PRESS PLUS ISSUE #123 (OCTOBER 2026)
11/13/26 POLICY COMMITTEE MEETING

1. **ACTION TO BE TAKEN:**

_____CONSENT

_____1st READING

_____KEEP IN COMMITTEE

_____DELETE POLICY

2. **POLICY COMMITTEE TO DETERMINE:**

___ Adopt as Presented
(change "revised" & "reviewed" date)

___Adopt with Additional District Edits
(change "revised" & "reviewed" date)

___Edits Not Adopted
(change "reviewed" date)

Document Status: Draft Update

SECTION 6 - Instruction

6:120 Education of Children with Disabilities

The District shall provide a free appropriate public education in the least restrictive environment and necessary related services to all children with disabilities enrolled in the District, as required by the Individuals With Disabilities Education Act (IDEA) and implementing provisions of the School Code, Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act. The term *children with disabilities*, as used in this policy, means children between ages 3 and 15 for whom it is determined, through definitions and procedures described in the Ill. State Board of Education (ISBE) *Special Education* rules, that special education services are needed.

It is the intent of the District to ensure that students who ~~are disabled~~have a disability[C1] within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational services.[Q1] Students may ~~be disabled~~have a disability within the meaning of Section 504 of the Rehabilitation Act even though they do not require services pursuant to IDEA.

For students eligible for services under IDEA, the District shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in the ISBE *Special Education* rules. For those students who are not eligible for services under IDEA, but, because of disability as defined by Section 504 of the Rehabilitation Act of 1973, need or are believed to need special instruction or related services, the District shall establish and implement a system of procedural safeguards. The safeguards shall cover students' identification, evaluation, and educational placement. This system shall include notice, an opportunity for the student's parent(s)/guardian(s) to examine relevant records, an impartial hearing with opportunity for participation by the student's parent(s)/guardian(s), and representation by counsel, and a review procedure.

It is the policy of this school district to provide students an education in a safe and orderly environment, while encouraging parents to participate fully and effectively with school personnel in the development of appropriate special education programming for his or her child. Pursuant to the Illinois School Code, 105 ILCS 5/14-8.02, the District shall allow parent(s)/guardian(s) reasonable access to the District's educational facilities, personnel, classrooms, and buildings and to the child to observe their child in the school setting or to visit an educational placement or program proposed for their child. The District shall allow an

independent educational evaluator, or a qualified professional retained by or on behalf of a parent or student, reasonable access to the District's educational facilities, personnel, classrooms, and buildings and to the student in order to conduct an evaluation of the child, the child's performance, the child's current educational program, placement, services, or environment, or any educational program, placement, services, or environment proposed for the child. This policy shall apply to all programming and facilities supported in whole, or in part, by public funds, and subject to the control of the District.

The Superintendent or his /her designee is hereby authorized and directed to establish procedures to implement this policy. All visitors must comply with all applicable District policies, procedures and guidelines for visitations, including those laws protecting the confidentiality of education records such as the Family Educational Rights and Privacy Act and the Illinois School Student Records Act. District personnel have the right to accompany any visitor during an observation and to terminate a visit at any time if the visitor fails to abide by the District's Policy or Procedures or otherwise disrupts the educational process.

The District may maintain membership in one or more cooperative associations of school districts that shall assist the School District in fulfilling its obligations to the District's students with disabilities.

If necessary, students may also be placed in private school education facilities.

LEGAL REF.:

20 U.S.C. §1400 et seq., Individuals With Disabilities Education Improvement Act of 2004; 34 C.F.R. Part 300.

29 U.S.C. §794, Rehabilitation Act of 1973, Section 504; 34 C.F.R. Part 104.

42 U.S.C. §12101 et seq., Americans With Disabilities Act.

~~34 C.F.R. Part 106.~~

~~34 C.F.R. Part 300.~~

105 ILCS 5/14-1.01 *et seq.*, 5/14-7.02, and 5/14-7.02b.

23 Ill.Admin.Code Part 226.

CROSS REF. 2:150 (Committees), 7:230 (Misconduct by Students with Disabilities)

ADOPTED: October 5, 2010

REVISED: March 3, 2022

REVIEWED: March 3, 2022

PRESSPlus Comments

C1. Updated for continuous improvement. **Issue 123, October 2026**

Questions

Q1. *Twice-exceptional students* are those who are gifted and talented and have a disability. 105 ILCS 5/22-50(a), amended by P.A. 104-822. See 105 ILCS 5/22-50(b), added by P.A. 104-822, for suggested best practices to address the needs of twice-exceptional students and any student who is gifted, talented, or accelerated or would benefit from an advanced academic program and who is eligible for a Section 504 plan under the Rehabilitation Act of 1973, 29 U.S.C. §794.

105 ILCS 5/22-50(c), added by P.A. 104-822, authorizes a school board to adopt a policy to allow for the development of a written plan to support twice-exceptional students. If the board wishes to adopt such a policy, IASB will add the following subheading to the end of this policy and add 105 ILCS 5/22-50 to the Legal References. If the board has adopted policy 6:130, *Program for the Gifted*, IASB will also add a Cross Reference to 6:130 at the end of this policy, as well as a Cross Reference to 6:120 at the end of policy 6:130.

Twice-Exceptional Students

The Superintendent or designee shall develop a written education plan to address the advanced abilities or achievement levels of *twice-exceptional students* as defined in 105 ILCS 5/22-50, through individualized services, goals, accommodations, and objectives for a student, while continuing to provide services and support for the student's disabilities in all educational settings.

Has the Board adopted the subheading shown above to allow for the development of a written plan to support twice-exceptional students?

Options

☐ No. (Default)

☐ Yes. (IASB will add the subheading, Legal Reference, and Cross References shown above.)