The Issue: ISBE has proposed repealing the section of administrative code which sets class size limits and child-staff ratios for self-contained special education classrooms for 3-5 year olds, and requires that no more than 30% of children with special education needs are in a general education preschool program. These are critical safeguards for our youngest children in school-based preschool programs.

This repeal runs counter to research on early childhood best practices, would be a major setback to the advances Illinois has made in early childhood education and would frustrate the state’s current efforts to improve the quality of our early childhood programs and the outcomes of our highest need children.

Request:

- Oppose the repeal of 23 Ill. Admin. Code §226.730 so that the 70:30 class size is maintained in order to meet the full range of student needs.

- Ask that ISBE design a more streamlined waiver process for those schools that want more flexibility.

- Maintain the portion of the current rule that pertains to 3-5 year olds in self-contained special education classrooms §226.730(b)(4). Preschool children who are in self-contained classrooms are those with the highest need for individualized attention. Maintaining the student teacher ratio for these most at-risk children is essential.

Background: 70:30 Rule

- ISBE should retain the 70:30 rule for 3-5 year olds in school-based preschool classrooms. While the Ounce fully supports the inclusion of children with Individualized Education Plans (IEP) in general education classrooms, doing away with the ratio altogether means that a general education classroom can consist of any number of children with IEPs (e.g. 15 children with IEPs to 5 students with no IEPs.) This places an undue burden on general education teachers and deprives children with IEPs of the specialized education they are entitled to under the Individuals with Disabilities Act (IDEA).

- School districts have always had the option of applying for a waiver around the 70:30 rule. An overwhelming majority of schools that have applied were granted the waiver. Yet, very few schools avail themselves of this opportunity. We understand that the waiver process can be cumbersome since it requires school districts to apply for a waiver for each class, as opposed to the district at large, and that school districts must reapply each year. We encourage ISBE to keep the 70:30 rule for preschools and to consider a less onerous waiver process.
Background: Class Size for Self-Contained Preschool Classrooms

- For self-contained special education classrooms for 3-5 year olds, the current rule requires one qualified teacher for every five students, with a possible increase of an additional five students if a paraprofessional is provided. This 1:5 child-staff ratio is in alignment with the early childhood research on the developmental needs of preschool-aged children, and ISBE should maintain this standard.

- By definition, 3-5 year olds in self-contained special education classrooms have highly specialized needs and require smaller classroom sizes. A total repeal of the ISBE rule means that no child-staff ratio would be in place at all for 3-5 year olds in self-contained special education classrooms. There are as many as 10,000 3-5 year olds in self-contained special education classrooms in Illinois, and it is critical that we protect them and provide them the classroom environment to make educational gains.

- Early childhood research shows that “children in smaller classes have greater gains in reception, language, general knowledge, cooperative behavior, and verbal initiative, and showed less hostility and conflict in their interactions with others.” Smaller class sizes are also conducive to teachers being more stimulating, responsive, and warm, all of which are essential to helping children with special education needs.

- It is has been argued that the current rule is unnecessary because it exceeds the American Academy of Pediatrics (AAP) child-staff ratio. First, the AAP standard is written for general early education and child care programs, not self-contained special education classroom. Second, the AAP sets higher standards for teacher qualifications for staff working with 3-5 year olds than ISBE requires.

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