

# **Chicago Public Schools Special Education Budget Review**

FY 2021

Supporting Students with Disabilities in the Pandemic Era

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## Executive Summary

Access Living has provided an annual review and analysis of the Chicago Public Schools' (CPS) budget as it impacts students with disabilities since 2006. Typically, our report aims to review if the CPS budget adequately funds its special education program to ensure equity and good educational outcomes for students with disabilities. With the unprecedented Covid-19 school closures this year, Access Living shifted our budget review to focus on better supporting students with disabilities with remote learning, along with a review of CPS's Americans with Disabilities Act (ADA) Accessibility Program/Student Accommodation budget.

For FY21, CPS proposed total spending of \$8.4 billion, an increase of \$545 million from the FY20 amended budget.<sup>1</sup> The \$8.4 billion spending plan includes \$6.92 billion for the operating budget, \$758 million for the capital budget, and \$711 million for debt service payments.<sup>2</sup> Out of the almost \$7 billion operating budget, CPS allocated \$1.16 billion for its special education program in FY21.<sup>3</sup> The FY21 special education budget supports a total of 10,945 special education teacher, clinician, aide, and supporting administrator positions, including an additional 44 social workers, 55 nurses, and 40 case managers.<sup>4</sup>

In Chapter 1, Access Living identifies a critical issue with CPS's FY21 budget for special education services. Remote learning calls for additional resource support for students with disabilities, not less. However, the FY21 budget does not include a sufficient number of additional special education teacher and aide positions for remote learning in the fall. To adequately support students with disabilities with remote learning, teachers, aides and various clinicians need to spend more time on teaching preparation, team collaboration, data collection and analyses, as well as student check-ins and consultation with parents and caregivers. CPS's FY21 special education budget is not reflecting a meaningful increase in total special education teacher, aide, and case manager positions who were budgeted at schools.

We welcome CPS's new Remote Learning Guidance on Special Education with detailed instructions for providing services to students with disabilities for the fall semester.<sup>5</sup> However,

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<sup>1</sup> CPS FY21 Proposed Budget, <https://www.cps.edu/globalassets/cps-pages/about/finance/budget-2021/docs/fy21-budget-book-v22.pdf>.

<sup>2</sup> *Id.*

<sup>3</sup> CPS FY21 Proposed Budget Book, p. 78.

<sup>4</sup> *Id.* According to the FY21 Interactive Budget Report, the FY21 special education budget of \$1.16 billion includes \$67 million of special education funding to charter schools.

<sup>5</sup> CPS School Reopening 2020 ODLSS Remote Learning Guidance, <https://docs.google.com/document/u/0/d/1jRpHnav1P3pJLnsC-bMAEwZm03S31-uB9ow0nqdyBZg/mobilebasic>.

we have grave concerns about how the already thinly-stretched special education staff at schools can implement the guidelines in carrying out an extensive amount of additional work to meet the IEP goals with remote learning. Without additional budgetary consideration of the further remote learning support needs, the proposed FY21 budget does not seem to be adequately supporting disabled students' educational needs in the upcoming school year. We recommend that CPS allocate an appropriate portion of the \$470 million in federal Covid aid for supporting students with disabilities.<sup>6</sup>

In Chapter 2, Access Living discusses the impact of the Covid-19 school closures and rapid shift to remote education on students with disabilities and their families. Often, special education services are offered in a small group or one-on-one setting to appropriately support students' learning. The emergency school closures took the essence of these small group or one-on-one instruction and related services, as well as social and emotional learning opportunities, away from students by isolating them at home. In the spring, CPS had significant difficulty providing special education or accommodation services to students as required by their IEPs or 504 plans due to various technology and service implementation obstacles. As a result, students with disabilities could not make expected progress with their IEPs and many have shown signs of regression with their critical skills.

