

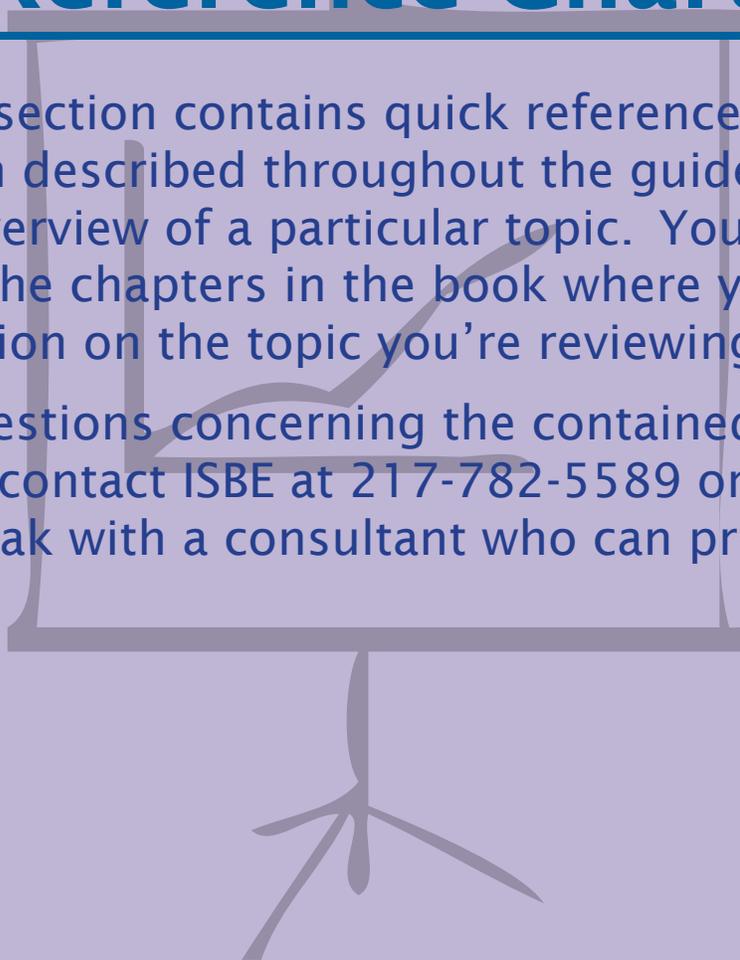
# Appendix B:

## Quick Reference Charts

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The following section contains quick reference charts based on information described throughout the guide. The charts give a basic overview of a particular topic. You will also find references to the chapters in the book where you can read more information on the topic you're reviewing.

If you have questions concerning the contained in these charts, please contact ISBE at 217-782-5589 or 866-262-6663 and ask to speak with a consultant who can provide further information.



## Referral & Evaluation

General Rules on Referral	
<b>Citation(s)</b>	<b>23 IAC 226.110</b> , Evaluation Procedures. Section 14-8.02 of the School Code, ( <b>105 ILCS 5/14-8.02</b> ).
<b>What Does it Mean?</b>	The “date of referral” is the date of written parental consent for an evaluation. Screening procedures shall not be considered an evaluation.
<b>What Needs to Happen?</b>	<p>Within 14 school days after receiving the written request, the district will decide whether to evaluate the child or not. If the district determines an evaluation is warranted, then the district must either provide the parents with the paperwork to provide formal written consent or a written statement of its decision not to do the evaluation.</p> <p>If the district determines that the evaluation is not necessary, it must notify the parent in writing of the decision not to evaluate and the reasons for the decision.</p> <p>The district must advise the parents of their right to request a due process hearing to challenge its decision.</p>
<b>What Parents Need to Know or Do</b>	<p>Parents need to submit a request for evaluation to have their child considered to be eligible for special education services. It is best to put your request in writing.</p> <p>Not all referrals result in an evaluation being conducted.</p> <p>To be eligible to receive special education services, the child must have a disability that impacts educational performance.</p>

Evaluation and Reevaluation	
<b>Citation(s)</b>	<p><b>23 IAC 226.110</b>, Evaluation Procedures. Section 14-8.02 of the School Code, (<b>105 ILCS 5/14-8.02</b>).</p> <p><b>34 CFR 300.300</b>, Parental consent.</p> <p><b>34 CFR 300.301</b>, Initial evaluations.</p> <p><b>34 CFR. 300.304</b>, Evaluation procedures.</p> <p><b>34 CFR. 300.305</b>, Additional requirements for evaluations and reevaluations.</p> <p><b>34 CFR 300.306</b>, Determination of eligibility.</p> <p><b>23 IAC 226.840</b>, Qualifications of Evaluators.</p>

<b>Evaluation and Reevaluation</b>	
<b>What Does it Mean?</b>	<p>Evaluation means procedures used to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs.</p> <p>The school district must assess the child in all areas of suspected disability including:</p> <ul style="list-style-type: none"> <li>• academic performance</li> <li>• health</li> <li>• vision</li> <li>• hearing</li> <li>• social &amp; emotional status</li> <li>• communication</li> <li>• motor abilities</li> <li>• general intelligence</li> <li>• functional performance</li> <li>• other areas as needed.</li> </ul> <p><i>NOTE:</i> Often these areas are called “domains” for purposes of the evaluation.</p> <p>Public agencies are prohibited from using a measure or assessment for purposes different from the purpose for which the measure was designed.</p> <p>Assessments are provided and administered in the child’s native language or mode of communication (unless it is not feasible to do so) to get accurate information on what the child knows and can do.</p>
<b>What Needs to Happen?</b>	<p>The school district must use a variety of assessments, tools, and strategies to conduct the evaluation.</p> <p>When conducting an initial evaluation, a child must be tested in all areas of suspected disability.</p> <p>Data gathered from evaluations are used to assist in the development of the IEP.</p> <p>Assessments should be valid and reliable for their designed purposes.</p> <p>Assessments must be administered by personnel who are trained to do so.</p> <p>Assessments and other evaluation materials used should be administered:</p> <ul style="list-style-type: none"> <li>• so as not to be discriminatory on a racial or cultural basis, and</li> <li>• in the child’s native language or other mode of communication.</li> </ul>

