

John Powers Center



SEDOL STUDENT HANDBOOK 2022-2023

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John Powers School reserves the right to change, without any requirement of notice, any statement in this handbook concerning, but not limited to, the practices of the organization. It is the policy of John Powers School not to discriminate against any individual on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, age, disability, or veteran status in matters of employment in the educational programs, student services or activities they operate. **This handbook provides only a summary of board policies governing the District. Board policies are available to the public at the District office and on its website.**

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General District Information

Overview

The John Powers Center is one of several programs within the Special Education District of Lake County. SEDOL serves children with special needs from 31 member districts throughout Lake County. Parents must register their child in their local school district, and then the local school district pays tuition to SEDOL for the child's education within the John Powers Center Program. Each district is responsible for providing their own transportation service for students in special programs. The John Powers Center is a public school program that serves students with special needs throughout Lake County.

Mission

SEDOL's mission is Exceptional Services for Exceptional Students by Exceptional Staff.

Vision

SEDOL's vision is for all learners to lead productive, responsible, and healthy lives.

Our Beliefs

- All persons shall be valued and treated with respect and dignity;
 - All students can succeed;
- Students shall be educated in or as close to their home school as appropriate;
 - Students shall be provided services based upon their individual needs;
 - Quality educational services shall be made available to all students; and,
- Schools, families, and communities shall work cooperatively to provide and promote appropriate educational services for all students.

Free Appropriate Public Education

SEDOL School Board Policy 6:120

The District shall provide a free appropriate public education in the least restrictive environment and necessary related services to all children with disabilities enrolled in the District, as required by the Individuals With Disabilities Education Act (IDEA) and implementing provisions of the School Code, Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act. The term children with disabilities, as used in this policy, means children between ages 3 and 21 (inclusive) for whom it is determined, through definitions and procedures described in the Ill. State Board of Education (ISBE) Special Education rules that special education services are needed.

Registration/School Fees

Parents/guardians must register students in their home school districts on an annual basis. Please look for notification of registration by mail or in local newspapers and go to the assigned school or district office to register the student. If you do not receive notification of registration, please call your local school for information. School fees are to be paid to your local school district. SEDOL does not assess a registration fee. Please refer to your local district policy for waiver of school fees.

School Wellness

SEDOL School Board Policy 6:50 SEDOL School Procedures 6:50-AP1

All SEDOL schools adhere to the guidelines and requirements described in the District Wellness Policy. This policy includes topics such as goals for nutrition education and physical activity as well as nutrition guidelines for foods. For additional information refer to SEDOL policy documents listed above.

Emergency Forms and Waivers

A copy of the emergency form is to be completed in full each school year, providing requested information to secure the health and safety of each child. It is vital that you include all of the required information on the emergency forms. It is very important that you provide us with the name of someone whom you wish to be notified in an emergency, in case we are unable to contact you. Please print clearly on the forms so they are legible. If you provide an alternate emergency person, please make sure that they are aware. Please notify the school office in writing if and when any information changes during the school year.

General School Information

School hours

Early Childhood is 8:30 to 2:20
Kindergarten to 5th grade is 8:30 to 3:05
Middle school is 7:15 to 2:10

Meal Program

SEDOL School board Policy 4:120
SEDOL School Procedures 4:120 AP

John Powers Center provides a hot lunch daily for \$3.10. If a lunch is not purchased, students should attend daily with a ready-to-eat sack lunch. Checks should be made out to SEDOL. Cash is accepted, credit cards will not be accepted.

Your child may qualify for the federal free or reduced lunch program. An application form which is included in the packet must be completed and returned to the school.

If an approved application is not on file with the school, your student will not be eligible for free/reduced lunch. (SEDOL School Board Policy 4:130)

Attendance Rules

Attending school every day contributes to the successful school experience. Unnecessary absences are discouraged. Parents/guardians are responsible for making sure that their child attends school. Parents/guardians must notify the school in advance or at the time of the absence with the reason and length of absence. Valid absences include illness, observance of a religious holiday, death in the immediate family, family emergency, situations beyond the control of the student, and circumstances that cause reasonable concern to the parent/guardian for the student's safety or health.

Closed Campus

SEDOL is a closed campus facility. Students are not permitted to leave the school building without a staff member or parent. If a student leaves the building, the staff will attempt to redirect the student back into the building. Students walking off school grounds who are under the age of 18 may be subject to a truancy ticket written by the school's resource officer.

Notification of Absence

SEDOL School Policy 7:70
SEDOL School Procedures 7:70AP

If a child is absent, the school requires parents/guardians to call the school's attendance line any time. The following information is required when reporting an absence: name of child, teacher's name, reason for absence, and person reporting the absence. Call the number listed below to report an absence.

John Powers Center	847-986-7000
Nursing Office	847-986-7034

Late Drop Off/Early Pick-up

School Board Policy 7:90
SEDOL School Procedure 7:90 AP

Students who are late to school must check into the office before going to class so they can be counted as present. If the office is unaware of that student's presence, an unnecessary and sometimes frightening telephone call is made to parents. Parents should sign-in their child in the office upon arrival.

All students must have a parent or other parent-designated adult sign them out in the office if they need to leave early or if a parent is picking them up early. When you come to pick up your child we ask that you "sign out" your child in the office so that we have a record of when and with whom he/she left the building. Students must be dismissed to the care of a parent, guardian or other parent-designated adult.

Excused/Unexcused Absences

SEDOL School Board Policy 7:70
SEDOL School Procedure 7:70AP

- Absences shall be considered unexcused if a call is not received with a valid reason for absence.
- It is the decision of the school, rather than the parent/guardian, what determines if an absence is excused or unexcused.
- If a student is absent from school due to the observance of a religious holiday, that student will have an equal opportunity to make up any school requirements missed due to absence. (SEDOL procedure 7:80AP)
- NON-PARTICIPATION IN EXTRACURRICULAR ACTIVITIES: If students are absent from school for ANY PART of the school day due to illness, they will not be permitted to participate in extracurricular activities scheduled after school, such as dances, athletics, performances, etc. Other absences, which arise due to appointments or other circumstances, will be evaluated on an individual basis at the discretion of the administration.

- If a student is chronically absent and the absences are determined to be unexcused, SEDOL board policy will be followed. Staff may also make a referral to Lake County Regional Office of Education for chronic truancy and attendance issues.
- Excused absences include:
 - illness
 - court appearance
 - death in the family
 - unavoidable doctor's appointments
 - family emergency as determined by school officials
 - religious holiday

Non-Student Attendance Days

Throughout the school year there will be days scheduled that students will not attend or will be released early. Please refer to the school calendar in your packet or on the school website. Early release and non student attendance days are used for the purpose of staff development and staff IEP collaboration.

Emergency School Closing

When snow or other circumstances cause our schools to close, the automated emergency calling system will send a message to the telephone number or email address provided by each family. Please be sure contact information is current. The system is also capable of sending a text message. Information will also be posted on the school website. Information can be accessed through the SEDOL website at www.sedol.us or call SEDOL 847-548-8470.

You may also access information on school closings by listening and watching the following radio and news stations:

- | | |
|----------------|---------------------------|
| * WMAQ 670(AM) | * WKRS 1220 (AM) |
| * WGN 720 (AM) | * WXLC 102.3 (FM) |
| * WBBM 78 (AM) | * CBS, FOX, WGN, and CLTV |

Additional information may also be available by calling John Powers Center.

Even if schools are open, the final decision about a child's attendance remains with the parent. A decision to close or open school cannot take into account every circumstance. We can best protect the safety and welfare of all students if parents decide what is best for their child.

Information may also be posted on the Hawthorn District 73 website at www.hawthorn73.org. Please be aware that if you hear that SEDOL schools are closed this DOES NOT mean that Powers Center is closed. Powers Center follows the Hawthorn District 73 calendar. If District 73 is closed, then Powers Center is closed. If District 73 is open, then Powers Center is open.

Distance Learning/Hybrid Learning

PA 101-0642 requires SEDOL and all other Illinois public schools to “adopt a Remote and Blended Remote Learning Day Plan approved by the district superintendent.” Full details of SEDOL’s plan can be found by clicking the following link: [SEDOL's Hybrid and Distance Learning Plan](#)

Distance Learning Notice

This distance learning notice is provided to all students who receive instructional and/or related services from the Special Education District of Lake County (SEDOL). During distance learning times, your child’s teacher and/or related service provider will be providing services via teleconference or videoconference. Your child will continue to receive the areas of instruction related service that are listed in their IEP (e.g. speech therapy, occupational therapy, social work). Individual and/or group instruction/therapy will be provided through Google Meet.

Participation in the sessions are subject to the following:

- SEDOL’s Acceptable Use Policy for Technology is applicable.
- Students should participate in as private a location in their home as possible.
- Students should wear headphones/earbuds to limit audio transmissions to themselves.
- Students, parents, guardians, and/or caregivers may not audio or video record the sessions. SEDOL staff will not record the session, unless providing a separate notice to parents/guardians prior to the session.
- SEDOL cannot control or guarantee an end user’s (student’s) ability to maintain privacy or confidentiality of communication during the session.
- While SEDOL staff will activate available privacy and encryption settings on the application used to support the teleconference or videoconference, SEDOL cannot guarantee the application cannot or will not be subject to unauthorized third party access (e.g., hackers).
- Information about the identified application to be used can be found at: <https://gsuite.google.com/products/meet/>

Illness Procedures/Self-Certification

Any individual who tests positive for COVID-19 or who shows any signs or symptoms of illness should stay home. Families and staff should report possible cases to the school nurse where the individual attends or works to initiate contact tracing. SEDOL will follow CDC and IDPH guidelines regarding return to school.

We encourage all parents to take a temperature reading and check for COVID-19 symptoms each morning your child will be present in our buildings. Students with a fever or any of the symptoms below should stay home and seek medical advice. By sending your child to school, you are certifying the following:

- That your child does not have a fever over 100.4 degrees.
- That your child does not have any of the following conditions related to COVID-19:
 - New Cough

- Shortness of breath or difficulty breathing
- Fatigue from unknown cause
- Muscle or body aches
- New onset of a moderate to severe headache
- New loss of taste or smell
- Sore throat
- Vomiting
- Diarrhea

Social Distancing

SEDOL has developed procedures to ensure 6-foot physical distance from other persons as much as possible. The expectation pertains to students and staff members in all areas and settings to the greatest extent possible. SEDOL will post visual reminders throughout school buildings and lay down tape or other indicators of safe distances in areas where students congregate or line up (e.g., arrival and departure, lunchroom lines, hallways, recess lines, libraries, and cafeterias).

Visitors

Visitors will be restricted to authorized personnel only. Visitors to any building must always wear an appropriate and approved face covering and report directly to the main office for a wellness screening, including a temperature check. Visitors will remain in the main office or other designated area for the duration of the visit.

Restrooms

SEDOL will maintain social distancing in restroom areas by only one person in the bathroom at a time. Schools will schedule restroom breaks and escort individual classrooms to the restroom area to monitor social distancing, as appropriate.

Water Fountains

Please use reusable water bottles. Water fountains are closed except for filling stations.

Cafeteria/Food Service

Meals will be delivered to classrooms while ensuring social distancing is implemented. Classrooms should be disinfected after eating prior to resuming classroom activities. Meals will be individually plated and no food items should be shared. Students are able to bring their own lunches, but microwaves and fridges are not available unless medical documentation is on file. Additionally, any food preparation such as blending will require medical documentation to be on file.

Student Services

SEDOL will adhere to timelines for annual IEP meetings and required evaluations. All Individuals with Disabilities Act (IDEA) and Section 504 timelines remain in effect. IEP teams

should meet to determine whether any amendments to the IEPs are necessary to address current levels of a student's performance.

Nursing and Medical

Medical Overview

Children's health is a key element in positive educational outcomes. The goal of SEDOL Health Services is to promote, protect, support, improve, and sustain the health, emotional well-being, and safety of all students and staff for optimal learning and quality of life. This is accomplished in collaboration with students, families, staff, administrators, and community resources.

“School nursing is a specialized practice of professional nursing that advances the well being, academic success and lifelong achievement of students. To that end, school nurses facilitate positive student responses to normal development, promote health and safety, intervene with actual and potential health problems, provide case management services and actively collaborate with others to build student and family capacity for adaptation, self management, self advocacy and learning” - National Association of School Nurses.

Medication Procedure Overview

SEDOL School Board Policy 7:270
SEDOL School Procedure 7:270AP

If it is necessary for a student to take medication at school, the Parental Medication Request Form must be completely filled out and signed by the physician and parent. No medications (prescription or over-the-counter) can be given without a physician's order. The medication must be in a current prescription bottle with the student's name, medication name, correct dose, time to be given, and physicians name on it. Non-prescription medication must be in a new, sealed package. Medications will be kept at school until a refill is needed. The school has a refrigerator for medications that need to be kept cold.

Physician orders will be needed for:

- Medications
- Nebulizer treatments
- Suctioning *Epi-pens
- G-tube feeding *Oxygen Therapy
- Wound care

Asthma/ Anaphylaxis Medications: In accordance with 105 ILCS 5/22-30 (P.A. 94-0792: effective May 19, 2006) the school will permit, the self-administration of medication by a pupil with asthma or use of an epinephrine auto-injector by a pupil at risk of anaphylaxis. SEDOL is required to notify parents/guardians after the administration of any epi-pen, and to notify the prescribing doctor within 24 hours after the administration of any undesignated epi-pen.

Administration of medication, including asthma medication, epinephrine auto-injectors to students, and opioid antagonist: In accordance with 105 ILCS 5/10-20.14b, 10-22.21b, 22-30 (P.A. 94-0792: effective May 19, 2006) the school will permit, the self-administration of medication by a pupil with asthma or use of an epinephrine auto-injector by a pupil at risk of anaphylaxis. SEDOL is required to notify parents/guardians after the administration of any epipen, and to notify the prescribing doctor within 24 hours after the administration of any undesignated epi-pen. The school district, school, and its employees and agents are exempt from liability or professional discipline, except for willful and wanton conduct, as a result of any injury arising from the administration of asthma medication, an epi-pen (whether or not undesignated), or an opioid antagonist. The parents /guardians must sign and return an acknowledgement to the school district that they indemnify and hold harmless the school district, school, and its employees and agents against any claims, except for a claim based on willful and wanton conduct arising out of the administration of asthma medication, an epi-pen (whether or not undesignated), or an opioid antagonist.

The school district, school, and its employees and agents are exempt from liability or professional discipline, except for willful and wanton conduct, as a result of any injury arising from a student's self administration of any medication pursuant to a student's authorized self administration of medication plan (i.e., IEP, Section 504 plan, Individual Health Care Action Plan, asthma action plan, or Illinois Food Allergy Emergency Action Plan and Treatment Authorization Form). Parents/guardians must sign and return an acknowledgement to the school district that they indemnify and hold harmless the school district, school, and its employees and agents against any claims, except for a claim based on willful and wanton conduct, arising out of the self-administration of medication by a student.

Parents/guardians will be notified following administration of asthma medication, an epinephrine injector, an opioid antagonist, or an glucagon.

Seizure Smart School Act: (105 ILCS 150/1 et seq.) SEDOL complies with all required components of the Seizure Smart School Act. Parents are required to submit a Seizure Action Plan to the school district and to sign an authorization, release, and acknowledgement form.

Concussions and head injuries: (105 ILCS 5/22-80; 105 ILCS 25/1.15) SEDOL complies with the concussion protocols, policies, and bylaws of the Illinois High School Association, including its Protocol for NFHS Concussion Playing Rules and its Return to Play Policy. (School Board Policy 7:305)

Communicable and Infectious Diseases: (School Board Policy 7:280). A student with or carrying a communicable and/or chronic infectious disease has all rights, privileges, and services provided by law and the district's policies.

Parent's Role and Responsibilities for their Child's Health

In the event that your child's health status changes at school, arrangements for your child's transportation from school to home must be in place. If transportation is not available to parents and/or caregiver alternative arrangements must be made. All persons listed as Emergency Contacts must be available to pick up your child from school and must be comfortable caring for him/her. It is expected that any person called to pick up your child will arrive at school within an hour of the initial call from the school Nurse.

All parents/guardians are expected to inform SEDOL nursing when there is a change in the health status of their child or when there has been a change in the dosage of medications prescribed. In addition, the school nurse must be informed when there is a change in the phone number of emergency contacts. It is important for the safety and well being of your child that emergency contact information be kept current throughout the year.

Clarification of Physical Restrictions: A statement from one's physician explaining any physical restrictions must be kept on file in the nurse's office for every student requiring special consideration, i.e. casts, crutches, diabetics, heart conditions, seizure disorders, medication, etc. For students to be excused from participation in physical education class because of health reasons for any period longer than three days, they must have a note from their physician.

Observe your child for signs of illness: fever, coughing, runny nose, eye discharge, sore throat, swollen glands in the neck, skin rash, unusual pallor, dizziness, nausea, vomiting, diarrhea, aches (such as earache, backache, stomach ache) or pain. If your child exhibits any of these symptoms, please keep him/her home from school. If a child is not feeling well enough to participate in school activities, the parent will be notified to take their child home.

Note: According to the American Academy of Pediatrics 2006 Red Book: Report on Infectious Diseases, a "fever" is defined as a temperature of 100 degrees Fahrenheit or greater. Our district policy concerning students with fevers is that the student cannot return to school until he/she has been fever free without the use of medication for 24 hours. (School Board Policy 7:280)

In accordance with Care of Students with Diabetes Act (105ILCS 145/1), SEDOL requires a diabetes care plan as necessary. (SEDOL School Board Procedure 6:120 AP4, 7:285E1c)

SEDOL adheres to the food allergy guidelines. (105ILCS 5/2-3.149, SEDOL School Board Policy 7:285)

Medicaid

See Appendix A

Written notice will be provided to parents of children with disabilities of all of their legal protections when public agencies seek to access public benefits or insurance (e.g. Medicaid) to pay for services required under the IDEA.

The initial notice (to be provided prior to access) and subsequent notices will contain the following information:

- The personally identifiable information may be disclosed
- The purpose of the disclosure (e.g. billing for service)
- The agency to which disclosure will be made (e.g. Medicaid)
- The following no-cost statements:
- Parents may not be required to enroll in public benefits in order for their child to receive FAPE
- Parents may not be required to incur out-of-pocket expenses such as a deductible or co-pay

- A district may not use a child's benefits if that use would decrease lifetime coverage, increase premiums, result in the family paying for services that would otherwise be covered, or risk loss of eligibility for certain waivers.
- The parents have the right to withdraw their consent at any time
- The withdrawal of consent or refusal to consent does not relieve the district of its obligation to provide all required services at no cost to parents.

State of Illinois Requirements

School Board Policy 7:100

Required Health Examinations, Immunizations, and Exclusion of Students

A student's parent(s)/guardian(s) shall present proof that the student received a health examination, with proof of the immunizations against, and screenings for, preventable communicable diseases, as required by the Illinois Department of Public Health (IDPH), within one year prior to:

1. Entering kindergarten or the first grade;
2. Entering the sixth grade (age 11) and ninth grade (age 15); and
3. Enrolling in an Illinois school, regardless of the student's grade (including nursery school, special education, Head Start programs operated by elementary or secondary schools, and students transferring into Illinois from out-of-state or out of country).

Proof of immunization against meningococcal disease is required for students in grades 6 and 12.

As required by State law:

1. Health examinations must be performed by a physician licensed to practice medicine in all of its branches, an advanced practice nurse who has a written collaborative agreement with a collaborating physician authorizing the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the performance of health examinations by a supervising physician.
2. A diabetes screening is a required part of each health examination; diabetes testing is not required.
3. Beginning with the 2017-18 school year, an age-appropriate developmental screening and an age-appropriate social and emotional screening are required parts of each health examination. A student will not be excluded from school due to his or her parent/guardian's failure to obtain a developmental screening or a social and emotional screening.
4. Before admission and in conjunction with required physical examinations, parent(s)/guardian(s) of children between the ages of one and seven years must provide a statement from a physician that their child was "risk-assessed" or screened for lead poisoning.
5. The IDPH will provide all students entering sixth grade and their parent(s)/guardian(s) information about the link between human papilloma-virus (HPV) and HPV-related cancers and the availability of the HPV vaccine.
6. The District will provide informational materials regarding influenza, influenza vaccinations, meningococcal disease, and meningococcal vaccinations developed, provided, or approved by the IDPH when it provides information on immunizations,

infectious diseases, medications, or other school health issues to students' parent(s)/guardian(s).

Vision Exams: The state of Illinois requires mandatory vision examinations of all students entering school in kindergarten (or grade 1) or transferring from a school outside of Illinois. Please have your optometrist or ophthalmologist complete the State of Illinois Eye Exam Report and return it to your school nurse prior to October 15. If you are unable to obtain the required vision examination, please complete the Illinois Eye Exam Waiver Form, which is available from your school nurse.

Vision Screenings: Vision screening is not a substitute for a complete eye and vision evaluation by an eye doctor. Your child is not required to undergo this vision screening if an optometrist or ophthalmologist has completed and signed a report form indicating that an examination has been administered within the previous 12 months.

Dental Exams: Illinois law requires all students in kindergarten, second grade and sixth grade present proof of a completed dental examination by a licensed dentist before May 15 of the current school year in accordance with rules adopted by the Illinois Department of Public Health. Parents/Guardians will be provided notice, at least 60 days before May 15th of each school year.

Religious Objection: The parent or legal guardian of a student may object to health examination, immunization, vision and hearing screening tests, and dental examinations for their child on religious grounds. If a religious objection is made, a written and signed statement from the parent or legal guardian detailing such objections must be presented to the local school authority.

The objection must set forth the specific religious belief which conflicts with the examination, immunization or other medical intervention. The religious objection may be personal and need not be directed by the tenets of an established religious organization. A general philosophical or moral reluctance to allow examinations will not provide a sufficient basis for an exception to statutory requirements. The local school authority is responsible for determining whether the written statement constitutes a valid religious objection.

Medical Objection: Any medical objection to an immunization must be made by a physician licensed to practice in all branches of medicine. The medical statement must include the student's medical condition and must be endorsed and signed by the physician on the certificate of child health examination and placed in the child's permanent record. Should the condition of the child later permit immunization, this requirement will then have to be met.

Vision and/or Dental exemption: Eye examination and/or dental requirement if the student's parents/guardians show an undue burden or lack of access to a physician licensed to practice medicine in all of its branches who proves eye examinations or a licensed optometrist or dentist.

Homeless Child: Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce immunization and health records normally required for enrollment.

CPR-AED Training

SEDOL Board Policy 4:170

SEDOL Board procedure 4:170 AP6 E1& E3

Parents have an opportunity to view a CPR-AED training video, all are encouraged to take advantage of this resource. This video may be viewed at the following website: http://www.isbe.net/asx/2012/hands_only_CPR_081312.asx

Code of Conduct Overview

SEDOL School Board Policy 7:170
SEDOL School Board Policy 7:190
SEDOL School Board Policy 7:230
SEDOL School Procedure 7:230AP

Student Behavior

School Board Policy 7:190

Students are expected to conduct themselves in accordance with School Rules and the behavioral expectations of their IEP while in school. Administration and/or the classroom therapeutic team will determine consequences for gross misconduct on an individual basis identified below.

Behavioral Expectations and School Rules

The school administration is authorized to discipline students for gross disobedience or misconduct, which includes behavior on school property and/or school transportation at any time, including, but not limited to:

1. Using, possessing, distributing, purchasing, or selling tobacco or nicotine materials, including without limitation, electronic cigarettes.
2. Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who are under the influence of an alcoholic beverage are not permitted to attend school or school functions and are treated as though they had alcohol in their possession.
3. Using, possessing, distributing, purchasing, or selling, or offering for sale:
 - a. Any illegal drug, controlled substance, or cannabis (including marijuana and hashish).
 - b. Any anabolic steroid unless being administered in accordance with a physician's or licensed practitioner's prescription.
 - c. Any performance-enhancing substance on the Illinois High School Association's most current banned substance list unless administered in accordance with a physician's or licensed practitioner's prescription.
 - d. Any prescription drug when not prescribed for the student by a physician or licensed practitioner, or when used in a manner inconsistent with the prescription or prescribing physician's or licensed practitioner's instructions.
 - e. Any inhalant, regardless of whether it contains an illegal drug or controlled substance: (a) that a student believes is, or represents to be capable of, causing intoxication, hallucination, excitement, or dulling of the brain or nervous system, or (b) about which the student engaged in behavior that would lead a reasonable person to believe that the student intended the inhalant to cause intoxication, hallucination, excitement, or dulling of the brain or nervous system.

- f. Any substance inhaled, injected, smoked, consumed, or otherwise ingested or absorbed with the intention of causing a physiological or psychological change in the body, including without limitation, pure caffeine in tablet or powdered form.
- g. “Look-alike” or counterfeit drugs, including a substance that is not prohibited by this policy, but one: (a) that a student believes to be, or represents to be an illegal drug or controlled substance; or (b) about which a student engaged in behavior that would lead a reasonable person to believe that the student expressly or impliedly represented to be an illegal drug or controlled substance, or other substance that is prohibited by this policy.
- h. Drug paraphernalia, including devices that are or can be used to: (a) ingest, inhale, or inject cannabis or controlled substances into the body; and (b) grow, process, store, or conceal cannabis or controlled substances.
- i. Any non-prescription drugs.

Students who are under the influence of any prohibited substance are not permitted to attend school or school functions and are treated as though they had the prohibited substance, as applicable, in their possession.

- 4. Using, possessing, controlling, or transferring a “weapon” as that term is defined in the *Weapons* section of this policy, or violating the *Weapons* section of this policy.
- 5. Using or possessing a laser pointer unless under a staff member’s supervision and in the context of instruction.
- 6. No using or possessing an electronic paging device or any electronic device that has picture or texting capabilities. Using a cellular telephone, video recording device, personal digital assistant (PDA), or other electronic device in any manner that disrupts the educational environment or violates the rights of others, including using the device to take photographs, specifically in locker rooms or bathrooms, cheat or otherwise violate student conduct rules. Prohibited conduct specifically includes, without limitations, creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person through the use of a computer, electronic communication device, or cellular phone. Unless otherwise banned under this policy or by the Building Principal, all electronic devices must be kept powered-off and out-of-sight during the regular school day unless: (a) the supervising teacher grants permission; (b) use of the device is provided in a student's individualized education program (IEP); or (c) it is used during the student's lunch period, or (d) it is needed in an emergency that threatens the safety of students, staff, or other individuals.
- 7. Disobeying rules of student conduct or directives from staff members or school officials. Examples of disobeying staff directives include refusing a District staff member's request to stop, present school identification, or submit to a search.
- 8. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, altering report cards, and wrongfully obtaining test copies or scores.
- 9. Engaging in hazing or any kind of bullying or aggressive behavior that does physical and psychological harm to a staff person or another student, or urging other students to engage in such conduct (See Appendix **B** for sample of parent notification form). Prohibited conduct specifically includes, without limitation, any use of violence, intimidation, force, noise, coercion, threats, stalking, harassment, sexual harassment, public humiliation, theft or destruction of property, retaliation, hazing bullying, bullying using a school computer or a school computer network, or other comparable conduct.
- 10. Engaging in any sexual activity, including without limitation, offensive touching, sexual harassment, indecent exposure (including mooning), and sexual assault. This does not include the non-disruptive: (a) expression of gender or sexual orientation or preference, or (b) display of affection during non-instructional time.

