

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

314.10 Purpose.....	3
314.20 Definitions.....	3
314.30 Education Policy.....	7
a) School Enrollment	7
b) Placement and School Changes	11
c) Consents for School Activities.....	13
d) Rights of Children with Disabilities	14
e) Planning with Schools for Children Who Need Protection and Medical Management Plans	14
f) Visitation/School Conduct	15
g) General Educational Development (GED)	15
h) Vocation and Career Planning	15
i) Home Schooling.....	17
j) Tutoring.....	18
314.40 Educational Assessment	20
a) Assessment Process	20
== b)	24
314.50 Education Plan	24
a) Developing the Service Plan.....	24
c) Contents of the Education Plan.....	24
== d)	25
314.60 Special Education.....	25
a) Eligibility	25
b) Referral for Special Education Services	26
c) Reevaluations.....	26
d) Areas of Responsibility.....	27
e) Special Education Procedural Safeguards	30
314.70 Early Childhood Education (birth to five)	31
a) Head Start/Early Head Start.....	31
b) Pre-Kindergarten Programs for Children At Risk of Academic Failure (Pre-K)	31
c) Accredited Child Care Programs	32
d) Early Intervention (EI) Services	32
e) Early Childhood Special Education	32
314.80 School Records	33
a) School, Early Childhood or Early Intervention Program Enrollments and Transfers	33
b) Educational and Developmental Reports.....	34
c) Documentation of Educational and Developmental Services.....	35
d) Educational Records	35
314.90 Administrative Case Review/Education	36
314.100 Education Expenses	37
a) School Fees	37
b) School Supplies.....	37
c) School Transportation.....	37

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Appendix A	Contact Information for Regional Education Advisors	39
Appendix B	Legal Services Contract Case Referral Procedures.....	43
Appendix C	Discipline.....	47
Appendix D	Special Education Procedural Safeguards.....	49
Appendix E	Early Intervention Procedural Safeguards	55
Appendix F	Child and Family Connections Directory	61
Appendix G	Early Intervention Referral and Follow-up Procedures	65
Appendix H	Developmental Screening Tools.....	67
Appendix I	Early Childhood Staff Directory	69

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

314.10 Purpose

The purpose of these procedures is to identify and explain requirements regarding educational services in order to assist caseworkers and supervisors serving children and youth for whom the Department is legally responsible. Frequent communication and collaboration between caseworkers, caregivers and early childhood education program/school staff is essential to promote children's educational success. Caseworkers and caregivers must intervene early and effectively when any behavioral issues arise in order to minimize disruptions to a child's early childhood education program/ school experience. Caseworkers and caregivers must also work together with children and program/school staff to plan for smooth transitions between early childhood education programs and schools and to higher levels of education. Procedures 314 outline requirements regarding educational services for children and youth for whom the Department is legally responsible. The appendices which follow provide additional guidance and resources.

314.20 Definitions

"Assistive Technology Device" is any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child or youth with a disability.

"Caseworker," as used in these Procedures, includes any person(s) responsible for providing direct services to child(ren) for whom the Department is legally responsible as indicated in these Procedures.

"Child and Family Connections (CFC)" is the regional system point of entry responsible for ensuring the timely processing of referrals to the Early Intervention System, the provision of eligibility determination services, the development of the initial IFSP, the referral of families to service providers, and facilitating the child's transition into or between services.

"Client Service Plan" means a written plan developed in accordance with Part 305, Client Service Planning, which guides all participants in the plan toward permanency for the child.

"Department Youth" means a child for whom the Department is legally responsible through temporary protective custody, custody or guardianship via court order, or children whose parent(s) has signed an adoptive surrender or voluntary placement agreement with the Department.

"Developmental Assessment" refers to the procedures used to identify a child's strengths and needs in all five domain areas of development (physical, cognitive, communication, social-emotional, and adaptive functioning) , along with the family's concerns, priorities and resources related to the child, and the services necessary to meet needs of the child.

"Developmental Screening" is the first step in identifying children with developmental delays and is used to determine if a more in-depth assessment is necessary. Standardized tools such as the Denver II, Ages and Stages Questionnaire, or the Early Screening Inventory are used in administering the screening.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

“Early and Periodic Screening, Diagnostic and Treatment (EPSDT)” is a special program of preventative and comprehensive health services designed to provide early discovery and treatment of health problems of children, birth through 20 years of age. In Illinois, EPSDT is known as “Healthy Kids Program.”

“Early Intervention Services (EI)” are a collection of interventions for infants and toddlers, birth to three years old, who have or are at risk of developmental delays. EI provides developmental services in several areas, including physical, cognitive, communication, social-emotional, and adaptive functioning. Caregivers of children enrolled in EI also receive support and education to assist them in understanding and enhancing their child’s development.

“Early Childhood Special Education Services (ECSE)” are services provided to children between three and five years old, who meet one or more of the following disability criteria: deaf-blindness, deaf, emotional disturbance, hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech/language impairment, speech/language pathology services, traumatic brain injury, and visual impairment. Some school districts serve children who have a developmental delay as defined by “Early Intervention (EI).”

"Education Advisors" provide educational advocacy on behalf of children birth to 21 years of age. They are located in DCFS regional offices throughout the State and help DCFS and the private agency caregivers and caseworkers obtain appropriate educational services for the children in their home or agency. See Appendix A for contact information for Education Advisors.

"Education Liaisons" are employed in purchase of service (POS) agencies to assist caregivers and caseworkers in providing appropriate educational services to children in their care.

"Education Plan" is a plan developed and implemented to provide a framework for needed educational or developmental services, supports and interests for each child in the care and custody of the Department in order to promote educational/developmental progress. Caseworkers are required to document an education or developmental services plan for each child in the Client Service Plan (CFS 497), using all information gathered, including information from the CFS 407-4, Education Profile (Assessment) and the CFS 407-HS, Annual High School Academic Plan.

"Evaluation for Special Education" is a conference to determine a child’s eligibility for special education. The conference involves a meeting of personnel from various disciplines, including but not limited to psychology, education, social work, and health. School personnel are responsible for scheduling and conducting the eligibility conference.

“Free Appropriate Public Education (FAPE)” is a term from federal education law. In order to comply with the federal mandate (20 USC 1400 et. seq.) known as Individuals with

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Disabilities Education Improvement Act (IDEIA 2004), Part B which requires that all children with disabilities receive a free appropriate public education, a school district must provide special education services at no cost to the child or his/her parents. As defined in IDEIA 2004, FAPE must be provided at public expense (under public supervision and direction and without charge) meet the standards of the state educational agency, include preschool, elementary or secondary education, and be administered in accordance with an Individualized Education Plan (IEP).

"Home Schooling" is educating a child at home rather than in a school setting. The decision as to whether or not a foster parent may "home school" a child is made by the DCFS Guardian.

"IDEIA 2004" refers to the Individuals with Disabilities Education Improvement Act (20 USC 1400 et. seq.). See "Free Appropriate Public Education (FAPE)"

"Individualized Education Program (IEP)" is a document which identifies specific special education services, placement, and related services that will be provided to a child. The IEP is prepared by the public school district with parents or caregivers as equal participants pursuant to the Individuals with Disabilities Education Improvement Act (IDEIA 2004) and 23 Ill. Adm. Code 226, Special Education. The IEP also includes education goals, benchmarks and service frequency, quantity and duration. The services delineated in the child's IEP are based on the results of the IEP Team recommendations.

"Individualized Family Service Plan (IFSP)" is the written plan for providing early intervention services for birth to three year old children with disabilities or who are developmentally delayed, and support for the child's family to assist them in enhancing their child's development. Such services are to be provided in natural environments to the extent possible. The IFSP is developed by an interdisciplinary team including the family, appropriate professionals, and the local regional service coordinator, Child and Family Connections (CFC). The CFC coordinates the development of the IFSP after eligibility for services has been established and various necessary developmental assessments have been conducted. The IFSP reflects the family's priorities, concerns and resources regarding the child's needs.

"Interim Plan" is a portion of an IEP that identifies the services that will be provided as a temporary measure, either when the child's complete IEP cannot be obtained or implemented or when the parents and the district have only agreed to a portion of the services that will be needed, and that sets out the specific conditions and timelines that both the parents and the district have agreed to.

"Natural Environment" refers to home and community settings in which children and families without disabilities would participate.

"Section 504" is a section of the federal Rehabilitation Act of 1973 which prohibits discrimination against otherwise qualified persons based upon their disability. The regulations implementing this law require entities receiving federal funds to provide

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

reasonable accommodations for children with disabilities (whether in regular or special education or in Early Intervention (EI) services) so that they can benefit from their educational or developmental experiences. This law requires schools to prepare a plan (commonly called a 504 plan), preferably written, for each child with a disability to outline how it will provide the child with a free appropriate public education (FAPE) in the least restrictive environment. An IEP or IFSP developed for the child may be used as the 504 plan.

“Service Coordinators” work in the Early Intervention (EI) system and are responsible for coordinating performance evaluations and the development of IFSPs, identifying, coordinating and monitoring service delivery, informing the family of the availability of advocacy services, coordinating with medical and health providers, and facilitating the development of the transition planning.

"Special Education" is instruction specially designed to meet the unique needs of a child with a disability. Special education may include instruction conducted in the classroom, home, hospitals, institutions, and other settings, as well as instruction in physical education. Special education should be provided at no cost to an eligible child’s parents. Special education also includes instructional, resource, and related services, unique materials, physical plant adjustments, and other special educational accommodations described in the IDEIA 2004 and Article XIV of The School Code. Special education services modify, supplement, and support children’s success in the general education curriculum. In addition, special education services can include, but are not limited to, speech pathology, vocational opportunities, physical therapy, and occupational therapy.

"Surrogate Parent" Whenever a child who is a ward of the State is living in a residential facility, a person is appointed by the Illinois State Board of Education (ISBE) to act as a surrogate parent for the child in matters relating to the identification, evaluation, and placement of the child and the provision of a free and appropriate education (FAPE) or developmental services for children ages birth to three. The surrogate parent has the authority to sign the request for a case study evaluation and to consent to a case study evaluation, the initial educational placement, and any educational reevaluations. The surrogate parent is also the person authorized to access the Illinois State Board of Education due process system for such children.

"Transition Plan" is the result of a process through which the schools, community agencies, students, and guardians plan for life after school for youth receiving special education. Beginning not later than the first IEP to be in effect when the child turns 14, and updated annually thereafter, the transition plan shall include: appropriate, measurable, postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills.

“Truancy Adjudication Hearings” are hearings that are scheduled for youth who have been absent from school 10% or more of the school year. The hearings are scheduled by the Chicago Board of Education in order to determine whether a youth is a chronic truant as defined in the Illinois School Code and whether appropriate steps have been taken in order to ensure the child’s attendance in school.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

314.30 Education Policy

a) School Enrollment

Children and youth for whom the Department is legally responsible are expected to be enrolled in school or training programs until they graduate, reach age 18 or reach age 21 if they are receiving special education services. When a child is placed in substitute care or moves to a different placement, the caseworker shall discuss the importance of enrolling the child in school including early childhood programming (generally within two school days) with the caregiver. If the caregiver indicates a problem with enrolling the child in school within two school days of placement, the caseworker shall provide assistance in working with school personnel to get the child enrolled. If the child is not enrolled in school by the third school day following placement, the caseworker shall take responsibility and ensure the child's enrollment in school by the fifth school day following placement. If enrollment is not forthcoming by the fifth school day, the caseworker shall contact the regional education advisor for assistance. (See Appendix A for contact information for DCFS education advisors).

Documentation for Enrollment

Caseworkers shall provide caregivers and/or schools with the following documentation in order to facilitate enrollment and ensure schools are aware of the educational/developmental services children were receiving in previous settings:

- A copy of the **Placement form (CFS 906)**. The form is required by some school districts to verify residency;
- A copy of the child's Medical Card, which is used by school districts to verify whether or not the student's medical records are up to date;
- A certified copy of the child's birth certificate. If a certified copy is unobtainable, the caseworker shall provide a notarized affidavit verifying the child's identity and date of birth;
- A copy of the most recent IEP, IFSP or 504 Plan for children who have received special education, early intervention or 504 services in a previous school, early childhood or Early Intervention (EI) setting;
- A completed ISBE Student Transfer Form. The Illinois School Code [105 ILCS 5/2-3,13a] (scholastic records; transferring students) permits school districts to require an ISBE Student Transfer Form (completed by the former school district) prior to enrollment of any student. The form provides the new school with information on whether the student is in "good standing" (which means that the student is not being disciplined by a suspension or expulsion from the former school district) and whether the student's medical records are up-to-date and complete.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

The caseworker shall be responsible for obtaining a completed ISBE Student Transfer Form from the former school district and providing a copy to the caregiver to be used at the time of enrollment. Chicago Public Schools (CPS) have an internal transfer form for use in transferring students from one CPS school to another. However, a child who is transferring out of the CPS school district needs a completed ISBE Transfer form.

CASEWORKERS SHALL PLACE A COPY OF THE ISBE TRANSFER FORM AND THE IEP, IFSP OR 504 PLAN IN THE EDUCATION SECTION OF THE CHILD'S CASE RECORD.

Foster Parents' Educational Responsibilities

In accordance with the Foster Parent Law (20 ILCS 505/7.2) foster parents have a responsibility to advocate on behalf of child(ren) and youth in their care. With regard to educational services, responsibilities include, but are not limited to:

- assisting with homework as needed;
- attending parent/teacher conferences;
- picking up report cards;
- encouraging participation in extra-curricular activities;
- representing the child for the purpose of special education services and attending/participating in IEP/IFSP meetings (see Section 314.6 and Section 314.7).
- serving as surrogate parent when a child or youth receives special education services and is placed in residential treatment with a goal of returning to the foster home;
- locating and enrolling the child in an early childhood education program, when age-appropriate; and
- collaborating with the caseworker during any transitions between schools; and
- attending Truancy Adjudication Hearings as scheduled, in conjunction with the assigned caseworker.