### Evaluation and Reevaluation

<b>What Parents Need to Know or Do</b>	<p>Parent written informed consent must be obtained before the evaluation can be conducted.</p> <p>Information from parents should be included as part of the evaluation.</p> <p>Information should be collected through a variety of approaches (observations, interviews, tests, curriculum-based assessment, and so on) and from a variety of sources (parents, teachers, specialists, peers, and the child).</p> <p>Parents should be given a copy of the conference report and recommendations.</p> <p>Parents should be informed of their right to obtain an independent educational evaluation (IEE) at district expense if they disagree with the evaluation findings.</p> <p>The evaluation should yield information on what the child knows and can do academically, developmentally, and functionally.</p> <p>This applies when evaluating all children including those:</p> <ul style="list-style-type: none"> <li>• for whom English is not the native language;</li> <li>• who communicate by signing; and</li> <li>• who use alternative augmentative communication</li> <li>• who use other means to communicate.</li> </ul>
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### Independent Educational Evaluation (IEE)

<b>Citation(s)</b>	<p><b>23 IAC 226.180</b>, Independent Educational Evaluation.</p> <p>Section 14-8.02 (b) of the School Code, (<b>105 ILCS 5/14-8.02</b>).</p> <p><b>34 CFR 300.502</b>, Independent Educational Evaluation.</p>
<b>What Does it Mean?</b>	<p>Parents have the right to request an independent educational evaluation of their child at district expense when they disagree with the evaluation conducted.</p>
<b>What Needs to Happen?</b>	<p>When an independent evaluation is obtained at public expense, the party chosen to perform the evaluation should be an individual whose name is included on the list of independent educational evaluators developed by ISBE or another individual possessing the credentials required. <a href="http://web-prod1.isbe.net/ier/ASPS/default.asp">http://web-prod1.isbe.net/ier/ASPS/default.asp</a></p>

Independent Educational Evaluation (IEE)	
<b>What Parents Need to Know or Do</b>	<p>If you disagree with the results of the school's evaluation, you may request <b>IN WRITING</b> that an independent evaluation occurs at district expense.</p> <p>If the school district's evaluation is shown to be inappropriate, the school district shall reimburse the parent for the cost of the independent evaluation.</p> <p>You may select an independent evaluator from the ISBE list or someone not on the list who still has the required qualifications to do the evaluation. You should talk to the evaluators and chose which one will best meet your child's needs and address your concerns.</p> <p>You also have a right to obtain an independent evaluation at your own expense, which you may then provide to your school. The school is obligated to <u>consider</u> the evaluation, but is not obligated to follow its recommendations.</p>

## Eligibility Categories

Special Education Eligibility Categories	
<b>Citation(s)</b>	<p><b>34 CFR 300.111</b>, Child find.</p> <p><b>34 CFR 300.8</b>, Child with a disability.</p> <p><b>23 IAC 226.75</b>, Definitions.</p>
<b>What Does it Mean?</b>	<p>A group of qualified professionals and the parents look at the child's evaluation results. Together, they decide if the child is a "child with a disability," as defined by IDEA.</p> <p>If the child is found to be a "child with a disability," as defined by IDEA, he or she is eligible for special education and related services.</p> <p>Within 30 calendar days after a child is determined eligible, the IEP Team must meet to write an IEP for the child.</p>
<b>What Needs to Happen?</b>	<p>In order for the child to receive special education and related services, the child must be identified as eligible under one of these categories:</p> <ul style="list-style-type: none"> <li style="display: inline-block; width: 45%;">• Autism</li> <li style="display: inline-block; width: 45%;">• Multiple Disabilities</li> <li style="display: inline-block; width: 45%;">• Cognitive Disability</li> <li style="display: inline-block; width: 45%;">• Orthopedic Impairment</li> <li style="display: inline-block; width: 45%;">• Deaf-blindness</li> <li style="display: inline-block; width: 45%;">• Other Health Impairment</li> <li style="display: inline-block; width: 45%;">• Deafness</li> <li style="display: inline-block; width: 45%;">• Specific Learning Disability</li> <li style="display: inline-block; width: 45%;">• Developmental Delay</li> <li style="display: inline-block; width: 45%;">• Speech/Language Impairment</li> <li style="display: inline-block; width: 45%;">• Emotional Disability</li> <li style="display: inline-block; width: 45%;">• Traumatic Brain Injury</li> <li style="display: inline-block; width: 45%;">• Hearing Impairment</li> <li style="display: inline-block; width: 45%;">• Visual Impairment</li> </ul>
<b>What Parents Need to Know or Do</b>	<p>There are hundreds of terms and words we use to describe our children. The law puts them into categories. Do not let the category names discourage you.</p> <p>An evaluation must be conducted to determine if your child is eligible to receive special education and/or related services.</p> <p>You need to give written consent before your child can be evaluated.</p> <p>The school cannot test or help your child until you have returned the signed papers.</p> <p>You may ask for a hearing to challenge the eligibility decision.</p> <p>Evaluations are done by school staff, or where necessary, consultants or specialists retained by the school district, but you can bring your own information from doctors, tutors or others who work with your child.</p>

