

CHICAGO PUBLIC SCHOOLS

STUDENT SPECIFIC CORRECTIVE ACTION PROCEDURES

OVERVIEW

The purpose of Student Specific Corrective Action (SSCA) is to identify and provide a remedy for students with disabilities who may have been adversely impacted during the 2016-17 and 2017-18 school years by special education procedural changes identified as problematic by the Illinois State Board of Education (ISBE) Public Inquiry Report. The identified procedural changes included requirements in the electronic Individualized Education Program (IEP) system (SSM), as well as oversight requirements that may have caused delays and denials of specific IEP components. These requirements may have prevented IEP teams from making needed determinations in the following areas: transportation, extended school year (ESY), paraprofessional support, identification of a student with a specific learning disability (SLD), and placement in a therapeutic day school setting. Additionally, the Public Inquiry Report concluded that some students may have been delayed or denied services of a paraprofessional or special education teacher due to the position funding and budget appeals processes in the 2016-17 and 2017-18 school years. (Collectively, “SSCA areas and years.”)

In response to public comments regarding the originally proposed SSCA guidance document, the District revised the SSCA process. Based on data from the electronic IEP system, the District identified a group of students with disabilities who may have been adversely impacted by the specified procedures. These students will be offered a Universal Enrichment Remedy (UER) without an SSCA meeting and without a detailed analysis of whether the student was adversely impacted.

If the parent/guardian of a student identified by the District for a UER would like an SSCA meeting to discuss potential remedies, they may request such a meeting. The District has also identified a group of students who will automatically be offered an SSCA meeting. For any other student, the parent/guardian may request an SSCA meeting by emailing ssca@cps.edu or calling 773-553-1843. During the SSCA meeting, two questions will be answered:

1. Was the student denied/delayed services during the 2016-17 and/or 2017-18 school year(s) due to the identified procedural changes?
2. If the student was denied/delayed services, did the student make expected progress during the 2016-17 and/or 2017-18 school year(s) in light of their unique circumstances?

SSCA UNIVERSAL ENRICHMENT REMEDY TELEPHONE CALL

1. CPS has identified students for whom a Universal Enrichment Remedy (UER) will be offered without asking whether a delay/denial of special education services occurred in one of the SSCA areas and years or whether the student made expected progress.¹ While typically a parent/guardian is entitled to compensatory services only after establishing a delay or denial of services that caused a lack of expected progress, a UER is being offered to identified students to streamline the SSCA process and deliver services to students who may have been impacted by the violations identified in the ISBE Public Inquiry Report. Students were identified for a UER based on the following criteria:

Area	Criteria
Extended School Year	The student had ESY on their 2015-16 IEP but did not have ESY on the last finalized IEP in the 2016-17 and/or 2017-18 school year(s).
Transportation	The student had transportation on their 2015-16 IEP but the service was not on the 2016-17 and/or 2017-18 IEP(s) and the student was not enrolled in his/her neighborhood school.
Paraprofessional	The student had paraprofessional support on their 2015-16 IEP but the service was not on the 2016-17 and/or 2017-18 IEP(s) AND paraprofessional support was not noted in Section 10: Accommodation & Modifications or Section 11: Specialized Instruction (goal). OR The student's record includes a paraprofessional justification form that was left in draft during the 2016-17 and/or 2017-18 school year(s).
Specific Learning Disability	The student's record includes a Learning Environment Intervention's (LEI) or Learning Environment Screening (LES) that was left in draft during the 2016-17 and/or 2017-18 school year(s).

2. The SSCA Analysis Team will notify these students' parents/guardians via U.S. mail, email, and/or telephone to inform them of their eligibility for a UER and schedule a phone conference to discuss UER options. The notification form was shared with ISBE and the Advocates prior to being sent. The notification will include the phone number CPS has on record for the parent/guardian and instructions on how to notify CPS if the phone number is incorrect and/or request a change of date for the UER discussion.
 - **NOTE:** The areas and years for which the student has been identified to receive a UER will be specified on the *Notice of UER Conference Call*. If the parent/guardian believes that their child was impacted in another SSCA area or year identified in the ISBE Public Inquiry Report, the parent/guardian should request an SSCA meeting.

