accordance with 20 U.S.C. 1412(a)(1); 34 CFR §§300.101-300.108. |
| x | | 2. The State has established a goal of providing a full educational opportunity to all children with disabilities and a detailed timetable for accomplishing that goal. (20 U.S.C. 1412(a)(2); 34 CFR §§300.109-300.110) |
| x | | 3. All children with disabilities residing in the State, including children with disabilities who are homeless or are wards of the State and children with disabilities attending private schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services in accordance with 20 U.S.C. 1412(a)(3); 34 CFR §300.111. |
| x | | 4. An individualized education program, or an individualized family service plan that meets the requirements of section 636(d), is developed, reviewed, and revised for each child with a disability in accordance with 34 CFR §§300.320 through 300.324, except as provided in §§300.300(b)(3) and 300.300(b)(4). (20 U.S.C. 1412(a)(4); 34 CFR §300.112) |
| x | | 5. To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be |

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| | | achieved satisfactorily in accordance with 20 U.S.C. 1412(a)(5)(A)-(B); 34 CFR §§300.114-300.120. |
| x | | 6. Children with disabilities and their parents are afforded the procedural safeguards required by 34 CFR §§300.500 through 300.536 and in accordance with 20 U.S.C. 1412(a)(6); 34 CFR §300.121. |
| x | | 7. Children with disabilities are evaluated in accordance with 34 CFR §§300.300 through 300.311. (20 U.S.C. 1412(a)(7); 34 CFR §300.122) |
| x | | 8. Agencies in the State comply with 34 CFR §§300.610 through 300.626 (relating to the confidentiality of records and information). (20 U.S.C. 1412(a)(8); 34 CFR §300.123) |
| x | | 9. Children participating in early intervention programs assisted under Part C, and who will participate in preschool programs assisted under this part, experience a smooth and effective transition to those preschool programs in a manner consistent with section 637(a)(9). By the third birthday of such a child, an individualized education program or, if consistent with 34 CFR §300.323(b) and section 636(d), an individualized family service plan, has been developed and is being implemented for the child. The local educational agency will participate in transition planning conferences arranged by the designated lead agency under section 635(a)(10). (20 U.S.C. 1412(a)(9); 34 CFR §300.124) |
| x | | 10. Agencies in the State, and the SEA if applicable, comply with the requirements of 34 CFR §§300.130 through 300.148 (relating to responsibilities for children in private schools), including that to the extent consistent with the number and location of children with disabilities in the State who are enrolled by their parents in private elementary schools and secondary schools in the school district served by a local educational agency, provision is made for the participation of those children in the program assisted or carried out under this part by providing for such children special education and related services in accordance with the requirements found in 34 CFR §§300.130 through 300.148 unless the Secretary has arranged for services to those children under subsection (f) [By pass]. (20 U.S.C. 1412(a)(10); 34 CFR §§300.129-300.148) |
| x | | 11. The State educational agency is responsible for ensuring that the requirements of Part B are met including the requirements of 34 CFR §§300.113, 300.149, 300.150 through 300.153, and 300.175 and 300.176 and that the State monitors and enforces the requirements of Part B in accordance with 34 CFR §§300.600-300.602 and 300.606-300.608. (20 U.S.C. 1412(a)(11); 34 CFR §300.149) |
| x | | 12. The Chief Executive Officer of a State or designee of the officer shall ensure that an interagency agreement or other mechanism for interagency coordination is in effect between each public agency described in subparagraph (b) of 34 CFR §300.154 and the State educational agency, in order to ensure that all services described in paragraph (b)(1)(i) that are needed to ensure a free appropriate public education are provided, including the provision of such services during |

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| | | the pendency of any dispute under §300.154(a)(3). Such agreement or mechanism shall meet the requirements found in 20 U.S.C. 1412(a)(12)(A)-(C); 34 CFR §300.154. |
| x | | 13. The State educational agency will not make a final determination that a local educational agency is not eligible for assistance under this part without first affording that agency reasonable notice and an opportunity for a hearing. (20 U.S.C. 1412(a)(13); 34 CFR §300.155) |
| x | | 14. The State educational agency has established and maintains qualifications to ensure that personnel necessary to carry out this part are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities as noted in 20 U.S.C. 1412(a)(14)(A)-(E), as amended by the Every Student Succeeds Act; 34 CFR §300.156. |
| x | | 15. The State has established goals for the performance of children with disabilities in the State that meet the requirements found in 20 U.S.C. 1412(a)(15)(A)-(C), as amended by the Every Student Succeeds Act; 34 CFR §300.157. |
| x | | 16. All children with disabilities are included in all general State and districtwide assessment programs, including assessments described under section 1111 of the Elementary and Secondary Education Act of 1965, with appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized education programs as noted in 20 U.S.C. 1412(a)(16)(A)-(E); as amended by the Every Student Succeeds Act; 34 CFR §300.160. |
| x | | 17. Funds paid to a State under this part will be expended in accordance with all the provisions of Part B including 20 U.S.C. 1412(a)(17)(A)-(C); 34 CFR §300.162. |
| x | | 18. The State will not reduce the amount of State financial support for special education and related services for children with disabilities, or otherwise made available because of the excess costs of educating those children, below the amount of that support for the preceding fiscal year, unless a waiver is granted, in accordance with 20 U.S.C. 1412(a)(18)(A)-(D); 34 CFR §§300.163 through 300.164. |
| x | | 19. Prior to the adoption of any policies and procedures needed to comply with this section (including any amendments to such policies and procedures), the State ensures that there are public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of children with disabilities. (20 U.S.C. 1412(a)(19); 34 CFR §300.165) |
| x | | 20. In complying with 34 CFR §§300.162 and 300.163, a State may not use funds paid to it under this part to satisfy State-law mandated funding obligations to local educational agencies, including funding based on student attendance or enrollment, or inflation. (20 U.S.C. 1412(a)(20); 34 CFR §300.166) |
| x | | 21. The State has established and maintains an advisory panel for the purpose of providing policy guidance with respect to special education |

