

**ORION
COMMUNITY UNIT SCHOOL
DISTRICT #223**



**SPECIAL EDUCATION
POLICIES & PROCEDURES HANDBOOK**

This handbook constitutes the written policies and procedures of Orion Community Unit School District #223 required under the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400 et seq.; 34 C.F.R. Part 300; Article 14 of the Illinois School Code (105 ILCS 5/Art. 14); and 23 Ill. Admin. Code Part 226. It should be reviewed in conjunction with Board Policy 6:120 and applicable PRESS policies. Nothing in this handbook creates rights beyond those provided by applicable federal and state law. Questions regarding this handbook should be directed to the Superintendent.

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Chapter 1

Legal Foundation & Purpose

Federal Law

Special education in Orion CUSD #223 is governed primarily by the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400 et seq., and its implementing regulations at 34 C.F.R. Part 300. IDEA guarantees all eligible children with disabilities a Free Appropriate Public Education (FAPE) designed to meet their unique needs and prepare them for further education, employment, and independent living.

State Law

Illinois implements IDEA through Article 14 of the Illinois School Code (105 ILCS 5/Art. 14) and 23 Ill. Admin. Code Part 226. These provisions establish the specific requirements and timelines that Illinois school districts must follow, and in some cases exceed federal minimums (e.g., Illinois requires transition planning to begin at age 14½, while federal law requires it at age 16).

Other Applicable Laws

- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794)
- Americans with Disabilities Act (42 U.S.C. § 12101 et seq.)
- Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g
- Illinois Student Records Act (105 ILCS 10/)
- School Code provisions governing discipline, including 105 ILCS 5/10-20.33 (time out/restraint)

Core Principles

This district is committed to the following principles in all special education programming:

- Free Appropriate Public Education (FAPE): All eligible students receive special education and related services at no cost to their families that are reasonably calculated to enable the student to make meaningful progress.
- Least Restrictive Environment (LRE): Students with disabilities are educated alongside their non-disabled peers to the maximum extent appropriate.
- Individualized Programming: Each student's program is individually designed based on comprehensive evaluation and developed by a qualified team that includes the student's parents. • Parent Partnership: Parents are full and equal members of the IEP team with meaningful rights to participate in all decisions affecting their child's education.
- Procedural Integrity: All timelines, notices, consent requirements, and documentation obligations under IDEA and Part 226 are followed with fidelity.

Chapter 2: Child Find

Overview

Orion CUSD #223 has an affirmative duty under IDEA and 23 Ill. Admin. Code § 226.100 to actively locate, identify, and evaluate all children with disabilities who reside within or are placed by the district within its boundaries, from birth through age 22. This obligation extends to children who are enrolled in private schools, children who are homeless, and children advancing from grade to grade who may have unidentified disabilities.

Child Find Activities

The district's Child Find obligations are fulfilled through the following ongoing activities:

- Annual developmental screenings for children under age 5, coordinated with local early childhood programs
- Ongoing review of each enrolled student's academic progress, attendance, and behavior by classroom teachers, the principal, and other staff
- Coordination with Illinois Early Intervention (Part C) service providers to identify children ages birth to 3 years and facilitate Part C to Part B transition
- Referral processes that allow any person with knowledge of a child to initiate a request for evaluation
- Community outreach including notices in school communications, Parent/Student Handbooks, and other district publications informing families of the availability of special education services
- Annual hearing and vision screenings for students at designated grade levels
- Communication with private schools serving students within district boundaries

Early Intervention (Part C to Part B) Transition

Children receiving Early Intervention services under Part C of IDEA must be transitioned to school-based services (Part B) upon reaching age 3. The district will:

- Accept referrals from the Early Intervention system for children who will be turning age 3
- Initiate evaluation and eligibility determination procedures to ensure an IEP is in effect on the child's third birthday when appropriate
- Participate in transition planning conferences with Early Intervention providers and the child's family
- Ensure timely placement and initiation of services consistent with 23 Ill. Admin. Code § 226.100

Chapter 3: Response to Intervention (RtI)

Overview and Purpose

Orion CUSD #223 implements a multi-tiered system of support (MTSS) through its Response to Intervention (RtI) program. The RtI framework is designed to identify students who are struggling academically, provide timely and targeted interventions, and use data to drive instructional decisions. RtI is a general education initiative that serves all students; it is not a prerequisite for a special education referral, nor may it be used to delay or deny a parent's right to request an evaluation at any time.

Tiered Framework

The district's RtI program operates within a three-tier framework. Tier 1 represents universal instruction and screening for all students. Tiers 2 and 3 provide increasing levels of intervention support, with Tier 3 distinguished by smaller group sizes or additional time with intervention staff.

Tier	Level of Support	Description
Tier 1	Universal	Core instruction for all students, supported by universal screening three times per year to identify students who may need additional support.
Tier 2	Targeted	Small-group interventions for students identified as at risk. Staff deliver targeted support in addition to core instruction.
Tier 3	Intensive	Increased intensity through smaller group sizes or additional time with intervention staff. Intervention is more individualized based on student need.

Universal Screening

All students are screened using the NWEA MAP universal screening tool three times per year: fall, winter, and spring. Screening results are the primary mechanism for identifying students who may be at risk and in need of additional instructional support.

Identification of At-Risk Students

Students are identified as at risk through a data triangulation process that considers multiple sources of information:

- NWEA MAP assessment scores
- Teacher recommendation based on classroom performance and observation
- Students flagged through this process are placed in appropriate intervention groups and assigned to an Rtl plan.

Intervention Procedures

Students identified as at risk receive targeted interventions matched to their area of need. Interventions are delivered by staff based on the student's tier of support and individual needs.

Tier 2 interventions are delivered in small-group settings with targeted support in addition to core instruction.

Tier 3 interventions involve smaller group sizes or additional time with intervention staff, providing a more individualized level of support

All interventions are documented in the student's plan, including the type of intervention, frequency, and start date

Progress Monitoring

Students receiving Rtl interventions are progress monitored weekly using curriculum-based measures (CBMs). A minimum of six data points must be collected before a formal data-based decision is made regarding the intervention.

Data-Based Decision Making

After six progress monitoring data points have been collected, the team examines the most recent data points relative to the student's goal line. The following decision rules apply:

Data Pattern	Decision	Action
All data points above the goal line	Increase the goal	Consider change in Rtl status
All data below the goal line	Change the intervention	Modify intervention strategy, intensity, or frequency
Mixed (some above, some below)	Maintain current intervention	Continue monitoring; keep intervention until next screening window

Early Screener Discrepancy Protocol

In some cases, a student may perform poorly on the initial fall screener but then score consistently and significantly higher on subsequent progress monitoring probes. This pattern suggests the screener may not have accurately reflected the student's true skill level. The following protocol guides decision-making in these situations:

- Add a 50th percentile reference line to the student's progress monitoring chart. Review the student's most recent three progress monitoring datapoints
- If all points are above the 50th percentile line and the classroom teacher recommends advancement, the team may consider dismissal from Rtl

Rtl Team and Review Process

The building Rtl team meets monthly to review screening data, monitor intervention progress, and make data-based decisions about student placement within the tiered framework. The Rtl team includes the building principal, classroom teachers, and other relevant staff as appropriate. The team's responsibilities include:

- Reviewing universal screening data after each screening window to identify students in need of intervention
- Monitoring progress of students currently receiving Tier 2 or Tier 3 support
- Recommending changes to intervention plans, including advancement, modification, or dismissal
- Identifying students who may need referral for a special education evaluation after sustained lack of progress

Parent Notification

Parents or guardians are informed by the classroom teacher when their child is identified for Rtl intervention. The classroom teacher communicates the area of concern, the type of intervention being provided, and how progress will be monitored. The classroom teacher also shares regular updates on the student's progress throughout the intervention period. Parents are informed of their right to request a special education evaluation at any time, regardless of the student's Rtl status.

