

Critical Element General Supervision (GS)-4: Does the State have procedures and practices that are reasonably designed to improve educational results and functional outcomes for all children with disabilities?	
Related Question	Response
A. What is the State doing to improve its performance on graduation, drop-out, and post-school outcomes for students with disabilities?	<p>Training and technical assistance (TA) on effective transition practices as well as compliance related to SPP Indicators (TPSA to implement a continuum of transition best practices for impact and capacity building, web-based training modules, multi-tiered school-wide academic and behavioral supports, high school reform movement, intra and interagency collaboration, American Diploma Project, Common Core Standards adoption). This is identified as a priority for the division.</p> <p>Notes: ISBE saw progress in all related indicators last year.</p>
B. How does the State support the education of children with disabilities with their nondisabled peers, to the maximum extent appropriate?	<p>Training and TA practices that increase access to grade level, general education curriculum for students with disabilities (online training modules, directors conference, IAASE group discussions about how to overcome barriers), multi-tiered school-wide academic and behavioral supports, SEL standards integration, Parents Guide, focused monitoring efforts (CHOICES data on how LEAs are improving), statewide evaluation systems across training and TA initiatives, scaling up efforts/initiatives. This is identified as a priority for the division.</p> <p>Notes: ISBE saw progress in all related sub-indicators last year.</p>
C. How does the State ensure that preschool children receive special education and related services in settings with typically developing peers to the maximum extent appropriate?	<p>Through the State’s system of general supervision. Statewide training, TA and resources through STARNET, Early CHOICES, ECSE Roundtables and Sharing a Vision conference. National Professional Development Center on Inclusion, HEIP (training paraprofessionals), guidance on blending ECSE and Prek, “One of Us” best practice guidebook, collaboration across ISBE divisions and with Early Intervention, Head Start and child care. Students with IEPs can receive their special education services in state-funded pre-K programs.</p> <p>Notes:</p>
D. How is the State focusing on improving preschool outcomes (e.g., positive social-emotional skills, acquisition and use of knowledge and skills, use of appropriate behaviors)?	<p>STARnet statewide training, technical assistance and resources, ECO training, technical assistance and resources, ECSE Coordinators’ networking meetings, ECO Stakeholders meeting, ECSE roundtables (training & support for data collection into SIS), guidance documents, online brochures, ECO decision tree and forms online, the IL child outcomes summary form (COSF), mailings to ECSE teachers and SLPs, ECO Q&A document, Collaboration with EI. Also “quality blocks”, etc. in SIS to improve data collection and reporting.</p> <p>Notes:</p>
Document Review	Notes
<input type="checkbox"/> State Rules and Regulations	
<input type="checkbox"/> Table 3	

<input type="checkbox"/> Table 5	
<input type="checkbox"/> Indicator 1	
<input type="checkbox"/> Indicator 2	
<input type="checkbox"/> Indicator 5	
<input type="checkbox"/> Indicator 7	
<input type="checkbox"/> Indicator 14	
Customer Service Info.	Notes
<input type="checkbox"/>	
OGC Comments	Notes
<input type="checkbox"/>	
Interview Info.	Interview Summary
Related Requirements	
<input type="checkbox"/> §300.157(a)(3) and (4) [Performance goals and indicators] The SEA must establish goals for the performance of children with disabilities in the State that address graduation rates and dropout rates, as well as such other factors as the State may determine; and are consistent, to the extent appropriate, with any other goals and standards for children established by the State.	
<input type="checkbox"/> §300.305(e)(3) [Additional requirements for evaluations and reevaluations] For a child whose eligibility under Part B of the Individuals with Disability Education Act (Part B) terminates due to graduation from secondary school with a regular diploma, or due to exceeding the age eligibility for a free appropriate public education (FAPE) under State law, a public agency must provide the child with a summary of his or her academic achievement and functional performance, including recommendations on how to assist the child in meeting postsecondary goals.	
<input type="checkbox"/> §300.520 [Transfer of parental rights and age of majority] A State that receives amounts from a grant under Part B may provide that, when a child with a disability reaches the age of majority under State law (except for a child with a disability who has been determined to be incompetent under State law), the agency shall provide any notice required by 20 U.S.C. 1415 to both the individual and the parents; all other rights accorded to parents under Part B transfer to the child; the agency shall notify the individual and the parents of the transfer of rights; and all rights accorded to parents under Part B transfer to children who are incarcerated in an adult or juvenile Federal, State, or local correctional institution.	
<input type="checkbox"/> §300.601(b)(1) [State performance plans and data collection] Each State that receives assistance under Part B, and the Secretary of the Interior, shall provide data each year to the Secretary of Education and the public on the number and percentage of children with disabilities, by race, ethnicity, limited English proficiency status, gender, and disability category, who for each year of age from age 14 through 21, stopped receiving special education and related services because of program completion (including graduation with a regular secondary school diploma), or other reasons, and the reasons why those children stopped receiving special education and related services.	
<input type="checkbox"/> §§300.600(b)(1)&(2) [State monitoring and enforcement] The primary focus of the State's monitoring activities must be on—	

- (1) Improving educational results and functional outcomes for all children with disabilities; and
- (2) Ensuring that public agencies meet the program requirements under Part B of the Act, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities.

§300.114(a)&(b) [LRE requirements] (a) *General.* (1) Except as provided in § 300.324(d)(2) (regarding children with disabilities in adult prisons), the State must have in effect policies and procedures to ensure that public agencies in the State meet the LRE requirements of this section and §§300.115 through 300.120. (2) Each public agency must ensure that— (i) To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and (ii) Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

(b) *Additional requirement—State funding mechanism—* (1) *General.* (i) A State funding mechanism must not result in placements that violate the requirements of paragraph (a) of this section; and (ii) A State must not use a funding mechanism by which the State distributes funds on the basis of the type of setting in which a child is served that will result in the failure to provide a child with a disability FAPE according to the unique needs of the child, as described in the child’s IEP. (2) *Assurance.* If the State does not have policies and procedures to ensure compliance with paragraph (b)(1) of this section, the State must provide the Secretary an assurance that the State will revise the funding mechanism as soon as feasible to ensure that the mechanism does not result in placements that violate that paragraph.

§300.115 [Continuum of alternative placements] (a) Each public agency must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.