11. Teen dating violence, as described in Board Policy 7:185, *Teen Dating Violence Prohibited* is prohibited.
12. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's personal property.
13. Entering school property or a school facility without proper authorization.
14. In the absence of a reasonable belief that an emergency exists, calling emergency responders (such as calling 911); signaling or setting off alarms or signals indicating the presence of an emergency; or indicating the presence of a bomb or explosive device on school grounds, school bus, or at any school activity.
15. Being absent without a recognized excuse; State law and Board policy regarding truancy control will be used with chronic and habitual truants.
16. Being involved with any public school fraternity, sorority, or secret society, by: (a) being a member; (b) promising to join; (c) pledging to become a member; or (d) soliciting any other person to join, promise to join, or be pledged to become a member.
17. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia. Violating any criminal law, such as assault and battery, arson, theft, gambling, and hazing.
18. Violating any criminal law, including but not limited to, assault, battery, arson, theft, gambling, eavesdropping, vandalism, and hazing.
19. Making an explicit threat on an Internet website against a school employee, a student, or any school-related personnel if the Internet website through which the threat was made is a site that was accessible within the school at the time the threat was made or was available to third parties who worked or studied within the school grounds at the time the threat was made, and the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of his or her duties or employment status or status as a student inside the school.
20. Operating an unmanned aircraft system (EJAS) or drone for any purpose on school grounds or at any school event unless granted permission by the Superintendent or designee.
21. Engaging in any activity, on or off campus, that interferes with, disrupts, or adversely affects the school environment, school operations, or an educational functions, including but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property.

For purposes of this policy, the term "possession" includes having control, custody, or care, currently or in the past, of an object or substance, including situations where the item is: (a) on the student's person; (b) contained in another item belonging to, or under the control of, the student, such as in the student's clothing, backpack, or automobile; (c) in a school's student locker, desk, or other school property; or (d) at any location on school property or at a school-sponsored event. Efforts, including the use of positive interventions and supports, shall be made to deter students, while at school or a school-related event, from engaging in aggressive behavior that may reasonably produce physical or psychological harm to someone else. The Superintendent or designee shall ensure that the parent/guardian of a student who engages in aggressive behavior is notified of the incident. The failure to provide such notification does not limit the Board's authority to impose discipline, including suspension or expulsion, for such behavior.

No disciplinary action shall be taken against any student that is based totally or in part on the refusal of the student's parent/guardian to administer or consent to the administration of psychotropic or psychostimulant medication to the student.

Weapons

Subject to SEDOL's Special Education policies and procedures, a student who is determined to have brought one of the following objects to school, any school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school shall be expelled for a period of at least one calendar year but not more than two calendar years

- A firearm, meaning any gun, rifle, shotgun, or weapon as defined by Section 921 of Title 18 of the United States Code (18 U.S.C 921), firearm as defined in Section 1.1 of the Firearm Owner Identification Card Act (430 ILCS 65/), or firearm as defined in Section 24-1 of the Criminal Code of 1961 (720 ILCS 5/24-1).
- A knife, brass knuckles, or other knuckle weapon regardless of its composition, a "billy club", or any other object if used or attempted to be used to cause bodily harm, including "look-alike" of any firearm as defined above.

Any incident of possession of a "weapon" at school will result in a police contact and contact made with the home school district. An investigation will follow and recommendations for response will be made by the team.

Gangs or Gang-Related Activities

School Board Policy 7:190 AP2

SEDOL prohibits the presence of gangs, gang activities, or other undesirable groups that by their nature interfere with and/or disrupt school and school activities. A gang is defined as any group of two or more persons not affiliated with school or school sponsored activities whose purposes include the disruption of the learning environment and/or the commission of illegal acts.

It is the school's position that no student on or about the school premises or at any school activity shall engage in the following:

- Wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign, or other item which is evidence of membership or affiliation in any gang;
- Commit any act, or use any speech, either verbal or non-verbal (gestures, handshakes, etc.) showing membership in or affiliation with a gang;
- Use any speech or commit any act to further the interests of any gang or gang activity, including but not limited to:
 - Soliciting others for membership in any gangs;
 - Requesting any person to pay protection or otherwise intimidating or threatening any person;
 - Committing any other illegal act or other violation of school district policies;
 - Inciting other students to act with physical violence upon any other person.
 - Students in violation will be subject to disciplinary action by Administration, including police contact, possible family meetings, and a possible stricter dress code for that student for the remainder of the school year.

Student Dress Code/Appearance

SEDOL School Board Policy 7:160

SEDOL School Procedure 7:160AP

SEDOL schools recognize that there are individual differences among students and that the major responsibility for acceptable dress lies with the individual student and his/her parent/guardian. Student dress and grooming must not disrupt the educational process; interfere with the maintenance of a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency.

Clothing determined to be inappropriate by schools include but not limited to:

1. Any type of clothing considered to be:
 - a. Disruptive to the educational process
 - b. A threat to the health, safety, welfare, or property of self or others
 - c. In violation with public decency and civil statutes
 - d. Gang related: for example, the color combinations of black/blue, black/red, black/gold etc.
2. Sunglasses, hats, gloves, or hand coverings, headgear, or outerwear of any kind while inside the building. Hats may be worn either straight forward or straight backwards while outside on school grounds.
3. Clothing which exposes torso skin, and excessively revealing clothing (anything which is covered by a bathing suit) such as:
 - a. Short shorts or short skirts
 - b. Halter tops/strap T-shirts/tank tops
 - c. Bare midriff tops/swimsuits/mesh/spandex
4. Inappropriate language or drawing on clothing, including but not limited to
 - a. Cigarette, alcohol, or drug advertising or symbols
 - b. Sexual, violent, racist, vulgar, satanic, or anarchy drawings or pictures
 - c. Gang or cult representations or language
5. Chains (including wallet chains) or other items that could be used as a weapon.

In addition:

- a. Cleanliness of person and clothing is expected.
- b. Pants must be worn around the waist or a loaner belt will be provided. Pant legs cannot be tied off at the bottom with rubber bands, shoelaces, etc. Pants may not be cut or worn above the knee
- c. Undergarments must not be seen
- d. Comb, picks, etc. are not allowed to be worn in the hair
- e. All tattoos must be covered PRIOR to coming to school

Students will be given an opportunity to adjust dress to be in compliance with school policy (ex. change a shirt). Failure to comply with these rules may result in parent/guardian contact and disciplinary action, as determined by the student's educational team.

Transportation

School Board Policy 7:220

Students are transported by vehicles (bus, van, cab) provided by the student's home school district. The bus ride is an extension of the school day; all expectations for conduct apply. Improper conduct on a bus may result in disciplinary measures including bus write-ups, parent/guardian meetings, and the suspension of bus riding privileges.

- Students are not allowed to walk, ride bicycles or any other mode of transportation other than provided by the school district.
- A student may be driven to or from school by parents/guardians or an authorized person only, and must be signed in or out by that person. Please wait with your child until a staff person is able to escort your child to class.
- Please notify the transportation company as soon as a student's address change is known.
- To ensure the proper change in transportation services at least three days notice must be given to the transportation company and school.
- Students must be transported to and from their homes unless parents/guardians have completed the Alternate Pick-up and Drop Off form, included in the opening packet.
- The driver is in charge of the van/bus/cab.
- If medications need to be transported to the school, the parent/guardian must put medication in a secure container in a designated area, out of reach of the student, and preferably with the bus driver.
- *Please note: Some districts prohibit their drivers from receiving and transporting student medication.
- All riders must follow all bus rules and procedures.
- Seat belts are to be worn at all times.
- There is no eating or drinking on buses/cabs/vans unless indicated on the student's IEP.
- Parents are responsible to secure student properly in wheelchair before boarding bus.
- Bus dismissal times may vary due to loading configurations of the school. Based on the order of bus loading, your student's arrival home may vary. Contingent on the age and/or disability of the student, there must be a parent/guardian or designee available to accept students upon arrival home.
- All bags of early childhood and primary students must be kept in the front of the bus. Older, responsible students may keep them if no problems occur. The children are asked to keep all personal possessions in the bags. Playing with toys on the bus can create distractions for the driver and sometimes causes fights among the students. It is very difficult for the drivers to communicate with the students while they are driving. If they have to stop the bus to deal with problems, the ride is lengthened.

Bus Surveillance Policy

SEDOL School Board Policy 7:220
SEDOL School Procedure 7:220AP

Some buses are equipped with boxes that may contain a video camera. This is for monitoring behavior, safety, and security of all riders. Illinois Law (PA 95-0352) states and allows:

- Both visual and audio recordings may be made on the interior of school buses when transportation is provided for any school-related activity. Notice of such recordings will have to be provided to parents and students, be clearly posted on the entrance door and inside the school bus. Recordings must be held confidential and can only be used by school officials and law enforcement personnel for disciplinary actions or prosecutions related to incidents occurring in or around the school bus.

Computer, Electronic Devices and Internet Use

SEDOL School Board Policy 6:235
SEDOL School Procedures 6:235AP2, 6:235E2, 6:235E3, 6:235E4

Access to Electronic Networks

Electronic networks, including the Internet, are a part of the District's instructional program in order to promote educational excellence by facilitating resource sharing, innovation, and communication.

The District is not responsible for any information that may be lost, damaged, or unavailable when using the network, or for any information that is retrieved or transmitted via the Internet. Furthermore, the District will not be responsible for any unauthorized charges or fees resulting from access to the Internet.

The use of the District's electronic networks shall:

- Be consistent with the curriculum adopted by the District as well as the varied instructional needs, learning styles, abilities, and developmental levels of the students.
- Comply with the selection criteria for instructional materials and library-resource center materials.

As required by federal law and Board policy 6:60, Curriculum Content, students will be educated about appropriate online behavior, including but not limited to:

- Interacting with other individuals on social networking websites and in chat rooms.
- Cyberbullying awareness and response. Staff members may, consistent with the Superintendent's implementation plan, use the Internet throughout the curriculum.

The District's electronic network is part of the curriculum and is not a public forum for general use. Acceptable Use All use of the District's electronic network must be:

- In support of education and/or research, and be in furtherance of the Executive Board's stated goals.
- For a legitimate school business purpose. Use is a privilege, not a right. Students and staff members have no expectation of privacy in any material that is stored, transmitted, or received via the District's electronic network or District computers.

General rules for behavior and communications apply when using electronic networks. The District's administrative procedure, Acceptable Use of the District's Electronic Networks, contains the appropriate uses, ethics, and protocol. Electronic communications and downloaded material, including files deleted from a user's account, may be monitored or read by school officials. Internet Safety Technology protection measures shall be used on each District computer with Internet access. They shall include a filtering device that protects against Internet access by both adults and minors to visual depictions that are obscene, pornographic, or harmful or inappropriate for students, as defined by federal law and as determined by the Superintendent or designee. The Superintendent or designee shall enforce the use of such filtering devices. The Superintendent or designee shall include measures in this policy's implementation plan to address the following:

- Ensure staff supervision of student access to online electronic networks
- Restrict student access to inappropriate matter as well as restricting access to harmful materials
- Ensure student and staff privacy, safety and security when using electronic communications
- Restrict unauthorized access, including "hacking" and other unlawful activities
- Restrict unauthorized disclosure, use, and dissemination of personal identification information, such as names and addresses.
- Each student and his or her parent(s)/guardian(s) must sign the Authorization before being granted unsupervised use. All users of the District's computers to access the Internet shall maintain the confidentiality of student records. Reasonable measures to

protect against unreasonable access shall be taken before confidential student information is loaded onto the network. The failure of any student or staff member to follow the terms of the Authorization for Electronic Network Access, or this policy, will result in the loss of privileges, disciplinary action, and/or appropriate legal action.

Student Electronic Devices

SEDOL Board Procedure 7:190AP5

Cellular telephones and other communication devices must be turned off during the school day. Unauthorized use during the school day is not permitted. Use of personal devices during the school day, or unauthorized/inappropriate use of any electronics (cell phones, cameras, laptops, etc.) at any time (including off-school time) is unacceptable. Schools may develop other rules, for instance, requiring that cell phones be stored in a locker and not on a person. In addition, emergency procedures may require the powering down of all wireless communication devices (including laptops, cell phones, walkie-talkies, etc.), as directed by law enforcement. Failure to comply may result in the cell phone/device being confiscated as well as disciplinary measures consistent with the Behavior Code. Parents may be required to come to the school to retrieve the device, especially if the device is suspected of containing inappropriate content. Additionally, devices may be turned over to local authorities if suspected of containing inappropriate content. If the violation involves the use of school property, the student may also be restricted from using school technology.

Telephone Use

Students may not use school telephones without the permission and direct supervision of a faculty member. All cell phones need to be checked in during the check in process.

Sexting

School Board Policy 7:190 AP6

(See Appendix C for letter from Superintendent regarding parent resources for sexting.)

Sexting: a portmanteau word of sex and texting with no clear definition. It is commonly explained as the act of sending sexually explicit photos, images, or messages electronically, primarily by mobile phone or the internet. For purposes of this procedure, it also includes:

- Indecent visual depiction, which means a depiction or portrayal in any pose, posture, or setting involving a lewd exhibition of the unclothed or transparently clothed genitals, pubic area, buttocks, or, if such person is female, a fully or partially developed breast of the person (705 ILCS 405/3-40(a) (enacted to provide law enforcement officials an alternative to bringing child pornography charges against minors in possession of indecent visual depictions through placing them under the supervision of juvenile courts))
- Non-consensual dissemination of private sexual images, which is a crime that is committed when a person:
 - intentionally disseminates an image of another person:
 - who is at least 18 years of age
 - who is identifiable from the image itself or information displayed in connection with the image

- who is engaged in a sexual act or whose intimate parts are exposed, in whole or in part; and
- obtains the image under circumstances in which a reasonable person would know or understand that the image was to remain private
- knows or should have known that the person in the image has not consented to the dissemination (720 ILCS 5/11-23.5, added by P.A. 98-1138).

Behavior Management

SEDOL schools utilize a therapeutic social skills approach to behavior management. Relationships are built on mutual trust and respect and developed through teacher's having an awareness and understanding of their students' emotional needs. A student's behavior is strengthened by the way we communicate and give feedback through therapeutic interventions. SEDOL behavior management systems use positive reinforcers that can strengthen behavior. The goal of the behavior management system is for students to internalize appropriate social skills and self-control and apply those skills in a variety of settings. Internalization of appropriate social skills and self-control is shown when students demonstrate these skills independently, without teacher intervention.

Disciplinary Measures

School officials shall limit the number and duration of expulsions and out-of-school suspensions to the greatest extent practicable, and, where practicable and reasonable, shall consider forms of non-exclusionary discipline before using out-of-school suspensions or expulsions. School personnel shall not advise or encourage students to drop out voluntarily due to behavioral or academic difficulties.

Potential disciplinary measures include, without limitation, any of the following:

1. Notifying parent/guardian.
2. Disciplinary conference.
3. Withholding of privileges.
4. Temporary removal from the classroom.
5. Return of property or restitution for lost, stolen, or damaged property.
6. In-school suspension. The Building Principal or designee shall ensure that the student is properly supervised.
7. After-school study or Saturday study, provided the student's parent/guardian has been notified. If transportation arrangements cannot be agreed upon, an alternative disciplinary measure must be used. The student must be supervised by the detaining teacher or the Building Principal or designee.
8. Community service with local public and nonprofit agencies that enhances community efforts to meet human, educational, environmental, or public safety needs. The District will not provide transportation. School administration shall use this option only as an alternative to another disciplinary measure, giving the student and/or parent/guardian the choice used to violate this policy or school disciplinary rules.
9. Seizure of contraband; confiscation and temporary retention of personal property that was used to violate this policy or school disciplinary rules.
10. Suspension of bus riding privileges in accordance with Board Policy 7:220, *Bus Conduct*.

11. Out-of-school suspension from school and all school activities in accordance with Board Policy 7:200, *Suspension Procedures*. A student who has been suspended may also be restricted from being on school grounds and at school activities.
12. Transfer to an alternative program if the student is expelled or otherwise qualifies for the transfer under State law. The transfer shall be in the manner provided in Article 13A or 13B of the School Code.
13. Notifying juvenile authorities or other law enforcement whenever the conduct involves criminal activity, including but not limited to, illegal drugs (controlled substances), "look-alikes," alcohol, or weapons or in other circumstances as authorized by the reciprocal reporting agreement between the District and local law enforcement agencies.

The above list of disciplinary measures is a range of options that will not always be applicable in every case. In some circumstances, it may not be possible to avoid suspending or expelling a student because behavioral interventions, other than a suspension and expulsion, will not be appropriate and available, and the only reasonable and practical way to resolve the threat and/or address the disruption is a suspension or expulsion.

Corporal punishment is prohibited. Corporal punishment is defined as slapping, paddling, or prolonged maintenance of students in physically painful positions, or intentional infliction of bodily harm. Corporal punishment does not include reasonable force as needed to maintain safety for students, staff, or other persons, or for the purpose of self-defense or defense of property.

Behavioral Interventions

SEDOL Board Policy 7:230

Supporting positive student behaviors in and outside of the classroom is a central focus of our school. Facilitating behavior change and fostering positive choice making is the primary goal of any behavioral intervention at SEDOL schools. When students engage in negative behaviors, it is the staff's role to collaboratively determine what individualized interventions provide the greatest opportunities for positive change. While these interventions may include traditional disciplinary measures, SEDOL staff primarily facilitate relationship building, engage students in problem-solving activities, and encourage self-advocacy to increase functional and socially appropriate behaviors at school. Staff are committed to reducing and eliminating violence and drug use and the impact these causes have on student's lives.

Behavioral interventions shall be used with students with disabilities to promote and strengthen desirable behaviors and reduce identified inappropriate behaviors. The fundamental principle of this policy is that nonaversive or positive interventions designed to develop and strengthen desirable behaviors shall be used to the maximum extent possible and are preferable to the use of aversive and restrictive interventions. The use of positive interventions is consistent with the educational goals of enhancing a student's academic, social and personal growth. While positive approaches alone may not always succeed in controlling extremely inappropriate behavior, the use of more restrictive procedures should always be considered to be temporary and approached with caution and restraint. The use of restrictive interventions should maintain respect, care, welfare, safety and security for the individual student's dignity and personal privacy and adhere to professionally accepted treatment practices. All of the procedural protection available to students with disabilities and their parents under the Individuals with Disabilities Education Act (IDEA), including notice and consent, opportunity for participation in

meetings, and right to appeal, shall be observed when implementing and/or developing behavior interventions.

Physical Restraint/Time Out

SEDOL School Board Policy 7:192
SEDOL School Procedures 7:190AP4

All SEDOL staff are trained in nonviolent crisis intervention. Reasonably necessary physical restraint may be utilized by a SEDOL employee to maintain the care, welfare, safety, and security of all students and staff as a last resort when a student's behavior presents a danger to self or others. Physical restraint will be utilized as a last resort by staff, giving due consideration to the particular circumstances involved. Parent/Guardian will be notified in writing within 1 business day after any use of any time out or physical restraint. The notice sent to a student's parents/guardians must be the designated ISBE form. School districts must make a reasonable attempt to notify the parents/guardians on the same day when any time out, or physical restraint is used.

Searches and Seizures

SEDOL School Board Policy 7:140

To maintain order and security in the schools, attending district authorities are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects, including the use of metal detectors. "School authorities" includes school liaison police officers.

District authorities may inspect and search school property and equipment owned or controlled by the school (such as lockers, desks, and parking lots), as well as personal effects left there by a student, without notice to or the consent of the student. Students have no reasonable expectation of privacy in these places or areas or in their personal effects left there.

The Superintendent may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs.

School authorities may search a student and/or the student's personal effects in the student's possession (such as purses, wallets, knapsacks, book bags, lunch boxes, etc.) when there is a reasonable ground for suspecting that the search will produce evidence the particular student has violated or is violating either the law or the District's student conduct rules. The search itself must be conducted in a manner that is reasonably related to its objectives and not excessively intrusive in light of the student's age and sex, and the nature of the infraction. When feasible, the search should be conducted as follows:

- Outside the view of others, including students
- In the presence of a school administrator or adult witness
- By a certificated employee or liaison police officer of the same sex as the student.

Immediately following a search, a written report shall be made by the school authority who conducted the search, and given to the Superintendent.

If a search produces evidence that the student has violated or is violating either the law or the District's policies or rules, such evidence may be seized and impounded by school authorities, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities.

The Superintendent or designee shall notify students and their parents/guardians of each of the following in accordance with the Right to Privacy in the School Setting Act, 105 ILCS 75/: 1. School officials may not request or require a student or his or her parent/guardian to provide a password or other related account information to gain access to the student's account or profile on a social networking website.

Searches are conducted each morning when students enter the building at Cyd Lash Academy, South School, and Gages Lake School. Students walk through a metal detector and staff members search backpacks, outerwear, and student pockets.

Reciprocal Reporting of Criminal Offenses Committed by Students

According to the Illinois School Code, the Police Department School Liaison Officer and the School Administration are obligated to verbally report to each other the following activities when committed by a student enrolled in a school:

1. Unlawful use of weapons under Section 24-1 of the Criminal Code of 1961.
2. A violation of the Illinois Controlled Substances Act.
3. A violation of the Cannabis Control Act.
4. A forcible felony as defined in Section 2-8 of the Criminal Code of 1961.

Student Substance Abuse Policy

The SEDOL Board recognized that the use of drugs illegally and/or inappropriately constitutes a hazard to the positive development of students. In addition to maintaining a realistic, meaningful drug education program, SEDOL shall be actively concerned with drug use and abuse by students. Therefore, they shall create a climate whereby students may seek and receive counseling about drugs and related problems without fear of reprisal. The relationship shall be a strict confidential relationship between the school staff member and the student.

- Under no circumstances shall a teacher/therapist be forced to reveal the student's name or any confidential information given during the counseling session.
- Without breaking confidentiality by revealing the child's name, the school staff member shall use his or her best judgment to decide with of these approaches to follow:
 - to listen and discuss in confidence the situation as related by the student;
 - to consult with the administration, nurse, and/or mental health personnel (highly recommended); and/or
 - consult appropriate in-school or approved out-of-school agencies.
- The confidential relationship shall be broken when a student is seen using and/or possessing drugs; or if, in the best judgment of the staff member, there is an immediate, clear, and present danger to the safety and well-being of the student and/or others. In such instances, the staff member shall contact his supervisor for further instructions.

Suspension Procedures

SEDOL Board Policy 7:190
SEDOL Board Procedure 7:190AP8
SEDOL Board Policy 7:200

The resident district of a student enrolled in a SEDOL program has the legal jurisdiction in matters of student suspension. Gross disobedience or misconduct by students in SEDOL programs may result in a recommendation to the student's district of residence that he/she be suspended.

In-School Suspension- At the first indication of a need to suspend a student, the teacher shall immediately contact the supervisor of the sector/program. The supervisor then contacts the district of residence designated administrator or alternate designee for permission to suspend. If the designated district administrator or alternate cannot be reached in a timely basis, a SEDOL central office administrator will make the determination on behalf of the district of residence. The SEDOL supervisor then follows up with a notification letter to the parents/guardian indicating the reason for suspension and indicating a contact at the student's district of residence regarding hearing rights and procedures. The SEDOL supervisor will also follow up with the district administrator regarding the reason for the suspension. The Superintendent or designee is authorized to maintain an in-school suspension program. The program shall include, at a minimum, each of the following:

- Before assigning a student to in-school suspension, the charges will be explained and the student will be given an opportunity to respond to the charges.
- Students are supervised by licensed school personnel.
- Students are given the opportunity to complete classroom work during the in-school suspension for equivalent academic credit.

Out-of-School Suspension- The Superintendent or designee shall implement suspension procedures that provide, at a minimum, for each of the following:

- A conference during which the charges will be explained and the student will be given an opportunity to respond to the charges before he or she may be suspended.
- A pre-suspension conference is not required, and the student can be immediately suspended when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.
- Any attempted phone call to the student's parent/guardian.
- A written notice of the suspension to the parent/guardian and the student, which shall:
 - Provide notice to the parent/guardian of their child's right to a review of the suspension
 - Include information about an opportunity to make up work missed during the suspension for equivalent academic credit
 - Detail the specific act of gross disobedience or misconduct resulting in the decision to suspend
 - Provide rationale or an explanation of how the chosen number of suspension days will address the threat or disruption posed by the student or his or her act of gross disobedience or misconduct
 - Depending upon the length of the out-of-school suspension, include the following applicable information

- For a suspension of 3 school days or less, an explanation that the student's continuing presence in school would either pose: a) A threat to school safety, or b) A disruption to other students' learning opportunities.
- For a suspension of 4 or more school days, an explanation: a) That other appropriate and available behavioral and disciplinary interventions have been exhausted. b) As to whether school officials attempted other interventions or determined that no other interventions were available for the student.
- That the student's continuing presence in school would either: i) Pose a threat to the safety of other students, staff, or members of the school community, or ii) Substantially disrupt, impede, or interfere with the operation of the school. iii. For a suspension of 5 or more school days, the information listed above, along with documentation by the Superintendent or designee determining what, if any, appropriate and available support services will be provided to the student during the length of his or her suspension.
- A summary of the notice, including the reason for the suspension and the suspension length, must be given to the Board by the Superintendent or designee.
- The first time a student is removed for more than 10 cumulative days during the school year, the District shall, no later than 10 school days after the decision to suspend a student is made, convene an IEP meeting to review and, if appropriate, modify the student's behavior intervention plan, as necessary, to address the student's behavior. If no behavior intervention plan is in place, the IEP team shall develop a plan for a functional behavioral assessment that must be used to develop a behavior intervention plan. In addition, the supervisor shall determine whether a change in placement has occurred necessitating a determination by the IEP team as to whether the student's conduct was a manifestation of the student's disability. In making this determination the supervisor shall consider (1) whether the child's behavior is substantially similar to the child's behavior in previous incidents resulting in suspensions and (2) the length of each removal, the total days of suspension and the proximity of the suspensions to one another.
- For all subsequent removals of the student that do not constitute a change in placement, the IEP team members must review the behavior intervention plan and its implementation. If any team member indicates that the plan may need to be modified, the IEP team must be convened to review the plan and revise it, if appropriate. In addition, the supervisor must determine, consistent with the criteria stated above, whether a change in placement has occurred necessitating an IEP meeting to conduct a manifestation determination review.
- For all removals that exceed 10 cumulative days during one school year, the District shall provide services to the student. School personnel, in conjunction with the student's teacher, shall determine the services to be provided. Such services must be designed to enable the student to progress in the general curriculum and IEP goals.
- Upon request of the parent/guardian, a review of the suspension shall be conducted by the district of residence Board or a hearing officer appointed by that Board. At the review, the student's parent/guardian may appear and discuss the suspension with the Board or its hearing officer and may

be represented by counsel. Whenever there is evidence that mental illness may be the cause for the suspension, the district of residence shall invite a representative from the Department of Human Services to consult with the Board. After presentation of the evidence or receipt of the hearing officer's report, the Board shall take such action as it finds appropriate.

All discipline at SEDOL schools reflects an effort to increase student learning and emotional functioning. Discipline may involve counseling, teaching, family meeting(s), mediation, loss of privileges, suspension, alternative to suspension program involvement, restitution, or contacts with outside agencies including the police. A student attending both their home school and a SEDOL specific school who is suspended from either placement will not be permitted to attend either setting until the suspension has been served.

Re-Engagement of Returning Students

School Board Policy 7:190 AP8

The Superintendent or designee shall maintain a process to facilitate the re-engagement of students who are returning from an out-of-school suspension, expulsion, or an alternative school setting. The goal of re-engagement shall be to support the student's ability to be successful in school following a period of exclusionary discipline and shall include the opportunity for students who have been suspended to complete or make up work for equivalent academic credit.

Teen Dating Violence Policy

SEDOL School Board Policy 7:185

SEDOL board policy prohibits teen dating violence that takes place at school, on school property, at school sponsored events, or in school provided transportation vehicles.