Dismissal from Rtl

Students may be dismissed from Rtl services when data indicates they have met their intervention goals or are performing at grade-level expectations. Dismissed students continue to be monitored through the universal screening process three times per year. If subsequent screening data indicates a return to at-risk status, the student may be re-entered into the Rtl process for additional rounds of intervention.

Referral to Special Education

Students who do not make adequate progress despite sustained, well-documented Tier 2 and Tier 3 interventions may be recommended for a special education evaluation. Rtl data — including screening results, progress monitoring records, and intervention documentation — serves as a valuable input to the evaluation process. However, a parent may request a special education evaluation at any time, and the district may not use Rtl participation as a reason to delay or deny that request.

Chapter 4: Referral & Evaluation

Who May Make a Referral

A request for an initial evaluation may be made by:

- A parent or guardian of the child
- A teacher, administrator, related service provider, or other school professional
- Any person with knowledge of the child, including community professionals
- When a verbal referral is received, staff should document the date, the name of the person making the referral, and the nature of the concern. Written referrals should be preserved in the student's file.

14-School-Day Response Timeline

Within 14 school days of receiving a request for an initial evaluation, the district must determine whether it will proceed with an evaluation. If the district agrees to evaluate, a domain meeting is scheduled before the 14th school day. The district may decline to evaluate only by issuing a written Prior Written Notice to the parent explaining the basis for refusal and the parent's procedural rights.

Domain Meeting

Before conducting any evaluation, the district must hold a domain meeting that includes the parent (or documented attempts to include them) and at least one qualified professional. At the domain meeting the team will:

- Review existing data about the child, including prior evaluations, state assessments, classroom observations, and teacher recommendations
- Determine if any additional data is needed to assess the child in all areas of suspected disability
- Identify the specific evaluation procedures and tools to be used
- Obtain written informed parental consent using the district's Consent for Evaluation form
- Provide the parent with a copy of the Procedural Safeguards Notice

Evaluation Requirements

All evaluations must be conducted in accordance with 34 C.F.R. § 300.304 and 23 Ill. Admin. Code § 226.130:

- The child must be assessed in all areas related to the suspected disability, including health, vision, hearing, social-emotional status, academic performance, communicative status, and motor abilities
- No single assessment may be the sole determinant of eligibility
- Assessments must be administered in the child's native language or mode of communication
- Tests must be used for the purpose for which they were validated and must be administered by trained personnel
- The evaluation must be sufficiently comprehensive to identify all special education and related service needs
- For students suspected of having a Specific Learning Disability (SLD), the team may use an RtI model, or a model based on whether the student exhibits a pattern of strengths and weaknesses, consistent with ISBE's SLD criteria

Medical Review

A medical review is required as part of the evaluation for all students (initial evaluations and reevaluations). The district's school nurse coordinates this review. Medical reviews must be conducted by a licensed school nurse, a licensed physician, a registered professional nurse (RN), or an advanced practice registered nurse (APRN), consistent with 23 Ill. Admin. Code § 226.160.

60-School-Day Evaluation Timeline

The district must complete the evaluation and hold an eligibility conference on or before the 60th school day following receipt of written parent consent to evaluate. If parental consent is received with fewer than 60 school days remaining in the school year, the eligibility conference must occur before the last day of the school year.

Reevaluation

A reevaluation of each student with a disability must be conducted:

- At least once every three years, unless the parent and district agree in writing that it is not necessary
- When the district determines that the student's educational needs warrant reevaluation
- When the parent or teacher requests a reevaluation
- Before determining that the student is no longer eligible for special education (except for graduation with a regular diploma or exceeding the age of eligibility)
- A reevaluation may not occur more than once per year unless the parent and district agree otherwise.

Chapter 5: Eligibility Determination

Eligibility Conference

Following completion of the evaluation, the district must convene an eligibility conference to review evaluation results and determine whether the student is a child with a disability under IDEA and Part 226. The eligibility conference team must include the student's parents and at least two qualified professionals, one of whom must be knowledgeable and experienced in the evaluation and education of children with disabilities.

Eligibility Categories

Students found eligible for special education services must meet the criteria for one or more of the

following disability categories established by ISBE under 23 Ill. Admin. Code § 226.75:

- Autism
- Deafness
- Deaf-Blindness
- Developmental Delay (ages 3-9 only)
- Emotional Disability
- Hearing Impairment
- Intellectual Disability
- Multiple Disabilities
- Orthopedic Impairment
- Other Health Impairment (OHI)
- Specific Learning Disability (SLD)
- Speech or Language Impairment (SLI)
- Traumatic Brain Injury (TBI)
- Visual Impairment (including blindness)

Exclusionary Factors

A student may not be found eligible for special education solely because of:

- Lack of appropriate instruction in reading or mathematics
- Limited English proficiency
- Environmental, cultural, or economic disadvantage

These factors may not be the determinant factor in any eligibility decision.

After Eligibility is Determined

If a student is found eligible, the IEP team must develop an initial IEP within 30 calendar days of the eligibility determination. Special education and related services must be implemented as soon as reasonably possible following the IEP meeting. If a student is found not eligible, the district must issue Prior Written Notice and provide the parent with a copy of the Procedural Safeguards Notice.

Summary of Academic Achievement and Performance

When a student's eligibility terminates due to graduation with a regular diploma or exceeding the age of eligibility, the district must provide the student with a written summary of their academic achievement and functional performance, including recommendations to assist the student in meeting post-secondary goals.

Chapter 6: Individualized Education Programs (IEPs)

What is an IEP?

The Individualized Education Program (IEP) is a legal document that sets forth the special education program, instructional supports, and related services a student with a disability needs to make meaningful progress in school. Every eligible student must have an IEP in effect at the beginning of each school year, and the IEP must be implemented as written. IEPs are developed, reviewed, and revised by the student's IEP team.

