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# Illinois State Board of Education

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Gery J. Chico  
Chairman

Mid Valley Special Education  
Christopher A. Koch, Ed.D.  
State Superintendent of Education

November 20, 2014

Ms. Patricia Lopuszanski  
1135 Reserve Drive  
Elgin, IL 60124

Re: Systemic Complaint  
Mid-Valley Special Education Cooperative  
Case Number 2015-0118

Dear Ms. Lopuszanski:

The Illinois State Board of Education, Special Education Services Division, received the *Request for State Complaint Investigation* form which you submitted to our office. You alleged that the Mid-Valley Special Education Cooperative had violated the Establishment Clause of the First Amendment of the Constitution through the action of locating a particular educational program within a religious facility. You have requested that this agency conduct an investigation regarding this matter.

As you are aware, the formal state-level special education complaint system administered by this office may be utilized to investigate allegations that a public education entity has violated state or federal special education rules or regulations. However, the allegations you have identified do not represent a potential violation of the referenced regulations. In particular, your concerns are specifically focused upon the requirements of the First Amendment of the United States Constitution. As such, this matter falls beyond the parameters of this formal complaint process.

In the event that you continue to perceive a violation of the First Amendment, you may wish to pursue avenues that address that specific issue.

Based upon this information, a formal complaint investigation will not be conducted and this complaint is considered closed. If you have any questions regarding this correspondence, I can be reached at 217/782-5589 or [mkelley@isbe.net](mailto:mkelley@isbe.net).

Sincerely,

A handwritten signature in cursive script that reads "Marcia L. Kelley".

Marcia L. Kelley  
Principal Education Consultant  
Special Education Services Division

cc: Ms. Carla Cumblad, Director of Special Education, Mid-Valley Special Education Cooperative