



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB2855

Introduced 2/13/2018, by Sen. Jil Tracy

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/14-2

Amends the School Code. With regard to class sizes of general education classes for special education students and special education classes for special education students, provides that the State Board of Education shall have no authority to adopt any administrative rules that establish or limit the class size or ratio of the student population of a general education class for students receiving services in general education classes or a special education class beyond what may be required by federal rule or law, unless the State Board of Education fully funds the cost of additional teachers and other staff that are required by a class-size limitation; defines "special education class". Provides that any rule in effect on the effective date of the amendatory Act establishing or limiting the class size or ratio of the student population of a general education class for special education students receiving services in general education classes or establishing or limiting the class size of a special education class is hereby null and void.

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FISCAL NOTE ACT  
MAY APPLY

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 changing Section  
5 14-2 as follows:

6 (105 ILCS 5/14-2)

7 Sec. 14-2. Class size ~~Definition~~ of general education class  
8 ~~classroom~~ for special education students receiving services in  
9 the general education classroom and of special education class  
10 for special education students receiving services in the  
11 special education classroom.

12 (a) In this Section, "special education class" means any  
13 circumstance where only students with individualized education  
14 programs are served and at least one special education teacher  
15 is assigned and provides instruction or therapy exclusively to  
16 students with individualized education programs.

17 (b) The State Board of Education shall have no authority to  
18 adopt any administrative rules that establish or limit the  
19 class size or ratio of the student population of a general  
20 education class for students receiving services in general  
21 education classes beyond what may be required by federal rule  
22 or law, unless the State Board of Education fully funds the  
23 cost of additional teachers and other staff that are required

1 by a class-size limitation.

2 (c) The State Board of Education shall have no authority to  
3 adopt any administrative rules that establish or limit the  
4 class size of a special education class beyond what may be  
5 required by federal rule or law, unless the State Board of  
6 Education fully funds the cost of additional teachers and other  
7 staff that are required by a class-size limitation.

8 (d) Any rule in effect on the effective date of this  
9 amendatory Act of the 100th General Assembly establishing or  
10 limiting the class size or ratio of the student population of a  
11 general education class for special education students  
12 receiving services in general education classes or  
13 establishing or limiting the class size of a special education  
14 class is hereby null and void.

15 ~~(a) With respect to any State statute or administrative~~  
16 ~~rule that defines a general education classroom to be composed~~  
17 ~~of a certain percentage of students with individualized~~  
18 ~~education programs (IEPs), students with individualized~~  
19 ~~education programs shall exclude students receiving only~~  
20 ~~speech services outside of the general education classroom,~~  
21 ~~provided that the instruction the students receive in the~~  
22 ~~general education classroom does not require modification.~~

23 ~~(b) In every instance, a school district must ensure that~~  
24 ~~composition of the general education classroom does not~~  
25 ~~interfere with the provision of a free and appropriate public~~  
26 ~~education to any student.~~

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1 (Source: P.A. 97-284, eff. 8-9-11.)