



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

Honorable Christopher Koch
State Superintendent of Education
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777-0001

JAN 26 2011

Dear Dr. Koch:

This letter is to inform you of the results of the Office of Special Education Programs' (OSEP's) verification visit to the Illinois State Board of Education (ISBE) during the week of November 1, 2010. As indicated in our letter to you dated July 22, 2010, OSEP is conducting verification visits to a number of States as part of our Continuous Improvement and Focused Monitoring System (CIFMS) for ensuring compliance with, and improving performance under Part B of the Individuals with Disabilities Education Act (IDEA).¹ Section 616 of the IDEA requires the Department to monitor States with a focus on: (1) improving early intervention and educational results and functional outcomes for infants, toddlers, children, and youth with disabilities; and (2) ensuring that States meet the program requirements, particularly those most closely related to improving early intervention and educational results for children and youth with disabilities.

The purpose of the verification visit is to review the State's systems for general supervision, collection of State-reported data, and fiscal management, as well as the State's systems for improving child and family outcomes and protecting child and family rights. OSEP developed critical elements that were used to guide its evaluation of Illinois' general supervision, data, and fiscal systems. The Enclosure to this letter describes the scope of OSEP's review of the State's systems and briefly outlines relevant statutory and regulatory requirements for each critical element. Generally, the Enclosure to this letter does not include descriptions of the State's systems because this information is available on the State's Web site in its State Performance Plan (SPP). OSEP's analysis of each critical element and any required actions, if noncompliance was identified during the verification visit, are provided in the Enclosure to this letter. OSEP found noncompliance, and has required corrective action in the following areas: (1) the State did not verify correction of noncompliance by ensuring that each local educational agency (LEA) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system as required by IDEA sections 612(a)(11) and 616, 34 CFR §§300.149 and 300.600, 20 U.S.C. 1232d(b)(3)(E) and OSEP Memorandum 09-02, Reporting on Correction of Noncompliance in the Annual Performance Report Required under Sections 616 and 642 of the Individuals with Disabilities Education Act, dated October 17, 2008; (2) the State was not ensuring that LEAs were conducting resolution meetings within 15 days from receipt of a parent's due process complaint; (3) the State was not ensuring that hearing officers were granting timely, specific extensions of the timeline for due process hearing decisions as required in 34 CFR §§300.510(a) and 300.515(a) and (c); (4) the State did not require that each LEA annually report to ISBE on: (a) the number of children served under 34 CFR §300.226 who received early intervening services; and (b) the

¹ During the week of November 1, 2010 OSEP also conducted its Part C verification visit to the Illinois Department of Human Services (DHS). OSEP is sending the Part C verification letter and enclosure to DHS under separate cover.

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number of children served with coordinated early intervening services CEIS funds who received early intervening services and subsequently received special education and related services during the preceding two-year period; (5) the State did not report on the number of children with disabilities participating in regular assessments that were provided accommodations in order to participate in those assessments consistent with IDEA section 612(a)(16)(D) and 34 CFR §300.160(f); and (6) the State was not including all sources of State financial support in calculating State-level funds made available for special education and related services for children with disabilities as required in section 612(a)(18)(A) of the IDEA and 34 CFR §300.163(a).

OSEP would like to recognize several improvement initiatives being implemented in the State that are designed to improve results for children and youth with disabilities. ISBE described multiple procedures and practices employed to improve educational results and functional outcomes for students with disabilities throughout the State. In the SPP, ISBE described its improvement activities, and focused technical assistance that the State provides to LEAs. ISBE has created training modules, podcasts and webinars, uses a statewide school transition consultant, has “indicator” teams, and provides on-site training to LEAs. ISBE evaluates its improvement activities four times each year, and examines indicator-specific data, to determine which of its improvement activities are reaching the intended target audience, and uses that information to assess whether the State should maintain, modify, or discontinue each activity. ISBE has been recognized nationally regarding its process for evaluating improvement activities.

ISBE has implemented the State’s “Preschool for All” initiative to help ensure that preschool-aged children with disabilities receive, to the maximum extent appropriate, services with typically developing peers. This program is funded through a State grant, and includes both children with disabilities and without disabilities. The State has also developed its “When I’m 3, Where Will I Be?” initiative to assist with infants and toddlers and their parents who are preparing to transition to preschool.

Additionally, OSEP appreciates the cooperation and assistance provided by your State staff and others, including staff from the Family Matters Parent Training and Information Center, and parents of children and youth with disabilities in providing feedback and input on the State’s systems for special education. We look forward to collaborating with all stakeholders and actively working with the State to improve results for children and youth with disabilities and their families. If you have any questions or wish to request technical assistance, please do not hesitate to call your OSEP State Contact, Kate Moran, at 202-245-7315.

Sincerely,



Melody Musgrove, Ed.D.

Director

Office of Special Education Programs

Enclosure

cc: Elizabeth Hanselman
State Director of Special Education