



Rep. Terra Costa Howard

Filed: 4/30/2024

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LRB103 39303 RJT 72753 a

1 AMENDMENT TO SENATE BILL 3768

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

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

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

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

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

1 ~~educational performance as determined by the~~
2 ~~multidisciplinary conference.~~

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

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

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

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

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

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

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

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

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

26 (7) (blank); ~~Receiving, dispensing, and monitoring~~

1 ~~State and Federal funds to the School and Center~~
2 ~~designated for services to persons who are deaf blind;~~

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

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

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

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

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

20 Priority of services shall be given to students referred
21 to the Philip J. Rock Center and School who qualify as
22 individuals with concomitant hearing and visual impairments
23 under clause (i) of subsection (a) of this Section or who are
24 eligible for special education services under the category of
25 deafblind. Such a student may not be denied enrollment unless
26 the student's placement in the Center and School would

1 endanger the health or safety of any other student.

2 (d) For the purposes of employment, the Philip J. Rock
3 Center and School shall be considered its own employer. The
4 State Board of Education shall appoint a chief administrator
5 of the Philip J. Rock Center and School, who shall be employed
6 by the Center and School and shall manage the daily operations
7 of the Center and School. The chief administrator shall have
8 the authority on behalf of the Center and School to:

9 (1) hire, evaluate, discipline, and terminate staff of
10 the Center and School;

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

13 (3) bargain with the exclusive bargaining
14 representative of the employees of the Center and School;

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

17 (5) contract for any professional, legal, and
18 educational services necessary for the operation of the
19 Center and School;

20 (6) make all decisions regarding the daily operations
21 of the Center and School; and

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

24 (e) If the State Board of Education contracts for the
25 fiscal administration of the Philip J. Rock Center and School,
26 then the contract shall be with a school district, special

1 education cooperative, or regional office of education that
2 can serve as the fiscal agent for the Center and School. To the
3 extent possible, the fiscal agent shall be in close geographic
4 proximity to the Center and School.

5 (f) Through the individualized education program process
6 with the student's resident school district, a student who
7 resides at the Philip J. Rock Center and School may be placed
8 in an alternate educational program by the student's
9 individualized education program team. Educational placement
10 and services shall be provided free of charge to the student's
11 resident school district, unless there is tuition associated
12 with the educational placement and services. If the Philip J.
13 Rock Center and School must pay tuition or provide
14 transportation for a student's educational placement and
15 services, such tuition or transportation shall be billed to
16 the student's resident school district.

17 (g) The Advisory Board for Services for Persons who are
18 deafblind ~~Deaf-Blind~~ shall provide advice to the State
19 Superintendent of Education, the Governor, and the General
20 Assembly on all matters pertaining to policy concerning
21 persons who are deafblind ~~deaf-blind~~, including the
22 implementation of legislation enacted on their behalf.

23 The ~~Regarding the maintenance, operation and education~~
24 ~~functions of the Philip J. Rock Center and School, the~~
25 Advisory Board shall also make recommendations pertaining to
26 but not limited to the following matters:

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

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

7 (3) standards ~~Standards~~ for services in facilities
8 serving persons who are deafblind ~~deaf-blind~~;

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

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

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

17 The Advisory Board shall consist of 3 persons appointed by
18 the Governor; 2 persons appointed by the State Superintendent
19 of Education; 4 persons appointed by the Secretary of Human
20 Services; and 2 persons appointed by the Director of Children
21 and Family Services. ~~The 3 appointments of the Governor shall~~
22 ~~consist of a senior citizen 60 years of age or older, a~~
23 ~~consumer who is deaf-blind, and a parent of a person who is~~
24 ~~deaf-blind; provided that if any gubernatorial appointee~~
25 ~~serving on the Advisory Board on the effective date of this~~
26 ~~amendatory Act of 1991 is not either a senior citizen 60 years~~

1 ~~of age or older or a consumer who is deaf-blind or a parent of~~
2 ~~a person who is deaf-blind, then whenever that appointee's~~
3 ~~term of office expires or a vacancy in that appointee's office~~
4 ~~sooner occurs, the Governor shall make the appointment to fill~~
5 ~~that office or vacancy in a manner that will result, at the~~
6 ~~earliest possible time, in the Governor's appointments to the~~
7 ~~Advisory Board being comprised of one senior citizen 60 years~~
8 ~~of age or older, one consumer who is deaf-blind, and one parent~~
9 ~~of a person who is deaf-blind.~~ One person designated by each
10 agency other than the Department of Human Services may be an
11 employee of that agency. Two persons appointed by the
12 Secretary of Human Services may be employees of the Department
13 of Human Services. The appointments of each appointing
14 authority other than the Governor shall include at least one
15 parent of an individual who is deafblind ~~deaf-blind~~ or a
16 person who is deafblind ~~deaf-blind~~.

17 Vacancies in terms shall be filled by the original
18 appointing authority. After the original terms, all terms
19 shall be for 3 years.

20 ~~Except for those members of the Advisory Board who are~~
21 ~~compensated for State service on a full-time basis, members~~
22 ~~shall be reimbursed for all actual expenses incurred in the~~
23 ~~performance of their duties. Each member who is not~~
24 ~~compensated for State service on a full-time basis shall be~~
25 ~~compensated at a rate of \$50 per day which he spends on~~
26 ~~Advisory Board duties.~~ The Advisory Board shall meet at least

1 2 4 times per year ~~and not more than 12 times per year.~~

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

4 ~~Six members of the Advisory Board shall constitute a~~
5 ~~quorum.~~ The affirmative vote of a majority of all members of
6 the Advisory Board shall be necessary for any action taken by
7 the Advisory Board.

8 (Source: P.A. 88-670, eff. 12-2-94; 89-397, eff. 8-20-95;
9 89-507, eff. 7-1-97.)".