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| | | and related services for children with disabilities in the State as found in 20 U.S.C. 1412(a)(21)(A)-(D); 34 CFR §§300.167-300.169. |
| x | | 22. The State educational agency examines data, including data disaggregated by race and ethnicity, to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities in accordance with 20 U.S.C. 1412(a)(22)(A)-(B); 34 CFR §300.170. |
| x | | 23a. The State adopts the National Instructional Materials Accessibility Standard for the purposes of providing instructional materials to blind persons or other persons with print disabilities, in a timely manner after the publication of the National Instructional Materials Accessibility Standard in the Federal Register in accordance with 20 U.S.C. 1412(a)(23)(A) and (D); 34 CFR §300.172. |
| | | 23b. <i>(Note: Check either "23b.1" or "23b.2" whichever applies.</i> |
| x | | 23b.1 The State educational agency coordinates with the National Instructional Materials Access Center and not later than 12/03/06 the SEA as part of any print instructional materials adoption process, procurement contract, or other practice or instrument used for purchase of print instructional materials enters into a written contract with the publisher of the print instructional materials to: <ul style="list-style-type: none"> • require the publisher to prepare and, on or before delivery of the print instructional materials, provide to the National Instructional Materials Access Center, electronic files containing the contents of the print instructional materials using the National Instructional Materials Accessibility Standard; or • purchase instructional materials from the publisher that are produced in, or may be rendered in, specialized formats. (20 U.S.C. 1412(a)(23)(C); 34 CFR §300.172) |
| x | | 23b.2 The State educational agency has chosen not to coordinate with the National Instructional Materials Access Center but assures that it will provide instructional materials to blind persons or other persons with print disabilities in a timely manner. (20 U.S.C. 1412(a)(23)(B); 34 CFR §300.172) |
| x | | 24. The State has in effect, consistent with the purposes of the IDEA and with section 618(d) of the Act, policies and procedures designed to prevent the inappropriate overidentification or disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment described in 34 CFR §300.8. (20 U.S.C 1412(a)(24); 34 CFR §300.173) |
| x | | 25. The State educational agency shall prohibit State and local educational agency personnel from requiring a child to obtain a prescription for a substance covered by the Controlled Substances Act (21 U.S.C. 812(c)) as a condition of attending school, receiving an evaluation under 34 CFR §§300.300 through 300.311, or receiving services under the IDEA as described in 20 U.S.C. 1412(a)(25)(A)-(B); 34 CFR §300.174. |

B. Other Assurances

The State also makes the following assurances:

| Yes | Other Assurances |
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| x | 1. The State shall distribute any funds the State does not reserve under 20 U.S.C. 1411(e) to local educational agencies (including public charter schools that operate as local educational agencies) in the State that have established their eligibility under section 613 for use in accordance with this part as provided for in 20 U.S.C. 1411(f)(1)-(3); 34 CFR §300.705. |
| x | 2. The State shall provide data to the Secretary on any information that may be required by the Secretary. (20 U.S.C. 1418(a)(3); 34 CFR §§300.640-300.645.) |
| x | 3. The State, local educational agencies, and educational service agencies shall use fiscal control and fund accounting procedures that insure proper disbursement of and accounting for Federal funds. (34 CFR §76.702) |
| x | 4. As applicable, the assurance in OMB Standard Form 424B (Assurances for Non-Construction Programs), relating to legal authority to apply for assistance; access to records; conflict of interest; merit systems; nondiscrimination; Hatch Act provisions; labor standards; flood insurance; environmental standards; wild and scenic river systems; historic preservation; protection of human subjects; animal welfare; lead-based paint; Single Audit Act; and general agreement to comply with all Federal laws, executive orders and regulations. |