Foster parents are partners with caseworkers in making educational decisions for the child(ren) in their care and should communicate regularly with caseworkers concerning educational concerns and achievements. Caseworkers shall assist foster parents in carrying out their responsibilities and shall be alert for the development of problems in school - including possible truancy, suspensions, academic failures or poor performance. Caseworkers are responsible for discussing the child's educational progress with foster parents at every monthly meeting and for taking whatever action is necessary to resolve any situations impeding the child's success in school. The caseworker and foster parent should, as a team, develop a plan for remediation of the problem.

All new foster parents are encouraged to have six hours of Educational Advocacy training. This training is required for re-licensure and offered regularly in all DCFS regions through the community college system.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Confidentiality

When working with the schools, the caseworker and the caregiver shall maintain the confidentiality of the child's records in accordance with Department Rules and Procedures 431, Confidentiality of Personal Information of Persons Served By The Department. Generally, only that information which relates directly to the child's educational needs will be shared. Information that constitutes the child's educational needs may include, but is not limited to, the following:

- academic performance;
- strengths, interests and abilities;
- supports needed for regular school attendance;
- supports needed to promote the child's physical, social-emotional, and/or cognitive development;
- supports to develop meaningful school friendships;
- supports needed for the child to control his/her own behavior;
- supports required for the child's safety and the safety of others;
- supports and plans when the child experiences trauma; and
- any other information that supports and enables the child to achieve a successful education.

School Attendance

The caseworker shall review with the caregiver the caregiver's responsibility to make reasonable efforts to ensure that child(ren) and youth attend school the entire time school is in session during the regular school term - as required by compulsory attendance laws. In addition, it is an expectation of the Department that children under the age of five attend age-appropriate early childhood educational programming. Absences shall be excused in accordance with the policies of the local school district. Truancy must be tracked and addressed by the caseworker with involvement of the caregiver. In the event that a youth misses 10% or more of school and a Truancy Adjudicatory Hearing is scheduled, caseworkers must attend the hearing in order to explain what services/interventions have been put in place to address the truancy issue and/or to make service recommendations. Caseworkers are also responsible for ensuring service recommendations made at the hearing are put into place by established deadlines.

The caregiver may keep a child or youth home only when the child or youth has a debilitating illness or injury or a contagious disease. The caregiver has the responsibility of notifying the school to insure these instances are formally excused absences. Arrangements should be made with the local school for homework and tutoring during extended absences. A child or youth may not be kept out of school as a form of discipline, due to behavior problems, due to a change of placement, for caregiver convenience or other reasons unrelated to the physical or clinical condition of the child or youth. In addition, the Department allows children to be absent from school to attend administrative case reviews and court hearings, as necessary.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Caseworkers shall make every possible effort to schedule sibling and parental visitation on days and during hours that will not cause the children or youth to miss school including attendance at pre-school and early intervention programs. There will be times when a child or youth missing school to attend an appointment will be unavoidable, but such times should be rare and the reason(s) documented in writing on the **CFS 492, Case Entry Form**, in the child's case record.

Suspension and Expulsion

Suspensions and expulsions must be tracked and addressed by the caseworker with involvement of the caregiver. Caregivers are required to immediately (on the same day of notification) inform caseworkers of any suspension. The caseworker shall record each suspension on the **CFS 119, Unusual Incident Reporting Form (UIR)**. If the school often calls the foster parent to come and get the child from school because s/he is having a "bad day" or is a behavioral problem, the foster parent should require that the request be formalized as a suspension and put in writing and also inform the caseworker of the situation.

When an expulsion hearing is to occur, the foster parent will receive a certified letter from the school indicating such and shall immediately inform the caseworker. The caseworker shall notify the DCFS Guardian of the impending expulsion hearing to ensure the child has legal representation at the hearing, and contact the education advisor for assistance. If the child brings a weapon or drugs to school and/or if s/he is a danger to him/herself or others, the expulsion will most likely be upheld at a hearing. If the expulsion is upheld, the caseworker shall record this on the **Unusual Incident Reporting Form (UIR)**. In conjunction with the education advisor (and the education liaison if the child is served by a private agency), the caseworker shall prepare a plan of action for the child's education while the expulsion is in effect. When the child's school district has an alternative school program, it may be accessed for the duration of the expulsion.

Educational services may not cease during an expulsion for a child eligible for special education. School personnel may order the removal of an eligible child from his or her current placement for periods of no more than ten consecutive school days each in response to separate incidents of misconduct, as long as such repeated removals do not constitute a pattern based on consideration of factors such as the length of each removal, the total amount of time the child is removed, and the proximity of the removals to one another. In such a case, these removals shall not be considered to constitute a change in education placement.

- After an eligible child has been removed from his or her placement for ten school days in the same school year, the district is required to provide services to the child on any subsequent day(s) of removal.
- School personnel, in consultation with the child's special education teacher, must determine the extent of the services to be provided, which shall be adequate to enable the child to progress appropriately in the general curriculum and advance toward achieving the goals.

For more details on discipline, see Appendix D.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

b) Placement and School Changes

When there is a change in a child's placement or living arrangement, it is most often beneficial for the child to remain in the same school. The caseworker shall consult with the child, and with his/her supervisor, as well as with local school personnel in both school districts when making this decision. When the child is receiving special education services, his/her foster parent and -if s/he is in residential treatment- the child's surrogate parent) must also be consulted since the location of educational services for the child will be determined by the Individualized Education Program (IEP). Department youth may only attend education programs which have been accredited by the appropriate state education agency.

Factors to be considered in school placement include length of time spent at the current school, adjustment potential, extra-curricular activity participation, supportive relationships, socialization, separation anxiety, distance/travel time, and how much of the semester or school year remains.

When it is determined that the child should remain at his/her current school, the caseworker will contact the appropriate school district or government entity and advise officials of the reasons why the caseworker believes that it would be in the child's best interest to remain at the current school. The caseworker will notify the school district that:

- The Guardianship Administrator has been appointed temporary custodian or has guardianship of the child.
- DCFS has determined that it is in the best interest of the child or youth to maintain enrollment and attendance at the current school. Generally, a statement from the caseworker that it is in the child or youth's best interest is sufficient.
- DCFS has placed the child with foster parents or in a residential facility (provide applicable names and addresses).

Under the Illinois School Code, when a child or youth for whom the Department has legal responsibility via court-ordered custody or guardianship is placed into a foster home or other child care facility located in another school district and the Department had determined that it is in the child or youth's best interest to maintain attendance at his or her former school, the school district cannot charge the tuition normally charged to children who do not reside in the district.

The caseworker will also request that the school district provide transportation for the child to remain at the current school. The decision of the school district is not subject to appeal.

If the school district agrees to allow the child to remain in the current school, but will not agree to provide needed transportation, the caseworker shall assist the caregiver with acquiring transportation for the child by informing the caregiver of other options, including DCFS reimbursement for transportation. (Refer to DCFS Procedures 359.75, Payments for

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Children's Education Expenses, (k) Public Transportation for School). If the child is served by a private agency on behalf of DCFS, the caseworker should contact the appropriate person within the agency to access payment from special service fees in the POS contract. The child's educational plan shall be documented to show the decision to keep the child in the current school and who will be responsible for transportation arrangements and costs.

When children change school placement, including children attending an early childhood education program, the caseworker and caregiver will work with the child and the program staff to assist the child in making a successful transition. Caseworkers and caregivers should ensure that the child has opportunities to say good-bye to former classmates and teachers. They should also work with staff to ensure that the child's records (including any portfolios, developmental assessments and artwork) are transferred to the new program.

When a youth attending high school changes placement, the completed Annual High School Academic Plan must be presented to the caregiver upon placement. It is the responsibility of the caseworker to discuss its contents with the caregiver.

Stepping-Down From a Residential Facility

When a child or youth for whom the Department is legally responsible is being stepped down from a residential setting to a foster home, transitional living program, independent living program or from an out-of-state placement to a placement in the state (whether residential or a foster home), the caseworker shall ensure adequate and timely planning for his/her receipt of appropriate educational services. Caseworkers are responsible for establishing communication between DCFS and the local education agency (LEA) regarding the child's educational needs and for identification and location of educational services.

In all situations, caseworkers are to:

- work proactively and collaboratively with local education agencies to meet the developmental and educational needs of the children and youth;
- actively participate with local education agencies and schools to develop plans to meet the developmental and educational needs of the children and youth;
- provide local education agencies 30 days written notice when a child or youth will be "stepping down" from residential care into the local school system; and
- share information with the local education agency consistent with the Department's Confidentiality procedures.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

c) Consents for School Activities

Foster parents or other caregivers are authorized and encouraged to sign consents for general school related activities, which include, but are not limited to:

- field trips within Illinois;
- routine social events (picnics, school parties, etc);
- school enrollment;
- attendance at sporting events;
- extra-curricular activities (other than athletic participation); and
- cultural events.

Foster parents (when the child is in foster care) and surrogate parents (when the child is in residential care) are authorized to sign consents for:

- case study evaluations and reevaluations and services, and
- IEPs or IFSPs;

Foster parents and other caregivers are **not** authorized to sign consents for the following situations. Caregivers shall contact the child's caseworker when consent is needed for:

- athletic participation;
- media coverage/events;
- slide show productions;
- photographs;
- voice reproductions;
- research projects;
- field trips outside of Illinois;
- liability releases; and
- medical examinations or care; or
- physical restraints. (For DCFS policy on the use of physical restraint, refer to Part 384, Behavior Treatment in Residential Child Care Facilities.)

The Department's Guardianship Administrator or authorized agent must be contacted for other situations that are not covered in these procedures, which require consent from a child's parent or guardian.

Notifications To Parent(s)

If the permanency goal is to return home, the child's caseworker shall provide the parent(s) with written notification within ten (10) working days of the receipt of the child's educational progress and activities when provided by the school. Such notification may include, but is not limited to, disciplinary reports, report cards, school report forms, teacher conferences, truancy adjudication hearing notices, field trips, honors and award ceremonies, extracurricular activity performances, and school graduation. When the child is suspected of

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

having a disability or s/he has already been determined to be eligible for special education services, the caseworker shall invite the parent(s) to participate in the Individualized Education Program (IEP) Team meetings to determine eligibility and in IEP meetings or Individualized Family Service Plans (IFSP) meetings thereafter. If the school provides less than ten days notification to the caseworker, the caseworker shall notify the parent(s) as soon as possible to ensure their opportunity to participate in the event.

d) Rights of Children with Disabilities

Caseworkers are responsible for knowing the educational programs, services, and protections guaranteed under state and federal law to all children who are eligible for special education services. Refer to Section 314.60 (Special Education) and Section 314.70 (Early Intervention (birth to three) and Early Childhood Education (three to five) of these Procedures. These services and protections are also described in *"A Parents Guide-The Educational Rights of Students With Disabilities"*, and *the State of Illinois Infant/Toddler and Family Rights under IDEA for the Early Intervention System*. These documents are produced by the Illinois State Board of Education (ISBE) and the Department of Human Services (DHS). They are available from local school districts or Child and Family Connections (CFC) for birth to 3 year olds.

Department youth are entitled to the same services and protections as other children. No Department youth should be categorized as needing special education services unless a completed evaluation, as specified by federal and state laws, demonstrates the need for special education services. Further, no Department youth shall be classified as eligible for special education services solely because s/he is in substitute care; because s/he is under the custody/guardianship of the Department; because s/he is pregnant or parenting; or because (s)he speaks another language. When there is an indication that one of these conditions serves as the basis for special education services, the caseworker shall review the situation with local school personnel. Any situation that cannot be resolved at the regional or local level should be referred to the education advisor for that region. If the situation involves a child under the age of three years old, the caseworker may obtain assistance by contacting the IDCFS Early Childhood Program at 312-814-5988.

e) Planning with Schools for Children Who Need Protection and Medical Management Plans

For children who have been identified as needing protection plans implemented in the school environment, caseworkers shall ensure that school-based protection plans are developed in conjunction with school personnel. Protection plans may be necessary for children who exhibit sexually aggressive behavior, physically aggressive behaviors, are in danger of flight, or are victims of bullying or sexual harassment, etc.

For children taking asthma medication or other forms of medication in school, the requirements in Policy Guide 2002.01 "Case Management Guidelines for Children's Asthma Management" apply.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Provided certain requirements are fulfilled, children requiring medication for illnesses such as asthma are permitted to carry their medication with them and use the medication under the supervision of school personnel while in school; at school sponsored activities; or while attending before or after school activities, including before- or after- school care on school-operated property.

To meet the requirements of the School Code [105 ILCS 5/22-30] for the self-administration of medication, DCFS must:

1. provide written authorization for the self-administration of medication; and
2. provide a written statement from the child's primary care physician containing:
 - the name and purpose of the medication;
 - the prescribed dosage; and
 - the time(s) at which or the special circumstances under which the medication is to be administered.

f) Visitation/School Conduct

Caseworkers shall advise caregivers that a child cannot be deprived of planned visits with family members or siblings or in any way denied contact with family (whether in person, by phone or by mail) as a means of punishment for school performance or behavior at school. In situations of problematic school conduct or performance, the caseworker shall assist the caregiver in exploring other disciplinary options.

g) General Educational Development (GED)

Since the high school diploma is the preferred certificate of secondary completion, Department youth may be enrolled in a GED program only if they are ineligible to be enrolled in the public school district general program or an alternative school program. A youth is ineligible for regular school enrollment when he/she is serving an expulsion or is over age nineteen (19) and cannot meet the credit requirements for graduation by age twenty-one (21). If the youth is expelled or is aged 17 through 19 and has the possibility of meeting graduation requirements, the alternative school option should be pursued before enrollment in a GED program. Department youth may be enrolled in a GED program only when the GED program is ISBE approved/certified.

h) Vocation and Career Planning

The purpose of vocational and career planning is to ensure that Department youth are prepared for post-secondary school, employment, or continuing education.

