

AN ACT concerning education.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The School Code is amended by changing Section 14-8.02f and by renumbering and changing Section 14-8.02g as added by Public Act 101-515 as follows:

(105 ILCS 5/14-8.02f)

Sec. 14-8.02f. Individualized education program meeting protections.

(a) (Blank).

(b) This subsection (b) applies only to a school district organized under Article 34. No later than 10 calendar days prior to a child's individualized education program meeting or as soon as possible if a meeting is scheduled within 10 calendar days with written parental consent, the school board or school personnel must provide the child's parent or guardian with a written notification of the services that require a specific data collection procedure from the school district for services related to the child's individualized education program. The notification must indicate, with a checkbox, whether specific data has been collected for the child's individualized education program services. For purposes of this subsection (b), individualized education program services

must include, but are not limited to, paraprofessional support, an extended school year, transportation, therapeutic day school, and services for specific learning disabilities.

(c) Beginning on July 1, 2020, no ~~no~~ later than 3 school days prior to a child's individualized education program eligibility meeting or meeting to review a child's individualized education program, or as soon as possible if an individualized education program meeting is scheduled within 3 school days with the written consent of the child's parent or guardian, the local education agency must provide the child's parent or guardian with copies of all written material that will be considered by the individualized education program team at the meeting so that the parent or guardian may participate in the meeting as a fully-informed team member. The written material must include, but is not limited to, all evaluations and collected data that will be considered at the meeting and, for a child who already has an individualized education program, a copy of all individualized education program components that will be discussed by the individualized education program team, other than the components related to the educational and related service minutes proposed for the child and the child's educational placement.

(d) Local education agencies must make related service logs that record the type of related services administered under the child's individualized education program and the minutes of each type of related service that has been administered

available to the child's parent or guardian at the annual review of the child's individualized education program and must also provide a copy of the related service logs at any time upon request of the child's parent or guardian. The local education agency must inform the child's parent or guardian within 20 school days from the beginning of the school year or upon establishment of an individualized education program of his or her ability to request those related service logs. If a child's individualized education program team determines that certain services are required in order for the child to receive a free, appropriate public education and those services are not administered within 10 school days after a date or frequency set forth by the child's individualized education program, then the local education agency shall provide the child's parent or guardian with written notification that those services have not yet been administered to the child. The notification must be provided to the child's parent or guardian within 3 school days of the local education agency's non-compliance with the child's individualized education program and must include information on the parent's or guardian's ability to request compensatory services. In this subsection (d), "school days" does not include days where a child is absent from school for reasons unrelated to a lack of individualized education program services.

(e) The State Board of Education may create a telephone hotline to address complaints regarding the special education

services or lack of special education services of a school district subject to this Section. If a hotline is created, it must be available to all students enrolled in the school district, parents or guardians of those students, and school personnel. If a hotline is created, any complaints received through the hotline must be registered and recorded with the State Board's monitor of special education policies. No student, parent or guardian, or member of school personnel may be retaliated against for submitting a complaint through a telephone hotline created by the State Board under this subsection (e).

(f) A school district subject to this Section may not use any measure that would prevent or delay an individualized education program team from adding a service to the program or create a time restriction in which a service is prohibited from being added to the program. The school district may not build functions into its computer software that would remove any services from a student's individualized education program without the approval of the program team and may not prohibit the program team from adding a service to the program.

(Source: P.A. 100-993, eff. 8-20-18; 101-515, eff. 8-23-19.)

(105 ILCS 5/14-8.02h)

Sec. 14-8.02h ~~14-8.02g~~. Response to scientific, research-based intervention.

(a) In this Section, "response to scientific,

research-based intervention" or "multi-tiered systems of support" means a tiered process of school support that utilizes differentiated instructional strategies for students, provides students with scientific, research-based interventions, continuously monitors student performance using scientifically, research-based progress monitoring instruments, and makes educational decisions based on a student's response to the interventions. Response to scientific, research-based intervention or multi-tiered systems of support use a problem-solving method to define the problem, analyze the problem using data to determine why there is a discrepancy between what is expected and what is occurring, establish one or more student performance goals, develop an intervention plan to address the performance goals, and delineate how the student's progress will be monitored and how implementation integrity will be ensured.

(b) A school district may ~~must~~ utilize response to scientific, research-based intervention or multi-tiered systems of support as part of an evaluation procedure to determine if a child is eligible for special education services due to a specific learning disability. A school district may utilize the data generated during the response to scientific, research-based intervention or multi-tiered systems of support process in an evaluation to determine if a child is eligible for special education services due to any category of disability.

(c) The response to scientific, research-based intervention or multi-tiered systems of support process must involve a collaborative team approach, with the parent or guardian of a student being part of the collaborative team. The parent or guardian of a student must be involved in the data sharing and decision-making processes of support under this Section. The State Board of Education may provide guidance to a school district and identify available resources related to facilitating parental or guardian participation in the response to scientific, research-based intervention or multi-tiered systems of support process.

(d) Nothing in this Section affects the responsibility of a school district to identify, locate, and evaluate children with disabilities who are in need of special education services in accordance with the federal Individuals with Disabilities Education Improvement Act of 2004, this Code, or any applicable federal or State rules.

(Source: P.A. 101-515, eff. 8-23-19; revised 10-7-19.)

Section 99. Effective date. This Act takes effect upon becoming law.