



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB3514

Introduced 2/16/2018, by Sen. Mattie Hunter

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/14-11.01a new

Amends the Children with Disabilities Article of the School Code. Provides that, in a school district with a population of more than 500,000 inhabitants, the principal and all school personnel who are regular members of an individualized education program team shall determine the special education staffing needs of the school based on individualized education program minutes, status of the school's least restrictive environment, optimal scheduling protocols, and other relevant factors. Provides that once a staffing level is set, the school board shall provide full staffing for the school and shall fund the total cost of each position. Provides that the school board may not reduce the special education staffing levels of a school in which the general staffing levels are less than 90% of the State average. Provides that the school board may require more efficient staff scheduling if the scheduling does not impair or hinder any reasonable goals of the school's general education program. Prohibits the school district from banning the use of any measure that would prevent or delay an individualized education program team from adding a service to the program or creating a time restriction in which a service is prohibited from being added to the program. Makes other changes. Effective July 1, 2018.

LRB100 19041 AXK 34295 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by adding Section  
5 14-11.01a as follows:

6 (105 ILCS 5/14-11.01a new)

7 Sec. 14-11.01a. Staffing needs; city with more than 500,000  
8 inhabitants.

9 (a) In a school district with a population of more than  
10 500,000 inhabitants, the principal of a school and all school  
11 personnel who are regular members of an individualized  
12 education program team shall determine the special education  
13 staffing needs of the school based on individualized education  
14 program minutes, status of the school's least restrictive  
15 environment, optimal scheduling protocols, and other relevant  
16 factors. Once a staffing level is set, the school board shall  
17 provide full staffing for the school. The school board shall  
18 assign the type and number of special education positions at  
19 the school and shall fund the total cost of each position,  
20 including a staff member's full salary and benefits. The school  
21 board may not create incentives or protocols that would require  
22 a school to allocate funds from other parts of its budget to  
23 fund special education needs.

1       (b) A school board subject to this Section may not reduce  
2 the special education staffing levels of a school in which the  
3 general staffing levels are less than 90% of the State average.  
4 If a school's staffing levels are above the required level and  
5 the school board decides to reduce the special education  
6 staffing level, it may use only criteria related to special  
7 education, including individualized education program minutes  
8 and schedules. If the school board believes the individualized  
9 education programs in a school are incorrectly structured, the  
10 school board shall inspect the programs and, if applicable,  
11 correct the programs to use them as a factor in reducing the  
12 school's staffing levels. The school board may require more  
13 efficient staff scheduling if the scheduling does not impair or  
14 hinder any reasonable goals of the school's general education  
15 program, including keeping class sizes less than 110% of the  
16 State average, enhancing school leadership, staffing for  
17 teacher observations and professional development, and  
18 expanding coursework and curricular instruction.

19       (c) A school district subject to this Section may not ban  
20 the use of any measure that would prevent or delay an  
21 individualized education program team from adding a service to  
22 the program or creating a time restriction in which a service  
23 is prohibited from being added to the program. The school  
24 district may not build functions into its computer software  
25 that would remove any services from a student's individualized  
26 education program without the approval of the program team and

1 may not prohibit the program team from adding a service to the  
2 program.

3 Section 99. Effective date. This Act takes effect July 1,  
4 2018.