The caseworker will assist youth with identifying an appropriate education/vocation plan geared towards preparing each youth for self-sufficiency once he/she transitions out of care. The caseworker is responsible for completing the Annual High School Academic Plan for

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

youth on their caseloads. This plan is to be used to support academic achievement and encourage post-secondary planning (i.e. community college, vocational programs, four year university, or other employment programs).

At the start of each school year, the caseworker shall convene an Annual High School Academic Planning Meeting in order to develop the most appropriate academic plan. The caseworker shall convene the meeting between August and October, and must include the youth, caregiver, caseworker's supervisor and education advisor (when appropriate). If a youth does not possess enough credits for correct grade classification, an education advisor must also attend the Planning Meeting. School counselors are encouraged to attend, or participate via teleconference, or submit feedback in writing to the caseworker to be shared during the Planning Meeting. At the conclusion of each Annual High School Academic Planning Meeting, the caseworker will complete the Annual High School Academic Plan and present copies to the youth, caregiver, school counselor, and education advisor (if applicable). The caseworker shall place the original copy in the education section of the youth's case file. The Annual High School Planning Meeting is to be convened irrespective of youth's movement to the next grade.

The first High School Academic Planning Meeting will be held during the youth's freshman year of high school to assist with academic progression and the identification of future goals. The caseworker will review transitional services available through the Office of Education and Transition Services to assist the youth with identifying and achieving his/her stated goal(s). For youth receiving special education services, the caseworker must incorporate goals identified via the Transition Plan developed by the Board of Education, which will then be used to complete the **Education Profile (CFS 407-4)**.

The caseworker will convene the second High School Academic Planning Meeting during the youth's sophomore year, in order to review academic progress from freshman year, noting strengths and areas requiring improvement, total credits earned, and fulfillment of graduation requirements. Caseworker will also review transitional service options available via the Office of Education and Transition Services.

The caseworker will convene the third High School Academic Planning Meeting during youth's junior year to review previous year's academic performance, noting academic strengths and areas which require improvement, fulfillment of graduation requirements, which include reviewing total credits and community service hours earned, if applicable. During this Academic Planning Meeting, the caseworker will also focus on the youth's post-secondary plans. The meeting should include discussion of the following: identifying college(s) or vocational program(s) of interest to the youth; participating in college tours; registering for and participating in the American College Test (ACT) and/or the Scholastic Aptitude Test (SAT) prep courses; registering for and taking the ACT and/or SAT; and any other relevant topics. It should be noted that the youth can re-take the ACT and/or SAT for optimal student performance. The caseworker shall also review transitional service options available via the Office of Education and Transition Services.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

The caseworker shall convene the final High School academic Planning Meeting during the youth's senior year, in order to review graduation requirements and the most appropriate post-secondary options available. The caseworker will follow policy timeframes in referring youth to transitional programs (YIC/VT, YIS, ICCB, ETV, and EIP) as identified via Procedures 302, Services Delivered By The Department.

At least by the freshman year in high school, formalized planning, high school credits, and relevant experiences should be considered annually and included in the youth's educational or transition plan. All educational planning for transition to post secondary school should be coordinated by the caseworker with the Ansell Casey Life Skill Assessment tool. (Caseworkers should consult DCFS Procedures 302, Appendix M for complete requirements related to transition planning for adolescent wards).

In the case of a student receiving special education services, IEP planning for post-secondary employment or continuing education must start at age fourteen. The transition plan at this age drives the IEP planning process. The individual school district board of education determines graduation standards for receipt of a diploma. Boards may set individual policies for students who have IEPs and they may waive grades and instead give a diploma based on IEP requirements, accommodations and adaptations to the general curriculum. In order for youth to have the best post-school opportunities, the caseworker will acquire the district policy and begin planning for graduation four years prior to that time. The IEP for a student who has reached the age of 17 shall include documentation indicating that the student has been informed of the rights under the IDEIA 2004 that will transfer to the student when he or she reaches the age of 18.

i) Home Schooling

Generally, the DCFS Guardian does not grant permission for home schooling. However, the Guardian may consider it if appropriate information is provided. Submission of the appropriate information listed below does not guarantee that the Guardian will approve the request. At a minimum, the following information should be provided:

1. The child's preferences concerning home schooling;
2. The primary language spoken by the child and the foster family;
3. The child's legal status and permanency goal;
4. If permanency goal is "return home", the biological parents position on home schooling;
5. Education history of the child;
6. Educational needs (special education, tutoring, etc.) and plans for addressing them;

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

7. Medical/physical needs of the child;
8. Information about staffings that occurred to reach the conclusion to recommend home schooling;
9. Any information concerning meetings with the Illinois State Board of Education (ISBE) and local school district concerning home schooling for the child;
10. Whether the child has any social or developmental delays and how those will be addressed in the education plan to home school;
11. The role that the Purchase of Service (POS) agency or DCFS caseworker will serve in ensuring/monitoring that appropriate academic services are provided;
12. Who will advocate for any additional services deemed necessary and intervene on behalf of the child if it becomes necessary;
13. Whether the POS agency or DCFS staff, the foster parents and the local school district are willing to work collaboratively and monitor the child's educational progress;
14. Sample copies of the curriculum to be taught, a lesson plan, schedule of planned field trips and social events, etc.; and
15. Any other information that may be helpful to the Guardian in reaching a decision to grant/deny permission for home schooling.

If after reviewing the requested information, the DCFS Guardian decides to grant permission to home school, permission will only be granted if (a) the foster parents agree to register with the local school district in which they are home schooling the child, and (b) they agree to allow one of the DCFS education advisors to periodically visit to review the program and ensure that the child(ren)'s academic and behavioral needs are being met, and (c) the foster parents will submit quarterly written documentation of the child(ren)'s academic and behavioral achievement. The caseworker will report any identified problems directly to the DCFS Guardian immediately.

j) Tutoring

Tutoring is a supplementary service provided to students who are having difficulty maintaining satisfactory progress or who miss attending school due to some temporary condition (e.g. an extended illness or prior to and after childbirth, upon physician recommendation). Generally, tutoring shall not be used in lieu of school attendance except where indicated by a medical or psychological professional or when the child has been expelled or suspended. A written record from one of these professionals, which documents the need for tutoring, shall be placed in the child's case record.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Since tutoring is a discretionary service, which school districts are not mandated to provide, the local school district shall be requested to provide the service when the caseworker in consultation with the caregiver(s) and/or the child him/herself determines that tutoring is needed. If the responsible school district refuses to provide tutoring, the Department can purchase this service (Refer to Procedures 359). Tutoring services may be purchased upon the written recommendation of the child's classroom teacher. Tutoring services may be purchased for child(ren) including, but not limited to, the following situations:

- the child needs remedial help after entering DCFS' care or changing schools;
- the child currently has one or more failing grades;
- tutoring is recommended by the school on the **DCFS Education Report Form (CFS 407)**;
- the child has been retained one or more academic years; or
- tutoring is recommended to compensate for an extended absence from school.

Tutoring services shall be paid by the Department only after all other resources (e.g., public school districts, volunteers) have been exhausted. When a tutoring request to an outside source is pending, but tutoring services are needed immediately, DCFS may purchase tutoring services pending resolution of the request.

The caseworker shall review the **CFS 407, Education Report Form**, and discuss the child's progress with the caregiver, school staff, and the child to determine if there is a continuing need for tutoring services. Caseworkers may consult education advisors for questions about appropriateness or quality of tutoring services. (See Appendix A for contact information for DCFS regional education advisors. POS staff should contact the educational liaison.)

k) Public School Choice and Supplemental Educational Services under the No Child Left Behind Act (NCLB)

The federal No Child Left Behind Act of 2001 (NCLB) provides a Public School Choice (Choice) option or a Supplemental Educational Services (SES) option for students attending schools that have not made Adequate Yearly Progress (AYP) as defined in NCLB for two consecutive years.

Prior to the start of each school year, schools that must offer either Choice or SES will mail letters to caregivers who have children attending those schools. These children are conditionally eligible either to choose a higher-performing school, or to receive SES, based on availability in their school district. If a child is not in a school on the NCLB list, the caregiver will not receive this letter.

Caseworkers responsible for children or youth attending schools that must offer choice or SES shall consult with the caregiver(s) regarding their right to exercise school choice or supplemental educational services for the children in their homes. The processes for accessing school choice or SES are outlined below.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Public School Choice

Public School Choice refers to the ability of a caregiver to choose a higher performing school, if available, within the same district when they have a child enrolled in a school that has not met NCLB Average Yearly Progress (AYP) standards for two consecutive years. Prior to the beginning of the school year, districts must notify the caregivers of students in choice schools that they have the option of sending their children to another school in the same district which has not failed to meet AYP standards, including public charter schools. Caregivers have 30 days from the date of notice to decide whether to exercise the choice option.

Students who transfer schools shall be enrolled in classes and other activities in the same manner as all other children at that public school. Districts must provide or pay for transportation to the new schools. If there are space or funding limitations, districts must give priority to the lowest achieving children from low-income families. If there are no schools that have made AYP in the district, it must, to the extent practicable, enter into intergovernmental agreements with neighboring districts to send students to schools in those districts.

Supplemental Educational Services

If school choice is not available in the district, supplemental educational services (SES) must be offered, based on available funding. A caregiver may choose either school choice or SES, but not both. Supplemental educational services are defined in the NCLB as tutoring and other high-quality academic enrichment services provided in addition to instruction during the school day to increase the achievement of eligible children.

Prior to the beginning of the school year, school districts must annually notify caregivers that supplemental educational services are available, identify area providers and provide a description of the services offered by each provider. Caregivers have 30 days from the date of notification to decide whether or not to exercise the SES option. Schools must help caregivers select an SES provider, if help is requested. Schools in school improvement status must arrange for eligible students to receive SES from providers with a demonstrated record of effectiveness. If there are space or funding limitations, districts must give priority to the lowest achieving children from low-income families. School districts are not required to pay for or provide transportation to supplemental educational services.

314.40 Educational Assessment

a) Assessment Process

The purpose of an educational assessment is to determine a child's educational needs and use this information in developing and implementing an education plan to ensure that necessary supports are provided to give him/her the best chance for academic and social success. The child's caseworker has primary responsibility for completing the educational assessment, using the **CFS 407-4, Education Profile (Assessment)**. The **CFS 407-4** is to be completed

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

by the caseworker prior to the initial Administrative Case Review (ACR) and this information is to be used in developing the educational plan. The plan must be completed on the **CFS 497, Part III**, within forty-five (45) days of court-ordered temporary custody for each child, regardless of age, who comes into care. When school or early intervention program evaluation reports or assessments are not available shortly after the Department assumes temporary custody, the caseworker may develop an interim assessment using the **CFS 407-4** to be incorporated into the education plan.

Early Intervention (EI) reports and birth to three assessments can be obtained by contacting the Child and Family Connections closest to the child's home before placement occurred. The caseworker should ensure that the Child and Family Connections is aware that the child has moved and that the case record is transferred to the new corresponding CFC to continue services. Therapies that were in place prior to placement should continue in the new placement. If difficulties arise in this area, the IDCFS Early Childhood office should be contacted for assistance at (312) 814-5988.

An educational profile (assessment) is a process that requires continued information gathering and decision-making. When conducting an initial educational assessment, the child's caseworker shall ensure that the following minimum information is considered and documented in the education section of the child's case record and updated as part of ongoing service planning:

1) Developmental Screening

All children from birth to age five should receive developmental screening within 45 days of their initial intake. Developmental screens are provided by Child and Family Connections (CFC), local school districts, and other early intervention providers. In addition, developmental screenings are completed as part of the Early and Periodic Diagnosis, Screening and Treatment (EPSDT) exams for some children. The physician or developmental specialist who conducts the developmental screening exam will determine if factors that may result in a developmental delay in the child, or place the child at risk of delay, are present. Caseworkers shall record the results of the developmental screening in the Education Section of the child's **Client Service Plan (CFS 497)** and in the education portion of the child's case record, as well as in the child's Health Passport.

In conjunction with Integrated Assessment (IA), all children, statewide, will receive a developmental screening (ages 0-3) and school readiness screening (ages 3-5 years). Screening appointments will be scheduled within a short time of case opening. Once caseworkers receive the appointment, they should contact the caregiver to ensure their availability and participation. It is the caseworker responsibility to ensure that recommendations from the screening are implemented and the necessary services occur. All screenings are to be completed within 30 days of the child's placement.

For cases without an IA Clinical Screener in Cook County: Developmental screenings will occur internally at a designated DCFS office. Cook County Early

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Childhood Coordinators refer all three to five year olds to the Chicago Public Schools for a Child Find Screening. When these cases open in CYCIS, the Early Childhood Program notifies caseworkers via mail of children needing a screening. If a child resides in a Cook County suburb, caseworkers have the option of using a screening provider in the youth's community. However, the screening results should be forwarded to the Cook County Early Childhood Preschool coordinator once completed (Please refer to Appendix G for detailed information on referrals). Once again, all screenings are to be completed within 45 days of the child's placement.

For cases without an IA Clinical Screener in downstate regions: The Early Childhood coordinators refer birth to five year olds to community providers, such as the local Child and Family Connections (CFC), Public Health Department, or school district for developmental screenings. When a 'birth to age five' case opens, the coordinator will mail screening resources directly to the caseworker. Once the screening is complete, the caseworker forwards the results to the Regional Early Childhood Coordinator. If the results of the screenings suggest the need for further evaluation, the caseworker shall refer the child to an E.I. program for a developmental evaluation or to the school district for an assessment for early childhood special education services. As noted previously, the caseworker shall follow-up with the referral recipient to ensure that the evaluations occur and necessary services are in place within 45 days.

