

1 AMENDMENT TO HOUSE BILL 1356

2 AMENDMENT NO. _____. Amend House Bill 1356 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing
5 Sections 21-2 and 21-14 and adding Sections 1.09b, 1.09c, and
6 6.03 as follows:

7 (105 ILCS 5/14-1.09b new)

8 Sec. 14-1.09b. Speech-language pathologist.
9 "Speech-language pathologist" means a person who has received
10 a license pursuant to the Illinois Speech-Language Pathology
11 and Audiology Practice Act to engage in the practice of
12 speech-language pathology.

13 (105 ILCS 5/14-1.09c new)

14 Sec. 14-1.09c. Speech-language pathology assistant.
15 "Speech-language pathology assistant" means a person who has
16 received a license to assist a speech-language pathologist
17 pursuant to the Illinois Speech-Language Pathology and
18 Audiology Practice Act.

19 (105 ILCS 5/14-6.03 new)

20 Sec. 14-6.03. Speech-language pathology assistants.

1 (a) Except as otherwise provided in this subsection, on
2 or after January 1, 2002, no person shall perform the duties
3 of a speech-language pathology assistant without first
4 applying for and receiving a license for that purpose from
5 the Department of Professional Regulation. Before January 1,
6 2004, however, any person holding a bachelor's degree in
7 communication disorders who has been approved by the State
8 Board of Education on or after the effective date of this
9 amendatory Act of the 92nd General Assembly to perform the
10 functions and duties of a speech-language pathology assistant
11 may perform those functions and duties without obtaining a
12 license as a speech-language pathology assistant pursuant to
13 the Illinois Speech-Language Pathology and Audiology Practice
14 Act. A person employed as a speech-language pathology
15 assistant in any class, service, or program authorized by
16 this Article may perform only those duties authorized by this
17 Section under the supervision of a speech-language
18 pathologist as provided in this Section.

19 (b) A speech-language pathology assistant may not be
20 assigned his or her own student caseload. The student
21 caseload limit of a speech-language pathologist who
22 supervises any speech-language pathology assistants shall be
23 determined by the severity of the needs of the students
24 served by the speech-language pathologist. A full-time
25 speech-language pathologist's caseload limit may not exceed
26 80 students (60 students on or after September 1, 2003) at
27 any time. The caseload limit of a part-time speech-language
28 pathologist shall be determined by multiplying the caseload
29 limit of a full-time speech-language pathologist by a
30 percentage that equals the number of hours worked by the
31 part-time speech-language pathologist divided by the number
32 of hours worked by a full-time speech-language pathologist in
33 that school district. Employment of a speech-language
34 pathology assistant may not increase or decrease the caseload

1 of the supervising speech-language pathologist.

2 (c) A school district that intends to utilize the
3 services of a speech-language pathology assistant must
4 provide written notification to the parent or guardian of
5 each student who will be served by a speech-language
6 pathology assistant.

7 (d) The scope of responsibility of a speech-language
8 pathology assistant shall be limited to supplementing the
9 role of the speech-language pathologist in implementing the
10 treatment program established by a speech-language
11 pathologist. The functions and duties of a speech-language
12 pathology assistant shall be limited to the following:

13 (1) Conducting speech-language screening, without
14 interpretation, and using screening protocols selected by
15 the supervising speech-language pathologist.

16 (2) Providing direct treatment assistance to
17 students under the supervision of a speech-language
18 pathologist.

19 (3) Following and implementing documented treatment
20 plans or protocols developed by a supervising
21 speech-language pathologist.

22 (4) Documenting student progress toward meeting
23 established objectives, and reporting the information to
24 a supervising speech-language pathologist.

25 (5) Assisting a speech-language pathologist during
26 assessments, including, but not limited to, assisting
27 with formal documentation, preparing materials, and
28 performing clerical duties for a supervising
29 speech-language pathologist.

30 (6) Acting as an interpreter for non-English
31 speaking students and their family members when competent
32 to do so.

33 (7) Scheduling activities and preparing charts,
34 records, graphs, and data.

1 (8) Performing checks and maintenance of equipment,
2 including, but not limited to, augmentative communication
3 devices.

4 (9) Assisting with speech-language pathology
5 research projects, in-service training, and family or
6 community education.

