

# Student Specific Corrective Action Procedures<sup>1</sup>

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.”)

To efficiently and effectively identify students with disabilities who may have been adversely impacted by the specified procedures, the District used data from the electronic IEP system (SSM). These students are being offered a monetary remedy. The District has partnered with a claims administrator to manage the distribution of remedies to families.

If the parent/guardian of a student identified by the District for a remedy would like a meeting to discuss remedies beyond the amount offered, they may request an SSCA meeting. Other parents/guardians, whose student was not identified for a remedy, may also request an SSCA meeting by emailing [ssca@cps.edu](mailto:ssca@cps.edu) or calling 773-553-1843. During the SSCA meeting, two questions will be discussed and determined:

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?

**Families must claim their remedies or request an SSCA meeting by April 30, 2022.**

## SSCA Remedy Claims Process

1. CPS has identified students for whom a monetary remedy 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. 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 remedy is being offered to identified students to streamline the SSCA process and deliver compensation for services to students who may have been impacted by the violations identified in the ISBE Public Inquiry Report. Students were identified for a remedy based on the following criteria:

Area	Criteria
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<sup>1</sup> Prior versions of the guidelines, as well as a comparison chart, can be found at [www.cps.edu/ssca](http://www.cps.edu/ssca).

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). 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 (LEI) form or Learning Environment Screening (LES) form that was left in draft during the 2016-17 and/or 2017-18 school year(s).
Budget	The student's name or ID number was listed in a school's budget appeal requesting an individual paraprofessional.

- 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 or year, the amounts will be added together, up to a maximum of \$4000.00 per school year.

CPS Identified Area	Remedy (per year)
Extended School Year (ESY)	\$800.00
Transportation	\$1,250.00
Paraprofessional	\$2,000.00
Specific Learning Disability (SLD)	\$4,000.00
Budget	\$2,000.00

- The District will notify these students' parents/guardians via U.S. mail and email to inform them of their eligibility for a remedy. Additionally, the District's claims administrator will provide notification that includes the area(s) and year(s) in which the student was identified to receive a remedy as well as the total amount offered.
- The District or claims administrator will provide at least 3 notices to parents/guardians via U.S. mail and email to inform them of their eligibility for a remedy and encourage them to accept the remedy or request an SSCA meeting. Town Hall meeting(s) and webinar(s) will be held to share information about SSCA and answer questions. Information about remedies will also be promoted via social media and through District schools. Recordings of the meetings/webinars will also be posted on the [www.cps-ssca.com](http://www.cps-ssca.com) website.

5. If a parent/guardian believes the remedy offered is inadequate to meet their student's needs or that their student was impacted in another area or year identified in the ISBE Public Inquiry Report, the parent should request an SSCA meeting.
  - a. NOTE: The SSCA areas and years include:
    - i. 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:
      1. Transportation,
      2. extended school year,
      3. Paraprofessional,
      4. identification as a student with a specific learning disability,And
      5. placement in a therapeutic day school.
    - b. 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.
6. The notification from the claims administrator will provide a unique Claim ID and PIN. The notice will direct parents/guardians to [www.cps-ssca.com](http://www.cps-ssca.com) to file their claim. **Parents/guardians must follow the instructions to file their claim by April 30, 2022 in order to receive their remedy.** Families who do not file their claim by April 30, 2022, will lose their remedy.
7. **To file their claim, parents/guardians must agree to a waiver of claims.** The waiver will cover all issues and years that fall within SSCA. If the parent/guardian is not in agreement with the remedy offered, they should request an SSCA meeting rather than electronically signing the waiver. The parent/guardian will not lose their 4 Updated January 2022 remedy offer by requesting an SSCA meeting to explore whether the student is entitled to additional remedies. *For more information on the waiver of claims, see FAQ #13.*
8. To file their claim, parents/guardians should have their Claim ID and PIN available to verify their identity. Additionally, if the name or address of the person claiming the remedy differs from the information on the notification, documentation of the change will be required.
9. Parents/guardians will have the option to receive their remedy via check, direct deposit, gift card, or PayPal. Parents/guardians will not be required to complete a W-9 and will not receive a 1099 because the District believes that the remedies can be excluded from taxable income.
10. Parents/guardians who receive public benefits should carefully review whether accepting the monetary remedy will impact their benefits. Two resources that may provide guidance are the Mayor's Office for People with Disabilities at (312) 744- 7050 and Legal Aid Chicago at (312) 341-1070. Limited service-based remedies are available for those families who would lose their public benefits if they accepted a monetary remedy.