IEP Team Composition

The IEP team for each student must include, at minimum (34 C.F.R. § 300.321; 23 Ill. Admin. Code § 226.210):

- The student's parent or guardian
- At least one regular education teacher of the student (when the student is, or may be, participating in regular education)
- At least one special education teacher or special education provider
- A representative of the district (LEA representative) who is knowledgeable about the general education curriculum, district resources, and is authorized to commit district resources
- An individual who can interpret the instructional implications of evaluation results (may be one of the persons above)
- At the discretion of the parent or district, other individuals with knowledge or special expertise about the student
- The student, whenever appropriate (required whenever transition services are considered)

Required IEP Components

Each IEP must contain, at a minimum, the following components (34 C.F.R. § 300.320; 23 Ill. Admin. Code § 226.230):

Present Levels of Academic Achievement and Functional Performance (PLAAFP)

The PLAAFP must include a clear, comprehensive statement of how the student's disability affects their involvement and progress in the general education curriculum (or, for preschool children, participation in appropriate activities). A well-written PLAAFP should:

- Be comprehensive enough to stand alone — another educator should be able to develop the rest of the IEP using only this section
- Describe the student's current skill levels, strengths, and areas of need with objective data
- Reference the most recent evaluation and list the date
- Address all areas in which the student is eligible for special education services
- Include a statement of functional performance for each student

Measurable Annual Goals and Short-Term Objectives

Goals must be measurable, aligned to grade-level standards (Common Core and/or Early Learning Standards), and directly linked to the student's PLAAFP. Goals should be SMART: Specific, Measurable, Attainable, Results-Oriented, and Time-Bound. See Appendix D for SMART goal guidance.

Description of How Progress Will Be Measured and Reported

The IEP must state how progress toward annual goals will be measured and when progress reports will be provided to parents. Progress reports must be provided at least as often as report cards are issued to non-disabled students.

Goal Monitoring: For students receiving special education services, systematic progress monitoring is essential to ensure that instruction is effective and that students are making adequate progress toward their Individualized Education Program (IEP) goals. Ongoing data collection allows educational teams to identify trends in student performance and make timely, data-based decisions regarding instructional strategies, supports, and goal adjustments. At Colona School, special education staff and collaborating teachers are expected to monitor each IEP goal on a weekly basis to ensure consistent oversight and responsiveness to student needs.

Progress monitoring is a structured process of regularly assessing a student's performance on specific,

measurable IEP goals using reliable and valid methods. This typically involves collecting quantitative data (e.g., frequency counts, accuracy rates, curriculum-based measures) that are sensitive to small increments of growth. The purpose of progress monitoring is to evaluate whether the student is benefiting from instruction and progressing at a rate sufficient to meet annual goals.

Progress monitoring data are reviewed during scheduled team meetings, where staff analyze trend lines—visual representations of a student's performance over time compared to the expected rate of progress (aim line). These meetings emphasize objective decision-making grounded in empirical data rather than subjective impressions.

Special Education Services

A statement of the specific special education instruction, related services, supplementary aids and services, program modifications, and supports for school personnel to be provided to the student. This must include frequency, location, and duration of services.

Related Services

Any related services the student qualifies for (e.g., speech-language therapy, occupational therapy, physical therapy, social work services, counseling, transportation) must be individually listed with frequency and duration.

Supplementary Aids and Services

Supplementary aids and services needed to improve the student's access to learning and participation in academic, extracurricular, and nonacademic activities and settings.

Extent of Participation in General Education

The IEP must include a statement explaining the extent, if any, to which the student will not participate with non-disabled students in the regular classroom and other school activities. This statement must be included even when the student is educated entirely in the general education setting.

Participation in State and District Assessments

The IEP must address how the student will participate in state and district-wide assessments, including any accommodations needed, or if the student requires an alternate assessment, the basis for that determination.

Assistive Technology

The IEP team must consider whether the student requires assistive technology (AT) devices and services and document this consideration. See Chapter 8 for AT procedures.

Language and Mode of Communication

A statement addressing the language or mode of communication (including Braille, sign language, or augmentative communication) in which special education and related services will be delivered.

Transition Services (Beginning at Age 14½ in Illinois)

Beginning no later than the first IEP in effect when the student turns 14½ (or younger if appropriate), the IEP must include measurable post-secondary goals in education/training, employment, and independent living (where appropriate), and a statement of the transition services needed to assist the student in reaching those goals. See Chapter 11 for full transition procedures.

Transfer of Rights at Age 18

Beginning no later than one year before the student turns 18, the IEP must state that the student has been informed of their rights under IDEA that will transfer to them at age 18.

Remote/Alternative Learning Plan

All IEPs must contain an individualized plan addressing goals, related services, accommodations, and modifications during any period of remote or alternative learning. This plan is developed by the IEP

team or through the amendment process.

IEP Development Timeline

For initial IEPs, the IEP must be developed within 30 calendar days of the eligibility determination and must be implemented as soon as reasonably possible thereafter. Annual reviews must be completed on or before the anniversary date of the previous IEP.

IEP Amendments

Changes to an IEP may be made without convening an IEP conference if the district and the parent agree. In such cases, the district must provide the parent with written notice of the changes and update the IEP accordingly. See Appendix C for the district's IEP Amendment Guidelines.

Providing a Copy of the IEP to Parents

The district must provide the parent with a complete copy of the IEP immediately following the IEP conference, at no cost.

Chapter 7: IEP Team Roles & Responsibilities

The Case Manager

The case manager is the primary coordinator of the student's educational program and carries responsibility for the integrity of the IEP process. Case manager responsibilities include:

- Creating, maintaining, and completing accurate IEP documentation consistent with district procedures
- Collecting data and monitoring student progress toward goals on an ongoing basis; reporting progress data to parents at minimum at each report card period
- Scheduling IEP conferences on or before the student's annual review date and providing required 10-calendar-day notice to all participants
- Maintaining regular communication with parents/guardians and documenting all contacts
- Communicating the student's IEP accommodations, modifications, and supports to all general education teachers and service providers working with the student
- Coordinating reevaluation procedures with the school psychologist or social worker
- Ensuring the IEP is implemented as written and all services are delivered as specified
- Supervising and providing ongoing feedback to assigned paraprofessionals; clarifying the role of the paraprofessional to all team members
- Notifying the building principal of any behavior intervention plans in place for the student
- Contacting the Superintendent's office when adding or dropping a student from a caseload
- Requesting IEP conferences when the student's needs are not being met
- Monitoring medical issues when appropriate, in coordination with the school nurse

Situations Requiring an IEP Conference

A case manager should promptly request an IEP conference when any of the following occur:

- The student receives an out-of-school suspension, or cumulative suspensions approach 10 school days
- A parent makes complaints or expresses repeated concerns outside of an IEP conference
- A persistent, pervasive change in the student's behavior or academic performance
- A recent hospitalization for mental health issues
- An outside evaluation has been obtained by the parent
- The student makes a threat to harm themselves or others

- The IEP does not accurately reflect the student's current levels of performance or the services being provided
- If a student is not progressing on his/her goals after 6 to 8 weeks (academic and behaviorally), a meeting should be held to discuss why and what needs to change
The student has required physical restraint at least twice within 30 days
- A physician provides a letter calling for homebound instruction

The LEA Representative

The LEA representative has the authority to commit district resources and make decisions about special education placement and services. The Superintendent, Principal, or a designee with appropriate knowledge and authority serves in this role. The LEA representative must be knowledgeable about the general education curriculum and the district's resources.

General Education Teachers

At least one current general education teacher of the student must participate in each IEP conference. The general education teacher contributes information about the student's performance in the general curriculum, reviews proposed accommodations and modifications, and receives information about the student's IEP to implement in their classroom.