7 (e) A speech-language pathology assistant may not:

8 (1) perform standardized or nonstandardized
9 diagnostic tests or formal or informal evaluations or
10 interpret test results;

11 (2) screen or diagnose students for feeding or
12 swallowing disorders;

13 (3) participate in parent conferences, case
14 conferences, or any interdisciplinary team without the
15 presence of the supervising speech-language pathologist;

16 (4) provide student or family counseling;

17 (5) write, develop, or modify a student's
18 individualized treatment plan;

19 (6) assist with students without following the
20 individualized treatment plan prepared by the supervising
21 speech-language pathologist;

22 (7) sign any formal documents, such as treatment
23 plans, reimbursement forms, or reports;

24 (8) select students for services;

25 (9) discharge a student from services;

26 (10) disclose clinical or confidential information,
27 either orally or in writing, to anyone other than the
28 supervising speech-language pathologist;

29 (11) make referrals for additional services;

30 (12) counsel or consult with the student, family,
31 or others regarding the student's status or service;

32 (13) represent himself or herself to be a
33 speech-language pathologist or a speech therapist;

34 (14) use a checklist or tabulate results of feeding

1 or swallowing evaluations; or

2 (15) demonstrate swallowing strategies or
3 precautions to students, family, or staff.

4 (f) A speech-language pathology assistant shall practice
5 only under the supervision of a speech-language pathologist
6 who has at least 2 years experience in addition to the
7 supervised professional experience required under subsection
8 (f) of Section 8 of the Illinois Speech-Language Pathology
9 and Audiology Practice Act. A speech-language pathologist
10 who supervises a speech-language pathology assistant must
11 have completed at least 10 clock hours of training in the
12 supervision of speech-language pathology assistants. The
13 State Board of Education shall promulgate rules describing
14 the supervision training requirements. The rules may allow a
15 speech-language pathologist to apply to the State Board of
16 Education for an exemption from this training requirement
17 based upon prior supervisory experience.

18 (g) A speech-language pathology assistant must be under
19 the direct supervision of a speech-language pathologist at
20 least 30% of the speech-language pathology assistant's actual
21 student contact time per student for the first 90 days of
22 initial employment as a speech-language pathology assistant.
23 Thereafter, the speech-language pathology assistant must be
24 under the direct supervision of a speech-language pathologist
25 at least 20% of the speech-language pathology assistant's
26 actual student contact time per student. Supervision of a
27 speech-language pathology assistant beyond the minimum
28 requirements of this subsection may be imposed at the
29 discretion of the supervising speech-language pathologist. A
30 supervising speech-language pathologist must be available to
31 communicate with a speech-language pathology assistant
32 whenever the assistant is in contact with a student.

33 (h) A speech-language pathologist that supervises a
34 speech-language pathology assistant must document direct

1 supervision activities. At a minimum, supervision
2 documentation must provide (i) information regarding the
3 quality of the speech-language pathology assistant's
4 performance of assigned duties and (ii) verification that
5 clinical activity is limited to duties specified in this
6 Section.

7 (i) A full-time speech-language pathologist may
8 supervise no more than 2 speech-language pathology
9 assistants. A speech-language pathologist that does not work
10 full-time may supervise no more than one speech-language
11 pathology assistant.

12 (105 ILCS 5/21-2) (from Ch. 122, par. 21-2)
13 Sec. 21-2. Grades of certificates.

14 (a) Until February 15, 2000, all certificates issued
15 under this Article shall be State certificates valid, except
16 as limited in Section 21-1, in every school district coming
17 under the provisions of this Act and shall be limited in time
18 and designated as follows: Provisional vocational
19 certificate, temporary provisional vocational certificate,
20 early childhood certificate, elementary school certificate,
21 special certificate, high school certificate, school service
22 personnel certificate, administrative certificate,
23 provisional certificate, and substitute certificate. The
24 requirement of student teaching under close and competent
25 supervision for obtaining a teaching certificate may be
26 waived by the State Teacher Certification Board upon
27 presentation to the Board by the teacher of evidence of 5
28 years successful teaching experience on a valid certificate
29 and graduation from a recognized institution of higher
30 learning with a bachelor's degree with not less than 120
31 semester hours and a minimum of 16 semester hours in
32 professional education. A speech-language pathologist or
33 audiologist who has met the continuing education requirements

1 of the Illinois Speech-Language Pathology and Audiology
2 Practice Act and rules promulgated under that Act shall be
3 deemed to have satisfied the continuing professional
4 development requirements established by the State Board of
5 Education and the Teacher Certification Board to obtain an
6 Initial Teaching Certificate or to obtain or renew a Standard
7 Certificate or a Master Certificate.