The caseworker shall review the results of the any developmental screening(s) for a child under age 5, (including hearing and vision screening). If the caseworker suspects that there are factors which may result in a developmental delay for the child or place the child at risk of delay, and no referral has been made, the caseworker shall refer the child to an early childhood education program for further assessment and provision of educational services (Refer to Procedures 314.70).

2) Review of Medical History Upon Placement

The caseworker shall obtain and review the child's medical history. This shall include a review of the results of the DCFS Comprehensive Health Evaluation and/or subsequent EPSDT or developmental screenings (including hearing and vision screening). The caseworker shall record the results in the child's Health Passport. Any vision impairment, hearing impairment, intellectual disability, autism, traumatic brain injury, speech or language impairment, physical disability, or other health impairment in a child under age 5 may indicate eligibility for special education or early intervention services (Refer to Procedures 314.60). For children under age three, early intervention (EI) services are needed when the child has a developmental delay or is suspected to have a delay.

It is important to note that children may enter care having already been evaluated and linked to the Early Intervention (EI) system. In these cases, the screening is not necessary. However, the caseworker should send copies of the evaluations to the Integrated Assessment screener and/or the Early Childhood screener. Additionally,

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

the caseworker should contact the CFC that was serving the child prior to entering care to obtain records and in order to transition the case to the CFC near the current caregiver's home.

3) Review of Educational History Upon Placement

Within ten days after the child's enrollment in a new school or early childhood education program, the caseworker shall meet or make contact with school or program personnel to discuss completion of the **Education Report Form (CFS 407)** and establish a time line for its completion and a method of return. The caseworker will inform the child's new teacher(s) or developmental specialists about the child's educational or developmental strengths and weaknesses and who to call in a timely manner if problems begin to occur.

The caseworker will also contact personnel at the former school or program to inform them of the change in placement, and for continuity of services, and seek to obtain a completed **CFS 407** within ten days after the child's departure from that institution.

The caseworker shall also determine the child's developmental, academic, social, and extracurricular interests, strengths, goals, needs, and problems, and document the information in the education section of the child's case record within sixty (60) days of custody. If the youth is attending high school when custody is taken, the assigned caseworker should conduct the Annual High School Academic Planning Meeting within 30 days after receipt of temporary custody, which will be used in completing the **CFS 407-4, Education Profile (Assessment)**, as well as **Part III of the Service Plan (CFS 497)**. If the youth is taken into custody during the months of April through June, the Annual High School Academic Planning Meeting will be waived until August of the following academic year.

If upon examination of the child's educational/developmental history, the caseworker or caregiver suspects the child has a disability, s/he shall make a referral to the local school district to determine special education eligibility for children ages three to 21, or Child and Family Connections (CFC) to determine early intervention (EI) eligibility for children ages birth to three. (A listing of Child and Family Connections is in Appendix F.)

If the child is in a residential facility, the caseworker shall ensure the residential facility immediately contacts ISBE at (217) 782-6601 or TDD (217) 782-1900 and request the appointment of a surrogate parent.

If a review of a child's educational history indicates past eligibility for special education or early intervention services, the caseworker shall refer the child to the public school district or the regional Child and Family Connection (CFC) for a determination as to whether the child is eligible for continued or reinstated special education or developmental services (Refer to Section 314.70). Children, birth to

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

three years of age, who received early intervention services prior to entering care, should be transitioned to a CFC office corresponding to their new caregiver's home. (Refer to Section 314.40) If the child is not receiving services, s/he should be screened according to the Early Childhood Developmental Screening protocol. For children in residential care, an educational surrogate parent must be appointed prior to determining eligibility. If a student with a disability will be at least fourteen (14) years old in the current school year, the caseworker should participate in the development of the IEP transition plan and coordinate it with the Ansell Casey Life Skills Assessment.

== b)

314.50 Education Plan

a) Developing the Service Plan

When developing a **Client Service Plan (CFS 497)**, Department staff are required to complete an education or developmental services plan for each child or youth regardless of age. The initial educational plan must be completed on the **CFS 497, Part III**, within 45 days after court-ordered temporary custody for each child who comes into care. The primary function of the education plan is to provide a framework for needed educational or developmental services, supports and interests identified in the **CFS 407-4, Education Profile (Assessment)**, and to link general educational needs to child-specific supports and activities (i.e., public special education programs, early intervention programs, pre-kindergarten programs, GED programs, tutors, Head Start/Early Head Start, extra-curricular participation and school friendships) needed by the child or youth.

b) When completing **Part III of the Service Plan (CFS 497)**, caseworkers should incorporate identified service needs and strengths as indicated in the Annual High School Academic Plan. Tasks identified via the Academic Plan should also be incorporated into the **Service Plan (CFS 497)** under the appropriate objective.

c) Contents of the Education Plan

The child's caseworker shall complete the education plan following completion of the **CFS 407-4, Educational Profile (Assessment)**. This plan must contain the following information at a minimum:

- 1) Name and address of the school or early childhood education program in which the child is enrolled;
- 2) The child's strengths, interests, any specific after school activities, clubs, organizations and day or after-care programs in which the child may participate in order to develop supportive friendships and associations;

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

- 3) Each specific educational or developmental problem, need, or deficiency, if any, as identified in the educational assessment;
- 4) General educational or developmental goals and vocational or career objectives;
- 5) Specific referral actions, if any, that have or will be taken to address the identified educational or developmental problems, needs, and deficiencies, and/or to develop strengths, interests and abilities; and
- 6) The beginning date, frequency, anticipated duration, and anticipated termination date, if known, for each specific referral service.

When a child moves to a new school district or changes early childhood education programs or services and the caseworker determines, in accordance with the Rules/Procedures 314.30, that it is in the child's best interest to remain at the current school or early childhood education program/services, that decision and any actions related to it shall be documented in the education plan.

== d)

314.60 Special Education

a) Eligibility

Public schools directly provide or contract for the purchase of special education services for children, aged three to 21 years, who meet specific eligibility criteria. Children with the following disabilities may be eligible for special education services:

- mental retardation;
- specific learning disability;
- emotional disturbance;
- speech/ or language impairment;
- hearing impairment, including deafness
- visual impairment, including blindness
- orthopedic impairment;
- autism;
- traumatic brain injury;
- other health impairments;
- deaf-blindness;
- developmental delay; and
- multiple disabilities.

Additionally, children who have any other disability or who are perceived to have any disability which affects a major life function are entitled to reasonable accommodations for

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

their disabilities by the public schools or service providers under provisions of the IDEIA 2004, the Americans with Disabilities Act (ADA) of 1990, and Section 504 of the Rehabilitation Act of 1973 (504) if they use federal funds regardless of whether they need special education services.

b) Referral for Special Education Services

Any child (ages three to 21) who has a suspected or confirmed disability may be eligible for special education services and/or for reasonable accommodations for that disability in school. Reasonable accommodations may include, but are not limited to, untimed tests, larger print texts, oral tests, and modified expectations for grades. When a child is suspected of having a disability, the caseworker or caregiver shall immediately make a referral for an evaluation by contacting the public school district that serves the geographic area of the child's substitute care placement. The foster parent signs all consents regarding special education services for children in their homes. If the child is in a residential facility, the residential provider shall request ISBE to appoint a surrogate parent for the child.

The caseworker should contact an education advisor or the ISBE directly if the residential provider or the school district fails to make the referral to ISBE for the appointment of a surrogate parent. In accordance with State law, foster parents and relative caregivers who are employees of the school district (in their employing district or through a joint agreement with another district), staff of private child welfare agencies, and staff of the Illinois State Board of Education (ISBE), Department of Children and Family Services (DCFS) and Department of Corrections (DOC) are prohibited from serving as surrogate parents for children in residential facilities.

When the surrogate parent has been appointed for a child in a residential program, the caseworker shall discuss the child's situation with the surrogate parent and ask the surrogate parent to refer the child to the public school district for an evaluation. When the need for services is critical, the caseworker may request an evaluation by the school district at the same time the request for a surrogate parent is made. However, only the surrogate parent can sign the consent for the child's evaluation in these situations.

Subsequent to the referral for an evaluation, eligibility for special education is determined at a meeting of the IEP team. School personnel must complete the evaluation and convene the IEP Team within 60 days from the date of parental consent. The caseworker and the foster parent/surrogate parent are expected to attend this meeting. Any independent evaluations must be considered at the meeting. If the child is determined eligible for special education services as a result of the evaluation, an individualized education program (IEP) must be developed to identify the specific services and supports the child will receive and who will be responsible for providing them.

c) Reevaluations

A local school district is required to reevaluate a child in special education at least every 3 years to determine continued eligibility for special education services. A school district is

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

also required to reevaluate an eligible child whenever conditions warrant a reevaluation or the child's parents, surrogate, guardian or teacher requests a reevaluation. A district must also reevaluate an eligible child before determining that the child is no longer eligible for special education services. A reevaluation is not required for a student who leaves special education due to graduation from high school with a regular high school diploma or its equivalent or attains the age of 21.

d) Areas of Responsibility

Illinois State Board of Education

The Illinois State Board of Education (ISBE) is responsible for assigning surrogate parents on behalf of children for whom the Department is legally responsible when they are residing in a residential facility in Illinois, and for notifying the public school district of those assignments. ISBE is also responsible for the recruitment and training of surrogate parents for eligible children in residential facilities.

ISBE is also responsible for providing a system of procedural safeguards designed to resolve disputes between parents/guardians or surrogate parents and local school districts regarding the identification, evaluation or provision of special education services to an eligible child. (See Appendix D for an explanation of special education procedural safeguards).

Local School Districts

Local school districts are responsible for the special education costs of children and youth for whom the Department is legally responsible who are placed in out-of-state substitute care settings. The local school district that last provided at least forty-five (45) days of educational service to the child remains the child's district of residence until the child is no longer under Department guardianship or until returned to Illinois. The caseworker shall complete the **CFS 407-5, Notice of Special Education Responsibility**, to document which school district has responsibility. The **CFS 407-5** shall be given to the responsible school district at the time of the substitute care placement.

Caseworker

When the caseworker believes a child has special education needs, s/he shall make a referral for an evaluation by contacting the school or early childhood education program. If the child is in a residential facility, the caseworker shall ensure a request is made to ISBE for the appointment of a surrogate parent by ISBE.

The caseworker may actually initiate the request for a case study evaluation for children in foster care and at the same time, make a request to the school district for appointment of a surrogate parent for children in residential facilities. The caseworker shall actively collaborate with the caregiver or surrogate parent to ensure that the youth receives timely and appropriate special education services. Caseworkers shall encourage the surrogate parent to meet and get to know the child before participating in educational decisions. Caseworkers

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

shall also advise caregivers to actively advocate for the child and remind caregivers that they are required to attend/participate in all IEP Team and IFSP meetings to ensure timely and appropriate educational services. Caseworkers and caregivers should attempt to have school districts conduct IEP meetings at the local school that the child would attend if s/he did not have a disability. Caseworkers should collaborate with caregivers to address issues that may impede the caregiver's ability to attend IEP meetings, evaluations and IFSP meetings as scheduled, such as arranging for transportation if this is the issue. Caseworkers are also required to attend/participate in all IEP Team meetings for children and youth for whom the Department is legally responsible, except when a required court appearance or an Administrative Case Review is scheduled for the same time.

The caseworker shall advise the caregiver or surrogate parent to take corrective action with the school district whenever the youth is not receiving timely and appropriate special education services for which s/he is entitled on their IEP or IFSP. The caseworker shall contact the regional education advisor when an education related issue cannot be resolved. (See Appendix A for contact info for DCFS regional education advisors. POS staff should contact the educational liaison.) When a child under the age of three is involved, the caseworker should contact the DCFS Early Childhood Program for assistance at (312) 814-5988.

The caseworker shall inform the caregiver and surrogate parent of the availability of legal services on behalf of children requiring special education or Early Intervention (EI) services (as described in Appendix B). The decision whether to engage legal services shall be made by the caregiver or surrogate parent. The caseworker, in conjunction with the caregiver or surrogate parent, may consult with the regional education advisor prior to referral.

For children who reside in group homes or child care institutions, the assigned caseworker retains the following responsibilities regarding special education services.

- Communicating at least quarterly with the child's school or education program including at least one in-person visit annually;
- Reviewing the child's Individualized Education program (IEP) to identify the child's learning issues;
- Determining dates of IEP conferences and ensuring that the foster parent or surrogate parent has been notified;
- Notifying the State Board of Education (ISBE) if an educational surrogate parent is unavailable or uncooperative; and
- Requesting that a new surrogate parent be appointed, if necessary.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Confidentiality

When working with the caregiver, surrogate parent, school personnel and other professionals, the caseworker shall maintain the confidentiality of the child's records in accordance with Department Rules and Procedures 431, Confidentiality of Personal Information of Persons Served by the Department. Generally, only that information which relates directly to the child's educational needs will be shared. See Section 314.30 (a) of these procedures for a list of relevant information that may pertain to a child's educational needs. The caseworker shall ensure that appropriate notices of special education or early childhood education activities/meetings are provided to the child's biological or adoptive parents.

Parent(s)

A child or youth's biological or adoptive parent(s) should generally be involved in the service planning and the educational process for a child who is in placement with a goal of "return home". Although parent(s) are encouraged to continue their involvement in educational or Early Intervention (EI) conferences or staffing, only the caregiver or surrogate parent has the signature and decision-making authority regarding the child's special education or early intervention planning and programming while the child is in substitute care placement and the Department remains legally responsible for the child.