Access Living recommends that CPS provide robust support with quality and quantity to students with disabilities. Most of all, CPS should hire more teachers and aides so students can receive adequate support with asynchronous portion of remote learning. With remote learning, more instructional support should be given to students with disabilities in order to offset the limits of remote learning. We also recommend CPS prioritize in-person instruction and therapy services as the safety of students and staff allows and provide a safe learning place for students. Our specific special education service recommendations can be found on pp. 9-10.

Lastly, Access Living presents our discussion on CPS's \$20 million ADA improvement budget in FY21.<sup>7</sup> The district's plan of making every school first-floor accessible is miscalculated in that it does not actually address students' need of access to educational spaces, since classrooms, libraries, cafeterias, and gyms are not typically on the first floor of schools. First-floor accessible schools also exclude any parent with mobility disabilities from parenting and equally engaging in their child's education by limiting their access to first floors, when many educational spaces are on higher floors. Even for basic parent teacher meetings, first-floor access does not mean there is a reasonable first-floor space for a parent to meet with a teacher. The only way to increase accessibility for students, parents, teachers, and caregivers with

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<sup>6</sup> CPS FY21 Proposed Budget Book, pp. 19-21.

<sup>7</sup> CPS FY21 Proposed Capital Plan, <https://www.cps.edu/about/finance/capital-plan/capital-plan-fy2021/>.

mobility disabilities is making a school fully accessible vertically, not just first-floor accessible. Our specific recommendations to improve school accessibility can be found on pp. 13-14.

## **Chapter 1**

### **FY21 Budget is Not Sufficient to Support the Remote Learning Needs of Students with Disabilities**

In the 2019-20 school year, CPS served over 67,000 identified students with disabilities.<sup>8</sup> Most of these students received special education services based on their Individualized Education Program (IEP) under the Individuals with Disabilities Education Act (IDEA). Other students with disabilities who do not need a modified curriculum still received accommodations based on their disabilities under Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act (ADA). These students have 504 plans describing their disability accommodations. Under the IDEA and Section 504, CPS is required to provide free appropriate public education services to both groups of students with disabilities.

#### **Budget Overview**

In FY21, CPS budgeted a total of \$1.16 billion for its special education and disability accommodation services (special education budget) for students with disabilities.<sup>9</sup> The FY21 special education budget supports a total of 10,945 special education teacher, clinician, aide, and administrator positions.<sup>10</sup> CPS announced that the FY21 budget includes an additional \$97 million from the FY20 budget.<sup>11</sup> However, detailed budget amounts in the FY21 Proposed Budget book, as well as the district's Interactive Budget Reports, do not clearly show the \$97 million increase.<sup>12</sup> In fact, CPS announced the \$97 million special education funding increase

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<sup>8</sup> As of 20<sup>th</sup> day SY 2019-20: Students with IEPs total 51,691 and students with 504 plans total 16,037, CPS School Data, Demographics, School Year 2019-2020, <https://www.cps.edu/about/district-data/demographics/>; CPS FOIA Request N007006-062419.

<sup>9</sup> CPS FY21 Proposed Budget Book, p. 78.

<sup>10</sup> *Id.* According to the FY21 Interactive Budget Reports, the FY21 special education budget of \$1.16 billion includes \$67 million of special education funding to charter schools.

<sup>11</sup> CPS FY21 Proposed Budget Book, p. 5.

<sup>12</sup> CPS FY21 Proposed Budget Book, p. 78; CPS FY21 Interactive Budget Reports, <https://www.cps.edu/about/finance/budget/budget-2021/>.

with the school-level budget release in April, 2020.<sup>13</sup> The \$97 million special education funding increase is based on the April preliminary allocation of special education teacher, aide, and case manager positions at individual schools. To meet the actual needs of schools, CPS also added special education teacher and aide positions through the budget appeals process from May through August 2020. In the below table, the “2021 Proposed Budget” in the “Budgeted at Schools” row number, \$851 million, reflects the funds supporting a total number of special education teacher, aide, and case manager positions as of early August, 2020, after adding more teacher and aide positions from the preliminary position allocation in April.

