**Illinois State Board of Education**

**Special Education Department**

**Comprehensive Assessment of Special Education Policies and Procedures**

**PURPOSE OF THE ASSESSMENT**

The Illinois State Board of Education (ISBE) Special Education Department is responsible for general supervision and monitoring the implementation of the Individuals with Disabilities Education Act(IDEA) in accordance with the provisions at 34 CFR 300.604(a)(1) and (a)(3), (b)(2)(i), and (b)(2)(v), and (c)(2), and the Illinois regulations found at [23 IAC 226.710](https://ilga.gov/commission/jcar/admincode/023/023002260H07100R.html), which outline the requirements for each Local Education Agency (LEA) and/or special education cooperative to develop policies and procedures that conform to the requirements of subsection (b) of the statute.

ISBE previously utilized multiple data points within the LEA Determinations matrix to identify LEAs that required Tier 2 and Tier 3 supports. In addition to LEA Determinations, ISBE utilized additional data from credible allegations, state complaints, due process findings, and fiscal findings to initiate targeted monitoring activities. ISBE will continue to issue annual LEA Determinations and utilize other systems of General Supervision to identify noncompliance; the agency also will be adding a cyclical monitoring model to its current processes to ensure each LEA receives comprehensive monitoring within the six-year period of the State Performance Plan cycle. Each LEA will be assigned a cohort in which it will be required to complete cyclical monitoring activities. LEAs will be assigned a cohort, but they may be moved to a different cohort if ISBE determines this is necessary.

ISBE has developed this Comprehensive Assessment of Special Education Policies and Procedures as part of its cyclical monitoring process. The tool will be completed by each LEA that is identified for the current cohort. School districts will be required to analyze trend data and internal policies and procedures to identify the impact on student outcomes.

**DIRECTIONS FOR COMPLETING THE ASSESSMENT**

Each LEA should identify staff members who will participate in each area of the assessment. The team members may vary to include individuals with expertise and responsibilities in different areas.

Upon receipt of the assessment, the team should:

•Review all policies, procedures, practices, and associated documents relevant to the regulation(s) identified in each item.

•Determine if the policies, documents, and processes meet all requirements of the noted regulation(s).

•Consult [23 IAC 226](https://ilga.gov/commission/jcar/admincode/023/02300226sections.html)as needed for additional information.

If **all** requirements of the regulation(s) are met, the team should mark “Yes.” If any requirement of the regulation(s) is not met, the team should mark “No.” The team should then complete the description of the noncompliance found.

**Section 1: District Documentation Internal Review**

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| **Special Education Personnel Requirements** |
| **Personnel Required to be Qualified --** [**23 IAC 226.800**](https://ilga.gov/commission/jcar/admincode/023/023002260I08000R.html)*Each school district or the special education cooperative of which it is a member shall employ sufficient professional personnel and personnel not holding Illinois educator licensure to deliver and supervise the full continuum of special education and related services needed by the eligible students who reside in the district or districts served by the cooperative. The number and types of personnel employed shall be based on students' need rather than administrative convenience.* |
| **Documentation Reviewed****(Check all that apply.)** | **Provide detailed information about the specific evidence reviewed.** | **Does the documentation meet all the requirements of the regulations?** |
| * District staffing and hiring policies and procedures for special education personnel
* Teacher licensure
* Special education teaching assignments
* Other (specify)
 |  | * Yes
* No
 |
| Describe identified noncompliance: |