Foster Parent(s)/Surrogate Parent

The major responsibilities of a foster/surrogate parent include:

- Understanding the child and his/her educational/developmental needs, including the child's strengths, interests and abilities;
- Informing caseworkers of educational/developmental needs, interventions, disciplinary incidents, progress reports, etc. in a timely manner;
- Requesting evaluations;
- Signing consents for evaluations, the initial educational placement, and educational re-evaluations;
- Attending/participating in Individualized Education Program (IEP) meetings and Individual Family Service Plans (IFSP) for early intervention;
- Negotiating for appropriate special education or early intervention services on behalf of the child, including reasonable accommodations, if necessary to benefit the child's education or developmental services;
- Monitoring disciplinary actions;
- Requesting complaint investigations, mediation, and/or impartial due process hearings;

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

- Participating in due process hearings related to the child's special education or Early Intervention (EI) needs; and
- Informing caseworkers when legal advice, related to the child's special education or Early Intervention (EI) needs is necessary.

At all times, the caseworker/caregiver team shall seek resolution of educational issues regarding children in the care of the Department at informal levels. Steps for resolving issues in an informal manner include:

1. Convening an informal meeting with the teacher and/or other pertinent school personnel to seek to resolve the problem(s).
2. Contacting the regional education advisor for assistance and/or support at the above or subsequent meetings (See Appendix A for contact info for regional education advisors). Private agency (POS) staff may contact the education liaison for that agency.
3. Reconvening the IEP meeting.

The foster parent or surrogate parent determines the need for legal advice from the list of legal resources maintained by the school district or Child and Family Connections.

e) Special Education Procedural Safeguards

The Illinois State Board of Education (ISBE) has established processes that can be used when there are disagreements, or alleged violations affecting a child's education. Disagreements over compliance with the rules and regulations of the IDEIA 2004, the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and the School Code usually form the basis of disagreement. When the caseworker, caregiver(s), surrogate parent or the DCFS Guardian has questions or concerns regarding the child's IEP or decisions made by the public school district, they may request an informal meeting with school district staff. When issues remain unresolved, the caregiver(s) or surrogate parent has a right to utilize the due process system. Utilizing procedural safeguards, especially due process, is a complicated matter. The education advisor in the region is a resource to determine what procedural safeguard is appropriate. It is the responsibility of the caregiver(s) or surrogate parent to initiate due process procedures, after determining with the caseworker in consultation with the regional education advisor the appropriate level at which due process should be initiated. (Refer to Appendix A for contact information for the regional education advisors; Refer to Appendix D for details on procedural safeguards.)

THE CAREGIVER MUST INFORM THE CASEWORKER IMMEDIATELY UPON RECEIPT OF ANY NOTIFICATION OR COMMUNICATION ABOUT A PROBLEM THAT COULD LEAD TO EXERCISING A PROCEDURAL SAFEGUARD. THE CASEWORKER AND THE CAREGIVER SHOULD CONTACT THE REGIONAL EDUCATION ADVISOR FOR ASSISTANCE (SEE APPENDIX A FOR CONTACT INFORMATION FOR REGIONAL EDUCATION ADVISORS.)

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

314.70 Early Childhood Education (birth to five)

A broad range of early childhood education programs are available for children from birth to five years of age. All children for whom the Department is legally responsible shall be enrolled in an early childhood education program. Caseworkers should strongly encourage the enrollment of children of wards and children in intact families aged 3-5 in early childhood education programs. Early childhood educational programs include five general categories:

- a) Head Start or Early Head Start
- b) Pre-kindergarten programs for children at risk of academic failure (Pre-K)
- c) Accredited child care programs (e.g. licensed childcare, home visiting programs)
- d) Early intervention services for infants and toddlers with developmental delays, and
- e) Early childhood special education programs for children aged 3 – 5 years with disabilities

These programs are briefly described in the following sections.

a) Head Start/Early Head Start

Head Start is a comprehensive child and family development program for low income families with children aged birth to 5, including children with disabilities/special needs. All children for whom DCFS is legally responsible qualify for Head Start and the services are free. Children from intact families may qualify based on income eligibility. Local Head Start programs offer early childhood development, health, dental, mental health, nutrition and social services, as well as meaningful parent involvement, parent training and education, and comprehensive case management. There is a statewide Cooperative Agreement between DCFS and Head Start and most Head Start programs have local agreements with DCFS regional offices. Most Head Start programs outside of Chicago offer transportation to and from the program. Head Start programs may be full or half day and full or school year in length. For Head Start sites in the City of Chicago, visit www.earlychildhoodchicago.org. For more information about the Illinois Head Start program statewide, visit www.ilheadstart.org.

b) Pre-Kindergarten Programs for Children At Risk of Academic Failure (Pre-K)

The Illinois State Board of Education's (ISBE) Prekindergarten (PreK) At Risk Initiative is an educational program delivered in local school districts and community based organizations. All children for whom DCFS is legally responsible qualify for State Pre-Kindergarten, and the services are free. Some districts provide transportation to and from the program. Generally, PreK programs do not provide family support, social or health services to children, but they may collaborate with agencies that do. PreK programs may be school day or part day (2.5 hours) in length, depending on the community and the setting in which they operate. PreK services generally operate for the school year, unless they are in collaboration with a child care program with extended hours and length of year. To find PreK sites in the Chicago only, visit www.earlychildhoodchicago.org. For more

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

information on the Illinois PreK program, visit www.isbe.net. For information on local PreK services, contact the local school district.

c) Accredited Child Care Programs

The Department of Human Services (DHS) Child Care Assistance Program (CCAP) is funded in local centers and homes statewide. If a child is a ward of the state, s/he does not automatically qualify for the DHS Child Care Assistance Program, but an accredited child care program could be an educational option if the child's foster parents work or if no Head Start or state Pre-K options are available. Local centers are accredited if they hold the National Association for the Education of Young Children (NAEYC) or National Association of Child Care Professionals (NACCP) accreditation. Accredited centers are licensed by DCFS and provide an appropriate educational program. Generally, child care centers do not provide transportation, parent education, family support, special services to children with disabilities/special needs or health services, but they may collaborate with agencies that do. However, local programs will vary so this should be researched by contacting the center and asking about services. Child care programs are generally open full day and full year.

d) Early Intervention (EI) Services

Early intervention (E.I.) provides a wide range of developmental and therapeutic services for children, birth to three years of age, who are experiencing at least a 30% developmental delay or have a condition that has a high probability of resulting in a developmental delay. Some programs also provide services to children who are at risk of becoming developmentally delayed due to environmental risk factors. The Medicaid card covers all Early Intervention services for children in care.

e) Early Childhood Special Education

Early childhood special education services are provided by local school districts to children ages three through five years who meet specific eligibility criteria. Children who meet the eligibility requirements outlined in Section 314.60 (a) may be eligible for early childhood special education services. When the results of the educational assessment or a "Child Find" screening by the school district reveals that a child exhibits, or is suspected of having a condition that indicates possible eligibility for special education services, the caseworker, foster parent or surrogate parent shall refer the child to the responsible public school district for an evaluation to determine the child's eligibility for special education services. The caseworker is responsible for ensuring that the case study evaluation is requested.

When a review of the child's educational history indicates the child's past eligibility for special education services, the foster parent or surrogate parent and the caseworker shall make a referral to the public school district for a determination of whether the child is eligible for continued or reinstated special education services.

All procedural safeguards in Appendix D and E apply.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

314.80 School Records

a) School, Early Childhood or Early Intervention Program Enrollments and Transfers

When a child is initially placed in substitute care or moved to another placement, the caseworker shall verify the names of the child's current and former schools or early childhood education programs. The caseworker is responsible for transmitting the **Education Report Form (CFS 407)** and the **Education Report Form Completion and Education Records Transfer Request (CFS 407-2)** for all initial placements or moves.

1) Current School or Early Childhood Education Program

Within ten days after the child's enrollment in a new school or early childhood education program and prior to each six month Administrative Case Review (ACR), the caseworker will meet with (via phone or in person) school or early childhood education program personnel, to provide and review completion instructions for the **CFS 407**. At that meeting, the time line for quarterly **CFS 407** completion/submission will be identified. In addition, a copy of the **CFS 407-2** will be provided if the child is transferring from another school or early childhood education program in order to inform the current school or program regarding the former school or program.

2) Former School, or Early Childhood Education Program

If the child is transferring from another school or early childhood education program, the caseworker will contact personnel at the former placement to obtain a completed **CFS 407** and **CFS 407-2**. The caseworker will complete the **CFS 407** himself/herself and transmit the **CFS 407-2** by mail or FAX to the former-placement within five days after DCFS assumed legal responsibility or the child was moved to a new placement and school or early childhood education program. The Illinois School Code requires the former school district to send the child's school record to the new school within ten days after receipt of a transfer request. If the child is enrolled in a special education program, the caseworker will attempt to ensure that the most recent IEP or IFSP is made available to the child's new school or early childhood education program within one week. School districts and early childhood education programs cannot refuse to enroll a child due to not having the previous IEP/IFSP. If the former school or program does not forward a copy of the current IEP or IFSP, the caseworker shall provide the new school or program with a copy of the most recent IEP or IFSP from the child or youth's case record and follow-up with the former school or program to secure the current IEP or IFSP. The child's new school or program is required to ensure that the child has an IEP/IFSP in effect and the new school, early intervention or early childhood placement may adapt the IEP that the former placement developed for the child. An "interim" IEP/IFSP should be developed if no copy of an IEP/IFSP is available. When a child under the age of three changes placements, Early Intervention (EI) services should continue without

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

delay. The caseworker is to ensure that an appropriate transition occurs (Refer to P314.40a). The caseworker should contact the IDCFS Early Childhood office at (312)814-5988 for assistance, if needed.

b) Educational and Developmental Reports

The caseworker and supervisor are responsible for reviewing the educational or developmental progress of a child or youth at least each school term in collaboration with the caregiver and/or responsible school or early childhood education program personnel. **Education Report Forms (CFS 407s)** are completed by school or early childhood education program personnel and provide periodic information regarding the child's school, early childhood adjustment, attendance, performance, progress, problems, and service needs. The caseworker is responsible for ensuring that **CFS 407s** are reviewed and filed in the education section of the child's case record. The caseworker shall enter his/her name and address at the bottom of the **CFS 407** for the school early childhood education program's proper return of the completed form.

The caseworker is responsible for completing the Annual High School Academic Plan for each youth on their caseload. This plan is to be completed during the months of August through October on a yearly basis and used to support education advancement and post-secondary planning. The original will be filed in the education section of the child's case record and a copy provided to all stakeholders, including the youth, caregiver, school counselor, and education advisor (if applicable).

When a child enters Department custody, the caseworker is responsible for completing the **CFS 407-4, Education Profile (Assessment)** using the **CFS 407** and other sources such as school or early childhood education program records. Children from birth to the age of five will receive a developmental screening according to the IDCFS Early Childhood Developmental Screening protocol unless there is an IFSP or IEP in place. In these cases, services to the child should continue without delay.

Upon review of the **CFS 407(s)** and the **CFS 407-4**, the caseworker will determine the need for:

- a conference with educators, early childhood education program providers or others;
- a request to ISBE that a surrogate parent be appointed for special education or early intervention issues if children are in residential programs;
- a referral for case study evaluation or evaluation of eligibility for special education or early intervention services;
- other ancillary assessments such as those used for pre-school programs that may enhance educational/developmental performance; and
- tutoring.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

c) Documentation of Educational and Developmental Services

The caseworker shall document appropriate educational and developmental services and goals in the Scholastic Summary (**CFS 497, Part III-D of the Client Service Plan**) within 45 days after case opening and every six months thereafter using available records such as the **CFS 407-4, Education Profile (Assessment), Education Report Form(s) (CFS 407), CFS 407-HS, Annual High School Academic Plan** and other sources such as school or early childhood education records. The caseworker will communicate on an as needed basis with school or early childhood education program personnel to anticipate problems and maintain a working relationship with the child's educational/developmental program personnel. At least twice per year, the caseworker will ensure in-person contact with these individuals and document all contacts.

Educational or developmental services provided to children under the legal responsibility of the Department shall be monitored at least twice a year, but more often if the child's needs require such. Information must be communicated to the parent(s), caregiver(s) and surrogate parent (if assigned) regarding all education/developmental issues.

When a child is receiving special education services, the Scholastic Summary (**CFS 497, Part III-D, education plan**) shall reference the child's IEP, which specifies the services to be provided. The Scholastic Summary (education plan) shall also reference the school's written plan for accommodating the child's disability. When a child is receiving general/regular education services, the Scholastic Summary (education plan) shall identify both services to be provided and the specific provider of these services. When the child under age three is receiving EI services, the Scholastic Summary (education plan) shall reference the child's IFSP, which specifies the services to be provided and the specific provider(s) of these services.

d) Educational Records

The child's educational records comprise a separate section of the case record and must include, but are not limited to:

- **CFS 407-4, Education Profile (Assessment);**
- **Scholastic Summary (education plan) section of Client Service Plan;**
- **CFS 407-2, Education Report Form Completion and Education Records Transfer Request;**
- **CFS 407-2, Education Report Form;**
- Surrogate parent appointment letter(s);
- IEP or IFSP Meeting Reports;
- Individualized Education Program (IEP);
- Individualized Family Service Plan (IFSP);
- **CFS 407-HS, Annual High School Academic Plan;** and
- Student Report Card.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

314.90 Administrative Case Review/Education

The caseworker and his or her supervisor are responsible for ensuring the child or youth's educational or developmental needs are met and a record of those services is maintained in accordance with Administrative Case Review (ACR) Procedures. At the initial Administrative Case Review, the case reviewer must examine the specific plan outlined in the Scholastic Summary section of the **Client Service Plan (CFS 497, Part III D)** and the **Education Profile (Assessment) (CFS 407-4)** to determine whether the child's educational/developmental needs are being met.