Paraprofessionals

Paraprofessionals may be designated as a related service in the IEP. Their role is defined by the case manager in coordination with the general education teacher. Paraprofessionals must not replace the supervision or instruction of licensed teachers. The case manager is responsible for communicating IEP-related information to assigned paraprofessionals and monitoring the quality of their support.

Chapter 8: Assistive Technology & Related Services

Assistive Technology (AT)

Under IDEA 2004 and 23 Ill. Admin. Code § 226.260, every IEP team must consider whether the student requires assistive technology (AT) devices and/or services to receive FAPE. This consideration must occur at every IEP meeting and must be documented on the IEP.

Definition

An assistive technology device is any item, piece of equipment, or product system — whether acquired off the shelf, modified, or customized — that is used to increase, maintain, or improve the functional capabilities of a student with a disability (20 U.S.C. § 1401(1)(A); 34 C.F.R. § 300.5). Technology becomes AT when it is used as a compensatory intervention to help a student complete academic tasks that they cannot otherwise complete due to their disability.

AT Consideration at IEP Meetings

Teams should address the following questions during AT consideration:

- What is the student required to do but is unable to do at a level reflecting their abilities and skills?
- Can the student complete the task with current accommodations or strategies?
- Does the student need specific tools to succeed in the least restrictive environment?
- Can tools be updated or changed to increase participation?
- Can the student perform the task with less personal assistance if given the right tools?

The team's determination — Yes or No — must be documented, with an explanation, in the

Consideration of Special Factors section of the IEP.

AT Assessment

When the team is uncertain whether a student needs AT or what AT might be appropriate, a formal AT evaluation (SETT — Student, Environment, Tasks, Tools — framework) should be initiated. Contact the Superintendent's office to arrange an AT assessment with a qualified specialist. AT assessment domains include seating and positioning, augmentative communication, computer access, writing supports, reading supports, mathematics supports, organization supports, vision, hearing, and recreation/leisure.

Related Services

Related services are developmental, corrective, or supportive services required to assist a student with a disability to benefit from special education (34 C.F.R. § 300.34). Related services available through or arranged by the district may include:

- Speech-language pathology and audiology services
- Psychological services
- School social work services
- Counseling services, including rehabilitation counseling
- Occupational therapy (OT)
- Physical therapy (PT)
- School nurse services / school health services
- Transportation (when required for the student to benefit from special education)
- Parent counseling and training
- Other services as determined appropriate by the IEP team

Related services must be listed individually in the IEP with frequency, duration, and location specified. Related services may be added to an IEP through the reevaluation process or via IEP amendment when no additional testing is needed and the parent agrees.

Chapter 9: Least Restrictive Environment (LRE)

LRE Requirement

Orion CUSD #223 has a legal obligation to ensure all eligible students receive FAPE in the Least Restrictive Environment (LRE). LRE requires that, to the maximum extent appropriate, students with disabilities are educated with students who are not disabled. Removal from the general education environment may occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (34 C.F.R. § 300.114; 23 Ill. Admin. Code § 226.300).

Continuum of Placement Options

The IEP team determines the student's placement individually, based on the student's IEP. The district must make available a continuum of alternative placements, including:

- Regular classes without supports
- Regular classes with supplementary aids, services, and accommodations
- Resource/pull-out instruction for portions of the school day
- Special classes (self-contained)
- Special schools
- Home instruction

- Hospital or residential programs
- State-operated or approved nonpublic programs (when required by the student's needs)

Placement Decision Process

Placement must be determined at least annually by the IEP team (which must include the parent), and must be based on the student's IEP. The placement must be as close as possible to the student's home and, unless the IEP requires otherwise, must be in the school the student would otherwise attend. The district is responsible for the cost of all services in the continuum, including nonpublic placements, when such a placement is required to provide FAPE.

Supplementary Aids and Services

Before removing a student from the general education environment, the team must consider and document what supplementary aids and services have been tried or considered. The IEP must describe the supplementary aids and services to be provided in the general education setting.

Chapter 10: Annual Review Procedures

Annual Review Requirement

The IEP for each student with a disability must be reviewed and, if appropriate, revised at least once per year. The annual review must occur on or before the anniversary date of the previous IEP. The case manager has primary responsibility for scheduling and conducting the annual review.

Annual Review Procedures

- The case manager coordinates with the building principal to identify available meeting dates on or before the student's annual review date.
- The case manager contacts parents/guardians to confirm a meeting time and sends the Notification of Conference to the parent and all required participants at least 10 calendar days prior to the meeting.
- At least one current general education teacher must be present at the annual review
- All related service providers are invited and their participation documented. If a provider cannot attend, their input must be incorporated into the IEP in writing prior to the meeting.
- The case manager prepares a draft IEP, including updated Present Levels, goals, and services, for review at the meeting. Draft goals may be sent to parents in advance for review.
- The completed IEP (including Educational Services and Placement pages for the current year) is finalized at the meeting, signed, and a copy is provided to the parent immediately following the conference.
- The signed original IEP is forwarded to the Superintendent's office for filing. The case manager retains a copy in the building file.

Extended School Year (ESY) Determination

ESY eligibility must be considered and documented at each annual review. See Chapter 12 for ESY criteria.

Move-In Annual Reviews

When a student transfers to the district with an IEP from another Illinois district, the district must provide comparable services immediately. An intake staffing (which may serve as the annual review depending on the student's existing review date) must be conducted. For students transferring from out of state, the district must conduct a new eligibility determination. See Chapter 19 for full transfer student procedures.

Chapter 11: Secondary Transition

Illinois Transition Requirement

Illinois law (23 Ill. Admin. Code § 226.230) requires that transition services and measurable post-secondary goals be included in the IEP beginning no later than the first IEP in effect when the student turns 14½. This exceeds the federal requirement of age 16. Transition planning must be updated annually.

Transition IEP Components

Beginning at age 14½, each student's IEP must include:

- Age-appropriate transition assessments in the four areas: education/training, employment, independent living, and community participation
- Measurable post-secondary goals in each applicable area, based on assessments
- A statement of the transition services (including courses of study) needed to assist the student in reaching those goals
- Updated Course of Study reflecting the student's post-secondary plans
- Linkages to outside agencies (e.g., Division of Rehabilitation Services, community colleges) when appropriate and with parent/student consent

Transfer of Rights at Age 18

Beginning no later than one year before the student turns 18, the IEP must document that the student has been informed of the rights under IDEA that will transfer to them at age 18, including the right to receive all notices and to provide consent for services. If the student lacks capacity to provide consent, the parent or guardian of a student of majority age may retain rights through the appropriate legal process.

Chapter 12: Extended School Year (ESY)

Definition and Purpose

Extended School Year (ESY) services are special education and related services provided to a student with a disability beyond the regular school year, at no cost to the student's family, when such services are necessary for the student to receive FAPE (23 Ill. Admin. Code § 226.750). ESY services are not synonymous with summer school, and they are not available to all students with disabilities — eligibility is individually determined.