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| **Special Education Personnel Requirements** |
| **Personnel Required to be Qualified: Directors and Assistant Directors of Special Education --** [**23 IAC 226.800(f)**](https://ilga.gov/commission/jcar/admincode/023/023002260I08000R.html)*Each school district or the special education cooperative of which it is a member shall employ a full-time director of special education who shall be the chief administrative officer of the special education programs and services of the district or cooperative entity.** *Each director or assistant director of special education shall hold a valid Professional Educator License endorsed for director of special education issued pursuant to 23 Ill. Adm. Code 25.365 and a master's degree, including 30 semester hours of coursework distributed among all the areas as specified in 23 Ill. Adm. Code 25.365(b).*
* *Each school district or the special education cooperative of which it is a member shall submit to the State Board of Education a letter identifying the individual employed as the director of special education by full name and Illinois Educator Identification Number.  If the individual is qualified as required, the State Board shall confirm that the individual is the state-approved director of special education for the school district or special education cooperative.*
 |
| **Documentation Reviewed** **(Check all that apply.)** | **Provide detailed information about the specific evidence reviewed.** | **Does the documentation meet all the requirements of the regulations?** |
| * District staffing and hiring policies and procedures for special education personnel
* Administrative licensure
* Other (specify)
 |  | * Yes
* No
 |
| Describe identified noncompliance: |

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| **Child Find Requirements** |
| **Child Find Responsibility --** [**23 IAC 226.100**](https://ilga.gov/commission/jcar/admincode/023/023002260B01000R.html)*Each school district shall be responsible for actively seeking out and identifying all children from birth through age 21 within the district (and those parentally-placed private school children for whom the district is responsible under 34 CFR 300.131) who may be eligible for special education and related services.   Procedures developed to fulfill child responsibility shall include:** *Annual and ongoing screenings of children under the age of 5 for the purpose of identifying those who may need early intervention or special education and related services.*
* *Ongoing review of each child's performance and progress by teachers and other professional personnel in order to refer those children who exhibit problems that interfere with their educational progress or their adjustment to the educational setting, suggesting that they may be eligible for special education and related services.*
* *Ongoing coordination with early intervention programs to identify children from birth through 2 years of age who have or are suspected of having disabilities in order to ensure provision of services in accordance with applicable timelines.  Each local school district shall participate in transition planning conferences arranged by the designated lead agency as specified in 20 U.S.C. 1437(a)(9) in order to develop a transition plan to enable a public school to implement an Individualized Family Service Plan or an Individualized Education Program (IEP) by the third birthday of each eligible child or, for a child with a birthday between May 1 and August 31 who continues to receive early intervention services past the third birthday, by the beginning of the school year following that birthday.*
 |
| **Documentation Reviewed****(Check all that apply.)** | **Provide detailed information about the specific evidence reviewed.** | **Does the documentation meet all the requirements of the regulations?** |
| * Child Find policies and procedures
* Child Find activities
* Child Find communications
* Other (specify)
 |  | * Yes
* No
 |
| Describe identified noncompliance: |

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| **Individualized Education Plan (IEP)** |
| **General Requirements --** [**23 IAC 226.200**](https://ilga.gov/commission/jcar/admincode/023/023002260C02000R.html)*Each school district shall provide special education and related services to eligible children in accordance with their IEPs.* |
| **Documentation Reviewed****(Check all that apply.)** | **Provide detailed information about the specific evidence reviewed.** | **Does the documentation meet all the requirements of the regulations?** |
| * Policies, procedures, and practices for notifying general education teachers and service providers who are responsible for implementation of an IEP
* Policies, procedures, and practices for ensuring training/professional development for all services providers responsible for implementation of an IEP
* PD and training records
* Other (specify)
 |  | * Yes
* No
 |
| Describe identified noncompliance:  |

