



Robbins Schwartz
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REQUIRED TIMELINES AND ACTIVITIES FOR EVALUATIONS, ELIGIBILITY MEETINGS, IEP MEETINGS AND DOCUMENT COMPLIANCE

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Required Timelines and Activities for Evaluations, Eligibility Meetings, IEP Meetings and Document Compliance

Presented By:
Laura M. Sinars

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Agenda & Overview



Activities and Timelines Related to Evaluations, Eligibility Meetings and Documents



Activities and Timelines Requirements Related to IEP Meetings and Documents



Activities and Timelines Requirements Related to Student Record Requests



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Activities and Timelines Related to Evaluations, Eligibility Meetings and Documents



Activities and Timelines Related to Evaluations and Eligibility Meetings

Event/Activity	Timeline	Source
Respond to Request for Evaluation	Within 14 School Days of Receipt of Request for Evaluation	23 ILAC 226.110
If Agreeing to Conduct Evaluation, Complete Domain Grid and Request Parent Consent	Within 14 School Days of Receipt of Request for Evaluation	23 ILAC 226.110
Complete Evaluation & Convene Meeting to Determine Eligibility	Within 60 School Days of Receipt of Parent Consent	23 ILAC 226.110; 34 CFR 300.301(c)
If Consent Obtained with less than 60 School Days in School Year, Complete Evaluation, Convene Meeting to Determine Eligibility, and Produce IEP if Eligible	Before the First Day of Student Attendance of Next School Year	105 ILCS 5/14-8.02; 23 ILAC 226.110

Activities and Timelines Related to Evaluations and Eligibility Meetings

Event/Activity	Timeline	Source
Provide Parents Copies of All Evaluations and Collected Data to be Considered by IEP Team	No later than 3 School Days prior to Eligibility Meeting	105 ILCS 5/14-8.02f(c)
Provide Parents a Copy of Eligibility Conference Summary Report	Immediately after Meeting	23 ILAC 226.110
Provide Written Notice to Parent of Decision Re: Eligibility	Immediately after Meeting	23 ILAC 226.110; 23 ILAC 226.520
Conduct Reevaluation	Every 3 Years, but Not More Than Once per Year Unless Agreed	34 CFR 300.303

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Required Documents Related to Evaluations, Eligibility Meetings

- Completed Eligibility Report Must Include:
 - Complete Conference Summary Report, including Sign in Sheet
 - Parent/Guardian Notice of Conference
 - Parent/Guardian Notice of Conference Recommendations
 - Complete Copies of All Evaluation Reports
 - Also, Upload and Connect to Conference Report Copies of any Private Evaluation Reports Considered

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Activities and Timelines Related to IEP Meetings and Documents

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Activities and Timelines Related to IEP Meeting: Notice Requirements

Event/Activity	Timeline	Source
Provide Notice of IEP Meeting	No later than 10 Calendar Days prior to Date of IEP Meeting	23 ILAC 226.530
Provide Written Notice of Availability of Interpretation Services at IEP Meetings	Annually and in Each Notice of Conference	23 ILAC 226.530(b)
Provide Written Notice of IEP Meeting to Consider Private Evaluation Report Presented by Parents	Within 10 Calendar Days of Receipt of Private Report	23 ILAC 226.180

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Activities and Timelines Related to IEP Meetings: Document Requirements

Event/Activity	Timeline	Source
Respond to Parent or Teacher Request for an IEP Meeting	Within 10 Calendar Days from Date of Request	23 ILAC 226.220
Provide Parents Copies of Draft Individualized Education Program Components to be Discussed by IEP Team, other than Educational and Related Service Minutes and Placement	No later than 3 School Days prior to IEP Meeting	105 ILCS 5/14-8.02f(c)
Complete Initial IEP	Within 30 Calendar Days of Initial Determination of Eligibility and No later than 60 School Days of Receipt of Consent	23 ILAC 226.110

Activities and Timelines Related to IEP Meeting: Document Requirements

Event/Activity	Timeline	Source
Provide Parents with Copy of IEP	Immediately after IEP Meeting	23 ILAC 226.220
Provide Notice of IEP Team Determination	Immediately after IEP Meeting	23 ILAC 226.220

Activities and Timelines Related to IEP Meeting: Implementation Requirements

Event/Activity	Timeline	Source
Implement IEP	No later than 10 School Days after IEP Meeting	23 ILAC 226.220; See also 226.520
Provide Written Notice of Failure to Implement an IEP Service within 10 School Days after Service Was to be Initiated and Procedures for Requesting Compensatory Services	Within 3 School Days of Failure to Implement	105 ILCS 5/14-8.02f(d-5)



