

Corrective Action Summary April 2023

In November 2017, a group of special education advocates raised concerns with the Illinois State Board of Education (“ISBE”) regarding certain special education practices within Chicago Public Schools (“CPS,” or “the District”). The advocates alleged that the practices were not congruent with the Individuals with Disabilities Education Act of 2001 (“IDEA”) and had caused delays and denials of special education services and supports to students with disabilities. In response, ISBE conducted a [Public Inquiry](#) over several months to look into CPS’ special education procedures and policies and learn more about the District’s special education practices, including its electronic IEP system. Upon completing the Inquiry, ISBE issued a Corrective Action Report on May 16, 2018, that directed CPS to make adjustments to the procedures that were not in alignment with the IDEA. The Corrective Action also directed CPS to identify students whose services were delayed or denied as a result of these procedures and offer them a remedy. This portion of the Corrective Action was called “Student Specific Corrective Action,” or “SSCA.”

Since its inception in May 2018, SSCA faced unexpected obstacles and adaptations during its rollout period. Nevertheless, CPS, ISBE, and external stakeholders worked hard to collaborate on solutions and revisions to the SSCA process to provide meaningful remedies to families who were potentially impacted by the issues aligned with SSCA, as described below.

I. Procedures

ISBE determined that a number of District procedures were not in alignment with the IDEA, specifically provisions of IDEA Part B and its implementing regulations.¹ These processes made it more difficult for IEP teams to make decisions, which in turn led to delays and denials of specific IEP components in the following areas:

- Transportation services,
- Extended School Year (ESY) services,
- Paraprofessional support services,
- Identification of a student with a Specific Learning Disability (SLD), and
- Placement in a therapeutic day school setting.

II. Student Specific Corrective Action

The SSCA strand of the [Corrective Action Plan](#) required ISBE and CPS to “devise a plan to identify students whose services were delayed of *[sic]* denied.” It indicated that this plan should include:

1. A process that would enable IEP teams to examine the delay or denial of services and determine what remedial opportunities would be appropriate for the student in question;

¹ These regulations regarded a student’s free appropriate public education (FAPE), least restrictive environment (LRE), placements, specific learning disabilities, definition of an individual education program (IEP), IEP teams, parent participation, private school placements by public agencies, educational placements, opportunities to examine records and parent participation in meetings, additional procedures for students suspected of having specific learning disabilities, content of IEPs, related services, and the development, review, and revision of an IEP.

2. A process that would allow ISBE to choose a sampling of IEPs from the schools it identified as the most affected by the problematic procedures, and initiate a review of the delay or denial of services and remedial opportunities; and
3. An expedited complaint process by which individual parents and families could bring their concerns to ISBE.

The plan also indicated that the appointed ISBE Monitor would have full oversight of the process, with the right to overturn IEP team decisions. The SSCA strand also required CPS to assist ISBE in notifying all parents and families of the SSCA processes so that they would have the opportunity to seek remedies for their students.

In response to these requirements, the District trained principals and school case managers on SSCA guidelines and processes during the summer of 2019 so IEP teams could determine on a case-by-case basis which students, if any, needed to receive services to make up for any that were delayed or denied.

However, in October 2019, the Chicago Teachers Union engaged in a work stoppage and bargained to have language added to the CPS-CTU contract that would prevent their workload from being impacted by SSCA, which meant that CTU members could not participate in school-based SSCA meetings to decide if a student needed an SSCA remedy.

As a result, ISBE and CPS developed a new process to identify and provide remedies to students whose special education services might have been delayed or denied during the 2016-17 and 2017-18 school years due to the problematic procedures identified in the Public Inquiry.² ISBE and CPS deliberately cast a wide net to ensure that all impacted families would be included and identified 11,816 students to receive an SSCA remedy. Of those students, 1,301 were identified for an SSCA meeting, and 10,515 students were identified for automatic “Universal Enrichment Remedies” (“UERs”). Additionally, SSCA teams at CPS Central Office were assembled to review student IEPs, meet with families, and decide if certain students were eligible for an SSCA remedy. The District also hired staff to reach out to families who were identified to receive an automatic UER. These families were provided with a menu of vendor options that could provide services to their children.

Through August 2021, SSCA teams worked with families to evaluate students’ eligibility for remedies, and staff called families to help them choose a remedy for their eligible children. Initially, CPS offered service-based remedies to these families, but these were difficult to implement during remote learning and the aftermath of the COVID-19 pandemic. Additionally, parents, advocates, and external stakeholders shared feedback that families were looking for more flexibility and autonomy in their remedies. With this feedback in mind, CPS announced at the beginning of the 2021-22 school year that it would be transitioning to a system of monetary remedies, and all of the 10,515 students who had been identified to receive a UER would be eligible to receive a monetary remedy instead of a service-based remedy. Additionally, all 1,301 students who were identified for an

² The [Student Specific Corrective Action Procedural Guidance](#) was posted for [public comment](#) from August 6, 2020, to September 20, 2020. To review the published guidance, visit the SSCA archives for November 2019 to July 2021 on the SSCA website at cps.edu/ssca.