Bullying/Hazing Policy

SEDOL School Board Policy 7:180

No person, including a District employee or agent, or student, shall harass, intimidate or bully a student on the basis of actual or perceived: race; color; nationality; sex; sexual orientation; gender identity; gender-related identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; status of being homeless; actual or potential marital or parental status, including pregnancy; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. The District will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, visual or electronic, that affects tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above. Supporters (those who encourage bullying) and bystanders (those who observe and do nothing to stop it) may be considered as having roles in bullying situations. Similarly, hazing is defined as any group action

or situation created intentionally to produce mental or physical discomfort, embarrassment, harassment or ridicule.

Complaints of harassment, intimidation, or bullying are handled according to the provisions on sexual harassment below. The Superintendent shall use reasonable measures to inform staff members and students that the District will not tolerate harassment, intimidation, or bullying by including this policy in the appropriate handbooks.

Bullying, intimidation, and harassment are not acceptable in any form and will not be tolerated at school or any school related activity. The School District will protect students against retaliation for reporting incidents of bullying, intimidation, or harassment and will take disciplinary action against any student who participated in such conduct.

Suicide Awareness and Prevention Policy

SEDOL School Board Policy 7:290

The Superintendent or designee shall develop, implement, and maintain a suicide and depression awareness and prevention program that advances the Board's goals of increasing awareness and prevention of depression and suicide. This program must be consistent with the requirements of Ann Marie's Law. For additional information, see SEDOL School Board Policy 7:290.

[National Suicide Prevention Lifeline](#)

Hours: Available 24 hours. Languages: English, Spanish
800-273-8255

[Crisis Text Line](#)

Text HOME to 741741 to connect with a Crisis Counselor 24/7

[Safe2Help Illinois](#)

Call: 844-4-SAFEIL (723345) Text: SAFE2 (72332)
Email: HELP@safe2helpIL.com

[Suicide and Crisis Lifeline](#)

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Student and Family Rights

Student Safety

SEDOL Board Policy 8:30

The safety of students shall be assured through close supervision of students in all school buildings and grounds. All school buildings owned and/or operated by SEDOL will observe security procedures.

Safety Drill

School Board Policy 4:170

Safety Drills (105 ILCS 128/1) All students will participate in mandated safety drills in accordance with the Illinois School Code. Fire and or/law enforcement personnel may be present for these drills.

Visitor Policy

SEDOL Board Policy 8:30

All visitors to school property are required to report to the main office and receive permission to remain on school property. All visitors must sign a visitor's log, show identification, and wear a visitor's badge. When leaving the school, visitors must return their badge. Persons on school property without permission will be directed to leave and may be subject to criminal prosecution.

Parental Involvement

SEDOL Board Policy 8:95

In order to assure collaborative relationships between students' families, the Executive Board, and District personnel, and to enable parents/guardians to become active partners in their children's education, the Superintendent shall:

- Keep parents/guardians thoroughly informed about their child's school and education.
- Encourage parents/guardians to be involved in their child's school and education.
- Establish effective two-way communication between parents/guardians and the District.
- Seek input from parents/guardians on significant school-related issues.
- Inform parents/guardians on how they can assist their children's learning.

Parent/Teacher Organizations

SEDOL Board Policy 8:90

Parent organizations and booster clubs are invaluable resources to the District's schools. The goals of a parent/teacher organization are to assist students, teachers, and parents to obtain equipment and services and to provide activities that will enhance our children's education.

The PTO holds yearly fundraisers and your support is needed and appreciated. Volunteers are always welcome. If you would like to become involved in the PTO please ask for information on how you can help.

Assistive Technology

During the IEP process, assistive technology must be considered for every child and then provided by districts if required in a child's IEP to access a free and appropriate public education (FAPE).

Related Services and Related Service Logs

Parents or guardians have a right to request related service logs. Related services for which logs must be made are speech and language services, occupational therapy services, physical therapy services, school social work services, school counseling services, school psychology services, and school nursing services. If services are determined necessary and included as a part of a student's free, appropriate public education, those services must be administered within 10 school days. If services are unable to be provided, the local educational agency shall provide the child's parent or guardian with written notification that those services have not yet been administered. This notice will be provided within 3 school days of non-compliance and must include information on the parent's or guardian's ability to request compensatory services.

Draft Documents

Parents or guardians have a right to choose from available delivery methods, which must include regular mail and picking up the materials at school, or how to receive copies of all written materials that will be considered at a meeting to determine their child's eligibility for special education and related services or to review their child's IEP. Email or a secure portal also may be options. The written materials must be provided to the child's parent/guardian no later than 3 school days prior to the eligibility or IEP meeting, or as soon as possible if an IEP meeting is scheduled within 3 school days with the written consent of the child's parent or guardian.

School Visitation Rights Act

SEDOL Board Policy 8:95

The School Visitation Rights Act permits employed parents/guardians, who are unable to meet with educators because of a work conflict, the right to time off from work to attend necessary educational or behavioral conferences at their child's school.

Inspection of Instructional Materials

Parents or guardians of any student may inspect any instructional materials used in the schools. Items for inspection may include Audio-visual materials and electronic material. Call the school for an appointment to view any of these items. The rights concerning the sale or purchase of information relating to children is prohibited under the Children's Privacy Protection and Parental Empowerment Act (325 ILCS 17/1).

Transfer of Rights Due to Age of Majority

Public Law 105-17, amendments to the Individuals with Disabilities Education Act (IDEA), requires that when a child with a disability reaches the age of majority under State law, both

parent(s) guardian(s) and the child must be notified of the transfer educational rights one year prior to the child's eighteenth birthday. When a child with a disability reaches the age of eighteen (18):

- All rights accorded to the parent(s)/guardian(s) under the IDEA transfer to the child;
- All rights accorded to the parent(s)/guardian(s) under the IDEA transfer to children who are incarcerated in an adult or juvenile federal, state, or local correctional institution;
- All rights accorded to the parent(s)/guardian(s) under the IDEA will be afforded to the individual/agency as directed by the court for the child with a disability who has been determined to be incompetent under State law.
- Parent(s)/guardian(s) of children with disabilities retain the right to receive ten-(10) day notice, prior to the date of any FIE or IEP conference.

Publicity Release

School Board Policy 7:340 AP1 E2

Pictures of Unnamed Students: Students may occasionally appear in photographs and video recordings taken by school staff members, other students, or other individuals authorized by the Building/Program Administrator. The school may use these pictures, without identifying the student, in various publications, including the school yearbook, school newspaper, and school website. No consent or notice is needed or will be given before the school uses pictures of unnamed students taken while they are at school or a school-related activity.

Pictures of Named Students Sometimes the school may want to identify a student in a school picture. For example, school officials want to acknowledge those students who participate in a school activity or deserve special recognition. In order for the school to publish a picture with a student identified by name, one of the student's parents or guardians must sign the consent. Parent/Guardian will be asked to sign SEDOL form #161. Publicity release forms are sent home annually in the beginning of the school year parent/guardian packet.

Student Records

School Board Policy 7:340

School student records are confidential. Information from them shall not be released other than as provided by law. A school student record is any writing or other recorded information concerning a student and by which a student may be identified individually that is maintained by a school or at its direction by a school employee, regardless of how or where the information is stored, except as provided in State or federal law as summarized below:

- Records kept in a staff member's sole possession.
- Records maintained by law enforcement officers working in the school.
- Video and other electronic recordings (including without limitation, electronic recordings made on school buses) that are created in part for law enforcement, security, or safety reasons or purposes. The content of these recordings may become part of a school student record to the extent school officials create, use, and maintain this content, or it becomes available to them by law enforcement officials, for disciplinary or special education purposes regarding a particular student.
- Any information, either written or oral, received from law enforcement officials concerning a student less than the age of 17 years who has been arrested or taken into custody.

State and federal law grants students and parents/guardians certain rights, including the right to inspect, copy, and challenge school student records. The information contained in school student records shall be kept current, accurate, clear and relevant. All information maintained concerning a student receiving special education services shall be directly related to the provision of services to that child.

Parents/Guardians have the right to review and copy their child's school student records prior to any special education eligibility or IEP program review meeting, subject to the requirements of applicable federal and State law.

The parents/guardians may authorize SEDOL to release records by signing a consent form. Release of information forms must be signed yearly.

Upon graduation, transfer, or permanent withdrawal of a student from a school, the school district must notify the student's parents/guardians and the student, if the rights and privileges accorded to a parent/guardian under the ISSRA have been transferred to the student, of the destruction schedule for the student's permanent record and temporary record, and of the right to request a copy of the student's records at any time prior to their destruction. The notification must contain the following information: date of notification; names of the student, parent(s)/guardian(s), and the official records custodian; and the scheduled destruction date of temporary and permanent records. The school district may provide reasonable prior notice to a parent/guardian or student through: (i) notice in the school's parent or student handbook; (ii) publication in a newspaper published in the school district or, if no newspaper is published in the school district, in a newspaper of general circulation within the school district; (iii) U.S. mail delivered to the last known address of the parent/guardian or student; or (iv) other means provided the notice is confirmed to have been received.

Surveys of Private Information

In accordance with federal law (Public Law 103-227), students who participate in federally-funded programs (e.g. Chapter 1 remedial reading) are not required to divulge in a survey, analysis or evaluation of any of the following without the prior written consent of their parents or guardians: (1) political affiliations; (2) embarrassing mental or psychological problems; (3) sex behavior and attitudes; (4) illegal, antisocial, self-incriminating and demeaning behavior; (5) critical appraisals of family members; (6) privileged relationships such as those involving lawyers, physicians and clergy; and (7) income (other than as required to determine eligibility for participation in a program or for financial assistance).

Student and Family Privacy Rights

SEDOL Board Policy 7:15

Any survey information that is obtained at school will be kept confidential and will not be released without your prior knowledge.

Student Online Personal Protection Act (SOPPA)

Annual Notice to Parents about Educational Technology

Vendors Under the Student Online Personal Protection Act

School districts throughout the State of Illinois contract with different educational technology vendors for beneficial K-12 purposes such as providing personalized learning and innovative educational technologies, and increasing efficiency in school operations.

Under Illinois' Student Online Personal Protection Act, or SOPPA (105 ILCS 85/), educational technology vendors and other entities that operate Internet websites, online services, online applications, or mobile applications that are designed, marketed, and primarily used for K-12 school purposes are referred to in SOPPA as *operators*. SOPPA is intended to ensure that student data collected by operators is protected, and it requires those vendors, as well as school districts and the Illinois State Board of Education, to take a number of actions to protect online student data.

Depending upon the particular educational technology being used, our District may need to collect different types of student data, which is then shared with educational technology vendors through their online sites, services, and/or applications. Under SOPPA, educational technology vendors are prohibited from selling or renting a student's information or from engaging in targeted advertising using a student's information. Such vendors may only disclose student data for K-12 school purposes and other limited purposes permitted under the law.

In general terms, the types of student data that may be collected and shared include personally identifiable information (PII) about students or information that can be linked to PII about students, such as:

- Basic identifying information, including student or parent/guardian name and student or parent/guardian contact information, username/password, student ID number
- Demographic information
- Enrollment information
- Assessment data, grades, and transcripts
- Attendance and class schedule
- Academic/extracurricular activities
- Special indicators (e.g., disability information, English language learner, free/reduced meals or homeless/foster care status)
- Conduct/behavioral data
- Health information
- Food purchases
- Transportation information
- In-application performance data
- Student-generated work
- Online communications
- Application metadata and application use statistics

- Permanent and temporary school student record information

Operators may collect and use student data only for K-12 purposes, which are purposes that aid in the administration of school activities, such as:

- Instruction in the classroom or at home (including remote learning)
- Administrative activities
- Collaboration between students, school personnel, and/or parents/guardians
- Other activities that are for the use and benefit of the school district

Note: SOPPA gives parents/guardians greater access to students' covered information, including rights to: inspect and review their student's covered information; request paper or electronic copies of their student's covered information, regardless of whether that information is maintained by the school district, an operator, or ISBE; and request corrections to factual inaccuracies contained in their student's covered information. SOPPA does not relieve school districts of their ongoing obligations to comply with ISSRA and FERPA, nor does it limit a parent/guardian's rights to records under those laws. Covered information means personally identifiable information ("PII") or information linked to PII in any media or format that is not publicly available and is any of the following: (1) created by or provided to an operator by a student or the student's parent/guardian in the course of the student's or parent's/guardian's use of the operator's site, service, or application for K-12 school purposes; (2) created by or provided to an operator by an employee or agent of the school district for K-12 school purposes; or (3) gathered by an operator through the operation of its site, service, or application for K-12 school purposes and personally identifies the student.

Compensatory Services

A service the IEP team determined is required in order for the child to receive a free appropriate public education has not yet been implemented if that service is not implemented within 10 school days after the service was to be initiated as set forth by the child's IEP. Notification must be provided to the child's parent/guardian within 3 school days of the school district's non-compliance with the child's IEP and must inform the parent/guardian of the procedures for requesting compensatory services. Here, "school day" does not include days when a child is absent from school for reasons unrelated to a lack of IEP services or when the service is available, but the child is unavailable.

Interpreter Services at IEP Meetings

SEDOL will provide annually to all parents/guardians of children with disabilities and in each Notice of Conference the following information: (1) notice to all parents/guardians of children eligible for an IEP about the availability of interpretation services at IEP meetings; (2) an explanation of how parents/guardians can request an interpreter; (3) notice that a parent/guardian has the right to request that the interpreter provided by the school district serve no other role in the IEP meeting than as an interpreter, and that the school district should make reasonable efforts to fulfill this request; and (4) a point of contact for any questions or complaints about interpretation services. In addition, school districts

must record the following information: (1) whether a parent/guardian requested an interpreter, had previously requested interpretation services, or had otherwise indicated that an interpreter was necessary to ensure meaningful parental involvement in the IEP meeting; (2) the language for interpretation; (3) whether a qualified interpreter was provided for each IEP meeting; and (4) whether a parent/guardian requested that the interpreter serve no other role in the IEP meeting and, if so, whether the school district granted that request. The amended ISBE regulations also set forth qualifications for interpreters who attend IEP meetings.

Military Recruiting

From time-to-time, military recruiters and postsecondary educational institutions request the names, telephone numbers, and addresses of our secondary students. The school must provide this information unless the parent(s)/guardian(s) request that it not be disclosed without their prior written consent.

Important: If you do not want military recruiters or institutions of higher learning to be given your secondary school student's name, address, and telephone number, please complete the form located in Appendix D and return it to the Building Principal.

Equal Educational Opportunities

SEDOL Board Policy 7:10

Equal educational and extracurricular opportunities shall be available for all students without regard to color, race, national origin, religion, sex, sexual orientation, ancestry, age, physical or mental disability, gender identity, status of being homeless, immigration status, order of protection status, marital status, pregnancy, military status, or unfavorable discharge from military service.

Parents /guardians of children who are deaf, hard of hearing, blind, or visually impaired of the existence and services of the Illinois School for the Deaf or Illinois School for the Visually Impaired and will be notified of other schools that provide services similar to those provided by Illinois School for the deaf or Illinois School for the Visually Impaired.

The Superintendent or designee shall ensure that students who choose to breastfeed an infant after returning to school are provided reasonable accommodations. A student who is a nursing mother may take reasonable breaks during the school day to express breast milk or breastfeed her infant. The District's Title IX Coordinator, in consultation with the Building Principal, will implement reasonable accommodations for the nursing mother in a manner that minimizes disruption to the student's education.

Sex Equity

School Board Policy 7:10

No student shall, based on sex, sexual orientation, or gender identity be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege,

advantage, or denied equal access to educational and extracurricular programs and activities. Any student may file a sex equity complaint by using Board policy 2:260, Uniform Grievance Procedure. A student may appeal the Board's resolution of the complaint to the Regional Superintendent (pursuant to 105 ILCS 5/3-10) and, thereafter, to the State Superintendent of Education (pursuant to 105 ILCS 5/2-3.8).

Harassment of Students Prohibited

School Board Policy 7:20

No person, including a District employee or agent, or student, shall harass, intimidate or bully a student on the basis of actual or perceived: race; color; national origin; military status; unfavorable discharge status from military service; sex; sexual orientation; gender identity; gender-related identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; status of being homeless; actual or potential marital or parental status, including pregnancy; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. The District will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, sexual, visual or electronic, that affects the tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

Sexual Harassment Prohibited

SEDOL Board Policy 7:20 SEDOL Board Policy 7:180

Sexual harassment of students is prohibited. Any person, including a district employee or agent, or student, engages in sexual harassment whenever he or she makes sexual advances, requests sexual favors, and engages in other verbal or physical conduct of a sexual or sex-based nature, imposed on the basis of sex, that:

1. denies or limits the provision of educational aid, benefits, services, or treatment; or that makes such conduct a condition of a student's academic status; or has the purpose or effect of:
 - a. substantially interfering with a student's educational environment;
 - b. creating an intimidating, hostile, or offensive educational environment;
 - c. depriving a student of educational aid, benefits, services, or treatment; or
 - d. making a submission to or rejection of such conduct basis for academic decisions affecting a student.

The terms "intimidating," "hostile," and "offensive" include conduct that has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, and spreading rumors related to a person's alleged sexual activities.

Persons who believe a student is the victim of sexual harassment or have witnessed sexual harassment, are encouraged to discuss the matter with the Non-discrimination Coordinator,

Building Principal, Assistant Principal or a Complaint Manager. Complaints will be kept confidential to the extent possible given the need to investigate. An allegation that one student was sexually harassed by another student shall be referred to the Building Principal, Program Supervisor, or Resident District Administrator for appropriate action.

Procedures for Student Sexual Harassment

SEDOL School Board Policy 7:20, 7:20AP

1. A copy of this policy and accompanying procedures shall be distributed annually in the Student and Staff Handbooks.
2. Copies of this policy may be distributed in other ways as deemed appropriate by the District's administration.
3. The health education program for grades Kindergarten through 12 shall include age appropriate instruction which leads to the students understanding of sexual abuse and harassment.
4. Teachers, Certified School Nurses and/or School Social Workers shall obtain and disseminate age appropriate informational materials concerning sexual abuse and harassment.
5. The Non-discrimination Coordinator should follow the Uniform Grievance Procedures.
6. The student's parent(s)/guardian(s) will be notified that they may attend any investigatory meetings in which their child is involved. The parents/guardians will be kept informed of the investigation's progress.
7. The student's oral or written statements will be kept confidential, except that the Superintendent will be kept informed of the investigation's progress. District personnel shall, however, comply with the child abuse reporting laws.

The Superintendent shall use reasonable measures to inform staff members and students that the District will not tolerate sexual harassment, such as by including this policy in the appropriate handbooks.

Any District employee who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any District student who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action, including but not limited to, suspension and expulsion consistent with the discipline policy. Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

Non-discrimination Coordinator

Dr. Laura Wojcik, Asst. Supt.
18160 W. Gages Lake Rd.
Gages Lake, IL 60030
lwojcik@sedol.us
847-986-2360

Complaint Managers

Dr. Laura Wojcik, Asst. Supt.
18160 W. Gages Lake Rd.
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Bob Taterka, Asst. Supt.
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Illinois Sex Offender Registration Act

This is to inform you that, per the “Sex Offender Registration Act,” all families may get information regarding offenders in the Lake County area by calling: 847-377-4200 or on the website: www.isp.state.il.us/sor.

Parents have the right to view the following materials: 8:30-E1 - Letter to Parents Regarding Visits to School by Child Sex Offenders 8:30-E2 - Child Sex Offender’s Request for Permission to Visit School Property

Homeless Children

Each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education, as provided to other children and youths, including a public preschool education. A “homeless child” is defined as provided in the McKinney Homeless Assistance Act and State law. Based on homeless status, as determined by the member district, and eligibility for SEDOL programs, SEDOL will provide appropriate services.

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. § 11431 et seq. 105 ILCS 45/1-1 et seq. CROSS REF.: 2:260 (Uniform Grievance Procedure), 4:110 (Transportation), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment), 7:50 (School Admissions/Eligibility for Services), 7:60 (Residence), 7:1000 (Health Examinations, Immunizations, and Exclusion of Students) ADOPTED: December 19, 2007

Accommodating Individuals with Disabilities

School Board Policy 8:70

See Appendix **E** for Procedural Safeguards

Individuals with disabilities shall be provided an opportunity to participate in all district-sponsored services, programs, or activities on an equal basis to those without disabilities and will not be subject to illegal discrimination. Where necessary, the District may provide to persons with disabilities separate or different aids, benefits, or services from, but as effective as those provided to others.

As used in this policy and any implementing regulations, the term "disability" means an individual who has a physical or mental impairment that substantially limits one or more of the individual’s major life activities. The term also includes individuals who have a record of such impairment or who are regarded as having such impairment. Major life activities include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

The District will provide auxiliary aids and services where necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. Each service, program, or activity operated in existing facilities shall be readily accessible to, and usable by, individuals with disabilities. New construction and alterations to facilities existing before January 26, 1992, will be accessible when viewed in their entirety.

The Superintendent is designated the Americans With Disabilities Act, Title II Coordinator and, in that capacity, is directed to:

1. Oversee the District's compliance efforts, recommend necessary modifications to the Board, and maintain the District's final Title II self-evaluation document and keep it available for public inspection, for at least 3 years after its completion date.
2. Institute plans to make information regarding Title II's protection available to any interested party.

Individuals with disabilities should notify the Superintendent or Principal/Supervisor if they have a disability, which will require special assistance or services, and, if so, what services are required. This notification should occur as far as possible before the district-sponsored function, program, or meeting.

Individuals with disabilities may allege a violation of this policy or federal law by reporting it to the Superintendent, as the Title II Coordinator, or by filing a grievance under the Uniform Grievance Procedure.

Service Animals

School Board Procedure 6:120AP3

State and federal laws allow a student with a disability to be accompanied by a service animal that is individually trained to perform work or tasks for the benefit of a student. The animal may accompany the student to all school functions, whether in or outside the classroom. See policy and procedure 6:120 for additional information.

Curriculum Overview

Physical Education

SEDOL School Board Policy 7:260

SEDOL Schools participate in a state required physical education program. The focus of the program is to encourage teamwork, sportsmanship, the use of problem solving skills, positive peer relations and physical fitness.

In order to be excused from participation in physical education, a student must present an appropriate excuse from his or her parent/guardian or from a person licensed under the Medical Practice Act. The excuse may be based on medical or religious prohibitions. An excuse because of medical reasons must include a signed statement from a person licensed under the Medical Practice Act that corroborates the medical reason for the request. An excuse based on religious reasons must include a signed statement from a member of the clergy that corroborates the religious reason for the request. Special activities in physical education will be provided for a student whose physical or emotional condition, as determined by a person licensed under the Medical Practice Act, prevents his or her participation in the physical

education course. State law prohibits the Board from honoring parental excuses based upon a student's participation in athletic training, activities, or competitions conducted outside the auspices of the District.

A student who is eligible for special education may be excused from physical education courses in either of the following situations: 1. He or she (a) is in grades 3-12, (b) his or her IEP requires that special education support and services be provided during physical education time, and (c) the parent/guardian agrees or the IEP team makes the determination; or 2. He or she (a) has an IEP, (b) is participating in an adaptive athletic program outside of the school setting, and (c) the parent/guardian documents the student's participation as required by the Superintendent or designee.

A student requiring adapted physical education must receive that service in accordance with his or her Individualized Educational Program/Plan (IEP).

Social/Emotional Curriculum

SEDOL as a district creates a social emotional curriculum to meet the varied needs of students in programs. Each school will utilize a curriculum that meets those specific student needs.

In grades pre-K through 12, age appropriate sexual abuse and assault awareness and prevention education shall be included in a child sexual abuse prevention program. Through grade 5, the comprehensive health education program will provide one to four age-appropriate instructional sessions per school year to instruct students to (a) recognize and report sexual abuse, and (b) focus on methods to reduce students' vulnerability to sexual abuse.

Response to Intervention/Multi-Tiered System of Support

SEDOL as a district utilizes scientific, research-based intervention or a multi-tiered system of support ("RtI" or "MTSS") for the child. The parents/guardians must be provided all data collected and reviewed by the school district with regard to the child in the RtI/MTSS process.

English Learners

SEDOL School Board Policy 6:160

The District offers opportunities for English Learners to achieve at high levels in academic subjects and to meet the same challenging State academic standards that all children are expected to meet. Parents will be notified in writing within 30 days from the beginning of the school year of their child's enrollment in the program.

Alternative Learning Opportunities Program (ALOP)

(105 ILCS 5/13B-60.5)

SEDOL Schools may offer alternative learning opportunities to students in grades 6-12. These opportunities include, but are not limited to, computerized instruction, audio-visual enhancement of lessons, multisensory presentations, etc. For questions regarding the Alternative Learning Opportunities Program please contact your son/daughter's building principal.

Field Trips

SEDOL School Board Policy 6:240

Field trips are permissible when the experiences are an integral part of the school curriculum and an extension of the student's Individual Education Program (IEP). All field trips must have the Superintendent or designee's prior approval, except that field trips beyond a 200-mile radius of the school or extending overnight must have the prior approval of the Executive Board. The following factors are analyzed when determining whether to approve a field trip: educational value, student safety, parent concerns, heightened security alerts, and liability concerns. On all field trips, a bus fee set by the Superintendent or designee may be charged to help defray the transportation costs.

Graduation

SEDOL School Board Policy 6:300

Graduation requirements are identified on each student's Individualized Education Program (IEP). To graduate from high school, unless otherwise exempted, each student is responsible for:

1. Completing all District graduation requirements of the student's district of residence that are in addition to the State requirements.
2. Completing all courses as provided in The School Code, 105 ILCS 5/27-22.
3. Completing all minimum requirements for graduation as specified by Illinois State Board of Education rule, 23 Ill.Admin.Code § 1.440.
4. Passing an examination on patriotism and principles of representative government, proper use of the flag, methods of voting, and the Pledge of Allegiance.
5. Participating in State assessments that are required for graduation by the School Code, 105 ILCS 5/2-3.64a-5(c).
6. Beginning with the 2020-2021 school year, filing one of the following: (1) a Free Application for Federal Student Aid (FAFSA) with the U.S. Dept. of Education, (2) an application for State financial aid, or (3) an Ill. State Board of Education (ISBE) waiver form indicating that the student understands what these aid opportunities are and has chosen not to file an application. If the student is not at least 18 years of age or legally emancipated, the student's parent/guardian must file one of these documents on the student's behalf.

A student is exempt from this requirement if: (1) the student is unable to file a financial aid application or an ISBE waiver due to extenuating circumstances, (2) the Building Principal attests the District made a good faith effort to assist the student or the student's parent/guardian with filing a financial aid application or an ISBE waiver form, and (3) the student has met all other graduation requirements.

Certificate of Completion

A student with a disability who has an Individualized Education Program prescribing special education, transition planning, transition services, or related services beyond the student's four years of high school, qualifies for a certificate of completion after the student has completed four years of high school. The student is encouraged to participate in the graduation ceremony of his

or her high school graduation class. The district of residence shall provide timely written notice of this requirement to children with disabilities and their parents/guardians.

Report Cards/Honor Roll/Progress Reports

Report cards:

- Report cards will be sent home after each trimester (John Powers Center) and quarterly (Cyd Lash Academy, Gages Lake School, and South School).
- Progress reports will be sent home regularly (at least every nine weeks) with updated information on student's progress of IEP goals and benchmarks.
- Whenever it becomes evident that a student is in danger of failing, a written notification or phone call will be sent to the parent/guardian.

Honor Roll: A student may earn Honor Roll distinction by achieving an average grade of B based on all classes, with no grade lower than a C in any one class.