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| **Parentally-Placed Private School Children with Disabilities** |
| **Service to Parentally-Placed Private School Students --** [**23 IAC 226.350**](https://ilga.gov/commission/jcar/admincode/023/023002260D03500R.html)*"Parentally-Placed Private School Students" shall be defined as set forth in 34 CFR 300.130.  As noted in Section 226.100 of this Part, school districts shall conduct child find for parentally-placed private school students in conformance with the requirements of 34 CFR 300.131.  Each school district also shall conform to the requirements of 34 CFR 300.132 through 300.144.  In fulfilling the requirements of 34 CFR 300.134 (Consultation) and 300.135 (Affirmation), school districts that are members of the same special education joint agreement are permitted to conduct jointly their consultation with private school and parent representatives.  However, even when multiple districts' funds are pooled by a joint agreement, the amounts that are required to be used for services to parentally-placed private school students must be spent in accordance with each member district's "proportionate share" obligation.  School districts that are members of the same special education joint agreement shall be prohibited from aggregating proportionate share funds when determining services for parentally-placed private school students.* |
| **Documentation Reviewed****(Check all that apply.)** | **Provide detailed information about the specific evidence reviewed.** | **Does the documentation meet all the requirements of the regulations?** |
| * Policies, procedures, and practices for ensuring timely, meaningful consultation
* Documentation of timely, meaningful consultation, including communication logs and signed documents
* Other (specify)
 |  | * Yes
* No
 |
| Describe identified noncompliance:  |
| **Discipline Procedures** |
| **Disciplinary Action --** [**23 IAC 226.400**](https://ilga.gov/commission/jcar/admincode/023/023002260E04000R.html)*With respect to disciplinary action concerning children with disabilities, school districts shall conform to the requirements of 34 CFR 300.530 through 300.536, as well as Section 10-22.6 of the School Code [105 ILCS 5/10-22.6].  In addition, upon the occurrence of any act that may subject the student either to expulsion from school or suspension resulting in more than 10 cumulative days of suspension during any one school year, the district shall be required to convene a meeting of the IEP team to review the student's Behavioral Intervention Plan (,BIP) or, if a BIP has not yet been developed, to develop one.* |
| **Documentation Reviewed****(Check all that apply.)** | **Provide detailed information about the specific evidence reviewed.** | **Does the documentation meet all the requirements of the regulations?** |
| * Policies, procedures, and practices regarding discipline procedures for students with IEPs for short-term removals of fewer than 10 days
* Policies, procedures, and practices regarding discipline procedures for students with IEPs for long-term removals of more than 10 days.
* Student lists/rosters of those with IEPs who have been suspended and/or expelled to identify trends, if any
* Other (specify)
 |  | * Yes
* No
 |
| Describe identified noncompliance:  |
| **Procedural Safeguards** |
| **Language of Notification --** [**23 IAC 226.500**](https://ilga.gov/commission/jcar/admincode/023/023002260F05000R.html)*a)         The notices to individual parents required in this Subpart F shall conform to the requirements of 34 CFR 300.503(c).**b)         Written translation of the Vital Documents List into the 10 most commonly spoken languages in Illinois, other than English, must be provided to limited English proficiency parents of children with disabilities. This requirement includes translation of the individualized substance of documents on the Vital Documents List. A translated Parent/Guardian Notification of Conference Recommendations form and all other applicable elements of the IEP forms must be provided simultaneously with English IEP documents and all reasonable efforts to provide the IEP within seven school days after the IEP meeting must be made, or as soon as possible thereafter. All other vital IEP documents must be translated and provided to parents as soon as practicable but not more than 30 school days after the IEP meeting.**c)         Parents may request translation of documents not on the Vital Documents List that have a vital relation to the child’s educational planning through the same process identified on the Notification of Conference form, and school districts must make reasonable efforts to provide the requested translations in a timely manner.**d)         All translations must be performed by competent translators who have undergone sufficient professional training regarding special education terminology and processes or by outside vendors that are commercially recognized as providing competent translation services; or, if a school district elects to utilize an automated translation program or application, the results must be reviewed and edited, as needed, by an individual qualified to determine the accuracy of the translation. All translations must be certified to be true and accurate by the translator to the best of the translator’s knowledge or ability*. |
| **Documentation Reviewed****(Check all that apply.)** | **Provide detailed information about the specific evidence reviewed.** | **Does the documentation meet all the requirements of the regulations?** |
| * Policies, procedures, and practices for ensuring all Vital Documents are provided in the parent’s native language
* Policies, procedures, and practices to ensure parents are notified of their right to request translation of documents not on the Vital Documents list
* Policies and procedures to ensure translations are completed by individuals who meet the training requirements
* Other (specify)
 |  | * Yes
* No
 |
| Describe identified noncompliance:  |