(b) The continuum required in paragraph (a) of this section must— (1) Include the alternative placements listed in the definition of special education under §300.38 (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions); and (2) Make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.

§300.116 [Placements] In determining the educational placement of a child with a disability, including a preschool child with a disability, each public agency must ensure that— (a) The placement decision— (1) Is made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and (2) Is made in conformity with the LRE provisions of this subpart, including §§ 300.114 through 300.118;

(b) The child’s placement— (1) Is determined at least annually; (2) Is based on the child’s IEP; and (3) Is as close as possible to the child’s home;

(c) Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled; (d) In selecting the LRE, consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs; and (e) A child with a disability is not removed from education in age appropriate regular classrooms solely because of needed modifications in the general education curriculum.

§300.117 [Nonacademic settings] In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in § 300.107, each public agency must ensure that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that

<p>child. The public agency must ensure that each child with a disability has the supplementary aids and services determined by the child's IEP Team to be appropriate and necessary for the child to participate in nonacademic settings.</p>	
<p><input type="checkbox"/> §300.118 [Children in public or private institutions] Except as provided in § 300.149(d) (regarding agency responsibility for general supervision for some individuals in adult prisons), an SEA must ensure that § 300.114 is effectively implemented, including, if necessary, making arrangements with public and private institutions (such as a memorandum of agreement or special implementation procedures).</p>	
<p>Critical Element General Supervisions (GS)-5: Does the State have procedures and practices that are reasonably designed to implement selected grant assurances i.e., monitoring and enforcement, significant disproportionality, private schools, CEIS, NIMAS and assessment?</p>	
Related Question	Response
Monitoring and enforcement	
A. How does the State report, no later than 120 days following submission of its APR, on the performance of LEAs against targets in the State's SPP/APR?	<p>The State publishes the District Special Education Profiles on the agency's website, available at http://webprod1.isbe.net/LEAProfile/SearchCriteria1.aspx. Profiles are published each Spring, prior to the June 1st due date. The last pages of the Profile are specific to SPP targets. A notice is posted in the Superintendent's Bulletin and on the special education director listserv regarding the availability of the Profiles online.</p> <p>Notes:</p>
B. What procedures does the State have in place for making local program determinations?	<p>As required under Section 616 and 300.600 of IDEA, ISBE annually determines whether each LEA falls under one of four designations: Meets Requirements, Needs Assistance, Needs Intervention or Needs Substantial Intervention. ISBE convenes a small stakeholder group to review finalized district reported data and determine the criteria and point values to be used for each year's LEA determination process. Once criteria are outlined, ISBE goes to the large stakeholder group for their review. Districts are then notified of their LEA Determination via mail with TA resources included to explain the determination. Depending on the district's determination, various levels of follow-up activities are required of the district (NA2 or NI3 requirements).</p> <p>Notes:</p>
C. What is the State's timeline for making local program determinations and notifying agencies of the results?	<p>ISBE convenes the small stakeholder group to determine criteria for LEA Determinations each Spring (late February/early March). Once criteria are developed by the small stakeholder group, they are then shared with the large stakeholder group, ISAC. Based upon the criteria set for the year, districts are then determined to be in one of the four designations and are subsequently notified in late March/early April via mail of their determination.</p> <p>Notes:</p>
D. If the State is NA 2, NI3 how does the State notify the public that the Secretary of Education has taken enforcement action?	<p>The State's determination and any enforcement actions are announced via a press release (online) and through the Superintendent's Bulletin and the special education director listserv.</p> <p>Notes:</p>

E. What enforcement actions does the State use to address each determination level?	Actions could include advising districts of available sources of TA that may help them address the area(s) in which they need assistance, directing the use of funds on the area or areas in which the district needs assistance or identifying the district as a high-risk grantee and imposing special conditions on the district's IDEA Part B grant award. Districts that are "NA2" have been directed to use TA resources and explain the actions taken as a result. Illinois has no "NI3s" and no "NSIs" yet (must w/hold funds then).
	Notes:
Significant Disproportionality	

