

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 changing Section  
5 14-11.02 as follows:

6 (105 ILCS 5/14-11.02) (from Ch. 122, par. 14-11.02)

7 Sec. 14-11.02. The Philip J. Rock Center and School for  
8 the Deafblind. ~~Notwithstanding any other Sections of this~~  
9 ~~Article, the State Board of Education shall develop and~~  
10 ~~operate or contract for the operation of a service center for~~  
11 ~~persons who are deaf-blind.~~

12 (a) For the purpose of this Section, persons who are  
13 deafblind ~~with deaf blindness~~ are (i) individuals with  
14 concomitant hearing and visual impairments, the combination of  
15 which causes such severe communication and other developmental  
16 and educational needs that they cannot be accommodated in  
17 special education programs solely for children with deafness  
18 or children with blindness, (ii) individuals with solely a  
19 hearing impairment, or (iii) individuals with solely a visual  
20 impairment ~~persons who have both auditory and visual~~  
21 ~~impairments, the combination of which causes such severe~~  
22 ~~communication and other developmental, educational, vocational~~  
23 ~~and rehabilitation problems that such persons cannot be~~

1 ~~properly accommodated in special education or vocational~~  
2 ~~rehabilitation programs solely for persons with both hearing~~  
3 ~~and visual disabilities.~~

4 (b) To be eligible for deafblind ~~deaf-blind~~ services under  
5 this Section, a person must have (i) a visual impairment, a  
6 hearing ~~and an auditory~~ impairment, or both or (ii) a  
7 condition in which there is a progressive loss of hearing, ~~or~~  
8 vision, or both that ~~results in concomitant vision and hearing~~  
9 ~~impairments and that~~ adversely affects educational performance  
10 as determined by the multidisciplinary conference. For  
11 purposes of this ~~paragraph and~~ Section:

12 (1) (A) A visual impairment shall have the same  
13 meaning as in the federal Individuals With Disabilities  
14 Education Act and its implementing regulations ~~is defined~~  
15 ~~to mean one or more of the following: (i) corrected visual~~  
16 ~~acuity poorer than 20/70 in the better eye; (ii)~~  
17 ~~restricted visual field of 20 degrees or less in the~~  
18 ~~better eye; (iii) cortical blindness; (iv) does not appear~~  
19 ~~to respond to visual stimulation, which adversely affects~~  
20 ~~educational performance as determined by the~~  
21 ~~multidisciplinary conference.~~

22 (2) A hearing ~~(B) An auditory~~ impairment shall have  
23 the same meaning as in the federal Individuals With  
24 Disabilities Education Act and its implementing  
25 regulations ~~is defined to mean one or more of the~~  
26 ~~following: (i) a sensorineural or ongoing or chronic~~

1 ~~conductive hearing loss with aided sensitivity of 30dB HL~~  
2 ~~or poorer; (ii) functional auditory behavior that is~~  
3 ~~significantly discrepant from the person's present~~  
4 ~~cognitive and/or developmental levels, which adversely~~  
5 ~~affects educational performance as determined by the~~  
6 ~~multidisciplinary conference.~~

7 (c) Notwithstanding any other provision of Article 14, the  
8 ~~The~~ State Board of Education shall ~~is empowered to establish,~~  
9 maintain and operate or contract for the operation of a  
10 permanent, statewide, residential education facility  
11 ~~state-wide service center~~ known as the Philip J. Rock Center  
12 and School that services. ~~The School serves~~ eligible students  
13 ~~children~~ between the ages of 3 and 21, unless a student's 22nd  
14 birthday occurs during the school year, in which case the  
15 student is eligible for such services through the end of the  
16 school year. Subject to appropriation, the Philip J. Rock  
17 Center and School may provide additional services to 21; the  
18 ~~Center serves~~ eligible deafblind persons of all ages. The  
19 State Board of Education shall include a line item in its  
20 budget to pay the costs of operating and maintaining the  
21 Philip J. Rock Center and School. If the Center and School  
22 receives appropriated funding to serve eligible deafblind  
23 persons of all ages, services ~~Services~~ provided by the Center  
24 and School shall include, but are not limited to:

25 (1) identifying ~~Identifying~~ and providing case  
26 management of individuals with combined vision and hearing

1 ~~loss persons who are auditorily and visually impaired;~~

2 (2) providing ~~Providing~~ families with appropriate  
3 information and dissemination of information ~~counseling~~;