Building and Grounds

Integrated Pest Management

SEDOL School Board Policy 4:160

Structural and landscape pests can pose significant hazards to people, property and the environment. Pesticides can also pose hazards to people, property, and the environment. It is therefore the policy of SEDOL to incorporate Integrated Pest Management (IPM) procedures for control of pests. This policy has been developed to ensure the health and safety of children, teachers, staff, administration and all others using SEDOL buildings and grounds.

The Buildings and Grounds Supervisor is responsible for compliance with the Lawn Care Products Application and Notice Act (415 ILCS 65/3) and shall:

1. Provide an annual schedule of pesticide application to the supervisor of each District building.
2. In coordination with the supervisor of each District building (including each Building Principal), notify employees and students and their parents/guardians in each building. The notification must:
 - a. Be provided at least four business days before a pesticide application on school grounds.
 - b. Be written or by telephone. If written, the notice may be included in newsletters, calendars, or other correspondence currently being published.
 - c. Identify the intended date of the application.
 - d. Provide the name and telephone contact number for the Buildings and Grounds Supervisor or other school personnel responsible for the pesticide program. Prior notice is not required if an imminent threat to health or property exists. If such a situation arises, the Building and Grounds Supervisor must sign a statement describing the circumstances that gave rise to the health threat and ensure that written or telephonic notice is provided as soon as practicable.

Asbestos Plan Management

The Special Education District of Lake County (SEDOL) has an Asbestos Management Plan in each school and district office that is available for inspection during normal business office hours, without cost or restriction. Please contact:

Ms. Joyce Loris:
18160 Gages Lake Rd.
Gages Lake, IL 60031
847.986.2327

APPENDIX A

To: Parents and Citizens of School District 825- Special Education District of Lake County

This is to inform you that your school district, Special Education District of Lake County, is an EPSDT Medicaid Provider with Illinois' State Medicaid Agency, Healthcare and Family services (HFS). EPSDT (Early Periodic Screening, Diagnosis and Treatment) is a federal mandate on the States to provide early intervention/ prevention services to children, age birth through 18. The services are allied healthcare services provided by the district's pupil personnel or by allied professionals under contract with the district. As an EPSDT Medicaid Provider, the District is entitled to collect federal Medicaid funds to share in the cost of providing health care services to the children enrolled in the school district.

The allied health care service practitioners include school nurses, speech therapists, psychologists, social workers, physical and occupational therapists, personal health aides, counselors, hearing and vision screeners and special transportation services. These services may be provided to students per his/her IEP(Individual Education Plan) or to students within the standard education program. Both the State and Federal governments mandate the school district provide the above referenced health care services to students based upon screenings and/or assessments that are completed. The Medicaid claims are filed and processed per the district's contract with a billing service agency and the reimbursement funds received are used to meet the cost of providing these health care services.

The health care services listed on a student's IEP are provided with parental consent and at "no cost" to the parents. This "no cost" provision is in compliance with Public Law 94-142-"Education of the Handicapped Free and Appropriate Public Education", IDEA-"Individual Disabilities Education Act", PUBLIC Law 100-360 and State of Illinois-State Board of Education mandates. The District, an EPSDT Medicaid Provider, is eligible to claim federal Medicaid funds for the health care services provided to students enrolled in Illinois' Medicaid-All Kids Program.

Medicaid is a governmentally funded program by the State of Illinois and the Federal Government. The Medicaid coverage has no lifetime cap on benefits and does not contain any pre-existing condition clauses or limitations. Eligibility to participate in the State's Medicaid program is based upon a family's income, absence of health insurance or limited coverage per a private health insurance plan. In addition, The District, as an EPSDT Medicaid Provider, serves as an administrative agent for HFS with the responsibility to encourage parents to explore the benefits of Medicaid coverage for their children. Please go to the HFS Web Site for more information on Medicaid and its Benefits: www2.illinois.gov/hfs/Pages/default.aspx

APPENDIX A (Spanish)

A: Los Padres y Ciudadanos del Distrito Escolar 825-Distrito de Educación Especial del Condado de Lake

Esto es para informarle de que su distrito escolar, Distrito de Educación Especial del Condado de Lake, es un Proveedor de EPSDT Medicaid de Illinois Agencia Estatal de Medicaid, asistencia sanitaria y servicios a la familia (SAF). EPSDT (Detección temprana periódica, de diagnóstico y tratamiento) es un mandato federal que el Estado proporcione intervención temprana/ servicios de prevención a los niños, de la edad desde el nacimiento hasta los 18. Los servicios son servicios aliados de cuidado de salud que proporciona el personal del distrito escolar o por profesionales de la salud aliada en virtud de un contrato con el distrito. Como un Proveedor EPSDT Medicaid, el Distrito tiene el derecho a cobrar los fondos federales de Medicaid para compartir en el costo de la prestación de servicios de cuidado de salud de los niños matriculados en el distrito escolar.

Los servicios de atención a la salud aliada de los profesionales incluyen a las enfermeras escolares, terapeutas del habla, psicólogos, trabajadores sociales, terapeutas físicos y ocupacionales, ayudantes de salud personal, consejeros, examinadores de visión y examinadores de audición y los servicios especiales de transporte. Estos servicios pueden ser proveídos a los estudiantes por medio de su IEP (Plan Educativo individual) o a estudiantes dentro del programa de educación estándar. Tanto el gobierno federal y estatal mandan al distrito escolar proveer los servicios de atención a la salud de los estudiantes en base a las proyecciones de las evaluaciones que se realicen. Los reclamos a Medicaid se presentan y procesan según el contrato del distrito con una agencia de servicio de facturación y los reembolsos de los fondos recibidos se utilizan para cubrir el costo de la prestación de estos servicios de la atención a la salud.

Los servicios de atención de la salud enumerados en el IEP del estudiante son siempre con la autorización de los padres y "sin costo alguno" a los padres. Este "sin costo alguno", esta de acuerdo con el cumplimiento de la Ley Pública 94-142 - "La educación de las Personas con Discapacidad sin costo alguno y la educación pública apropiada", IDEA "Acta de la Educación de Discapacidades Individuales", Ley Pública 100-360 y el Estado de Illinois, y mandado por la Junta de Educación del Estado. El Distrito, es un proveedor Medicaid EPSDT, y es elegible para solicitar fondos federales de Medicaid para los servicios de atención de salud dados a estudiantes matriculados en Medicaid de Illinois - Programa All Kids.

Medicaid es un programa financiado por el Gobierno del Estado de Illinois y el Gobierno Federal. La cobertura de Medicaid no tiene tiempo de vida en beneficios y no contiene ninguna condición pre-existente cláusulas o limitaciones. La elegibilidad para participar en el programa de Medicaid del Estado se basa en los ingresos de la familia, la falta de seguro de salud o cobertura limitada por un plan de seguro de salud privado. Además, El Distrito, como Proveedor de Medicaid EPSDT, actúa como un agente administrativo para HFS con la responsabilidad de animar a los padres a explorar los beneficios de cobertura de Medicaid para sus hijos.

Por favor, vaya al sitio de la HFS para obtener más información sobre Medicaid y sus beneficios: www2.illinois.gov/hfs/Pages/default.aspx

APPENDIX B

Aggressive Behavior Reporting Letter and Form (sample)

Dear Parent(s)/Guardian(s):

Please be advised that your child engaged in behavior that, if repeated, may escalate into aggressive behavior, such as bullying. Illinois law requires school districts to notify the parent or guardian of a child who demonstrated behaviors that put him or her at risk for aggressive behavior.

The School Board policy on student behavior prohibits a student while at school or a school-related activity from: (1) engaging in any kind of bullying or aggressive behavior that causes physical or psychological harm to someone else, and/or (2) urging other students to engage in such conduct.

This early notification is intended to help all of us work together to avoid repetition of the behavior.

Student _____ Incident date _____
Incident location _____ Incident time _____
Reported by _____ Reporting date _____

Description of the behavior: (Reporters, be specific. Describe what happened, what harm resulted, the child's explanation, and any known or suspected causes for what happened.)

Follow-up conference: I or someone from my office will telephone you to schedule an in-person meeting or telephone conference to discuss what occurred and ways to help your child, (1) be aware of how others were affected by the behavior, and (2) to understand boundaries and manage conflict.

The following consequence(s) or intervention(s) is/are recommended:

- _____ Counseling or other support services for your child.
- _____ Providing opportunities for all individuals involved in an incident to reach a resolution.
- _____ Enabling your child to make amends for the harm caused.
- _____ Suggesting your child receive non-District affiliated services.

Other: _____

The District is committed to helping those involved learn from this experience.

Building Principal

Date

APPENDIX C

RE: Preventing and Reducing Incidences of Sexting

Dear Parent/Guardian:

Many parents are unfamiliar with *sexting*. It is generally defined as sending, sharing, viewing, receiving or possessing *indecent visual depictions* of oneself or another person using a cell phone. A student will be disciplined for sexting at school.

Discussing sexting and its legal and social consequences with your children may prevent and reduce incidences of it at school and elsewhere. A recent survey revealed that about 20 percent of teen boys and girls have sent sext messages. It can cause enormous emotional pain for the students involved, often with legal implications. The following talking points from the American Academy of Pediatrics may help start the discussion:

- Introduce the issue as soon as a child is old enough to have a cell phone. Even if the issue hasn't directly impacted your school building's community, ask "have you heard of sexting?" "Tell me what you think it is." Learn what your child's understanding is and add an age appropriate explanation. For more information about starting age appropriate discussions, see *The New Problem of Sexting* subhead on the American Academy of Pediatrics website at: www.aap.org/advocacy/releases/june09socialmedia.htm.
- Make sure children of all ages understand that the District's student discipline policy prohibits sexting at school, and that it is further punishable in Illinois through the Juvenile Court Act and The Criminal Code of 2012.
- Collect cell phones at gatherings of tweens and teens. Experts have noted that peer pressure can play a major role in sexting, with attendance at parties being a major contributing factor.
- Monitor the media for stories about sexting that illustrate the consequences for both senders and receivers of these images. Ask "Have you seen this story?" "What did you think about it?" "What would you do if you were this child?"
- Rehearse ways your child can respond if asked to participate in sexting.

For more information on sexting and how to talk to your children about it, please see the following links:

www.aap.org/advocacy/releases/june09socialmedia.htm;
www.education.com/magazine/article/child-sexting-parents/;
www.athinline.org.

APPENDIX C (Spanish)

Re: Prevenir y Reducir la Incidencia de Sexting

Estimado Padre/Guardian:

Muchos padres no están familiarizados con sexting. En general se define como el envío, el compartir, ver, recibir o poseer indecente representaciones visuales de uno mismo o otra persona que usa un teléfono celular. Un estudiante será disciplinado por sexting en la escuela.

Hablar de sexting y sus consecuencias legales y sociales con sus hijos puede prevenir y reducir la incidencia de ello en la escuela y otros lugares. Una encuesta reciente revelo que alrededor del 20 por ciento de los adolescentes han enviado mensajes de sexting. Puede causar dolor emocional enorme para los estudiantes que participan, a menudo con implicaciones legales. Los siguientes puntos de hablar de la American Academy of Pediatrics pueden ayudar a iniciar la discusión:

- Introduzca el tema tan pronto como el niño(a) tenga edad suficiente para tener un teléfono celular. Incluso si el problema no ha afectado directamente la comunidad de su edificio de la escuela, pregunte "¿Has oído hablar sexting?" "¿Dime lo que piensas que es?" Aprenda el conocimiento de su niño(a) y agregue una explicación de edad apropiada. Para obtener más información acerca de discusiones de edad de inicio apropiado, consulte *The New Problem of Sexting* subtítulo de la American Academy of Pediatrics de la página web: www.aap.org/advocacy/releases/june09socialmedia.htm.
- Asegúrese de que los niños de todas las edades entiendan que la política del distrito de disciplina estudiantil prohíbe sexting en la escuela, y que es más penado en Illinois a través del Juvenile Court Act y The Criminal Code of 2012.
- Guarde los teléfonos celulares en las reuniones de los preadolescentes y adolescentes. Los expertos han indicado que la presión social puede jugar un papel importante en sexting, la asistencia a reuniones es un factor importante que contribuye.
- Monitoree los medios de comunicación por historias sobre sexting que ilustran las consecuencias tanto para los remitentes y los receptores de estas imágenes. Pregunte "¿Has visto esta historia?" "¿Qué piensa de él?" "¿Qué harías si fueras este niño(a)?"
- Ensaye formas en que su niño(a) pueda responder si se les pide que participen en sexting.

Para más información sobre sexting y cómo hablar con sus hijos acerca de ello, por favor vea los siguientes enlaces:

www.aap.org/advocacy/releases/june09socialmedia.htm;
www.education.com/magazine/article/child-sexting-parents/;
www.athinline.org.

APPENDIX D

RE: Student Authorization for Electronic Network Access

Each student and his or her parent(s)/guardian(s) must sign the Authorization before being granted access. Please read carefully before signing.

All use of the Internet shall be consistent with the District's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. This *Authorization* does not attempt to state all required or proscribed behavior by users. However, some specific examples are provided. **The failure of any user to follow the terms of the *Authorization for electronic Network Access* may result in the loss of privileges, disciplinary action, and/or appropriate legal action.** The signature(s) at the end of this document is legally binding and indicates the party who signed has read the terms and conditions carefully and understands their significance.

Terms and Conditions

1. Acceptable Use – Access to the District's electronic networks must be for the purpose of education or research and be consistent with the educational objectives of the District.
2. Privileges – The use of the district's electronic networks is a privilege, not a right, and inappropriate use may result in a cancellation of those privileges. The system administrator or Building Principal will make all decisions regarding whether or not a user has this *Authorization* and may deny, revoke, or suspend access at any time.
3. Unacceptable Use – The user is responsible for his or her actions and activities involving the network. Some examples of unacceptable uses are:
 - a. Using the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any U.S. or State law;
 - b. Unauthorized downloading of content (software, audio, visual, print, images) software, regardless of whether it is copyrighted or free or viruses and malware;
 - c. Downloading copyrighted material for other than personal use;
 - d. Installation or connection of any computer hardware, components, or software;
 - e. Using the network for private financial or commercial gain;
 - f. Wastefully using resources, such as file space and bandwidth including streaming of audio or video;
 - g. Hacking or gaining unauthorized access to files, resources or entities;
 - h. Invading the privacy of individuals, which includes the unauthorized disclosure, dissemination, and use of information about anyone that is of a personal nature;
 - i. Using another user's account or password;
 - j. Posting material authored or created by another without his/her consent;
 - k. Posting anonymous messages;
 - l. Using the network for commercial or private advertising;

- m. Accessing, submitting, posting, publishing, or displaying any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, harassing, or illegal material; and
 - n. Using the network while access privileges are suspended or revoked.
4. Network Etiquette – You are expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:
- a. Be polite. Do not become abusive in your messages to others.
 - b. Use appropriate language. Do not swear, or use vulgarities or any other inappropriate language.
 - c. reveal the personal information, including the addresses or telephone numbers, of students or staff.
 - d. Recognize that electronic mail (E-mail) is not private. People who operate the system have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.
 - e. Do not use the network in any way that would disrupt its use by other users.
 - f. Consider all communications and information accessible via the network to be private property.
5. No Warranties – The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any damages the user suffers. This includes loss of data resulting from delays, non-deliveries, missed-deliveries, or service interruptions caused by its negligence or the user's errors or omissions. Use of any information obtained via the Internet is at the users own risk. The district specifically denies any responsibility for the accuracy or quality of information obtained through its services.
6. Indemnification – The user agrees to indemnify the School District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District relating to, or arising out of, any breach of this *Authorization*.
7. Security – Network security is a high priority. If you can identify a security problem on the Internet, you must notify a teacher. Do not demonstrate the problem to other users. Keep your account and password confidential. Do not use another individual's account. Attempts to log-on to the Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk may be denied access to the network.
8. Vandalism – Vandalism will result in cancellation of privileges and other disciplinary action. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet, or any other network. This includes, but is not limited to, the uploading or creation of computer viruses.
9. Telephone Charges – The District assumes no responsibility for any unauthorized charges or fees, including telephone charges, long-distance charges, per-minute surcharges, and/or equipment or line costs.

10. Web Publishing Rules – SEDOL does not approve of individual student or staff creation and posting of web pages under the SEDOL auspices.
11. Use of personal devices – Personal electronic devices are not allowed to access the SEDOL network unless specified in student’s IEP for educational purposes. When an IEP team agrees that educational benefit may be derived from the use of a personal mobile learning device, both student and parent/guardian must complete the “Student Personal Mobile Learning Device Agreement,” and submit it to the Building Principal/Supervisor.

Internet Safety

1. Internet access is limited to only those “acceptable uses” as detailed in these procedures. Internet safety is almost assured if users will not engage in “unacceptable uses,” as detailed in this Authorization and otherwise follow this Authorization.
2. Staff members shall supervise students while students are using District Internet access to ensure that the students abide by the Terms and Conditions for Internet access contained in this Authorization.
3. Each District computer with Internet access has a filtering device that blocks entry to visual depictions that are: (1) obscene, (2) pornographic, or (3) harmful or inappropriate for students, as defined by the Children’s Internet Protection Act and as determined by the Superintendent or designee.
4. The system administrator and Building Principals shall monitor student Internet access.

Students in SEDOL operated facilities will be provided a form from the Principal. Students attending in member districts will follow procedures in that district. *(Required if the user is a student:)*

See page 3 for authorization form for parent and student signature.

Authorization for Electronic Network Access Form

Students must have a parent/guardian read and agree to the following before being granted unsupervised access.

All use of the Internet shall be consistent with the District’s goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. **The failure of any user to follow the terms of the *Acceptable Use of Electronic Networks* will result in the loss of privileges, disciplinary action, and/or appropriate legal action.** The signatures at the end of this document are legally binding and indicate the parties who signed have read the terms and conditions carefully and understand their significance.

I have read this *Authorization for Electronic Network Access*. I understand that access is designed for educational purposes and that the District has taken precautions to eliminate

controversial material. However, I also recognize it is impossible for the District to restrict access to all controversial and inappropriate materials. I will hold harmless the District, its employees, agents, or Board members, for any harm caused by materials or software obtained via the network. I accept full responsibility for supervision if and when my child's use is not in a school setting. I have discussed the terms of this *Authorization* with my child. I hereby request that my child be allowed access to the District's Internet.

Parent/Guardian Name (*Please Print*): _____

Parent/Guardian Signature: _____

Date: _____

Students must also read and agree to the following before being granted unsupervised access.

I understand and will abide by the above *Authorization for Electronic Network Access*. I understand that the District and/or its agents may access and monitor my use of the Internet, including my email and downloaded material, without prior notice to me. I further understand that should I commit any violation, my access privileges may be revoked, and school disciplinary action and/or legal action may be taken. In consideration for using the District's electronic network connection and having access to public networks, I hereby release the District and its Board members, employees, and agents from any claims and damages arising from my use of, or inability to use the District's electronic network, including the Internet.

Student Name (*Please Print*): _____

Student Signature: _____

Date: _____

Updated: February

APPENDIX D (Spanish)

Autorización de Acceso a la Red Electrónica

Cada estudiante y su(s) padre(s) /tutor(s) debe firmar la autorización antes de que se les permita el acceso. Favor de leer cuidadosamente antes de firmar.

Todo uso del Internet y de la red deberá ser consistente con las metas del Distrito de promover excelencia educativa por facilitar el intercambio de recursos, innovación y comunicación. Estas guías no pretenden indicar toda conducta requerida o prohibida por los usuarios. Sin embargo, se proporcionan algunos ejemplos específicos. **El fallo de cualquier usuario de seguir los términos de las *Guías De Uso Aceptable De Estudiantes* puede resultar en la pérdida de privilegios, acción disciplinaria y /o acción legal apropiada.** Las firmas al final de este documento son jurídicamente vinculantes y indica que los partidos que firmaron han leído los términos y condiciones cuidadosamente y entienden su significado.

Términos y Condiciones

1. Uso Aceptable - El acceso a las redes electrónicas del Distrito debe ser para el propósito educativo o de investigación y ser consistente con los objetivos educativos del Distrito.
2. Privilegios - El uso de la red electrónica del Distrito es un privilegio, no un derecho y el uso inapropiado puede resultar en la cancelación de esos privilegios. Los Administradores del Distrito, en consulta con el Coordinador de Tecnología, tomarán todas las decisiones con respecto a si un usuario tiene sus privilegios negados, revocado o acceso suspendido en cualquier momento.
3. Uso inaceptable – El usuario es responsable de sus actos y actividades relacionados con la red. Algunos ejemplos de usos inaceptables son:
 - a. Usar la red para cualquier actividad ilegal, incluyendo la violación de los derechos de autor o otros contratos, o la transmisión de cualquier material en violación de cualquier ley Estatal o de EE.UU;
 - b. La descarga no autorizada de contenidos (software, audio, visual, impresión, imágenes) de software, independientemente de que tenga derechos de autor o la ausencia de virus o malware;
 - c. Descarga de material con derecho de autor sin el permiso expreso del autor de la obra;
 - d. La instalación o conexión de cualquier hardware, componentes o software en la computadora;
 - e. Usar la red para ganancia financiera o comercio privado;
 - f. Malgastar el uso de recursos, como el espacio de archivos y ancho de banda incluyendo transmisión por secuencia excesiva de audio o video;
 - g. Hackear o el acceso no autorizado a archivos, recursos o entidades;
 - h. Invasión la privacidad de las personas, que incluye la divulgación no autorizada, difusión y uso de la información sobre cualquier persona que es de carácter personal;
 - i. “Intimidación Cibernética” (deliberadamente amenazar, acosar o intimidar a

- o. cualquier persona o grupo de personas);
 - j. Usando la cuenta de otro usuario o contraseña;
 - k. Publicar material escrito o creado por otro sin su consentimiento;
 - l. Publicar mensajes anónimos;
 - m. Usar la red para la publicidad privada o comercio;
 - n. Acceder, enviar, publicar o mostrar cualquier material difamatorio, inexacto, abusivo, obsceno, profano, de orientación sexual, amenazante, racialmente ofensivo, acosador, o material ilegal; y
 - o. Uso de la red mientras que los privilegios de acceso están suspendidos o revocados.
4. **Ética de la Red** – Se espera que usted cumpla con las normas generalmente aceptadas de la ética de la red. Estos incluyen pero no se limitan a, lo siguiente:
- a. Sea cortés. No sea abusivo en sus mensajes a otros.
 - b. Use lenguaje apropiado. No use malas palabras, vulgaridades o cualquier otro lenguaje inapropiado.
 - c. No revele la información personal, incluyendo las direcciones o números de teléfonos de estudiantes o personal.
 - d. Reconozca que la comunicación electrónica a través de la red del Distrito no es privada. Las personas que operan el sistema tienen acceso a todo tipo de comunicación electrónica en la red del Distrito. Comunicación relativa a, o en apoyo de actividades ilegales se informará a las autoridades respectivas.
 - e. No use la red de ninguna manera que pueda interrumpir su uso por otros usuarios.
5. **No Garantías**- El Distrito no ofrece garantías de ninguna clase, ya sea expresada o implicada, por el servicio que esta proporcionado. El Distrito no será responsable por ningún daño que sufra el usuario. Esto incluye la pérdida de datos como resultados de demoras, no entregas, entregas perdidas, o interrupciones del servicio causadas por su negligencia, o errores o omisiones de usuario. El uso de cualquier información obtenida a través de Internet está al riesgo del usuario. El Distrito específicamente niega cualquier responsabilidad por la exactitud o calidad de información a través de sus servicios.
6. **Indemnización** – El usuario está de acuerdo de indemnizar al Distrito Escolar por cualquier pérdida, costos, o daños, incluyendo los honorarios razonables de abogados, incurridos por el Distrito en relación a, o que surja de cualquier incumplimiento de este acuerdo.
7. **Seguridad** – La seguridad de red es de alto prioridad. Si puede identificar un problema de seguridad en el Internet, usted debe notificar a un maestro(a). No demuestre el problema a otros usuarios. Mantenga su cuenta y contraseña confidencial. No use la cuenta de otra persona. Los intentos de conectarse a la red del Distrito como alguien que no sea usted mismo dará lugar a la cancelación de los privilegios de usuario. Cualquier usuario identificado como un riesgo de seguridad se le puede negar el acceso a la red.

8. Vandalismo – El vandalismo resultara en la cancelación de privilegios y otra acción disciplinaria. El vandalismo se define como cualquier intento malicioso de dañar o destruir el equipo, los datos de otro usuario, la red del Distrito, o cualquier otra red. Esto incluye, pero no se limita a, la carga o creación de virus informáticos.
9. Cargos de Tercer Partido – El Distrito no asume ninguna responsabilidad por cualquier honorario o cargos no autorizados, incluyendo los gastos de teléfono, cargos de larga distancia, recargos por minuto, costos de equipo o de línea, o cualquier otra compra.
10. Normas de Publicación Electrónica – Publicación electrónica del personal o archivos multimedia de los estudiantes sin el consentimiento correcto por escrito y autorización del Distrito está prohibido.
11. El uso de aparatos personales – Los aparatos electrónicos personales no se les permite el acceso a la red del Distrito a menos que se especifique en el PEI del estudiante o como parte de un ensayo de aparato para los propósitos educativos y el **Acuerdo Del Aparato Móvil De Aprendizaje Personal Del Estudiante De SEDOL** ha sido firmado por el estudiante y padre(s)/tutor(s). El uso de aparatos electrónicos personales no especificados en el PEI del estudiante o como parte de un ensayo no será permitido el acceso a la red del Distrito. El Distrito no será responsable de la seguridad, la pérdida o el daño de los aparatos electrónicos personales que el estudiante trae a la escuela. La pérdida de acceso a los aparatos personales puede ocurrir si el Distrito se preocupa sobre su uso apropiado.

Seguridad En Internet

1. Acceso a Internet está limitado solamente a “usos aceptables”, como se detalla en estos procedimientos.
2. Los miembros del personal supervisaran a los estudiantes mientras los estudiantes están utilizando la red del Distrito y el acceso a Internet para que los estudiantes cumplan con los Términos y Condiciones para el acceso a Internet contenidos en este acuerdo.
3. Cada computadora del distrito o aparato con acceso a Internet tiene contenido filtrado para bloquear la entrada a representación visuales que son: (1) obsceno, (2) pornográfico, o (3) Dañinas o inapropiadas para los estudiantes, como se define en el Acta de Protección de Privacidad Infantil en Internet y como determinado por el Superintendente o su designado. El Distrito no puede controlar el contenido filtrado de Internet en los aparatos personales que utilizan las compañías de redes privadas (ejemplo: los teléfonos celulares y otros aparatos 3G/4G personales).
4. Acceso a Internet en la red del Distrito es monitoreada por el personal de Tecnología de Información.
5. Los estudiantes que asisten en los distritos afiliados seguirán los procedimientos en ese distrito, en adición de este acuerdo.

He leído las **Guías Del Uso Aceptables De Estudiantes**. Entiendo que el acceso está diseñado para propósitos educativos y que el Distrito ha tomado precauciones para eliminar material controversial. Sin embargo, también reconozco que es imposible que el Distrito

controle el acceso a todo material controversial y inapropiado. Voy a mantener indemne al Distrito, sus empleados, agentes o miembros del Consejo escolar, de daños producidos por los materiales o software obtenido a través de la red. Acepto la responsabilidad completa de supervisión cuando y el uso de mi niño(a) no sea en el ambiente escolar. He analizado los términos de este acuerdo con mi niño(a). Por lo presente, solicito que mi niño(a) se le permita el acceso a los servicios de la red del Distrito.