Based on the FY21 Proposed Budget Book, as well as the FY21 Interactive Budget Reports, the FY21 special education budget includes an increase of \$136 million from the FY20 Ending (end of school year) Budget, including an additional 44 social workers, 55 nurses, and 40 case managers.<sup>14</sup> The “Total Department” row shows funds supporting administrators and citywide clinicians, such as speech pathologists, occupational therapists, physical therapists, school psychologists, nurses, and social workers.

#### FY20-FY21 Special Education Budget Summary

	2020 Amended Budget	2020 Ending Budget	2021 Proposed Budget	FY20 Ending Budget - FY21 Proposed Budget Comparison	FY20 Amended Budget - FY21 Proposed Budget Comparison
General Funds	\$261,989,330	\$260,815,204	\$290,509,940	\$29,694,736	\$28,520,610
Other Grant Funds	\$18,005,155	\$20,576,693	\$18,937,449	(\$1,639,244)	\$932,294
<b>Total Department</b>	<b>\$279,994,485</b>	<b>\$281,391,897</b>	<b>\$309,447,389</b>	<b>\$28,055,492</b>	<b>\$29,452,904</b>
Budgeted at Schools	\$718,963,112	\$742,763,112	\$850,978,720	\$108,215,608	\$132,015,608
<b>Grand Total</b>	<b>\$998,957,597</b>	<b>\$1,024,155,009</b>	<b>\$1,160,426,109</b>	<b>\$136,271,100</b>	<b>\$161,468,512</b>

Source: FY21 CPS Proposed Budget Book, p. 78.

In FY20, the charter school funding model changed and their special education funding is delivered through the Office of Diverse Learner Supports and Services (ODLSS), adding \$64

<sup>13</sup> CPS Press Release, CPS Increases School Budgets by More Than \$125 Million with Additional Resources to Advance Equity Throughout the District. April 28, 2020, [https://www.cps.edu/press-releases/cps-increases-school-budgets-by-more-than-\\$125-million-with-additional-resources-to-advance-equity-throughout-the-district/](https://www.cps.edu/press-releases/cps-increases-school-budgets-by-more-than-$125-million-with-additional-resources-to-advance-equity-throughout-the-district/).

<sup>14</sup> CPS FY21 Proposed Budget Book, p. 78.

million to the department’s FY20 budget.<sup>15</sup> In FY21, the total of \$1.16 billion special education funds budgeted under ODLSS includes \$67 million to charter school special education programs, an increase of \$3 million compared to the previous year.<sup>16</sup>

**CPS Should Use the Federal Covid Aid Funds for Robust Remote Learning Support for Students with Disabilities**

Access Living identified a critical issue with CPS’s FY21 budget for special education services related to the pandemic. The FY21 special education budget does not include a sufficient number of additional special education teacher and aide positions for remote learning in the fall. Remote learning requires an extensive amount of additional work for staff: remote learning/online platform-focused teaching preparation, team collaboration, data collection analyses, student check-in and consultation with parents and caregivers. The below table shows that the FY21 Budgeted at School positions of 8,900.4 special education teachers, aides, and case managers does not provide any increase from the FY20 ending positions of 8,909.4.

FY20-FY21 Special Education Position Summary

	2020 Budgeted Positions	2020 Ending Positions	2021 Proposed Positions
General Funds	1,803.4	1,817.4	1,911.4
Other Grant Funds	129.1	133.1	133.1
<b>Total Department</b>	<b>1,932.5</b>	<b>1,950.5</b>	<b>2,044.5</b>
Budgeted at Schools (Special education teachers, paraprofessionals, and case managers)	7,850.9	8,909.4	8,900.4
<b>Grand Total</b>	<b>9,783.4</b>	<b>10,859.9</b>	<b>10,944.9</b>

Source: CPS FY21 Proposed Budget Book, p. 78.