## Additional Procedures for Specific Learning Disabilities

Specific Learning Disability (SLD)	
<b>Citation(s)</b>	<p><b>23 IAC 226.130</b>, Evaluation Procedures. Section 14-8.02 of the School Code, (<b>105 ILCS 5/14-8.02</b>).</p> <p><b>34 CFR 300.8</b>, Definitions.</p> <p><b>34 CFR 300.307</b>, Specific learning disabilities.</p> <p><b>34 CFR 300.308</b>, Additional group members.</p> <p><b>34 CFR. 300.309</b>, Determining the existence of a specific learning disability.</p> <p><b>34 CFR 300.310</b>, Observation.</p> <p><b>34 CFR 300.311</b>, Specific documentation for the eligibility determination.</p>
<b>What Does it Mean?</b>	There are additional requirements for identifying children with specific learning disabilities (SLD).
<b>What Needs to Happen?</b>	<p>By the 2010-2011 school year, districts must use a scientific, research-based process for identifying children with specific learning disabilities (SLD).</p> <p>In addition to using a scientific-research based process for evaluation, districts may use a severe discrepancy* model (between intellectual ability and achievement) for determining whether a child has a specific learning disability.</p>
<b>What Parents Need to Know or Do</b>	<p>Districts CANNOT deny a parent's request for an evaluation because the child is being monitored by a scientific, research-based process.</p> <p>Districts must use scientific, research-based interventions as part of the process for determining eligibility for services under the category of specific learning disabilities (SLD). They <u>may</u> choose to use a severe discrepancy* model as well.</p> <p>Without written parental consent, an evaluation may not be completed.</p>

*Severe discrepancy typically means a large or significant difference in ability and achievement. Children who are of average or above average intelligence are expected to perform at that level of ability. When they don't, they may be referred for a full evaluation to see what is causing the discrepancy.*

*Under this model of evaluation, children may struggle and even fail for several years before the discrepancy between ability and achievement is large enough to be judged significant.*

*(Building the Legacy: IDEA 2004 Training Curriculum. Module 11, Identification of Children with Specific Learning Disabilities).*

## Individualized Education Programs (IEPs)

Present Levels of Performance	
<b>Citation(s)</b>	<b>34 CFR 300.320</b> , Definition of Individualized education program. <b>23 IAC 226.230</b> , Content of the IEP.
<b>What Does it Mean?</b>	Describes how the student is doing in different areas and how he/she uses what they've learned throughout the year.
<b>What Needs to Happen?</b>	The IEP needs to say 2 things in this section: <ul style="list-style-type: none"> <li>• How the child's disability affects his or her participation in the general education curriculum.</li> <li>• How the child performs in academic and nonacademic settings.</li> </ul>
<b>What Parents Need to Know or Do</b>	Share the child's interests and activities and how the child's disability may affect those things.

Annual Goals	
<b>Citation(s)</b>	<b>34 CFR 300.320</b> , Definition of Individualized education program. <b>23 IAC 226.230</b> , Content of the IEP.
<b>What Does it Mean?</b>	A goal is something that can be obtained within a school year. A goal must be measurable. Instructional recommendations should be supported by performance data that established the need.
<b>What Needs to Happen?</b>	Each goal will list: <ul style="list-style-type: none"> <li>• the steps needed to achieve the goal by the end of the year and</li> <li>• the way it will be measured</li> <li>• who will be responsible for working on the goal</li> <li>• how progress will be reported to parents</li> </ul>
<b>What Parents Need to Know or Do</b>	Special education services should be based on data, not opinion. Data should form the basis for instruction and the goals should be written to allow access to the general curriculum and other activities during or after school.

Progress toward goals	
<b>Citation(s)</b>	<b>34 CFR 300.320</b> , Definition of Individualized education program.
<b>What Does it Mean?</b>	The child's progress must be measured.
<b>What Needs to Happen?</b>	The IEP will include how the school will measure the progress and when the reports of progress will be issued.
<b>What Parents Need to Know or Do</b>	You should know when you will receive information about your child's progress. Make sure the measurement is clear enough so that you know whether your child is being successful or not.

Special education and related services	
<b>Citation(s)</b>	<b>34 CFR 300.320</b> , Definition of Individualized education program.
<b>What Does it Mean?</b>	The IEP must include special education and related services and other supports and services for the student to: <ul style="list-style-type: none"> <li>• advance toward annual goals;</li> <li>• progress in the general curriculum;</li> <li>• participate in extracurricular and nonacademic activities; and</li> <li>• be educated and participate with all children.</li> </ul>
<b>What Needs to Happen?</b>	The IEP team will decide which special education services and which related services, modifications, accommodations and other services, the student needs to be part of the general curriculum and other activities. As much as possible, the services should be research-based. The IEP team will decide what supports the parents, educators and para-professionals need to address the student's educational needs.
<b>What Parents Need to Know or Do</b>	The IEP team decides what services and supports your child receives. Your child has a right to be educated and participate with all children in the least restrictive environment.