Eligibility Criteria

The IEP team, using the factors below, determines whether ESY services are necessary for a student to receive FAPE:

- **Regression:** Will the student lose skills during the break that cannot be recouped within a reasonable time at the start of the next school year? As a general guideline, recoupment should not take more than 30 school days.
- **Recoupment:** How long does it take the student to regain skills lost during a break? Does the student take unacceptably long to recoup previously learned skills?
- **Rate of Progress:** Is the student making progress at an expected rate, given the nature and severity of their disability? Would a summer break severely jeopardize gains made during the school year?
- **Critical Stage of Learning:** Are the skills being learned so critical to the student's ability to

function that an interruption would be especially harmful (e.g., self-sufficiency, safety skills)?

- **Nature/Severity of Disability:** Would the lack of ESY services prevent the student from becoming self-sufficient in skills they would otherwise reasonably be expected to achieve?
- **Need for Continuous Reinforcement:** Does the student require consistent reinforcement to maintain minimal competency in essential skills?
- **Vocational or Transition Goals:** Does the student require ESY services to meet vocational or transition goals, or to participate in a less restrictive environment upon return?

ESY Decision Process

ESY eligibility must be determined at the annual IEP review, individually, for each student. The team may amend the IEP after the annual review to add or remove ESY via the amendment process. When ESY services are indicated, the IEP must specify the type and amount of services, how services will be evaluated, and which goals the services are linked to. ESY services may be provided within a regular education summer school program, at no cost to the family.

Chapter 13: Student Behavior & Discipline

Discipline of Students with Disabilities — Overview

Students with disabilities are subject to the same Code of Student Conduct as students without disabilities, with important additional protections and procedures required by IDEA, 34 C.F.R. §§ 300.530–300.537, and 23 Ill. Admin. Code § 226.400. Discipline may not be used as a substitute for appropriate behavioral supports, and no disciplinary action may be taken based solely on a student's or parent's refusal to administer psychotropic medication.

Behavioral Intervention Plans (BIP) and Functional Behavioral Assessments (FBA)

Positive behavioral supports should be the primary tool for addressing student behavior. When a student's behavior impedes their learning or the learning of others, the IEP team should consider:

- Conducting a Functional Behavioral Assessment (FBA) to identify the function of the behavior
- Developing or reviewing a Behavior Intervention Plan (BIP) based on FBA data
- Providing positive behavioral supports and interventions
- The case manager must provide the building principal with a copy of any active behavior plan.

Short-Term Removals (Up to 10 School Days)

A student with a disability may be removed from their current placement for disciplinary reasons to the same extent as students without disabilities, provided no single removal exceeds 10 consecutive school days and cumulative removals in a school year do not constitute a pattern (change of placement). During a short-term removal not constituting a change of placement, the district is not obligated to provide services.

Removals Exceeding 10 School Days — Change of Placement

When a removal constitutes a change of placement (either a single removal exceeding 10 school days, or a pattern of removals totaling more than 10 school days in a year), the following procedures apply:

- Educational services must be provided during the removal sufficient to enable the student to continue to participate in the general education curriculum and progress toward IEP goals
- A Manifestation Determination Review (MDR) must be conducted within 10 school days of the decision to implement a change of placement

Manifestation Determination Review (MDR)

Within 10 school days of a decision to impose a change of placement for disciplinary reasons, the LEA, parent, and relevant IEP team members must review the relationship between the student's disability

and the behavior subject to discipline. The team must determine:

- Whether the conduct was caused by, or had a direct and substantial relationship to, the student's disability
- Whether the conduct was the direct result of the district's failure to implement the IEP. If either condition is met, the conduct is a manifestation of the disability and the student may not be suspended or expelled for that conduct. The team must either conduct an FBA and implement a BIP, or review and modify an existing BIP, and return the student to their placement unless placement is changed through the IEP process or via agreement with the parent.

If neither condition is met, the district may apply the same disciplinary procedures as for students without disabilities, subject to the right to receive educational services during the removal.

Special Circumstances — Weapons, Drugs, and Serious Bodily Injury

Regardless of the MDR outcome, a student with a disability who carries or possesses a weapon, knowingly possesses or uses illegal drugs, or inflicts serious bodily injury at school or a school function may be placed in an Interim Alternative Educational Setting (IAES) for up to 45 school days.

Expulsion

A student with a disability may not be expelled for conduct that is a manifestation of their disability. A student with a disability who is properly expelled must continue to receive educational services sufficient to enable them to continue to participate in the general education curriculum and progress toward IEP goals, though in a different setting.

Notification Requirements

When a decision is made to suspend or remove a student with a disability for more than 10 school days (in a year), the district must provide written notice to the parent of that decision and the procedural safeguards available to them on the day of the decision.

Chapter 14: Time Out, Isolated Time Out & Physical Restraint

Governing Law

The use of time out, isolated time out, and physical restraint is governed by 105 ILCS 5/10-20.33 and 23 Ill. Admin. Code § 1.285. These interventions are considered interventions of last resort and may only be used under specific, limited circumstances.

When These Interventions May Be Used

Time out, isolated time out, and physical restraint may only be used when:

- The student's behavior presents an imminent danger of serious physical harm to self or others
- Other less restrictive and intrusive measures have been tried and proven ineffective in stopping the imminent danger

These interventions may NOT be used as discipline or punishment, a convenience for staff, retaliation, a substitute for appropriate educational or behavioral support, a routine safety matter, or to prevent property damage in the absence of imminent physical danger.

Definitions

Time Out

A behavior management technique for the purpose of calming or de-escalation that involves the involuntary monitored separation of a student from classmates with a trained adult for part of the school day, only for a brief time, in a non-locked setting. The trained adult must remain in the same room as the student at all times. Time out is distinct from student-initiated breaks, sensory rooms, or other supportive environments.

Isolated Time Out

The involuntary confinement of a student alone in a time out room or other enclosure without a supervising adult in the room. Isolated time out is permitted only under very limited circumstances — specifically, when the adult in the room is in imminent danger of serious physical harm because the student is unable to cease actively engaging in extreme physical aggression (23 Ill. Admin. Code § 1.285(a)(1)). The responsible adult must: remain within two feet of the enclosure; be able to see, hear, and communicate with the student at all times; not lock or hold the door; ensure the student has access to food, medication, and toileting; and release the student immediately when the imminent danger ends.

Physical Restraint

Holding a student or otherwise restricting a student's movements using specific, planned techniques. Staff must periodically halt the restraint to evaluate whether imminent danger continues. Physical restraint must end immediately when: (a) the imminent danger ends, or (b) the student indicates they cannot breathe, or staff observe respiratory distress. Physical restraint must not impair a student's ability to breathe or communicate.

Required Training

All adults who may supervise a student in time out or isolated time out, or who may be involved in physical restraint, must receive at least 8 hours of developmentally appropriate training annually, consistent with 23 Ill. Admin. Code § 1.285(i)(1). Only trained and certified staff may implement these interventions.

Documentation and Notification Requirements

When time out, isolated time out, or physical restraint is used, the following must occur:

- The building administrator must be notified as soon as possible, no later than the end of the school day on which it occurred
-
- A reasonable attempt to notify the parent/guardian must be made on the same day as the incident • The district must send the required ISBE form to the parent/guardian within one business day • The district must report the incident to the State Superintendent using the ISBE reporting form within two school days

A written record of each incident must be maintained in the student's temporary record and must include: the student's name; date; beginning and ending times; a description of events leading up to the incident; prior interventions attempted; a description of the incident; for isolated time out, a rationale for why an adult could not remain in the room; a log of the student's behavior and interactions; any injuries or property damage; planned future approaches; and a list of all staff involved.