Because CPS allocates special education positions based on students’ IEP needs, an increase of special education positions is not an additional supplementary support. Rather, any change in the number of positions means a change in students’ IEP needs. For that reason, comparing the FY20 Budgeted Positions and the FY21 Proposed Positions does not truly provide insight into the current service needs of students. Rather, the FY20 Ending Positions (as of June 2020) in comparison with the FY21 Proposed Positions (beginning Sept. 2020), shows if the

<sup>15</sup> CPS FY20 Proposed Budget Book, p. 70.

<sup>16</sup> A total of \$67,762,902 in FY21, CPS FY21 Interactive Budget Reports, Budget by Fund>General Fund> FG114 Special Education Fund, <https://biportal.cps.edu/analytics/saw.dll?Dashboard#no-back-button>.

FY21 Proposed Budget and supporting positions generally meet the current IEP needs of students.

On Aug. 18<sup>th</sup>, 2020, one week after the FY21 proposed budget release, CPS released its new Special Education Remote Learning Guidance for the fall.<sup>17</sup> The fall remote learning guidelines offer detailed instructions for staff to meet the individual educational needs of students with disabilities to as much extent as possible. Nonetheless, Access Living finds no meaningful additional teacher and aide budget allocation in support of extensive remote learning in the fall. Meanwhile, in the above table, the “Total (ODLSS) Department” positions include an increase of 94 departmental positions, reflecting an additional 44 social worker and 55 nurse positions to be hired during SY20-21.<sup>18</sup>

Access Living welcomes the district’s thorough guidance on providing services to students with disabilities for the fall semester. However, we have grave concerns about how the already thinly-stretched special education staff at schools can implement the Special Education Remote Learning Guidance in carrying out an extensive amount of additional work to meet the IEP goals with remote learning. Without additional budgetary consideration of the further remote learning support needs, the proposed FY21 budget is not sufficient to adequately support students’ educational needs in the upcoming school year. We recommend that CPS allocate an appropriate portion of the federal Covid aid of over \$470 million for supporting students with disabilities in FY21.<sup>19</sup>

## **Chapter 2**

### **How to Better Support Students with Disabilities in the Fall**

#### **Challenges with Remote Learning**

Since the COVID-19 school closures in March, schools, students, and families have faced immense challenges with students’ learning because the emergency shift to remote education tended to result in CPS not being able to adequately meet the educational needs of students with disabilities according to their IEPs. Students with disabilities receive individualized special education services or accommodation services based on their individual needs in relation to their disability. Often, special education services are offered in a small group or one-on-one setting to

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<sup>17</sup> CPS School Reopening 2020 ODLSS Remote Learning Guidance, <https://docs.google.com/document/u/0/d/1jRpHnav1P3pJLnsC-bMAEwZm03S31-uB9ow0ngdyBZg/mobilebasic>.

<sup>18</sup> CPS FY21 Proposed Budget Book, p. 78.

<sup>19</sup> CPS FY21 Proposed Budget Book, pp. 19-21.



appropriately support students' learning. In addition to specialized instruction services, schools also provide students with disabilities with various related services, such as speech therapy, occupational therapy, physical therapy, social work/counseling, and nursing, if such services are necessary for a student to benefit from special education. The Covid emergency took the essence of these small group or one-on-one instruction and related services, as well as social and emotional learning opportunities, away from students by isolating them at home.

The pre-Covid special education setting no longer works with remote learning. Families of students with disabilities have been reporting various impediments to education. Students with sensory or developmental disabilities often experience accessibility barriers to online platforms, including the digital divide resulting in lack of digital devices and internet connections. For example, a student with autism found remote learning inaccessible because the one-fit-for-all online setting did not accommodate his sensory needs. According to the new CPS Special Education Remote Learning Guidance for the fall, students who cannot access online learning due to their disabilities will receive weekly or bi-weekly paper packets with directions, lesson plans, and modified work.<sup>20</sup> To these students, the burden of learning, if any, is enormous, because paper packets do not provide the equivalent level of human services that they need to make meaningful progress.