Frequency, Location, and Duration of Services	
<b>Citation(s)</b>	<p><b>34 CFR 300.320</b>, Individuals with Disabilities Education Improvement Act of 2004.</p> <p><b>23 IAC 226.230</b>, Content of the IEP.</p>
<b>What Does it Mean?</b>	<p>Each of the services the student needs should be written in the IEP.</p> <p>This is the “what, when, where, and for how long” part of the IEP.</p>
<b>What Needs to Happen?</b>	<p>The IEP should say:</p> <ul style="list-style-type: none"> <li>• how long or how often each session will last (the number of minutes)</li> <li>• where the services will be provided</li> <li>• when the services will begin and end</li> </ul>
<b>What Parents Need to Know or Do</b>	<p>Know the number of minutes in each session.</p> <p>Know if the services will be provided in the general education classroom or another setting (a resource room, a therapy room).</p> <p>Know the starting and ending dates of the student’s services.</p>

Extended School Year Services	
<b>Citation(s)</b>	<p><b>34 CFR 300.106(b)</b>, Extended school year services.</p> <p><b>ISBE Communication on ESY for Students with Disabilities, November 20, 2001</b></p>
<b>What Does it Mean?</b>	<p>Extended school year services (ESY) means special education and related services provided to a student with a disability that are:</p> <ul style="list-style-type: none"> <li>• beyond the normal school day/ year</li> <li>• stated in the student’s IEP</li> <li>• no cost to the parents of the student</li> </ul>
<b>What Needs to Happen?</b>	<p>The IEP team determines ESY services.</p> <p>Schools must ensure that ESY services are available as necessary to provide a free, appropriate, public education (FAPE).</p> <p>The decision about what services will be provided should be individually based on the needs of the student.</p> <p>Loss of knowledge/ skills or an extraordinarily long time in relearning skills (regression/ recoupment) can be part of but not the only reason for determining ESY.</p>

Extended School Year Services	
<b>What Parents Need to Know or Do</b>	<p>ESY services may not be limited to particular categories of disability. Schools must determine the type, amount, and duration of services on an individual basis.</p> <p>No single factor can determine ESY.</p> <p>Discuss the student's loss of skills during breaks.</p> <p>Look at the amount of time it takes for the student to regain skills after breaks.</p> <p>Keep information that shows your child's progress, or lack of it, after returning to school from breaks.</p> <p>ESY services:</p> <ul style="list-style-type: none"> <li>• may not be the same as regular school year services;</li> <li>• may be just related services such as speech therapy or physical therapy; and</li> <li>• can be provided in school, home, or community.</li> </ul>

Participation in General Curriculum	
<b>Citation(s)</b>	<b>34 CFR 300.320</b> , Definition of Individualized education program.
<b>What Does it Mean?</b>	<p>The IEP must explain how the child's disability affects his/her participation in the general education setting and other school activities.</p> <p>If the district proposes to remove the child from any part of the general education curriculum, the district must explain why in the IEP.</p>
<b>What Needs to Happen?</b>	<p>The IEP team will decide when the student will be in a general education classroom and when they won't.</p> <p>The IEP team will decide what modifications are needed for the student to succeed in general education classes.</p>
<b>What Parents Need to Know or Do</b>	<p>Understand why and how much your child will be participating in general education classes.</p> <p>Think of accommodations and modifications that might allow your child to be successful (both academically and socially) in the general education classroom.</p> <p>Think about the opportunities for your child in extracurricular and nonacademic activities such as lunch, recess, gym, art, music, and after-school clubs &amp; activities.</p>

Transition	
<b>Citation(s)</b>	<p><b>20 U.S.C. 1401(34)</b>, Individuals with Disabilities Education Improvement Act of 2004.</p> <p><b>34 CFR 300.43</b>, Transition services.</p> <p><b>34 CFR 300.320</b>, Definition of Individualized education program.</p> <p><b>23 IAC 226.230</b>, Content of the IEP.</p>
<b>What Does it Mean?</b>	<p>Transition services are a coordinated set of activities that focuses on improving academic and skill achievement to prepare for life after school.</p> <p>Goals should include the need for:</p> <ul style="list-style-type: none"> <li>• training</li> <li>• education</li> <li>• employment</li> <li>• independent living, where appropriate</li> </ul> <p>Transition services may include academic instruction, related services, post-secondary education, vocational training, supported employment, community experiences, daily living skills, &amp; work evaluation.</p>
<b>What Needs to Happen?</b>	<p>For students who will reach the age of 14½ during the school year, the IEP must document a statement of transition service needs that focuses on the student's course of study and goals to address those needs.</p> <p>Transition goals must be part of the IEP and reviewed every year until the student is out of school.</p> <p>Plans must include student's strengths, preferences, &amp; interests.</p> <p>Goals must be measurable.</p> <p>A statement of who will provide the services the student needs to meet their transition goals.</p> <p>Student must be invited to the IEP meeting.</p> <p>The district must consider the student's interests and preferences if the student does not attend.</p>

Transition	
<b>What Parents Need to Know or Do</b>	<p>Think about what your child needs to learn to help them be successful after graduation.</p> <p>Help students explore work and career options while still in high school.</p> <p>Decide what skills the young person needs to live and work in the community after high school.</p> <p>Make connections with education and training programs, colleges, agencies, and support services.</p> <p>Help select classes and services that will help the child be successful in his or her adult life.</p> <p>Learn what agencies provide services to adults with disabilities in your community and invite them to your child's IEP.</p>

### Other IEP Considerations

Limited English Proficiency	
<b>Citation(s)</b>	<p><b>34 CFR 300.27</b>, Definition of "Limited English proficient".</p> <p><b>23 IAC 226.230</b>, Content of the IEP.</p>
<b>What Does it Mean?</b>	The language needs of a student who has difficulty understanding and speaking English must be considered by the IEP team.
<b>What Needs to Happen?</b>	The IEP must include a statement as to the languages or modes of communication in which special education and related services will be provided, if other than or in addition to English.
<b>What Parents Need to Know or Do</b>	Tell the school if your child has difficulty understanding and speaking English.