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| **Procedural Safeguards** |
| **Notification of Parents Rights --** [**23 IAC 226.510**](https://ilga.gov/commission/jcar/admincode/023/023002260F05100R.html)*A copy of the notice of procedural safeguards available to the parents of a child with a disability shall be given to the parents in* *accordance with, and shall conform to the requirements of, 34 CFR 300.504.* |
| **Documentation Reviewed****(Check all that apply.)** | **Provide detailed information about the specific evidence reviewed.** | **Does the documentation meet all the requirements of the regulations?** |
| * Policies, procedures, and practices to ensure parents receive a copy of the of procedural safeguards available to parents of a child with a disability at least annually and as otherwise required (e.g., initial evaluations, request for evaluation, state complaint filing, due process filing, disciplinary procedures, and upon parent request)
* Records of parents receiving procedural safeguards at least annually
* Other (specify)
 |  | * Yes
* No
 |
| Describe identified noncompliance:  |
| **Procedural Safeguards** |
| **Parent Participation --** [**23 IAC 226.530**](https://ilga.gov/commission/jcar/admincode/023/023002260F05300R.html)*With respect to parents' participation in meetings, school districts shall conform to the requirements of 34 CFR 300.322 and 300.501.  For purposes of 34 CFR 300.322(a)(1), "notifying parents of the meeting early enough to ensure that they will have an opportunity to attend" means the district shall provide written notification no later than 10 days prior to the proposed date of the meeting.  An LEA must provide a child's parent or guardian with copies of all written material that will be considered by the IEP team at a meeting no later than three school days prior to such meeting to determine a child's eligibility for special education and related services or to review a child's IEP, or as soon as possible if an IEP meeting is scheduled within three school days with written consent of the child's parent or guardian, so that the parent or guardian may participate in the meeting as a fully informed member. The parent or guardian shall have the option of choosing from the available methods of delivery, which must include regular mail and picking up the materials at school. For a meeting to determine the child's eligibility for special education, the written material must include all evaluations and collected data that will be considered at the meeting. For a child who is already eligible for special education and related services, the written material must include a copy of all IEP components that will be discussed by the IEP team, other than the components related to the educational and related service minutes proposed for the child and the child's placement. Parents shall also be informed of their right to review and copy their child's school student records prior to any special education eligibility or IEP review meeting, subject to the requirements of applicable federal and state law. (Section 14-8.02f(c) of the Code)* |
| **Documentation Reviewed****(Check all that apply.)** | **Provide detailed information about the specific evidence reviewed.** | **Does the documentation meet all the requirements of the regulations?** |
| * Policies, procedures, and practices to ensure parents understanding of and participation in the proceedings at the meeting
* Policies and procedures to ensure a parent is provided a qualified interpreter to fully participate and understand proceedings at the meeting
* Policies, procedures, and practices to ensure that parents are informed in each Notification of Conference regarding the availability of interpretation services and their right to request an interpreter
* Other (specify)
 |  | * Yes
* No
 |
| Describe identified noncompliance:  |

