

SSCA Frequently Asked Questions

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General

1. What is Student Specific Corrective Action?

In the fall of 2017, the Illinois State Board of Education opened a Public Inquiry into certain special education procedures that were in effect in the District during the 2016-17 and 2017-18 school years. As a result of the Public Inquiry, ISBE found that some of the challenged procedures may have caused violations of the *Individuals with Disabilities Education Act* (IDEA) for students. ISBE issued a Corrective Action Report directing CPS to identify students whose services were delayed or denied as a result of these procedures and offer them opportunities to remedy the delay or denial when appropriate.

2. Which procedures were found to be inconsistent with IDEA?

The procedural changes identified by ISBE included requirements in the electronic Individualized Education Program (IEP) system (called “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.”)

3. What changes were made to the SSCA process in the fall of 2021?

Two significant changes were made to the SSCA process in the fall of 2021. First, students who had previously been identified by the District to receive automatic SSCA meetings will be offered remedies without an SSCA meeting. Second, the District is offering monetary remedies instead of the previous menu of pre-approved options. Parents/guardians no longer need to call or meet with the District to get their remedy. Instead, eligible parents/guardians will be asked to go to www.cps-ssca.com to file their claim. SSCA meetings remain available to parents/guardians who were not identified to receive a remedy (and who meet specified criteria) as well as for parents/guardians who were identified to receive a remedy but do not think it is adequate compensation.

SSCA Remedies

4. Why is CPS offering monetary remedies to families?

Monetary remedies are 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. 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, CPS identified students for whom a remedy is being offered without such an analysis.

5. How were students identified for remedies?

To identify students, CPS pulled data from SSM that may indicate a delay or denial of services due to the identified problematic procedural requirements (see the chart on page 2 of the Student Specific Corrective Action Procedures document). Students were identified in the areas of extended school year (ESY), paraprofessional, transportation, identification as a student with a specific learning disability, and budget.

6. How do I know if my child might have been impacted?

Parents/guardians of students who were identified by CPS are being notified by mail and email. If a parent/guardian does not receive a notice but believes their child’s ESY, transportation, paraprofessional, identification as a student with a specific learning disability, or placement in a therapeutic day school was delayed or denied due to the restrictions in SSM or oversight requirements at issue in the Public Inquiry Report during the 2016-17 and/or 2017-18 school years, or that their child was delayed or denied paraprofessional or special education teacher support due to the budget appeals process during those same school years, they should request an SSCA meeting.

7. Was every student identified by CPS hurt/affected by the special education procedural changes put into effect during the 2016-17 and/or 2017-18 school years?

No. CPS was overly inclusive in its identification process and no analysis was conducted to determine whether a delay/denial occurred or whether the student made expected progress. The CPS identification means that a student will be offered a remedy without a compensatory education analysis. CPS's decision to forego SSCA meetings and offer remedies is not an admission of liability or of unconstitutional or illegal conduct.

8. Will every student who has been identified as qualifying for a remedy receive a remedy?

Yes. If a student has been identified for a remedy and their parent/guardian files a claim by April 30, 2022, the parent/guardian will receive a monetary remedy up to \$4,000.00 per school year.

9. What are the remedy amounts for each area?

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

10. What if a student was identified for a remedy in more than one area, is their remedy limited to only one area?

No. If a student is identified for a remedy in more than one area, the amounts will be added together, up to a maximum of \$4,000.00 per school year.

11. What if a parent/guardian of a student identified for remedy believes they should receive more than the amount offered?

If a parent/guardian believes that the remedy amount offered is insufficient, they may request an SSCA meeting. If the SSCA Team determines at the meeting that a delay/denial occurred in an SSCA area during the 2016-17 and/or 2017-18 school year(s) and that the student did not make expected progress, then a higher remedy amount may be considered and determined by the SSCA team. If the SSCA Team determines at the meeting that no delay/denial occurred or that the student made expected progress and so is not entitled to

an individualized remedy, the parent/guardian will still be offered the original remedy. Choosing to have an SSCA meeting does not require the parent/guardian to forfeit the offered remedy.