8 (b) Initial Teaching Certificate. Beginning February
9 15, 2000, persons who (1) have completed an approved teacher
10 preparation program, (2) are recommended by an approved
11 teacher preparation program, (3) have successfully completed
12 the Initial Teaching Certification examinations required by
13 the State Board of Education, and (4) have met all other
14 criteria established by the State Board of Education in
15 consultation with the State Teacher Certification Board,
16 shall be issued an Initial Teaching Certificate valid for 4
17 years of teaching, as defined in Section 21-14 of this Code.
18 Initial Teaching Certificates shall be issued for categories
19 corresponding to Early Childhood, Elementary, Secondary, and
20 Special K-12, with special certification designations for
21 Special Education, Bilingual Education, fundamental learning
22 areas (including Language Arts, Reading, Mathematics,
23 Science, Social Science, Physical Development and Health,
24 Fine Arts, and Foreign Language), and other areas designated
25 by the State Board of Education, in consultation with the
26 State Teacher Certification Board.

27 (c) Standard Certificate. Beginning February 15, 2000,
28 persons who (1) have completed 4 years of teaching, as
29 defined in Section 21-14 of this Code, with an Initial
30 Certificate or an Initial Alternative Teaching Certificate
31 and have met all other criteria established by the State
32 Board of Education in consultation with the State Teacher
33 Certification Board, (2) have completed 4 years of teaching
34 on a valid equivalent certificate in another State or

1 territory of the United States, or have completed 4 years of
2 teaching in a nonpublic Illinois elementary or secondary
3 school with an Initial Certificate or an Initial Alternative
4 Teaching Certificate, and have met all other criteria
5 established by the State Board of Education, in consultation
6 with the State Teacher Certification Board, or (3) were
7 issued teaching certificates prior to February 15, 2000 and
8 are renewing those certificates after February 15, 2000,
9 shall be issued a Standard Certificate valid for 5 years,
10 which may be renewed thereafter every 5 years by the State
11 Teacher Certification Board based on proof of continuing
12 education or professional development. Beginning July 1,
13 2003, persons who have completed 4 years of teaching, as
14 described in clauses (1) and (2) of this subsection (c), have
15 successfully completed the Standard Teaching Certificate
16 Examinations, and have met all other criteria established by
17 the State Board of Education, in consultation with the State
18 Teacher Certification Board, shall be issued Standard
19 Certificates. Standard Certificates shall be issued for
20 categories corresponding to Early Childhood, Elementary,
21 Secondary, and Special K-12, with special certification
22 designations for Special Education, Bilingual Education,
23 fundamental learning areas (including Language Arts, Reading,
24 Mathematics, Science, Social Science, Physical Development
25 and Health, Fine Arts, and Foreign Language), and other areas
26 designated by the State Board of Education, in consultation
27 with the State Teacher Certification Board.

28 (d) Master Certificate. Beginning February 15, 2000,
29 persons who have successfully achieved National Board
30 certification through the National Board for Professional
31 Teaching Standards and speech-language pathologists or
32 audiologists who have been granted the Certificate of
33 Clinical Competence by the American Speech-Language Hearing
34 Association shall be issued a Master Certificate, valid for

1 10 years and renewable thereafter every 10 years through
2 compliance with requirements set forth by the State Board of
3 Education, in consultation with the State Teacher
4 Certification Board. However, each teacher who holds a Master
5 Certificate shall be eligible for a teaching position in this
6 State in the areas for which he or she holds a Master
7 Certificate without satisfying any other requirements of this
8 Code, except for those requirements pertaining to criminal
9 background checks. A teacher who holds a Master Certificate
10 shall be deemed to meet State certification renewal
11 requirements in the area or areas for which he or she holds a
12 Master Certificate for the 10-year term of the teacher's
13 Master Certificate.

