

Corrective Action

The district must:

1. Convene an IEP meeting, or revise the IEP in accordance with the procedures in 34 CFR 300.324(a)(4)(i-ii), on behalf of the student to document the compensatory services to provide for the time period in which the student's required S/L services were not provided.
2. Convene an IEP meeting, revise the IEP in accordance with the procedures in 34 CFR 300.324(a)(4)(i-ii), or provide a written offer² on behalf of all similarly situated students (SSS) in the district, to document the compensatory services to provide for the time period in which each students' required S/L services were not provided.
3. Provide S/L services in accordance with the student's IEP.

² ISBE acknowledges that convening individual IEP meetings for a large amount of students for whom S/L services were not provided could become overly burdensome for the district.

The following materials will serve as verification of compliance with all parts of the corrective action order and must be submitted to ISBE by January 30, 2025:

1. A summary that includes the names of all SSS in the district as well as the amount of S/L minutes that were not provided for each student from the beginning of the 2024-25 school year until the date of the provision of services. For each student, document the student's name, resident school, dates in which S/L services were not provided, and the amount of weekly/monthly minutes required.
2. IEP meeting verification (*Parent/Guardian Notification of Conference* forms, and relevant IEP section(s) that document the compensatory services to be provided) or responses to the district's written offer for compensatory services (as applicable) for the student. Compensatory services should be documented in each student's IEP and described as compensatory services owed for S/L services missed starting at the beginning of the 2024-25 school year, and should describe the services to be provided along with the frequency, location, and duration of the services as outlined in 34 CFR §300.320(a)(7).
 - a. ISBE has determined that the student is qualified to receive compensatory S/L services, to total not less than half of the missed minutes.
 - b. Compensatory minutes must be provided during the regular school year unless agreed to by the parent to be delivered during the summer.
 - c. Compensatory education may take the form of services provided by district/contracted personnel, services privately obtained by the complainant to make up for the lost educational opportunity and reimbursed by the district, private tutoring paid for by the district, or monetary reimbursement.
 - d. Compensatory education should be reasonably calculated to help the student make the same progress toward IEP goals and objectives and in the general education curriculum that the student would have made had the district provided special education services in conformity with the student's IEP. Services should address any free appropriate public education (FAPE) denial the group determined occurred.

In addition, please submit the following information by June 30, 2025:

1. IEP meeting verification (*Parent/Guardian Notification of Conference* forms, and relevant IEP section(s) that document the compensatory services to be provided) or responses to the district's written offer for compensatory services (as applicable) for each student as described in Item #2 above. Compensatory services should be documented in each student's IEP and described as compensatory services owed for S/L services missed starting at the beginning of the 2024-25 school year, and should describe the services to be provided along with the frequency, location, and duration of the services as outlined in 34 CFR §300.320(a)(7). In addition, the following items are required:
 - a. ISBE has determined that each of the students is qualified to receive compensatory S/L services, to total not less than half of the missed minutes.
 - b. Compensatory minutes must be provided during the regular school year unless agreed to by the parent to be delivered during the summer.
 - c. Compensatory education may take the form of services provided by district/contracted personnel, services privately obtained by the complainant to make up for the lost educational opportunity and reimbursed by the district, private tutoring paid for by the district, or monetary reimbursement.

- d. Compensatory education should be reasonably calculated to help the student make the same progress toward IEP goals and objectives and in the general education curriculum that the student would have made had the district provided special education services in conformity with the student's IEP. Services should address any free appropriate public education (FAPE) denial the group determined occurred.
 - e. In addition to the above requirements, if written offers are provided to parents of SSS, the district must provide a copy of the written offer which must include, at a minimum, the dates the student was not provided S/L services, the total amount of S/L minutes that have been missed, and an option for the parent to request an IEP meeting. Further, if the parent declines the district's written offer, the district must provide verification from the parent that he/she is declining the district's offer of compensatory S/L services. If the student is currently not receiving S/L services, the district must include information regarding how the district is providing a FAPE for the student.
2. Verification (i.e., service log, schedules, etc.) that the student has received the S/L services required in the IEP in effect from November 21, 2024, through June 6, 2025. If a new IEP is developed during this time period, provide a copy of the revised IEP.

In accordance with the requirements of the 105 ILCS, 5/14-8.02e, the district will be required to provide a copy of the corrective action compliance documentation to the complainant simultaneously with the submission of those materials to the investigator. In the event of a complaint filed by an individual other than the parent/guardian, the district must secure an appropriate written and signed release prior to the issuance of any child-specific documentation.

Cooperation from both parties during this investigation is appreciated. Use of this complaint process does not preclude an eligible party such as a parent, school district, or a student from requesting an SE due process hearing. If you have any questions regarding this response, I can be reached at 217-782-5589 or kkynasto@isbe.net.