

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.)