



QUARTERLY E-NEWSLETTER

July – September 2017

LEGAL UPDATES

July 2017

- New regulations are proposed to change the current Individualized Care Grant (“ICG”) program and procedures. The program’s title will be changed to the “Family Support Program,” (“FSP”), and the new regulations would: streamline the application process, establish “clear clinical eligibility criteria,” establish prior authorization requirements for residential treatment and develop a new review process. In addition, a new program, the “Specialized Family Support Program,” (“SFSP”) would be created to “identify and respond to the specialized crisis faced by families with youth who are at risk of custody relinquishment.” The program would provide up to 90 days of assessment and “intensive community-based services,” as well as linkages to other community resources prior to the removal of a child from their parents’ custody.
- A new Public Act, 099-0781, requires school districts (for the 2017-2018 school year) to create a position for a “DCFS liaison,” who will coordinate enrollment of children under DCFS custody, track the children’s educational progress, ensure appropriate credits are earned to facilitate graduation, coordinate with community child welfare providers, and “encourage a successful transition into adulthood and post-secondary opportunities.”
- A new Public Act 90-0927, effective June 1, 2017, would require all students (beginning with the 2017-2018 school year) to receive “age-appropriate developmental screenings,” and “age-appropriate social emotional screenings,” as part of their required health examination and immunization screenings for certain grade levels.

August 2017

- Illinois Senate Bill 1, the new school funding bill, was passed, creating a new education funding formula for the state. The new formula brings equality to poorer school districts, as well as tax-based incentives for parents who have their children placed in non-public school facilities. For more information on the bill and how it will impact your school district’s funding, go to [Fix the Formula Illinois](#).

September 2017

- A new Illinois federal court decision, [Jackson ex rel. Jackson v. Chicago Public Schools](#), found that the school district’s failure to complete a preschooler’s case study evaluation within 60 school days did not amount to a violation of FAPE, as the delay was caused by the school attempting to confirm the participation of the parents in the meeting.

- New regulations were submitted to Illinois' Joint Committee on Administrative Rules (JCAR) to amend the ADA Grievance Procedure as it relates to Illinois community colleges. The new regulations require the installment of an ADA Coordinator at each college, creates a standardized grievance form for individuals, provides deadlines for decision and appeals, and guidance as to the factors that should be taken into consideration on each case-by-case basis regarding the resolution of matters.
- A new federal court decision, [R.G. v. Hill](#), clarified that a school nurse who was assigned to more than one school was fully capable of implementing the nursing services required by a student with a seizure disorder, who might require emergency medical care.

RECENT MEMORANDUM

- [Fee-Splitting Prohibition Implications for Physicians and Mental Health Providers](#)

UPCOMING PRESENTATIONS

Date	Title/Topic	Organization
9/15/17	Drafting Legally Compliant IEPs	Sonia Shankman Orthogenic School
10/13/17	IEPs and Educational Rights for Parents	ATTACH
11/2/17	Legal Updates on Transitions	ICEC
11/3/17	Special Education Law Update	NBI
11/4/17	Legal Updates on Special Education	ICEC
11/8 and 11/9/17	New Part 401 Rules	Proficio Consulting
2/3/18	Latest Legal Developments in Discipline and Bullying	ILCCBD

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