



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2355

Introduced 2/26/2021, by Sen. John F. Curran

SYNOPSIS AS INTRODUCED:

105 ILCS 5/14-1.02	from Ch. 122, par. 14-1.02
105 ILCS 5/14-1.03a	from Ch. 122, par. 14-1.03a
105 ILCS 5/14-1.09	from Ch. 122, par. 14-1.09
105 ILCS 5/14-1.09a	from Ch. 122, par. 14-1.09a

Amends the Children with Disabilities Article of the School Code. For school years 2021-2022 through 2025-2026, provides that (i) an eligible student who requires continued public school educational experience to facilitate his or her successful transition and integration into adult life is eligible for such services through the day before the student's 23rd birthday (rather than through the day before the student's 22nd birthday), (ii) the term "children with specific learning disabilities" includes children between the ages of 3 and 22 years (rather than children between the ages of 3 and 21 years), (iii) a school psychologist may offer school psychological services to children between the ages of 3 and 22 years (rather than to children between the ages of 3 and 21 years), and (iv) a school social worker may offer school social work services to children between the ages of 3 and 22 years (rather than to children between the ages of 3 and 21 years). Effective immediately.

LRB102 15490 CMG 20853 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 Sections
5 14-1.02, 14-1.03a, 14-1.09, and 14-1.09a as follows:

6 (105 ILCS 5/14-1.02) (from Ch. 122, par. 14-1.02)

7 Sec. 14-1.02. Children with disabilities. "Children with
8 disabilities" means children between the ages of 3 and 21 for
9 whom it is determined, through definitions and procedures
10 described in the Illinois Rules and Regulations to Govern the
11 Organization and Administration of Special Education, that
12 special education services are needed. An eligible student who
13 requires continued public school educational experience to
14 facilitate his or her successful transition and integration
15 into adult life is eligible for such services through age 21,
16 inclusive, which, for purposes of this Article, means the day
17 before the student's 22nd birthday. An individualized
18 education program must be written and agreed upon by
19 appropriate school personnel and parents or their
20 representatives for any child receiving special education.

21 However, for school years 2021-2022 through 2025-2026,
22 "children with disabilities" means children between the ages
23 of 3 and 22 for whom it is determined, through definitions and

1 procedures described in the Illinois Rules and Regulations to
2 Govern the Organization and Administration of Special
3 Education, that special education services are needed. An
4 eligible student who requires continued public school
5 educational experience to facilitate his or her successful
6 transition and integration into adult life is eligible for
7 such services through age 22, inclusive, which, for purposes
8 of this Article, means the day before the student's 23rd
9 birthday. An individualized education program must be written
10 and agreed upon by appropriate school personnel and parents or
11 their representatives for any child receiving special
12 education.

13 (Source: P.A. 95-14, eff. 7-16-07.)

14 (105 ILCS 5/14-1.03a) (from Ch. 122, par. 14-1.03a)

15 Sec. 14-1.03a. Children with Specific Learning
16 Disabilities. "Children with Specific Learning Disabilities"
17 means children between the ages of 3 and 21 years who have a
18 disorder in one or more of the basic psychological processes
19 involved in understanding or in using language, spoken or
20 written, which disorder may manifest itself in imperfect
21 ability to listen, think, speak, read, write, spell or do
22 mathematical calculations. Such disorders include such
23 conditions as perceptual disabilities, brain injury, minimal
24 brain dysfunction, dyslexia, and developmental aphasia. Such
25 term does not include children who have learning problems

1 which are primarily the result of visual, hearing or motor
2 disabilities, of an intellectual disability, emotional
3 disturbance or environmental disadvantage.