<p>F. What is the State's definition of significant disproportionality?</p>	<p><u>Special Education Identification:</u> Illinois defines disproportionate overrepresentation as students in a particular racial/ethnic group (i.e., Asian, Black, Hispanic, Native American or White) being at a considerably greater risk of being identified as eligible for special education and related services overall or by disability category (i.e., Speech/Language, Specific Learning Disability, Emotional Disability, Cognitive Disability, Autism and Other Health Impairment) than all other racial/ethnic groups enrolled either in the district or in the state. Illinois' criterion for determining <u>significant</u> disproportionality in the identification of students in special education is a weighted risk ratio of 4.0 or higher for a particular racial/ethnic group for three consecutive years. N size = 20</p> <p><u>Educational Environment:</u> Illinois defines significant disproportionality in particular Educational Environments as students in a particular racial/ethnic group (i.e., Asian, Black, Hispanic, Native American or White) being at a considerably greater risk of being placed in one of the following Educational Environment categories than all other racial/ethnic groups enrolled either in the district or in the state: inside the regular classroom 40 – 79% of the school day, inside the regular classroom <40% of the school day, and placements in separate schools and residential facilities. Per OSEP Memo 08-09 (7/28/08), placements in homebound/hospital settings, correctional facilities or placement by the parent of a student in a private schools are not included in this examination. Further, per OSEP Memo 08-09, the State does not examine data for placements inside the regular classroom for more than 79% of the school day. Illinois' criterion for determining <u>significant</u> disproportionality in the educational environment of students is a weighted risk ratio of 4.0 or higher for a particular racial/ethnic group for three consecutive years. N size = 20</p> <p><u>Discipline:</u> Significant Disproportionality for the number of out-of-school suspensions (including expulsions) of greater than 10 days is defined as:</p> <ol style="list-style-type: none"> 1. A Suspension/Expulsion rate for each racial/ethnic category is calculated for each district: ((# of students with IEPs suspended or expelled in the racial/ethnic category for more than 10 days)/ (# of students with IEPs in the racial/ethnic category))*100 2. An Overall State Suspension/Expulsion Rate is calculated by using the total number of students with IEPs suspended or expelled for more than 10 days statewide, and the total number of students with IEPs statewide. 3. A State Suspension/Expulsion Rate by Race/Ethnicity is calculated by using the total number of students with IEPs suspended or expelled for more than 10 days in the racial/ethnic category statewide, and the total number of students with IEPs in the racial/ethnic category statewide. 4. ISBE will use the greater of the statewide rates calculated in steps #2 and 3 to calculate the number of standard deviations of each district's rate from the statewide rate. 5. A district is determined to have a Significant Disproportionality if: <ol style="list-style-type: none"> a. Its Suspension/Expulsion Rate for a particular racial/ethnic category is greater than the State Suspension/Expulsion Rate + 3 standard deviations for three consecutive years, AND b. The district has at least 45 students suspended or expelled more than 10 days in the racial/ethnic category. (aligns directly with Indicator 4A and 4B is a higher standard) <p>Notes:</p>
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<p>G. What are the State's procedures to annually collect and examine data to determine if significant disproportionality is occurring for all LEAs?</p>	<p><u>Special Education Identification:</u> To determine significant disproportionality, Illinois conducts an annual analysis of Fall Enrollment data and December Special Education Child Count from the preceding 3 years. These data are used to calculate a weighted risk ratio for each school district. A weighted risk ratio method is used for districts in which there are at least 20 students in the racial/ethnic group in question who are eligible for special education overall or within a particular disability category <u>and</u> at least 20 students in the comparison group (all other races/ethnicities in special education or in the primary disability category).</p> <p><u>Educational Environment:</u> To determine significant disproportionality, Illinois conducts an annual analysis of Fall Enrollment data and December Special Education Child Count from the preceding 3 years. These data are used to calculate weighted risk ratios for each school district. A weighted risk ratio method is used for districts in which there are at least 20 students in the racial/ethnic group in question enrolled either in the district: inside the regular classroom 40 – 79% of the school day, inside the regular classroom <40% of the school day, and placements in separate schools and residential facilities <u>and</u> at least 20 students in the comparison group (all other races/ethnicities in educational environment category in question).</p> <p><u>Discipline:</u> Significant Disproportionality for the number of out-of-school suspensions (including expulsions) of greater than 10 days is defined as:</p> <ol style="list-style-type: none"> 6. A Suspension/Expulsion rate for each racial/ethnic category is calculated for each district: ((# of students with IEPs suspended or expelled in the racial/ethnic category for more than 10 days)/ (# of students with IEPs in the racial/ethnic category))*100 7. An Overall State Suspension/Expulsion Rate is calculated by using the total number of students with IEPs suspended or expelled for more than 10 days statewide, and the total number of students with IEPs statewide. 8. A State Suspension/Expulsion Rate by Race/Ethnicity is calculated by using the total number of students with IEPs suspended or expelled for more than 10 days in the racial/ethnic category statewide, and the total number of students with IEPs in the racial/ethnic category statewide. 9. ISBE will use the greater of the statewide rates calculated in steps #2 and 3 to calculate the number of standard deviations of each district's rate from the statewide rate. 10. A district is determined to have a Significant Disproportionality if: <ol style="list-style-type: none"> c. Its Suspension/Expulsion Rate for a particular racial/ethnic category is greater than the State Suspension/Expulsion Rate + 3 standard deviations for three consecutive years, AND d. The district has at least 45 students suspended or expelled more than 10 days in the racial/ethnic category. <p>Notes:</p>
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<p>H. What is the State’s process for requiring the review and, if appropriate, revision of policies, procedures and practices for LEAs determined to have significant disproportionality?</p>	<p><u>Special Education Identification</u>: ISBE provides written notice to districts determined to have significant disproportionality based on risk ratio calculations. These districts are required to conduct self-assessment activities, including data analysis and a review of policies, procedures and practices, and submit documentation to ISBE.</p> <p><u>Educational Environment</u>: similar processes (above)</p> <p><u>Discipline</u>: similar processes (above)</p>
<p>I. How does the State ensure that LEAs determined to have significant disproportionality publicly report on any revision of policies, procedures and practices?</p>	<p>Notes:</p> <p><u>Special Education Identification</u>: After reviewing the self-assessment documentation, ISBE provides each district with a written notice of the results of that review. This notice includes the requirement to publicly report on any revisions in policies, procedures and practices in the identification of students with disabilities that were or will be made as a result of the district’s review of those areas as part of the self-assessment process. If any such revisions are made, the district is subsequently required to provide documentation of the means by which the public reporting requirement has been met.</p> <p><u>Educational Environment</u>: similar processes (above)</p> <p><u>Discipline</u>: similar processes (above)</p>
<p>Notes:</p>	
<p>Private Schools</p>	
<p>J. How does the SEA ensure that parentally-placed private school children with disabilities receive equitable services in accordance with the Part B requirements including proportionate share?</p>	<p>Prior to the beginning of each school year, the SEA provides each LEA with its proportionate sharing funding calculation based on its reported student counts for the prior school year. These funds must be earmarked for the delivery of services and supports to parentally-placed private school students within the boundaries of the LEA. Expenditures of such funds are monitored by ISBE (Funding & Disbursements). Guidance on the expenditure of proportionate share funds for services and supports to these children has been published by ISBE and can be found on the ISBE website at http://www.isbe.net/spec-ed/pdfs/guidance_5-7.pdf.</p>
	<p>Notes: General supervision system. Proportionate share documentation coming into ISBE re: the consultation process and specific documentation required to show evidence of the process is checked by ISBE staff.</p>