Other students with autism or other developmental disabilities also found a sudden change to remote learning hard to keep up with due to new routines and online-based activities. Although CPS distributed laptops and offered internet access support, it did not automatically guarantee educational access to students, including students with disabilities. Younger students with disabilities and students with attention deficit disorder often find remote learning boring and less interactive, so to assist them with learning, a parent or another caregiver had to take a role of teacher, aide, and therapist at home even though they were not equipped to do so. For every student with a disability, a student, teachers, and families needed to find alternative individualized ways of education with remote learning, but in most cases, parents and caregivers found themselves struggling to make it through a full day without the professional in-person support that their students used to have in school. For many students with disabilities, isolation at home also hurt their social and emotional development.

### **Students with Disabilities Need Robust Support with Quality and Quantity.**

In the fall, Access Living hopes that CPS finds a way to provide students with disabilities and their families with robust support with quality and quantity. During the 3-month remote

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<sup>20</sup> CPS School Reopening 2020 ODLSS Remote Learning Guidance, p. 14, <https://docs.google.com/document/u/0/d/1jRpHnav1P3pJLnsC-bMAEwZm03S31-uB9ow0nqdyBZg/mobilebasic>.

learning period in the spring, the district had difficulty providing special education services as required by students' IEPs or 504 plans due to various technology and service implementation obstacles. As a result, students with disabilities could not make expected progress with their IEPs and many have shown signs of regression with their critical skills.

Access Living welcomes CPS's newly offered Remote Learning Guidance on special education with detailed instructions of providing services to students with disabilities. However, as we discussed in Chapter 1, we have grave concerns about the FY21 special education funding because it does not seem to be sufficient to support additional education personnel that students need with remote learning.

We recommend that CPS provide robust support with quantity and quality to students with disabilities as follows:

1. **Hire more teachers and aides so students can receive adequate support with asynchronous portion of remote learning.** For example, a student with a shared classroom aide for assistance should be able to receive the same level of assistance when she is doing remote learning school work asynchronously. Because a shared aide would likely need to assist assigned students one-by-one with asynchronous remote learning, there should be more aides in the 2020-21 school year. Likewise, more instructional support should be given to students with disabilities in order to offset the limits of remote learning. To achieve this goal, CPS should provide more teachers and classroom aides to students with disabilities.
2. **Prioritize in-person instruction and therapy services as the safety of students and staff allows.** Remote learning is harder on students with disabilities because special education essentially requires individualized education services, which often have social, tactile, visual, or auditory components that help students stay on track. To prevent continuous regression of students and maintain progress, CPS must prioritize students with disabilities with in-person education services as the safety of students and staff allows.
3. **Provide a Safe Learning Space for Students.** The pandemic has worsened socioeconomic disparities among CPS students, including students with disabilities. For students whose home or family situation is not equipped to provide an appropriate environment for their learning, CPS can better support these students by providing a safe learning space in their buildings and offering support services while keeping them safe.
4. **Extend the Special Education Service Eligibility Period for Graduating Students.** Students who graduated in the spring or soon to be graduating students with

disabilities have not received adequate transition services since the Covid school closures. CPS should stop the clock until school reopening and extend these students' special education service period for the time they lost due to the school closures. Although Illinois law requires that the school district provide special education and transition services until a student turns 22 years old, it is a minimum, and CPS is free to offer more services for a longer period. With an extended service period, these students will better realize their right to gain meaningful independent living skills until they graduate.

**5. Use the Federal Covid Aid Funds to Support Students with Disabilities.**

To provide robust individualized support for students with disabilities in the pandemic, CPS should commit additional resources to offset the limits of remote learning. CPS should use an appropriate portion of its \$470 million federal Covid aid funds and support our students with disabilities so they can continuously make meaningful progress.

