



### LEGAL UPDATES

#### December 2016

- A new Illinois Appellate court decision, [Mulvey v. Carl Sandburg High School](#), found that a district's student handbook does not constitute a "contract," and therefore the parents' breach of contract claim that the district did not investigate a bullying incident pursuant to its policies in the handbook was void. The court also dismissed the parents' claim that the district acted "willful and wantonly" in disregard of the incident, due to the school district's tort immunity.
- A recent due process hearing decision, [Swanson by Swanson-Houston v. Yuba City School District](#), denied the parents' complaint to chose a particular nurse to provide services to their Diabetic son. The hearing officer argued that the school's proposed nurse, who had 23 years experience and had worked with children with Diabetes before, and therefore the parents had "no legal support" to request a different school nurse who had previously worked with their son.

#### November 2016

- A newly proposed Senate Bill, SB 565, would require age-appropriate developmental and social and emotional screenings to be conducted for every child as part of the examinations and procedures that constitute a health examination.
- A newly proposed Senate Bill, SB 550, would require school districts and day care centers to test for lead in their drinking water supply. It is unknown whether this bill will pass Illinois' House floor, however, as it is being opposed by various municipalities and water utility entities.
- A pending Senate Bill 2822, which would provide additional funding for the Chicago Public Schools teacher pension fund, was vetoed by Governor Rauner. The bill remains vetoed (despite attempts to override the veto by various Senate members) and will remain so until the new 100th Illinois General Assembly is sworn in at noon on January 11, 2017.

#### October 2016

- The U.S. Department of Education issued its [Final Regulations](#) regarding the Every Student Succeeds Act.
- The US Department of Education's Office of Civil Rights released [non-regulatory guidance](#) to support districts in preventing sexual misconduct, encourage reports of misconduct, improve responses to reports of misconduct and comply with applicable federal laws.
- A new Illinois law, Public Act 99-0616, requires all teacher institute days to provide training every two years on the Americans with Disabilities Act regarding the school environment.

## UPCOMING PRESENTATIONS

<b>Date</b>	<b>Title/Topic</b>	<b>Organization</b>
1/27/17	Emerging Themes in Special Education Laws	IAPSEC
2/4/17	Latest Legal Developments in Discipline and Bullying	Illinois Council for Children with Behavioral Disorders

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