<p>K. How does the State ensure that LEAs, or, if appropriate, an SEA, conduct timely and meaningful consultation during the design and development of special education and related services for parentally-placed private school children?</p>	<p>Each LEA is required to conduct timely and meaningful consultation with relevant representative stakeholders (private school representatives and representatives of parents parentally placed private school children) at least annually to facilitate the development of plans for the delivery of services and support to parentally-placed private school students and home-schooled students. Moreover, each LEA is required to provide ISBE with documentation attesting to the consultation completed by each LEA. The specific guidelines and required documentation concerning the consultation are outlined in published guidance by ISBE. The guidance can be found on the ISBE website at http://www.isbe.net/spec-ed/pdfs/guidance_06-2.pdf.</p>
	<p>Notes: address child find process, proportionate share funds, consultation process, provision of special education and related services, written explanation by the LEA re: services.</p>
<p>CEIS</p>	
<p>L. How does the State ensure that LEAs determined to have significant disproportionality reserve 15% of total Part B 611 and 619 funds, for comprehensive CEIS?</p>	<p>The written notice to LEAs with significant disproportionality includes instructions that the district must set aside 15% of total Part B funds for CEIS. In addition, ISBE uses an electronic grant submission, and one section of the grant application contains a page on which an applicant must report the 15% of funds that will be budgeted for EIS. Grant consultants work with program consultants to assure that LEAs with significant disproportionality use this page to report the amount that will be spent on CEIS.</p>
<p>M. How does the State monitor the LEA use of funds required to be reserved for comprehensive CEIS due to significant disproportionality?</p>	<p>Notes: The page is pre-populated with the 15% of total Part B 611 and 619 funds so that an LEA knows exactly what must be spent on CEIS.</p> <p>Upon grant submission, the budget is reviewed to ensure that funds required to be reserved for CEIS are clearly earmarked for this purpose. The narrative is also reviewed to ensure that the proposed uses of funds (e.g., professional development activities, personnel, materials) are appropriate. A program consultant is assigned to work with the LEA to monitor the implementation of the CEIS program. Finally, grant expenditures are reviewed by auditors to assure that funds have been spent as budgeted.</p>
<p>N. How does the State ensure that LEAs required to use funds for comprehensive CEIS use those funds for children, particularly, but not exclusively in those groups that were significantly overidentified?</p>	<p>Notes:</p> <p>Program consultants review the LEA's grant budget and program narrative upon grant submission to ensure that funds are directed particularly, but not exclusively, to those groups that were significantly overidentified. The program consultant continues to monitor the LEA program throughout the year.</p>
	<p>Notes:</p>

O. Have any LEAs in the State been required to reserve funds for CEIS?	Yes
	Notes:
P. Have any LEAs in the State voluntarily used funds for CEIS?	Yes
	Notes:
Q. How does the State track the LEA use of funds voluntarily used for CEIS?	The electronic grant application contains a page on which an applicant must report the funds (up to 15%) that will voluntarily be budgeted for EIS. Grant consultants monitor the budget throughout the year to assure that the LEA use of CEIS funds is appropriate.
	Notes:
R. What procedures does the State have in place to ensure that LEAs voluntarily using funds for CEIS are using those funds to supplement, not supplant, other Federal, State and local funds including funds made available under the ESEA?	In accordance with DOE guidance, ISBE assures that LEAs maintain fiscal effort to assure that the LEA does not supplant. There is an electronic process in place to ensure maintaining effort.
	Notes: MOE compliance ensures no supplanting
S. What procedures does the State have in place to ensure that LEAs who use funds (voluntarily or by requirement) meet the requirements for local maintenance of effort?	ISBE uses an automated process to determine that the LEA has met the requirements for local maintenance of effort. Maintenance of effort information is also reported in the electronic grant application to ensure that the LEA is eligible to receive IDEA funds.
	Notes:
T. How does the State ensure that CEIS funds are used to provide services to students, in grades K through 12, who are not	Upon grant submission, the budget is reviewed to ensure that funds reserved for CEIS are clearly earmarked for this purpose. Grant consultants monitor the budget throughout the year to assure that the LEA use of CEIS funds is appropriate. Finally, grant expenditures are reviewed by auditors to assure that funds have been spent as budgeted. Two types of audits: external assurance reviews/audits and A-133 audits if > \$500,000

<p>identified as needing special education and related services, but who need additional support to succeed in the general education environment?</p>	<p>Notes:</p>
<p>U. What procedures does the State have in place to ensure that CEIS funds (spent voluntarily or by requirement) are used for allowable activities?</p>	<p>Upon grant submission, the budget is reviewed to ensure that funds reserved for CEIS are clearly earmarked for this purpose and adhere to federal requirements. Grant consultants monitor the budget throughout the year to assure that the LEA use of CEIS funds is appropriate. Finally, grant expenditures are reviewed by auditors to assure that funds have been spent as budgeted.</p> <p>Notes:</p>
<p>V. How do LEAs who implement CEIS voluntarily or by requirement report to the State on 1) the number of children who receive CEIS and 2) the number of children who receive CEIS and subsequently receive special education and related services?</p>	<p>The State compiled a list of LEAs who implemented CEIS either voluntarily or by requirement in order, from whom data regarding 1) the number of children who receive CEIS and 2) the number of children who receive CEIS and subsequently receive special education and related services is required to fulfill the reporting requirements on 618 Table 8. These districts were required to respond with the aggregate count of students to ISBE via a web application for Table 8 reporting. ISBE is investigating the use of the Data Accountability Center's Web Application which is being piloted for this collection from LEAs.</p> <p>Notes: The information is in the current year's grant application.</p>
<p>W. How does the State verify the data reported by LEAs who implement CEIS voluntarily or by requirement?</p>	<p>The State will examine significant year to year changes in data reported by LEAs. Further information from the grant application re: the activities implemented by use of CEIS money can help determine the reasonableness of data reported to the State.</p> <p>Notes:</p>
<p>X. What are the barriers that impede the State's ability to implement CEIS?</p>	<p>Capacity issues.</p> <p>Notes:</p>
<p>Y. What is the State doing to address these barriers?</p>	<p>Hiring contractual consultants who monitor certain key components of the regulations (MOE, Data collection).</p> <p>Notes:</p>

NIMAS	
Z. Has the State adopted the National Instructional Materials Accessibility Standard (NIMAS)?	Yes.
	Notes:
AA. How does the State ensure that LEAs are complying with the NIMAS requirements?	The State ensures that LEAs are complying through on-site focused monitoring visits. When districts are selected for an on-site visit, monitors ask about accommodations and modifications. If monitors suspect the LEA is not complying with the NIMAS requirements the district is issued a finding of non-compliance. The monitor then assures that the LEA complies and provides technical assistance.
	Notes: Access. Outreach to LEAs as part of grants, assurances for Part B grant application, needs assessment w/LEAs, General supervision system.
BB. How does the State coordinate with the National Instructional Materials Access Center (NIMAC)?	The State has two authorized users, Infinitic and Lighthouse. LEAs are responsible for contacting the authorized user (AU) when accessible materials are needed for students.
	Notes:
CC. If the State does not coordinate with NIMAC, what are the State's procedures for providing instructional materials to blind persons or persons with print disability in a timely manner?	N/A
	Notes:
Statewide and Districtwide Assessment	
DD. How does the State monitor to ensure districts comply with Part B requirements for Statewide assessments?	The State provides an accountability workbook to LEAs with TA provided through the Assessment Division. Additionally, through focused monitoring, IEP file reviews are conducted by the team to ensure assessment accommodations are congruent with classroom accommodations and district- and state-wide assessments.
	Notes:
EE. How does the State monitor to ensure districts comply with Part B	The focused monitoring IEP file reviews are conducted by the team leader and team members to ensure assessment accommodations are congruent with classroom accommodations and district- and state-wide assessments.