## **Chapter 3**

### **Improving CPS Accessibility for Students with Mobility Disabilities**

CPS's FY21 capital budget totals \$758 million.<sup>21</sup> The district allocated \$20 million of that capital budget for ADA Improvement and Student Accommodation as a part of a commitment to spend \$100 million over the next five-years to make every school first floor accessible.<sup>22</sup> CPS explains its ADA accessibility improvement plan as follows:

- Support for Students with Physical Limitations

We will invest \$20 million to increase Americans with Disabilities Act accessibility in 36 schools as part of a multi-year program to ensure all CPS buildings have first-floor accessibility. Starting FY2021, CPS is committing to spending \$100 million over the next

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<sup>21</sup> CPS FY21 Proposed Capital Plan, <https://www.cps.edu/about/finance/capital-plan/capital-plan-fy2021/>.

<sup>22</sup> CPS FY21 Proposed Budget Book, pp. 7-8, 93, 181-83.

five years to improve accessibility of parking lots, main entrances, main offices, and public restrooms.<sup>23</sup>

### **CPS Must Prioritize Making Schools Fully Accessible for Students**

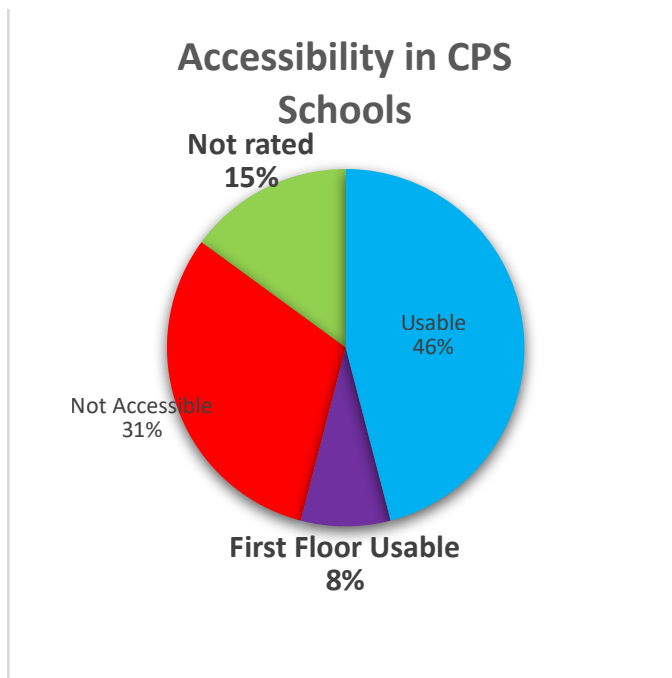
Access Living strongly opposes CPS's plan of making every school first-floor accessible. District-wide first-floor accessibility will not increase educational opportunities for students with mobility disabilities because the district does not provide all educational spaces, including classrooms, on the first floor. With first-floor accessibility, students with mobility disabilities may very unlikely be able to access all classrooms, attendance offices, cafeterias, gymnasiums, pull-out rooms, libraries, art rooms, and other necessary spaces if they are located above the first floor.

First-floor accessible schools also exclude any parent with mobility disabilities from parenting and equally engaging in their child's education by limiting their access to first floors, when many educational spaces are on higher floors. Even for basic parent teacher meetings, first-floor access does not mean there is a reasonable first-floor space for a parent to meet with a teacher. First-floor accessible school buildings may offer some accessibility to community members but it still falls short of what is needed for students and their parents with mobility disabilities. The only way to increase accessibility for students, parents, teachers, and caregivers with mobility disabilities is making a school fully accessible vertically, not just first-floor accessible.

