

**RESOLUTION AUTHORIZING PAYMENT FOR SPECIAL EDUCATION SERVICES TO VARIOUS
PUBLIC AND NONPUBLIC FACILITIES FOR STUDENTS WITH DISABILITIES
PLACED BY COURT ORDER OR ILLINOIS PUBLIC STATE AGENCY**

WHEREAS, Chicago Public Schools (CPS) students with disabilities may be placed in a public or nonpublic facility or a residential setting by court order, an Illinois State Board of Education (ISBE) special education due process hearing officer order, Department of Children and Family Services (DCFS), Department of Mental Health (DMH), or other state agency ("mandated placements");

WHEREAS, for mandated placements, the Individuals with Disabilities Education Act (IDEA) requires CPS to provide a continuum of special education services to such CPS students and the Illinois School Code requires CPS to fund the special education and related services provided to CPS students at such public and nonpublic facilities; (20 U.S. 1400, 105 ILSC 5/14-7.01, 105 ILSC 5/14-7.02 and 105 ILSC 5/14-7.03);

WHEREAS, tuition rates for mandated placements in a nonpublic facility are established by the Illinois Purchase Care Review Board in accordance with 105 ILSC 5/14-7.02 and 105 ILSC 5/14-7.03 and tuition rates for mandated placements in another public school district facility is calculated in accordance with 105 ILCS 5/14-7.01 and;

WHEREAS, residential costs for mandated placements in a residential facility are based on rates established by the Illinois Purchase Care Review Board which the District pays but is reimbursed by ISBE;

WHEREAS, in some instances a student who is a resident of another school district is placed at a CPS school by the student's IEP and served by a CPS teacher, and in such cases the outside district must reimburse the Chicago Public Schools for the provision of education and related services at a rate calculated in accordance with 105 ILCS 5/14-7.01; and

WHEREAS, the Board wishes to authorize payments to various public and nonpublic facilities for the provision of special education and related services to eligible CPS students with disabilities as a result of their mandated placement and also to authorize billing to various public school districts for the cost of special education and related services provided by the Chicago Public Schools to students who are not CPS students with disabilities.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE CITY OF CHICAGO THAT:

1. The Chief Education Officer and the Chief Administrative Officer, or their designees, shall ensure, subject to appropriations, the payment of costs related to the provision of special education and related services, including transportation, to CPS students with disabilities placed at a public or nonpublic facility or a residential setting by court order, ISBE special education due process hearing officer order, DCFS, DMH, other state agency;
2. After approval by the Chief Education Officer and the Chief Administrative Officer, or their designees, the Officer of Special Education and Supports or designee is authorized to make payments to various public and nonpublic facilities for costs associated with the provision of special education and related services, including transportation, to CPS students with disabilities in mandated placements and the Chief Financial Officer is authorized to bill other public school districts for special education services provided by CPS to students with disabilities who are not residents of the City of Chicago.
3. Nothing in this Resolution prohibits the Office of Special Education and Supports from negotiating a lower rate with a public or nonpublic facility if practicable.
4. This Resolution is effective beginning with education services bills received or generated in Fiscal Year 2013 and shall remain in effect until amended or rescinded by further Board action.