requirements for district-wide assessments?	Notes:
<p>FF. Does the State report to the public separately on the number of children with disabilities participating:</p> <ul style="list-style-type: none"> • in regular assessments; • in regular assessments with accommodations; in alternate assessments based on alternate academic achievement standards; • in alternate assessments based on modified academic achievement standards; • and in alternate assessments based on grade-level academic achievement standards. 	<p>This information is reported publicly for state-wide assessments through the School and District Report Cards and the District Special Education Profile. It is also on the ISBE website.</p>
	Notes:
<p>GG. What is the State doing to improve its performance of children with disabilities on State assessments?</p>	<p>A number of Improvement Activities and technical assistance projects are identified in the State's SPP and APR for Indicator B3.</p>
	Notes:
<p>HH. How does the State use its assessment process to drive improvement?</p>	<p>State-wide assessment data is reviewed through APR activities related to Indicator B3 and Improvement activities in the APR and Technical Assistance Projects.</p>
	Notes:
<p>Revocation of Parent Consent Services</p>	

<p>II. Are the States policies and procedures consistent with the requirements of 34 CFR §300.300(b), as revised by the supplemental regulations published on December 1, 2008?</p>	<p>ISBE has acknowledged and conformed its practices to the current requirements of 34 CFR 300.300(b) and has published written guidance to all Illinois LEAs concerning the new requirements with regard to parental revocation of consent for special education services. The guidance document discussing the new consent requirements can be found on the ISBE website at http://www.isbe.net/spec-ed/pdfs/guidance_080409.pdf.</p>
	<p>Notes Data tracking system, general supervision system methodology (TA, trainings, data, dispute resolution)</p>
<p>Document Review</p>	<p>Notes</p>
<p><input type="checkbox"/> State Rules and Regulations</p>	
<p><input type="checkbox"/> Grant Application, Section II Assurances</p>	
<p><input type="checkbox"/> Local Performance Reports</p>	
<p><input type="checkbox"/> Local Program Determination Procedures</p>	
<p><input type="checkbox"/> Local Program Determination Letters</p>	
<p><input type="checkbox"/> Significant Disproportionality Identification Procedures</p>	
<p><input type="checkbox"/> Significant Disproportionality Tracking Procedures</p>	
<p><input type="checkbox"/> Significant Disproportionality Reports</p>	
<p><input type="checkbox"/> Indicator 3</p>	
<p><input type="checkbox"/> Table 6</p>	
<p><input type="checkbox"/> State Assessment and Accommodation Guidelines</p>	
<p>Customer Service Info.</p>	<p>Notes</p>
<p><input type="checkbox"/></p>	
<p>OGC Comments</p>	<p>Notes</p>

<input type="checkbox"/>	
Interview Info.	Interview Summary
Related Requirements	
<input type="checkbox"/> §300.600 [State monitoring and enforcement] The State must monitor the implementation of this part, enforce this part in accordance with §300.604(a)(1) and (a)(3), (b)(2)(i) and (b)(2)(v), and (c)(2), and annually report on performance under this part. <p>(b) The primary focus of the State’s monitoring activities must be on—</p> <ol style="list-style-type: none"> (1) Improving educational results and functional outcomes for all children with disabilities; and (2) Ensuring that public agencies meet the program requirements under Part B of the Act, with a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities. <p>(c) As a part of its responsibilities under paragraph (a) of this section, the State must use quantifiable indicators and such qualitative indicators as are needed to adequately measure performance in the priority areas identified in paragraph (d) of this section, and the indicators established by the Secretary for the State performance plans.</p> <p>(d) The State must monitor the LEAs located in the State, using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:</p> <ol style="list-style-type: none"> (1) Provision of FAPE in the least restrictive environment. (2) State exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in § 300.43 and in 20 U.S.C. 1437(a)(9). (3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. 	
<input type="checkbox"/> § 300.601 [State performance plans and data collection] (a) <i>General.</i> Not later than December 3, 2005, each State must have in place a performance plan that evaluates the State’s efforts to implement the requirements and purposes of Part B of the Act, and describes how the State will improve such implementation. (1) Each State must submit the State’s performance plan to the Secretary for approval in accordance with the approval process described in section 616(c) of the Act. (2) Each State must review its State performance plan at least once every six years, and submit any amendments to the Secretary. (3) As part of the State performance plan, each State must establish measurable and rigorous targets for the indicators established by the Secretary under the priority areas described in § 300.600(d). <p>(b) <i>Data collection.</i> (1) Each State must collect valid and reliable information as needed to report annually to the Secretary on the indicators established by the Secretary for the State performance plans. (2) If the Secretary permits States to collect data on specific indicators through State monitoring or sampling, and the State collects the data through State monitoring or sampling, the State must collect data on those indicators for each LEA at least once during the period of the State performance plan.</p>	
<input type="checkbox"/> § 300.602 [State use of targets and reporting] (a) <i>General.</i> Each State must use the targets established in the State’s performance plan under § 300.601 and the priority areas described in § 300.600(d) to analyze the performance of each LEA.	

(b) *Public reporting and privacy*— (1) *Public report*. (i) Subject to paragraph (b)(1)(ii) of this section, the State must—
(A) Report annually to the public on the performance of each LEA located in the State on the targets in the State’s performance plan; and
(B) Make the State’s performance plan available through public means, including by posting on the Web site of the SEA, distribution to the media, and distribution through public agencies. (ii) If the State, in meeting the requirements of paragraph (b)(1)(i) of this section, collects performance data through State monitoring or sampling, the State must include in its report under paragraph (b)(1)(i)(A) of this section the most recently available performance data on each LEA, and the date the data were obtained. (2) *State performance report*. The State must report annually to the Secretary on the performance of the State under the State’s performance plan.
(3) *Privacy*. The State must not report to the public or the Secretary any information on performance that would result in the disclosure of personally identifiable information about individual children, or where the available data are insufficient to yield statistically reliable information.