- 1) Has the **CFS 407-2, Education Report Form Completion and Education Records Transfer Request**, been transmitted?
- 2) Is the child or youth currently enrolled in school, or an early childhood education program, or in a post-secondary educational/vocational program?
- 3) Is there a reason for the child or youth not being enrolled in school or an early childhood education program, or in a post-secondary educational/vocational program?
- 4) Is the child or youth receiving special education or early intervention services?
- 5) Has the **CFS 407-4, Education Profile (Assessment)** been completed?
- 6) If the child has a disability, is their written evidence that the child's educational/developmental needs are being met?
- 7) What is the specific education plan outlined in the **Scholastic Summary section of the Client Service Plan (CFS 497, Part III-D)**?
- 8) Do the goals and objectives of the education plan adequately address the educational/developmental needs as determined by the assessment process?
- 9) If the child or youth was suspended/expelled, what was done to address this?
- 10) What is the overall educational/developmental status of the child or youth?

During subsequent ACR's, the following information shall be reviewed to determine progress toward and appropriateness of educational/developmental goals and objectives:

- **CFS 407, Education Report Form(s)**, including updates;
- **CFS 407-4, Education Profile (Assessment)**;
- School or early childhood education program records such as IEPs or IFSPs;
- **Scholastic Summary (education plan) section of Client Service Plan**; and
- **CFS 407-HS, Annual High School Academic Plan**.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

After each ACR, the caseworker will follow up with the recommendations for improving educational/developmental services for the child.

314.100 Education Expenses

a) School Fees

Illinois school districts are required to provide free use of required textbooks and instructional materials for children whose parents are unable to purchase them. Such children include, but are not limited to, children eligible for free lunches or breakfasts under the Community School Lunch Program. Since children for whom the Department is legally responsible are eligible for the Community School Lunch Program, they are eligible for the free use of required textbooks and instructional materials at no cost and may also be eligible for certain fee waivers.

Public school districts have different policies regarding the waivers for school fees. Therefore, the child's caseworker must inquire about the fee policy of the local public school district where the child is attending. The Department will allow payment of only those school fees, which are not waived by school districts.

Fees for summer school attendance, lab supplies, school trips, graduation, etc. are to be paid in accordance with Procedures 359, Authorized Child Care Payments.

b) School Supplies

The Department provides DCFS caregivers fifty dollars (\$50.00) per school year for each child in elementary or secondary school to help cover regular school supplies. Supplies, which are to be covered by this payment include, but are not limited to:

- paper;
- pens/pencils/erasers;
- calculators;
- rulers;
- crayons;
- class notebooks; and
- glue.

Monies for any other school supplies shall be provided in accordance with Procedures 359. Private agency caregivers should consult with their agency to determine how payments are provided.

c) School Transportation

Many Department youth are eligible for free transportation services to and from school, which is provided by the local school district. Most school districts are mandated to provide school transportation for students who live one and one-half miles or more from their school

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

and who live one and one-half miles or more from public transportation. Local school districts may provide free transportation and be reimbursed by the state for any student who resides within one and one-half miles from the school where conditions related to vehicular traffic are such that walking constitutes a serious hazard to the safety of the student. The Illinois Department of Transportation (IDOT) makes the determination of what constitutes a serious safety hazard based on an application by the local school district. The local school district must provide whatever transportation is necessary for a child with a disability when that transportation will enable the child to benefit from his/her schooling.

When the caseworker in collaboration with the caregiver believes that walking constitutes a serious hazard to the safety of the student due to vehicular traffic, the school district can be asked to submit an "Application for Determination of Serious Safety Hazard" to the IDOT. If the application is approved by IDOT, the caseworker shall request that the school district provide transportation.

Some local school districts (generally those in Chicago suburban areas) are not required to provide school transportation since the majority of their students live within one and one-half miles of the school. If a school district indicates they are not required to provide school transportation, the information can be verified by contacting the Reimbursement Section, Illinois State Board of Education, at (217) 782-5256.

Children with disabilities may have transportation services included in their Individualized Education Program (IEP), or Individualized Family Service Plan (IFSP) or their Section 504 plan. If transportation services are included in the student's IEP, IFSP or Section 504 plan, they are to be provided free of charge regardless of the child's proximity to their school or to public transportation.

When a child or youth served by the Department is eligible for free school or early childhood education program transportation and such transportation is determined to be appropriate, the caseworker shall work with the local school district or early childhood education program to ensure that services are provided. If a child is not eligible for free transportation provided by the school district or program and it is determined that transportation services are appropriate for that child, such services can be provided and paid by DCFS from the Child's Personal and Physical Maintenance budget line in accordance with Procedures 359. The child's personal allowance or any other portion of the board payment shall not be utilized to pay for school or program transportation.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Appendix A Contact Information for Regional Education Advisors

Education Advisor	Areas and Counties Covered
Cook North (Chicago) DCFS, 1911 S. Indiana, Chicago, IL 60616 312-328-2477	City of Chicago within DCFS Cook North Region
Cook North (Suburbs) DCFS, 8300 Mc McCormick Blvd., Skokie, IL 60075 847-745-3008	Arlington Heights, Barrington Hills, Bartlett, Bensenville, Des Plaines, Elgin, Elk Grove Village, Evanston, Glencoe, Glenview, Golf, Hanover Park, Harwood Heights, Hoffman Estates, Inverness, Kenilworth, Lincolnwood, Morton Grove, Mount Prospect, Niles, North Brook, Northfield, Norridge, Palatine, Park Ridge, Prospect Heights, Rolling Meadows, Rosemont, Schaumburg, Skokie, Streamwood, South Barrington, Wheeling, Wilmette, Winnetka
Cook Central (Chicago) DCFS, 3518 W. Division, Chicago, IL 60651 773-292-7732	City of Chicago within DCFS Cook Central Region
Cook Central (Suburbs) DCFS, 4909 W. Division 6th Floor, Chicago, IL 60651 708-338-6637	Bedford Park, Bellwood, Berkley, Berwyn, Bridgeview, Broadview, Brookfield, Burbank, Cicero, Countryside, Elmwood Park, Forest Park, Franklin Park, Hillside, Hodgkins, Indian Head Park, Justice, LaGrange Park, Lyons, Maywood, Melrose Park, McCook, Northlake, North Riverside, Oak Park, River Forest, River Grove, Riverside, Schiller Park, Stickney, Summit, Westchester, Western Springs
Cook South (Chicago) DCFS, 6201 S. Emerald, Chicago, IL 60621 773-371-6029	City of Chicago within DCFS Cook South Region

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Education Advisor	Areas and Counties Covered
<p>Cook South (Suburbs) DCFS, 15115 Dixie Highway, Harvey, IL 60426 708-210-3051</p>	<p>Alsip, Blue Island, Burnham, Calumet City, Calumet Park, Chicago Heights, Chicago Ridge, Crestwood, Country Club Hills, Dixmoor, Dolton, East Hazel Crest, Evergreen Park, Flossmoor, Ford Heights, Glenwood, Harvey, Hazel Crest, Hickory Hills, Hometown, Homewood, Lansing, Lemont, Matteson, Markham, Merionette Park, Midlothian, Oak Forest, Oak Lawn, Olympia Fields, Orland Park, Palos Heights, Palos Park, Park Forest, Phoenix, Posen, Richton Park, Riverdale, Robbins, Sauk Village, South Chicago Heights, South Holland, Thornton, Tinley Park, Willow Springs Worth</p>
<p>Northern Region DCFS, 107 N. Third Street, Rockford, IL 61107 815-967-3750</p>	<p>Boone, Carroll, DeKalb, Jo Davies, Kane, Kankakee, Lee, Ogle, Stephenson, Whiteside, Winnebago</p>
<p>Northern Region DCFS, 113 Newell St. Woodstock, IL 60089 815-338-1068</p>	<p>DuPage, Grundy, Kendall, Lake, McHenry, Will</p>
<p>Central Region - Springfield Sub-Region DCFS, 521 S. Eleventh Street Springfield, IL 62703 217-557-0075</p>	<p>Adams, Brown, Calhoun, Cass, Christian, Greene, Jersey, Logan, Macoupin, Mason, Menard, Montgomery, Morgan, Pike, Sangamon Schuyler, Scott,</p>
<p>Central Region – Champaign Sub-Region ISBE/ITAN, 45 E. University, 3rd Floor Champaign, IL 61820 217-355-5990</p>	<p>Champaign, Clark, Coles, Cumberland, Dewitt, Douglas, Edgar, Ford, Iroquois, Livingston, Macon, McLean, Moultrie, Piatt, Shelby, Vermillion</p>
<p>Central Region – Peoria Sub- Region DCFS, 521 S. Eleventh St. Springfield, IL 62703 217-557-3949</p>	<p>Bureau, Fulton, Henderson, Henry, LaSalle, Marshall, McDonough, Mercer, Peoria, Putnam, Knox, Rock Island, Stark, Tazewell, Warren, Woodford</p>

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Education Advisor	Areas and Counties Covered
Southern Region DCFS, #10 Collinsville Avenue E. St. Louis, IL 62201 618-583-2125	Bond, Clay, Clinton, Crawford, Edwards, Effingham, Fayette, Marion, Jasper, Jefferson, Lawrence, Madison, Monroe, Richland, St. Clair, Wabash, Washington, Wayne
Southern Region DCFS, 1210 Hanson Street, Murphysboro, IL 62966 618-687-1733	Alexander, Franklin, Hamilton, Hardin, Galatin, Jackson, Johnson, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union, White, Williamson

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

This page intentionally left blank.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Appendix B Legal Services Contract Case Referral Procedures

Introduction

The Department of Children and Family Services has contracted with the Land of Lincoln Legal Assistance Foundation (LoL) to provide legal support services to assist caregivers of children and youth for whom the Department is legally responsible, DCFS/private agency caseworkers, and surrogate parents in their efforts to ensure that children receive timely, appropriate special education services. Children inappropriately being provided special education or early intervention services are also eligible for services under this contract. The contract includes legal representation for children who are at-risk of being expelled or who have been expelled from public schools.

Services under this contract include:

- 1) training on special education/early intervention laws and issues;
- 2) child specific technical assistance; and
- 3) if appropriate, participation in special education/early intervention mediation, due process hearings, and suspension and expulsion hearings.

LoL has three subcontractors to assist them in providing statewide coverage for caregivers, caseworkers and surrogate parents needing legal assistance in their interactions with school district staff and early intervention providers on behalf of children and youth for whom DCFS is legally responsible. Land of Lincoln Legal Assistance Foundation contractors and the counties they serve are as follows:

1. **Legal Assistance Foundation of Metropolitan Chicago** provides services to Cook County.

111 West Jackson Blvd.
3rd Floor
Chicago, Illinois 60604

Contact Persons: Wallace Winter (312) 347-8385
 Larry Parham (312) 347-8392

2. **Prairie State Legal Services** provides services to the counties of Boone, Bureau, Carroll, DeKalb, DuPage, Fulton, Grundy, Henderson, Henry, Iroquois, Jo Davies, Kane, Kankakee, Kendall, Knox, LaSalle, Lake, Lee, Livingston, McDonough, McHenry, McLean, Marshall, Mercer, Ogle, Peoria, Putnam, Rock Island, Stark, Stephenson, Tazewell, Warren, Whiteside, Will, Winnebago, and Woodford.

350 South Schmale Road, Suite 150
Carol Stream, IL 60188

Contact Person: David Wolowitz (630) 690-2130

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

3. **Land of Lincoln Legal Assistance Foundation** directly provides services to all of the remaining counties in Illinois:

413 East Broadway
Alton, IL 62002

Contact Person: Joan Spiegel (618) 462-0029

Caregivers, caseworkers or surrogate parents are to make referrals directly to the contractor or subcontractor providing services for the county of the child or youth's substitute care placement. Review and assistance by the education advisor in the region is recommended before the referral to the contractor or subcontractor.

A. Accessing Contractual Services

The following referral procedures for special education legal services apply to DCFS and private agency caseworkers, foster parents and to surrogate parents.

1. The legal assistance vendor is contacted by a written referral from either the caseworker, foster parent or the surrogate parent. It is strongly suggested that the person making the referral for legal services first contact the education advisor in their region to determine if the services are needed or some other remedy is possible. If the referral originates with the caseworker, the caseworker will provide the foster parent or surrogate parent with a copy of the written referral for his or her information. If the referral originates with a foster parent or surrogate parent, the foster/surrogate parent will provide the caseworker with a copy of the written referral for his or her information.

This written referral shall include:

- the child's name;
- the current substitute care placement;
- the current school or early childhood education program placement;
- the immediate problem or reason for referral;
- the name of the education advisor if one was contacted;
- the assistance needed;
- any emergency care issues;
- the name and phone number of the surrogate parent, if one has been assigned;
- the date a surrogate parent requested, if one has not been assigned; and
- copies of all relevant school/early childhood education program and medical records.

DCFS shall cooperate with the vendor in obtaining any additional school, early childhood education program and medical records required for legal representation of the child.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

2. The caseworker will inform his or her supervisor that a referral has been made by providing them with a copy of the written referral within five working days of either making the referral or receiving a copy of a referral made by a foster or surrogate parent.
3. Upon receipt of a written referral, the legal assistance contractor/sub-contractor will initiate contact with the caseworker, foster parent and/or surrogate parent within five working days to clarify the referral and discuss what legal action would be appropriate. This contact may be made by telephone. The education advisor should be included if s/he can provide assistance.
4. Upon completion/termination of service, the legal assistance contractor/sub-contractor will submit a written summary report within ten working days to the caseworker, foster parent or surrogate parent and the Office of Education and Transition Services.