¹ 10,515 students: 7,548 active students and 2,967 inactive students (as of January 2020).

3. The amount of the remedy is based on the area identified by CPS in which the student was potentially impacted. If a student is identified by CPS as potentially impacted in more than one area, the amounts will be added together, up to a maximum of \$4000.00 per school year. Students identified for a UER will also receive a Chromebook unless they received a Chromebook for remote learning.

CPS Identified Area	Remedy
Extended School Year (ESY)	Parent is entitled to a maximum of \$800.00 of UER per academic school year the student was impacted.
Transportation - student attended school	<p>A. Mileage Reimbursement at the IRS approved rate 2017 = 53.5 cents 2018 = 54.5 cents</p> <p>B. CTA Reimbursement</p> <p>C. Cab or Ride Share Reimbursement</p> <p>Parents are required to submit the <i>Transportation Affidavit</i> reflecting the mileage that was driven or the expenses incurred during the impacted school year. Parents are entitled to a reimbursement up to the maximum of \$4,000.00 of UER per academic school year the student was impacted.</p>
Transportation - student missed 10 or more consecutive days due to a lack of transportation	<p>\$112.50 of UER for every 5 days missed.</p> <p>At a minimum, parent is entitled to \$225 of UER.</p> <p>The maximum is \$337.50 of UER per academic school year the student was impacted.</p>
Paraprofessional	Parent is entitled to a maximum of \$2000.00 of UER per academic school year the student was impacted.
Specific Learning Disability (SLD)	Parent is entitled to a maximum of \$4000.00 of UER per academic school year the student was impacted.

4. If a parent/guardian believes the UER is inadequate to meet their child's needs or that their child was impacted in another area or year identified in the ISBE Public Inquiry Report, the parent should request an SSCA meeting.

- **NOTE:** The SSCA areas and years include:
 - Delays and denials of the following IEP components due to special education procedural changes (restrictions in SSM and oversight requirements) in the 2016-17 and 2017-18 school years:
 - transportation,
 - extended school year,
 - paraprofessional,
 - identification as a student with a specific learning disability, and
 - placement in a therapeutic day school.

- Delays or denials of paraprofessional or special education teacher support due to the position funding and budget appeals processes in the 2016-17 and 2017-18 school years.
5. Parents/guardians may select a provider from the District Approved List of Providers or request a provider of their choice. If a parent/guardian seeks to use a provider that is not on the District Approved List of Providers, the provider can complete the CPS vendor application process and be reimbursed upon approval. Alternatively, the parent/guardian can become a parent vendor, pay the provider, and be reimbursed by CPS.
 6. Parents/guardians may use a portion of their UER amount for transportation costs to and from the UER location. Transportation costs will be reimbursed upon proof of CTA, cab, or ride share expenditure, and/or proof of mileage, which will be reimbursed using the IRS 2020 mileage approved rate of 57.5 cents.
 7. A link to the menu of District Approved Providers will be provided to parents/guardians with the notification. These options will include social/emotional learning, academic support and tutoring, arts and cultural enrichment, and/or physical activity/fitness programming. Depending on the service, these enrichment remedies may be provided before/after school and/or during the summer.
 8. During the call, an SSCA Team Representative will explain to the parent/guardian the UER options available.
 9. Utilizing a tracking tool, the SSCA Team Representative will note the UER option chosen by the parent/guardian.
 10. The parent/guardian will be sent an *SSCA UER Parent Notification* form at the conclusion of the telephone call summarizing the UER option(s) chosen by the parent/guardian.
 - **NOTE:** This form will include a waiver of claims, which the parent/guardian must sign and return to CPS before any UER services will begin or any reimbursement will be provided. Except for students identified in the area of transportation reimbursement only, the waiver will cover all issues and years that may fall within SSCA.
 11. If the parent/guardian is not in agreement with the UER options and/or is requesting remedies for additional SSCA areas or years, the parent/guardian should request an SSCA meeting.
 - **NOTE:** If a parent/guardian of a student identified by CPS to be offered a UER requests an SSCA meeting and the analysis indicates no denial/delay occurred or the student made expected progress, the UER originally offered to the parent/guardian will still be available. The parent/guardian will not lose this initial offer by requesting an SSCA meeting to explore whether the student is entitled to different or additional remedies.