§ 300.603 [Secretary’s review and determination regarding State performance] (a) *Review*. The Secretary annually reviews the State’s performance report submitted pursuant to § 300.602(b)(2). (b) *Determination*. (1) *General*. Based on the information provided by the State in the State’s annual performance report, information obtained through monitoring visits, and any other public information made available, the Secretary determines if the State— (i) Meets the requirements and purposes of Part B of the Act; (ii) Needs assistance in implementing the requirements of Part B of the Act; (iii) Needs intervention in implementing the requirements of Part B of the Act; or (iv) Needs substantial intervention in implementing the requirements of Part B of the Act. (2) *Notice and opportunity for a hearing*. (i) For determinations made under paragraphs (b)(1)(iii) and (b)(1)(iv) of this section, the Secretary provides reasonable notice and an opportunity for a hearing on those determinations. (ii) The hearing described in paragraph (b)(2) of this section consists of an opportunity to meet with the Assistant Secretary for Special Education and Rehabilitative Services to demonstrate why the Department should not make the determination described in paragraph (b)(1) of this section.

§300.604 [Enforcement] (a) *Needs assistance*. If the Secretary determines, for two consecutive years, that a State needs assistance under §300.603(b)(1)(ii) in implementing the requirements of Part B of the Act, the Secretary takes one or more of the following actions:
(1) Advises the State of available sources of technical assistance that may help the State address the areas in which the State needs assistance, which may include assistance from the Office of Special Education Programs, other offices of the Department of Education, other Federal agencies, technical assistance providers approved by the Secretary, and other federally funded nonprofit agencies, and requires the State to work with appropriate entities. Such technical assistance may include—
(i) The provision of advice by experts to address the areas in which the State needs assistance, including explicit plans for addressing the area for concern within a specified period of time;
(ii) Assistance in identifying and implementing professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
(iii) Designating and using distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, technical assistance, and support; and
(iv) Devising additional approaches to providing technical assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under Part D of the Act, and private providers of scientifically based technical assistance.
(2) Directs the use of State-level funds under section 611(e) of the Act on the area or areas in which the State needs assistance.
(3) Identifies the State as a high-risk grantee and imposes special conditions on the State’s grant under Part B of the Act.

(b) *Needs intervention.* If the Secretary determines, for three or more consecutive years, that a State needs intervention under § 300.603(b)(1)(iii) in implementing the requirements of Part B of the Act, the following shall apply:

(1) The Secretary may take any of the actions described in paragraph (a) of this section.

(2) The Secretary takes one or more of the following actions:

(i) Requires the State to prepare a corrective action plan or improvement plan if the Secretary determines that the State should be able to correct the problem within one year.

(ii) Requires the State to enter into a compliance agreement under section 457 of the General Education Provisions Act, as amended, 20 U.S.C. 1221 *et seq.* (GEPA), if the Secretary has reason to believe that the State cannot correct the problem within one year.

(iii) For each year of the determination, withholds not less than 20 percent and not more than 50 percent of the State's funds under section 611(e) of the Act, until the Secretary determines the State has sufficiently addressed the areas in which the State needs intervention.

(iv) Seeks to recover funds under section 452 of GEPA.

(v) Withholds, in whole or in part, any further payments to the State under Part B of the Act.

(vi) Refers the matter for appropriate enforcement action, which may include referral to the Department of Justice.

(c) *Needs substantial intervention.* Notwithstanding paragraph (a) or (b) of this section, at any time that the Secretary determines that a State needs substantial intervention in implementing the requirements of Part B of the Act or that there is a substantial failure to comply with any condition of an SEA's or LEA's eligibility under Part B of the Act, the Secretary takes one or more of the following actions: (1) Recovers funds under section 452 of GEPA. (2) Withholds, in whole or in part, any further payments to the State under Part B of the Act. (3) Refers the case to the Office of the Inspector General at the Department of Education. (4) Refers the matter for appropriate enforcement action, which may include referral to the Department of Justice.

(d) *Report to Congress.* The Secretary reports to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate within 30 days of taking enforcement action pursuant to paragraph (a), (b), or

(c) Of this section, on the specific action taken and the reasons why enforcement action was taken.

§ 300.606 [Public attention] Any State that has received notice under §§ 300.603(b)(1)(ii) through (iv) must, by means of a public notice, take such measures as may be necessary to notify the public within the State of the pendency of an action taken pursuant to § 300.604.

§300.226 [Early intervening services] (a) *General.* An LEA may not use more than 15 percent of the amount the LEA receives under Part B of the Act for any fiscal year, less any amount reduced by the LEA pursuant to § 300.205, if any, in combination with other amounts (which may include amounts other than education funds), to develop and implement coordinated, early intervening services, which may include interagency financing structures, for students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade three) who are not currently identified as needing special education or related services, but who need additional academic and behavioral support to succeed in a general education environment. (See Appendix D for examples of how § 300.205(d), regarding local maintenance of effort, and § 300.226(a) affect one another.)

(b) *Activities.* In implementing coordinated, early intervening services under this section, an LEA may carry out activities that include—

(1) Professional development (which may be provided by entities other than LEAs) for teachers and other school staff to enable such personnel to deliver scientifically based academic and behavioral interventions, including scientifically based literacy instruction, and, where appropriate, instruction on the use of adaptive and instructional software; and

(2) Providing educational and behavioral evaluations, services, and supports, including scientifically based literacy instruction.

(c) *Construction.* Nothing in this section shall be construed to either limit or create a right to FAPE under Part B of the Act or to delay appropriate evaluation of a child suspected of having a disability.

(d) *Reporting.* Each LEA that develops and maintains coordinated, early intervening services under this section must annually report to the SEA on— (1) The number of children served under this section who received early intervening services; and (2) The number of children served under this section who received early intervening services and subsequently receive special education and related services under Part B of the Act during the preceding two year period.

(e) *Coordination with ESEA.* Funds made available to carry out this section may be used to carry out coordinated, early intervening services aligned with activities funded by, and carried out under the ESEA if those funds are used to supplement, and not supplant, funds made available under the ESEA for the activities and services assisted under this section.