Chapter 15: Confidentiality & Student Records

Governing Law

Special education records are governed by the Family Educational Rights and Privacy Act (FERPA), 20

U.S.C. § 1232g; 34 C.F.R. Part 99; the Illinois Student Records Act (105 ILCS 10/); and IDEA's confidentiality provisions (34 C.F.R. §§ 300.610–300.627; 23 Ill. Admin. Code §§ 226.600–226.660).

Definitions

- **Temporary Records:** Records of limited usefulness including most special education evaluation and IEP documents. Must be maintained for at least five years following the student's exit from the district.
- **Permanent Records:** Basic identifying information. Must be maintained permanently.

Parent Access Rights

Parents have the right to: inspect and review their child's special education records within 15 school days of a request; request amendment of records believed to be inaccurate or misleading; receive a list of the types and locations of education records; and receive one free copy of any record used in connection with an IEP meeting or eligibility determination. The district may charge reasonable fees for additional copies.

Consent for Disclosure

Personally identifiable information in special education records may not be disclosed to outside parties without written parental consent, except as permitted by FERPA and IDEA (e.g., to school officials with a legitimate educational interest, or to other educational agencies for instructional purposes). A signed Release of Information (ROI) must be obtained before sharing records with outside agencies, including community service providers involved in transition planning.

Transfer of Records

When a student transfers to another school district, the district must forward a copy of the student's educational records, including special education records, to the receiving district within 10 calendar days of a proper request (105 ILCS 10/8.1).

Destruction of Records

The district must provide reasonable notice to parents before destroying special education records that are no longer needed for educational purposes. Parents may request a copy before destruction.

Chapter 16: Procedural Safeguards & Parent Rights

Procedural Safeguards Notice

The district must provide parents with a copy of the Procedural Safeguards Notice (also called Parent Rights): at the time of initial referral for evaluation; at each annual IEP conference; upon request; and whenever a state complaint or due process hearing is filed. Parents in Orion CUSD #223 receive the ISBE-developed Procedural Safeguards Notice.

Key Parental Rights Under IDEA

- **Prior Written Notice (PWN):** The district must provide parents with written notice before proposing or refusing to initiate or change the identification, evaluation, educational placement, or provision of FAPE for their child.
- **Informed Written Consent:** The district must obtain written parental consent before conducting an initial evaluation, before providing initial special education services, and before any reevaluation that involves the administration of new tests or evaluation procedures. \
- **Right to Participate:** Parents have the right to participate in all IEP meetings and placement decisions.
- **Right to an Independent Educational Evaluation (IEE):** Parents have the right to obtain an IEE at public expense if they disagree with the district's evaluation.
- **Right to Revoke Consent:** Parents may revoke consent for special education services at any

time in writing. The district must notify the parent of the effect of revocation, put the revocation in writing within 5 calendar days, and cease services within 10 calendar days.

- **Surrogate Parents:** The district must appoint a surrogate parent when the student is a ward of the state or when the parent cannot be identified or located.
- **Transfer of Rights at Age 18:** At age 18, rights under IDEA transfer from the parent to the student.

Native Language Access

All notices and required communications must be provided to the parent in their native language or mode of communication, unless it is clearly not feasible to do so.

Chapter 17: Dispute Resolution

Overview

When disagreements arise regarding a student's identification, evaluation, placement, or the provision of FAPE, several formal dispute resolution options are available to parents under IDEA and Illinois law. The district encourages resolution at the building or district level before formal proceedings are initiated.

State Complaint

A parent or other organization may file a written complaint with the Illinois State Board of Education (ISBE) alleging that the district has violated IDEA or Part 226. ISBE must resolve the complaint within 60 calendar days of receipt unless exceptional circumstances warrant an extension. Contact ISBE's Special Education department for complaint procedures.

Mediation

Mediation is a voluntary, confidential process facilitated by a qualified, impartial mediator to help the district and the parent resolve disputes. Mediation is available at no cost to the parents and must be offered at any time, including prior to filing a due process hearing. The district must inform parents of the availability of mediation. Mediation agreements are legally binding.

Due Process Hearing

A parent or the district may file a request for a due process hearing on any matter relating to the identification, evaluation, educational placement, or provision of FAPE for a student with a disability. The request must be filed with ISBE. A resolution session must be held within 15 days of the district's receipt of the due process complaint, unless the parties agree to waive this requirement. The final hearing must be concluded and a decision issued within 45 days of the expiration of the 30-day resolution period, subject to specific exceptions.

Stay-Put Provision

During the pendency of any due process proceedings, the student must remain in their current educational placement (the 'stay-put' placement) unless the parent and district agree otherwise, or the 45-school-day IAES placement applies.

Chapter 18: Personnel Qualifications & Professional Development

Qualifications of Special Education Staff

All special education teachers and related service providers must hold valid and appropriate Illinois Educator Licenses (or equivalent licensure for contracted personnel) for the students they serve, consistent with 23 Ill. Admin. Code Part 25 and the district's Board policies on personnel qualifications.

Teaching students with disabilities requires a Professional Educator License (PEL) with applicable special education endorsements or approvals. Related service providers (speech-language pathologists, occupational therapists, physical therapists, social workers, school psychologists) must hold appropriate licensure under their respective professional practice acts.

Paraprofessionals

Paraprofessionals who provide instructional support to students with disabilities must meet the qualifications established under IDEA and Illinois law. Paraprofessionals work under the direct supervision of licensed teachers and may not be used as replacements for licensed staff. The case manager is responsible for supervising and directing paraprofessionals assigned to students on their caseload.

Professional Development

The district must develop and implement a comprehensive system of professional development for all personnel involved in the education of students with disabilities, consistent with 23 Ill. Admin. Code § 226.810. Professional development priorities include: IDEA compliance; evidence-based instructional practices for students with disabilities; positive behavioral supports; IEP development and implementation; assistive technology; and transition planning. Annual training requirements for staff who may implement time out or restraint procedures are addressed in Chapter 14.

Chapter 19: Transfer Students (Move-In Procedures)

Legal Obligation

When a student with a disability transfers to Orion CUSD #223 during the school year, the district must provide services comparable to those described in the student's current IEP as soon as practicable, in consultation with the student's parents, until an intake staffing or new IEP is developed.

