

**HB4926**



**99TH GENERAL ASSEMBLY**

**State of Illinois**

**2015 and 2016**

**HB4926**

by Rep. Jim Durkin - C.D. Davidsmeyer

**SYNOPSIS AS INTRODUCED:**

20 ILCS 2405/10

from Ch. 23, par. 3441

Amends the Rehabilitation of Persons with Disabilities Act. Makes a technical change in a Section concerning residential schools for children with visual and hearing disabilities.

LRB099 19020 KTG 43409 b

**A BILL FOR**

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Rehabilitation of Persons with Disabilities  
5 Act is amended by changing Section 10 as follows:

6 (20 ILCS 2405/10) (from Ch. 23, par. 3441)

7 Sec. 10. Residential schools; visual and hearing  
8 disabilities.

9 (a) The Department of Human Services shall operate  
10 residential schools for the ~~the~~ education of children with  
11 visual and hearing disabilities who are unable to take  
12 advantage of the regular educational facilities provided in the  
13 community, and shall provide in connection therewith such  
14 academic, vocational, and related services as may be required.  
15 Children shall be eligible for admission to these schools only  
16 after proper diagnosis and evaluation, in accordance with  
17 procedures prescribed by the Department.

18 (a-5) The Superintendent of the Illinois School for the  
19 Deaf shall be the chief executive officer of, and shall be  
20 responsible for the day to day operations of, the School, and  
21 shall obtain educational and professional employees who are  
22 certified by the Illinois State Board of Education or licensed  
23 by the appropriate agency or entity to which licensing

1 authority has been delegated, as well as all other employees of  
2 the School, subject to the provisions of the Personnel Code and  
3 any applicable collective bargaining agreement. The  
4 Superintendent shall be appointed by the Governor, by and with  
5 the advice and consent of the Senate. In the case of a vacancy  
6 in the office of Superintendent during the recess of the  
7 Senate, the Governor shall make a temporary appointment until  
8 the next meeting of the Senate, when the Governor shall  
9 nominate some person to fill the office, and any person so  
10 nominated who is confirmed by the Senate shall hold office  
11 during the remainder of the term and until his or her successor  
12 is appointed and qualified. The Superintendent shall hold  
13 office (i) for a term expiring on June 30 of 2015, and every 4  
14 years thereafter and (ii) until the Superintendent's successor  
15 is appointed and qualified. The Superintendent shall devote his  
16 or her full time to the duties of the office, shall not serve  
17 in any other capacity during his or her term of office, and  
18 shall receive such compensation as the Governor shall  
19 determine. The Superintendent shall have an administrative  
20 certificate with a superintendent endorsement as provided for  
21 under Section 21-7.1 of the School Code, and shall have degrees  
22 in both educational administration and deaf education,  
23 together with at least 15 years of experience in either deaf  
24 education, the administration of deaf education, or a  
25 combination of the 2.

26 (a-10) The Superintendent of the Illinois School for the

1 Visually Impaired shall be the chief executive officer of, and  
2 shall be responsible for the day to day operations of, the  
3 School, and shall obtain educational and professional  
4 employees who are certified by the Illinois State Board of  
5 Education or licensed by the appropriate agency or entity to  
6 which licensing authority has been delegated, as well as all  
7 other employees of the School, subject to the provisions of the  
8 Personnel Code and any applicable collective bargaining  
9 agreement. The Superintendent shall be appointed by the  
10 Governor, by and with the advice and consent of the Senate. In  
11 the case of a vacancy in the office of Superintendent during  
12 the recess of the Senate, the Governor shall make a temporary  
13 appointment until the next meeting of the Senate, when the  
14 Governor shall nominate some person to fill the office, and any  
15 person so nominated who is confirmed by the Senate shall hold  
16 office during the remainder of the term and until his or her  
17 successor is appointed and qualified. The Superintendent shall  
18 hold office (i) for a term expiring on June 30 of 2015, and  
19 every 4 years thereafter and (ii) until the Superintendent's  
20 successor is appointed and qualified. The Superintendent shall  
21 devote his or her full time to the duties of the office, shall  
22 not serve in any other capacity during his or her term of  
23 office, and shall receive such compensation as the Governor  
24 shall determine. The Superintendent shall have an  
25 administrative certificate with a superintendent endorsement  
26 as provided for under Section 21-7.1 of the School Code, and

1 shall have degrees in both educational administration and blind  
2 or visually impaired education, together with at least 15 years  
3 of experience in either blind or visually impaired education,  
4 the administration of blind or visually impaired education, or  
5 a combination of the 2.

6 (b) In administering the Illinois School for the Deaf, the  
7 Department shall adopt an admission policy which permits day or  
8 residential enrollment, when resources are sufficient, of  
9 children with hearing disabilities who are able to take  
10 advantage of the regular educational facilities provided in the  
11 community and thus unqualified for admission under subsection  
12 (a). In doing so, the Department shall establish an annual  
13 deadline by which shall be completed the enrollment of children  
14 qualified under subsection (a) for admission to the Illinois  
15 School for the Deaf. After the deadline, the Illinois School  
16 for the Deaf may enroll other children with hearing  
17 disabilities at the request of their parents or guardians if  
18 the Department determines there are sufficient resources to  
19 meet their needs as well as the needs of children enrolled  
20 before the deadline and children qualified under subsection (a)  
21 who may be enrolled after the deadline on an emergency basis.  
22 The Department shall adopt any rules and regulations necessary  
23 for the implementation of this subsection.

24 (c) In administering the Illinois School for the Visually  
25 Impaired, the Department shall adopt an admission policy that  
26 permits day or residential enrollment, when resources are

1 sufficient, of children with visual disabilities who are able  
2 to take advantage of the regular educational facilities  
3 provided in the community and thus unqualified for admission  
4 under subsection (a). In doing so, the Department shall  
5 establish an annual deadline by which the enrollment of  
6 children qualified under subsection (a) for admission to the  
7 Illinois School for the Visually Impaired shall be completed.  
8 After the deadline, the Illinois School for the Visually  
9 Impaired may enroll other children with visual disabilities at  
10 the request of their parents or guardians if the Department  
11 determines there are sufficient resources to meet their needs  
12 as well as the needs of children enrolled before the deadline  
13 and children qualified under subsection (a) who may be enrolled  
14 after the deadline on an emergency basis. The Department shall  
15 adopt any rules and regulations necessary for the  
16 implementation of this subsection.

17 (Source: P.A. 99-143, eff. 7-27-15.)