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# State board OKs new guidelines for special ed

## Children will suffer, advocates contend

By Diane Rado  
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After nearly 10 months of turmoil, the Illinois State Board of Education on Thursday approved new guidelines that could profoundly affect children with special needs and their teachers.

The state rules cover everything from how many children are in special-education classes--with class sizes potentially increasing for some students--to how many students teachers must monitor.

Interim State Supt. Christopher Koch defended the new rules, saying they are in the best interest of students, teachers and administrators.

But some special-education advocates disagreed, vowing to oppose the guidelines when they go before a special legislative committee that must approve them before they can take effect. The committee is expected to take up the rules when the General Assembly reconvenes in January.

"Children will suffer, more teachers will leave the field," advocate Bev Johns warned state board members Thursday, as they prepared to vote on the rules. One board member, Andrea Brown, voted against the rules, saying she was not clear on some. But even those voting "yes" expressed concerns.

"This has been a very troublesome experience for me," said board member Vinni Hall. Member Dean Clark was absent Thursday and did not vote.

The vote capped a process that began in February, when the state board began an effort to revise Illinois' rules on special education after changes in federal law in 2004.

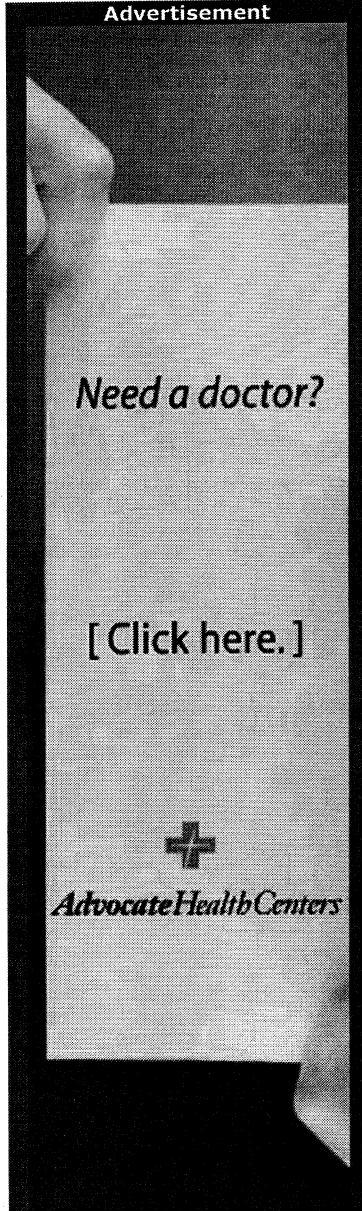
The task would have wide-ranging impact: There were about 322,540 students with disabilities in 2005-06, up from about 297,315 in 2000-01.


The new rules generated controversy from the start, advocates say, because the material published, which was intended to invite public comment, was bulky and virtually impossible to understand.

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"Nobody could figure it out. It was designed so it could not be figured out," said Matt Cohen, a Chicago attorney who specializes in special-education cases.

The rules, accompanied by a memo, were posted online in preparation for Thursday's state board meeting and numbered 188 pages.

The state board backed down on one of the most controversial changes: To increase the percentage of special-education students who can be placed in regular education classes from 30 to 40 percent. Parents and teachers complained that neither special education students nor their peers in regular education would get the attention they deserved. Thursday, the state board voted to keep the percentage at 30.

Still, other sections of the rules were cause for concern.

For example, class sizes for students in special education are now restricted depending on types of disability. Classes for children with severe visual impairments, for example, are limited to eight students, unless an aide is present.

But the new rules no longer consider the type of disability, instead they set class sizes based on how much time students must spend in a special-education setting. Students removed from regular education less than 20 percent of the school day, for example, must be in classes with no more than 15 students, unless an aide is present.

Johns, chair of the Illinois Special Education Coalition, said the change stems from a philosophy to move away from labeling children based on their disabilities. But such labels also give educators a starting point for serving children and arm parents with specifics about their child's needs, she said.

Even more troubling, Johns said, is a change in the rules that she believes will increase the number of special-education children that teachers are responsible for monitoring, from staying in touch with all of their teachers to managing their individual education plans. The way she reads the rules, teachers may have extraordinary caseloads of 50 or 60 students. Johns said some teachers now have caseloads of 20 students.

Koch, who used to oversee special education for the state board, said he does not believe caseloads would be that high. He said rules were changed because of confusion about the definition of caseloads that made it difficult to monitor districts. Koch said class sizes could go down for some special-education students, depending on circumstances.

Overall, Cohen said, the board made several changes with the intent of saving money. The less specific the rules, he said, the more discretion districts have to make changes that lower costs.

"Fundamentally, this was a streamlining that gives schools the discretion to do less for kids," he said.

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