This written summary shall include:

- presenting problems;
- services provided/activities completed;
- issues resolved;
- issues unresolved; and
- recommended actions for DCFS.

B. Referral Resolution

1. Disagreements regarding the appropriateness of referrals and accessing services under this contract shall be referred to the Regional Clinical Services Coordinator for resolution or to the education advisor of the Region.
2. Regional Clinical Services Coordinators may seek technical assistance from the Office of Education and Transition Services or the education advisor regarding the appropriateness of specific referrals and accessing services under this contract.

Please contact the Office of Education and Transition Services at (312) 814-5959 or (217) 557-2689 if there are questions related to this contract.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

This page intentionally left blank.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Appendix C Discipline

General Discipline Procedures

In general, caseworkers are responsible for working in partnership with foster parents and others in protecting the rights of children in care and custody regarding matters of school discipline. Caseworkers should become familiar with the disciplinary policies and procedures affecting the general school population in the child's school district. Local education districts are required to maintain policies and procedures regarding discipline, to furnish copies of policies to foster parents or the surrogate parents annually, and upon request, a copy of current disciplinary procedures. Caseworkers may obtain copies of the school district's disciplinary policies and procedures from the school district or the regional education advisor.

Schools are required to report any removal of a student (i.e., any "suspension") immediately to the student's foster parents, surrogate parent, and/or DCFS Guardian along with a full statement of the reasons for the suspension, a copy of which shall also be given to the school board. The district is also required to provide the foster parents, surrogate parent and/or DCFS Guardian notice of their right to request that the district review the suspension decision, as required by Section 10-22.6 of the School Code (105 ILCS 5/10-22.6).

Discipline Procedures for Students Receiving Special Education

With respect to disciplinary action concerning children with disabilities, school districts are required to conform to the requirements of 34 CFR 300.530 through 300.536, as well as Section 10-22.6 of the School Code [105 ILCS 5/10-22.6].

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

This page intentionally left blank.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Appendix D Special Education Procedural Safeguards

NOTE: Appendix D, Special Education Procedural Safeguards, is an adaptation of 23 Ill. Adm. Code 226, Special Education, which describes the roles and responsibilities of caseworkers, caregiver, foster parents and surrogate parents in relation to special education services.

Special Education (314.60)
Procedural Safeguards

1) Notification of Foster or Surrogate Parent’s Rights

A written notification must be provided to the caregiver(s) or surrogate parent upon initial referral for evaluation and at least once per year thereafter. If the native language or other mode of communication of the caregiver(s) or surrogate parent is not a written language, the local school district shall ensure that notices are translated orally or by other means to the caregiver(s) or surrogate parent in his or her native language or other mode of communication. It is also required that the caregiver(s) or surrogate parent understands the content of the notice.

The notification of individual parents shall conform to the requirements of 34 CFR 300.503(c). A copy of the notice of procedural safeguards available to the parents of a child with a disability shall be given to the parents in accordance with, and shall conform to the requirements of 34 CFR 300.504.

2) Notification of District’s Proposal

Ten days before a school district proposes or refuses to initiate or change the identification, evaluation, or educational placement of, or the provision of FAPE to, a child, the district shall provide written notice to the caregiver(s) or surrogate parent to that effect.

The written notice a school district is required to provide to a parent prior to a proposal or refusal to initiate or change the identification, evaluation, or educational placement of, or the provision of FAPE to, a child shall conform to the requirements of 34 CFR 300.503. “Reasonable time”, for purposes of 34 CFR 300.503(a), is defined as ten days.

3) Foster Parent(s) or Surrogate Participation

Whenever a meeting is to be held which a caregiver or surrogate parent has a right to attend, no later than ten days prior to the proposed date of the meeting, the district shall notify the caregiver(s) or surrogate parent in writing of the purpose of the meeting, the proposed date, time, and place of the meeting, who else will be in attendance, and the caregiver or surrogate parent’s right to invite other individuals

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

with knowledge or special expertise regarding the child. If a caregiver or surrogate parent indicates that the proposed date or time is inconvenient, the district shall make reasonable efforts to accommodate the caregiver or surrogate parent's schedule.

- 4) Consent
- a) A caregiver or surrogate parent shall be considered to have given informed consent only when:
- 1) The caregiver(s) or surrogate parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language or other mode of communication;
 - 2) The caregiver(s) or surrogate parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought, and the consent describes that activity and lists the records (if any) that will be released and to whom; and,
 - 3) The caregiver or surrogate parent understands that his or her granting of consent is voluntary and may be revoked at any time by means of the due process.
- b) A school district may not require a caregiver or surrogate parent to provide consent as a condition of any benefit to the caregiver or surrogate parent or the child except for the service or activity for which consent is required.
- c) Caregiver or surrogate parent consent shall be obtained:
- Before conducting an initial case study evaluation of a child. (Consent for initial evaluation shall not be construed as consent for initial placement.)
 - Before conducting any reevaluation of a child.
 - Prior to the initial provision of special education and related services.
 - For the disclosure of personally identifiable information about a child, consistent with the requirements of the Illinois Student Records Act.
 - For the use of an IFSP instead of an IEP.
- d) If a caregiver or surrogate parent desires to revoke consent, he or she shall request a due process hearing. Any revocation of consent as a result of a due process hearing is not retroactive, i.e., it does not negate an action that occurred after the consent was given and before it was revoked.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Consent, as defined in 34 CFR 300.9, shall be obtained and may be revoked in accordance with the requirements of 34 CFR 300.154(e), 300.300, 300.323 and 300.622.

5) Mediation

ISBE administers and supervises a process of mediation that the caregiver, surrogate parent, or school district may use when there are unresolved disputes regarding the identification, evaluation, or placement of a child, or the provisions of FAPE to a child. The school district shall provide notification at least whenever a due process hearing is requested.

- a) Each district shall ensure that, when used, the mediation process:
 - 1) Is voluntarily entered into by all parties; and,
 - 2) Is not used to deny or delay a caregiver or surrogate parent's right to a due process hearing at any time.
- b) If either party is interested in participating in mediation, that party shall contact the State Board of Education.
- c) Each session in the mediation process shall be scheduled in a timely manner and held in a location that is convenient to the parties involved in the dispute.

The procedures for mediation shall conform to the requirements of 34 CFR 300.506.

6) Complaints

- a) A caregiver, surrogate parent, caseworker, DCFS Guardian or other individual, organization, or advocate may file a signed, written complaint with the State Board of Education alleging that a local school district, cooperative service unit or the State has violated the rights of one or more children with disabilities.

7) Due Process

- a) Basis for Request for Hearing

A caregiver or surrogate parent, or DCFS Guardian, a school district, or a student may request an impartial due process hearing for any reason connected to the identification, evaluation, or placement of, or the provision of services to, a student who is or may be eligible. No other party shall have standing to submit such a request.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

- b) Information to the Caregiver(s) or Surrogate Parent Concerning Right to Hearing

Each school district shall inform the caregiver(s) or surrogate parent in writing of their right to a hearing and of the procedures for requesting one in accordance with 34 CFR 300.507 and 300.508.

Procedure for Request

The filing, basis for and content of due process requests, whether by a parent, student or a local school district, shall conform to the requirements of 34 CFR 300.507 and 300.508.

Rights of the Parties Related to Hearings

The hearing rights of parties shall conform to the requirements of 34 CFR 300.512 and Section 14-8.02a of the School Code [105 ILCS 5/14-8.02a]. In addition, the following requirements shall apply.

Qualifications, Training, and Service of Impartial Due Process Hearing Officers

Impartial due process hearing officers must possess qualifications in conformance with the requirements of 34 CFR 300.511 and Section 14-8.02a(c) of the School Code [105 ILCS 5/14-8.02a(c)].

Appointment, Recusal and Substitution of Impartial Due Process Hearing Officers

The appointment, recusal and substitution of due process hearing officers shall conform with the requirements of Section 14-8.02a(f) of the School Code [105 ILCS 5/14-8.02a(f)].

Scheduling the Hearing and Pre-Hearing Conference

The hearing officer shall schedule a pre-hearing conference in accordance with the requirements of Section 14-8.02a(g) of the School Code

Conducting the Pre-Hearing Conference

The hearing officer shall convene the pre-hearing conference in accordance with Section 18.02a(g) of the School Code.

Expedited Due Process Hearing

Requests for expedited due process hearings shall be made in accordance with 34 CFR 300.532 and 300.533 and Section 14-8.02b of the School Code [105 ILCS 5/14-8.02b].

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Powers and Duties of Hearing Officer

The hearing officer shall conduct the hearing and, with respect to the hearing, shall have, but is not limited to, the following powers:

- 1) To administer, or to authorize the court reporter to administer oaths;
- 2) To examine witnesses;
- 3) To authorize the issuance of subpoenas;
- 4) To rule upon the admissibility of evidence;
- 5) To order independent evaluations;
- 6) To grant specific extensions of time;
- 7) To read into the hearing record any stipulations of fact and other matters agreed upon at the pre-hearing conference and to enter into the record any pre-hearing orders; and
- 8) To render decisions and issue orders and clarifications.

Record of Proceedings

A record of the hearing shall be made and the cost of such record borne in accordance with 34 CFR 300.512(a)(4) and Section 14-8.02a(g) of the School Code [105 ILCS 5/14-8.02a(g)].

Decision of Hearing Officer; Clarification

The bases and timelines for decisions of hearing officers shall conform to the requirements of 34 CFR 300.513 and Section 14-8.02a(h) [105 ILCS 5/14-8.02a(h)].

Monitoring and Enforcement of Decisions; Notice of Ineligibility for Funding

Upon receipt of the hearing officer's decision, the State Board of Education shall review the decision and monitor compliance by the parties with the terms of the decision. If the district fails to comply with the decision in the time specified by the hearing officer, the State Board of Education shall notify the parties in writing by certified mail that it finds the district to be in noncompliance with the decision, and that the noncompliance may result in loss of recognition status of the district's programs by the State, withholding of State or federal funds which the district would otherwise be eligible to receive, or in other enforcement action unless the district remedies the noncompliance within the time period specified in the notice of noncompliance.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

This page intentionally left blank.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Appendix E Early Intervention Procedural Safeguards

NOTE: Appendix E, Early Intervention Procedural Safeguards, is an adaptation of 89 Ill. Adm. Code 500, Early Intervention Program and related federal regulations. Appendix E which describes the roles and responsibilities of caseworkers, caregiver, foster parents and surrogate parents in relation to early intervention services.

Early Intervention (birth to three) (314.70) Procedural Safeguards

The foster or surrogate parent of child eligible under the IDEIA 2004 Early Intervention Program, may determine, in conjunction with the caseworker or the DCFS Guardian, whether the child, or other family members will accept or decline any part of the early intervention services under this program in accordance with State law. Other early intervention services under this program will not be jeopardized if a particular service is declined after first accepting it.

Regarding personally identifiable information collected, used, or maintained under the IDEIA 2004 Early Intervention Program, the foster or surrogate parent has the right to written notice of a written consent to the exchange of this information among agencies consistent with Federal and State law.

Personally identifiable means that information includes: 1) the name of the child, foster or surrogate parent name, or other family member; 2) the address of the child; 3) a personal identifier, such as the child's or foster or surrogate parent social security number; or 4) a list of personal characteristics or other information that would make it possible to identify the child with reasonable certainty.

Prior Notice

The notice must be:

- 1) Written in language understandable to the general public and provided in the foster or surrogate parents native language unless it is clearly not feasible to do so.
- 2) If the native language or other mode of communication is not written language, the public agency, or designated service provider shall take steps to insure that:
 - a) The notice is translated orally or by other means in the native language or other mode of communication;
 - b) The foster or surrogate parent understands the notice; and
 - c) There is written evidence that the requirements of this section have been met.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Examination of Records and Confidentiality of Information

The Illinois Early Intervention Services System provides the foster parent or surrogate parent the opportunity to inspect and review any records relating to the children, which are collected, maintained or used by the System under IDEIA 2004. The system complies with a request without unnecessary delay and before any meetings regarding an IFSP or hearing relating to identification, evaluation, or placement of the child, and in no case more than forty-five (45) days after the request has been made.

The right to inspect and review records includes:

- 1) The right to response from the System to reasonable requests for explanations and interpretations of the record.
- 2) The right to request that the System provide records containing the information if failure to provide those copies would effectively prevent the foster or surrogate parent from exercising the right to inspect and review the records.
- 3) The right to have someone assisting the foster or surrogate parent inspect and review the record.

The System may presume that foster or surrogate parents have the authority to inspect and review records relating to the child they represent unless the System has been advised that the foster or surrogate parent does not have the authority under applicable Illinois law governing such matters as guardianship.

The Illinois Early Intervention Services System shall provide foster and surrogate parents, on request, a list of the types and locations of records collected, maintained, or used by the System.

The System may charge a fee for copies of records which are made for foster or surrogate parents under this part if the fee does not effectively prevent foster or surrogate parents from exercising their right to inspect and review those records. The System may not charge a fee to search for or retrieve information under the Early Intervention Program of IDEIA 2004.

If the foster parent or surrogate parent believes that information in records collected, maintained, or used under the Early Intervention Program of IDEIA 2004 is inaccurate or misleading, or violates the privacy or other rights of the child or family, s/he may request the System participant which maintains the information to amend the information.

- 1) The System decides whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request.
- 2) If the System decides to refuse to amend the information in accordance with the request, the foster or surrogate parent will be informed of the refusal and be advised of the right to a hearing.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

The Illinois Early Intervention Services System, on request, provides an opportunity for a hearing to challenge information in early intervention records to insure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

If, as a result of the hearing, the System decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it amends the information accordingly and will inform the foster or surrogate parent in writing.