Communication Needs	
<b>Citation(s)</b>	<p><b>20 U.S.C. 1414(d)(1)(B)</b>, Individuals with Disabilities Education Improvement Act of 2004.</p> <p><b>34 CFR 300.324</b>, Development, review, and revision of IEP.</p> <p><b>23 IAC 226.75</b>, Definitions.</p> <p><b>23 IAC 226.230</b>, Content of the IEP.</p>
<b>What Does it Mean?</b>	An IEP shall be considered “linguistically and culturally appropriate” if it addresses the language and communication needs of a student as a foundation for learning, as well as any cultural factors that may affect the student’s education.
<b>What Needs to Happen?</b>	<p>The communication needs of the student must be considered by the IEP team.</p> <p>For students who are deaf or hard of hearing, the IEP team must consider the student’s language and communication needs and opportunities for direct communications with peers and professional personnel. The needs must address the student’s language and communication mode.</p> <p>The IEP team must consider the student’s academic level and full range of needs, including opportunities for direct instruction in the child’s language and communication mode.</p>
<b>What Parents Need to Know or Do</b>	Let the IEP team know how your child communicates best with others, including family and friends.

Assistive Technology	
<b>Citation(s)</b>	<p><b>20 U.S.C. 1414 (d)(3)(B)</b> Consideration of Special Factors.</p> <p><b>34 CFR 300.105</b> Assistive Technology.</p> <p><b>34 CFR 300.324</b>, Development, review, and revision of IEP.</p> <p><b>23 IAC 226.230</b>, Content of the IEP.</p>
<b>What Does it Mean?</b>	<p>Assistive Technology is technology used by individuals with disabilities in order to perform functions that might otherwise be difficult or impossible.</p> <p>The term “assistive technology” encompasses a broad range of devices from “low tech” (e.g., pencil grips, splints, paper stabilizers) to “high tech” (e.g., computers, voice synthesizers, Braille readers).</p> <p>These devices include the entire range of supportive tools and equipment from adapted spoons to wheelchairs and computer systems for environmental control.</p>

<b>Assistive Technology</b>	
<b>What Needs to Happen?</b>	<p>Consideration should be given to the needs of the student for assistive technology devices and services.</p> <p>The IEP team must decide if the student needs assistive technology devices and services in order to receive a Free, Appropriate, Public Education (FAPE).</p>
<b>What Parents Need to Know or Do</b>	<p>Tell the IEP team about the things that might help the student in school, at home, or in the community.</p> <p>Share concerns that you have for your child's ability to do things and ask if there is any type of assistive technology that might provide support.</p>

<b>Braille</b>	
<b>Citation(s)</b>	<p><b>20 U.S.C. 1414 (d)(3)(B)</b></p> <p><b>34 CFR 300.324</b> Development, review, and revision of IEP.</p>
<b>What Does it Mean?</b>	<p>For a student who is blind or visually impaired, the school shall provide for instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child.</p>
<b>What Needs to Happen?</b>	<p>For a child who is functionally blind or visually impaired to the extent that Braille instruction is determined necessary, the IEP team must consider:</p> <ul style="list-style-type: none"> <li>• evaluation of reading and writing skills</li> <li>• evaluation of needs</li> <li>• communication needs</li> <li>• appropriate reading and writing media</li> <li>• future needs for instruction in Braille or the use of Braille</li> </ul>
<b>What Parents Need to Know or Do</b>	<p>Understand your child's impairment and what he or she needs.</p> <p>Share with the IEP team what has and has not worked at home.</p>

Revocation of Consent	
<b>Citations</b>	23 IAC 226.540 34 CFR 300.300
<b>What Does It Mean?</b>	A parent may revoke consent for the district to provide special education services at any time after the initial consent for services has been provided. Revocation may be provided orally or in writing.
<b>What Needs to Happen?</b>	After the parent has revoked consent, the district must terminate all special education services to the student once the district has provided prior written notice to the parent that services will be terminated.
<b>What Parents Need to Know or Do</b>	<p>In most cases, all protections and rights given to parents of students with disabilities will be terminated along with the termination of special education services.</p> <p>School districts may not use procedures such as due process or mediation to dispute the parent's decision to revoke consent.</p> <p>If the parent changes his/her mind after revoking consent and after the district has provided prior written notice for terminating services, the district will need to evaluate the student's eligibility for special education again.</p> <p><i>If the parent disagrees with the services being provided to the student but does not disagree with the student's special education eligibility, the parent should initiate a complaint or request due process, rather than revoke consent.</i></p>