4 However, for school years 2021-2022 through 2025-2026,
5 "children with Specific Learning Disabilities" means children
6 between the ages of 3 and 22 years who have a disorder in one
7 or more of the basic psychological processes involved in
8 understanding or in using language, spoken or written, which
9 disorder may manifest itself in an imperfect ability to
10 listen, think, speak, read, write, spell, or do mathematical
11 calculations. Such disorders include such conditions as
12 perceptual disabilities, brain injury, minimal brain
13 dysfunction, dyslexia, and developmental aphasia. Such term
14 does not include children who have learning problems that are
15 primarily the result of visual, hearing, or motor
16 disabilities, of an intellectual disability, of emotional
17 disturbance or environmental disadvantage.

18 (Source: P.A. 97-227, eff. 1-1-12.)

19 (105 ILCS 5/14-1.09) (from Ch. 122, par. 14-1.09)

20 Sec. 14-1.09. School psychologist. "School psychologist"
21 means a psychologist who meets the following qualifications:

22 (1) The psychologist:

23 (A) has graduated with a master's or higher degree
24 in psychology or educational psychology from an
25 institution of higher learning that maintains

1 equipment, courses of study, and standards of
2 scholarship approved by the State Board of Education,
3 has had at least one school year of full-time
4 supervised experience in the delivery of school
5 psychological services of a character approved by the
6 State Superintendent of Education, and has such
7 additional qualifications as may be required by the
8 State Board of Education; or

9 (B) holds a valid Nationally Certified School
10 Psychologist (NCSP) credential.

11 (2) The psychologist holds a Professional Educator
12 License with a school psychologist endorsement issued
13 pursuant to Section 21B-25 of this Code. Persons so
14 licensed may use the title "school psychologist" and may
15 offer school psychological services which are limited to
16 those services set forth in 23 Ill. Adm. Code 226, Special
17 Education, pertaining to children between the ages of 3 to
18 21, promulgated by the State Board of Education. However,
19 for school years 2021-2022 through 2025-2026, persons so
20 licensed may use the title "school psychologist" and may
21 offer school psychological services that are limited to
22 those services set forth in 23 Ill. Adm. Code 226, Special
23 Education, pertaining to children between the ages of 3
24 and 22 years, adopted by the State Board of Education.

25 School psychologists may make evaluations, recommendations
26 or interventions regarding the placement of children in

1 educational programs or special education classes. However, a
2 school psychologist shall not provide such services outside
3 his or her employment to any student in the district or
4 districts which employ such school psychologist.

5 (Source: P.A. 100-750, eff. 8-10-18.)

6 (105 ILCS 5/14-1.09a) (from Ch. 122, par. 14-1.09a)

7 Sec. 14-1.09a. School social worker. "School social
8 worker" means a social worker who has graduated with a
9 master's or higher degree in social work from an accredited
10 graduate school of social work and has such additional
11 qualifications as may be required by the State Board of
12 Education and who holds a Professional Educator License with a
13 school support personnel endorsement for school social work
14 pursuant to Section 21B-25 of this Code. Only persons so
15 licensed and endorsed may use the title "school social
16 worker". A social worker may offer school social work services
17 as provided in this Code and other applicable laws and as set
18 forth in 23 Ill. Adm. Code 226, Special Education, promulgated
19 by the State Board of Education, governing the provision of
20 special education and related services to children with
21 disabilities and requirements for the treatment of children
22 with disabilities between the ages of 3 and 21. However, for
23 school years 2021-2022 through 2025-2026, a social worker may
24 offer school social work services as provided in this Code and
25 other applicable laws and as set forth in 23 Ill. Adm. Code

1 226, Special Education, adopted by the State Board of
2 Education, governing the provision of special education and
3 related services to children with disabilities and
4 requirements for the treatment of children with disabilities
5 between the ages of 3 and 22 years. School social workers may
6 make evaluations, recommendations or interventions regarding
7 the placement of children in educational programs or special
8 education classes. However, a school social worker shall not
9 provide such services outside his or her employment to any
10 student in the district or districts which employ such school
11 social worker.

12 (Source: P.A. 100-356, eff. 8-25-17.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.