



## ISAC Council Members 2008—2009

### Individuals with Disabilities

Anel Gonzalez (Forest Park)  
Kyle Packer (Effingham)  
Rahnee Patrick (Chicago)  
Susy Woods (Chesterfield)

### Parents of Children with Disabilities

Beth Conran (St. Charles)  
Nora Donoghue (Highland Park)  
Deb Fornoff (Washington)  
Heather Perkins (Freeport)  
Rick Ramirez (Moline)  
Kristine Stanley (Peoria Heights)  
Stanley Valentine (East Peoria)

### Teacher of Students with Disabilities

Carrie Janes (Aurora)

### General Public

Jennifer Naddeo (Barrington)

### Private Provider

Mike Otte (Oak Forest)

### Public Charter Schools

Elizabeth Purvis (Chicago)

### Special Education Directors

Teresa Garate (Chicago)  
Jim Surber (LADSE—Lisle)

### Vocational, Community or Business Organization Provider of Transition Services

Sharon Slover (McHenry County)

### Regional Superintendent

(open)

### LEA Superintendent

(open)

### Higher Education

Suzanne Lee (U of I/Urbana)

### DHS Secretary or Designee

Marjorie Olson

### DCFS Designee

Frances Elbert

### DJJ Designee

Lanéé Walls

### ICC Representative

Marva Campbell-Pruitt

## THE ILLINOIS STATE ADVISORY COUNCIL (ISAC) ON THE EDUCATION OF CHILDREN WITH DISABILITIES — COMMITTED TO EDUCATIONAL EXCELLENCE FOR ALL ILLINOIS STUDENTS

The members of ISAC represent Illinois stakeholders in the education of children with disabilities and share a personal commitment to improving the educational experience for these students. The Council includes twenty-three persons appointed by the Governor and four ex-officio voting members. These council members are individuals with disabilities, parents of children receiving special education services, teachers, administrators and representatives of agencies that support students with disabilities.

ISAC has numerous standing committees appointed by the Chair to advise the full ISAC committee of the whole. Susy Woods (Chesterfield) is the ISAC Chairperson. Two of the most important committees are the Rules and Regulations Committee and Transition Committee. Each committee has a Chairperson charged to perform duties set forth in the ISAC bylaws and by the ISAC Chairperson. In addition, each chairperson sits on the Executive Committee presided by the ISAC Chairperson. These committees are featured in this newsletter.

The Rules and Regulations Committee advises the council on the process of promulgating rules and regulations. Secondly, this committee reviews and assesses any Illinois rule or regulation specific to special education students or special education services. The committee further recommends actions to the Illinois State Board of Education (ISBE) regarding each rule. The action or recommendation to ISBE is based on how the committee determines the rule will impact the education of children with disabilities.

### **Rules and Regulations Committee Members**

*From left, back row — Jim Surber (LADSE/Lisle), Rick Ramirez (Moline), Mike Otte (Oak Forest), Chairperson, Beth Conran (St. Charles), and front row — Kyle Packer (Effingham), and Jennifer Naddeo (Barrington).*



# SB 396 – TRANSFER OF PARENTAL RIGHTS FOR STUDENTS WITH DISABILITIES

## *What is SB 396?*

SB 396 was sponsored by **Senator Deanna Demuzio** in the Senate and **Representative Elizabeth Coulson** in the House. The bill amends the *Transfer of Parental Rights* Article of the School Code. Transfer of Parental Rights provides that when a child who is eligible for special education reaches the age of 18, parent rights transfer to the child. SB 396 allows for the child to execute a *Delegation of Rights* which provides that rights shall not transfer from the parents to the child if the child has been adjudged to be incompetent under State law or the child has not been adjudged to be incompetent, but does not have the ability to provide informed consent with respect to the child's educational program.

## *How does SB 396 impact families?*

Prior to SB 396, when a student eligible for special education reached the age of 18, rights accorded to the parent transferred to the student. In other words, not only were parents not invited to IEP meetings for their children, parents relinquished all decision-making authority and any rights to seeking restitution with respect to their child's educational program. The transfer of rights applied even in circumstances where the student was not able to represent his/her educational interests. Prior to the change in legislation, only those parents who were granted legal guardianship of their child with special needs were accorded the retention of rights in some districts.

SB 396 is an important piece of legislation for families. With the Delegation of Rights, legal guardianship is no longer required for parents to retain their right to be included in the IEP development, transition planning and educational decision making for their child. The process of applying for guardianship is arduous and lengthy and in some situations cost prohibitive. SB 396 affords a basic right to all families of children with disabilities.

## *What was the role of ISAC in passing SB 396?*

ISAC provides opportunity for public participation at every business meeting. In June 2007, Cathy Christensen and her son, Jason Nosbaum, shared their experiences and difficulties with the special education system. As the parent and advocate of her son with special needs, Ms. Christensen spoke of the need for the Delegation of Rights for families such as theirs.

ISAC is mandated by law to comment publicly on proposed state and federal rules. The *Rules and Regulations Committee* of ISAC advises the Council as a whole on the process of promulgating rules and regulations by any state agency or code department of a state agency. This committee recommends specific action pursuant to any rule or regulation as it relates to special education students and/or services which the ISBE or any state agency is in the process of promulgating. This review occurs before such rule/regulation is submitted to JCAR for final comment and adoption. Upon recommendation from the Rules and Regulations Committee, ISAC provided public comment and a letter of support to the General Assembly for the proposed changes to Section 226.690 (Transfer of Parental Rights) – the incorporation of a student's delegation of right as set forth in new Section 14-6.10 or the School Code (PA 095-0372).