Since FY20, CPS has been allocating ADA improvement funds primarily to make schools first-floor accessible. We oppose CPS's district-wide first-floor accessibility plan because equity for students with mobility disabilities cannot be achieved unless all CPS school buildings are fully accessible so they can equally enjoy the same academic programs as their peers without disabilities do. Under the ADA, CPS has to make any newly constructed (on or after January 1993) buildings or major renovations to be ADA accessible. Because of the ADA new construction requirement, from FY15 through FY19, the number of usable schools in CPS had slightly increased even though the district did not make any capital investment during those fiscal years to improve accessibility of pre-ADA built schools. To bring equity to students with mobility disabilities, CPS's ADA capital investment should be spent on making pre-ADA built schools fully accessible.

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<sup>23</sup> CPS FY21 Proposed Budget Book, p. 183.



Note: Above figures include all CPS schools, including charter schools.<sup>24</sup> CPS accessibility terminology is distinct from the Americans with Disabilities Act (ADA) terminology and definitions: Under the ADA, buildings are referred to as “accessible,” “first-floor accessible,” and “inaccessible” or “not accessible.” CPS’s term, “usable” is not equivalent to “accessible” under the ADA, however, a student with a mobility disability can still attend a usable (generally accessible) school and participate in school programs although not every element may be perfectly accessible. “Usable” schools also include a small number of newly constructed or renovated ADA compliant schools but CPS does not differentiate these ADA accessible schools ratings from pre-ADA usable schools.

In CPS, more than half of schools are not available for students with mobility disabilities to attend.<sup>25</sup> We also find that CPS’s accessibility level is inequitable for students with mobility disabilities in the South and West Sides of the City.<sup>26</sup> Notably, in Pilsen-Little Village, Englewood-Auburn Gresham, and Chatham-South, two out of three schools are not usable for students with mobility disabilities.<sup>27</sup> With the unequal degree of accessibility among geographical regions in the South and West Sides, Black and Brown students need to travel longer distances than their peers in the North Side, due to a severe lack of accessible schools and

<sup>24</sup> As of June, 2019, CPS had 642 schools in total: Usable schools (295); First-floor Usable schools (52); Not Accessible schools (199); Not rated schools (96), CPS FOIA Request N007006-062419 and school accessibility information from individual school websites. Nor rated schools are mostly charter and option schools and CPS’s own data does not include these schools’ accessibility ratings.

<sup>25</sup> Due to lack of vertical accessibility features, students with mobility disabilities cannot attend first-floor usable schools.

<sup>26</sup> Access Living, *Accessibility in Chicago Public Schools: Students with Mobility Disabilities Are Not Yet Equal* (Aug. 2020), pp. 15-16, 29-33, 36-38, available at [https://www.accessliving.org/wp-content/uploads/2020/08/CPS-Accessibility\\_Students-with-Mobility-Disabilities-are-Not-Yet-Equal\\_Access-Living-1.pdf](https://www.accessliving.org/wp-content/uploads/2020/08/CPS-Accessibility_Students-with-Mobility-Disabilities-are-Not-Yet-Equal_Access-Living-1.pdf).

<sup>27</sup> *Id.*

high quality programs.<sup>28</sup> For example, in Chatham/South Shore, only NINE schools are usable (generally accessible) out of the 32 schools in total whereas in the Near North Side, 15 schools are usable out of the 28 schools in total.<sup>29</sup> CPS needs to prioritize schools in the South and West Sides in improving school accessibility by making those schools fully accessible to students.

For more discussion, please see our CPS school accessibility analyses report, [\*Accessibility in Chicago Public Schools: Students with Mobility Disabilities Are Not Yet Equal\*](#).<sup>30</sup> The report offers insights on school accessibility disparities in CPS and the inequitably small number of usable (generally accessible) schools available to Black and Brown students in the South and West Sides of the City.