C. Certifications

The State is providing the following certifications:

| Yes | Certifications |
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| x | 1. The State certifies that ED Form 80-0013, <i>Certification Regarding Lobbying</i> , is on file with the Secretary of Education. With respect to the <i>Certification Regarding Lobbying</i> , the State recertifies that no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making or renewal of Federal grants under this program; that the State shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," when required (34 CFR Part 82, Appendix B); and that the State Agency shall require the full certification, as set forth in 34 CFR Part 82, Appendix A, in the award documents for all sub awards at all tiers. |
| x | 2. The State certifies that the arrangements to establish responsibility for services pursuant to 20 U.S.C. 1412(a)(12)(A)-(C); 34 CFR §300.154 (or 20 U.S.C. 1412(a)(12)(A)); 34 CFR §300.154(a) are current. This certification must be received prior to the expenditure of any funds reserved by the State under 20 U.S.C. 1411(e)(1); 34 CFR §300.171. |

D. Statement

I certify that the State of Illinois can make the assurances checked as 'yes' in Section II.A. and II.B. and the certifications required in Section II.C. of this application. These provisions meet the requirements of Part B of the Individuals with Disabilities Education Act (IDEA) as found in PL 108-446 and the implementing regulations. The State will operate its IDEA Part B program in accordance with all of the required assurances and certifications.

If any assurances have been checked 'no', I certify that the State will operate throughout the period of this grant award consistent with the requirements of the IDEA, as found in PL 108-446 and any applicable regulations, and will make such changes to existing policies and procedures as are necessary to bring those policies and procedures into compliance with the requirements of the IDEA, as amended, as soon as possible, and not later than June 30, 2025. (34 CFR § 76.104)

I, the undersigned authorized official of the

Illinois State Board of Education,
(Name of State and official name of State agency)

am designated by the Governor of this State to submit this application for FFY 2024 funds under Part B of the IDEA.

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| Printed/Typed Name of Authorized Representative of the State: |
| Title of Authorized Representative of the State: |
| Signature: |
| Date: |

Section III

Description of Use of Funds Under Part B of the Individuals with Disabilities Education Act—20 U.S.C. 1411(e)(5); 34 CFR § 300.171

States must provide the Description of Use of Funds by completing and submitting the Excel Interactive Spreadsheet with the FFY 2024 Application.

Describe how the amount retained by the State educational agency under 20 U.S.C. 1411(e)(1) will be used to meet the following activities under Part B. (20 U.S.C. 1411(e)(1)-(3), (6) and (7).) The Department annually identifies for States the maximum amounts that a State may retain under Section 1411(e)(1) and (2).¹ The dollar amounts **listed in the Excel Interactive Spreadsheet** by the State for administration and for other State activities should add up to less or equal to the dollar amount provided to the State by the Department for each of these activities.

Enter whole dollar amounts (do not enter cents) in appropriate cells on the State's Excel Interactive Worksheet. The Excel Interactive Spreadsheet must be submitted as part of the State's application.

Describe the process used to get input from LEAs regarding the distribution of amounts among activities described in the Excel Interactive Spreadsheet to meet State priorities. (20 U.S.C. 1411(e)(5)(B); 34 CFR § 300.704)

At the Illinois State Advisory Council for the Education of Students with Disabilities (ISAC) meeting on February 7, 2024, the council was reminded of the IDEA grant application and encouraged to provide comments during the public participation period. One council member expressed the need for additional funding to support district requirements to translate documents for our non-English speaking parents and guardians. No other feedback was offered.

February 21, 2024, ISBE staff reminded the Illinois Alliance of Administrators of Special Education (IAASE) board of the developing and reporting process for the IDEA Part B Grant Application. The board was encouraged to provide comments during the public participation period and on what the grant funds are budgeted for, including our various grants and contracts. One board member praised our projects, especially the Specific Learning Disability Support Project and encouraged continued funding of all projects. No other comments were made.

Additionally, ISBE staff posted the draft IDEA Part B Application on the agency website on March 19, 2024, and through the Superintendent's Weekly Bulletin during the weeks of March 18, 2024, and March 25, 2024. The draft will remain on the agency website through May 22, 2024. Written comments will be accepted April 1, 2024 -May 1, 2024, for the required 30-day timeline. Comments and suggestions from our stakeholder groups and LEAs will be incorporated into the revised Part B Application. The final Part B Application will be available on our agency website.

¹Each State may reserve for each fiscal year not more than the maximum amount the State was eligible to reserve for State administration under this section for fiscal year 2004 or \$800,000 (adjusted in accordance with 20 U.S.C. 1411(e)(1)(B)), whichever is greater; and each outlying area may reserve for each fiscal year not more than 5 percent of the amount the outlying area receives under 20 U.S.C. 1411(b)(1) for the fiscal year or \$35,000, whichever is greater.

For each fiscal year beginning with fiscal year 2005, the Secretary shall cumulatively adjust: 1) the maximum amount the State was eligible to reserve for State administration under this part for fiscal year 2004; and 2) \$800,000, by the rate of inflation as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index For All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.