SSCA MEETING

1. Eligibility for an SSCA Meeting

SSCA meetings will be offered for the following students:

- A. Students who are offered a UER and whose parents/guardians request an SSCA meeting. These students will not lose the UER originally offered, even if the SSCA analysis results in a determination of no denial/delay and/or that the student made expected progress.
- B. Students who were not part of the UER group and whose parents/guardians received the September 2019 letter indicating that an SSCA meeting would be held.² SSCA meetings for these students are automatic and the parents/guardians will receive a Notice of Conference scheduling the meeting.
- C. Students who have been identified by the District for an automatic SSCA meeting based on a possible delay or denial of dedicated paraprofessional services due to the budget position funding and budget appeals processes in the 2016-17 and/or 2017-18 school year(s).³ Parents/guardians will receive a Notice of Conference scheduling the meeting.
- D. All other students upon parent/guardian request, based on the following criteria:
 - Prior to scheduling an SSCA meeting, CPS will verify that the student was enrolled and attended a CPS school, which includes a therapeutic day school placement by CPS via the student's IEP, during the 2016-17 and/or 2017-18 school year(s).
 - CPS will also verify that the student has not already waived his/her claims as a result of a due process hearing order, settlement agreement, and/or mediation agreement.
 - For requests related to the budget appeal process, CPS will verify that the student has not already received a compensatory education meeting addressing the same issue. CPS will also verify that the student attended a school that submitted a budget appeal related to a paraprofessional or special education teacher position in the 2016-17 or 2017-18 school year, and that the student had that service on his/her IEP at that time.

² 1,301 students: 1,262 active students and 39 inactive students (as of January 2020).

³ 181 students (as of September 2020). The list of students identified for an automatic SSCA meeting related to this issue is both overinclusive (some students identified were not impacted; their services were provided) and underinclusive (not all students impacted by the position funding and budget appeals processes were identified, including those whose shared paraprofessional or special education teacher supports were delayed or denied). Parents/guardians who believe their students may have been impacted should request an SSCA meeting.

If the student meets the criteria above, an SSCA meeting will be scheduled. If the student does not meet the criteria for an SSCA meeting related to the budget appeal process, an SSCA meeting related to other SSCA issues may still be held. If an SSCA meeting is denied, CPS will provide the parent/guardian with written notification.

2. The SSCA Analysis Team and Preparing for the SSCA Meeting

- A. The SSCA Analysis Team will consist of a special education teacher, a general education teacher, and the parent/guardian. The special education and general education teachers will be hired by CPS to participate in SSCA meetings. They will not be current members of the individual student's IEP team.
- Additionally, a District Representative may participate in and an ISBE Monitor may observe any SSCA meeting.
- B. Parents/Guardians can request an SSCA meeting by emailing SSCA@cps.edu. In the email, the parent/guardian should, to the best of their ability, identify which of the SSCA area(s) and school year(s) they believe their child was impacted. If the parent/guardian does not identify a relevant area and/or school year, a representative from the SSCA Analysis Team will follow up with the parent/guardian to clarify the relevant information before a meeting is scheduled.
- Several notices have been provided to parents/guardians of students with IEPs to inform them about SSCA and how to request an SSCA meeting. Additional information is available at www.cps.edu/ssca.
- C. The SSCA Analysis Team will gather qualitative and quantitative data from the 2016-17 and/or 2017-18 school year(s) and any other relevant school years to enable the SSCA Analysis team to determine whether a delay/denial occurred and whether the student made expected progress in light of their unique circumstances. (*See charts on pages 9–12 for details.)*
- School staff are expected to cooperate with the SSCA Analysis Team and respond to all inquiries in a timely manner.
 - The parent/guardian should bring any relevant documents to the SSCA meeting that will help the SSCA Analysis Team make the SSCA decision. Such information could include communication between the parent and school, documentation of private services provided, or other information the parent believes would be helpful to the team.
- D. The SSCA Analysis Team will send the *Parent/Guardian Notification of Conference* to parents/guardians at least ten calendar days prior to the meeting. The Notification will indicate SSCA as the purpose of the meeting and specify which SSCA area(s) and school year(s) will be discussed. The Notification will inform the parent/guardian that they can participate via telephone or video conferencing. The Notification will also identify the data

the SSCA Analysis Team has gathered to be discussed at the SSCA meeting.