SSCA meeting would receive a monetary remedy as well.^{3, 4} Identified students were eligible for up to \$4,000 dollars per year. The remedy amounts were differentiated by category:

- Extended School Year (ESY) - \$800 per affected year
- Transportation - \$1,250 per affected year
- Paraprofessional - \$2,000 per affected year
- Budget - \$2,000 per affected year
- Specific Learning Disability - \$4,000 per affected year

Between August and November 2021, the District requested proposals from claims administrators that would be able to help notify families of their eligibility, process claims for a remedy, and distribute funds to eligible families. In November 2021, CPS contracted with Kurtzman Carson Consultants LLC (KCC) to administer claims on the District's behalf. On January 26, 2022, the window for families to file a request (a "claim") opened. On that same day, the District notified families that they would have until April 30, 2022, to file their claim to receive their remedy.⁵ They were also notified that April 30, 2022, would be the last day to request an SSCA meeting to be considered for eligibility. Many families filed claims during this window.

On April 27, 2022, as the close of the claims window approached, the District announced that it would extend the deadline for filing a claim to May 31, 2022. This decision was again made in response to feedback from parents, advocates, and outside stakeholders to give families more time to file their claims. The deadline for requesting an SSCA meeting, however, remained April 30, 2022.

During this time period, CPS and KCC conducted outreach to families to make them aware of their eligibility to file a remedy by issuing mailings, emails, robocalls, and live calls. The District issued:

- Approximately 39,852 letters and postcards (from both CPS and the Claims Administrator);
- Approximately 29,837 emails (from both CPS and the Claims Administrator);
- Approximately 57,224 robocalls (from both CPS and the Claims Administrator); and
- Approximately 10,018 live calls in partnership with the District's Office of Family and Community Engagement team.

CPS also partnered with the Mayor's Office for People with Disabilities to hold five town halls and a webinar to answer questions.⁶ Principals were provided with marketing materials to share with their families, and additional materials were sent home with families at report card pick-up. Additional reminders were also posted on the District's social media accounts. Families continued to submit claims throughout this window, and KCC distributed the first round of payments on April 4, 2022.

³ Families who were not identified for a remedy but who felt they should have been were still entitled to request an SSCA meeting.

⁴ A revised version of the [Student Specific Corrective Action Procedural Guidance](#) was posted for [public comment](#) from August 11, 2021, to September 27, 2021 to include the latest updates. For the final version of the [Procedural Guidance](#), [FAQs](#), and [Safeguards](#) in both English and Spanish, visit the SSCA archives for August 2021 to September 2022 on the SSCA website at cps.edu/ssca.

⁵ Families had the option of receiving their monetary remedies in the form of a check or Mastercard, or directly through direct deposit or PayPal. Additionally, families who were concerned about the impact of receiving a monetary remedy on their public aid benefits had the option of selecting a non-monetary remedy, which included a bundle of EdTech services.

⁶ For recordings of these town halls, visit the video archives at cps.edu/ssca.

After the claims window closed on May 31, 2022, the District continued to allow claims on a case-by-case basis until September 30, 2022⁷. KCC distributed payments in four rounds as follows:

	Distribution Date	Filing Date	Amount Distributed
Round One	April 4, 2022	Generally included those who submitted their claim by February 6, 2022.	\$8,201,633.89
Round Two	June 15, 2022	Generally included those who submitted their claim by March 29, 2022.	\$7,516,083.66
Round Three	September 13, 2022	Generally included those who submitted their claim by June 24, 2022.	\$4,932,149.15
Round Four	December 30, 2022	Generally included those who submitted their claim by September 30, 2022.	\$1,352,343.45
Total Amount Distributed:			\$22,002,210.15

The purpose of Student Specific Corrective Action (SSCA) was to identify and provide a remedy for students with disabilities who might 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. By the conclusion of the filing deadline, 75.12 percent of all identified eligible families had filed a claim, and the vast majority of these claims were distributed by December 30, 2022.⁸

⁷ September 30, 2022, coincided with the legislative deadline for filing a state complaint for matters related to the findings of ISBE’s Public Inquiry.

⁸ As of this writing, the District continues to reach out to a small number of families who have not yet picked up their Mastercards or deposited their checks.