§300.646 [Disproportionality] (a) *General.* Each State that receives assistance under Part B of the Act, and the Secretary of the Interior, must provide for the collection and examination of data to determine if significant disproportionality based on race and ethnicity is occurring in the State and the LEAs of the State with respect to— (1) The identification of children as children with disabilities, including the identification of children as children with disabilities in accordance with a particular impairment described in section 602(3) of the Act; (2) The placement in particular educational settings of these children; and (3) The incidence, duration, and type of disciplinary actions, including suspensions and expulsions.

(b) *Review and revision of policies practices, and procedures.* In the case of a determination of significant disproportionality with respect to the identification of children as children with disabilities, or the placement in particular educational settings of these children, in accordance with paragraph (a) of this section, the State or the Secretary of the Interior must— (1) Provide for the review and, if appropriate revision of the policies, procedures, and practices used in the identification or placement to ensure that the policies, procedures, and practices comply with the requirements of the Act. (2) Require any LEA identified under paragraph (a) of this section to reserve the maximum amount of funds under section 613(f) of the Act to provide comprehensive coordinated early intervening services to serve children in the LEA, particularly, but not exclusively, children in those groups that were significantly overidentified under paragraph (a) of this section; and (3) Require the LEA to publicly report on the revision of policies, practices, and procedures described under paragraph (b)(1) of this section.

§300.132 [Provision of services for parentally-placed private school children with disabilities] (a) *General.* To the extent consistent with the number and location of children with disabilities who are enrolled by their parents in private, including religious, elementary schools and secondary schools located in the school district served by the LEA, provision is made for the participation of those children in the program assisted or carried out under Part B of the Act by providing them with special education and related services, including direct services determined in accordance with § 300.137, unless the Secretary has arranged for services to those children under the by-pass provisions in §§300.190 through 300.198.

(b) *Services plan for parentally-placed private school children with disabilities.* In accordance with paragraph (a) of this section and §§300.137 through 300.139, a services plan must be developed and implemented for each private school child with a disability who has been designated by the LEA in which the private school is located to receive special education and related services under this part.

(c) *Record keeping.* Each LEA must maintain in its records, and provide to the SEA, the following information related to parentally-placed private school children covered under §§ 300.130 through 300.144: (1) The number of children evaluated; (2) The number of children determined to be children with disabilities; and (3) The number of children served.

□§300.134 [Consultation] To ensure timely and meaningful consultation, an LEA, or, if appropriate, an SEA, must consult with private school representatives and representatives of parents of parentally placed private school children with disabilities during the design and development of special education and related services for the children regarding the following:

(a) *Child find.* The child find process, including— (1) How parentally-placed private school children suspected of having a disability can participate equitably; and (2) How parents, teachers, and private school officials will be informed of the process.

(b) *Proportionate share of funds.* The determination of the proportionate share of Federal funds available to serve parentally-placed private school children with disabilities under §300.133(b), including the determination of how the proportionate share of those funds was calculated.

(c) *Consultation process.* The consultation process among the LEA, private school officials, and representatives of parents of parentally placed private school children with disabilities, including how the process will operate throughout the school year to ensure that parentally-placed children with disabilities identified through the child find process can meaningfully participate in special education and related services.

(d) *Provision of special education and related services.* How, where, and by whom special education and related services will be provided for parentally placed private school children with disabilities, including a discussion of— (1) The types of services, including direct services and alternate service delivery mechanisms; and (2) How special education and related services will be apportioned if funds are insufficient to serve all parentally placed private school children; and (3) How and when those decisions will be made;

(e) *Written explanation by LEA regarding services.* How, if the LEA disagrees with the views of the private school officials on the provision of services or the types of services (whether provided directly or through a contract), the LEA will provide to the private school officials a written explanation of the reasons why the LEA chose not to provide services directly or through a contract.

□§300.137 [Equitable services determined] (a) *No individual right to special education and related services.* No parentally-placed private school child with a disability has an individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school.

(b) *Decisions.* (1) Decisions about the services that will be provided to parentally-placed private school children with disabilities under §§300.130 through 300.144 must be made in accordance with paragraph (c) of this section and § 300.134(c). (2) The LEA must make the final decisions with respect to the services to be provided to eligible parentally-placed private school children with disabilities.

(c) *Services plan for each child served under §§ 300.130 through 300.144.* If a child with a disability is enrolled in a religious or other private school by the child's parents and will receive special education or related services from an LEA, the LEA must— (1) Initiate and conduct meetings to develop, review, and revise a services plan for the child, in accordance with § 300.138(b); and (2) Ensure that a representative of the religious or other private school attends each meeting. If the representative cannot attend, the LEA shall use other methods to ensure participation by the religious or other private school, including individual or conference telephone calls.

□§300.138 [Equitable services provided] (a) *General.* (1) The services provided to parentally-placed private school children with disabilities must be provided by personnel meeting the same standards as personnel providing services in the public schools, except that private elementary school and secondary school teachers who are providing equitable services to parentally-placed private school children with disabilities do not have to meet the highly qualified special education teacher requirements of §300.18. (2) Parentally-placed private school children with disabilities may receive a different amount of services than children with disabilities in public schools.

(b) *Services provided in accordance with a services plan.* (1) Each parentally placed private school child with a disability who has been designated to receive services under § 300.132 must have a services plan that describes the specific special education and related services that the LEA will

provide to the child in light of the services that the LEA has determined, through the process described in §§300.134 and 300.137, it will make available to parentally-placed private school children with disabilities. (2) The services plan must, to the extent appropriate— (i) Meet the requirements of § 300.320, or for a child ages three through five, meet the requirements of §300.323(b) with respect to the services provided; and (ii) Be developed, reviewed, and revised consistent with §§300.321 through 300.324.

(c) *Provision of equitable services.* (1) The provision of services pursuant to this section and §§ 300.139 through 300.143 must be provided: (i) By employees of a public agency; or (ii) Through contract by the public agency with an individual, association, agency, organization, or other entity. (2) Special education and related services provided to parentally-placed private school children with disabilities, including materials and equipment, must be secular, neutral, and nonideological.