## Least Restrictive Environment (LRE)

Least Restrictive Environment	
<b>Citation(s)</b>	<p><b>34 CFR 300.114</b>, LRE requirements.</p> <p><b>34 CFR. 300.116</b>, Placements.</p> <p><b>34 CFR. 300.115</b>, Continuum of alternative placements.</p> <p><b>34 CFR.300.320</b>, Definition of individualized education program.</p> <p><b>34 CFR.300.107</b>, Nonacademic services.</p> <p><b>34 CFR.300.117</b>, Nonacademic settings.</p> <p><b>34 CFR 300.110</b>, Program options.</p> <p><b>34 CFR 300.327</b>, Educational placements.</p> <p><b>23 IAC 226.75</b> definitions.</p>
<b>What Does it Mean?</b>	<p>Students with disabilities must be educated with children who do not have disabilities as much as possible.</p> <p>Education placement decisions are made based on the student's needs and <b>may</b> include the following locations (<i>this is not an exhaustive list</i>):</p> <ul style="list-style-type: none"> <li>• General education</li> <li>• Resource room (Special class)</li> <li>• Self-contained room (Special classes)</li> <li>• Separate day school (Special Schools)</li> <li>• Residential program (Special Schools)</li> <li>• Hospital/homebound program.</li> </ul>
<b>What Needs to Happen?</b>	<p>Students with disabilities should be removed from general education classes to separate classes or special schools only if the disability is so severe that education in general education classes with supplementary aids and services is not satisfactory.</p> <p>Placement decisions are made by a group of persons, including the parents, who are knowledgeable about:</p> <ul style="list-style-type: none"> <li>• the student</li> <li>• the meaning of the evaluation data</li> <li>• the placement options</li> </ul>
<b>What Parents Need to Know or Do</b>	<p>Decide what educational supports the student needs.</p> <p>The first step when talking about placement is to adjust or modify the student's education program or provide extra supports. That way the student can continue to learn alongside the rest of the students in the general education program and regular classroom environment.</p> <p>The decision in every case is based on the individual needs of the student.</p>

## Secondary Transition

Secondary Transition	
<b>Citation(s)</b>	<p><b>34 CFR 300.43(a)</b>, Definition of transition services.</p> <p><b>23 IAC 226.230(c)</b>, Content of the IEP.</p> <p><b>23 IAC 226.750(c)</b>, Additional Services.</p> <p><b>23 IAC 226.690</b>, Transfer of Parental rights.</p> <p><b>105 ILCS 5/14-6.10</b>, (Section 14-6.10 of the School Code), Transfer of parental rights at the age of majority.</p> <p><b>23 IAC 226.50(c)</b>, Requirements for a Free Appropriate Public Education (FAPE).</p> <p><b>34 CFR 300.324(c)</b>, Development, review, and revision of IEP.</p> <p><b>23 IAC 226.230(d)</b>, Home-Based Support Services Program.</p>
<b>What Does it Mean?</b>	<p>Transition services are a coordinated set of activities and activities, services, experiences and instruction. Transition services should assist the student in moving from school to adult life activities including post-secondary education, vocational training, employment, adult education, adult services, and independent living.</p> <p>Students with disabilities who require continuing education experiences (e.g., transition services) to make a successful transition from school to adult life are eligible to continue through age 21 inclusive (until the day before his/her 22<sup>nd</sup> birthday).</p> <p>Students who have graduated with a regular diploma are <u>not</u> eligible to continue to receive a free and appropriate public education (FAPE).</p> <p>Students with disabilities who have fulfilled the minimum State graduation requirements (School Code – 105 ILCS 5/27-22) are eligible to receive a regular education diploma.</p>

Secondary Transition	
<b>What Needs to Happen?</b>	<p>The transition plan must include:</p> <ul style="list-style-type: none"> <li>• Appropriate, measurable post-secondary goals based upon age-appropriate assessments related to education, training, employment, and, where appropriate, independent living skills.</li> <li>• 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.</li> </ul> <p>The school district must provide the student with a copy of the Delegation of Rights at the IEP meeting in the year during which the student turns 17 years of age. The student can end the Delegation of Rights at any time otherwise it will be in effect for one year after the date of completing.</p> <p>At least one year before a student is to receive a regular high school diploma, the school district must send both the parent and student written notice that a diploma will be issued. The notice must explain that eligibility for special education services ends after the student receives the diploma. The notice should also explain that the parent or the student may request an IEP meeting to review the school district's recommendation.</p> <p>Students with disabilities can participate in graduation ceremonies while maintaining their rights to continued eligibility for special education services.</p> <p>The IEP Team must consider this section of the transition plan for students who have developmental disabilities. The IEP team should assist families in making a connection or linkage with their local Pre-Admission and Screening (PAS) Agency to first complete the "PUNS" (Prioritization of Unmet Needs data system) survey and an application packet that will be submitted to the Department of Human Services Division of Developmental Disabilities. The survey can be found at <a href="http://www.dd.illinois.gov/LocalAgency.cfm">http://www.dd.illinois.gov/LocalAgency.cfm</a> or you may call 1-888-DD-PLANS or 1-866-376-8446 (TTY).</p>
<b>What Parents Need to Know or Do</b>	<p>The student and his/her parents/guardian actively share their vision for life as an adult in the areas of employment, post-secondary education, community participation including recreation and health care, and independent living options such as an apartment, a dormitory or a supported living arrangement.</p> <p>Parents, families and guardians can assist in transition planning with the IEP Team by helping find the answers to questions about the student, including: long-range employment and life goals, interests and talents, learning styles, positive personality traits, achievements, social skills, work experiences (paid and unpaid) and where he/she might like to work, needs for accommodations and support, and options after high school (college, trade school, military, work, living arrangements, recreation, healthcare, etc.</p>