Section IV

State Administration

Section 608(a) of the IDEA requires each State that receives funds under this title to:

- (1) ensure that any State rules, regulations, and policies relating to this title conform to the purposes of this title.
- (2) identify in writing to local educational agencies located in the State and the Secretary any such rule, regulation, or policy as a State-imposed requirement that is not required by this title and Federal regulations; and
- (3) minimize the number of rules, regulations, and policies to which the local educational agencies and schools located in the State are subject under this title.

States must attach to this application a list identifying any rule, regulation, or policy that is State imposed (not required by IDEA or Federal regulations). If there are no such State-imposed rules, regulations, or policies, please so indicate. In addition, the State is required to inform local educational agencies in writing of such State-imposed rules, regulations or policies. (20 U.S.C. 1407(a); 34 CFR § 300.199)

ADMINISTRATIVE CODE

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER f: INSTRUCTION FOR SPECIFIC STUDENT POPULATIONS

PART 226 SPECIAL EDUCATION

The General Assembly's Illinois Administrative Code database includes only those rulemakings that have been permanently adopted. This menu will point out the Sections on which an emergency rule (valid for a maximum of 150 days, usually until replaced by a permanent rulemaking) exists. The emergency rulemaking is linked through the notation that follows the Section heading in the menu.

[View Entire Part](#)

SUBPART A: GENERAL

- [Section 226.10 Purpose](#)
- [Section 226.50 Requirements for a Free Appropriate Public Education \(FAPE\)](#)
- [Section 226.60 Charter Schools](#)
- [Section 226.75 Definitions](#)

SUBPART B: IDENTIFICATION OF ELIGIBLE CHILDREN

- [Section 226.100 Child Find Responsibility](#)
- [Section 226.110 Evaluation Procedures](#)
- [Section 226.120 Reevaluations](#)
- [Section 226.125 Specific Learning Disability: Dyslexia](#)

- [Section 226.130 Additional Procedures for Students Suspected of or Having a Specific Learning Disability](#)
- [Section 226.135 Additional Procedures for Students Suspected of or Having an Intellectual Disability](#)
- [Section 226.140 Modes of Communication and Cultural Identification](#)
- [Section 226.150 Evaluation to be Nondiscriminatory](#)
- [Section 226.160 Medical Review](#)
- [Section 226.170 Criteria for Determining the Existence of a Specific Learning Disability \(Repealed\)](#)
- [Section 226.180 Independent Educational Evaluation](#)
- [Section 226.190 Reevaluation \(Repealed\)](#)

SUBPART C: THE INDIVIDUALIZED EDUCATION PROGRAM (IEP)

- [Section 226.200 General Requirements](#)
- [Section 226.210 IEP Team](#)
- [Section 226.220 Development, Review, and Revision of the IEP](#)
- [Section 226.230 Content of the IEP](#)
- [Section 226.240 Determination of Placement](#)
- [Section 226.250 Child Aged Three Through Five](#)
- [Section 226.260 Child Reaching Age Three](#)

SUBPART D: PLACEMENT

- [Section 226.300 Continuum of Alternative Placement Options](#)
- [Section 226.310 Related Services](#)
- [Section 226.320 Service to Students Living in Residential Care Facilities](#)
- [Section 226.330 Placement by School District in State-Operated or Nonpublic Special Education Facilities](#)
- [Section 226.335 Nonpublic Special Education Placement of Public School Students During a Gubernatorial Disaster Proclamation](#)
- [Section 226.340 Nonpublic Placements by Parents Where FAPE is at Issue](#)
- [Section 226.350 Service to Parentally-Placed Private School Students](#)
- [Section 226.360 Placement by School Districts in Remote Educational Programs](#)

SUBPART E: DISCIPLINE

- [Section 226.400 Disciplinary Actions](#)
- [Section 226.410 Manifestation Determination Review \(Repealed\)](#)
- [Section 226.420 Appeals \(Repealed\)](#)
- [Section 226.430 Protection for Children Not Yet Eligible for Special Education \(Repealed\)](#)
- [Section 226.440 Referral to and Action by Law Enforcement and Judicial Authorities \(Repealed\)](#)

SUBPART F: PROCEDURAL SAFEGUARDS

- [Section 226.500 Language of Notifications](#)
- [Section 226.510 Notification of Parents' Rights](#)
- [Section 226.520 Notification of District's Proposal](#)
- [Section 226.530 Parents' Participation](#)
- [Section 226.540 Consent](#)
- [Section 226.550 Surrogate Parents](#)
- [Section 226.560 Mediation](#)

- [Section 226.570 State Complaint Procedures](#)

