

# FRCD Newsletter

Editors: M.C. Christian, C. Des Jardins

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## IL SPECIAL ED RULES ALERT!

Final passage of the proposed Illinois Special Education Rules may be at hand, even though many concerns still remain.

As this Newsletter goes to press, on November 15, 2006, the Illinois State Board of Education (ISBE) Board members will be discussing proposed Illinois Special Education Rules, which spell out how the new IDEA (Individuals with Disabilities Education Act) Rules approved August 14, 2006, will be implemented in Illinois.

In listing its agenda for the State Board meeting, the State Board acknowledged that the purpose of the Special Ed Rules agenda item is to “further discuss the rulemaking process and the purpose of the proposed amendments with regard to class size/caseload. The majority of the comments received have been on class size and caseload.” Many of the comments came from the nine public hearings on the proposed Illinois Special Education Rules throughout the state in March 2006 through September 2006.

The ISBE Board further noted: “In proposing state regulations, five questions were asked: 1) Was language duplication of federal? 2) Does language offer express protection of students? 3) Do our experiences with general supervision support need for regulation? 4) What has public comment been so far? 5) What does existing research say?” The State Board further acknowledged that: “The great volume of comments received are about provisions that are unique to Illinois and not connected to federal requirements – namely, caseload and class size,” and that other factors considered in the analysis are: “Policy implications: changes to the class size/caseload regulations are important to all school districts. Federal law, state law and board policy support student placements in the least restrictive environment; and budget implications: Class size and caseload limits directly affect school budgets.”

The State Board also stated that: “the Superintendent supports the proposed regulations; however, no action is being considered until such time as all public comment has been analyzed and the rules modified as necessary... and ISBE staff will continue to finish the analysis of comments and recommendations for changes to the proposed rules. A final set of rules will be presented at the December meeting for Board action.”

While parents, consumers, advocates, and professionals continue to express concerns about the proposed Illinois State Special Education Rules, ISBE continues to maintain that the Illinois Rules should mirror the federal IDEA Rules for efficiency and paperwork reduction.

The following concerns are being expressed by many parents, consumers, advocates and professionals about the proposed Illinois Special Education Rules:

- If the ISBE Rule proposal is adopted, it means that Illinois will lose its position as a leader in special education rule making, with provisions now requiring more services than required by Federal law. *(continued at the top of page 2)*

**IL has new Interim Special Ed Director, see page 3**

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