

MEMORANDUM

**TO: All District Directors of Special Education
All Special Education Cooperative Directors**

**FROM: Elizabeth Hanselman
Assistant Superintendent for Special Education & Support Services**

DATE: August 3, 2009

**RE: Written Assurance of District Adoption of Special Education Policies
and Procedures**

According to Section 1413(a) of the Individuals With Disabilities Education Improvement Act of 2004 (“IDEA 2004”), each local school district in Illinois is expected to have in place policies and procedures that comply with the requirements of IDEA 2004 and the Illinois School Code. Such policies and procedures must be in place to ensure that each and every child who attends a public school district in Illinois, and who is or may be a child with a disability covered under IDEA 2004 has access to a free appropriate public education.

In the past, ISBE has required each local district to submit copies of their complete policies and procedures. Beginning in 2009, we are now requesting that districts complete and sign the attached assurance form in lieu of submitting copies of the policies and procedures themselves. The form, once completed, will be kept on file at ISBE.

The form itself can be completed either by an individual local district or by a special cooperative on behalf of its member districts. The form must be completed whenever the district adopts new policies and procedures. A new form should be completed and signed each time a further substantive change is made to the policies and procedures.

In the case of cooperatives, a cooperative director may complete the form on behalf of its districts ONLY if the cooperative agreement allows the cooperative to adopt policies and procedures that are binding on all cooperative member districts. If the cooperative agreement makes no such provision, then each individual district within that cooperative will be required to complete the attached form. Please note that a cooperative director must complete both the certifying statement in the middle portion of the form and the statement certifying that the cooperative policies are binding on the cooperative’s member districts toward the bottom of the form. Cooperatives must also submit a listing of the member districts bound by the adoption of the cooperative policies and procedures.

If you are completing the form strictly on behalf of an individual public school district, the district only is required to sign the certifying statement in the middle portion of the form. The district superintendent must be the individual who signs the certification. Substitution of another district administrator’s signature will not be permitted.

Being aware that each district should have in place new policies and procedures that comply with the requirements of IDEA 2004, the State Board of Education requests each local district (or a cooperative on behalf of a local district) to submit an initial, signed copy of the attached assurance form by no later than **September 30, 2009**. The form may be sent by surface mail to:

Andrew Eulass
Principal Consultant
Illinois State Board of Education
Special Education Services Division
100 N 1st Street
Springfield, IL 62777

As original copies of the completed form are to be maintained at ISBE, we unfortunately cannot accept faxed or scanned facsimiles.

If you have further questions, please feel free to contact Andrew Eulass at 217-782-5589 or via email at aeulass@isbe.net.