## SSCA Meetings

1. **Eligibility for an SSCA Meeting**

SSCA meetings will be held for the following students. **Requests for SSCA meetings must be made by April 30, 2022.**

- a. Students who are offered a remedy and whose parents/guardians request an SSCA meeting. These students will not lose the remedy originally offered, even if the SSCA analysis results in a determination of no denial/delay and/or that the student made expected progress.
- b. All other students upon parent/guardian/student request, based on the following criteria:
  - i. 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).
  - ii. CPS will also verify that the student has not already waived his/her SSCA-related claims as a result of a due process hearing order, settlement agreement, and/or mediation agreement.
  - iii. 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 their IEP at that time.

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 requested. If the student meets the criteria above, an SSCA meeting will be scheduled. If an SSCA meeting is denied, CPS will provide the parent/guardian with written notification.

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

- a. The SSCA Team will consist of a special education teacher, a general education teacher, and the parent/guardian. A case manager may also be in attendance. The special education and general education teachers as well as the case manager will be hired by CPS to participate in SSCA meetings. They will not be current members of the individual student's IEP team.
  - i. Additionally, a member of the ISBE Monitoring Team and a District Representative may observe or participate in any SSCA meeting.
- b. Parents/Guardians can request an SSCA meeting by emailing [SSCA@cps.edu](mailto:SSCA@cps.edu) or calling (773) 553-1843. 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 student was impacted in. If the parent/guardian does not identify a relevant area and/or school year, a representative from the SSCA Team will follow up with the parent/guardian to clarify the relevant information before a meeting is scheduled.
- c. The SSCA 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 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 10-12 for details.*)
  - i. School staff are expected to cooperate with the SSCA Team and respond to all inquiries in a timely manner.
  - ii. The parent/guardian should bring any relevant documents to the SSCA meeting that will help the SSCA 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 Team will send the *Parent/Guardian Notification of Conference* to parents/guardians at least five calendar days prior to the meeting unless the parent/guardian has agreed to a meeting date with less notice. 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 that the SSCA 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 five 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 five calendar days' notice of the rescheduled SSCA meeting. Less than five calendar days' notice may be provided if the meeting is scheduled for a mutually agreeable date and time. If the parent/guardian does not appear for the third scheduled SSCA meeting, the meeting cannot proceed, and the SSCA 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 Team and requests an SSCA meeting with two proposed dates that work for the parent/guardian. However, if the third missed meeting occurs after April 30, 2022, the SSCA meeting will not be rescheduled.

### 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 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 Team will schedule a time to reconvene to review that data.
- b. The SSCA 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.
  - i. 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 Team is inconclusive on the delay/denial question, the SSCA Team will choose a "Yes" response for that area/year.
  - ii. With respect to SSCA requests related to the budget appeal process, if the SSCA 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 Team will choose a "No" response.
  - iii. The determination and basis will be explained on the SSCA Document.