- E. If the parent/guardian does not appear (either virtually or in-person) for the SSCA meeting, the meeting cannot proceed. A second *Parent/Guardian Notification of Conference* form will be sent home with at least ten calendar days' notice of the rescheduled SSCA meeting. If the parent/guardian does not appear for the second scheduled SSCA meeting, the meeting cannot proceed, and a third *Parent/Guardian Notification of Conference* form will be sent home with at least ten calendar days' notice of the rescheduled SSCA meeting. If the parent/guardian does not appear for the third scheduled SSCA meeting, the meeting cannot proceed, and the SSCA Analysis Team will send the *Student Specific Corrective Action Parent Nonattendance Notification* notifying the parent/guardian that no more SSCA meetings will be scheduled unless the parent/guardian contacts the SSCA Analysis Team and requests an SSCA meeting with two proposed dates that work for the parent/guardian.

3. The SSCA Meeting

- A. At the SSCA meeting, the documentation form ("SSCA Document") will be auto-populated to indicate the SSCA area(s) and school year(s) potentially impacted, as identified by the District and/or parent/guardian. If warranted, the SSCA Analysis Team may consider additional SSCA areas or school years identified at the meeting. If analysis of newly identified areas or school years requires the collection of additional data, the SSCA Analysis Team will schedule a time to reconvene to review that data.
- B. The SSCA Analysis Team will first ask whether the student was denied or delayed the specified service, eligibility, or placement during the 2016-17 and/or 2017-18 school year(s) due to the procedures identified in the Public Inquiry Report, and if so, for what specific time period during those years.
- With respect to SSCA requests related to ESY, transportation, paraprofessional services, identification as a student with an SLD, and therapeutic day school placement, if the data gathered by the SSCA Analysis Team is inconclusive on the delay/denial question, the SSCA Analysis Team will choose a "Yes" response for that area/year.
 - With respect to SSCA requests related to the budget appeal process, if the SSCA Analysis Team (including the parent/guardian) is unable to gather any documentary evidence showing a delay or denial related to the position funding and budget appeals processes, the SSCA Analysis Team will choose a "No" response.
 - The determination and basis will be explained on the SSCA Document.
- C. If the SSCA Analysis Team determines that a delay/denial occurred in any SSCA area and year, the SSCA Analysis Team will next ask whether the

student made expected progress in light of their unique circumstances during the time period identified.

- The SSCA Analysis Team will conduct a holistic and individualized analysis of the available data, including parent input, and make a professional and reasonable judgment.
- If the SSCA Analysis Team is unable to gather data regarding the student's progress and expected progress, the SSCA Analysis Team will default to a "No" response to the expected progress question for that area/year.
- The determination and basis will be explained on the SSCA Document.

D. If the SSCA Analysis Team determines that a delay/denial occurred in an SSCA area and year and that the student did not make expected progress, the student is eligible for a remedy. If the SSCA Analysis Team does not find a delay/denial or finds that the student made expected progress, the student will not be offered an individualized remedy. However, if the student was originally offered a UER, that remedy will still be available.

E. Parents/Guardians of students eligible for a remedy will be offered the menu of UER options, but depending on the length of the delay/denial and the student's lack of progress, the SSCA Analysis Team will have the authority to commit to other compensatory services and reimbursement beyond what is included on the menu.

- Parents/guardians requesting changes to their child's current IEP should request an IEP meeting to consider the student's current needs and services. The SSCA and IEP processes are separate and distinct from one another.
- District Approved Providers: A link to the menu of District Approved Providers will be provided to parents/guardians with the notification of the SSCA Meeting. These options will include social/emotional learning, academic support and tutoring, arts and cultural enrichment, and/or physical activity/fitness programming. Depending on the service, these enrichment remedies may be provided before/after school and/or during the summer.
- Other Provider Options: Parents/Guardians may select a provider from the District Approved List of Providers or request a provider of their choice. If a parent/guardian seeks to use a provider that is not on the District Approved List of Providers, the provider can complete the CPS vendor application process and be reimbursed upon approval. Alternatively, the parent/guardian can become a parent vendor, pay the provider, and be reimbursed by CPS.
- Travel Costs: Parents/guardians may use a portion of their remedy amount for travel costs to and from the service location. Travel costs will be reimbursed upon proof of CTA, cab, or ride share expenditure,

and/or proof of mileage, which will be reimbursed using the IRS 2020 mileage approved rate of 57.5 cents.