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Activities and Timelines Related to IEP Meeting: Move – In IEP Implementation Requirements

Event/Activity	Timeline	Source
Provide Notice of IEP Meeting for Student Moving into District from Another Illinois District if Not Adopting Former IEP	Within 10 Calendar Days of Student's Enrollment in District	23 ILAC 226.50
Provide Comparable Services to Student Moving into District When Copy of IEP Is Provided, but District Does NOT Adopt	Immediately	23 ILAC 226.50
Implement Services Believed to Best Meet Student's Needs for Move In Student Without Verbal or Written Confirmation of Content or Copy of IEP	Immediately	23 ILAC 226.50
Provide Written Notice of IEP Meeting to Develop New IEP if No IEP Has Been Received for Move In Student	Within 20 Calendar Days of Enrollment	23 ILAC 226.50; 105 ILCS 2-3.13a



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Required Documents Related to IEP Meetings

- Completed IEP Report Must Include:
 - Complete Conference Summary Report, including Sign in Sheet
 - Additional IEP Components As Appropriate: Secondary Transition, Functional Behavioral Assessment, Behavior Intervention Plan
 - Parent/Guardian Notice of Conference
 - Parent/Guardian Notice of Conference Recommendations
 - Complete Copies of Data, Charts and Other Information Shared In Advance of IEP Meeting (if not a part of Conference Summary Report)
 - Copies of any Private Evaluation Reports Considered

Activities and Timelines Related to Student Record Requests



Activities and Timelines Related to Student Record Requests

Event/Activity	Timeline	Source
Respond to Records Request From Parent or Authorized Representative	<p>Within 10 Business Days of Receipt of Request</p> <p><i>A School District May Extend the Response Time by No more than 5 Business Days Under Certain Circumstances or the Parties May Mutually Agree to an Extension of the Timeline for Producing the Records</i></p>	105 ILCS 10/5
Forward Transferring Student's Unofficial Records of the Student's Grades to New School District	Within 10 Calendar Days of Receipt of Notice of Transfer	105 ILCS 5/2-3.13a

Activities and Timelines Related to Student Record Requests

Event/Activity	Timeline	Source
Make Related Service Logs Available	At any Time upon Request of the Parent within the Response to Records Timeframe (i.e., 10 Business Days with Potential 5 Business Day Extension)	105 ILCS 5/14-8.02f(d)
Provide Written Notice of Right to Request Related Service Logs	Within 20 School Days of Start of School Year or upon Establishment of IEP	105 ILCS 5/14-8.02f(d)
Provide Notice of Right to Review and Copy Student Records	Annually, but at least prior to any IEP Meeting	105 ILCS 5/14-8.02f(d)



QUESTION & ANSWER

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A slide with a white background. On the left, there is a blue Twitter bird icon. Below it, the text reads "Follow Us on Twitter!" and "@RSchwartzLaw". On the right side, there is a word cloud of the phrase "THANK YOU" in various languages, including English, Spanish, Italian, Chinese, Hindi, Greek, and others. The words are arranged in a circular pattern around the central "THANK YOU" text. At the bottom right corner, there is the logo for "Robbins Schwartz" with the tagline "One Team. Making Your Mission Ours."

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LAURA M. SINARS

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Laura Sinars focuses on special education and students' rights law. She counsels and represents public school districts at IEP meetings, due process hearings and mediation. She also represents districts at student expulsion and residency hearings. Laura has defended district decisions regarding evaluations, services, and placement of special education students in due process hearings. She has successfully prevailed in hearings to defend against parents' unilateral private placements.

In the area of student rights, Laura has assisted clients with routine student issues related to records, discipline, health and 504 questions. She has also assisted clients with building strong residency and discipline cases which proceed to hearing and has successfully defended districts' decisions in state and federal courts. Laura has represented districts before federal and state agencies including the Illinois State Board of Education, the Illinois Guardianship and Advocacy Commission and the Office for Civil Rights.

AWARDS

Illinois Super Lawyers, 2005-2018

RECENT PUBLICATIONS

Contributing author, "Special Education," *Illinois School Law*, IICLE (2005, 2010, 2012 and 2015)



PRACTICE AREAS

Education Law
Special Education
Student Discipline

EDUCATION

J.D., University of Notre
Dame Law School

B.A., University of Notre
Dame

ADMITTED TO PRACTICE

U.S. Court of Appeals for
the Seventh Circuit

U.S. District Court for the
Central District of Illinois

U.S. District Court for the
Northern District of Illinois

Supreme Court of Illinois