In-State Transfers

When a student with an IEP transfers from another Illinois district:

- Implement services comparable to the in-effect IEP immediately — there is no permissible waiting period
- Notify the Superintendent's office to initiate intake procedures
- Conduct an intake staffing within 45 calendar days of the student's enrollment to adopt the existing IEP or develop a new IEP
- The intake staffing may serve as the annual review if the student's annual review date is approaching
- The student's existing annual review date is carried forward unless significant IEP changes are made

Out-of-State Transfers

When a student with an IEP transfers from a district in another state:

- Implement services comparable to the in-effect IEP immediately
- Notify the Superintendent's office; an intake staffing must be held within 30 calendar days
- Conduct a new eligibility determination under Illinois criteria within 60 school days of parent consent to evaluate, unless existing data is sufficient to establish eligibility
- Develop a new Illinois IEP after the eligibility determination

Intake Staffing Procedures

- Notify the Special Education Records Secretary so the student can be added to the district's IEP system
- Transfer all IEP documentation to the district's records system
- Send Notification of Conference to the parent and all required team members with at least 10 calendar days' notice
- Bring all pertinent IEP documentation to the conference
- Document IEP team discussion in the Additional Notes section of the IEP
- Inform the student's educational team of needs, accommodations, and supports • Provide the parent with a copy of the complete IEP
- Forward signed originals to the Special Education Records Secretary

Chapter 20: Parentally-Placed Private School Children

Child Find Obligations

Orion CUSD #223 has Child Find obligations for students with disabilities enrolled by their parents in private schools located within the district's boundaries, even when the family resides outside the district. The district must conduct Child Find activities for parentally-placed private school students that are comparable to Child Find activities for students in public schools.

Proportionate Share

The district must spend a proportionate share of its IDEA Part B federal funds on services for parentally-placed private school students with disabilities. This amount is calculated based on the total number of students (public and private) with disabilities within the district's boundaries.

Consultation

The district must engage in meaningful consultation with private school officials and representatives of parents of private school students with disabilities in determining the services to be provided, the location of services, and the method of delivery.

Service Plans

A parentally-placed private school student with a disability who is offered services under the proportionate share must have a Services Plan that describes the special education and related services the district will provide. A Services Plan is not an IEP, and it does not entitle the student to all services they would receive if enrolled in public school.

No Entitlement to FAPE

IDEA does not require the district to provide FAPE to parentally-placed private school students. Parents who enroll their child in a private school at their own expense are not entitled to a free appropriate public education from the public school district

Appendix A: Critical Special Education Timelines

Action	Timeline	Authority
Respond to parent/teacher request for IEP conference	Within 10 calendar days of request	23 Ill. Admin. Code § 226.220
Provide notice of IEP conference to all participants	At least 10 calendar days prior to conference	23 Ill. Admin. Code § 226.530
Respond to referral request for evaluation; conduct domain meeting	Within 14 school days of receipt of request	23 Ill. Admin. Code § 226.110
Complete evaluation and hold eligibility conference	Within 60 school days of receipt of parent consent	23 Ill. Admin. Code § 226.110
Develop initial IEP after eligibility determination	Within 30 calendar days of eligibility determination	34 C.F.R. § 300.323
Implement IEP after conference	Within 10 school days of IEP conference	23 Ill. Admin. Code § 226.220
Provide parent copy of IEP	Immediately after IEP conference	23 Ill. Admin. Code § 226.220 105
Forward records of transfer student upon request	Within 10 calendar days of requesting district	ILCS 10/8.1
Respond to parent records request	Within 15 school days of receipt of request	105 ILCS 10/5
Convene MDR conference when suspension exceeds 10 school days in a year	Within 10 days of decision of impose change of placement	23 Ill. Admin Code § 226. 400; 34 C.F.R. § 300.530
Notify parent and ISBE following time out/restraint incident	Parent notified same day; ISBE form within 1 business day; ISBE report within 2 school days	23 Ill. Admin. Code § 1.285
Intake staffing for out-of-state transfer student	Within 30 calendar days of enrollment	District policy / IDEA
Intake staffing for in-state transfer student	Within 45 calendar days of enrollment	District policy
Revocation of consent — district must cease services	Within 10 calendar days of written revocation	34 C.F.R. § 300.300
Triennial reevaluation	At least every 3 years, or as needed	23 Ill. Admin. Code § 226.130
Annual review of IEP	On or before IEP anniversary date each year	34 C.F.R. § 300.324

Appendix B: Eligibility Categories Under IDEA / ISBE

Disability Category	Key Consideration
Autism (AU)	Developmental disability significantly affecting communication and social interaction
Deaf-Blindness (DB)	Combination of vision and hearing impairments causing severe communication/educational needs
Deafness (D)	Hearing impairment so severe that processing language through hearing is impaired with amplification
Developmental Delay (DD)	Ages 3–9 only; delay in one or more areas: physical, cognitive, communication, social-emotional, adaptive
Emotional Disability (ED)	Persistent condition exhibiting one or more qualifying characteristics over a long period
Hearing Impairment (HI)	Fluctuating or permanent impairment not captured under Deafness
Intellectual Disability (ID)	Significantly subaverage general intellectual functioning with deficits in adaptive behavior
Multiple Disabilities (MD)	Combination of disabilities (not DB) causing severe educational needs that cannot be accommodated in a program for one disability
Orthopedic Impairment (OI)	Severe orthopedic impairment that adversely affects educational performance
Other Health Impairment (OHI)	Chronic or acute health problem (including ADHD) resulting in limited alertness, strength, or vitality
Specific Learning Disability (SLD)	Disorder in basic psychological processes affecting ability to listen, think, speak, read, write, spell, or do math
Speech or Language Impairment (SLI)	Communication disorder adversely affecting educational performance
Traumatic Brain Injury (TBI)	Acquired injury to the brain from external physical force
Visual Impairment (VI)	Impairment in vision (including blindness) that, even with correction, adversely affects educational performance

Appendix C: IEP Amendment Guidelines

When an Amendment May Be Used

An IEP may be amended without convening an IEP conference when the district and the parent agree to the change. Amendments are appropriate for the following types of changes:

- Increase or decrease in service minutes that does not change the student's Educational Environment (EE) code
- Change in transportation method or specialized transportation needs
- Addition of no more than two accommodations or modifications
- Change in status for state or district assessments
- Addition of no more than two testing accommodations
- Addition of a transition service or linkage
- Clerical corrections

Amendment Process

- Contact the parent and explain the proposed change.
- Document the method and date of contact.
- Make the change directly in the district's IEP system using the Amendment function.
- Complete the Amendment form, including a description of the change and the date and method of parent communication.
- Print and sign the Amendment form (case manager signature is required).
- Send the parent a copy of the complete, updated IEP with the Amendment form attached.
- Maintain a copy in the student's building special education file.
- Forward the original IEP with amendment form to the Superintendent's office for filing.

Appendix D: Writing SMART IEP Goals

SMART	What It Means	Non-SMART Example	SMART Example
S Specific	Names the skill or subject area and the targeted result in detail	Julie will be a better reader.	Julie will read a grade-level passage aloud at 110–130 words per minute with 95% accuracy.
M Measurable	Progress can be measured using standardized data, curriculum measures, or assessments	Chris will improve in math.	With a calculator, Chris will compute fractions and decimals with 75% accuracy on 4 of 5 trials.
A Attainable	Represents realistic, achievable progress for this student	Mara will write at grade level with no errors.	Mara will write a 5-sentence paragraph with no more than 2 spelling/punctuation errors per paragraph.
R Results Oriented	Clearly states what the student will do to demonstrate the skill	Pam will have good eye contact.	During small group, Pam will look at the speaker 90% of the time across 4 of 5 opportunities
T Time-Bound	Includes a time frame and specifies how often progress will be measured	Steven will explain vocabulary words accurately.	By September 30, Steven will explain vocabulary words with 90% accuracy on 8 of 10 tries, measured monthly via language assessment.