14 (Source: P.A. 90-548, eff. 1-1-98; 90-653, eff. 7-29-98;
15 90-811, eff. 1-26-99; 91-102, eff. 7-12-99; 91-606, eff.
16 8-16-99; 91-609, eff. 1-1-00; revised 10-7-99.)

17 (105 ILCS 5/21-14) (from Ch. 122, par. 21-14)

18 Sec. 21-14. Registration and renewal of certificates.

19 (a) A limited four-year certificate or a certificate
20 issued after July 1, 1955, shall be renewable at its
21 expiration or within 60 days thereafter by the county
22 superintendent of schools having supervision and control over
23 the school where the teacher is teaching upon certified
24 evidence of meeting the requirements for renewal as required
25 by this Act and prescribed by the State Board of Education in
26 consultation with the State Teacher Certification Board. An
27 elementary supervisory certificate shall not be renewed at
28 the end of the first four-year period covered by the
29 certificate unless the holder thereof has filed certified
30 evidence with the State Teacher Certification Board that he
31 has a master's degree or that he has earned 8 semester hours
32 of credit in the field of educational administration and
33 supervision in a recognized institution of higher learning.

1 The holder shall continue to earn 8 semester hours of credit
2 each four-year period until such time as he has earned a
3 master's degree.

4 All certificates not renewed or registered as herein
5 provided shall lapse after a period of 5 years from the
6 expiration of the last year of registration. Such
7 certificates may be reinstated for a one year period upon
8 payment of all accumulated registration fees. Such
9 reinstated certificates shall only be renewed: (1) by earning
10 5 semester hours of credit in a recognized institution of
11 higher learning in the field of professional education or in
12 courses related to the holder's contractual teaching duties;
13 or (2) by presenting evidence of holding a valid regular
14 certificate of some other type. Any certificate may be
15 voluntarily surrendered by the certificate holder. A
16 voluntarily surrendered certificate shall be treated as a
17 revoked certificate.

18 (b) When those teaching certificates issued before
19 February 15, 2000 are renewed for the first time after
20 February 15, 2000, all such teaching certificates shall be
21 exchanged for Standard Teaching Certificates as provided in
22 subsection (c) of Section 21-2. All Initial and Standard
23 Teaching Certificates, including those issued to persons who
24 previously held teaching certificates issued before February
25 15, 2000, shall be renewable under the conditions set forth
26 in this subsection (b).

27 Initial Teaching Certificates are nonrenewable and are
28 valid for 4 years of teaching. Standard Teaching
29 Certificates are renewable every 5 years as provided in
30 subsection (c) of Section 21-2 and subsection (c) of this
31 Section. For purposes of this Section, "teaching" is defined
32 as employment and performance of services in an Illinois
33 public or State-operated elementary school, secondary school,
34 or cooperative or joint agreement with a governing body or

1 board of control, in a certificated teaching position, or a
2 charter school operating in compliance with the Charter
3 Schools Law.

4 (c) In compliance with subsection (c) of Section 21-2 of
5 this Code, which provides that a Standard Teaching
6 Certificate may be renewed by the State Teacher Certification
7 Board based upon proof of continuing professional
8 development, the State Board of Education and the State
9 Teacher Certification Board shall jointly:

10 (1) establish a procedure for renewing Standard
11 Teaching Certificates, which shall include but not be
12 limited to annual timelines for the renewal process and
13 the components set forth in subsections (d) through (k)
14 of this Section;

15 (2) establish the standards for certificate
16 renewal;

17 (3) approve the providers of continuing
18 professional development activities;

19 (4) determine the maximum credit for each category
20 of continuing professional development activities, based
21 upon recommendations submitted by a continuing
22 professional development activity task force, which shall
23 consist of 6 staff members from the State Board of
24 Education, appointed by the State Superintendent of
25 Education, and 6 teacher representatives, 3 of whom are
26 selected by the Illinois Education Association and 3 of
27 whom are selected by the Illinois Federation of Teachers;

28 (5) designate the type and amount of documentation
29 required to show that continuing professional development
30 activities have been completed; and

31 (6) provide, on a timely basis to all Illinois
32 teachers, certificate holders, regional superintendents
33 of schools, school districts, and others with an interest
34 in continuing professional development, information about

1 the standards and requirements established pursuant to
2 this subsection (c).

