

LEGAL UPDATES

December 2013

- WCT unveils its new firm name of Whitted, Takiff + Hansen LLC!

November 2013

- A new Illinois Appellate Court decision, Jones v. Board of Education of the City of Chicago, upheld the termination of a Chicago Public Schools tenured teacher after she falsified residency information on her child's own enrollment forms so they could be enrolled in particular selective-enrollment schools. The appellate court noted in the decision that under the Illinois School Code, the "immoral conduct" of a school employee is "automatically irremediable" without further evidence needed.
- A new Illinois Public Act, PA 98-0383, provides for "stay-put placement" of a student in their current setting when a school district and parent voluntarily agree to pursue mediation through the Illinois State Board of Education. If an agreement is not reached during mediation, then a parent has 10 days in which to file for due process in order to continue the "stay-put" placement and services. In addition, the act requires school districts to provide a formal, written response to all complaints filed against it through the ISBE.

October 2013

- The House Elementary and Secondary Committee approved Senate Bill 1689, which requires Regional Offices of Education (ROE) to shrink from 44 to 35 total regions by January 2014, based on the decreased population counted within the most recent census information. If the ROEs could not complete the consolidation independently, the Illinois State Board of Education would do so.
- The United States Supreme Court will not hear an Alabama school district's argument that the Individuals with Disabilities Education Act does not authorize independent educational evaluations. Consequently, the federal regulation allowing independent educational evaluations remains valid.
- Revisions to the Illinois rules and regulations (23 Ill. Admin. Code 226.160) went into effect which added a "training or assessment option" for school nurses to become qualified to make educational recommendations regarding accommodations, modifications, and/or interventions based on the results of a student's medical review.