12. What do parents/guardians need to do to receive their remedies?

Upon receipt of the notification from the District's claims administrator, the parent/guardian must follow the instructions to file their claim. The parent/guardian will need to go to www.cps-ssca.com and have their unique Claim ID and PIN available (provided by the claims administrator). If the name or address of the person submitting the claim differs from the information on the notice, documentation of the change must be provided. Parents/guardians must also choose how they would like to receive their payment. Finally, the parent/guardian must electronically sign the waiver of claims. If the parent/guardian completes these steps by April 30, 2022, the payment will be processed.

13. What does the waiver of claims say?

In the waiver, the parent/guardian agrees to release the Board of Education from any and all claims related to delays or denials of services or supports during the 2016-17 and 2017-18 school years related to the IDEA violations identified in the ISBE Public Inquiry Report, including those due to special education procedural changes related to transportation, ESY, paraprofessional, identification as a student with an SLD, and placement in a therapeutic day school, and those due to the position funding and budget appeals processes. If the parent/guardian feels their child should be eligible for compensatory services beyond the offered remedy, they should not sign the waiver, and they should request an SSCA meeting.

The waiver does not affect the parent's/guardian's right to ensure their child receives the agreed upon remedy. The waiver also does not limit the parent's/guardian's right to file a complaint about other special education problems during the specified time period or afterwards.

If the parent/guardian disagrees with the remedy offered to their child, the parent/guardian should not sign this waiver and should request an SSCA meeting. If the parent/guardian has questions about the waiver, they should not sign the waiver and should instead see FAQs #42 and 43.

14. What is the deadline for a parent/guardian to file their claim?

Parents/guardians must file their claim by April 30, 2022 (or within 2 weeks of receipt of their notice following an SSCA meeting, whichever is later).

15. What if a family receives public benefits? Will accepting the monetary remedy jeopardize those benefits?

Maybe. Families who receive public benefits should contact the Mayor's Office for People with Disabilities at (312) 744-7050 or Legal Aid Chicago at (312) 341-1070 for advice before filing their claim to receive their remedy. Limited service-based remedies will be available to families who would lose their benefits if they accepted the monetary remedy.

16. Will parents/guardians have to pay taxes on the remedy?

The District believes that the monetary remedies can be excluded from income when paying taxes, and families will not receive a 1099 with their remedy.

Parents/Guardians Who Already Had UER Calls¹ or SSCA Meetings

17. A parent/guardian previously missed or declined a UER call or District initiated SSCA meeting. Can they still get a UER remedy?

Yes. Parents/guardians who missed, declined, or delayed their UER call or District initiated SSCA meeting will be notified of their eligibility for a monetary remedy. Parents/guardians should follow the instructions to file their claim in order to receive their remedy.

18. A parent/guardian previously participated in a UER call or SSCA meeting (and was found eligible) but had not yet chosen a remedy. How can they get a monetary remedy?

Parents/guardians who participated in a UER call or SSCA meeting (and were found eligible) but had not yet chosen a remedy or signed a waiver will be notified of their eligibility for a monetary remedy. Parents/guardians should follow the instructions to file their claim in order to receive their remedy.

19. A parent/guardian previously participated in a UER call or SSCA meeting (and was found eligible), chose a remedy, and signed a waiver, but would prefer the monetary remedy. Can they still get a monetary remedy?

Possibly. If the reimbursement, services, or educational software received was less than the full amount the parent/guardian was eligible to receive, they are eligible to receive the remainder as a monetary remedy. These parents/guardians will be notified of their eligibility for a monetary remedy and should follow the instructions to file their claim in order to receive their remaining remedy.

If the remedy chosen by the parent/guardian exhausted their remedy, they are not entitled to any additional monetary remedy.

If a parent/guardian chose reimbursement, services, or educational software for their child and signed their waiver, but the student had not yet accessed the remedy, then they may be released from their waiver and receive a monetary remedy instead. Parents/Guardians who would like to be released from their waiver should contact ssca@cps.edu or call 773-553-1843.

20. A parent/guardian previously participated in a District-initiated SSCA meeting and was found ineligible for a remedy. Are they now eligible to get a remedy?

Yes. Parents/guardians who participated in a District-initiated SSCA meeting and were found ineligible for a remedy will be notified of their eligibility for a monetary remedy. Parents/guardians should follow the instructions to file their claim in order to receive their remedy. See FAQ #21 for information about eligibility for remedies after parent-initiated SSCA meetings.

