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*MEDILL file photo*

*Federal law requires students with disabilities to be placed in least restrictive learning environments. If caps on special education class sizes are removed, the dynamics of both special and general education classes could change.*

## Board vote could eliminate cap for Illinois special education class sizes

by EMILY WEINSTEIN

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The Illinois State Board of Education is scheduled to vote next week on a controversial proposal that could eliminate the cap for special education class sizes.

The proposed amendments are for Section 226.730, which currently establishes the maximum class sizes for self-contained special education classrooms based on a child's disability or his or her service level.

Following the proposal in February 2013, the Illinois State Board of Education solicited public comment on the proposed amendments. Both proponents and opponents throughout Illinois have been vocal about the topic.

If accepted, this will be the first time since the Individuals with Disabilities Education Act was created in 1975 that the State Board of Education has not established maximum class sizes.

The Individuals with Disabilities Education Act requires that students with disabilities "receive a free appropriate public education...in the least restrictive environment."

According to Mary Fergus, the spokeswoman for the Illinois State Board of Education, the state of Illinois does not rank well regarding the number of students learning in least restrictive environments. A least restrictive environment is the closest to a general education setting where a student can be placed.

Fergus said Illinois is "among a handful" of states that have a limit on special education class sizes, yet this limit hasn't proven successful.

"We've not seen any statistics that show that those states with regulations are ranking any higher on the scale used to gauge progress," Fergus said.

According to Fergus, the local school districts can best determine class sizes and ratios for students with disabilities.

Other proponents for the proposal also agree that the class sizes should be chosen locally. "The state doesn't dictate that," said Melissa Taylor, president-elect of the Illinois Alliance of Administrators of Special Education. "It's a community decision on class sizes...and we feel like the special education rules should be reflective of the community as well."

While supporters say they believe local decisions are best, opponents fear that allowing districts to choose class sizes could cause harm.

Colleen Antas, who teaches Spanish in a self-contained classroom at Schurz High School, said she believes removing the cap would significantly decrease student learning.

"It's called special education because they need something special...unique and individualized – hence the individualized education plans that they all have," Antas said. "Taking away the cap is defeating the purpose of special education, because you can't individualize things in a class that's full of 25 students."

Joseph Turnage, the director for special education teacher leadership and development at Teach For America – Chicago, said that eliminating the cap could also cause undesirable consequences.

"Schools already have limited resources," Turnage said, "so this could be a way where the issue of limited resources is ignored, and the brunt of that is placed on students who need special education instruction."

Although some teachers and organizations fear that schools will take advantage of no caps on class sizes, advocates say local districts will make the right decisions.

"Nobody cares about the welfare of the students more than the administrators in the schools; it won't be abused," said Ben Schwarm, the deputy executive director for the Illinois Association of School Boards.

Taylor also trusts in the local administrators.

"We know there's a lot of opposition (to the proposal) based on fear," Taylor said, "but we don't believe that districts would just make these outrageous class sizes and let the kids suffer."

However, teachers like Antas, remain weary.

"I have a lot of emotional behavioral disorder students that are in self-contained (classrooms)," Antas said, "and so if there's no cap on how many students I could have in that respect, then behaviors could potentially increase and learning would decrease."

In addition to the cap on self-contained classrooms, changes are also proposed for 226.731 that would eliminate the 30-70 ratio of special education students to general education students in general education classrooms.

Due to the influx of public comment, Fergus said they are reviewing the comments and possible changes to the rules before they submit the proposal to the Illinois State Board of Education for their two-day board meeting beginning next week.

According to Fergus, if ISBE votes Thursday and they adopt the proposed rule, the amendments will be sent to the Joint Committee on Administrative Rules. After a 45-day period, the amendments will either be published or sent back to ISBE for changes.