4 (3) providing information to ~~Referring~~ persons who are  
5 deafblind about the ~~deaf blind to~~ appropriate agencies for  
6 medical and diagnostic services;

7 (4) referring ~~Referring~~ persons who are deafblind  
8 ~~deaf blind~~ to appropriate agencies for educational,  
9 rehabilitation, and support ~~training and care~~ services;

10 (5) developing ~~Developing~~ and expanding services  
11 throughout the State to persons who are deafblind  
12 ~~deaf blind~~. This shall ~~will~~ include ancillary services,  
13 such as transportation, so that ~~these persons~~ the  
14 ~~individuals~~ can take advantage of the expanded services;

15 (6) maintaining ~~Maintaining~~ a residential-educational  
16 training facility, with or without a day program, in the  
17 Chicago metropolitan area located near ~~in an area~~  
18 ~~accessible to~~ public transportation;

19 (7) (blank); ~~Receiving, dispensing, and monitoring~~  
20 ~~State and Federal funds to the School and Center~~  
21 ~~designated for services to persons who are deaf blind~~;

22 (8) coordinating ~~Coordinating~~ services to persons who  
23 are deafblind ~~deaf blind~~ through all appropriate agencies,  
24 including the Department of Children and Family Services  
25 and the Department of Human Services;

26 (9) entering ~~Entering~~ into contracts with other

1 agencies to provide services to persons who are deafblind  
2 ~~deaf-blind;~~

3 (10) (blank); ~~Operating on a no-reject basis. Any~~  
4 ~~individual referred to the Center for service and~~  
5 ~~diagnosed as deaf blind, as defined in this Act, shall~~  
6 ~~qualify for available services;~~

7 (11) servicing ~~Servicing~~ as the information ~~referral~~  
8 clearinghouse for all persons who are deafblind  
9 ~~deaf blind, age 21 and older; and~~

10 (12) (blank). ~~Providing transition services for~~  
11 ~~students of Philip J. Rock School who are deaf-blind and~~  
12 ~~between the ages of 14 1/2 and 21.~~

13 Priority of services shall be given to students referred  
14 to the Philip J. Rock Center and School who qualify as  
15 individuals with concomitant hearing and visual impairments  
16 under clause (i) of subsection (a) of this Section or who are  
17 eligible for special education services under the category of  
18 deafblind. Such a student may not be denied enrollment unless  
19 the student's placement in the Center and School would  
20 endanger the health or safety of any other student.

21 (d) For the purposes of employment, the Philip J. Rock  
22 Center and School shall be considered its own employer. The  
23 State Board of Education shall appoint a chief administrator  
24 of the Philip J. Rock Center and School, who shall be employed  
25 by the Center and School and shall manage the daily operations  
26 of the Center and School. The chief administrator shall have

1 the authority on behalf of the Center and School to:

2 (1) hire, evaluate, discipline, and terminate staff of  
3 the Center and School;

4 (2) determine wages, benefits, and other conditions of  
5 employment for all Center and School employees;

6 (3) bargain with the exclusive bargaining  
7 representative of the employees of the Center and School;

8 (4) develop a budget to be submitted to the State  
9 Board of Education for review and approval;

10 (5) contract for any professional, legal, and  
11 educational services necessary for the operation of the  
12 Center and School;

13 (6) make all decisions regarding the daily operations  
14 of the Center and School; and

15 (7) perform any other duties as set forth in the  
16 employment contract for the chief administrator.

17 (e) If the State Board of Education contracts for the  
18 fiscal administration of the Philip J. Rock Center and School,  
19 then the contract shall be with a school district, special  
20 education cooperative, or regional office of education that  
21 can serve as the fiscal agent for the Center and School. To the  
22 extent possible, the fiscal agent shall be in close geographic  
23 proximity to the Center and School.

24 (f) Through the individualized education program process  
25 with the student's resident school district, a student who  
26 resides at the Philip J. Rock Center and School may be placed

1 in an alternate educational program by the student's  
2 individualized education program team. Educational placement  
3 and services shall be provided free of charge to the student's  
4 resident school district, unless there is tuition associated  
5 with the educational placement and services. If the Philip J.  
6 Rock Center and School must pay tuition or provide  
7 transportation for a student's educational placement and  
8 services, such tuition or transportation shall be billed to  
9 the student's resident school district.