- 1) If, as a result of the hearing, the System decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, the foster or surrogate parent will be informed of the right to place in the records of the child a statement commenting on the information and setting forth any reasons for disagreeing with the decision of the System.
- 2) Any explanation placed in the records of the child under this section must:
 - a) be maintained by the System as part of the records of the child as long as the record or contested portion is maintained by the System; and
 - b) if the records of the child or the contested portion are disclosed by the System to any party, the explanation must also be disclosed to the party.

A hearing held under this section must be conducted according to the procedures under §99.22 of Family Education Rights and Privacy Act (FERPA) (34 CFR Part 99).

Foster parent or surrogate parent consent must be obtained before personally identifiable information is:

- 1) disclosed to anyone other than officials of the Illinois Early Intervention Services System, participants collecting or using information under the Early Intervention Program of IDEIA 2004; or
- 2) used for any purpose other than meeting a requirement under IDEIA 2004.

Information from the child's early intervention record cannot be released to system participants without foster or surrogate parent consent unless authorized to do so under FERPA.

- Each system participant protects the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages;
- One official of each System participant assumes responsibility for insuring the confidentiality of any personally identifiable information;
- All persons collecting or using personally identifiable information receive training or instruction regarding Illinois' policies and procedures under IDEIA 2004 and FERPA;

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

- Each System participant maintains, for public inspection, a current listing of the names and positions of those employees within the agency who have access to personally identifiable information;
- The System informs foster and surrogate parents when personally identifiable information collected, maintained, or used under this part is no longer needed to provide services to the child; and
- The information is destroyed, at the request of the foster or surrogate parent or the DCFS Guardian (Permanent records of child's name, address, phone number may be maintained).

1. Mediation

A qualified impartial mediator trained in effective mediation techniques must conduct mediation. The mediator may only help the parties communicate and come to agreement but may not force or order a resolution of the dispute. The State must bear the cost of the mediation process. Each session in the mediation shall be scheduled in a timely manner and held in a location convenient to the parties. Any agreement reached must be set forth in a written mediation agreement. Discussions that occur during mediation shall be confidential and may not be used in subsequent administrative or court hearings.

2. Impartial Hearings

An impartial administrative proceeding is similar to a court hearing. An impartial hearing officer having knowledge about the Early Intervention Program of IDEIA 2004, and the needs of and services available for eligible children and families, will act as a judge. Parties to the dispute have the following rights:

- a) To be accompanied and advised by counsel (in this case the legal services contract) and by individuals with special knowledge or training with respect to the problems of children with disabilities such as the regional education advisors;
- b) To present evidence and confront, cross-examine, and compel the attendance of witnesses;
- c) To prohibit the introduction of any evidence at the hearing that has not been disclosed to the foster or surrogate parent at least five days before the proceeding;
- d) To obtain a written or electronic verbatim (word by word) record or the hearing;
- e) To obtain written findings of fact and decisions (which shall be transmitted to

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

the Illinois Interagency Council on Early Intervention and be made available to the public without personally identifying information), and

- f) To have the child who is the subject of the hearing present.

The hearing must be held at a time and place that is reasonably convenient to the foster or surrogate parents and child involved.

No later than 45 days after the receipt of the request for an impartial administrative proceeding, the proceeding must be completed and a written decision of the hearing officer be mailed to the parties. A hearing officer may grant extension of the 45 day time period at the request of either party. This decision is binding on the parties unless it is changed upon appeal to State or Federal Court. Any party aggrieved by the hearing officer's decision may appeal the decision.

3. Complaint

Individuals (including caseworkers, foster parents, surrogate parents, DCFS guardian, the GAL, etc) or organizations may file written, signed complaints with the Illinois Department of Human Services (DHS) stating that the State has violated a law or rule regarding the Part C Early Intervention program. The statement must contain the facts that support the complaint.

DHS has 60 days from receipt of the complaint to investigate and issue a written decision addressing each allegation in the complaint to the complainant and interested parties. During this time, DHS may carry out an independent onsite investigation and must give the complainant an opportunity to submit additional information, either orally or in writing, about the allegations made in their complaint.

After reviewing all relevant information DHS must issue a written decision addressing each allegation in the complaint and contain findings of fact as well as conclusions, the reasons for the final decision and, if the complaint was found to be valid, procedures to correct the cause(s) of the complaint. If a complaint raises issues previously decided under an impartial hearing request, the hearing decision is binding. If a complaint is the subject of a hearing request that is not yet finished, the matter will be set aside until the hearing is resolved. A complaint alleging a public agency's or private service provider's failure to implement an impartial hearing decision must be resolved by the lead agency.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

This page intentionally left blank.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Appendix F Child and Family Connections Directory

County's Served	Toll Free Number
Boone, Bureau, Marshall, Ogle, Putnam, Winnebago	(800) 921-0094
Lake, McHenry	(888) 539-3033
Carroll, DeKalb, Jo Davies, Lee, Stephenson, Whiteside	(888) 297-1041
Kane, Kendall	(888) 282-0997
DuPage	(800) 637-7181
Cook County - North Suburban (Includes the following ZIP codes) 60201 60202 60203 60204 60028 60004 60005 60006 60007 60008 60010 60016 60018 60022 60025 60026 60029 60043 60053 60056 60062 60067 60068 60070 60074 60076 60077 60082 60089 60090 60092 60093 60103 60196 60107 60120 60143 60157 60172 60192 60193 60194 60195 60714	(800) 585-1953
Cook County - Central Suburban (Includes the following ZIP codes) 60104 60126 60130 60131 60141 60153 60154 60160 60162 60163 60164 60165 60171 60176 60301 60302 60303 60304 60305 60402 60513 60521 60521 60526 60534 60546 60558 60707 60666 60804	(888) 566-8228
Cook County - Chicago Southwest (Including the following ZIP codes) 60620 60627 60628 60629 60633 60638 60642 60643 60652 60655	(888) 211-4664

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

County's Served	Toll Free Number
Cook County - Chicago Central/West (Includes the following ZIP codes) 60601 60602 60603 60604 60605 60606 60607 60608 60612 60616 60623 60624 60632 60664 60661	(888) 211-4664
Cook County - Chicago Southeast (Includes the following ZIP codes) 60609 60615 60617 60619 60621 60636 60636 60637 60649 60653	(888) 211-4664
Cook County - Chicago North (Includes the following ZIP codes) 60610 60611 60613 60614 60618 60622 60625 60626 60630 60631 60634 60635 60639 60640 60641 60645 60646 60647 60648 60651 60656 60657 60659 60660 60666 60707	(888) 211-4664
Cook County - South Suburban (Includes the following ZIP codes) 60406 60409 60411 60415 60419 60422 60425 60426 60428 60429 60430 60438 60439 60443 60445 60448 60452 60453 60455 60456 60457 60458 60459 60461 60462 60463 60464 60465 60466 60467 60469 60471 60472 60473 60475 60476 60477 60478 60480 60482 60501 60633 60803 60805 60827	(800) 507-5057
Fulton, Hancock, Henderson, Knox, McDonough, Mercer, Rock Island, Schuyler, Warren	(888) 482-8830
Henry, Peoria, Stark, Tazewell, Woodford	(888) 482-4300
Grundy, Kankakee, LaSalle, Will	(888) 329-0633
Champaign, Ford, Iroquois, Livingston, McLean, Vermillion	(800) 877-1152

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

County's Served	Toll Free Number
Adams, Brown, Calhoun, Cass, Greene, Jersey, Morgan, Pike, Scott	(888) 222-9592
Logan, Mason, Menard, Sangamon	(888) 217-3505
Clark, Coles, Cumberland, DeWitt, Douglas, Edgar, Macon, Moultrie, Piatt, Shelby	(800) 758-2705
Bond, Christian, Clay, Crawford, Effingham, Fayette, Jasper, Lawrence, Macoupin, Montgomery, Richland	(888) 459-5437 Referrals – Ext: 101
Madison, Monroe, Randolph, St. Clair	(888) 594-8364
Clinton, Franklin, Jefferson, Marion, Washington, Williamson	(800) 661-0900
Edwards, Gallatin, Hamilton, Saline, Wabash, Wayne, White	(800) 463-2759
Alexander, Hardin, Jackson, Johnson, Massac, Perry, Pope, Pulaski, Union	(888) 340-6702

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

This page intentionally left blank.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Appendix G: Early Intervention Referral and Follow-up Procedures

Once a referral is made to the E.I. program, IDEIA mandates that all assessments be completed and the IFSP be developed within 45 days of the referral date. Caseworkers are to inform caregivers that they are required to attend/participate in the development of the IFSP, the six-month review, and the annual evaluation of the IFSP to ensure timely and appropriate developmental services. Caseworkers are to collaborate with caregivers to address issues that may impede their ability to attend IFSP meetings, such as arranging transportation if this is an issue. Caseworkers are also required to attend/participate in all IFSP meetings, except when a required court appearance or an Administrative Case Review is scheduled for the same time.

The caregiver and/or caseworker are to follow through with all IFSP recommendations. The caseworker is to ensure that services are in place, copies of evaluations and of the IFSP are obtained and placed in the child section of the case record.

Eligibility

Early intervention (E.I.) provides a wide range of developmental and therapeutic services for children, birth to three years of age, who are experiencing at least a 30% developmental delay or have a condition that has a high probability of resulting in a developmental delay.

Some of the common conditions that may qualify children or have a high probability of rendering them eligible for EI services are:

- Spina Bifida
- Hydrocephalus
- Low Birth Rate (less than 1000 gm.)
- Down Syndrome
- Fragile X Syndrome
- Congenital Infections like Rubella, Herpes Simplex and HIV
- Cerebral Palsy
- Cleft Palate
- Hearing or Vision Impairment
- Traumatic Brain Injury
- Pervasive Developmental Disorder/Autistic Spectrum
- Fetal Alcohol Syndrome

Caregivers represent the children in their care in all early intervention matters. Children for whom the Department is legally responsible, who are eligible for early intervention services and are in residential settings, must have a surrogate parent appointed by ISBE prior to the completion of an assessment and development of an Individualized Family Service Plan (IFSP). EI providers are responsible for requesting the appointment of surrogate parents.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

The caseworker shall ensure that a request is made to ISBE for the appointment of a surrogate parent.

If and when a caseworker or caregiver has concerns regarding a child's development, in collaboration, they are to review the child's history and case record to determine if a developmental screening has been conducted. They can also contact the Early Childhood Office (312-814-5988) to obtain screening information. If there has been no screening completed or scheduled, they are to consult the Central Directory of early intervention services to determine which EI program(s) serves their area, and for specific referral requirements and procedures. The Central Directory is maintained by the Illinois Department of Public Health as a part of their "Help Me Grow" Hotline. Caseworkers should contact the Hotline at 1- (800) 323-4769; TDD 1- (800) 547-0466. Appendix E provides a listing of the Child and Family Connections by region.

The Illinois Early Intervention Services (EI) system is required to incorporate family involvement and provide for caregiver and surrogate parental consent in determining eligibility and service delivery.

The general rights of caregivers and surrogate parents include:

- The right to a multidisciplinary evaluation and assessment and the development of an Individualized Family Service Plan (IFSP) within forty-five calendar days from the date of the referral.
- The right if eligible under IDEIA 2004, to all appropriate early intervention services for the foster child and his/her family as addressed in an IFSP.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Appendix H

Developmental Screening Tools

Developmental Screeners use the following instruments when administering a screening to children 0-5 years old:

Tools	Ages For Which Used	Domains
Denver II Screening Tool	0 months to 4 months	Thinking, play, motor, personal-social and communication, skills
Ages and Stages Questionnaire (ASQ)	4 months to 36 months	Thinking, play, motor, personal-social and communication, skills
Ages and Stages Questionnaire: Social/Emotional (ASQ:SE)	3 months through 65 months	High Emphasis on Social and Emotional Development
Early Screening Inventory-P (ESI-P)	3 years through 4.5 years	Visual-Motor, Language, Cognition, Gross Motor
Early Screening Inventory-K (ESI-K)	4.5 years through 6 Years	Visual-Motor, Language, Cognition, Gross Motor

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

This page intentionally left blank.

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

Appendix I: EARLY CHILDHOOD STAFF DIRECTORY

<p style="text-align: center;">Southern Region Early Childhood Coordinator 10251 Lincoln Trail, Suite 3 Fairview Heights, IL 62208-1846 618-394-2126 618-394-2123 (Fax)</p>	<p style="text-align: center;">Early Childhood Screener 1911 S. Indiana Chicago, IL 60616 312-328-2774 312-808-5194 (fax)</p>
<p style="text-align: center;">Cook 0-3 Early Childhood Coordinator 8100 M^cCormick Blvd. Room 151 Skokie, IL. 60076 847-745-3065 847-745-3066 (Fax)</p>	<p style="text-align: center;">Early Childhood Director 100 West Randolph St. Chicago, IL 60601 312-814-5988 312-814-8945 (fax)</p>
<p style="text-align: center;">Central Region Early Childhood Coordinator 227 S 7th Station 225 Springfield, IL 62701 217-524-1343 217-524-3966 (fax)</p>	<p style="text-align: center;">Northern Region Early Childhood Coordinator 8 E Galena Blvd. Aurora, IL 60506 630-801-3424 630-844-3360 (fax)</p>
<p style="text-align: center;">Early Childhood Screener 6201 S Emerald Chicago, IL 60621 773-371-6038 773-371-6065 (fax)</p>	<p style="text-align: center;">Early Childhood Screener 3518 W Division St. Chicago, IL 60651 773-292-7884 773-292-7861 (fax)</p>
<p style="text-align: center;">Cook 3-5 Early Childhood Coordinator 1911 S Indiana 2nd Floor Chicago, IL 60616 312-328-2748 312-808-5194 (fax)</p>	

EDUCATIONAL SERVICES
February 27, 2007 – P.T. 2007.03

This page intentionally left blank.