Fecha: _____

Nombre(s) de Padre/Tutor (*favor de imprimir*): _____

Firma(s) Padre/Tutor: _____

Nombre del Estudiante (*favor de imprimir*): _____

Firma de Estudiante: _____

APPENDIX E

NOTICE OF PROCEDURAL SAFEGUARDS FOR PARENTS/GUARDIANS OF STUDENTS WITH DISABILITIES (November 2018)

As the parent/guardian of a student or adult student with a disability who is receiving or may be eligible to receive special education and related service, you have rights which are safeguarded by state and federal law. The rights to which you are entitled are listed below. A full explanation of these rights is available from your child's school district. Please review this document carefully and contact the district if you have questions or need additional clarification regarding your child's services or the procedural safeguards available to you.

The notice of your procedural safeguards must be made available to you only one time a year, except that a copy also must be given upon an initial request for an evaluation, a receipt of the first written complaint or first due process complaint to the Illinois State Board of Education, upon a disciplinary removal that constitutes a change in placement, or upon request.

Additional information regarding your rights is available on the ISBE website: <https://www.isbe.net/Pages/Special-Education-Parents-of-Students-with-Disabilities.aspx> in a document entitled, "Parent's Guide - Educational Rights and Responsibilities: Understanding Special Education in Illinois (06/09)

PRIOR WRITTEN NOTICE

The local district is required to provide you with prior written notice:

- When the district proposes to initiate or change the identification, evaluation, educational placement or the provision of a free, appropriate public education to your child; or
- When the district refuses to initiate or change the identification, evaluation, educational placement or the provision of a free, appropriate public education to your child; or
- One year prior to your child reaching the age of majority (18 years of age). All educational rights transfer from parent(s)/guardian(s) to the student unless determined otherwise.

The written notice must be provided at least 10 days prior to the proposed or refused action and must include:

- A description of the action proposed or refused by the district, an explanation of why the district proposes or refuses to take action, and a description of any other options the district considered and the reasons why those options were rejected;
- A description of each evaluation procedure, test, record or report the district used as a basis for the proposed or refused action;

A description of any other factors which are relevant to the district's proposal or refusal;

- A statement that you have due process rights and, if the notice is not an initial referral for evaluation, the means by which a copy of the procedural safeguards can be obtained; and
- Sources for you to contact to obtain assistance in understanding your due process rights.

The notice must be written in a language understandable to the general public and provided in the native language or other mode of communication used by you, unless it is clearly not feasible. If your native language or other mode of communication is not a written language, the local district shall take steps to ensure that: (a) the notice is translated orally or by other means to you in your native language or other mode of communication, (b) that you understand the content of the notice, and (c) that there is written evidence that these requirements have been met.

PARENTAL CONSENT

Your informed consent indicates that you were given all the relevant information in your native language or other mode of communication. It also indicates that you understand and agree in writing to the activity. The local district must obtain your informed written consent (using state-mandated forms) in the following instances:

- Initial Evaluation - Conducting an initial evaluation to determine eligibility for special education services,
- Initial Services/Placement - Initially providing special education and related services to your child, or
- Reevaluation - Reevaluating your child.

Other consents which are not part of these mandated forms include consent to access insurance benefits, consent to use the IFSP in place of an IEP, and consent to release your child's records. Additionally, a local school district may not require your consent as a condition of any benefit to you or your child except for the services or activity for which consent is required.

If your child is a ward of the state and does not reside with you, the district shall make reasonable efforts to obtain your informed consent for an initial evaluation. However, the district shall not be required to obtain your informed consent, if despite reasonable efforts to do so, the agency cannot discover your whereabouts; your rights have been terminated in accordance with Illinois law; or, your rights to make education decisions have been removed by a judge in accordance with Illinois law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.

Your consent is not required before your school district reviews existing data as part of an evaluation or reevaluation or before your school district administers a test or other evaluation that is administered to all children, unless before that test or evaluation, consent is required from the parents of all children.

ABSENCE OF PARENTAL CONSENT

Certain conditions are applicable if you refuse to provide consent for the following:

- Initial Evaluation - If you do not provide consent for an initial evaluation or fail to respond to a request to provide consent, the district may, but is not required to, pursue having an initial evaluation conducted using mediation and/or due process hearing procedures.

If a due process hearing is held, a hearing officer may order the school district to proceed in conducting an initial evaluation without your consent. This is subject to your right to appeal the decision and to have your child remain in his/her present educational placement pending the outcome of any administrative or judicial proceeding.

- Initial Services/Placement - If you refuse to provide consent for the initial provision of special education and/or related services, the district will not provide these services. Furthermore, the district may not pursue mediation or due process procedures in order to obtain a ruling that services may be provided.

In the event that you refuse to consent to the initial provision of special education and/or related services, the district will not be considered to be in violation of its requirement to make a free appropriate public education (FAPE) available to your child. Nor is the district required to convene a meeting to develop an IEP for your child.

- Reevaluation - If you refuse to provide consent for a reevaluation, the school district may, but is not required to, pursue override procedures through mediation or a due process hearing. However, the school district may pursue the reevaluation if it made reasonable efforts to obtain your consent and you failed to respond. If the school district chooses not to pursue such procedures, the school district is not in violation of providing a free appropriate public education to your child.

REVOCAION OF CONSENT

If your child is currently receiving special education and related services, you have the right to revoke your consent for such services at any time. You may revoke consent either orally or in writing. If you revoke your consent orally, the district must provide you with written confirmation within five (5) days of your oral revocation. When you revoke your consent, either orally or in writing, the district must provide you with prior written notice to acknowledge your revocation and the date upon which all special education and related services will cease.

Once services have ceased, your child will be considered a general education student. All rights and responsibilities previously held by your child (as described in this document), including special education disciplinary protections, will also cease.

NOTE: The effect of your revocation will result in a complete termination of all special education and related services to your child. However, if you are in a disagreement with the type or amount of services your child is receiving, but believe that your child should continue to receive special education and related services, please review the sections, "Complaint Resolution", "Mediation", and your Process Hearing" for a discussion of your rights in the case of a disagreement over services.

PARENT PARTICIPATION IN MEETINGS

You must be afforded the opportunity to participate in meetings regarding the identification, evaluation, eligibility, reevaluation, and educational placement of your child. In order to ensure your participation, the school district must provide you with ten day written notice of the meeting. The notice must inform you of the purpose and a mutually agreeable place and time

for the meeting and who will be in attendance. The notice for the IEP meeting must also include a statement that you have the right to invite individuals with special knowledge or expertise about your child to attend the IEP meeting with you.

As a parent, you are an important member of your child's IEP team and are encouraged to be involved in meetings where decisions are made regarding the educational placement of your child. However, if you cannot attend the meeting, the school district must use other methods to ensure your participation, including individual or conference telephone calls. Decisions about your child's services and placement can be made by the IEP team even if you do not attend the meeting, but the district must maintain a record of its attempts to arrange a mutually agreed upon time and place for the meeting that includes things such as detailed telephone calls made or attempted and the results of those calls, copies of correspondence sent to you and any responses received, or detailed records of visits made to your home or workplace and the results of those visits.

For a child beginning at age 14 the notice must indicate that one purpose of the meeting will be the development of a statement of the transition service needs of your child and that the school district will

invite your child to the meeting and indicate any other agency that will be invited to send a representative to the meeting. The district must take whatever action is necessary to ensure that you and your child understand the proceedings at a meeting, which may include arranging for an interpreter if you or your child is deaf or your native language is not English.

The IEP team must meet at least once a year and must have an IEP for your child in effect by the beginning of each school year. After the annual meeting, you and the school may agree not to convene an IEP meeting for the purpose of amending your child's IEP, and instead may amend or modify the IEP through a written document. The IEP team members must be informed of the changes. At any time, you may request an IEP meeting to be held at a time convenient for both you and the school.

EVALUATION PROCEDURES

Your school district must use a variety of evaluation tools and strategies when conducting an evaluation of your child. The evaluation must assess your child in all areas related to the suspected disability. The school district must use technically sound instruments and procedures that are not biased against your child because of race, culture, language, or disability. The materials and procedures must be provided and administered in the language and form most likely to provide accurate information on what your child knows and can do.

Initial Evaluation

Either you or the school district may initiate a request for an initial evaluation of your child. If it is determined that an evaluation is necessary, the district must complete the evaluation no later than 60 school days following the date you signed the written consent to perform the needed assessments. If fewer than 60 school days remain in a school year after the date you have provided consent, the eligibility determination shall be made and the IEP meeting shall be completed prior to the first day of the following school year.

The evaluation must be conducted by a team of qualified individuals and include your input. Your child will not be determined to be a child with a disability if lack of appropriate instruction in reading, math, or limited English proficiency, are judged to be determinant factors.

If a district fails to conduct the evaluation, you may appeal this failure in an impartial due process hearing, request consideration of this failure using the State complaint procedures, or request mediation.

Reevaluation

At least every three years after the initial evaluation, the school must reevaluate your child, unless you and the school agree a reevaluation is unnecessary.

Independent Educational Evaluation

An *independent educational evaluation* means an evaluation conducted by a qualified person who is chosen by you and is not employed by your school district.

You have the right to obtain an independent educational evaluation at public expense if you disagree with an evaluation obtained by the local district. When you request the school district pay for an independent educational evaluation, the school must either pay for it or request a due process hearing without unnecessary delay to show that its evaluation is appropriate. The school district may ask you why you object to its evaluation, but cannot unreasonably delay or deny the evaluation by requiring you to explain your disagreement.

If the district agrees to pay for the independent educational evaluation, it must provide to you, upon your request, information about where an independent educational evaluation may be obtained. Whenever an independent evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria which the district uses when it initiates an evaluation.

If the district initiates a due process hearing and the hearing officer orders an evaluation, the cost of the evaluation must be at public expense. If the final decision of the hearing officer is that the district's evaluation is appropriate, you still have the right to an independent educational evaluation, but at your own expense.

If you obtain an independent educational evaluation at private expense, the results of the evaluation must be considered by the district in any decision made with respect to the provision of a free, appropriate public education for your child. You may also present the independent educational evaluation as evidence in a due process hearing.

Within 10 days after receiving a report of an independent evaluation conducted at either public or private expense, the district shall provide written notice stating the date upon which the IEP team will meet to consider the results.

PRIVATE SCHOOL PLACEMENTS

This section describes your child's rights when you voluntarily place him/her in a private school/facility.

Private School Placements When FAPE is Not an Issue

All children with disabilities residing in the State, who are in need of special education and related services, including children attending private schools, must be located, identified, and evaluated. This process, called *Child Find*, is the responsibility of the public school district where your child's private or home school is located. If your child is determined eligible for special education services, *Child Find* includes the right to a three-year reevaluation. The rights described in this document related to identification and evaluation apply even when you place your child in a private school/facility.

However, when you choose to place your child with a disability in a private school, your child does not have a right to receive any of the special education or related services he or she would receive if enrolled in the public school. Some special education services may be available to your child while enrolled in the private school, but the type and amount will be limited by how the public school where your child's private school is located decides to serve private school students. The school's decision is made after consulting with representatives of private schools and a representative group of parents of private school children with disabilities. The school determines how to use the limited federal funds that are designated for private school services. If a public school elects to provide any type of service to your child, then a services *plan* must be developed. The services plan includes goals and those elements of a traditional IEP that are appropriate for your child and the services to be provided.

Private School Placements When FAPE Is an Issue

If you enroll your child in a nonpublic elementary or secondary school due to your belief that a free, appropriate public education was not being provided, the following may be applicable:

- A court or hearing officer may require the district to reimburse you for the cost of that enrollment if it is found that the district did not make a free, appropriate public education available in a timely manner prior to that enrollment.

The amount of reimbursement awarded by the hearing officer may be reduced or denied:

- If, at the most recent IEP meeting you attended prior to the removal of your child from the public school, you did not inform the IEP Team that you were rejecting the placement proposed by the district, including stating your concerns and intent to enroll your child in a nonpublic school or facility;
- If 10 business days (including any holidays that occur on a business day) prior to the removal of the student from the public school, you did not give notice to the district of the information mentioned above;
- If prior to your removal of your child from the public school, the school district informed you of its intent to evaluate your child but you did not make him/her available for such evaluation; or
- Upon a judicial finding of unreasonableness with respect to actions taken by you.

The cost of reimbursement may **not** be reduced or denied for failure to provide such notice if:

- A parent/guardian cannot read and write in English;
- Compliance with the notice requirements would likely result in physical or serious emotional harm to your child;
- The school prevented you from providing such notice; or
- You were not made aware of the notice requirement mentioned above.

DISCIPLINE OF STUDENTS WITH DISABILITIES

If your child's behavior impedes his/her learning or the learning of others, strategies including positive behavioral interventions and supports, must be considered in the development of your child's IEP. If your child violates the student code of conduct, school personnel may remove him/her from the current placement.

Short Term Removals (Less than 10 School Days Over the Course of a School Year)

If your child violates the student code of conduct, school personnel may remove him/her from the current placement for ten (10) days or less in a school year. The school district is not required to provide educational services during these removals unless services are provided to students without disabilities under similar circumstances.

Long Term Removals (For a Total of 10 Days or More Within a School Year)

Removals totaling ten (10) days or more in a school year may or may not constitute a change in placement, depending upon the pattern of those removals and based on factors such as the length of each removal, the total amount of time your child is removed in a school year and the length of time between each removal.

Once the disciplinary removals total more than 10 school days, the school district must continue to provide educational services. School personnel, in consultation with at least one of your child's teachers, must determine the extent to which services are needed so as to enable your child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the IEP during the removals.

Disciplinary removals beyond a total of ten school days during the school year may be considered a change in placement by school officials. If this occurs, the school district must notify you of its decision and provide you with a copy of the procedural safeguards on the same day that the decision to remove is made. School personnel, in consultation with at least one of your child's teachers, must determine the extent to which services are needed during the period of removal. Your child shall receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, which are designed to address the behavior violation so that it does not recur. Additionally, an IEP meeting must be convened as soon as possible, but no later than ten (10) school days after the decision to remove in order to conduct a manifestation determination review.

Manifestation Determination Review (MDR)

When conducting a manifestation determination review, the IEP team shall consider all relevant information in your child's file, including your child's IEP, staff observations, and any relevant information supplied by you. The IEP team determines:

- If the behavior was caused by or had a direct and substantial relationship to your child's disability, or
- If the behavior was the direct result of the school district's failure to implement your child's IEP.

If the team determines that either of the above statements is applicable, then your child's behavior must be considered a manifestation of his/her disability.

A. Manifestation of the Disability

Upon determination that the behavior was a manifestation of your child's disability, the IEP team shall:

- Conduct a functional behavioral assessment and implement a behavioral intervention plan, provided that the school district had not already conducted such an assessment prior to the determination of the behavior that resulted in change of placement,
- In the situation where a behavioral intervention plan is in place, review the behavioral intervention plan and/or modify the plan as necessary to address the behavior; and
- Return your child to the placement from which he/she was removed, unless you and the school district agree to a change of placement, except when the student has been removed to an interim alternative education setting for drugs, weapons and/or serious bodily injury (see below for more information on interim alternative educational setting).

B. Not a Manifestation of the Disability

If it is determined that the behavior of your child was not related to his/her disability, pertinent disciplinary procedures may be applied in the same manner they would be for students without disabilities-except that students with disabilities must continue to receive a free appropriate public education if removed for more than 10 school days in that school year.

If the local district initiates pertinent disciplinary procedures that apply to all students, the district must ensure that special education and disciplinary records of your child are transmitted for consideration by the person(s) making the final determination about the action.

Expedited Due Process Hearing

If you disagree with any decision regarding disciplinary placement or the manifestation determination review, you have the right to request an expedited due process hearing. The local district or ISBE must arrange for an expedited hearing when you make a request in writing.

Additionally, if the school district believes that maintaining your child in his or her current placement is substantially likely to result in injury to your child or to others, the school may request an expedited due process hearing to change your child's placement to an interim alternative educational setting. The hearing officer may order the placement even if your child's behaviors are a manifestation of his or her disability.

The expedited hearing must occur within 20 school days of the date the hearing is request and must result in a determination within 10 school days after the hearing.

Interim Alternative Educational Setting (IAES)

An interim alternative educational setting is a different location where educational services are provided for a specific time period for disciplinary reasons. This setting will be determined by the IEP team and must be selected so as to enable your child to continue to progress in the general curriculum, although in another setting, and to continue to receive those services and modifications including those described in the current IEP that will enable him or her to meet IEP goals. The alternative setting must

also include services and accommodations to address the behavior which resulted in the removal.

School personnel may remove your child from his/her current education placement to an interim alternative educational setting without your consent if he/she:

- Carries a weapon to school or to a school function,
- Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school or at a school function, and/or
- Has inflicted serious bodily injury upon another person while at school or at a school function.

Removal to an interim alternative educational setting shall not be more than 45 school days without regard to whether the behavior is determined to be a manifestation of his/her disability.

If you disagree with the decision and request an expedited due process hearing to challenge the decision, your child will remain in the interim alternative educational setting during the pendency of the hearing unless you and the school district agree otherwise or until the 45 school day time period expires. A school district may seek subsequent expedited hearings and alternative placements if after the first 45 school day term has expired the school district believes your child is still dangerous.

Protections for Students Not Yet Eligible for Special Education and Related Service

If your child has not been found eligible for special education but the district has knowledge that your child is disabled before a behavior occurred for which disciplinary action is being taken, you may assert the same protections in discipline afforded to a student with a disability.

The school district is considered to have knowledge of a disability if:

- you have expressed concerns in writing (or orally if a parent/guardian can not read or write) that your child needs special education and related services,
- your child's behavior or school performance shows the need for special
- education,
- you have requested an evaluation to determine if your child needs special education, or
- one of your child's teachers or other district staff has made a request for special education services to the special education director or other appropriate district personnel.

The school district is not considered to have knowledge of a disability if:

- you have not allowed an evaluation of your child,
- you have refused services,
- an evaluation was conducted and it was determined that your child does not have a disability, or
- it was determined that an evaluation was not needed and you were informed in writing of the determination.

If, prior to taking disciplinary action against a student, the local district had no knowledge that the student was a student with a disability, the student may be subjected to the same disciplinary procedures as those applied to students without disabilities who engaged in comparable behaviors.

An evaluation requested during the time period in which the student is subjected to disciplinary procedures must be conducted in an expedited manner. However, the student must remain in the educational placement determined by school authorities pending results of the evaluation. If the student is determined to be a student with a disability based on the evaluation, the local district must provide appropriate special education and related services.

Referral to and Action by Law Enforcement and Judicial Authorities

Local districts or other agencies are not prohibited from reporting a crime committed by a student with a disability to appropriate authorities. In addition, state law enforcement and judicial authorities are not prevented from exercising their responsibilities regarding the application of federal and state law.

Local districts or other agencies reporting a crime committed by a student with a disability must ensure that copies of the special education and disciplinary records of the student are transmitted to the appropriate authorities for their consideration.

COMPLAINT RESOLUTION

Concerns with respect to any matter relating to the identification, evaluation or educational placement of a student or the provision of a free, appropriate public education to a student should be directed to the local school district.

You may file a signed, written complaint with ISBE, alleging that the rights of your child or several children with disabilities have been violated. The following information must be included in a formal complaint:

- A statement alleging that a responsible public entity has committed a violation of a special education requirement;
- The facts on which the statement is based;
- The names and addresses of the involved students and schools of attendance;
- The signature and contact information for the complainant;
- A description of the nature of the problem, including the facts relating to the problem; and
- A proposed resolution for the problem, to the extent known.

The complaint must allege that the violation occurred not more than one year prior to the date on which the complaint is received. Within 60 days after receiving a complaint that meets the requirements listed above, ISBE shall:

- Carry out an independent on-site investigation, if deemed necessary by ISBE;
 - Give you an opportunity to submit additional information regarding the allegations;

- Require that the public entity that is the subject of the complaint submit a written response to the complaint. The public entity shall submit its response and all other documentation to ISBE and the parent, individual, or organization filing the complaint no later than 45 days from the date our agency receives the complaint;
- Provide the public entity, during the complaint process, with the opportunity to offer a proposal to resolve the complaint and/or offer to engage you in mediation or alternative means of dispute resolution.
- Review all relevant information and make a determination as to whether the public entity violated a special education requirement.
- Issue a written decision which addresses each allegation and includes findings of fact and conclusions, the reasons for ISBE's decisions and orders for any correction actions.

These actions will be conducted within a 60-day timeline, unless that time limit is extended under exceptional circumstances or if you and the district engage in another method of dispute resolution, such as mediation.

If a complaint is filed involving one or more issues that are also the subject of a due process hearing, those portions of the complaint will be held in abeyance pending the completion of the hearing. In addition, if an issue has been previously decided in a due process hearing involving the same parties, the decision from the hearing will be binding and that issue will not be investigated through the complaint process.

MEDIATION

Illinois' mediation service is designed as a means of resolving disagreements regarding the appropriateness of special education and related services to children. You may request mediation whether or not there is a pending due process hearing, but mediation cannot be used to delay or deny a due process hearing. Both you and the school district must *voluntarily* agree to participate in the mediation process. This service is administered and supervised by the ISBE and is provided at no cost to either you or the school district.

The mediation will be conducted by a qualified and impartial mediator who is trained in effective mediation techniques and is knowledgeable in laws and regulations relating to the provision of special education and related services. The mediator is an impartial third party and has no authority to force any action by either party.

The number of participants shall generally be limited to three persons per party. You may bring an attorney, advocate, interpreter, and other relevant parties. All discussions that occur during the mediation process shall be confidential and may not be used as evidence in *any subsequent due process hearing or civil proceeding*.

You will not be asked to abandon basic beliefs about your child's ability during mediation; rather you will be asked to: (a) consider alternatives which could be included in your child's program, (b) listen to the concerns expressed by the other party, and (c) be realistic about your child's capabilities and the local district's obligations and resources.

If you resolve a dispute through the mediation process, an agreement will be written and signed by both you and a representative of the school district who has the authority to bind such agreement. Mediation agreements are legally binding and enforceable in any state court of competent jurisdiction or in a district court of the United States.

A request for mediation by a parent challenging a district proposal to change the child's educational placement shall invoke the "stay-put" provision. The "stay-put" placement shall be the last agreed upon placement between the parties. In the event a party declines to use mediation, the parent (or student if 18 years of age or older or emancipated) shall have 10 days from the date of the refusal to

request a due process hearing in order to continue the "stay-put" placement. If mediation fails to resolve the dispute between the parties, the parent (or student if 18 years of age or older or emancipated) shall have 10 days after the mediation concludes to file a request for a due process hearing in order to continue to invoke the "stay-put" provision.

Efforts to mediate the disagreement will not be admissible as evidence at any subsequent administrative or civil proceeding except for the purpose of noting the mediation which did occur and the terms of any written agreement(s) which were reached as a result of mediation. The mediator may not be called as a witness at *any subsequent administrative or civil proceeding*.

If you wish to request mediation services or to learn more about the mediation system, you may contact the Division of Special Education Services, Illinois State Board of Education, at 217/782-5589 or toll-free for parents at 866/262-6663.

DUE PROCESS HEARING

Requesting a Due Process Hearing

In addition to the use of mediation and the state complaint procedures, you also have the right to request an impartial due process hearing. A due process hearing is a legal process in which a hearing officer gathers evidence and hears testimony from both you and the school district in order to make a legally binding decision. You may initiate a due process hearing regarding the district's proposal or refusal to initiate or change the identification, evaluation, or educational placement of a student or the district's provision of a free, appropriate public education. Your request for a due process hearing must discuss matters that have occurred within the past two years or within two years of the date you reasonably should have known about the district's actions concerning your child's placement of services.

A request for a hearing must be made in writing to the superintendent of the district in which you and your child reside and must include the following information:

- The name and address of the student;
- The name of the school attended;
- A description of the nature of the problem about which you are complaining that relates to the proposed initiation or change, including facts relating to the problem; and
- A proposed resolution of the problem to the extent known and available to the parent at the time.

Within 5 school days of receipt of the request for a hearing, the district will contact ISBE by certified mail to request the appointment of an impartial due process hearing officer. A model form for requesting a due process hearing shall be made available upon request.

Within 5 calendar days of filing your hearing request with the district, you are permitted the right to file an amended hearing request that may cover issues that were not raised in your initial hearing request. After 5 calendar days, you will only be allowed to file an amended hearing request with the agreement of the district, or with the authorization of the hearing officer. If you file an amended hearing request that raises issues other than issues in your initial hearing request, you will be required to restart all hearing timelines and potentially complete new resolution sessions and prehearing conferences (see below).

Resolution Meetings

Prior to the impartial due process hearing, the district will convene a meeting with you and relevant members of the IEP Team who have specific knowledge of the facts identified in the request for a due process hearing. The purpose of the resolution meeting is for you to discuss your request for the hearing and the facts that form the basis of the request so that the school district has the opportunity to resolve the dispute.

The resolution meeting shall:

- Be conducted within 15 days of receiving the district's notice of the request for a due process hearing;
- Include a representative of the district who has decision-making authority;
- Not include district attorney unless you are also accompanied by an attorney;
- Allow you to discuss your request for a due process hearing.

You and the district may mutually agree in writing to waive the resolution meeting or agree in writing to use the mediation process as described above. Please note that you may use mediation at a later date if the resolution session proves unsuccessful.

If a resolution is reached, the parties must execute a legally binding agreement that is signed by both you and a representative of the district who has the authority to bind the district. The signed agreement is normally enforceable in any State court of competent jurisdiction or in a district court of the United States. However, either party may void such agreement within three (3) business days of signing the agreement by providing notice of the intent to void the agreement in writing to the other party.

If the school district has not resolved the request for due process hearing to your satisfaction within thirty (30) days of the receipt of the request, the due process hearing will continue. The due process hearing timelines will begin at the expiration of the 30 day period.

Except where you and the school district have jointly agreed to waive the resolution meeting or to use mediation and where you have filed the request for due process hearing, your failure to participate in the resolution meeting will delay the timelines for the resolution process and due process hearing until the meeting is held. In rare instances, a hearing officer could dismiss your hearing request if it is determined that you have intentionally hindered the district's ability to conduct the resolution session.

Appointment of an Impartial Due Process Hearing Officer

An impartial hearing officer will be appointed by ISBE to conduct the hearing. The hearing officer cannot be an employee of any agency involved in the education or care of your child and cannot have any personal or professional interest that would conflict with objectivity in the hearing.

A party to a due process hearing will be permitted one substitution of a hearing officer as a matter of right. A request for a substitute hearing officer must be made in writing to ISBE within 5 days after you receive notification of the hearing officer's appointment. In the event that you and the district submit written requests on the same day and these are received simultaneously, ISBE will consider the substitution to have been at the request of the party initially requesting the hearing. The right of the other party to a substitution will be absolutely protected. When a party to the hearing submits a proper request for substitution, ISBE will select and appoint another hearing officer at random within 3 days.

When the appointed hearing officer is unavailable or removes himself/herself before the parties are notified of his/her appointment, ISBE will appoint a new hearing officer.

Pre-hearing Conference

If you and the district are unable to reach an agreement through the resolution process, the due process hearing requirements shall proceed. Unless a permissible extension of time is granted by the hearing officer, a hearing decision must be rendered within 45 days after the close of the resolution session process described above. Prior to conducting the hearing, the hearing officer must conduct a prehearing conference with the parties.

Within 5 days after receiving written notification by ISBE, the appointed hearing officer must contact the parties to determine a time and place to convene the pre-hearing conference. The prehearing conference may be conducted by telephone or in-person at the discretion of the hearing officer in consultation with both you and the district. At the prehearing conference, you, as well as the district, will be expected to disclose the following:

- 1) The issues believed to be in dispute at the hearing;
- 2) The witnesses that may be called at hearing;
- 3) The list of documents that may be submitted to present the case at hearing.