To improve accessibility in CPS schools, Access Living recommends:

1. **CPS Must Use the ADA Capital Investment Funds to Make Schools Fully Accessible** so students with mobility disabilities can access and enjoy the same academic programs as their peers without disabilities. Under the ADA, CPS is required to make any newly constructed building or major renovations accessible. Furthermore, the district’s capital investment on improving accessibility should prioritize projects making pre-ADA built schools fully accessible. CPS’s current plan of improving first-floor accessibility is a significant cost that provides minimal benefit, especially since there is no guarantee that it would complement future plans for full accessibility.
2. **Make the Accessibility Information Easily Available and Complete Accessibility Rating of All CPS Schools.** CPS should make detailed ADA school accessibility information, if a school is “usable (generally accessible)” or “fully ADA accessible,” easily available on the CPS website, School Locator, as well as the district’s school choice application and selection process, GoCPS. Such accessibility information is critical for students and their parents with mobility disabilities in their school choice and selection process. To effectively assist students and their families with mobility disabilities, CPS should also provide an accessibility rating of all CPS schools, including charter schools.
3. **Prioritize Schools in the South and West Sides.** CPS should prioritize its South and West regions in improving both elementary and high school accessibility. Notably, in

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<sup>28</sup> *Id.*

<sup>29</sup> Access Living, *Accessibility in Chicago Public Schools: Students with Mobility Disabilities Are Not Yet Equal* (Aug. 2020), Accessibility in CPS Elementary Schools chapter, pp. 20, 33, [https://www.accessliving.org/wp-content/uploads/2020/08/CPS-Accessibility\\_Students-with-Mobility-Disabilities-are-Not-Yet-Equal\\_Access-Living-1.pdf](https://www.accessliving.org/wp-content/uploads/2020/08/CPS-Accessibility_Students-with-Mobility-Disabilities-are-Not-Yet-Equal_Access-Living-1.pdf).

<sup>30</sup> *Id.*

Pilsen-Little Village, Englewood-Auburn Gresham, and Chatham-South, two out of three schools are not usable (generally accessible) for students with mobility disabilities. The severe lack of usable schools, as well as the dearth of high quality programs, hurt Black and Brown students and their communities and place an inequitable burden on these students to travel a further distance to attend usable schools with higher quality ratings far from their neighborhoods.

4. **Allocate a Separate Fund for Individual ADA Accommodations.** The ADA requires CPS to reasonably accommodate students and other individuals with disabilities so they can have equal access to CPS's buildings, programs, and services. A reasonable amount of funds, sufficient to address vertical access needs and separate from a budget for the ADA program (district-wide capital investment to improve overall school accessibility), should be devoted and spent to meet the needs of current or enrolling students who present accessibility needs at their schools.
5. **Devote More ADA Accessibility Improvement Investment.** Although more than half of CPS schools are not fully accessible for students, CPS's FY20 ADA improvement budget of \$20 million makes up less than 3% of CPS's capital investment for the next school year. If CPS is willing to spend \$20 million in FY21 for first-floor accessibility, the district can, and should, allocate an equivalent amount to make schools fully accessible for students.
6. **Create a Long-Term Accessibility Plan to Make Every School Fully Accessible, in Partnership with Disability Stakeholders.** CPS's sister agency, the Chicago Transit Authority, committed to a 20-year All Stations Accessibility Plan (ASAP) to make all public transit stations accessible. It recognizes the need to identify and obtain new funding sources to meet this commitment and determined project prioritization in consultation with the disability community. As of today, more than half of CPS schools are not available for students with mobility disabilities. We need a long-term strategic plan to make every school fully accessible and CPS should take a leadership role to bring equity to students and their families with mobility disabilities. Furthermore, such a plan should be developed with disability community stakeholders.

This report was led by Chris Yun, Access Living's Education Policy Analyst. Ms. Yun can be reached at [cyun@accessliving.org](mailto:cyun@accessliving.org) regarding this report. Access Living's website can be visited at [www.accessliving.org](http://www.accessliving.org).