



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 02/09/04, by Roger L. Eddy

**SYNOPSIS AS INTRODUCED:**

105 ILCS 5/14-3.01a new

Amends the Children with Disabilities Article of the School Code. Prohibits the State Board of Education from adopting any rule pursuant to that Article that imposes a responsibility or requirement on a school district or school that (i) conflicts with rules and regulations of the U.S. Department of Education pursuant to the federal Individuals with Disabilities Education Act or (ii) is not imposed by the U.S. Department of Education pursuant to the federal Individuals with Disabilities Education Act. Provides that any rule adopted by the State Board of Education that violates this prohibition is null and void and has no effect beginning on January 1, 2005. Effective January 1, 2005.

LRB093 19951 NHT 45695 b

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 14-3.01a as follows:

6 (105 ILCS 5/14-3.01a new)

7 Sec. 14-3.01a. Rules. The State Board of Education may not  
8 adopt any rule pursuant to this Article that imposes a  
9 responsibility or requirement on a school district or school  
10 that (i) conflicts with rules and regulations of the U.S.  
11 Department of Education pursuant to the federal Individuals  
12 with Disabilities Education Act or (ii) is not imposed by the  
13 U.S. Department of Education pursuant to the federal  
14 Individuals with Disabilities Education Act. Any rule adopted  
15 by the State Board of Education pursuant to this Article that  
16 violates this prohibition is null and void and has no effect  
17 beginning on January 1, 2005.

18 Section 99. Effective date. This Act takes effect January  
19 1, 2005.