Please note that if you raise issues at the prehearing conference that were not included in your hearing request, you may be required to submit an amended hearing request and to complete a new resolution session and prehearing conference at a later date. An amended hearing request may also result in a delay of the hearing. (See above, "Requesting a Due Process Hearing".)

At the conclusion of the prehearing conference, the hearing officer must prepare a report of the conference and enter it into the hearing record. The report must include, but need not be limited to:

- The issues, the order of presentation, and any scheduling accommodations that have been made for the parties or witnesses;
- A determination of the relevance and materiality of documents or witnesses, if raised by a party or the hearing officer; and
- A listing of the stipulated (or agreed) facts as discussed during the pre-hearing conference.

Rights Prior to the Hearing

You have the right to:

- Be accompanied and advised by counsel and by individuals with special knowledge with respect to the problems of students with disabilities;
- Inspect and review all school records pertaining to the student and obtain copies of any such records;
- Have access to the district's list of independent evaluators and obtain an independent evaluation of the student at your own expense;
- Be advised at least 5 days prior to the hearing of any evidence to be introduced;
- Compel the attendance of any local school district employee at the hearing, or any other person who may have information relevant to the needs, abilities, proposed program, or the status of the student;
- Request that an interpreter be available during the hearing;
- Maintain the placement and eligibility status of the student until the completion of all administrative and judicial proceedings; and
- Request an expedited hearing to change the placement of your child or if you disagree with the district's manifestation determination or the district's removal of the student to an interim alternative educational setting.

Rights During the Hearing

You have the right to:

- Have a fair, impartial, and orderly hearing;
- Have the opportunity to present evidence, testimony, and arguments necessary to support and/or clarify the issue in dispute;
- Close the hearing to the public;
- Have your child present at the hearing;
- Confront and cross-examine witnesses; and
- Prohibit the introduction of evidence not disclosed at least 5 days prior to the hearing.

The Hearing

ISBE and the hearing officer must ensure that a hearing is held within 45 days after receipt of a request for a hearing, unless the hearing officer grants a specific time extension at the request of either party. Within 10 days after the conclusion of the

hearing, the hearing officer must issue a written decision which sets forth the issues in dispute, findings of fact based upon the evidence and testimony presented, and the hearing officer's conclusions of law and orders. The hearing officer must make a determination about all issues raised in the hearing request (unless settled by the parties prior to hearing) as well as the overall determination of whether the district has provided the student a free appropriate public education based on the facts of the case.

Expedited Hearings

As described above (see "Discipline of Students with Disabilities") an expedited hearing may be requested when you have a disagreement about the district's decision to remove your child from the current educational placement due to disciplinary issues. Expedited hearings have a number of similarities with, but several major differences from, regular due process hearings. The principal differences with regular due hearings are the following:

- The resolution session must be convened within seven (7) calendar days of the filing of the expedited hearing request;
- The hearing must be conducted within 20 school days of the filing of the hearing request;
- The hearing decision must be rendered within 10 school days of the close of the hearing;
- No substitution of the appointed hearing officer may be requested.

Request for Clarification

After a decision is issued, the hearing officer will retain jurisdiction over the case for the sole purpose of considering a request by either party for clarification of the final decision. You may request clarification of the final decision, by submitting the request in writing to the hearing officer within 5 days after receipt of the decision. The request for clarification must specify the portions of the decision for which you seek clarification. A copy must be mailed to all parties involved in the hearing and to ISBE. The hearing officer must issue a clarification of the specified portion of the decision or issue a denial of the request in writing within 10 days of receipt of the request.

Appealing the Decision

Following a due process hearing, a party dissatisfied with the hearing officer's final order has the right to initiate a civil action. Civil action can be brought in any State court of competent jurisdiction, or a United States District Court within 120 days after a copy of the decision is mailed to the parties. Procedures for filing such actions are available from the office of the clerk for the court in which the filing is to be made.

Stay of Placement

During a pending due process hearing or any judicial proceeding, your child must remain in his/her present educational placement with the eligibility status and special education and related services that were provided at the time of the filing of the hearing request. However, if the district changed the student's placement in response to a disciplinary incident and this placement is subject to an expedited hearing, the district's new placement will be maintained pending the final decision in the expedited hearing. (Please see above, "Discipline of Students with Disabilities")

Award of Attorneys' Fees

In any action or proceeding brought under the Individuals with Disabilities Education Act, a court of competent jurisdiction may award reasonable attorneys' fees. Attorneys fees are fees incurred by your attorney (this does not include an unlicensed advocate or other non-attorney representative) in connection with his or her representation of your interests in the due process hearing proceedings. A court may award such fees:

- To the parent or guardian of a student with disabilities who is the prevailing party;
- To the prevailing party who is a State educational agency or district against the attorney of a parent who files a complaint or subsequent case of action that is frivolous, unreasonable, or without foundation;
- To a prevailing State educational agency or district against the attorney of a parent, or against the parent, if the parent's complaint or subsequent cause of action was presented for any improper purpose, such as to harass, to cause unnecessary delay or to needlessly increase the cost of litigation.

Fees awarded shall be based on rates prevailing in the community in which the action or proceeding arose for the kind and quality of services furnished. Attorney fees may be reduced by the court based on a number of factors including unreasonable rates charged, unnecessarily protracted proceedings, or the existence of a settlement agreement between the parties. You are urged to discuss these matters with your attorney.

EDUCATIONAL SURROGATE PARENTS

Upon enrollment of a student, the resident school district must make reasonable attempts to contact the parent of a child who has been referred for, or is in need of, special education and related services. If the parent cannot be identified or located or the child is a ward of the state residing in a residential facility and the residential facility has not done so already, a representative of that facility shall submit to ISBE a request for an appointment of a surrogate parent to ensure the educational rights of the child are protected. If the child is a ward of the state, a surrogate parent may alternatively be appointed by the judge overseeing the child's care. In the case of an unaccompanied homeless student, the district will appoint a surrogate parent. A child residing in a foster home or relative caretaker setting no longer requires the appointment of an educational surrogate parent. The foster parent or relative caretaker will represent the educational needs of each child placed in his/her home.

If your school appointed you to be a surrogate parent, all of the rights explained in this document belong to you. You may not be an employee of a public agency which is involved in the education or care of the child, may have no conflict of interest with the child, and must have the knowledge and skills necessary to ensure adequate representation of the child. If you are an employee of a

residential facility, you may be selected as an educational surrogate parent for a child residing in that facility if that facility only provides non-educational care for the child.

As an educational surrogate parent, you may represent the child in all matters relating to the identification, evaluation, educational placement and the provision of a free, appropriate public education.

EDUCATIONAL RECORDS

A local district is responsible for protecting the confidentiality of your child's educational records. As a parent, you have a right to inspect and review any educational records relating to your child which are collected, maintained or used by the district. The district shall comply with a request to review the educational record without unnecessary delay and before any meeting relating to the identification, evaluation, or placement of the student. The request to inspect and copy records must be granted within 10 business days after the request has been made. The school district may extend this by not more than an additional 5 business days for one of the following reasons:

- The records are stored off-site or at multiple locations;
- The request requires the collection of a substantial number of specified records;
- The request requires an extensive search;
- Additional efforts are needed to locate the records;
- The request creates an undue burden on the school district; or,
- There is a need for consultation with another public body or school district regarding the request.

In no case will a request to inspect and copy records be granted more than 15 business days after the request is made, unless the parent and the school district have agreed in writing to an extension of the time period.

The right to inspect and review educational records includes:

- The right to a response from the school district to reasonable requests for explanations and interpretations of the records;
- The right to have your representative inspect and review the records; and
- The right to request that the school district provide copies of education records, if failure to provide those copies would effectively prevent you from exercising your right to inspect and review the records at a location where they are normally maintained.

A local school district may presume that you have authority to inspect and review records relating to your child unless the school district has been advised that you do not have the authority under applicable state law governing such matters as guardianship, separation and divorce.

If any education record includes information on more than one student, you will be allowed to review only the information relating to your child or to be informed of that specific information.

A local school district must provide you, upon request, a list of the types and locations of the educational records collected, maintained or used by the district.

Fees for Searching, Retrieving, and Copying Records

A local school district may not charge a fee to search for or retrieve information. However, a local school district may charge a fee of not more than \$.35 per page of the record which is copied if the fee does not effectively prevent you from exercising your right to inspect and review those records.

Record of Access

A district may only release information with your consent unless otherwise allowed by state or federal law. A local school district must keep a record of parties obtaining access to educational records collected, maintained or used (except for parents and authorized employees of the local district), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

Amendment of Records at Parent's Request

If you believe that information in your child's records are inaccurate or misleading or violates your child's rights, you may ask the school district to amend the record. The local school district must decide whether to amend the information within 15 school days from the date of receipt of your request. If the district refuses to amend the information in accordance with the request, it must inform you of the refusal and advise you of your right to a records hearing as set forth below.

The school district must, upon request, provide you with an opportunity for a records hearing to challenge information in your child's records. This is not a due process hearing and is not held before a hearing officer appointed by ISBE; rather it is a hearing held at the local level.

If, as the result of a records hearing, it is decided that the information is inaccurate, misleading or violates your child's rights, the school district must amend the information and inform you in writing that it has done so.

If, as a result of the records hearing, it is decided that the information is not inaccurate, misleading or violates your child's rights, the school district must inform you of your right to place a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the school district. Any explanation placed in the records of your child must be maintained by the school district as part of your child's records for as long as the record or contested portion is maintained by the school district. If the records are disclosed by the district to any party, the explanation must also be disclosed.

TRANSFER OF PARENTAL RIGHTS

At the age of 18, your child becomes an adult student. All of the parental rights discussed in this document will transfer to him/her at that time, unless the school district is notified otherwise. You will share the right to receive all of the required prior written notices and the school will provide these notices to both you and your child.

On or before your child's 17th birthday, the IEP must include a statement that you and your child were informed that these rights will transfer at the 18th birthday. Additionally, at this meeting you will receive a *Delegation of Rights to Make Educational Decisions* form.

Your child may decide to use this form to delegate you or another individual to represent his/her educational interests upon his or her reaching the age of majority. This form must then be presented to the local school district.

The Delegation of Rights form must identify the individual designated to represent your child's educational rights and include both the individual's signature as well as your child's signature (or by other means, such as audio or video format compatible with his/her disability). Your child may terminate the Delegation of Rights at any time and begin making his/her own educational decisions.

The Delegation of Rights will remain in effect for one year after signing it and may be renewed annually.

This statement of parent rights was developed by the United State Department of Education, Office of Special Education Programs, and modified by the Illinois State Board of Education (ISBE) to comply with Illinois rules.

The reauthorized Individuals with Disabilities Education Act of 2004 (IDEA 2004) was signed into law on December 3, 2004. The provisions of the act became effective on July 1, 2005. Illinois State Board of Education (ISBE) has provided this Notice of Procedural Safeguards to inform you of your rights under the changes to the federal law.

POLICY STATEMENT

LEAST RESTRICTIVE ENVIRONMENT ILLINOIS STATE BOARD OF EDUCATION

FEBRUARY 2000

State Board of Education Commitment

The Illinois State Board of Education ("ISBE") approves and adopts this policy on Least Restrictive Environment ("LRE") to ensure that it meets the requirements of the Individuals with Disabilities Education Act of 1997 ("IDEA" 97) and its associated regulations, 34 C.F.R. §300.550-330.556. The ISBE will ensure, as required by federal laws, rules and regulations that the State of Illinois has in effect an appropriate LRE policy and relevant rules and regulations. The ISBE will provide active and visible leadership to ensure that all public or private institutions and care facilities under State Board control and jurisdiction are aware of and practice the tenets of LRE.

Placement in the Least Restrictive Environment

LRE requires that, to the maximum extent appropriate, students with disabilities aged 3 through 21, in public or private institutions or other care facilities, are educated with children who are not disabled [34 C.F.R. §300.550 (b)(1)]. The ISBE will monitor programs and institutions that serve students with disabilities to ensure that the first placement option considered is a regular education environment, with the use of supplemental aids and services as needed. Special classes, separate schooling, or other placements by which students with disabilities are removed from the regular education environment should occur only if the student's Individual Educational Program ("IEP") team determines that the nature or severity of the disability is such that education in a regular classroom setting, even with the use of supplemental aids and services, cannot be achieved satisfactorily.

Continuum of Alternative Placements

Each responsible public or private agency must provide assurances to the ISBE that a continuum of alternative placements is available to address the needs of students with disabilities and ensure that those students receive special education and related services appropriate to their needs. The continuum of alternative placements must include instruction in regular classes, special classes, special schools, home instruction and instruction in hospitals and institutions and must provide for supplementary services. The IEP team must base its placement decision on the identified needs of each student with a disability. The team must first determine how or whether the individual needs of the student can be met in the regular education classroom with individual supports and aids. It must be able to justify a more restrictive option in terms of the LRE provisions and the needs of the student.

Placements

Each public or appropriate private agency that determines educational placements for students with disabilities must assure the ISBE that:

1. Placements are based on the identified needs of individual students with disabilities as documented in their respective IEPs and considered only after the goals and objectives/benchmarks have been determined.
2. Decisions about the placement of students with disabilities are made by a group of persons, including the parents and other persons knowledgeable about the child, who will review and evaluate relevant data and consider placement options appropriate to each student's specific identified needs.
3. Placement decisions conform to the LRE provisions referenced in state and federal laws, rules and associated regulations.
4. Placements of students with disabilities are determined at least annually.

5. Placements are located as close to the student's home as possible. First consideration is given to the school the student would attend if not disabled and other placements are considered only if the IEP team determines that the student's needs require a different location to ensure a free appropriate public education in the least restrictive environment.
6. Full-time placement of a student with a disability in the general education setting is not appropriate where the student, despite the provisions of supplemental aids and services, is so disruptive in all or part of a general education setting that he/she significantly impairs the education of other students.
7. Students with disabilities should not be removed from placement in an age appropriate regular classroom solely because modifications or supports or services may be required in the general education curriculum or for administrative convenience.
8. To the maximum extent appropriate, students with disabilities are involved in the regular education curriculum. The IEP must include a statement regarding the effect of the child's disability on his or her progress and involvement in the general education curriculum.
9. Each student's IEP states whether the student will participate in state and/or local district assessments, and if so, whether fully or in part, and whether any modifications or accommodations are appropriate and necessary. If the student with a disability is excluded from these assessments, the IEP team describes what alternate assessment techniques will be used and how scores will be integrated and reported (34 C.F.R. §300.138-300.139).

Nonacademic Settings

The LRE mandate also applies to nonacademic services and extracurricular activities. School districts and other agencies serving students with disabilities must ensure that these students have an equal opportunity to participate in such activities (34 C.F.R. §300.553). When a district or appropriate private agency provides or arranges nonacademic and extracurricular services/activities appropriate for a student with disabilities, the IEP team must determine the required supplementary aids and services necessary for participation. Nonacademic and extracurricular services/activities may include, but not be limited to, meals, recess periods, counseling services, athletics, transportation, health services, recreational activities, special interest groups, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the public agency and assistance in making outside employment available [34 C.F.R. §300.306(b)].

Children in Public, Nonpublic or Private Facilities

To ensure that students with disabilities are educated in the LRE and receive a free appropriate public education, the ISBE will enter into agreements with appropriate public and private institutions and associated state agencies, as necessary.

Technical Assistance and Training

The ISBE will ensure that teachers and administrators in public agencies that deal with students with disabilities are fully informed about their responsibilities for implementing the LRE requirements. The ISBE will provide technical assistance and training necessary to assist in this effort.

Monitoring Activities

The ISBE will monitor public agencies to ensure that the LRE requirements are being implemented. If the ISBE discovers evidence that placements inconsistent with the LRE mandate are being made, staff will review the public agency's justification and documentation and then help the agency plan and implement any necessary corrective action.

APPENDIX E (Spanish)

AVISO DE GARANTÍAS DE PROCEDIMIENTO PARA LOS PADRES O TUTORES DE ESTUDIANTES CONDISCAPACIDADES (November 2018)

Como padre o tutor de un alumno o estudiante adulto con una discapacidad que está recibiendo o pueda ser elegible para recibir educación especial y servicios relacionados, usted tiene derechos que están protegidos por la ley estatal y federal. Los derechos a los que tenga derecho se enumeran a continuación. Una explicación completa de estos derechos está disponible en el distrito escolar de su hijo. Por favor, lea atentamente este documento y póngase en contacto con el distrito si tiene preguntas o necesita aclaraciones adicionales en relación con los servicios de su hijo o con las garantías de procedimiento que se encuentran a su disposición.

La notificación de sus garantías de procedimiento debe ponerse a su disposición sólo una vez al año, con la salvedad de que una copia debe darse también ante una solicitud inicial para una evaluación, un recibo de una primera reclamación por escrito o de la primera reclamación de debido proceso ante la Junta de Educación Estatal de Illinois, luego de una suspensión disciplinaria que constituya un cambio de ubicación, o bajo solicitud previa.

Información adicional con respecto a sus derechos se encuentra disponible en el sitio Web de la ISBE: <https://www.isbe.net/Pages/Special-Education-Parents-of-Students-with-Disabilities.aspx> en un documento titulado, *Parent's Guide - Educational Rights and Responsibilities: Understanding Special Education in Illinois* (Guía para los Padres - Derechos y Responsabilidades Educativas: Entendiendo la Educación Especial en Illinois).

NOTIFICACIÓN PREVIA POR ESCRITO

El distrito local tiene la obligación de proporcionarle un aviso previo por escrito:

- Cuando el distrito proponga iniciar o cambiar la identificación, evaluación, ubicación educativa o la provisión de una educación pública apropiada y gratuita para su hijo, o
- Cuando el distrito se niegue a iniciar o cambiar la identificación, evaluación, ubicación educativa o la provisión de una educación pública apropiada y gratuita para su hijo, o
- Un año antes de que su hijo alcance la mayoría de edad (18 años de edad). Todos los derechos educativos se transfieren del padre(s)/tutor(es) al estudiante a menos que se determine lo contrario.

La notificación escrita debe proporcionarse por lo menos 10 días antes de la acción propuesta o rechazada y debe incluir:

- Una descripción de la acción propuesta o rechazada por el distrito, una explicación de por qué el distrito propone o se niega a emprender la acción, y una descripción de cualquier otra opción considerada por el distrito y las razones por las cuales esas opciones fueron rechazadas;
- Una descripción de cada procedimiento de evaluación, examen, registro o informe que el distrito utilizó como base para la acción propuesta o rechazada;
- Una descripción de cualquier otro factor que sea relevante para la propuesta o negativa del distrito;

- Una declaración de que usted tiene derechos a un proceso justo y, si la notificación no es una remisión inicial para evaluación, los medios por los que puede obtenerse una copia de las garantías de procedimiento, y
- Las fuentes con las que usted cuenta para ponerse en contacto y obtener asistencia en la comprensión de sus derechos a un proceso justo.

La notificación debe estar escrita en un lenguaje comprensible para el público en general y siempre en el idioma nativo u en otro modo de comunicación usado por usted, a menos que claramente no sea posible. Si su idioma nativo u otro modo de comunicación no es un idioma escrito, el distrito local tomará las medidas necesarias para asegurarse de que: (a) la notificación le sea traducida oralmente o por otros medios a su idioma natal u otro modo de comunicación, (b) que usted comprenda el contenido de la notificación, y (c) que exista evidencia escrita de que estos requisitos se han cumplido.

CONSENTIMIENTO DE LOS PADRES

Su consentimiento informado indica que se le ofreció toda la información pertinente en su idioma nativo u otro modo de comunicación. También indica que usted entiende y acepta por escrito la actividad. El distrito local debe obtener su consentimiento informado por escrito (utilizando formularios exigidos por el estado) en los siguientes casos:

- Evaluación inicial - Llevar a cabo una evaluación inicial para determinar la elegibilidad para servicios de educación especial,
- Servicios /ubicación iniciales - Inicialmente, la prestación de educación especial y de servicios relacionados para su hijo, o
- Reevaluación – Reevaluación de su hijo.

Otros consentimientos que no forman parte de estos formularios obligatorios incluyen el consentimiento para acceder a los beneficios del seguro, el consentimiento para usar el Plan de servicio familiar individualizado (PSFI), en lugar de un Programa de educación individualizada (IEP), y el consentimiento para divulgar los registros de su hijo. Además, un distrito escolar local no podrá exigir su consentimiento como condición para cualquier beneficio para usted o su hijo con excepción de los servicios o la actividad para la cual se requiere el consentimiento.

Si su hijo está bajo la custodia del estado y no reside con usted, el distrito deberá hacer los esfuerzos razonables para obtener su consentimiento para una evaluación inicial. Sin embargo, el distrito no estará obligado a obtener su consentimiento informado, si a pesar de los esfuerzos razonables para hacerlo, la agencia no puede hallar su paradero; sus derechos han terminado, de conformidad con la legislación de Illinois; o, sus derechos para tomar decisiones sobre educación han sido revocados por un juez de conformidad con la ley de Illinois y se ha dado el consentimiento para una evaluación inicial por parte de una persona designada por el juez para representar al niño.

Su consentimiento no será requerido antes de que su distrito escolar revise los datos existentes como parte de una evaluación o reevaluación o antes de que su distrito escolar realice una prueba u otra evaluación que se practique a todos los niños, a menos de que antes de esa prueba o evaluación, se pida el consentimiento a los padres de todos los niños.

AUSENCIA DE CONSENTIMIENTO DE LOS PADRES

Ciertas condiciones son aplicables si usted se niega a dar su consentimiento para lo siguiente:

- Evaluación inicial - En caso de no dar su consentimiento para una evaluación inicial o negarse a responder a la solicitud de consentimiento, el distrito puede, pero no está obligado a, buscar que

se haga una evaluación inicial utilizando los procedimientos de mediación y/o de la audiencia de debido proceso.

Si se celebra una audiencia de debido proceso, un oficial de audiencia puede ordenar que el distrito escolar proceda a la realización de una evaluación inicial sin su consentimiento. Esto está sujeto a su derecho de apelar la decisión y a que su hijo permanezca en su ubicación educativa actual en espera del resultado de cualquier proceso judicial o administrativo.

- Servicios/ubicación iniciales - Si usted se niega a dar su consentimiento para la provisión inicial de educación especial y/o servicios relacionados, el distrito no proporcionará estos servicios. Además, el distrito no podrá aplicar procedimientos de mediación o de debido proceso para obtener un fallo que permita que los servicios puedan ser proporcionados.

En el caso de que usted se niegue a dar su consentimiento para la provisión inicial de educación especial y/o servicios relacionados, no se considerará que el distrito haya incumplido su obligación de poner a disposición de su hijo una Educación pública gratuita y apropiada (EPGA). Tampoco se le pedirá al distrito que convoque una reunión para desarrollar un IEP para su hijo.

- Reevaluación - Si usted se niega a dar su consentimiento para una reevaluación, el distrito escolar puede, pero no está obligado a, aplicar procedimientos de invalidación a través de la mediación o de una audiencia de debido proceso. Sin embargo, el distrito escolar puede proseguir la reevaluación si realizó esfuerzos razonables para obtener su consentimiento y usted no respondió. Si el distrito escolar decide no seguir adelante con tales procedimientos, el distrito escolar no habrá incumplido con su deber de proporcionar una educación pública adecuada y gratuita a su hijo.

REVOCACIÓN DE CONSENTIMIENTO

Si su hijo actualmente está recibiendo educación especial y servicios relacionados, usted tiene el derecho de revocar su consentimiento para tales servicios en cualquier momento. Usted puede revocar el consentimiento oralmente o por escrito. Si revoca su consentimiento oralmente, el distrito debe proporcionarle una confirmación por escrito dentro de los cinco (5) días de su revocación oral. Cuando usted revoca su consentimiento, ya sea oralmente o por escrito, el distrito debe proporcionarle un aviso por escrito para reconocer su revocación, previo a la fecha en la cual cesará la educación especial y los servicios relacionados.

Una vez que los servicios hayan cesado, su hijo será considerado un estudiante de educación general. También cesarán todos los derechos y responsabilidades que tuviera anteriormente su hijo (como se describe en este documento), incluyendo las protecciones disciplinarias de educación especial.

NOTA: El efecto de su revocación resultará en la terminación completa de toda educación especial y servicios relacionados a su hijo. Sin embargo, si usted está en desacuerdo con el tipo o cantidad de servicios que su hijo está **recibiendo, pero cree que su**

hijo debe continuar recibiendo educación especial y servicios relacionados, por favor revise las secciones "Resolución de quejas", "Mediación" y "Audiencia de debido proceso" para una discusión de sus derechos en caso de desacuerdo sobre los servicios.

PARTICIPACIÓN DE LOS PADRES EN LAS REUNIONES

Usted debe contar con la oportunidad de participar en reuniones sobre la identificación, evaluación, elegibilidad, reevaluación y ubicación educativa de su hijo. Con el fin de garantizar su participación, el distrito escolar debe proporcionarle una notificación por escrito con diez días de anticipación a la reunión.

La notificación debe informarle sobre la finalidad de la reunión y de un lugar mutuamente acordado, la hora en que se celebrará y las personas que asistirán. La notificación para la reunión del IEP debe incluir también una declaración de que usted tiene el derecho a invitar personas con conocimientos o experiencias especiales sobre su hijo para que asistan con usted a la reunión del IEP.

Como padre, usted es un miembro importante del equipo del IEP de su hijo y se le alienta a participar en las reuniones donde se toman las decisiones con respecto a la ubicación educativa de su hijo. Sin embargo, si no puede asistir a la reunión, el distrito escolar debe utilizar otros métodos para asegurar su participación, incluyendo llamadas individuales o conferencias telefónicas. Las decisiones acerca de los servicios y la ubicación de su hijo pueden ser tomadas por el equipo del IEP, incluso si usted no asiste a la reunión, pero el distrito debe mantener un registro de sus intentos por concertar un acuerdo para la hora y el lugar de la reunión, que incluya cosas tan detalladas como las llamadas telefónicas realizadas o intentadas y los resultados de estas llamadas, copias de la correspondencia que se le envió a usted y cualquier respuesta recibida, o registros detallados de las visitas realizadas a su casa o lugar de trabajo, así como los resultados de dichas visitas.

Para un hijo que comience a la edad de 14 años y medio, o menores, si el equipo del IEP lo determina como apropiado, la notificación debe indicar que un propósito de la reunión será el desarrollo de una declaración sobre las necesidades de servicios de transición de su hijo y que el distrito escolar invitará a su hijo a la reunión, e indicar así mismo el nombre de cualquier otra agencia a la que se esté invitando a enviar un representante a la reunión. El distrito debe tomar las medidas que sean necesarias para asegurar que usted y su hijo comprendan los debates en una reunión, lo cual puede incluir la disposición de un intérprete si usted o su hijo es sordo o su idioma nativo no es el inglés.

El equipo del IEP debe reunirse por lo menos una vez al año y debe tener un IEP en vigor para su hijo a principios de cada año escolar. Después de la reunión anual, usted y la escuela pueden ponerse de acuerdo para no convocar una reunión en la que se busque modificar el IEP de su hijo, y en su lugar pueden enmendar o modificar el IEP a través de un documento escrito. Los miembros del equipo del IEP deben ser informados de los cambios. En cualquier momento, usted puede solicitar una reunión del IEP, que se celebrará en un momento conveniente para usted y para la escuela.