Transfer of Rights at Age of Majority	
<b>Citation(s)</b>	<p><b>34 CFR 300.320</b></p> <p><b>23 IAC 226.230</b>, Content of the IEP.</p> <p><b>23 IAC 226.690</b>, Transfer of parental rights.</p> <p><b>105 ILCS 5/146.10</b>, Transfer of parental rights at the age of majority.</p>
<b>What Does it Mean?</b>	<p>The rights and responsibilities for special education services that are given to parents will belong to the student at age 18.</p> <p>In addition, the district must inform the parents and student of the student's right to delegate decision-making to another adult individual.</p> <p>At least one year before turning 18, the parents and the student will receive notices in writing from the school about the change.</p>
<b>What Needs to Happen?</b>	<p>The district must document that the parents and the student received the notice and were told about the transfer of rights.</p> <p>The school must provide the student with a copy of the Delegation of Rights form. <a href="https://www.isbe.net/Documents/nc_deleg_34-57k.pdf">https://www.isbe.net/Documents/nc_deleg_34-57k.pdf</a></p>
<b>What Parents Need to Know or Do</b>	<p>At age 18, your child is now considered an adult and the rights you had are transferred, or given to them.</p> <p>The Delegation of Rights:</p> <ul style="list-style-type: none"> <li>• may be terminated by your child at any time</li> <li>• will remain in effect for one year</li> <li>• must be signed by the student and the designee</li> <li>• can be renewed each year</li> </ul> <p>The school must use the ISBE form or one that is almost the same.</p> <p>Prepare for transition by talking to your child early so that you can create a meaningful plan that reflects his/her preferences.</p>

## Behavior

Behavioral Intervention Plans (BIPs)	
<b>Citation(s)</b>	<b>23 IAC 226.230</b> , Content of the IEP.
<b>What Does it Mean?</b>	If a child's behavior gets in the way of his/her learning or the learning of other students, then the IEP team should consider the use of positive behavioral interventions and supports.
<b>What Needs to Happen?</b>	<p>Some students may need a behavioral intervention plan included in the IEP. The IEP of a student who requires a behavioral intervention plan (BIP) shall:</p> <ul style="list-style-type: none"> <li>• summarize the findings of the functional behavioral assessment;</li> <li>• summarize prior interventions implemented;</li> <li>• describe any behavioral interventions to be used, including those aimed at developing or strengthening alternative or more appropriate behaviors;</li> <li>• identify the measurable behavioral changes expected and methods of evaluation;</li> <li>• identify a schedule for a review of the interventions' effectiveness; and</li> <li>• identify provisions for communicating with the parents about their child's behavior and coordinating school-based and home-based interventions.</li> </ul>
<b>What Parents Need to Know or Do</b>	<p>Learn about functional behavioral assessments (FBAs) and Behavior Intervention Plans (BIPs).</p> <p>If you want to request an FBA, please do so in writing. It is also best to have someone at the school sign and date a copy of the letter or send it certified mail, return receipt requested.</p> <p>A plan to teach new behaviors with positive strategies is called positive behavioral interventions and supports (PBIS).</p> <p>A positive behavior intervention plan (BIP) is not a plan to discipline or punish but is a plan that is used to teach or reinforce positive behaviors.</p> <p>Ask for a BIP before your child gets into serious trouble.</p> <p>A BIP also details what the school staff should do to help the student be successful.</p> <p>Students are more successful when the same things happen at home and at school.</p>

## Discipline

In School Suspension	
<b>Citation(s)</b>	N/A
<b>What Does it Mean?</b>	When a student with an IEP receives an in-school suspension, he or she is removed from class for a specific number of days as a result of breaking school rules. The student is in the school building, but not attending classes.
<b>What Needs to Happen?</b>	The school must notify the parents immediately, and provide the parents with a full statement of the reasons for the suspension, and their right to a review of the decision.
<b>What Parents Need to Know or Do</b>	Often, an in-school suspension will include doing school work, without being in the classroom.  During the time the student with an IEP is in in-school suspension, the school is only required to provide educational services if the school district also provides educational services to non-disabled students in the same circumstances.

Out of School Suspension	
<b>Citation(s)</b>	<b>34 C.F.R. 300.530(a)</b>
<b>What Does it Mean?</b>	When a student with an IEP receives out-of-school suspension, he or she is removed from school for not more than 10 consecutive school days as a result of breaking school rules.  A student may receive additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct.
<b>What Needs to Happen?</b>	The school must notify the parents immediately, and provide the parents with a full statement of the reasons for the suspension, and their right to a review of the decision.

Out of School Suspension	
<b>What Parents Need to Know or Do</b>	<p>It's important for parents to understand why their child was suspended.</p> <p>You have the right to request a review of the decision to suspend your child.</p> <p>After a student with an IEP has been removed from his or her current placement for 10 school days in the same school year, the district must provide educational services during any additional suspensions, even if in another setting.</p> <p>Additionally, if the student is suspended for more than 10 school days in the same school year, the district is required to hold an IEP team meeting to review the student's behavioral intervention plan. If the student's IEP does not have a behavioral intervention plan, then one must be developed.</p> <p>Make sure your child received the services they need.</p> <p>Think of ways to assist the school in preventing your child from being suspended again.</p>

Manifestation Determination Review (MDR)	
<b>Citation(s)</b>	<p><b>20 U.S.C. Sec. 1415(k)</b></p> <p><b>34 C.F.R. 300.530(e)</b></p>
<b>What Does it Mean?</b>	<p>A meeting of the district, parent, and relevant members of the IEP team to decide if a student's behavior is a symptom of the disability.</p>
<b>What Needs to Happen?</b>	<p>If the student is removed for more than 10 consecutive school days, or if a series of removals totals more than 10 days in a school year, the MDR meeting needs to be held to decide if the student's behavior is a symptom of the disability.</p> <p>To make the decision, the district, parents and IEP team must look carefully at relevant information, including:</p> <ul style="list-style-type: none"> <li>• the IEP</li> <li>• information from the parents</li> <li>• observations of the student</li> <li>• new or existing evaluation results</li> </ul> <p>The team decides that behavior IS a manifestation of the disability if:</p> <ul style="list-style-type: none"> <li>• the behavior was caused by the disability, or had a direct and substantial relationship to the disability, OR</li> <li>• the behavior was a result of the school's failure to follow the IEP.</li> </ul>