10 (g) The Advisory Board for Services for Persons who are  
11 deafblind ~~Deaf-Blind~~ shall provide advice to the State  
12 Superintendent of Education, the Governor, and the General  
13 Assembly on all matters pertaining to policy concerning  
14 persons who are deafblind ~~deaf-blind~~, including the  
15 implementation of legislation enacted on their behalf.

16 ~~The Regarding the maintenance, operation and education~~  
17 ~~functions of the Philip J. Rock Center and School, the~~  
18 Advisory Board shall also make recommendations pertaining to  
19 but not limited to the following matters:

20 (1) existing ~~Existing~~ and proposed programs of all  
21 State agencies that provide services for persons who are  
22 deafblind ~~deaf-blind~~;

23 (2) the ~~The~~ State program and financial plan for  
24 deafblind ~~deaf-blind~~ services and the system of priorities  
25 to be developed by the State Board of Education;

26 (3) standards ~~Standards~~ for services in facilities

1 serving persons who are deafblind ~~deaf-blind~~;

2 (4) standards ~~Standards~~ and rates for State payments  
3 for any services purchased for persons who are deafblind  
4 ~~deaf-blind~~;

5 (5) services ~~Services~~ and research activities in the  
6 field of deafblindness ~~deaf-blindness~~, including the  
7 evaluation of services; and

8 (6) planning ~~Planning~~ for personnel or preparation  
9 ~~personnel/preparation~~, both preservice and inservice.

10 The Advisory Board shall consist of 3 persons appointed by  
11 the Governor; 2 persons appointed by the State Superintendent  
12 of Education; 4 persons appointed by the Secretary of Human  
13 Services; and 2 persons appointed by the Director of Children  
14 and Family Services. ~~The 3 appointments of the Governor shall~~  
15 ~~consist of a senior citizen 60 years of age or older, a~~  
16 ~~consumer who is deaf blind, and a parent of a person who is~~  
17 ~~deaf blind; provided that if any gubernatorial appointee~~  
18 ~~serving on the Advisory Board on the effective date of this~~  
19 ~~amendatory Act of 1991 is not either a senior citizen 60 years~~  
20 ~~of age or older or a consumer who is deaf-blind or a parent of~~  
21 ~~a person who is deaf-blind, then whenever that appointee's~~  
22 ~~term of office expires or a vacancy in that appointee's office~~  
23 ~~sooner occurs, the Governor shall make the appointment to fill~~  
24 ~~that office or vacancy in a manner that will result, at the~~  
25 ~~earliest possible time, in the Governor's appointments to the~~  
26 ~~Advisory Board being comprised of one senior citizen 60 years~~



1 ~~of age or older, one consumer who is deaf-blind, and one parent~~  
2 ~~of a person who is deaf-blind.~~ One person designated by each  
3 agency other than the Department of Human Services may be an  
4 employee of that agency. Two persons appointed by the  
5 Secretary of Human Services may be employees of the Department  
6 of Human Services. The appointments of each appointing  
7 authority other than the Governor shall include at least one  
8 parent of an individual who is deafblind ~~deaf-blind~~ or a  
9 person who is deafblind ~~deaf-blind~~.

10 Vacancies in terms shall be filled by the original  
11 appointing authority. After the original terms, all terms  
12 shall be for 3 years.

13 ~~Except for those members of the Advisory Board who are~~  
14 ~~compensated for State service on a full-time basis, members~~  
15 ~~shall be reimbursed for all actual expenses incurred in the~~  
16 ~~performance of their duties. Each member who is not~~  
17 ~~compensated for State service on a full-time basis shall be~~  
18 ~~compensated at a rate of \$50 per day which he spends on~~  
19 ~~Advisory Board duties.~~ The Advisory Board shall meet at least  
20 2 4 times per year ~~and not more than 12 times per year.~~

21 The State Board of Education ~~Advisory Board~~ shall provide  
22 support to the Advisory Board ~~for its own organization.~~

23 ~~Six members of the Advisory Board shall constitute a~~  
24 ~~quorum.~~ The affirmative vote of a majority of all members of  
25 the Advisory Board shall be necessary for any action taken by  
26 the Advisory Board.

1 (Source: P.A. 88-670, eff. 12-2-94; 89-397, eff. 8-20-95;  
2 89-507, eff. 7-1-97.)