



Sen. Sara Feigenholtz

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10200HB0307sam001

LRB102 11622 CMG 26612 a

1 AMENDMENT TO HOUSE BILL 307

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 307 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section  
5 14-15.01 as follows:

6 (105 ILCS 5/14-15.01) (from Ch. 122, par. 14-15.01)  
7 Sec. 14-15.01. Community and Residential Services  
8 Authority.

9 (a) (1) The Community and Residential Services Authority  
10 is hereby created and shall consist of the following members:

11 A representative of the State Board of Education;

12 Four representatives of the Department of Human Services  
13 appointed by the Secretary of Human Services, with one member  
14 from the Division of Community Health and Prevention, one  
15 member from the Division of Developmental Disabilities, one  
16 member from the Division of Mental Health, and one member from

1 the Division of Rehabilitation Services;

2 A representative of the Department of Children and Family  
3 Services;

4 A representative of the Department of Juvenile Justice;

5 A representative of the Department of Healthcare and  
6 Family Services;

7 A representative of the Attorney General's Disability  
8 Rights Advocacy Division;

9 The Chairperson and Minority Spokesperson of the House and  
10 Senate Committees on Elementary and Secondary Education or  
11 their designees; and

12 Six persons appointed by the Governor. Five of such  
13 appointees shall be experienced or knowledgeable relative to  
14 provision of services for individuals with a behavior disorder  
15 or a severe emotional disturbance and shall include  
16 representatives of both the private and public sectors, except  
17 that no more than 2 of those 5 appointees may be from the  
18 public sector and at least 2 must be or have been directly  
19 involved in provision of services to such individuals. The  
20 remaining member appointed by the Governor shall be or shall  
21 have been a parent of an individual with a behavior disorder or  
22 a severe emotional disturbance, and that appointee may be from  
23 either the private or the public sector.

24 (2) Members appointed by the Governor shall be appointed  
25 for terms of 4 years and shall continue to serve until their  
26 respective successors are appointed; provided that the terms

1 of the original appointees shall expire on August 1, 1990. Any  
2 vacancy in the office of a member appointed by the Governor  
3 shall be filled by appointment of the Governor for the  
4 remainder of the term.

5 A vacancy in the office of a member appointed by the  
6 Governor exists when one or more of the following events  
7 occur:

8 (i) An appointee dies;

9 (ii) An appointee files a written resignation with the  
10 Governor;

11 (iii) An appointee ceases to be a legal resident of  
12 the State of Illinois; or

13 (iv) An appointee fails to attend a majority of  
14 regularly scheduled Authority meetings in a fiscal year.

15 Members who are representatives of an agency shall serve  
16 at the will of the agency head. Membership on the Authority  
17 shall cease immediately upon cessation of their affiliation  
18 with the agency. If such a vacancy occurs, the appropriate  
19 agency head shall appoint another person to represent the  
20 agency.

21 If a legislative member of the Authority ceases to be  
22 Chairperson or Minority Spokesperson of the designated  
23 Committees, they shall automatically be replaced on the  
24 Authority by the person who assumes the position of  
25 Chairperson or Minority Spokesperson.

26 (b) The Community and Residential Services Authority shall

1 have the following powers and duties:

2 (1) To conduct surveys to determine the extent of  
3 need, the degree to which documented need is currently  
4 being met and feasible alternatives for matching need with  
5 resources.

6 (2) To develop policy statements for interagency  
7 cooperation to cover all aspects of service delivery,  
8 including laws, regulations and procedures, and clear  
9 guidelines for determining responsibility at all times.

10 (3) To recommend policy statements and provide  
11 information regarding effective programs for delivery of  
12 services to all individuals under 22 years of age with a  
13 behavior disorder or a severe emotional disturbance in  
14 public or private situations.

15 (4) To review the criteria for service eligibility,  
16 provision and availability established by the governmental  
17 agencies represented on this Authority, and to recommend  
18 changes, additions or deletions to such criteria.

19 (5) To develop and submit to the Governor, the General  
20 Assembly, the Directors of the agencies represented on the  
21 Authority, and the State Board of Education a master plan  
22 for individuals under 22 years of age with a behavior  
23 disorder or a severe emotional disturbance, including  
24 detailed plans of service ranging from the least to the  
25 most restrictive options; and to assist local communities,  
26 upon request, in developing or strengthening collaborative

1 interagency networks.

2 (6) To develop a process for making determinations in  
3 situations where there is a dispute relative to a plan of  
4 service for individuals or funding for a plan of service.

5 (7) To provide technical assistance to parents,  
6 service consumers, providers, and member agency personnel  
7 regarding statutory responsibilities of human service and  
8 educational agencies, and to provide such assistance as  
9 deemed necessary to appropriately access needed services.

10 (8) To establish a pilot program to act as a  
11 residential research hub to research and identify  
12 appropriate residential settings for youth who are being  
13 housed in an emergency room for more than 72 hours or who  
14 are deemed beyond medical necessity in a psychiatric  
15 hospital. If a child is deemed beyond medical necessity in  
16 a psychiatric hospital and is in need of residential  
17 placement, the program shall require that any State  
18 agencies involved report to the Authority.

19 (c) (1) The members of the Authority shall receive no  
20 compensation for their services but shall be entitled to  
21 reimbursement of reasonable expenses incurred while performing  
22 their duties.

23 (2) The Authority may appoint special study groups to  
24 operate under the direction of the Authority and persons  
25 appointed to such groups shall receive only reimbursement of  
26 reasonable expenses incurred in the performance of their

1 duties.

2 (3) The Authority shall elect from its membership a  
3 chairperson, vice-chairperson and secretary.

4 (4) The Authority may employ and fix the compensation of  
5 such employees and technical assistants as it deems necessary  
6 to carry out its powers and duties under this Act. Staff  
7 assistance for the Authority shall be provided by the State  
8 Board of Education.

9 (5) Funds for the ordinary and contingent expenses of the  
10 Authority shall be appropriated to the State Board of  
11 Education in a separate line item.

12 (d) (1) The Authority shall have power to promulgate rules  
13 and regulations to carry out its powers and duties under this  
14 Act.

15 (2) The Authority may accept monetary gifts or grants from  
16 the federal government or any agency thereof, from any  
17 charitable foundation or professional association or from any  
18 other reputable source for implementation of any program  
19 necessary or desirable to the carrying out of the general  
20 purposes of the Authority. Such gifts and grants may be held in  
21 trust by the Authority and expended in the exercise of its  
22 powers and performance of its duties as prescribed by law.

23 (3) The Authority shall submit an annual report of its  
24 activities and expenditures to the Governor, the General  
25 Assembly, the directors of agencies represented on the  
26 Authority, and the State Superintendent of Education.

1       (e) The Authority shall be added as an equal participant  
2 on the Interagency Clinical Team established in the  
3 intergovernmental agreement among the Department of Healthcare  
4 and Family Services, the Department of Children and Family  
5 Services, the Department of Human Services, the State Board of  
6 Education, the Department of Juvenile Justice, and the  
7 Department of Public Health, with consent of the youth or the  
8 youth's guardian or family pursuant to the Custody  
9 Relinquishment Prevention Act.

10       (Source: P.A. 95-331, eff. 8-21-07; 95-793, eff. 1-1-09.)".