



Sen. Suzy Glowiak Hilton

Filed: 3/19/2024

10300SB3768sam002

LRB103 39303 RJT 71077 a

1 AMENDMENT TO SENATE BILL 3768

2 AMENDMENT NO. _____. Amend Senate Bill 3768, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The School Code is amended by changing Section
6 14-11.02 as follows:

7 (105 ILCS 5/14-11.02) (from Ch. 122, par. 14-11.02)

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

13 (a) For the purpose of this Section, persons who are
14 deafblind ~~with deaf blindness~~ are (i) individuals with
15 concomitant hearing and visual impairments, the combination of
16 which causes such severe communication and other developmental

1 and educational needs that they cannot be accommodated in
2 special education programs solely for children with deafness
3 or children with blindness, (ii) individuals with solely a
4 hearing impairment, or (iii) individuals with solely a visual
5 impairment ~~persons who have both auditory and visual~~
6 ~~impairments, the combination of which causes such severe~~
7 ~~communication and other developmental, educational, vocational~~
8 ~~and rehabilitation problems that such persons cannot be~~
9 ~~properly accommodated in special education or vocational~~
10 ~~rehabilitation programs solely for persons with both hearing~~
11 ~~and visual disabilities.~~

12 (b) To be eligible for deafblind deaf-blind services under
13 this Section, a person must have (i) a visual impairment, a
14 hearing and an auditory impairment, or both or (ii) a
15 condition in which there is a progressive loss of hearing, ~~or~~
16 vision, ~~or both that results in concomitant vision and hearing~~
17 ~~impairments and that~~ adversely affects educational performance
18 as determined by the multidisciplinary conference. For
19 purposes of this ~~paragraph and~~ Section:

20 (1) (A) A visual impairment shall have the same
21 meaning as in the federal Individuals With Disabilities
22 Education Act and its implementing regulations ~~is defined~~
23 ~~to mean one or more of the following: (i) corrected visual~~
24 ~~acuity poorer than 20/70 in the better eye; (ii)~~
25 ~~restricted visual field of 20 degrees or less in the~~
26 ~~better eye; (iii) cortical blindness; (iv) does not appear~~

1 ~~to respond to visual stimulation, which adversely affects~~
2 ~~educational performance as determined by the~~
3 ~~multidisciplinary conference.~~

4 (2) A hearing ~~(B) An auditory~~ impairment shall have
5 the same meaning as in the federal Individuals With
6 Disabilities Education Act and its implementing
7 regulations ~~is defined to mean one or more of the~~
8 ~~following: (i) a sensorineural or ongoing or chronic~~
9 ~~conductive hearing loss with aided sensitivity of 30dB HL~~
10 ~~or poorer; (ii) functional auditory behavior that is~~
11 ~~significantly discrepant from the person's present~~
12 ~~cognitive and/or developmental levels, which adversely~~
13 ~~affects educational performance as determined by the~~
14 ~~multidisciplinary conference.~~

15 (c) Notwithstanding any other provision of Article 14, the
16 ~~The~~ State Board of Education shall ~~is empowered to establish,~~
17 maintain and operate or contract for the operation of a
18 permanent, statewide, residential education facility
19 ~~state wide service center~~ known as the Philip J. Rock Center
20 and School that services. ~~The School serves~~ eligible students
21 ~~children~~ between the ages of 3 and 21, unless a student's 22nd
22 birthday occurs during the school year, in which case the
23 student is eligible for such services through the end of the
24 school year. Subject to appropriation, the Philip J. Rock
25 Center and School may provide additional services to 21; the
26 ~~Center serves~~ eligible deafblind persons of all ages. The

1 State Board of Education shall include a line item in its
2 budget to pay the costs of operating and maintaining the
3 Philip J. Rock Center and School. If the Center and School
4 receives appropriated funding to serve eligible deafblind
5 persons of all ages, services ~~Services~~ provided by the Center
6 and School shall include, but are not limited to:

7 (1) identifying ~~Identifying~~ and providing case
8 management of individuals with combined vision and hearing
9 loss ~~persons who are auditorily and visually impaired;~~

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

12 (3) providing information to ~~Referring~~ persons who are
13 deafblind about the ~~deaf-blind to~~ appropriate agencies for
14 medical and diagnostic services;

15 (4) referring ~~Referring~~ persons who are deafblind
16 ~~deaf-blind~~ to appropriate agencies for educational,
17 rehabilitation, and support ~~training and care~~ services;

18 (5) developing ~~Developing~~ and expanding services
19 throughout the State to persons who are deafblind
20 ~~deaf-blind~~. This shall ~~will~~ include ancillary services,
21 such as transportation, so that these persons ~~the~~
22 ~~individuals~~ can take advantage of the expanded services;

23 (6) maintaining ~~Maintaining~~ a residential-educational
24 training facility, with or without a day program, in the
25 Chicago metropolitan area located near ~~in an area~~
26 ~~accessible to~~ public transportation;

1 (7) (blank); ~~Receiving, dispensing, and monitoring~~
2 ~~State and Federal funds to the School and Center~~
3 ~~designated for services to persons who are deaf-blind;~~

4 (8) coordinating ~~Coordinating~~ services to persons who
5 are deafblind ~~deaf blind~~ through all appropriate agencies,
6 including the Department of Children and Family Services
7 and the Department of Human Services;

8 (9) entering ~~Entering~~ into contracts with other
9 agencies to provide services to persons who are deafblind
10 ~~deaf-blind;~~

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

15 (11) servicing ~~Servicing~~ as the information ~~referral~~
16 clearinghouse for all persons who are deafblind
17 ~~deaf-blind, age 21 and older; and~~

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

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.)".