



Illinois State Board of Education

Public Inquiry into Chicago Public Schools' Special Education Policies and Procedures

Ms. Stephanie Jones, General Counsel

April 18, 2018

Special Education Systems

The IDEA can be broken down into 6 main principles:

- **Identifying Students with Disabilities (Child Find & Eligibility)**
- **Free Appropriate Public Education (FAPE)**
- **Individualized Education Program (IEP)**
- **Least Restrictive Environment (LRE)**
- **Parent and Student Participation**
- **Procedural Safeguards**

Special Education Systems

- Public School District Obligations
 - Locate, identify and evaluate all children who may have disabilities.
 - IEP Team to develop the IEP reasonably calculate to ensure students can make educational progress (FAPE).
 - Supplementary aids and services
 - Program modifications or supports
 - Provide education in LRE

Special Education Systems

- State Educational Agency Obligations
 - Monitor compliance with special education laws.
 - Create a system for dispute resolution that includes processing complaints, mediation requests, and due process requests.
 - Provide technical assistance to public school districts in administering special education programs and supports.

ISBE's Authority

- **Individuals with Disabilities Education Act (IDEA)**
 - 20 U.S.C.A 1411
 - 34 C.F.R. 300.151-300.153
- **Illinois School Code**
 - **Article 2:**
 - 105 ILCS 5/2-3.8 Hear and Determine Controversies
 - **Article 14:**
 - 105 ILCS 5/14-5.01 Application of Article
 - 105 ILCS 5/14-8.02e State complaint procedures



Open Letter to ISBE

- Letter written to ISBE in November of 2017 by special education advocates representing CPS parents and families.
- Letter raised question as to whether CPS had created a special education policy environment which resulted in a violation of student rights.

ISBE Response

- In response to the Advocates Open Letter, at its December Board meeting, ISBE initiated a public inquiry into CPS's system of special education, focusing on the issues outlined by the Open Letter.
- The Public Inquiry was led by the Office of the General Counsel and allowed ISBE to closely examine the issues of public concern in a fair and transparent manner.

Timeline

- November 16, 2017
 - ISBE Board Meeting Complaint Presented
- December 15, 2018
 - General Counsel announces Public Inquiry
- January 29, 2018
 - Initial Meeting with Parties
- February 2, 2018 – March 7, 2018
 - Fact – Finding: Interviews, Information Requests, Submissions, SSM Demonstrations, and Budget Discussion etc.
- February 22, 2018
 - Status Meeting
- March 13, 2018
 - Pre-Hearing Conference
- March 20th, 21st, and 27th, 2018
 - Public Hearing



Public Inquiry Team

- Nancy Krent, Facilitator & Special Education Law Expert
- Richard Cozzola, Advocate Group Representative
- Rupa Ramadurai, ISBE Representative

Community Input

- Opportunities with the Inquiry Team
 - February 16, 2018
 - Thompson Center
 - February 21, 2018
 - Center for Conflict Resolution
 - March 5, 2018
 - Loyola University Chicago School of Law
- Opportunities with ISBE attorneys
 - Monday February 26, 2018
 - Pui Tak Center
 - Tuesday February 27, 2018
 - Salem Baptist Church
 - Wednesday February 28, 2018
 - National Museum of Mexican Art



Meetings with the Inquiry Team

- **Initial Meeting**
 - January 29, 2018
- **Status Meeting**
 - February 22, 2018
- **Pre-Hearing Meeting**
 - March 13, 2018



Public Hearing

March 20, 2018

- *Opening Statements*
- Dr. Elizabeth Keenan
- Ms. Kristy Brooks

March 21, 2018

- Ms. Christine Palmieri
- Mr. Juan Vaglienty
- Ms. Sally Tabatsalis
- Ms. Bessie Tsitsopolous
- Mr. Gregory Volan

March 27, 2018

- Ms. Kathleen Gibbons
- Ms. Archia Lucas
- Ms. Margaret Wakelin
- *Closing Statements*

Submissions

Advocates

- Affidavits
- Data
- Manuals
- Training Materials

Chicago Public Schools

- Procedural Manuals
- Training Materials
- Data
- SSM Screenshots
- Affidavits



Thank You!

- CPS Staff and Legal Counsel
 - Elizabeth Keenan
 - Nicki Bazer
 - Kathleen Gibbons
- Advocates
 - Matt Cohen
 - Rod Estvan
 - Olga Pribyl
 - Ashley Fretthold



Thank You!

- ISBE staff:
 - ISBE Legal Department
 - Division of Special Education Services
 - Division of Funding and Disbursements
 - Division of Title Grants
 - Division of Strategy and Analytics
 - Division of Federal and State Monitoring
 - Division of School Business Services
 - Division of State Funding and Forecasting



Statement of Issues

1. Does **CPS's electronic IEP system**, either alone or in conjunction with **CPS's Policies and Procedures**, result in an unlawful denial or delay of required services or limitations on the required continuum of services to students?
2. Do **CPS's documentation and data collection requirements** result in unlawful denial or delay in the identification of eligibility or provision of special education and related services to students?
3. Does **CPS's budgeting system** result in unlawful denial or delay in the provision of special education and related services to students?
4. Have **CPS's policies regarding transportation** resulted in an unlawful denial or delay in the provision of needed transportation services to students?

Findings of Fact



Next Steps

- Office of General Counsel & Division of Special Education Services will develop recommendations to present to Board at May meeting.
- Any changes or corrective action to be in place by start of 2018-2019 school year.

QUESTIONS?



Illinois
State Board of
Education

Whole Child • Whole School • Whole Community