- F. At the end of the SSCA meeting, the parent/guardian will be asked if they agree or disagree with the SSCA Analysis Team’s decision. If the parent/guardian disagrees, a narrative box is available on the SSCA Document to memorialize the parent’s/guardian’s disagreement. The SSCA Document also has a *Parent Concern* text box, which may be used to document any other concerns the parent/guardian may have.

4. After the SSCA Meeting

- A. The parent/guardian will receive an *SSCA Parent Notification of Summary* at the conclusion of the meeting that summarizes the findings of the SSCA Analysis Team and any remedies agreed to.
 - **NOTE:** If the SSCA Analysis Team agreed to a remedy, this form will include a waiver of claims, which the parent/guardian must sign and return to CPS before the agreed upon services will begin or reimbursement will be provided. The waiver will include all issues and years that may fall within SSCA.
 - **NOTE:** The parent/guardian will also receive a copy of their SSCA procedural safeguards, which outline their options if they disagree with the decisions made by the SSCA Analysis Team.
- B. The SSCA Central Office Team will coordinate with approved vendors to track the services provided.
- C. Parents/guardians can notify the SSCA Analysis Team if issues arise with their chosen programs. Questions regarding SSCA can be emailed to ssca@cps.edu.

Procedural changes that may have caused delays or denials of services, eligibility, or placement:

Area	Procedures
Transportation	If the school was a magnet, magnet cluster, selective enrollment, charter, contract, or options school, the ODLSS District Representative needed to be part of the IEP team discussion. If the school was the student’s neighborhood school, the ODLSS District representative needed to be part of the IEP team discussion if the reason for transportation was that the student was a threat to self or others or was unable to navigate travel to school safely. The ODLSS District Representative had to either be physically present at the IEP meeting or delegate their role to the school through completion of the <i>ODLSS DR Review Form</i> .
Extended School Year	The ESY section of the IEP did not open for the regression/recoupment discussion until after January 17th during the 2016-17 school year or after November 15th during the 2017-18 school year and closed May 10th. The <i>ESY Data Collection - Fall Regression/Recoupment</i> form, which required ten weeks of data, also had to be finalized in order for the section to open. If the school was considering ESY for critical skills, the ESY section of the IEP did not open until after spring break. The <i>ESY Data Collection - Critical Skills/Special Circumstances</i> form had to be finalized;

	ODLSS District Representative authorization was required for eligibility under special circumstances; principal sign off was required for critical skills.
Paraprofessional	The <i>Paraprofessional Justification Form</i> , which required five unique days of data in the relevant academic or behavior support areas across settings and principal sign-off, had to be finalized in order for the paraprofessional question in Section 10-A to open.
Specific Learning Disability	Prior to determining a student's eligibility with an SLD, the IEP team needed to gather at least ten weeks (two five-week interventions that were not concurrent) of data regarding tiered supports and interventions (i.e., MTSS) and enter the data into the <i>Learning Environment Intervention (LEI)</i> form.
Therapeutic Day School	Prior to consideration of placement in a therapeutic school, the team was required to implement function-based interventions and monitor progress with data collection for a minimum of five weeks. The school team was supposed to review progress monitoring data and make any necessary changes/additions to the interventions, which had to be implemented for at least five additional weeks. ODLSS District Representative authorization was required for placement in a therapeutic school.
Budget	CPS's special education position funding and budget appeals processes during the 2016-17 and 2017-18 school years may have caused the paraprofessional support or special education teacher support required by the student's IEP to be delayed or denied while the school requested additional funds for a special education position needed to implement the service or because such a request was denied.