21. A parent/guardian previously participated in a parent-requested SSCA meeting and was found ineligible for a remedy. Can they now get a monetary remedy?

No. The results of parent-requested SSCA meetings are not impacted by the changes made to the SSCA procedures in fall 2021. Parents/guardians who request an SSCA meeting (but were not identified by CPS as eligible for an automatic remedy) are only eligible for a remedy if the SSCA Team completes the SSCA analysis and finds the student was negatively impacted by the procedures identified in the Public Inquiry Report. See FAQ #20 for information about eligibility for remedies after District-initiated SSCA meetings.

¹ Prior to the remedy claims system, CPS offered Universal Enrichment Remedies (UERs) to identified families. CPS attempted to schedule calls with parents/guardians to manage the process. Additional details can be found in the September 2020 version of the Guidelines at www.cps.edu/ssca.

22. Will Chromebooks be available as remedies going forward?

Chromebooks were available as a remedy option in the past, but will not be offered going forward. Parents/Guardians who have already received a Chromebook for their student may keep it. Parents/guardians who chose a Chromebook as part of a UER call prior to August 2021, but who have not received it yet, will still receive their Chromebook. If families have questions about when they will receive a Chromebook, they should contact (773) 553- 1843 or email ssca@cps.edu.

Parent Requested SSCA Meetings

23. Will every student who has an SSCA meeting be entitled to an SSCA remedy?

No. If there was no delay/denial of services in an SSCA area and year, the student is not entitled to an SSCA remedy. Additionally, if the SSCA Team determines there was a delay/denial but the student made expected progress, the student is not entitled to an SSCA remedy.

24. Who will make the SSCA decision?

The SSCA Team, which includes the parent/guardian.

25. Can an SSCA meeting occur if the parent/guardian is not present via phone or in person?

No. The SSCA discussion cannot occur without parent/guardian participation.

26. How many times does an SSCA meeting have to be continued if the parent/guardian does not show?

Twice. If the parent/guardian does not show the first time the SSCA meeting is scheduled, then the discussion cannot occur and must be set for another day/time. A second Notice of Conference will be sent to the parent/guardian. If the parent/guardian does not show for the second SSCA meeting, the meeting will be rescheduled again and the parent/guardian will receive a third Notice of Conference. If the parent/guardian does not show for the third SSCA meeting, the parent/guardian will be sent the Student Specific Corrective Action Parent Nonattendance Notification, which explains that no more SSCA meetings will be scheduled unless the parent/guardian contacts [SSCA@cps.edu](mailto:ssca@cps.edu) 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.

27. Is an SSCA meeting an IEP meeting?

No. SSCA meetings use many of the same procedures that parents/guardians are familiar with for IEP meetings, but SSCA meetings have a different purpose than IEP meetings. For an SSCA meeting, like an IEP meeting, parents/guardians receive notice of the meeting, the team includes a special education teacher and a general education teacher, and the parent receives a notice after the meeting summarizing the team's decisions. The SSCA Team members, however, are hired specifically for this function and are not the student's current teachers. Because the SSCA Team does not include the student's current IEP team members, the SSCA Team cannot make changes to the student's IEP. While the purpose of an IEP meeting is to offer FAPE, the purpose of an SSCA meeting is to determine if a student was impacted by one of the issues identified in the ISBE Public Inquiry Report and is entitled to an SSCA remedy. (If a parent/guardian is seeking changes to their child's current IEP, they should contact their case manager.)

28. How can a parent/guardian request an SSCA meeting?

A parent/guardian can request an SSCA meeting by contacting [SSCA@cps.edu](mailto:ssca@cps.edu) or (773) 553-1843. The SSCA request should identify which SSCA area(s) and year(s) they believe the student was potentially impacted (transportation, paraprofessional, ESY, identification as a student with a specific learning disability, placement in a therapeutic day school, paraprofessional, and/or special education teacher support related to the budget

appeals process; in 2016-17 and/or 2017-18). The parent should provide any supporting documentation available.