Key Reminders for Goal Writing

- Goals should never be vague — every goal must say what the student will do, under what conditions, at what level of accuracy, and by when
- Data collection methods must be specified in the goal or in a separate data collection plan
- Goals must be directly linked to the student's PLAAFP and the areas of identified need
- Progress must be measured and reported to parents at minimum at each report card period

Appendix E: Special Educator Workload Plan

Legal Basis

Illinois Administrative Code § 226.735 requires each school district to establish and maintain workload limits for special educators. The purpose of the requirement is to ensure that all services specified in students' IEPs can be delivered with sufficient frequency and intensity to confer meaningful educational benefit. The workload plan must be developed with input from affected employees (and, where applicable, the recognized bargaining unit), and must be in place at the start of each school year.

Caseload vs. Workload: Key Distinction

Term	Definition
Caseload	The number of students assigned to a special educator or related service provider.
Workload	The total time required to serve those students effectively — including direct instruction, case management, IEP writing, meetings, progress monitoring, collaboration with general educators, and compliance documentation. Two teachers with identical caseloads may have dramatically different workloads depending on student needs and service intensity.

Workload Factors Considered

The district evaluates workload using the following categories of professional responsibility:

Instructional Responsibilities

- Total IEP service minutes per week across the caseload
- Ratio of individual vs. small group instruction
- Complexity of disabilities and intensity of instructional need

Case Management Duties

- IEP development, revision, and annual review preparation
- Progress monitoring data collection and reporting
- Compliance with IDEA and 23 Ill. Admin. Code Part 226 timelines
- Scheduling and coordinating IEP and eligibility conferences
- Coordination with related service providers
- Triennial reevaluation coordination

Meetings and Conferences

- IEP team meetings (annual reviews, eligibility conferences, amendment meetings)
- Manifestation Determination Reviews (MDRs)
- Parent communication and conferences
- Rtl team participation

Collaboration

- Consultation and co-planning with general education teachers
- Coordination with paraprofessionals, including supervision and feedback
- Communication with outside agencies, medical providers, and community partners

Administrative and Documentation

- State and federal compliance reporting
- Medicaid billing documentation (where applicable)
- Student record maintenance and transfer documentation

Caseload Guidelines

While Illinois law emphasizes workload over raw caseload numbers, the district uses the following benchmarks as starting reference points. These are not absolute caps — they trigger a workload review when exceeded:

Resource / Inclusion (LBS1)	Up to 20 students	Exceeding 20 students
Self-Contained Program	8–10 students	Exceeding 10 students
Early Childhood (ECE)	8–10 students	Exceeding 10 students
Speech-Language Pathologist	Up to 60 students (ISBE maximum)	Approaching 60 students
Multiple programs / service models	Determined by weighted analysis	Any sustained time deficit identified

Workload Review Process

Any special educator who believes their workload prevents full and appropriate delivery of IEP services should initiate a workload review using the following process:

- The special educator notifies the building principal and the Superintendent in writing, describing the specific workload concern.
- A workload review meeting is scheduled within 10 school days of the written notification.
- Participants include the special educator, the principal, and the Superintendent (or designee). If a bargaining unit representative is applicable, they may also participate.
- The team reviews the educator's total workload using the factors identified above.
- The district determines and documents an appropriate response, which may include one or more of the following: adjustment of caseload assignments; addition or reallocation of paraprofessional support; modification of service delivery model; temporary administrative support for documentation tasks; staffing additions if warranted and feasible.
- The outcome of the workload review and any corrective measures are documented in writing and retained by the Superintendent's office.

Annual Review of Workload Plan

The Superintendent will review this workload plan with special education staff annually, prior to the start of each school year. Staff input will be solicited and documented. Any revisions to guidelines or procedures will be incorporated before the plan is finalized for the new school year. The adopted workload plan will be maintained in the Superintendent's office and made available for review upon request.

Orion CUSD #223 | Adopted: _____ | Revised: _____

Legal Authority and Required Citations

Federal Law

- Individuals with Disabilities Education Act (IDEA) — 20 U.S.C. §§ 1400–1482 Federal foundation for all special education rights and requirements.
- LEA Condition of Assistance — 34 C.F.R. § 300.200 Ties Part B funding eligibility to policy compliance. LEA Eligibility: Consistency with State Policies — 34 C.F.R. § 300.201 Requires LEAs to have in-effect policies and procedures consistent with state law.
- IDEA Part B Implementing Regulations — 34 C.F.R. Part 300 Federal operational requirements for all LEAs.
- Family Educational Rights and Privacy Act (FERPA) — 20 U.S.C. § 1232g; 34 C.F.R. Part 99 Federal student records confidentiality requirements.

Illinois State Law

- Illinois School Code — Special Education — 105 ILCS 5/Art. 14 State statutory authority for all special education programming in Illinois.
- Illinois Student Records Act — 105 ILCS 10/ Confidentiality and parent access rights for student records.

Illinois Administrative Code — Title 23, Part 226 (Special Education)

- Part 226 — General — 23 Ill. Admin. Code Part 226 Comprehensive state implementation rules for special education.
- Section 226.710 — Policies and Procedures — 23 Ill. Admin. Code § 226.710 Mandates that each local school district develop written special education policies and procedures, maintain them on file, and present them to ISBE upon request. This is the primary authority for this handbook.
- Section 226.100 — Child Find — 23 Ill. Admin. Code § 226.100 Child Find obligations for identifying eligible students ages birth through 21.
- Section 226.110 — Evaluation Procedures — 23 Ill. Admin. Code § 226.110 Referral, evaluation timelines, and procedural requirements.
- Section 226.130 — Specific Learning Disability Procedures — 23 Ill. Admin. Code § 226.130 Additional evaluation procedures for students suspected of having an SLD.
- Section 226.160 — Medical Review — 23 Ill. Admin. Code § 226.160 Requirements for health evaluations as part of the special education evaluation process.
- Section 226.230 — IEP Requirements — 23 Ill. Admin. Code § 226.230 Required components and processes for Individualized Education Programs.
- Section 226.300 — Least Restrictive Environment — 23 Ill. Admin. Code § 226.300 LRE placement requirements and continuum of services.
- Section 226.400 — Discipline — 23 Ill. Admin. Code § 226.400 Discipline procedures for students with disabilities, including manifestation determinations.
- Section 226.530 — Parent Participation and Notice — 23 Ill. Admin. Code § 226.530 Requirements for parent notification and participation in IEP conferences.
- Section 226.735 — Workload for Special Educators — 23 Ill. Admin. Code § 226.735 Requires districts to establish and maintain workload limits for special educators.
- Section 226.750 — Extended School Year Services — 23 Ill. Admin. Code § 226.750 ESY eligibility criteria and service requirements.
- Section 226.760 — Evaluation of Special Education Programs — 23 Ill. Admin. Code § 226.760 ISBE monitoring and program evaluation requirements.
- Section 1.285 — Time Out and Physical Restraint — 23 Ill. Admin. Code § 1.285 Procedures, limitations, documentation, and reporting requirements for time out, isolated time out, and physical restraint.