Data that may be relevant to whether the identified procedures caused a delay or denial of services, eligibility, or placement:

Area	Data
Transportation	<ul style="list-style-type: none"> ▪ enrollment data for the 2016-17 and/or 2017-18 school years indicating whether the student attended their neighborhood school or a school of choice (e.g. magnet, magnet cluster, selective enrollment, charter, contract, or options) ▪ data showing whether the ODLSS District Representative attended the IEP meeting, or whether the ODLSS District Representative delegated their authority (e.g. notice of conference, IEP cover sheet, and ODLSS DR Review Form) ▪ attendance data for the 2016-17 and/or 2017-18 school years
Extended School Year	<ul style="list-style-type: none"> ▪ data showing whether the 2016-17 IEP meeting date was before January 17th and/or the 2017-18 IEP meeting date was before November 15th and not reconvened to consider eligibility based on regression/recoupment, or whether the IEP meeting was held after May 10th ▪ data showing whether the IEP meeting date for the 2016-17 and/or 2017-18 was before spring break and not reconvened to consider critical skills ▪ the ESY data collection forms ▪ data showing whether the ODLSS District Representative attended the IEP meeting, or whether the ODLSS District Representative delegated their authority for eligibility under special circumstances ▪ data showing whether the principal signed off on the data collected related to critical skills

Area	Data
Paraprofessional	<ul style="list-style-type: none"> ▪ data showing whether the Paraprofessional Justification Form was completed or whether it was left in draft ▪ the IEPs for the 2016-17 and/or 2017-18 school years indicating whether the student still required a paraprofessional and whether the student in fact received paraprofessional support during the affected school year ▪ any data related to the decision not to provide the student with a paraprofessional ▪ data showing whether the principal attended the IEP meeting and/or signed off on the data collected ▪ see: Section 7 General Considerations (narrative referenced paraprofessional support), Section 10-B Accommodations: General (paraprofessional attached to chosen accommodations), Section 11 Specialized Instruction (paraprofessional listed as “Other Provider”), and/or Section 12 LRE Grid (paraprofessional listed as a consulting provider)
Specific Learning Disability	<ul style="list-style-type: none"> ▪ data from the student’s SSM documents showing whether the Learning Environment Intervention (LEI) form was left in draft and whether there was any explanation (e.g.: psychological report indicating that the student did not meet the criteria for specific learning disability) ▪ data showing whether the FIE meeting in the relevant school year(s) was continued because the school needed ten weeks of MTSS data that included two different five-week interventions that were not concurrent
Therapeutic Day School	<ul style="list-style-type: none"> ▪ data showing whether IEP meetings were continued because the team did not have two sets of five weeks of behavior intervention data ▪ data showing whether the ODLSS District Representative was in attendance and/or whether the ODLSS District Representative approved the change in placement
Budget	<ul style="list-style-type: none"> ▪ data showing whether the student’s 2016-17 and/or 2017-18 IEP(s) required paraprofessional support and/or specialized instruction from a special education teacher ▪ documentation or reports showing whether such support was provided, including records from the substitute center and staffing schedules ▪ the school’s budget appeal request record, including the Budget Appeals Review and Decision Report and any available documentation supporting the appeal request ▪ SY 2017 and/or SY 2018 CPS Budget Appeals Review Committee Meeting Minutes ▪ feedback from the principal, case manager, parent, or other relevant team members ▪ any relevant and available communication related to implementing the student’s IEP and/or the budget appeal

Qualitative and quantitative data that may be relevant to whether the student made expected progress:

Primary	Secondary	
<ul style="list-style-type: none"> ▪ IEP goals, benchmarks, and progress reports ▪ Report cards/transcripts ▪ Benchmark assessments (NWEA/MAP, DIBELS/TRC MClass) ▪ PSAT/SAT ▪ Progress monitoring data (EasyCBM, AIMSWeb, F&P) ▪ Norm referenced test scores (KTEA-3, WIAT-3) ▪ Previously attempted interventions 	<ul style="list-style-type: none"> ▪ School attendance ▪ Mobility ▪ Disciplinary records ▪ Behavior logs/BAG reports ▪ Work samples ▪ Interviews ▪ Correspondence between parent and school ▪ Progress notes ▪ Classroom assessments ▪ Classroom observations 	<ul style="list-style-type: none"> ▪ Prior evaluations ▪ Rating scales ▪ Outside evaluation data ▪ State assessments ▪ Test item/error analysis ▪ Language & cultural considerations ▪ Environmental factors (home stressors, trauma)