SUBPART G: DUE PROCESS

- [Section 226.600 Calculation of Timelines](#)
- [Section 226.605 Request for Hearing; Basis \(Repealed\)](#)
- [Section 226.610 Information to Parents Concerning Right to Hearing](#)
- [Section 226.615 Procedure for Request](#)
- [Section 226.620 Denial of Hearing Request \(Repealed\)](#)
- [Section 226.625 Rights of the Parties Related to Hearings](#)
- [Section 226.630 Qualifications, Training, and Service of Impartial Due Process Hearing Officers](#)
- [Section 226.635 Appointment, Recusal, and Substitution of Impartial Due Process Hearing Officers](#)
- [Section 226.640 Scheduling the Hearing and Pre-Hearing Conference](#)
- [Section 226.645 Conducting the Pre-Hearing Conference](#)
- [Section 226.650 Child's Status During Due Process Hearing \(Repealed\)](#)
- [Section 226.655 Expedited Due Process Hearing](#)
- [Section 226.660 Powers and Duties of Hearing Officer](#)
- [Section 226.665 Record of Proceedings](#)
- [Section 226.670 Decision of Hearing Officer; Clarification](#)
- [Section 226.675 Monitoring and Enforcement of Decisions; Notice of Ineligibility for Funding](#)
- [Section 226.680 Reporting of Decisions \(Repealed\)](#)
- [Section 226.690 Transfer of Parental Rights](#)

SUBPART H: ADMINISTRATIVE REQUIREMENTS

- [Section 226.700 General](#)
- [Section 226.710 Policies and Procedures](#)
- [Section 226.720 Facilities and Classes](#)
- [Section 226.730 Class Size for 2009-10 and Beyond](#)
- [Section 226.731 Class Size Provisions for 2007-08 and 2008-09 \(Repealed\)](#)
- [Section 226.735 Work Load for Special Educators](#)
- [Section 226.740 Records; Confidentiality](#)
- [Section 226.750 Additional Services](#)
- [Section 226.760 Evaluation of Special Education](#)
- [Section 226.770 Fiscal Provisions](#)
- [Section 226.780 Procedures for Withdrawal Hearings before the Regional Board of School Trustees](#)

SUBPART I: PERSONNEL

- [Section 226.800 Personnel Required to be Qualified](#)
- [Section 226.810 Early Childhood Special Education](#)
- [Section 226.820 Authorization for Assignment](#)
- [Section 226.830 List of Independent Evaluators](#)
- [Section 226.840 Qualifications of Evaluators](#)
- [Section 226.850 List of Qualified Workers](#)
- [Section 226.860 List of Other Employees Qualifying for Reimbursement \(Repealed\)](#)

AUTHORITY: Implementing Article 14 and authorized by Section 2-3.6 of the School Code [105 ILCS 5].

SOURCE: Adopted August 12, 1976; rules repealed and new emergency rules adopted at 2 Ill. Reg. 37, p. 29, effective September 1, 1978, for a maximum of 150 days; rules repealed and new rules adopted at 3 Ill. Reg. 5, p. 932, effective February 1, 1979; emergency amendment at 4 Ill. Reg. 38, p. 328, effective September 15, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 8021, effective July 22, 1981; amended at 6 Ill. Reg. 558, effective December 23, 1981; emergency amendment at 7 Ill. Reg. 6511, effective May 6, 1983, for a maximum of 150 days; emergency amendment at 7 Ill. Reg. 8949, effective July 15, 1983, for a maximum of 150 days; codified at 8 Ill. Reg. 6669; amended at 8 Ill. Reg. 7617, effective May 17, 1984; emergency amendment at 10 Ill. Reg. 3292, effective January 27, 1986, for a maximum of 150 days; emergency expired June 24, 1986; amended at 10 Ill. Reg. 18743, effective October 22, 1986; amended at 10 Ill. Reg. 19411, effective October 31, 1986; amended at 13 Ill. Reg. 15388, effective September 14, 1989; emergency amendment at 14 Ill. Reg. 11364, effective June 26, 1990, for a maximum of 150 days; emergency expired November 23, 1990; amended at 15 Ill. Reg. 40, effective December 24, 1990; amended at 16 Ill. Reg. 12868, effective August 10, 1992; emergency amendment at 17 Ill. Reg. 13622, effective August 3, 1993, for a maximum of 150 days; emergency expired December 31, 1993; amended at 18 Ill. Reg. 1930, effective January 24, 1994; amended at 18 Ill. Reg. 4685, effective March 11, 1994; amended at 18 Ill. Reg. 16318, effective October 25, 1994; amended at 19 Ill. Reg. 7207, effective May 10, 1995; amended at 20 Ill. Reg. 10908, effective August 5, 1996; amended at 21 Ill. Reg. 7655, effective July 1, 1997; Part repealed, new Part adopted at 24 Ill. Reg. 13884, effective August 25, 2000; amended at 27 Ill. Reg. 8126, effective April 28, 2003; amended at 31 Ill. Reg. 9915, effective June 28, 2007; amended at 32 Ill. Reg. 4828, effective March 21, 2008; amended at 34 Ill. Reg. 17433, effective October 28, 2010; amended at 35 Ill. Reg. 8836, effective May 26, 2011; peremptory amendment, pursuant to PA 97-461, at 35 Ill. Reg. 14836, effective August 22, 2011; amended at 36 Ill. Reg. 12648, effective July 18, 2012; amended at 36 Ill. Reg. 12870, effective July 24, 2012; amended at 37 Ill. Reg. 16788, effective October 2, 2013; amended at 40 Ill. Reg. 2220, effective January 13, 2016; emergency amendment at 44 Ill. Reg. 5917, effective March 25, 2020, for a maximum of 150 days; emergency amendment to emergency rule at 44 Ill. Reg. 6675, effective April 9, 2020, for the remainder of the 150 days; emergency rule effective March 25, 2020, as amended April 9, 2020, expired August 21, 2020; amended at 44 Ill. Reg. 14792, effective August 27, 2020; amended at 45 Ill. Reg. 1671, effective January 22, 2021; amended at 45 Ill. Reg. 3377, effective March 2, 2021; emergency amendment at 45 Ill. Reg. 11355, effective August 26, 2021, for a maximum of 150 days; emergency expired January 22, 2022; emergency amendment at 46 Ill. Reg. 3005, effective February 4, 2022, for a maximum of 150 days; emergency rule expired July 3, 2022; amended at 46 Ill. Reg. 6453, effective April 11, 2022; amended at 46 Ill. Reg. 13246, effective July 13, 2022; amended at 47 Ill. Reg. 2244, effective February 6, 2023.

