



QUARTERLY E-NEWSLETTER

January – March 2018

LEGAL UPDATES

March 2018

- Proposed Illinois House Bill 5464 would require all insurance providers to mandate unlimited benefits for inpatient and outpatient treatment of “mental, emotional, nervous, or substance use disorders or conditions.”
- Pending Senate Bill 2856 would require the Illinois Law Enforcement Training Standards Board to conduct or create a training program for school resource officers, and would require school districts to create a training program, on cyberbullying, sexting and sextortion for all school personnel.
- New House Bill 5110 proposes that all out-of-state licensed clinical social workers, social workers, professional counselors or clinical professional counselors would be eligible for a reciprocal license in the State of Illinois, as long as the requirements for licensure in the previous jurisdiction are substantially equivalent to Illinois’ standards.

February 2018

- Pending Senate Bill 2468, would mandate that if the school members of an IEP team found that a student was not eligible for assistive technology (“AT”) supports, then the team would be required to include a statement in the IEP to inform parent/guardian of the decision and the basis for the decision.
- The Illinois Department of Children and Family Services (“DCFS”) will be required to provide services to 19-year-olds if they are still attending high school should currently pending House Bill 4737 be passed.
- Proposed Senate Bill 2892 would mandate a minimum teacher salary at \$40,000 (the current minimum amount is \$10,000).

January 2018

- A recent decision from an Ohio federal court, [Crochran v. Columbus City Schools](#), found that a teacher who utilized a behavioral intervention involving a “body sock” for a student with Autism did not violate the constitutional rights of that student, despite the student being injured. The federal court judge noted that only a behavioral intervention which was “so brutal, demeaning and harmful that it ‘shocks the conscience,’” would be found to violate a students’ rights.

- Proposed House Bill 4281 would require school boards to provide in-service training for all personnel to identify the signs of homelessness and provide appropriate community resource referrals and techniques.
- Senate Bill 2542 would amend the definition of “school psychologist” to include any person who holds a Nationally Certified School Psychologist credential (rather than a certificate).

RECENT FIRM SUCCESSES

- Prevailed in a due process hearing involving a student with Autism by securing retroactive reimbursement for a unilateral placement in a residential program.
- Negotiated a fully funded residential placement and supported transportation to the facility with a school district for a student with emotional disabilities requiring a more restrictive and therapeutic setting.
- Secured two school district funded independent educational evaluations and a fifth year of high school (transitional programming) for a student with Autism.
- Prevented the removal of a special education student from the local home school due to a disciplinary violation and negotiated additional and more appropriate supports to allow the student greater educational benefit within the student’s public school setting.
- Secured funding for private trauma therapy services from the local school district for a student with Autism who suffered from relentless bullying by peers at school.

UPDATED MEMORANDUM

[School Records in Illinois](#)

[Consolidated Guide to School Law Timelines](#)

UPCOMING PRESENTATIONS

Date	Title/Topic	Organization
11/03/18	Latest Legal Issues Impacting Special Educators	Illinois Council for Exceptional Children

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