



Board of Education

Office of the Board
1 North Dearborn Street
Suite 950
Chicago, IL 60602

Board Report

24-1212-RS2

Agenda Date: 12/12/2024

AMEND BOARD REPORT 23-0628-RS4

RESOLUTION AUTHORIZING PAYMENTS FOR SPECIAL EDUCATION SERVICES TO VARIOUS STATE-APPROVED NON-PUBLIC FACILITIES FOR STUDENTS WITH DISABILITIES PLACED BY CHICAGO PUBLIC SCHOOLS (CPS)

WHEREAS, the Individual with Disabilities Act (IDEA) requires CPS to provide a continuum of special education services, which includes separate special education facilities or residential settings, for CPS students with disabilities (20 U.S. §1412(a)(5); 34 C.F.R. § 300.115);

WHEREAS, pursuant to IDEA and state regulations, the first placement option for a student with disabilities is in a general education classroom, and placement to a separate special class, separate school, or other placement from the general education environment occurs only if the nature or severity of the disability is such that education in the general education classroom with the use of supplementary aids and services cannot be achieved satisfactorily (20 U.S. §1412(a)(5); 34 C.F.R. § 300.114);

WHEREAS, the Illinois School Code requires CPS to fund the special education and related services provided to CPS students at such non-public separate facilities (105 ILCS 5/14-7.01, 105 ILCS 5/14-7.02, and 105 ILCS 5/14-7.03, and 105 ILCS 5/14-7.05);

WHEREAS, tuition rates for placements in a state-approved facility are established by the Illinois Purchased Care Review Board in accordance with 105 ILCS 5/14-7.02, and 105 ILCS 5/14-7.03, 105 ILCS 5/14-7.05;

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

WHEREAS, the Board wishes to authorize payments to various state-approved facilities for the provision of special education and related services to eligible CPS students with disabilities as a result of their placement by CPS.

WHEREAS, a December 2024 amendment is necessary in order to increase authorized spending under this Resolution by \$26,400,000 to support an increased number of placements in non-public facilities, to correct language and list appropriate statutes.

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

1. After approval by the Chief Education Officer or designee, the Chief Officer of the ~~Office of Diverse Learner Supports and Services~~ Office for Students with Disabilities or designee is authorized to make payments to state-approved facilities for costs associated with the provision of special education and related services, including transportation, to CPS students with disabilities placed by CPS in accordance with students' IEPs.
2. Nothing in this Resolution prohibits the ~~Office of Diverse Learner Supports and Services~~ Office for Students with Disabilities from negotiating a lower rate with a state-approved facility, if practicable.
3. This Resolution authorizes the payment of invoices in Fiscal Years 2024 and 2025 from state-approved facilities for the provision of special education and related services to CPS students with disabilities in the amount not to exceed ~~\$148,600,000~~ \$175,000,000 in the aggregate.
4. The authority granted in this Resolution is effective from July 1, 2023 to June 30, 2025.