Section V

A. Maintenance of State Financial Support

Pursuant to the authority established in IDEA section 618(a)(3), each applicant for funds under section 611 must provide the following State fiscal data with a certification of its accuracy by the State budget office or an authorized representative thereof. Amounts should be shown in whole dollars and are for the State fiscal year (SFY). States may meet the maintenance of State financial support (MFS) requirement in IDEA section 612(a)(18) and 34 CFR § 300.163 on either a total or per capita basis. In order to complete Section V.A. of the Application, States must provide in whole dollars the total amount of State financial support made available for special education and related services for children with disabilities during SFYs 2022 and 2023. However, if a State met the MFS requirement on a per capita basis, it **must** complete the first chart and then may also complete the second chart by providing, in whole dollars, the amount of State financial support made available for special education and related services per child with a disability during SFYs 2022 and 2023.

Total Amount of State Financial Support Made Available for Special Education and Related Services for Children with Disabilities

| | |
|----------|-----------------|
| SFY 2022 | \$1,707,500,246 |
| SFY 2023 | \$1,802,348,972 |

Per capita amount of State Financial Support Made Available for Special Education and Related Services for Children with Disabilities

| | |
|----------|--|
| SFY 2022 | |
| SFY 2023 | |

MATTHEW R. SEASON

State Budget Officer or Authorized Representative (Printed Name)



Signature of State Budget Officer or Authorized Representative

3/5/24
Date

B. Significant Disproportionality

In accordance with 34 CFR § 300.647(b)(7), each State must report all risk ratio thresholds, minimum cell sizes, minimum n-sizes, standards for measuring reasonable progress if the State uses the “reasonable progress” flexibility in 34 CFR § 300.647(d)(2), and the rationales for each, to the Department. Under § 300.647(b)(7), rationales for minimum cell sizes that exceed 10 and minimum n-sizes that exceed 30 must include a detailed explanation of why the numbers chosen are reasonable and how they ensure that the State is appropriately analyzing and identifying LEAs with significant disproportionality based on race and ethnicity, in the identification, placement, or discipline of children with disabilities. Additionally, pursuant to the authority established in IDEA section 618(a)(3), each applicant must also provide the number of years of data it uses in making annual determinations of significant disproportionality. Each applicant must provide this information by completing and submitting the Significant Disproportionality Reporting Form.

All States completed and submitted the **Significant Disproportionality Reporting** Form with their FFY 2020 IDEA Part B application. After the initial submission of the Form, a State will only be required to submit the Form with any future annual IDEA Part B State applications if the State modifies its risk ratio thresholds, minimum cell sizes, minimum n-sizes, standards for measuring reasonable progress, and rationales for each, or the number of years of data used in making annual determinations of significant disproportionality.

If your State has revised its Significant Disproportionality procedures or has any questions regarding Section V.B. of the grant application, please contact your OSEP State Lead before the Application due date.

**NOTICE TO ALL APPLICANTS:
EQUITY FOR STUDENTS, EDUCATORS, AND OTHER PROGRAM
BENEFICIARIES**

Section 427 of the General Education Provisions Act (GEPA) ([20 U.S.C. 1228a](#)) applies to applicants for grant awards under this program.

ALL APPLICANTS FOR NEW GRANT AWARDS MUST INCLUDE THE FOLLOWING INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.

Please respond to the following requests for information:

1. Describe how your entity's existing mission, policies, or commitments ensure equitable access to, and equitable participation in, the proposed project or activity.