PROCEDIMIENTOS DE EVALUACIÓN

Su distrito escolar debe utilizar una variedad de instrumentos y estrategias de evaluación a la hora de realizar una evaluación de su hijo. La evaluación debe examinar a su hijo en todas las áreas relacionadas con la supuesta discapacidad. El distrito escolar debe utilizar instrumentos y procedimientos técnicamente válidos que no estén sesgados en contra de su hijo con base en criterios de raza, cultura, idioma o discapacidad. Los materiales y los procedimientos deben ser proporcionados y administrados en el idioma y la forma que mayor probabilidad tengan de proporcionar información precisa sobre lo que su hijo sabe y puede hacer.

Evaluación inicial

Tanto usted como el distrito escolar pueden iniciar una solicitud para una evaluación inicial de su hijo. Si se determina que es necesaria una evaluación, el distrito debe realizar la evaluación antes de los 60 días escolares posteriores a la fecha en que firmó el consentimiento escrito para realizar las evaluaciones necesarias. Si quedan menos de 60 días escolares en el año escolar después de la fecha que usted dio su consentimiento, se tomará la determinación de elegibilidad y se completará la reunión del IEP antes del primer día del siguiente año escolar.

La evaluación debe realizarla un equipo de personas calificadas e incluir su opinión. No se determinará que su hijo es un hijo con una discapacidad si se consideran como factores determinantes la falta de instrucción adecuada en lectura, matemáticas, o la limitación en el dominio del inglés.

Si un distrito falla en llevar a cabo la evaluación, puede apelar esta situación en una audiencia imparcial, solicitar la consideración de esta falla usando los procedimientos de queja del Estado, o solicitando una mediación.

Reevaluación

Por lo menos cada tres años después de la primera evaluación, la escuela debe reevaluar a su hijo, a menos que usted y la escuela acuerden que es innecesaria una reevaluación.

Evaluación educativa independiente

Una evaluación educativa independiente significa una evaluación realizada por una persona calificada elegida por usted y que no sea un empleado de su distrito escolar.

Usted tiene el derecho de obtener una evaluación educativa independiente a expensas públicas si no está de acuerdo con una evaluación obtenida por el distrito local. Cuando usted solicita el distrito escolar que pague por una evaluación educativa independiente, la escuela debe pagar por ésta, o solicitar sin demora innecesaria una audiencia de debido proceso para demostrar que su evaluación es apropiada. El distrito escolar puede preguntarle por qué usted se opone a su evaluación, pero no puede retrasar o negar injustificadamente la evaluación al exigirle a usted que explique su desacuerdo.

Si el distrito está de acuerdo con pagar por la evaluación educativa independiente, debe proporcionarle, bajo solicitud suya, información sobre dónde puede conseguirse una evaluación educativa independiente. Cuando una evaluación independiente corre por cuenta del erario público, los criterios bajo los cuales se obtiene la evaluación, incluyendo el lugar de la evaluación y los requisitos del examinador, deben ser iguales a los que el distrito utiliza cuando inicia una evaluación.

Si el distrito inicia una audiencia de debido proceso y el oficial de la audiencia ordena una evaluación, el costo de la evaluación debe ser a expensas públicas. Si la decisión final del oficial de audiencia es que la evaluación del distrito es apropiada, usted aún tiene derecho a una evaluación educativa independiente, pagada de cuenta propia.

Si obtiene una evaluación educativa independiente a expensas privadas, los resultados de la evaluación deben ser considerados por el distrito en cualquier decisión tomada con respecto a la provisión de una educación pública apropiada y gratuita para su hijo. Usted puede presentar también la evaluación educativa independiente como evidencia en una audiencia de debido proceso.

Dentro de los 10 días después de recibir el informe de una evaluación independiente realizada a costo público o privado, el distrito deberá notificar por escrito la fecha en que el Equipo del IEP se reunirá para considerar los resultados.

UBICACIONES EN ESCUELAS PRIVADAS

Esta sección describe los derechos de su hijo cuando usted voluntariamente lo ubica en una escuela/centro privado.

Ubicaciones en escuelas privada cuando la EPGA no es un problema

Todos los niños con discapacidad que residen en el estado, que necesiten educación especial y servicios relacionados, incluidos los niños que asisten a escuelas privadas, deben estar ubicados, identificados y evaluados. Este proceso, llamado *Child Find*, es responsabilidad de la escuela pública del distrito donde se encuentra la escuela privada o el hogar donde se imparte la educación a su hijo. Si se determina que su hijo es elegible para servicios de educación especial, *Child Find* incluye el derecho a una

reevaluación de tres años. Los derechos descritos en este documento relacionados con la determinación y evaluación se aplican incluso cuando usted ubica a su hijo en una escuela/centro privado.

Sin embargo, cuando usted elige ubicar a su hijo con una discapacidad en una escuela privada, éste no tiene derecho a recibir la educación especial o los servicios relacionados que recibiría si estuviera matriculado en una escuela pública. Algunos servicios de educación especial pueden estar disponibles para su hijo mientras se encuentra matriculado en una escuela privada, pero el tipo y la extensión se verán limitados por la forma en que la escuela pública del lugar donde está ubicada la escuela privada de su hijo decida atender a los estudiantes de escuelas privadas. La decisión de la escuela se toma después de consultar con representantes de escuelas privadas y con un grupo representativo de padres de niños con discapacidades que estudian en la escuela privada. La escuela determina la manera de usar los fondos federales limitados que se le asignan para atender a la escuela privada. Si una escuela pública decide proporcionar algún tipo de servicio a su hijo, debe desarrollarse entonces un plan de servicios. El plan de servicio incluye los objetivos y los elementos de un IEP tradicional que sean apropiados para su hijo y los servicios que se prestará

Ubicaciones en escuelas privadas cuando la EPGA importa

Si usted matricula a su hijo en una escuela primaria o secundaria que no sea pública, debido a su convencimiento de que no se estaba proporcionado una educación pública apropiada y gratuita, los siguientes aspectos pueden ser aplicables:

- Un oficial de la audiencia o del tribunal podrá exigir al distrito que le reembolse a usted el costo de esa matrícula si se determina que el distrito no hizo asequible de manera oportuna una educación pública apropiada y gratuita antes de esa matrícula.

El monto del reembolso otorgado por el oficial de la audiencia puede ser reducido o negado:

- Si, en la más reciente reunión del IEP a la que usted asistió antes de retirar a su hijo de la escuela pública, usted no informó al equipo del IEP que estaba rechazando la ubicación propuesta por el distrito, incluyendo la información de sus preocupaciones y su intención de matricular a su hijo en una escuela o centro no público;
- Si en 10 días hábiles (incluidos los días festivos que caen en un día hábil) antes del retiro del estudiante de la escuela pública, usted no dio aviso al distrito de la información antes mencionada;
- Si antes del retiro de su hijo de la escuela pública, el distrito escolar le informó de la intención de evaluar a su hijo pero usted no ofreció la disponibilidad de su hijo para tal evaluación; o
- Tras la declaración judicial de irracionalidad con respecto a las medidas adoptadas por usted.

El costo del reembolso **no** puede reducirse o negarse por no proporcionar dicha notificación previa en caso de que:

- Un padre/ tutor no pueda leer y escribir en inglés;
- El cumplimiento de los requisitos de la notificación probablemente resultaría en o daño físico emocional grave para su hijo;
- La escuela le impidió proporcionar dicha notificación, o
- Usted no era consciente del requisito de notificación antes mencionado.

DISCIPLINA DE LOS ESTUDIANTES CON DISCAPACIDADES

Si la conducta de su hijo impide su aprendizaje o el aprendizaje de otros, en el desarrollo del IEP de su hijo deben considerarse estrategias que incluyan intervenciones y apoyos conductuales positivos. Si su

hijo viola el código de conducta del estudiante, el personal de la escuela puede retirarlo de su colocación actual.

Suspensiones de corto plazo (menos de 10 días escolares durante el curso de un año escolar)

Si su hijo viola el código de conducta estudiantil, el personal de la escuela puede retirarlo de la ubicación actual por diez (10) días o menos en un año escolar. El distrito escolar no está obligado a proporcionar servicios educativos durante ese retiro a menos que estos servicios se presten a estudiantes sin discapacidad en circunstancias similares.

Suspensiones de largo plazo (por un total de 10 días o más dentro de un año escolar)

Los retiros que sumen diez (10) días o más en un año escolar pueden o no constituir un cambio de ubicación, dependiendo de la pauta de esos retiros y sobre la base de factores tales como la duración de cada suspensión, la cantidad total de tiempo que su hijo es retirado en un año escolar y el lapso de tiempo transcurrido entre cada suspensión.

Una vez que las suspensiones por disciplina totalicen más de 10 días escolares, el distrito escolar debe continuar prestando los servicios educativos. El personal de la escuela, en consulta con al menos uno de los maestros de su hijo, debe determinar la medida en son necesarios los servicios a fin de permitir que su hijo siga participando en el plan de estudios de educación general, aunque en otro entorno, y para avanzar durante las suspensiones en el cumplimiento de las metas establecidas en el IEP.

Las suspensiones disciplinarias que comprendan más allá de un total de diez días de clases durante el año escolar se pueden ser consideradas por los funcionarios de la escuela como un cambio en la ubicación. Si esto ocurre, el distrito escolar debe notificarle su decisión, y proporcionarle una copia de las garantías de procedimiento el mismo día que se tome la decisión de la suspensión. El personal de la escuela, en consulta con al menos uno de los maestros de su hijo, debe

determinar la medida en son necesarios los servicios. Su hijo recibirá, cuando sea del caso, una evaluación de comportamiento funcional y servicios y modificaciones de intervención de conducta, que están diseñadas para hacer frente a la violación del comportamiento y evitar que ésta vuelva a producirse. Además, debe convocarse una reunión del IEP lo antes posible, pero no más allá de diez (10) días escolares después de la decisión de la suspensión, con el fin de realizar un examen de determinación de manifestación.

Revisión de la Determinación de Manifestación (RMD)

Cuando se realiza una revisión de determinación de manifestación, el equipo del IEP deberá considerar toda la información pertinente en el expediente de su hijo, incluyendo su IEP, las observaciones del personal, y cualquier información pertinente proporcionada por usted. El equipo del IEP determina:

- Si el comportamiento fue causado por o tuvo una relación directa y sustancial con la discapacidad de su hijo, o
- Si el comportamiento fue el resultado directo de la falla del distrito escolar para implementar el IEP de su hijo.

Si el equipo determina que no aplica ninguna de esas declaraciones, entonces el comportamiento de su hijo debe considerarse una manifestación de su discapacidad.

A. Manifestación de la discapacidad

Tras la determinación de que la conducta fue una manifestación de la discapacidad de su hijo, el equipo del IEP deberá:

- Llevar a cabo una evaluación del comportamiento funcional y poner en práctica un plan de intervención del comportamiento, siempre y cuando el distrito escolar no haya realizado ya este tipo de evaluación, antes de la determinación de la conducta que dio como resultado el cambio en la ubicación,
- En caso de que se encuentre en vigor un plan de intervención, revisar el plan de intervención conductual y/o modificar el plan según sea necesario para tratar la conducta, y
- Regresar a su hijo a la ubicación de la que fue retirado, a menos que usted y el distrito escolar estén de acuerdo con un cambio de ubicación, excepto cuando el estudiante ha sido retirado a un entorno educativo alternativo y temporal por drogas, armas y/o lesiones corporales graves (ver más abajo para más información sobre entornos educativos alternativos y temporales).

B. No es una manifestación de la discapacidad

Si se determina que el comportamiento de su hijo no se relaciona con su discapacidad, los procedimientos disciplinarios pertinentes podrán aplicarse de la misma manera que se haría para los estudiantes sin discapacidades, **excepto** que los estudiantes con discapacidad deben seguir recibiendo una educación pública adecuada y gratuita si son retirados durante más de 10 días de clases en ese año escolar.

Si el distrito local inicia procedimientos disciplinarios pertinentes que se aplican a todos los estudiantes, el distrito debe asegurarse de que la educación especial y los registros disciplinarios de su hijo se transmitan para consideración por parte de la persona (s) que toma(n) la determinación final sobre la acción.

Audiencia expedita de debido proceso

Si usted no está de acuerdo con cualquier decisión sobre la ubicación disciplinaria o la revisión de la determinación de manifestación, tiene derecho a solicitar una audiencia expedita de debido proceso. El distrito local o la ISBE deben hacer los arreglos para una audiencia expedita cuando usted realiza una solicitud por escrito.

Además, si el distrito escolar considera que mantener a su hijo en su ubicación actual implica el riesgo de que con una alta probabilidad resulte en daño para su hijo o para los demás, la escuela puede solicitar una audiencia expedita de debido proceso para cambiar la ubicación de su hijo a un entorno educativo alternativo y temporal. El oficial de audiencia puede ordenar la ubicación incluso si el comportamiento de su hijo es una manifestación de su discapacidad.

La audiencia expedita debe realizarse dentro de los 20 días escolares posteriores a la fecha de su solicitud y debe resultar en una determinación dentro de los 10 días escolares siguientes a la audiencia.

Entornos educativos alternativos y temporales (EEAT)

Un entorno educativo alternativo y temporal es un lugar diferente donde se prestan los servicios educativos por un determinado período de tiempo, por razones disciplinarias. Este lugar será determinado por el equipo del IEP y debe seleccionarse de manera que permita a su hijo continuar progresando en el currículo general, aunque en otro ambiente, y seguir recibiendo los servicios y modificaciones, incluidas las descritas en el IEP actual que lo habiliten para cumplir con las metas del IEP. El establecimiento alternativo debe incluir también servicios y acomodamiento para tratar el comportamiento que dio lugar a la suspensión.

El personal de la escuela puede trasladar a su hijo de su actual ubicación de educación a un entorno educativo alternativo y temporal sin su consentimiento si:

- Lleva un arma a la escuela o a una función escolar,
- Deliberadamente posee o usa drogas ilegales, o vende o solicita la venta de una sustancia controlada, mientras se encuentra en la escuela o durante una función escolar, y/o
- Ha ocasionado lesiones corporales graves a otra persona mientras se hallaba en la escuela o en una función escolar.

El retiro a un entorno educativo alternativo y temporal no será por más de 45 días escolares sin importar si el comportamiento ha sido determinado como una manifestación de su discapacidad.

Si no está de acuerdo con la decisión y desea solicitar una audiencia expedita de debido proceso para impugnar la decisión, su hijo permanecerá en el entorno educativo alternativo provisorio mientras esté pendiente la audiencia a menos que usted y el distrito escolar acuerden lo contrario o hasta que expire el período de tiempo de 45 días. Un distrito escolar puede solicitar audiencias expeditas y ubicaciones alternativas posteriores si después de haber expirado el primer plazo de 45 días escolares el distrito escolar considera que su hijo continúa representado un peligro.

Protecciones para estudiantes aún no elegibles para educación especial y servicios relacionados

Si su hijo no ha sido hallado elegible para educación especial, pero el distrito tiene conocimiento de que su hijo es discapacitado antes de que se presentara un comportamiento que condujera a las medidas disciplinarias que se están tomando, usted puede hacer valer la misma protección de disciplina brindada a un estudiante con una discapacidad.

Se considera que el distrito escolar tiene conocimiento de una discapacidad si:

- usted le ha expresado por escrito sus preocupaciones (u oralmente si el padre/tutor no puede leer ni escribir) de que su hijo necesita educación especial y servicios relacionados,
- la conducta de su hijo o el rendimiento escolar muestran la necesidad de una educación especial,
- usted ha solicitado una evaluación para determinar si su hijo necesita educación especial, o
- uno de los maestros de su hijo u otro personal del distrito ha hecho una solicitud de servicios de educación especial al director de educación especial o a otras personas competentes del personal del distrito.

No se considera que el distrito escolar tiene conocimiento de una discapacidad si:

- usted no ha permitido una evaluación de su hijo,
- se ha negado a los servicios,
- se realizó una evaluación y se determinó que su hijo no tiene una discapacidad, o
- se determinó que no era necesaria una evaluación y se le informó por escrito de dicha determinación.

Si, antes de tomar una acción disciplinaria en contra de un estudiante, el distrito local no tenía conocimiento de que el estudiante era un estudiante con una discapacidad, éste puede ser sometido a los mismos procedimientos disciplinarios que se aplican a los estudiantes sin discapacidad que se involucraron en comportamientos comparables.

Una evaluación solicitada durante el período de tiempo en el que el estudiante está siendo sometido a procedimientos disciplinarios debe llevarse a cabo de una manera expedita. Sin embargo, el estudiante debe permanecer en el entorno educativo o por las autoridades escolares en espera de los resultados de la evaluación. Si con base en la evaluación se determina que el estudiante tiene una discapacidad, el distrito local debe prestarle la educación especial y los servicios relacionados.

Remisión y acción por parte de la fuerza pública y las autoridades judiciales

A los distritos locales u otros organismos no les está prohibido informar a las autoridades sobre un delito cometido por un estudiante con una discapacidad. Además, las autoridades policiales y las autoridades judiciales del estado no están impedidas para ejercer sus responsabilidades con respecto a la aplicación de las leyes federales y estatales para los delitos cometidos por un estudiante con una discapacidad.

Los distritos locales u otros organismos que reporten un crimen cometido por un estudiante con una discapacidad deben asegurarse de que se transmitan copias de los registros de la educación especial y disciplinarios del estudiante para su consideración por parte de las autoridades correspondientes.

RESOLUCIÓN DE RECLAMOS

Las inquietudes con respecto a cualquier asunto relacionado con la identificación, evaluación o ubicación educativa de un estudiante o la provisión de una educación pública apropiada y gratuita a un estudiante deben dirigirse al distrito escolar local.

Usted puede presentar una reclamación escrita y firmada ante ISBE, alegando que los derechos de su hijo o de varios niños con discapacidades han sido violados. La siguiente información debe ser incluida en una denuncia formal:

- Una declaración donde se alega que una entidad pública responsable ha cometido una violación de un requisito de educación especial;
- Los hechos en los que se basa la declaración;
- Los nombres y direcciones de los estudiantes involucrados y las escuelas a la que asisten;
- La firma y la información de contacto del reclamante;
- Una descripción de la naturaleza del problema, incluyendo los hechos relacionados con el problema; y
- Una propuesta de resolución para el problema, en la medida que se le conoce.

El reclamo debe aseverar que la violación ocurrió con no más de un año de antelación a la fecha en que se recibe la denuncia. Dentro de los 60 días siguientes a la recepción de una queja que cumpla con los requisitos, ISBE deberá:

- Realizar una investigación independiente en el sitio, si lo considera necesario ISBE;
- Brindarle la oportunidad de presentar información adicional sobre las acusaciones;
- Exigir que la entidad pública sujeta a la queja presentada de una respuesta por escrito a la queja. La entidad pública deberá presentar su respuesta y toda otra documentación a ISBE y a usted o al individuo u organización que presenta la queja, antes de cumplir 45 días a partir de la fecha en que nuestra agencia recibió la queja;
- Proporcionar a la entidad pública, durante el proceso de queja, la oportunidad de ofrecer una propuesta para resolver el reclamo y/o ofrecer a los padres la oportunidad de participar en la mediación o en medios alternativos de solución de la disputa.
- Revisar toda la información pertinente y determinará si la entidad pública ha violado un requisito de educación especial.
- Emitir una decisión escrita que aborde cada reclamo e incluya las determinaciones de hecho y las conclusiones, las razones para las decisiones tomadas por la ISBE, y las órdenes para cualquier acción correctiva.

Estas acciones se llevarán a cabo dentro de un plazo de 60 días, a menos que éste se amplíe bajo circunstancias excepcionales, o si usted y el distrito participan en otro método de solución de controversias, tal como la mediación.

Si se presenta un reclamo que involucre uno o más asuntos que sean también objeto de una audiencia de debido proceso, aquellas partes del reclamo se dejarán pendientes en espera de la conclusión de la audiencia. Además, si un asunto ha sido decidido previamente en una audiencia de debido proceso entre las mismas partes, la decisión de la audiencia será de carácter vinculante y ese asunto no será investigado a través del proceso de reclamo.

MEDIACIÓN

El servicio de mediación de Illinois está diseñado como un mecanismo de resolución de desacuerdos en cuanto a la idoneidad de la educación especial y de los servicios relacionados para los niños. Usted puede solicitar la mediación exista o no una audiencia de debido proceso pendiente, pero la mediación no puede ser utilizada para retrasar o negar una audiencia de debido proceso. Tanto usted como el distrito escolar tienen que acordar *voluntariamente* su participación en el proceso de mediación. Este servicio es administrado y supervisado por la ISBE y se ofrece sin costo alguno para usted o para el distrito escolar.

La mediación se llevará a cabo por un mediador calificado e imparcial que está entrenado en técnicas eficaces de mediación y conoce las leyes y reglamentos relativos a la provisión de educación especial y servicios relacionados. El mediador es una tercera parte imparcial y no tiene autoridad para imponer ninguna acción a cualquiera de las partes.

El número de participantes deberá limitarse generalmente a tres personas por parte. Usted puede traer un abogado, defensor, intérprete, y otras partes pertinentes. Todos los debates que se produzcan durante el proceso de mediación serán confidenciales y no pueden utilizarse como prueba en *ninguna audiencia de debido proceso o proceso civil*.

No se le pedirá que abandone creencias básicas acerca de la capacidad de su hijo durante la mediación, sino que: (a) considere alternativas que se podrían incluir en el programa su hijo, (b) escuche las preocupaciones expresadas por la otra parte, y (c) sea realista sobre las capacidades de su hijo y acerca de las obligaciones y recursos del distrito local.

Si usted resuelve una controversia a través del proceso de mediación, se escribirá y firmará un acuerdo entre usted y un representante del distrito escolar que tenga la autoridad para suscribir dicho acuerdo. Los acuerdos de mediación son legalmente vinculantes y de obligatorio cumplimiento en cualquier tribunal estatal de jurisdicción competente o en un tribunal de distrito de los Estados Unidos.

Una solicitud de mediación por parte de un padre de familia que impugne la propuesta del distrito de cambiar la colocación educativa del/de la menor deberá invocar la provisión conocida como "stay-put" (permanecer en el mismo lugar). La colocación "stay-put" será la última colocación acordada entre las diversas partes. En caso de que una de las partes rechace hacer uso de la mediación, el padre o la madre (o estudiante, de tener por lo menos 18 años de edad, o estar emancipado/a) tendrán 10 días a partir de la fecha de rechazo de solicitud de audiencia de debido proceso para continuar la colocación "stay-put". Si no se puede resolver la disputa entre las partes a través de la mediación, el padre o la madre (o estudiante, de tener por lo menos 18 años de edad, o estar emancipado/a) tendrán 10 días a partir del término de la mediación para presentar una solicitud de audiencia de debido proceso para seguir invocando la provisión "stay-put".

Los esfuerzos para mediar en el desacuerdo no serán admisibles como prueba en cualquier procedimiento civil o administrativo posterior, salvo para efectos de señalar la mediación que se produjo y los términos de cualquier acuerdo(s) escrito(s) al que se llegó como resultado de la mediación. El mediador no podrá ser llamado como testigo en *ningún procedimiento civil o administrativo posterior*.

Si desea solicitar los servicios de mediación o conocer más sobre el sistema de mediación, puede contactarse con la División de Servicios de Educación Especial, del Consejo Estatal de Educación de Illinois, al teléfono 217/782-5589 o gratis para los padres en el la línea 866/262-6663.

AUDIENCIA DE DEBIDO PROCESO

Solicitud de una audiencia de debido proceso

Además de la utilización de la mediación y de los procedimientos de reclamos del estado, usted también tiene derecho a solicitar una audiencia imparcial de debido proceso. Una audiencia de debido proceso es un proceso jurídico en el que un oficial de la audiencia reúne pruebas y escucha los testimonios suyos y los del distrito escolar, a fin de tomar una decisión jurídicamente vinculante. Tanto usted como el distrito escolar pueden iniciar una audiencia de debido proceso en relación con la propuesta o la negativa del distrito para iniciar o cambiar la identificación, evaluación o ubicación educativa

Una solicitud para una audiencia debe hacerse por escrito al superintendente del distrito en el que usted y su hijo residen y debe incluir la siguiente información:

- El nombre y la dirección del estudiante;
- El nombre de la escuela a la que asiste;
- Una descripción de la naturaleza del problema sobre el que usted reclama, que se relacione con la iniciación o cambio propuesto, incluyendo hechos relacionados con el problema, y
- Una propuesta de resolución del problema en el grado en que éste sea conocido en el momento por los padres.

Dentro de los 5 días escolares siguientes a la recepción de la solicitud de una audiencia, el distrito se pondrá en contacto por correo certificado con la ISBE para solicitar la designación de un oficial para la audiencia imparcial de debido proceso. Un modelo del formulario para solicitar una audiencia de debido proceso deberá estar disponible bajo pedido.

Dentro de los 5 días calendario posteriores a la presentación de su solicitud de audiencia con el distrito, se le permite el derecho a presentar una solicitud enmendada de audiencia, que podría incluir asuntos que no fueron planteados en su solicitud de audiencia inicial. Después de 5 días calendario, sólo se le permitirá presentar una solicitud enmendada de audiencia con el consentimiento del distrito, o con la autorización del oficial de audiencia. Si usted presenta una solicitud enmendada de audiencia que plantee cuestiones distintas a las incluidas en su solicitud de audiencia inicial, se le pedirá que reinicie todos los plazos de la audiencia y que, potencialmente, realice nuevas sesiones de resolución y conferencias de audiencia previa (véase más adelante).

Reuniones de resolución

Antes de la audiencia imparcial de debido proceso, el distrito convocará una reunión con usted y los miembros pertinentes del equipo del IEP que tengan conocimiento específico de los hechos identificados en la solicitud de una audiencia de debido proceso. El objetivo de la reunión de resolución es que usted discuta su solicitud de audiencia y los hechos que forman la base de la solicitud a fin de que el distrito escolar tenga la oportunidad de resolver la controversia.

La reunión de resolución deberá:

- Llevarse a cabo dentro de los 15 días posteriores al recibo de la notificación del distrito sobre la solicitud de una audiencia de debido proceso;
- Incluir un representante del distrito que tenga autoridad para tomar decisiones;

- No incluir a un fiscal de distrito a menos que usted se encuentre también acompañado por un abogado;
- Permitirle discutir su solicitud de una audiencia de debido proceso.

Usted y el distrito pueden ponerse de acuerdo por escrito para renunciar a la reunión de resolución o acordar por escrito el uso del proceso de mediación, tal como se describe más arriba. Tenga en cuenta que puede utilizar la mediación en una fecha posterior si la sesión de resolución no resulta exitosa.

Si se llega a una resolución, las partes deben ejecutar un acuerdo legalmente vinculante que es firmado por usted y por un representante del distrito con autoridad para comprometer al distrito. El acuerdo firmado, normalmente puede hacerse cumplir en cualquier tribunal estatal de jurisdicción competente o en un tribunal de distrito de los Estados Unidos. Sin embargo, cualquiera de las partes puede anular ese acuerdo dentro de los tres (3) días hábiles siguientes a la firma del acuerdo mediante notificación por escrito a la otra parte sobre la intención realizar dicha anulación.

Si el distrito escolar no ha resuelto a su satisfacción la solicitud de audiencia de debido proceso dentro de los treinta (30) días siguientes a la recepción de la solicitud, la audiencia de debido proceso continuará. Los plazos de la audiencia de debido proceso comenzarán a la expiración del período de 30 días.

Excepto en caso de que usted y el distrito escolar hayan acordado conjuntamente renunciar a la reunión de resolución o al uso de la mediación y cuando usted haya presentado la solicitud de audiencia de debido proceso, su falta de participación en la reunión de resolución retardará los plazos para el proceso de resolución y la audiencia de debido proceso, hasta que se celebre la reunión. En algunos casos raros, un oficial de audiencia puede rechazar su solicitud de audiencia si se determina que usted tiene intencionalmente obstaculizada la capacidad del distrito para llevar a cabo la sesión de resolución.

