

**LEGAL UPDATES**

**March 2014**

- A new House Bill, HB 1446, would require for special education services to be provided in accordance with a child's IEP within 10 school attendance days, (instead of 10 calendar days) after notice is provided to parents.
- A pending House Bill (HB 4524) would require parents to “identify and disclose” food allergies for all children, as well as mandate schools to create and implement an “individualized health care food allergy action plan” for all students with life-threatening food allergies.
- The Illinois House Elementary and Secondary Education Committee approved a bill (HB 5537) that would allow the Illinois State Board of Education to remove elected school board members based on their governance and behavior. In addition, all school boards would be required to go through a national accrediting process. If the school district failed to secure accreditation, then ISBE would have power to remove the entire Board of Education and replace it with an “Independent Authority” that would operate the school district.

**February 2014**

- A pending Illinois Senate Bill (SB 2682) would require all history teachers to include the history of organized labor and the collective bargaining process to their curriculum.
- Newly proposed House Bill 3700 would require schools to implement screenings for Dyslexia and other reading disabilities for all students enrolled in kindergarten.
- Pending Illinois HB5840 would amend the State Mandates Act to require the Illinois State Board of Education to collect and maintain information concerning state mandates for schools, determine the statewide implementation of state mandates for schools, review school district applications for reimbursement submitted under the Act for payment of state mandates, and annually report to the Governor and General Assembly regarding the administration of the Act.

**January 2014**

- A new House Bill (HB 4191) proposed in Illinois would require police liaisons at schools to provide students their Miranda rights, inform them that they have a right to have a parent or attorney present for questioning or prior to writing a statement, and that the presence of the police officer may result in an arrest, issuance of a summons, or use in school discipline procedures or criminal prosecutions, prior to official questioning of an incident. In addition, the presence of a police officer during questioning would require principal approval, and the parent/guardian of a student would be given

notification and the opportunity to be present prior to the questioning or request for a statement of a student.

- The Illinois Education Funding Advisory Committee has completed its final report to propose an education funding system which provides adequate, equitable, transparent and accountable distribution of funds to public schools.
- The federal Centers for Medicare and Medicaid Services (CMS) released its 2014 final rule, which included increased “work values” fees for mental health providers including psychiatrists, clinical psychologists and clinical social workers.

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## MEMORANDA

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### [A Discussion of Special Education in Illinois](#)

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