29. Will all students for whom a parent/guardian requests a SSCA meeting be considered for SSCA?

No. To qualify for an SSCA meeting, the student must have been enrolled in CPS during the 2016-17 and/or 2017-18 school year(s) AND the student has not waived their right to an SSCA remedy through a settlement agreement, mediation agreement, or due process hearing decision. Additional requirements apply if the request for an SSCA meeting is related to the budget appeal process: 1) The student has not had a meeting to discuss compensatory education to address the alleged missed services; and 2) The student attended a school that made a budget appeal related to a paraprofessional or special education teacher in 2016-17 or 2017-18 and the student had that service on his/her IEP at that time. If all criteria are met, an SSCA meeting will be scheduled. If the criteria are not met, an SSCA meeting will not be scheduled and the SSCA Team will provide that finding to the parent/guardian in writing.

30. What remedies are available at an SSCA meeting?

If the SSCA Team determines that a student's services were delayed or denied due to an issue identified in the ISBE Public Inquiry Report and that the student therefore did not make expected progress, the student will be offered a monetary remedy based on the remedy list found within FAQ #9. 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.

31. If a student's 2016-17 and/or 2017-18 IEP indicated services from a paraprofessional or special education teacher but the school was not able to fill the position and the student did not receive the required support or instruction that school year, is that a delay/denial qualifying for SSCA?

Generally no, unless the student's services from a paraprofessional or special education teacher were also delayed due to the procedural changes identified in the Public Inquiry Report or a budget appeal. Upon a parent/guardian's request for an SSCA meeting, the SSCA Team will review the student's record and verify whether the student meets the criteria for an SSCA meeting.

At the meeting, the SSCA Team will determine whether the student was delayed or denied paraprofessional or special education teacher support services due to a procedural change identified in the Public Inquiry Report or a budget appeal. If the SSCA Team identifies such a delay or denial and the student did not make expected progress, the student is eligible for an SSCA remedy to compensate for any harm related to the delay caused by the SSCA issue.

To the extent the student's services were delayed or denied due to positions that were open or vacant due to lack of qualified applicants, however, the student is not eligible for an SSCA remedy, but the parent/guardian will receive a copy of their procedural safeguards and a form requesting a compensatory education meeting. The SSCA Team will send the form and any relevant records to 1) the principal of the school the student is attending, 2) the principal of the school the student was attending at the time of the delay/denial, and 3) the current District Representative. A compensatory education meeting will be scheduled at the student's current school to review any delay or denial caused by a vacant position, review the student's progress, and offer compensatory education if warranted.

32. What is the deadline for a parent/guardian to request an SSCA meeting?

Parents/guardians must request an SSCA meeting by April 30, 2022. If the SSCA Team agrees to a remedy, the parent/guardian must file their claim before April 30, 2022 (or within 2 weeks of receipt of the notice following an SSCA meeting, whichever is later) to receive the remedy.

ISBE Monitor Appeals

33. If a parent/guardian disagrees with the SSCA decision, what can they do?

Parents/guardians may submit an ISBE State Complaint, request State-sponsored mediation, request an impartial due process hearing, or request an appeal directly to the ISBE Monitors.

For more information about how to submit an appeal to the ISBE Monitors, see the SSCA Procedural Safeguards document and the following FAQs (#34 through #43).

For more information about how to submit an ISBE State Complaint, request State sponsored mediation, or request an impartial due process hearing, visit the ISBE website, go to the Special Education page, and find “Effective Dispute Resolution.”

34. How does a parent/guardian file a complaint with the ISBE Monitors?

A parent/guardian who wants to file an appeal with the ISBE Monitors will need to do the following:

Send an email to isbemonitor@isbe.net with the word “APPEAL” in the subject line. The email must include the following information:

- a. Name of person filing the complaint
- b. Name of the student
- c. Contact information for the way parent/guardian prefers to be contacted
- d. Date of the denial of parent’s/guardian’s request for an SSCA meeting or the date of the SSCA meeting

The parent/guardian does not need to send anything else, but including information or documents related to why they think the SSCA decision was wrong may be helpful to the Monitors. ISBE will contact the parent/guardian and Chicago Public Schools to collect additional information on the decision before issuing a finding.