Nombramiento de un oficial de audiencia imparcial de debido proceso

La ISBE nombrará un oficial de audiencia imparcial para llevar a cabo la audiencia. El oficial de la audiencia no puede ser un empleado de ninguna agencia involucrada en la educación o el cuidado de su hijo y no puede tener ningún interés personal o profesional que pueda entrar en conflicto con la objetividad en la audiencia.

A una parte en una audiencia de debido proceso se le permitirá la sustitución de un oficial de audiencia como cuestión de derecho. La solicitud de un oficial sustituto de audiencia debe hacerse por escrito a la ISBE dentro de los 5 días siguientes al recibo de la notificación de la designación del oficial de la audiencia. En caso de que usted y el distrito presenten por escrito sus solicitudes el mismo día y éstas se reciban simultáneamente, la ISBE considerará la sustitución como producto de la petición de la parte que solicita la audiencia inicial. El derecho de la otra parte a una sustitución será absolutamente protegido. Cuando una de las partes en la audiencia presenta una solicitud adecuada de sustitución, la ISBE selecciona y nombra al azar a otro oficial de audiencia en el transcurso de 3 días.

Cuando el oficial de audiencia nombrado no está disponible o decide retirarse antes de que las partes sean notificadas de su nombramiento, la ISBE nombrará a un nuevo oficial de audiencia.

Conferencia previa a la audiencia

Si usted y el distrito no están en condiciones de llegar a un acuerdo a través del proceso de resolución, procederán los requisitos de la audiencia de debido proceso. A menos que el oficial de audiencia otorgue una extensión del tiempo permisible, debe dictarse una decisión de la audiencia dentro de los 45 días siguientes al cierre del proceso de la sesión de resolución descrito anteriormente. Antes de la realización de la audiencia, el oficial de audiencia debe llevar a cabo con las partes una conferencia previa a la audiencia.

Dentro de los 5 días siguientes al recibo de la notificación por escrito de la ISBE, el oficial de la audiencia designado debe ponerse en contacto con las partes para determinar el momento y lugar para convocar la conferencia previa a la audiencia. A discreción del oficial de la audiencia, luego de consultar con usted y con el distrito, la conferencia podrá realizarse por teléfono o en persona. En la conferencia previa a la audiencia se espera que tanto usted como el distrito den a conocer lo siguiente:

- 1) Las cuestiones que se consideran en controversia en la audiencia;
- 2) Los testigos que pueden ser llamados a la audiencia;
- 3) La lista de los documentos que pueden presentarse para exponer el caso en la audiencia.

Tenga en cuenta por favor que si plantea asuntos en la conferencia previa a la audiencia que no se incluyeron en su solicitud de audiencia, se le podrá exigir que presente la solicitud enmendada de audiencia y que complete en una fecha posterior una nueva sesión de resolución y una conferencia previa a la audiencia. Una solicitud enmendada de audiencia también puede resultar en un retraso de la audiencia. (Ver más arriba, "Solicitud de una audiencia de debido proceso").

Al concluir la conferencia previa a la audiencia, el oficial de audiencia debe preparar un informe de la conferencia e integrarlo en el registro de la audiencia. El informe debe incluir, pero no limitarse a:

- Los temas, el orden de presentación, y todos los ajustes al cronograma que se han hecho para las partes o los testigos;
- Una determinación de la pertinencia y la importancia de los documentos o de los testigos, de ser planteadas por una de las partes o por el oficial de la audiencia, y
- Una lista de los hechos estipulados (o convenidos) como se discutieron durante la conferencia previa a la audiencia. El informe debe incluir, pero no limitarse a:
- Los temas, el orden de presentación, y todos los ajustes al cronograma que se han hecho para las partes o los testigos;
- Una determinación de la pertinencia y la importancia de los documentos o de los testigos, de ser planteadas por una de las partes o por el oficial de la audiencia, y
- Una lista de los hechos estipulados (o convenidos) como se discutieron durante la conferencia previa a la audiencia.

Derechos antes de la audiencia

Usted tiene derecho a:

- Estar acompañado y ser asesorado por un abogado y por personas con especial conocimiento con respecto a los problemas de los estudiantes con discapacidades;
- Inspeccionar y revisar todos los registros de la escuela relativos al estudiante y obtener copias de cualquiera de esos registros;
- Tener acceso a la lista de evaluadores independientes del distrito y obtener una evaluación independiente del estudiante por su propia cuenta;
- Ser advertido al menos 5 días antes de la audiencia de cualquier evidencia que vaya a presentarse;
- Exigir la asistencia de cualquier empleado del distrito escolar local a la audiencia, o de cualquier otra persona que pudiera tener información pertinente con respecto a las necesidades, capacidades, programa propuesto, o condición del estudiante;
- Solicitar que se disponga de un intérprete durante la audiencia;
- Mantener el estatus de la ubicación y la condición de elegibilidad del estudiante hasta la finalización de todos los procedimientos administrativos y judiciales, y
- Solicitar una audiencia expedita para cambiar la ubicación de su hijo o si no está de acuerdo con la determinación de manifestación del distrito o con el traslado hecho por el distrito del estudiante a un entorno educativo alternativo y temporal.

Derechos durante la audiencia

Usted tiene derecho a:

- Disponer de una audiencia justa, imparcial y bien ordenada;
- Contar con la oportunidad de presentar pruebas, testimonios, y los argumentos necesarios para apoyar y/o aclarar el asunto en disputa;
- Cerrar la audiencia al público;
- Hacer que su hijo se presente en la audiencia;
- Enfrentar y contra-interrogar a los testigos, y
- Prohibir la introducción de evidencia no divulgada al menos 5 días antes de la audiencia.

La audiencia

La ISBE y el oficial de la audiencia deben garantizar que la audiencia se celebre dentro de los 45 días siguientes a la recepción de una solicitud de audiencia, a menos que el oficial de la audiencia conceda una prórroga de tiempo específico, a petición de cualquiera de las partes. Dentro de los 10 días siguientes a la conclusión de la audiencia, el oficial de audiencia debe emitir una decisión escrita en la que se establezcan los asuntos objeto de litigio, las conclusiones de hecho basadas en la evidencia y los testimonios presentados, y las conclusiones del oficial de la audiencia sobre mandato y orden. El oficial de la audiencia debe tomar una determinación acerca de todos los asuntos planteados en la solicitud de audiencia (a menos que hayan sido resueltos por las partes antes de la audiencia), así como sobre la determinación general, basada en los hechos del caso, de si el distrito ha proporcionado al estudiante una educación pública adecuada y gratuita.

Audiencias expeditas

Como se ha descrito anteriormente (véase "Disciplina de los estudiantes con discapacidades") se podrá solicitar una audiencia expedita cuando exista un desacuerdo sobre la decisión del distrito de retirar a su hijo de su ubicación educativa actual, debido a problemas disciplinarios. Las audiencias expeditas muestran una serie de similitudes con, pero varias de diferencias sustantivas con respecto a, las audiencias ordinarias de debido proceso. Las principales diferencias con las audiencias debidas regulares son las siguientes:

- La sesión de resolución debe ser convocada dentro de los siete (7) días calendario siguientes a la presentación de la solicitud de audiencia expedita;
- La audiencia debe llevarse a cabo dentro de los 20 días escolares siguientes a la presentación de la solicitud de audiencia;
- La decisión de la audiencia debe hacerse dentro de los 10 días escolares posteriores a la clausura de la audiencia;
- No puede solicitarse una sustitución del oficial de audiencia designado.

Solicitud de aclaración

Luego de que se ha emitido una decisión, el oficial de la audiencia retendrá la jurisdicción sobre el caso con el único objetivo de considerar una solicitud por cualquiera de las partes para la aclaración de la decisión final. Usted puede solicitar la aclaración de la decisión final mediante la presentación de una solicitud por escrito al oficial de audiencia dentro de los 5 días siguientes a la recepción de la decisión. La solicitud de aclaración debe especificar las partes de la decisión sobre las cuales usted solicita aclaraciones. Una copia debe enviarse por correo a todas las partes implicadas en la audiencia y a la ISBE . El oficial de audiencia debe emitir una aclaración de la parte concreta de la decisión o emitir por escrito una denegación de la solicitud dentro de los 10 días siguientes a la recepción de la solicitud.

Apelación de la decisión

Tras una audiencia de debido proceso, una de las partes insatisfecha con la determinación final del oficial de la audiencia tiene derecho a iniciar una acción civil. Esta acción puede presentarse en cualquier tribunal estatal de jurisdicción competente, o en un tribunal de distrito de Estados Unidos dentro de los 120 días siguientes al despacho por correo a las partes de una copia de la decisión. La metodología para la presentación de tales acciones está disponible en la oficina de la secretaria de la corte en la que se presentará la acción.

Permanencia de la ubicación

Durante una audiencia de debido proceso o de cualquier procedimiento judicial que se encuentre en espera de ser resuelto, su hijo deberá permanecer en su actual ubicación educacional con el estatus de elegibilidad de educación especial y de servicios relacionados que se proporcionaron en el momento de la presentación de la solicitud de audiencia. Sin embargo, si el distrito ha cambiado la ubicación del estudiante en respuesta a un incidente disciplinario y esta ubicación está sujeta a una audiencia expedita, se mantendrá la nueva ubicación del distrito en espera de la decisión final en la audiencia expedita. (Por favor, vea más arriba, "Disciplina de los estudiantes con discapacidades")

Adjudicación de honorarios de abogados

En cualquier acción o procedimiento instaurado en virtud de la Ley de Educación de Personas con Discapacidades, un tribunal de jurisdicción competente podrá establecer honorarios razonables de abogados. Éstos son los honorarios en los que incurre su abogado (esto no incluye un abogado no autorizado u otro tipo de representante que no sea un abogado con licencia) en relación con la representación de sus intereses en la audiencia de debido proceso. Un tribunal podrá imponer dichos honorarios:

- A los padres o tutores de un alumno con discapacidades que sea la parte predominante;
- A la parte predominante que sea una agencia o distrito educacional del estado contra el abogado de los padres que presente una queja o causa de acción subsiguiente que sea frívola, irrazonable, o sin fundamento;
- A una agencia o distrito educacional predominante del estado contra el abogado de los padres, o en contra de los padres, si la denuncia o la causa de acción subsiguiente del padre se presenta con cualquier finalidad improcedente, tal como crear obstáculos, causar demoras innecesarias o incrementar innecesariamente el costo del litigio.

Los honorarios otorgados se basarán en las tarifas que prevalezcan en la comunidad en la que la acción o procedimiento surgió, para el tipo y la calidad de los servicios proporcionados. Los honorarios del abogado pueden ser reducidos por el tribunal sobre la base de un número de factores, incluyendo tarifas irrazonables, procedimientos prolongados innecesariamente, o la existencia de un acuerdo de arreglo entre las partes. Se le pide que discuta estos asuntos con su abogado.

PADRES EDUCATIVOS SUSTITUTOS

Al inscribirse un estudiante, el distrito escolar residente debe hacer esfuerzos razonables para contactar al padre de un niño que ha sido remitido para, o que necesita, educación especial y servicios relacionados. Si el padre no puede ser identificado o localizado o el niño está bajo la custodia del estado y se encuentra en una institución residencial, y el establecimiento residencial no lo ha hecho ya, un representante de esa instalación presentará a ISBE una solicitud de nombramiento de un padre sustituto educativo para garantizar que los derechos educativos de los niños se encuentren protegidos. Si el niño se encuentra bajo la custodia del estado, el juez que supervisa el cuidado del niño podrá nombrar como alternativa a un padre sustituto. En el caso de un estudiante sin hogar ni compañía, el

distrito nombrará a un padre sustituto. Un hijo que reside en un hogar de crianza temporal o en un entorno de cuidado con un familiar, no requiere la designación de un padre educativo sustituto. El padre adoptivo o el pariente al cuidado representarán las necesidades educativas de cada niño ubicado en su hogar.

Si su escuela lo designó a usted para ser un padre sustituto, todos los derechos explicados en este documento le pertenecen. Usted no puede ser empleado de una agencia pública que se halle comprometida en la educación o el cuidado del niño, no puede tener ningún conflicto de intereses con el niño, y debe tener el conocimiento y las destrezas necesarias para asegurarle al niño una representación adecuada. Si usted es empleado de una institución residencial, puede ser seleccionado como un padre sustituto educacional para un niño que resida en esas instalaciones si esa institución sólo ofrece al niño atención no educativa.

Como un padre educativo sustituto, usted puede representar al niño en todos los aspectos relacionados con la identificación, evaluación, ubicación educativa y prestación de una educación pública apropiada y gratuita.

REGISTROS EDUCATIVOS

Un distrito local es responsable de proteger la confidencialidad de los registros académicos de su hijo(a). Como padre/madre, usted tiene el derecho de inspeccionar y revisar cualquier registro académico relacionado con su hijo(a), los cuales el distrito recopila, mantiene o usa. El distrito deberá cumplir con las solicitudes para revisar el registro académico sin demoras innecesarias y antes de cualquier reunión relacionada con la identificación, evaluación o colocación del estudiante. La solicitud para inspeccionar y copiar los registros debe aprobarse en 10 días hábiles después de haberla realizado. El distrito escolar extenderá este permiso por no más de 5 días hábiles adicionales por alguna de las siguientes razones:

- los registros están almacenados fuera del sitio o en múltiples lugares;
- la solicitud requiere que se recopile un número considerable de registros específicos;
- la solicitud requiere una búsqueda exhaustiva;
- se necesitan esfuerzos adicionales para localizar los registros;
- la solicitud crea una carga excesiva en el distrito escolar o
- existe una necesidad de consultar con otro ente público o distrito escolar en relación con la solicitud.

En ningún caso, se aprobará una solicitud para inspeccionar y copiar registros por más de 15 días hábiles después de haberla realizado, a menos que el padre o la madre y el distrito escolar hayan hecho un acuerdo escrito para establecer una extensión del período.

El derecho a inspeccionar y revisar los registros educativos incluye:

- El derecho a una respuesta del distrito escolar a solicitudes razonables de explicaciones e interpretaciones de los registros;
- El derecho a que su representante inspeccione y revise los registros, y
- El derecho a solicitar que el distrito escolar proporcione copias de los registros educativos si el incumplimiento en proporcionar esas copias impide que usted pueda ejercer efectivamente su derecho a inspeccionar y revisar los registros en un lugar donde normalmente se mantienen.

Un distrito escolar local puede presumir que usted tiene la autoridad para inspeccionar y revisar los registros relacionados con su hijo a menos que el distrito escolar haya sido advertido de que usted no tiene la autoridad en virtud de la legislación estatal vigente que rige asuntos tales como la tutela, la separación y el divorcio.

Si algún registro educativo incluye información sobre más de un estudiante, a usted se le permitirá revisar sólo la información relacionada con su hijo o ser informado de esa información específica.

Un distrito escolar local debe proporcionarle a usted, bajo su solicitud, una lista de los tipos y ubicaciones de los registros educativos reunidos, conservados o utilizados por el distrito.

Tarifas por la búsqueda, recuperación y copiado de los registros

Un distrito escolar local no podrá cobrar una tarifa por buscar o recuperar información. Sin embargo, un distrito escolar local puede cobrar una tarifa no superior a \$.35 por cada página del registro que se copie si esta tarifa no le impide de manera efectiva el ejercicio de su derecho a inspeccionar y revisar los registros.

Registro de acceso

Un distrito puede divulgar información sólo con su consentimiento, a menos que la ley estatal o federal lo autorice de otro modo. Un distrito escolar local debe mantener un registro de las partes que obtienen acceso a los registros educativos reunidos, conservados o utilizados (con excepción de los padres y empleados autorizados del distrito local), incluyendo el nombre de la parte, la fecha en que se dio acceso al registro, y el propósito para el cual la está autorizada a usar los expedientes.

Rectificación de los registros a solicitud de los padres

Si usted considera que la información en los registros de su hijo es inexacta o engañosa o viola los derechos de su hijo, puede solicitar al distrito escolar que los modifique. El distrito escolar local debe decidir si corrige la información dentro de los 15 días escolares siguiente a la fecha de recepción de su solicitud. Si el distrito se niega a enmendar la información de acuerdo con la petición, debe informarle de la negativa y asesorarlo sobre su derecho a una audiencia de registros como se indica a continuación.

El distrito escolar debe, a solicitud suya, brindarle una oportunidad para una audiencia de registros donde se impugne la información contenida en los registros de su hijo. Esta no es una audiencia de debido proceso y no se celebrará ante un oficial de audiencia nombrado por la ISBE, sino que es más bien una audiencia celebrada en el plano local.

Si, como resultado de una audiencia de registros, se decide que la información es incorrecta, engañosa o viola los derechos de su hijo, el distrito escolar deberá modificar la información e informarle por escrito que lo ha hecho.

Si, como resultado de la audiencia de registros, se decidió que la información no es incorrecta, engañosa ni viola los derechos de su hijo, el distrito escolar deberá informarle de su derecho a asentar una declaración comentando la información o estableciendo cualquier motivo de desacuerdo con la decisión del distrito escolar. El distrito escolar debe mantener cualquier explicación asentada en los registros de su hijo como parte de los registros por el tiempo que el registro o la parte sea conservada por el distrito escolar. Si el distrito divulga los registros a cualquier parte, la explicación debe divulgarse también.

TRANSFERENCIA DE LOS DERECHOS DE LOS PADRES

A la edad de 18 años, su hijo se convierte en un estudiante adulto. Todos los derechos de los padres discutidos en este documento serán transferidos a él/ella en ese momento, a menos que el distrito escolar sea notificado de lo contrario. Usted compartirá el derecho a recibir la totalidad de las

notificaciones previas por escrito y la escuela les proporcionará a estas notificaciones tanto a usted como a su hijo.

En o antes del cumpleaños número 17 de su hijo, el IEP debe incluir una declaración de que a usted y a su hijo se les informó de que estos derechos se transferirían a los 18 años de edad. Además, en esta reunión usted recibirá una copia del formulario de *Delegación de derechos para tomar decisiones educativas*.

Su hijo puede decidir el uso de este formulario para delegarle a usted o a otra persona la representación de sus intereses educativos en el momento en que alcance la mayoría de edad. Este formulario debe ser presentado luego al distrito escolar local.

El formulario de delegación de derechos debe identificar a la persona designada para representar los derechos educativos de su hijo e incluye tanto la firma del individuo como la firma de su hijo (o por otros medios, como el formato de audio o de video compatibles con su discapacidad). Su hijo puede terminar la Delegación de derechos en cualquier momento y comenzar a tomar sus propias decisiones educativas. La delegación de derechos permanecerá en vigor durante un año posterior a su firma y podrá renovarse anualmente.

Esta declaración de los derechos de los padres fue desarrollada por la Oficina de Programas de Educación Especial del Departamento de Educación de los Estados Unidos, y fue modificada por la Junta de Educación de Illinois (ISBE) para cumplir con las normas de este estado.

La ley reacreditada para personas con discapacidades (IDEA 2004) se firmó el 3 de diciembre de 2004. Las disposiciones de la ley entraron en vigor el 1 de julio de 2005. La Junta de Educación de Illinois (ISBE) ha proporcionado esta Notificación de Garantías de Protección para informarle de sus derechos en virtud de las modificaciones a la ley federal.

Apéndice

DECLARACIÓN DE LA POLÍTICA DE AMBIENTE MENOS RESTRICTIVO CONSEJO DE EDUCACIÓN DE ILLINOIS

FEBRERO DE 2000

Compromiso de la Junta Estatal de Educación

La Junta de Educación de Illinois (ISBE) aprueba y adopta esta política de Ambiente Menos Restrictivo ("AMR") para asegurar que cumpla con los requisitos de la Ley de Educación para Personas con Discapacidades de 1997 ("IDEA" 97) y de sus reglamentaciones asociadas, 34 C.F.R. §300.550-330.556. La ISBE garantizará, como lo exigen las leyes federales, las normas y las regulaciones que el estado de Illinois tenga en vigor una política adecuada de AMR y normas y regulaciones pertinentes. La ISBE proporcionará el liderazgo activo y visible para garantizar que todas las instituciones públicas o privadas y establecimientos bajo control y jurisdicción del estado estén informados de los principios y doctrinas de AMR.

Ubicación en un entorno menos restrictivo

AMR requiere que, en la mayor medida posible, los estudiantes con discapacidades con edades entre 3 y 21 años, en instituciones públicas o privadas u otros centros de cuidado, sean educados con niños que no sean discapacitados [34 C.F.R. §300.550 (b)(1)]. La ISBE supervisará los programas y las instituciones que atienden a los estudiantes con discapacidades para garantizar que la primera opción de ubicación sea en un entorno regular de educación, con el uso de las ayudas y servicios suplementarios que sean necesarios. Las clases especiales, la separación en la enseñanza, u otras ubicaciones de los estudiantes con discapacidades que se retiren del entorno de educación regular deben tener lugar sólo si el equipo del Programa de Educación Individual (IEP) del estudiante determina que la naturaleza o gravedad de la discapacidad es tal que la educación en un aula regular, aún con el uso de ayudas y servicios suplementarios, no puede lograrse satisfactoriamente.

Servicio continuo de ubicaciones alternativas

Cada agencia pública o privada responsable debe proporcionar garantías a la ISBE de que existe la disponibilidad de un servicio continuo de ubicaciones alternativas para atender las necesidades de los estudiantes con discapacidades y garantizar que éstos reciban educación especial y servicios relacionados apropiados para sus necesidades. La continuidad de la ubicación alternativa debe incluir instrucción en clases regulares, clases especiales, escuelas especiales, instrucción en el hogar e instrucción en hospitales e instituciones y debe proveer los servicios suplementarios. El equipo del IEP debe basar la decisión de su ubicación en las necesidades identificadas de cada estudiante con una discapacidad. El equipo debe determinar primero cómo o si las necesidades individuales del estudiante se pueden satisfacerse en el aula de educación regular con apoyos y ayudas individuales. Debe ser capaz de justificar una opción más restrictiva en términos de las disposiciones AMR y de las necesidades del estudiante.

Ubicaciones

Cada agencia pública o privada apropiada que determine ubicaciones educativas para estudiantes con discapacidades debe garantizar a la ISBE que:

01. La ubicaciones se basan en las necesidades individuales de los estudiantes con discapacidades, tal como se documenta en sus respectivos IEP, y se consideraron sólo después de que fueron determinadas las metas y los objetivos/puntos de referencia.

02. Las decisiones sobre la ubicación de los estudiantes con discapacidades las toma un grupo de personas, incluidos los padres y otras personas que conozcan al niño, que revisarán y evaluarán los datos pertinentes y considerarán opciones de ubicación adecuadas para las necesidades específicas identificadas para cada estudiante.
03. Las decisiones sobre ubicaciones se ajustan a las disposiciones AMR a las que se hace referencia en las leyes estatales y federales, las reglas y los reglamentos asociados.
04. La ubicación de los estudiantes con discapacidades se determina por lo menos anualmente.
05. La ubicación está situada lo más cerca posible del hogar del estudiante. En primer lugar se ha tenido en cuenta la escuela a la que el estudiante asistiría si no tuviera una discapacidad y otras ubicaciones se consideran sólo si el equipo del IEP determina que las necesidades del estudiante requieren un lugar diferente para asegurar una educación pública adecuada y gratuita en el ambiente menos restrictivo.
06. La ubicación de tiempo completo de un estudiante con una discapacidad en el entorno de educación general no es apropiada cuando el estudiante, a pesar de las disposiciones de ayudas y servicios suplementarios, es tan perturbador en la totalidad o en parte del entorno de educación general que el/ella entorpece seriamente la educación de otros estudiantes.
07. Los estudiantes con discapacidades no deben ser separados de la ubicación en un salón regular de clase apropiado para su edad únicamente porque se necesiten modificaciones o apoyos o servicios en el currículo de educación general, o por conveniencia administrativa.
08. En la mayor medida posible, los estudiantes con discapacidad participarán en los programas ordinarios de educación. El IEP debe incluir una declaración en relación con el impacto de la discapacidad del niño sobre su progreso y participación en el currículo de educación general.
09. Cada IEP del estudiante establece si el estudiante participará en evaluaciones del estado y/o del distrito local, y de ser así, si en todo o en parte, y si es apropiada y necesaria cualquier modificación o adaptación. Si el estudiante con una discapacidad está excluido de estas evaluaciones, el equipo IEP describe que técnicas de evaluación alternativa se utilizarán y cómo se integrarán y comunicarán las calificaciones (34 CFR § 300.138-300.139).

Entornos no académicos

El mandato AMR también se aplica a los servicios no académicos y a las actividades extracurriculares. Los distritos escolares y otras agencias que atienden a los estudiantes con discapacidades deben asegurar que estos estudiantes tengan la misma oportunidad de participar en dichas actividades (34 CFR § 300.553). Cuando un distrito o agencia privada apropiada proporcione o coordine servicios/actividades extraescolares y no académicos apropiados para un estudiante con discapacidad, el equipo del IEP debe determinar las ayudas y servicios necesarios para la participación. Los servicios/actividades no académicos y extracurriculares pueden incluir, pero sin limitarse a, las comidas, períodos de recreo, servicios de consejería, atletismo, transporte, servicios de salud, actividades recreativas, grupos de intereses especiales, remisiones a las agencias que prestan asistencia a las personas con discapacidades, y el empleo para los estudiantes, incluidos el empleo por parte de la agencia pública y ayuda para facilitar la disponibilidad de empleos externos [34 CFR § 300.306 (b)].

Niños en instalaciones públicas, no públicas o privadas

Para garantizar que los estudiantes con discapacidad son educados en el AMR y reciban una educación pública adecuada y gratuita, la ISBE entrará en acuerdos con las instituciones públicas y privadas y las agencias estatales adecuadas, de acuerdo con las necesidades.

Asistencia técnica y capacitación

La ISBE se asegurará de que los maestros y administradores en las agencias públicas que se ocupan de los alumnos con discapacidad están plenamente informados acerca de sus responsabilidades para la aplicación de los requisitos AMR. La ISBE proporcionará la asistencia técnica y la capacitación necesarias para contribuir con este esfuerzo.

Actividades de supervisión

La ISBE supervisará a las agencias públicas para asegurar que se estén llevando a cabo los requisitos del AMR. Si la ISBE encuentra evidencia de que se están haciendo ubicaciones inconsistentes con el mandato AMR, los funcionarios revisarán la justificación y la documentación de la agencia pública y luego le ayudarán a planear e implementar todas las medidas correctivas necesarias.

APPENDIX F

Chicago Area Alternative Education League (CAAEL)

Cyd Lash Academy participates in The Chicago Area Alternative Education League (CAAEL). CAAEL is a sports league designed for students with exceptional needs.

Examples of possible programs (but not limited to):

- Chess
- Flag Football
- Volleyball
- Basketball
- Softball

The selected students that wish to participate in a sport must:

- have a current sports physical on file
- have proof of insurance on file
- meet the behavioral expectations of their Individual Education Plan and/or Educational Team
- have no unexcused/excessive absences
- academically have a C average or above

Parent/guardian permission forms will be sent home prior to the starting date of each sport. The Cyd Lash Academy Educational Teams and coaches review athletic eligibility on a case by case basis. Sportsmanship ribbons are presented to those students who have demonstrated exceptional character traits (e.g. respect, fairness, honesty) during competition.

Insurance:

Students planning to participate in any CAAEL sport during the school year must have health insurance coverage. Please submit a copy of the front and back sides of your insurance card, which will be kept on file at school. School insurance is available through local school districts of residence for those students without insurance.