□ §300.172 [Access to instructional materials] (a) *General.* The State must-- (1) Adopt the National Instructional Materials Accessibility Standard (NIMAS), published as appendix C to part 300, for the purposes of providing instructional materials to blind persons or other persons with print disabilities, in a timely manner after publication of the NIMAS in the Federal Register on July 19, 2006 (71 FR 41084); and (2) Establish a State definition of “timely manner” for purposes of paragraphs (b)(2) and (b)(3) of this section if the State is not coordinating with the National Instructional Materials Access Center (NIMAC) or (b)(3) and (c)(2) of this section if the State is coordinating with the NIMAC.

(b) *Rights and responsibilities of SEA.* (1) Nothing in this section shall be construed to require any SEA to coordinate with the NIMAC. (2) If an SEA chooses not to coordinate with the NIMAC, the SEA must provide an assurance to the Secretary that it will provide instructional materials to blind persons or other persons with print disabilities in a timely manner. (3) Nothing in this section relieves an SEA of its responsibility to ensure that children with disabilities who need instructional materials in accessible formats, but are not included under the definition of blind or other persons with print disabilities in § 300.172(e)(1)(i) or who need materials that cannot be produced from NIMAS files, receive those instructional materials in a timely manner. (4) In order to meet its responsibility under paragraphs (b)(2), (b)(3), and (c) of this section to ensure that children with disabilities who need instructional materials in accessible formats are provided those materials in a timely manner, the SEA must ensure that all public agencies take all reasonable steps to provide instructional materials in accessible formats to children with disabilities who need those instructional materials at the same time as other children receive instructional materials.

(c) *Preparation and delivery of files.* If an SEA chooses to coordinate with the NIMAC, as of December 3, 2006, the SEA must— (1) As part of any print instructional materials adoption process, procurement contract, or other practice or instrument used for purchase of print instructional materials, must enter into a written contract with the publisher of the print instructional materials to— (i) Require the publisher to prepare and, on or before delivery of the print instructional materials, provide to NIMAC electronic files containing the contents of the print instructional materials using the NIMAS; or (ii) Purchase instructional materials from the publisher that are produced in, or may be rendered in, specialized formats. (2) Provide instructional materials to blind persons or other persons with print disabilities in a timely manner.

(d) *Assistive technology.* In carrying out this section, the SEA, to the maximum extent possible, must work collaboratively with the State agency responsible for assistive technology programs.

(e) *Definitions.* (1) In this section and §300.210-- (i) *Blind persons or other persons with print disabilities* means children served under this part who may qualify to receive books and other publications produced in specialized formats in accordance with the Act entitled “An Act to provide books for adult blind,” approved March 3, 1931, 2 U.S.C 135a; (ii) *National Instructional Materials Access Center* or *NIMAC* means the center established pursuant to section 674(e) of the Act; (iii) *National Instructional Materials Accessibility Standard* or *NIMAS* has the meaning given the term in section 674(e)(3)(B) of the Act; (iv) *Specialized formats* has the meaning given the term in section 674(e)(3)(D) of the Act.. (2) The

definitions in paragraph (e)(1) of this section apply to each State and LEA, whether or not the State or LEA chooses to coordinate with the NIMAC.

□§300.160 [Participation in assessments] (a) *General.* A State must ensure that all children with disabilities are included in all general State and district-wide assessment programs, including assessments described under section 1111 of the ESEA, 20 U.S.C. 6311, with appropriate accommodations and alternate assessments, if necessary, as indicated in their respective IEPs.

(b) *Accommodation guidelines.* (1) A State (or, in the case of a district-wide assessment, an LEA) must develop guidelines for the provision of appropriate accommodations. (2) The State's (or, in the case of a district-wide assessment, the LEA's) guidelines must-- (i) Identify only those accommodations for each assessment that do not invalidate the score; and (ii) Instruct IEP Teams to select, for each assessment, only those accommodations that do not invalidate the score.

(c) *Alternate assessments.* (1) A State (or, in the case of a district-wide assessment, an LEA) must develop and implement alternate assessments and guidelines for the participation of children with disabilities in alternate assessments for those children who cannot participate in regular assessments, even with accommodations, as indicated in their respective IEPs, as provided in paragraph (a) of this section. (2) For assessing the academic progress of students with disabilities under Title I of the ESEA, the alternate assessments and guidelines in paragraph (c)(1) of this section must provide for alternate assessments that-- (i) Are aligned with the State's challenging academic content standards and challenging student academic achievement standards; (ii) If the State has adopted modified academic achievement standards permitted in 34 CFR 200.1(e), measure the achievement of children with disabilities meeting the State's criteria under Sec. 200.1(e)(2) against those standards; and (iii) If the State has adopted alternate academic achievement standards permitted in 34 CFR 200.1(d), measure the achievement of children with the most significant cognitive disabilities against those standards.

(d) *Explanation to IEP Teams.* A State (or in the case of a district-wide assessment, an LEA) must provide IEP Teams with a clear explanation of the differences between assessments based on grade-level academic achievement standards and those based on modified or alternate academic achievement standards, including any effects of State or local policies on the student's education resulting from taking an alternate assessment based on alternate or modified academic achievement standards (such as whether only satisfactory performance on a regular assessment would qualify a student for a regular high school diploma).

(e) *Inform parents.* A State (or in the case of a district-wide assessment, an LEA) must ensure that parents of students selected to be assessed based on alternate or modified academic achievement standards are informed that their child's achievement will be measured based on alternate or modified academic achievement standards.

(f) *Reports.* An SEA (or, in the case of a district-wide assessment, an LEA) must make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children, the following: (1) The number of children with disabilities participating in regular assessments, and the number of those children who were provided accommodations (that did not result in an invalid score) in order to participate in those assessments. (2) The number of children with disabilities, if any, participating in alternate assessments based on grade-level academic achievement standards. (3) The number of children with disabilities, if any, participating in alternate assessments based on modified academic achievement standards. (4) The number of children with disabilities, if any, participating in alternate assessments based on alternate academic achievement standards. (5) Compared with the achievement of all children, including children with disabilities, the performance results of children with disabilities on regular assessments, alternate assessments based on grade-level academic achievement standards, alternate assessments based on modified academic achievement standards, and alternate assessments based on alternate academic achievement standards if -- (i) The number of children participating in those assessments is sufficient to yield statistically reliable information; and

(ii) Reporting that information will not reveal personally identifiable information about an individual student on those assessments.

(g) *Universal design.* As SEA (or, in the case of a district-wide assessment, an LEA) must, to the extent possible, use universal design principles in developing and administering any assessments under this section.