In accordance with Section 427 of the Department of Education's General Provision Act (GEPA), the Illinois State Board of Education (ISBE) ensures equal access and participation to all persons. For state-level activities as well as all other activities supported by federal assistance under this application, ISBE will fully enforce all federal and state laws and regulations designed to ensure equitable access to all program beneficiaries and to overcome barriers to equitable participation. ISBE will take all steps necessary, whether by required notices, complaint procedures, appointment of liaisons, outreach activities, pursuit of conforming state legislation, or otherwise, to achieve these goals.

The Illinois State Board of Education (ISBE) provides leadership, resources, assistance, and oversight in partnership with local education agencies to support student achievement and success. As such, students, teachers, and others with special needs in local education agencies do not face barriers in accessing or participating in federally-funded programs and activities based on their gender, race, national origin, color, disability, or age. All potential beneficiaries will be provided equitable access to participate in grant-funded activities and services.

Link to ISBE Mission, Vision and Goals: [ISBE_VisionMissionGoals.pdf](#)

ISBE Equity Resources: [Equity Information and Resources \(isbe.net\)](#)

2. Based on your proposed project or activity, what barriers may impede equitable access and participation of students, educators, or other beneficiaries?

Illinois serves an increasingly diverse student population. Students who are Black, Hispanic, Asian, American Indian or Alaskan Native, Hawaiian or Other Pacific Islander, or Two or More Races comprised 53.6 % of the student enrollment in 2021-22. The state has identified schools in which students are succeeding in spite of high poverty and other risk factors.

3. Based on the barriers identified, what steps will you take to address such barriers to equitable access and participation in the proposed project or activity? In the event a barrier is identified, the OMB Control Number 1894-0005

Expiration 2/28/2026

ISBE is prepared to take action to remove such barriers and ensure equitable access for all beneficiaries with special needs.

Over 180 languages are represented in Illinois by more than 255,000 students. Illinois provides bilingual services for these students according to state law. Documents are translated, at the state or local level, into other languages as needed (e.g., the parental notification for families of children receiving services as Limited English Proficient Learners).

The ISBE is an equal opportunity/affirmative action employer and does not discriminate on the basis of gender, race, national origin, color, disability, or age.

4. What is your timeline, including targeted milestones, for addressing these identified barriers?

Input from agency staff and external stakeholders is obtained annually to identify needs and barriers to be addressed. New projects are implemented, or current projects are modified to address the needs and barriers that are identified. Targeted milestones are developed or modified for each project prior to the beginning of the school year.

Notes:

1. Applicants are not required to have mission statements or policies that align with equity in order to submit an application.
2. Applicants may identify any barriers that may impede equitable access and participation in the proposed project or activity, including, but not limited to, barriers based on economic disadvantage, gender, race, ethnicity, color, national origin, disability, age, language, migrant status, rural status, homeless status or housing insecurity, pregnancy, parenting, or caregiving status, and sexual orientation.
3. Applicants may have already included some or all of this required information in the narrative sections of their applications or their State Plans. In responding to this requirement, for each question, applicants may provide a cross-reference to the section(s) and page number(s) in their applications or State Plans that includes the information responsive to that question on this form or may restate that information on this form.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1894-0005. Public reporting burden for this collection of information is estimated to average 3 hours per response, including time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain a benefit. If you have any comments concerning the accuracy of the time estimate or suggestions for improving this individual collection, send your comments to ICDocketMgr@ed.gov and reference OMB Control Number 1894-0005. All other comments or concerns regarding the status of your individual form may be addressed to either (a) the person listed in the FOR FURTHER INFORMATION CONTACT section in the competition Notice Inviting Applications, or (b) your assigned program officer.

Illinois**FFY 2023****REGULAR AWARD AMOUNT Est.** \$685,734,410**TOTAL AWARD AMOUNT** \$685,734,410**ADMINISTRATION**

Maximum Available for Administration.

**Sec.
III**

\$13,145,623

How much do you want to set aside for Administration in dollars?

 OK**You must distribute, in whole dollars, the amount you want to set aside for Administration among the following activities:**

For the purpose of administering IDEA Part B including Preschool Grants under 20 U.S.C. 1419, a High Cost Fund, and the coordination of activities under Part B with, and providing technical assistance to, other programs that provide services to children with disabilities. (Note: These funds may be used for Administering but not Financing a High Cost Fund)

a.

For the administration of Part C of IDEA, if the SEA is the Lead Agency for the State under Part C.

b.

You may set aside a portion of your Administration funds resulting from inflation for the following 4 Other State-Level Activities. Additional funds for these purposes may also be set aside under Other State-Level Activities. Based on the amount that you propose to set aside for Administration, the maximum amount of Administration funds that you may use for these 4 activities is:

\$5,000,000

For support and direct services, including technical assistance, personnel preparation, and professional development and training.

c.

To assist local educational agencies in providing positive behavioral interventions and supports and appropriate mental health services for children with disabilities.

d.