35. When can an ISBE Monitor appeal be filed?

An appeal can be filed after one of the following:

- a. An SSCA Meeting was requested and CPS denied the parent/guardian’s request for a meeting.
- b. An SSCA Meeting was held and the parent/guardian did not agree with one or more of the findings of the SSCA Team..

A parent/guardian can file more than one appeal, one for each of the above.

36. How long does a parent/guardian have to file an appeal with the ISBE Monitors?

An appeal to the ISBE Monitors must be filed within thirty (30) calendar days of the date on which the parent/guardian had knowledge that they were denied a meeting, or thirty (30) calendar days from the date on which they had knowledge of the SSCA meeting outcome.

37. How does a parent/guardian know if the appeal to the ISBE Monitors was received?

The parent/guardian will receive a notification from ISBE within two (2) business days of receipt of the appeal. If a notification is not received within this timeframe, ISBE did not receive the appeal and the parent/guardian should resend their appeal.

38. How long does the appeal process take before the parent/guardian receives a response to the appeal to the ISBE Monitors?

Once ISBE is in receipt of the appeal, the ISBE Monitors or designee will reach out to Chicago Public Schools to obtain any documentation related to the decision, including any supporting data that the team used. CPS

will have five (5) business days to submit all the necessary paperwork to the ISBE Monitors for review. The ISBE Monitors or designee may also reach out to the parent/guardian for additional information. Once ISBE is in receipt of the documentation from CPS, the ISBE Monitors will have five (5) business days to decide on the appeal.

39. Who decides the ISBE Monitor appeal?

One of the two (or both) ISBE Monitors will decide on the appeal. If one of the ISBE Monitors attended the student's SSCA meeting as an observer, the other ISBE Monitor will review the appeal.

40. What outcomes can the parent/guardian expect from an appeal to the ISBE Monitors?

ISBE expects four possible outcomes:

1. The SSCA team decision was correct. Appeal denied.
2. The SSCA team decision was not correct. The ISBE Monitor sends the matter back to the SSCA team with instructions.
3. The SSCA team decision was not correct. The ISBE Monitor orders CPS to offer a remedy to the student.
4. The matter was resolved through another proceeding. The appeal is dismissed.

41. What happens if the parent/guardian disagrees with the decision of the ISBE Monitor?

If the parent/guardian disagrees with the decision of the ISBE Monitor or they do not want to appeal the decision of the SSCA team to the ISBE Monitor, they may still file a State complaint, request State-sponsored mediation, or request an impartial due process hearing. Whether or not the parent/guardian uses the ISBE Monitor appeal process will not affect their procedural safeguards or dispute resolution options.

If the parent/guardian chooses to file a State complaint, request State-sponsored mediation, or request an impartial due process hearing at the same time as or prior to filing an appeal with the ISBE Monitors, the Monitor appeal will be put on hold pending the outcome of the other proceeding. If the due process request or mediation results in a settlement agreement, mediation agreement, or hearing officer decision, then the ISBE Monitor appeal will be dismissed. If the State complaint is investigated and concluded, the ISBE Monitor appeal will be dismissed. If mediation is not successful or if the parent/guardian withdraws the due process request or State complaint prior to a determination, the parent/guardian must notify the ISBE Monitor, who will reinitiate the ISBE Monitor appeal process.

Additional Resources

42. If the parent/guardian does not understand this process, who can they talk to for help within the District?

Parents with questions or concerns can contact the Parent Support Team at odlssparentsupport@cps.edu or 773-553-1840. Or to request an SSCA meeting, parents/guardians can contact either ssca@cps.edu or 773-553-1843. Additional resources are available on the SSCA website at cps.edu/ssca.

43. What community resources exist to help parents/guardians understand this process?

The Equip for Equality SSCA hotline can connect parents/guardians to a number of different advocate services. Parents/guardians can call the hotline at (312) 895-7231 and leave a message. They must state their name and a call back number. A lawyer or advocate who represents parents for free will call the parent/guardian back to discuss their options. Interpreters are available.

Families who would like advice regarding how the monetary remedy could impact their public benefits should contact the Mayor's Office for People with Disabilities at (312) 744- 7050 or Legal Aid Chicago at (312) 341-1070 before filing their claim to receive their remedy.