### Manifestation Determination Review (MDR)

<b>What Parents Need to Know or Do</b>	<p>If the behavior IS a manifestation of the disability, then the team must do a functional behavioral assessment and develop a behavioral intervention plan. If a BIP already exists, the team must review it and make changes, if needed.</p> <p>Your child cannot be removed from his/her current placement unless you agree. However, if the incident involves a weapon or an illegal drug, the school district can still remove your child from the current placement, even if you disagree and even if the behavior is a manifestation of your child's disability.</p> <p>If the behavior is NOT a manifestation of the disability, the student can be disciplined as any other student would be, BUT the school must continue to provide educational services. During this time, your child needs to continue to make progress on his/her IEP goals and to participate in the general education curriculum.</p>
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### Removal for Drugs, Weapons or Serious Bodily Injury

<b>Citation(s)</b>	<b>34 C.F.R. 300.530(g)</b>
<b>What Does it Mean?</b>	<p>There are 3 situations where a district can remove a student from their current placement for not more than 45 school days, regardless of whether the behavior is a manifestation of the disability:</p> <p>If the student brought a weapon to school or to a school function; or if the student possessed a weapon at school or a school function.</p> <p>If the student knowingly has, uses, sells or tries to buy illegal or controlled substances at school or at a school function.</p> <p>If the student inflicted serious bodily injury on another person at school or a school function.</p>
<b>What Needs to Happen?</b>	<p>The district will call the police, and can move the student to an Interim Alternative Educational Setting for not more than 45 school days.</p> <p>The student's IEP team decides on the interim alternative educational setting.</p>
<b>What Parents Need to Know or Do</b>	<p>A parent who disagrees with the change in placement has the right to request an expedited due process hearing (see Chapter 10).</p>

## School Records

School Records	
<b>Citation(s)</b>	<p><b>34 CFR 300.322</b>, Parent Participation.</p> <p><b>34 CFR 300.306</b>, Determination of eligibility.</p> <p><b>34 CFR 300.613</b>, Access Rights.</p> <p><b>Family Educational Rights and Privacy Act (FERPA)</b>, (20 U.S.C. 1232g; 34 CFR Part 99).</p> <p><b>Illinois School Student Records Act</b>, 105 ILCS 10/1 and following.</p>
<b>What Does it Mean?</b>	<p>School records are confidential. Personal information (anything that identifies who the person is) may not be released without written consent unless it is:</p> <ul style="list-style-type: none"> <li>• given to school officials or teachers with a legitimate educational interest, State and local education authorities, or certain individuals designated under Federal Law.</li> <li>• used to meet a requirement under Federal Law.</li> </ul> <p>Personal information includes the following:</p> <ul style="list-style-type: none"> <li>• the name of the student, parent, or other family members</li> <li>• the home address</li> <li>• personal information , such as the student’s social security number</li> </ul>
<b>What Needs to Happen?</b>	<p>Schools must maintain the student’s permanent record for at least sixty (60) years after the student has transferred, graduated, or permanently withdrawn from school.</p> <p>All information not required in the student permanent record including special education information and reports, discipline issues including suspension or expulsion must be maintained for at least five (5) years after the student has transferred, graduated, or otherwise permanently withdrawn from school.</p> <p>Schools must provide custodial and non-custodial parents access to their children’s records unless there is a court order, law, or legal document (such as a divorce decree or custody order) that terminates a parent’s rights.</p> <p>Districts must keep a record of anyone who looks at the records. The record must state the name of the person reviewing the file, the date, and the reason for the review. Parents, the student’s teachers, or other school staff do not have to sign a record when reviewing the file.</p>

<b>School Records</b>	
<b>What Parents Need to Know or Do</b>	<p>Take the opportunity to examine all education records in your child’s file. Request an explanation of the documents in the file.</p> <p>Know where the records are kept.</p> <p>Review your child’s records before :</p> <ul style="list-style-type: none"><li>• transferring to another school</li><li>• participating in IEP meetings</li><li>• participating in a due process hearing</li></ul> <p>Request that a representative inspect and review the records.</p>

## Early Childhood Services

Early Childhood Services	
<b>Citation(s)</b>	<p><b>34 CFR 300.124</b>, Transition.</p> <p><b>23 IAC 226.260</b>, Transition.</p> <p><b>34 CFR 300.323</b>, When IEPs must be in effect.</p> <p><b>23 IAC 226.250</b>, IFSP.</p> <p><b>34 CFR 300.101</b>, Free appropriate public education (FAPE).</p>
<b>What Does it Mean?</b>	Children who have been receiving early intervention services have the right to a smooth and efficient transition into early childhood special education services when they turn 3.
<b>What Needs to Happen?</b>	By the third birthday of a child transitioning from early intervention, the school district must have eligibility determined and if eligible, an IEP developed and implemented.
<b>What Parents Need to Know or Do</b>	Stay in touch with the early intervention service coordinator and the school district staff as the child nears the third birthday and keep appointments for evaluations and meetings.