- c. If the SSCA Team determines that a delay/denial occurred in any SSCA area and year, the SSCA Team will next ask whether the student made expected progress in light of their unique circumstances during the time period identified.
  - i. The SSCA Team will conduct a holistic and individualized analysis of the available data, including parent input, and make a professional and reasonable judgment.
  - ii. If the SSCA Team is unable to gather data regarding the student's progress and expected progress, the SSCA Team will default to a "No" response to the expected progress question for that area/year.
  - iii. The determination and basis will be explained on the SSCA Document.
- d. If the SSCA 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 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 remedy, that remedy will still be available.
- e. Parents/Guardians of students eligible for a remedy will be offered an amount based on the remedy list on pages 2-3. However, depending on the length of the delay/denial and the student's lack of progress, the SSCA Team will have the authority to commit to a higher amount.
  - i. Parents/guardians requesting changes to their student'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.
  - ii. If the SSCA Team determines that the student may have been delayed or denied services unrelated to an SSCA issue, the parent/guardian will be referred to their school for a compensatory education meeting.
- f. At the end of the SSCA meeting, the parent/guardian will be asked if they agree or disagree with the SSCA 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 Team, the evidence gathered before/during the meeting, and any remedies agreed to.
- b. 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 Team.
- c. If the SSCA Team agreed to a remedy, the parent/guardian will receive a notice from the District's claims administrator that includes a unique Claim ID and PIN. The notice will direct parents/guardians to [www.cps-ssca.com](http://www.cps-ssca.com) to file their claim. **Parents/guardians must follow the instructions to file their claim by April 30, 2022 in order to receive their remedy.** Families who do not file their claim by April 30, 2022, will lose their remedy.
- d. **To file their claim, parents/guardians must agree to a waiver of claims.** The waiver will cover all issues and years that fall within SSCA. If the parent/guardian is not in agreement with the remedy offered, they should review the options to challenge the SSCA Team's decision

- outlined in the SSCA Procedural Safeguards rather than signing the waiver. *For more information on the waiver of claims, see FAQ #13.*
- e. To file their claim, parents/guardians should have their Claim ID and PIN available to verify their identity. Additionally, if the name or address of the person claiming the remedy differs from the information on the notification, documentation of the change will be required.
  - f. Parents/guardians will have the option to receive their remedy via check, direct deposit, gift card, or PayPal. Parents/guardians will not be required to complete a W-9 and will not receive a 1099 because the District believes that the remedies can be excluded from taxable income.
  - g. Parents/guardians who receive public benefits should carefully review whether accepting the monetary remedy will impact their benefits. Two resources that may provide guidance are the Mayor’s Office for People with Disabilities at (312) 744-7050 and Legal Aid Chicago at (312) 341-1070. Limited service-based remedies are available for those families who would lose their public benefits if they accepted a monetary remedy.

### 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 signoff, 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</i> (LEI) 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	<p>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)</p> <p>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)</p> <p>attendance data for the 2016-17 and/or 2017-18 school years</p>
Extended School Year	<p>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</p> <p>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</p> <p>the ESY data collection forms</p> <p>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</p> <p>data showing whether the principal signed off on the data collected related to critical skills</p>
Paraprofessional	<p>data showing whether the Paraprofessional Justification Form was completed or whether it was left in draft</p> <p>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</p> <p>any data related to the decision not to provide the student with a paraprofessional</p> <p>data showing whether the principal attended the IEP meeting and/or signed off on the data collected</p> <p>see: Section 7 General Considerations (narrative referenced paraprofessional support), Section 10-B Accommodations: General</p>

	(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	<p>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)</p> <p>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</p>
Therapeutic Day School	<p>data showing whether IEP meetings were continued because the team did not have two sets of five weeks of behavior intervention data</p> <p>data showing whether the ODLSS District Representative was in attendance and/or whether the ODLSS District Representative approved the change in placement</p>
Budget	<p>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</p> <p>documentation or reports showing whether such support was provided, including records from the substitute center and staffing schedules</p> <p>the school’s budget appeal request record, including the Budget Appeals Review and Decision Report and any available documentation supporting the appeal request</p> <p>SY 2017 and/or SY 2018 CPS Budget Appeals Review Committee Meeting Minutes</p> <p>feedback from the principal, case manager, parent, or other relevant team members</p> <p>any relevant and available communication related to implementing the student’s IEP and/or the budget appeal</p>

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

Primary	Secondary	
IEP goals, benchmarks, and progress reports	School attendance	Prior evaluations
Report cards/transcripts	Mobility	Rating scales
Benchmark assessments (NWEA/MAP, DIBELS/TRC MClass)	Disciplinary records	Outside evaluation data
PSAT/SAT	Behavior logs/BAG reports	State assessments
Progress monitoring data (EasyCBM, AIMSWeb, F&P)	Work samples	Test item/error analysis
Norm referenced test scores (KTEA-3, WIAT-3)	Interviews	Language & cultural considerations
Previously attempted interventions	Correspondence between parent and school	Environmental factors (home stressors, trauma)
	Progress notes	
	Classroom assessments	
	Classroom observations	