To assist local educational agencies in meeting personnel shortages.

e.

To support capacity building activities and improve the delivery of services by local educational agencies to improve results for children with disabilities.

f.

Subtotal, Administration funds used for Other State-Level Activities

\$0

OK

If you receive a Preschool Grant under 20 U.S.C. 1419, you may use Administration funds, along with other funds, to develop and implement a State policy jointly with the lead agency under Part C and the SEA to provide early intervention services (which must include an educational component that promotes school readiness and incorporates preliteracy, language, and numeracy skills) in accordance with Part C to children with disabilities who are eligible for services under the Preschool Grant program and who previously received services under Part C until such children enter, or are eligible under State law to enter, kindergarten, or elementary school as appropriate.

g.

The total of details for your Administration set-aside is

\$13,145,623 **OK****OTHER STATE-LEVEL ACTIVITIES**

If you propose to set aside more than \$850,000 for Administration and you DO wish to use funds for a High Cost Fund, the maximum amount that you may use for Other State-Level Activities is:

\$69,970,702

Of the amount you set aside for Other State-Level Activities at least 10% must be used for the High Cost Fund.

If you propose to set aside more than \$850,000 for Administration and you DO NOT wish to use funds for a High Cost Fund, the maximum amount that you may use for Other State-Level Activities is:

\$62,613,493

If you propose to set aside \$850,000 or less for Administration and you DO wish to use funds for a High Cost Fund, the maximum amount that you may use for Other State-Level Activities is:

\$73,469,237

Of the amount you set aside for Other State-Level Activities at least 10% must be used for the High Cost Fund.

If you propose to set aside \$850,000 or less for Administration and you DO NOT wish to use funds for a High Cost Fund, the maximum amount that you may use for Other State-Level Activities is:

\$66,472,167

Do you wish to use funds for a High Cost Fund? (Yes or No)

Based on the amount that you intend to set aside for Administration, the size of your total award, and your decision

NOT TO use set aside funds to support a High Cost Fund, the maximum that you may use for Other State-Level Activities is:

\$62,613,493

How much do you want to set aside for Other State-Level Activities? **OK**

You must distribute the amount you want to set aside for Other State-Level Activities the following activities. You can distribute amounts in any order you wish. The total balance remaining to be distributed at any time appears in red.

Leave Blank

Required Activities:

\$0 More needs to be distributed.

For monitoring, enforcement, and complaint investigation. (You must use at least \$1 for this purpose)

h.

To establish and implement the mediation process required by 20 U.S.C. 1415(e), including providing for the cost of mediators and support personnel. (You must use at least \$1 for this purpose)

i.

\$0 More needs to be distributed.

Optional Authorized Activities:

\$0 More needs to be distributed.

For support and direct services, including technical assistance, personnel preparation, and professional development and training

j.

To assist local educational agencies in providing positive behavioral interventions and supports and appropriate mental health services for children with disabilities.

k.

\$0 More needs to be distributed.

To assist local educational agencies in meeting personnel shortages.

l.

\$0 More needs to be distributed.

To support capacity building activities and improve the delivery of services by local educational agencies to improve results for children with disabilities.

m.

\$0 More needs to be distributed.

To support paperwork reduction activities, including expanding the use of technology in the IEP process.

n.

\$0 More needs to be distributed.

To improve the use of technology in the classroom by children with disabilities to enhance learning.

o.

\$0 More needs to be distributed.

To support the use of technology, including technology with universal design principles and assistive technology devices, to maximize accessibility to the general education curriculum for children with disabilities.

p.

\$0 More needs to be distributed.

Development and implementation of transition programs, including coordination of services with agencies involved in supporting the transition of children with disabilities to postsecondary activities.

q.

\$0 More needs to be distributed.

Alternative programming for children with disabilities who have been expelled from school, and services for children with disabilities in correctional facilities, children enrolled in State-operated or State-supported schools, and children with disabilities in charter schools.

r.

\$0 More needs to be distributed.

To support the development and provision of appropriate accommodations for children with disabilities, or the development and provision of alternate assessments that are valid and reliable for assessing the performance of children with disabilities, in accordance with Sections 1111(b) and 1201 of the Elementary and Secondary Education Act of 1965.

s.

\$0 More needs to be distributed.

To provide technical assistance to schools and LEAs, and direct services, including direct student services described in section 1003A(c)(3) of the ESEA to children with disabilities, to schools or LEAs implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d) of the ESEA on the basis of consistent underperformance of the disaggregated subgroup of children with disabilities, including providing professional development to special and regular education teachers, who teach children with disabilities, based on scientifically based research to improve educational instruction, in order to improve academic achievement based on the challenging academic standards described in section 1111(b)(1) of the ESEA.

t.

\$0 More needs to be distributed.

The total of details for your Other State-Level Activities set-aside is

\$62,613,493 OK

You are almost done.

If you are using money for a High Cost Fund. You must report how much you will use for each of the following two activities. You reported that you would use

\$0