Overview of Corey H. Litigation, 1992-2013

May 1992: Case filed and assigned to Judge Harry Leinenweber.

February 1993: Motion to dismiss denied and class certified as “[A]ll children who are enrolled in the Chicago Public Schools and who are or will be classified as having a disability by [CPS], and who are therefore subject to [CPS’s] and ISBE’s illegal practice and policy of failing to educate children with disabilities within the least restrictive environment.” Class definition includes approximately 50,000 students.

August 1994: District court enters “Agreed Order to Use Joint Experts,” pursuant to which the parties selected three independent experts to conduct an inquiry into the plaintiffs’ allegations. The joint experts later conclude that the City and the State had “failed to monitor or implement the principles of educating children with disabilities in the least restrictive environment, or to train teachers and other educational professionals in these principles.” Corey H. v. Bd. of Educ. of City of Chicago, 995 F. Supp. 900, 903 (N.D. Ill. 1998).

October 1994: Case assigned to Judge Robert Gettleman.

July 1995: Paul Vallas appointed CEO of CPS.

February 1997: Second amended complaint filed, alleging that the ISBE violated the IDEA by failing to ensure that an adequate supply of qualified special education teachers and related personnel was available and properly trained.

October 1997: ISBE trial.


February 1998: District court finds in favor of plaintiffs on question of ISBE’s liability re: LRE violations. Court orders ISBE to develop rules and regulations for teacher certification that would bring the state into compliance with the IDEA.

June 1999: ISBE consent decree entered.


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1 Prepared by Hillary Coustan for A Retrospective on the Corey H. Litigation, held at Loyola University Chicago School of Law on June 18, 2015.
May 2000: Reid L. parties (a group of special education teachers and students who lived outside of CPS boundaries) file motion to intervene in *Corey H.*, arguing that ISBE’s promulgation of transition and certification rules was improper under the IDEA, U.S. Constitution, and Illinois Administrative Procedure Act.

January 2001: Joint Committee on Administrative Rules (JCAR) suspends new certification rules.

February 2001: District court orders the ISBE to implement the new certification rules immediately without referral to JCAR, and orders ISBE to conduct public hearings on rules re: transition to the new special education certification structure.

May 2001: Joint resolution of Illinois General Assembly to continue indefinitely the suspension of the ISBE’s certification rules.

June 2001: District court orders ISBE to implement transition rules.

June 2001: Reid L. parties file separate action for declaratory and injunctive relief, which were denied by the district court.

June 2001: Arne Duncan appointed CEO of CPS.

August 2001: District court denies Reid L. parties’ motion to intervene.

May 2002: Seventh Circuit affirms district court’s rulings re: Reid L. parties.

January 2004: Kathleen Yannias appointed as court monitor, succeeding Judge Schneider.


December 2005: District court extends CPS consent decree until further order.

March 2007: District court extends CPS consent decree to September 1, 2010.

January 2009: Ron Huberman appointed CEO of CPS.

November 2010: ISBE and CPS agree to final extension of consent decrees to August 2011 and September 2012, respectively.

November 2010: Terry Mazany appointed interim CEO of CPS.
May 2011: Jean-Claude Brizard appointed CEO of CPS.

August 2011: ISBE consent decree terminates.

March 2012: Monitor’s final report re: implementation of ISBE consent decree is filed with the district court.

March 2012: CPS moves to vacate consent decree on the basis of Jamie S. v. Milwaukee Public Schs., 668 F.3d 481 (7th Cir. 2012).

July 2012: CPS’s March 2012 motion to vacate denied.

September 2012: CPS consent decree terminates.

October 2012: Barbara Byrd-Bennett appointed CEO of CPS.

March 2013: Monitor's final report re: implementation of CPS consent decree is filed with the district court.