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| **Procedural Safeguards** |
| **Surrogate Parents --** [**23 IAC 226.550**](https://ilga.gov/commission/jcar/admincode/023/023002260F05500R.html)*The qualifications, responsibilities, and appointment procedures for surrogate parents shall conform to the requirements of 34 CFR 300.519 and Section 14-8.02a of the School Code [105 ILCS 5/14-8.02a].  In addition, the following requirements shall apply:**a)          When a child who is a ward of the state is placed in a residential facility, a representative of that facility shall submit to the State Board of Education a request for the appointment of a surrogate parent.  Upon enrollment of a student, the resident school district is responsible for ensuring the assignment of a surrogate parent if the residential facility has not already done so.* |
| **Documentation Reviewed****(Check all that apply.)** | **Provide detailed information about the specific evidence reviewed.** | **Does the documentation meet all the requirements of the regulations?** |
| * Policies, procedures, and practices to ensure students who require an educational surrogate parent are provided one
* Records of students who may be in residential facilities and require an educational surrogate parent
* Communication records with residential facilities in which students of the district are residing
* Other (specify)
 |  | * Yes
* No
 |
| Describe identified noncompliance:  |
| **Secondary Transition** |
| **Content of the IEP --** [**23 IAC Section 226.230**](https://ilga.gov/commission/jcar/admincode/023/023002260C02300R.html)*Each school district, beginning not later than the first IEP to be in effect when the child turns 14½ and updated annually thereafter, the IEP shall include:* *1) Appropriate, measurable, postsecondary goals based upon age-appropriate assessments related to employment, education or training, and independent living;* *2) The transition services that are needed to assist the child in reaching those goals, including courses of study and any other needed services to be provided by entities other than the school district; and* *3) Any additional requirements set forth in Section 14-8.03 of the School Code [105 ILCS 5/14-8.03], including the provision of special education and related services to eligible children in accordance with their IEPs, including:*1. *Independent living skills.*
2. *Transition services that are:*
	* 1. *Designed to be within a results-oriented process that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to post-school activities;*
		2. *Based on the individual child's needs, taking into account the child's strengths, preferences, and interests; and*
		3. *Focused on instruction, related services, community experiences, the development of employment and other post-school adult living objectives.*
 |
| **Documentation Reviewed****(Check all that apply.)** | **Provide detailed information about the specific evidence reviewed.** | **Does the documentation meet all the requirements of the regulations?** |
| * Policies, procedures, and practices for ensuring IEP are in effect when the child turns 14½ (or younger if determined appropriate by the IEP team) and updated annually.
* Policies, procedures, and practices for ensuring appropriate, measurable, postsecondary goals based upon age-appropriate assessments and transition services, including a complete of study
* Policies, procedures, and practices for ensuring that students and parents/guardian receive information about Career and Technical Education (CTE) opportunities, postsecondary CTE opportunities, and dual credit courses
* Documentation of communication/collaboration with outside agencies, with parental consent
* Documentation of training/professional development for all services providers responsible for developing transition plans
* Policies, procedures, and practices for ensuring the annual submission of a summary of each eligible student's IEP transition goals and transition services resulting from the IEP team meeting to the appropriate local Transition Planning Committee Other (specify)
 |   |   * Yes
* No
 |
| Describe identified noncompliance:  |

**Section 2: Individual Student Record Review**

Directions:

1. Complete individual student record reviews for each of the following areas of the assessment.
2. Refer to the “Sample Size Guidelines” below to identify the number of student records each LEA will be required to review.

Sample Size Guidelines for Individual Student Record Reviews:

* LEAs with $\leq $5 students with IEPs must review all records.
* LEAs with 6-99 students with IEPs must review five records.
* LEAs with 100-249 students with IEPs must review 10 student records.
* LEAs with 250-499 students with IEPs must review 15 student records.
* LEAs with 500-999 students with IEPs must review 20 student records.
* LEAs with 1000-1999 students with IEPs must review 25 student records.
* LEAs with $\geq $2000 students with IEPs must review 30 student records.
1. ISBE will utilize Child Count data to provide a list of students whose records are to be reviewed. The district must review the list and notify ISBE if a student on the list is no longer enrolled in the district. ISBE will identify another student file to be reviewed. A record review must be completed for all students on the list. ISBE staff also will review a sample of the specified student records for each LEA as part of the cyclical monitoring process.
2. ISBE may request the LEA to submit additional records, if necessary, to complete its monitoring.
3. If items of noncompliance are identified through the student record review, ISBE will issue a notification of noncompliance and indicate the additional steps the LEA must take to correct the areas of noncompliance identified.