***Did You Know You Could Find These Important Items On The ISBE Website Under Special Education?***



- *Special Education Profiles by School District*
- *Parent Rights Guide*
- *Individualized Education Program (IEP) Forms*
- *Secondary Transition Resources including the Delegation of Rights for Educational Decisions Form*

**Check it out at  
[www.isbe.net](http://www.isbe.net)**

## THE ROLE OF THE ISAC TRANSITION COMMITTEE - HELPING TO SMOOTH THE ROAD FROM EDUCATION TO ADULTHOOD

The Transition Committee for ISAC has the following responsibilities:

*This standing committee assists ISAC in making recommendations to the Governor, the Legislature, and ISBE's leadership, for improving post-secondary results through determining the transition issues that impact students with disabilities throughout their educational careers and make recommendations for effective transition processes.*

Transition services are a critical topic not only in education, but for all agencies and service providers that contribute to post-school outcomes for young adults with disabilities. Effective transition of students with disabilities to post-secondary education, training, or work involves the collaboration of a number of partners.

All students with disabilities plan for their post-school outcomes as a part of the IEP (Individualized Education Plan) process. This comprehensive approach to planning and preparation begins officially at age 14 ½ in the state of Illinois. As students move toward the end of their high school careers, additional entities needed to fulfill the goals of the Transition Plan are invited to participate and assist with the action plan. Young adults with disabilities, their families, teachers, and support staff must work side by side with state and community agency and service provider representatives to build and implement effective plans. Although many students with disabilities leave school prepared with the skills they need to live and work independently, many others will need ongoing support to achieve a full and integrated life in the community.

A couple of very important pieces of legislation have been passed in recent years that impact the transition process for students receiving special education services. Public Act 95-14, now part of the school code, allows for uniformity among districts regarding the age at which students receiving special education services age out of public education. All



**Transition Committee Members**

*From left to right, Beth Conran (St. Charles), Melanie Fleenor (ISBE Representative), Chairperson, Deb Fornoff (Washington), Rahnee Patrick (Chicago), Sharon Slover (McHenry County), Rick Ramirez (Moline), and not pictured - Marva Campbell-Pruitt (ICC), and Tere Garate (Chicago).*

Illinois students with ongoing needs reflected in the IEP can now continue to receive services until the day before their 22<sup>nd</sup> birthday.

Brittany's Law has also improved the educational experience for students with disabilities. Brittany Booth, a young woman with Down syndrome, was not going to be allowed to go through the graduation ceremony with her classmates. She was eligible for and needed ongoing services provided through the school district. Her school administrators told the family that if she walked across the stage with her friends, she would no longer be eligible for services. The graduation ceremony is important for all students. There is only one opportunity to participate in that ceremony with classmates and it is no less meaningful to students receiving special education services. Legislators, led by Senator Christine Radogno, rallied to support Brittany and now students with ongoing IEP goals can go through the ceremony with their peers and share that once-in-a-lifetime experience without being fearful of losing much needed services. This legislation is known as Brittany's Law.

The smooth transition from school to adult life and all that contributes to that process for students with disabilities is important to ISAC and the Transition Committee.

## ASSISTIVE TECHNOLOGY FOR STUDENTS WITH DISABILITIES

Assistive technology plays a key role in helping students to participate in and achieve their educational goals. For example, a nonverbal student can use a communication device to talk to friends, respond to teachers, read pre-programmed passages of a book, ask and answer questions. A student with low vision may use special software that magnifies or reads text aloud on their computer.

Illinois Assistive Technology Program's (IATP) Device Loan Program provides the opportunity to borrow assistive technology products to make sure that the devices are a good "fit" for the student, to provide a short term accommodation when a device is being repaired, or to assist in an evaluation. Loans are available to all Illinois school districts, teachers, therapists, family members and guardians of students with disabilities, ages 3 to 21.

ISBE recently awarded a \$300,000 grant to IATP to increase the inventory of assistive technology in their Device Loan Program for students with disabilities, ages 3 to 21.

There are over 1,000 devices available in categories that include adapted toys, speech communication, low vision and much more. Loans are on a first come, first served basis and range from 4 to 6 weeks depending on the device. IATP will pay for the cost of shipping unless the borrower specifies that the device is to be picked up at IATP. There is absolutely no fee associated with the program other than return shipping costs. Borrowers are responsible for the safe return of the equipment either by UPS or delivered in person.

Loan request forms and updated inventory are available on IATP's website, [www.iltech.org](http://www.iltech.org) or by calling 800-852-5110 v/tty. All Illinois school districts are encouraged to participate in this great program. We'd love to hear from you!



Chris tries a variety of trackballs and switches for his computer.

### MISSION STATEMENT

*The role of the Illinois State Advisory Council on the Education of Children with Disabilities is to be a proactive body, advising the Governor, Legislature and State Board of Education on current issues relating to the education of children and youth with disabilities, as well as the unmet needs of these children and their families. It is also the responsibility of this Council to encourage new strategies and technologies, while advocating high standards of excellence throughout Illinois.*

### PRIMARY ISAC ACTIVITIES

- Joint Agreement Withdrawal
- Commenting on Rules and Regulations
- Providing input on Continuous Improvement Plan
- Due Process and General Supervision input
- Serving on other assignments/committees
- Development of an Annual Report
- Providing guidance on state rules
- Implementing IDEIA

Please contact Rick Ramirez,  
Ad Hoc Communications  
Committee Chair, with any  
comments or questions at  
[ramirez@netexpress.net](mailto:ramirez@netexpress.net)  
or 800-813-0392

The printing of this newsletter was  
generously funded by IATP.

**Thank You!**