3 (d) Any Standard Teaching Certificate held by an
4 individual employed and performing services in an Illinois
5 public or State-operated elementary school, secondary school,
6 or cooperative or joint agreement with a governing body or
7 board of control in a certificated teaching position or a
8 charter school in compliance with the Charter Schools Law
9 must be maintained Valid and Active through certificate
10 renewal activities specified in the certificate renewal
11 procedure established pursuant to subsection (c) of this
12 Section, provided that a holder of a Valid and Active
13 certificate who is only employed on either a part-time basis
14 or day-to-day basis as a substitute teacher shall pay only
15 the required registration fee to renew his or her certificate
16 and maintain it as Valid and Active. All other Standard
17 Teaching Certificates held may be maintained as Valid and
18 Exempt through the registration process provided for in the
19 certificate renewal procedure established pursuant to
20 subsection (c) of this Section. A Valid and Exempt
21 certificate must be immediately activated, through procedures
22 developed jointly by the State Board of Education and the
23 State Teacher Certification Board, upon the certificate
24 holder becoming employed and performing services in an
25 Illinois public or State-operated elementary school,
26 secondary school, or cooperative or joint agreement with a
27 governing body or board of control in a certificated teaching
28 position or a charter school operating in compliance with the
29 Charter Schools Law. A holder of a Valid and Exempt
30 certificate may activate his or her certificate through
31 procedures provided for in the certificate renewal procedure
32 established pursuant to subsection (c) of this Section.

33 (e)(1) A Standard Teaching Certificate that has been
34 maintained as Valid and Active for the 5 years of the

1 certificate's validity shall be renewed as Valid and Active
2 upon the certificate holder: (i) completing at least 8
3 semester hours of coursework as described in subdivision (A)
4 of paragraph (3) of this subsection (e); (ii) earning at
5 least 24 continuing education units as described in
6 subdivision (B) of paragraph (3) of this subsection (e);
7 (iii) completing the National Board for Professional Teaching
8 Standards process as described in subdivision (C) of
9 paragraph (3) of this subsection (e); or (iv) earning 120
10 continuing professional development units ("CPDU") as
11 described in subdivision (D) of paragraph (3) of this
12 subsection (e). The maximum continuing professional
13 development units for each continuing professional
14 development activity identified in subdivisions (E) through
15 (I) of paragraph (3) of this subsection (e) shall be jointly
16 determined by the State Board of Education and the State
17 Teacher Certification Board. If, however, the certificate
18 holder has maintained the certificate as Valid and Exempt for
19 a portion of the 5-year period of validity, the number of
20 continuing professional development units needed to renew the
21 certificate as Valid and Active shall be proportionately
22 reduced by the amount of time the certificate was Valid and
23 Exempt. Furthermore, if a certificate holder is employed and
24 performs teaching services on a part-time basis for all or a
25 portion of the certificate's 5-year period of validity, the
26 number of continuing professional development units needed to
27 renew the certificate as Valid and Active shall be reduced by
28 50% for the amount of time the certificate holder has been
29 employed and performed teaching services on a part-time
30 basis. Part-time shall be defined as less than 50% of the
31 school day or school term.

32 (2) Each Valid and Active Standard Teaching Certificate
33 holder shall develop a certificate renewal plan for
34 satisfying the continuing professional development

1 requirement provided for in subsection (c) of Section 21-2 of
2 this Code. Certificate holders with multiple certificates
3 shall develop a certificate renewal plan that addresses only
4 that certificate or those certificates that are required of
5 his or her certificated teaching position, if the certificate
6 holder is employed and performing services in an Illinois
7 public or State-operated elementary school, secondary school,
8 or cooperative or joint agreement with a governing body or
9 board of control, or that certificate or those certificates
10 most closely related to his or her teaching position, if the
11 certificate holder is employed in a charter school. Except
12 as otherwise provided in this subsection (e), a certificate
13 renewal plan shall include a minimum of 3 individual
14 improvement goals developed by the certificate holder and
15 shall reflect purposes (A), (B), and (C) and may reflect
16 purpose (D) of the following continuing professional
17 development purposes:

18 (A) Advance both the certificate holder's knowledge
19 and skills as a teacher consistent with the Illinois
20 Professional Teaching Standards and the Illinois Content
21 Area Standards in the certificate holder's areas of
22 certification, endorsement, or teaching assignment in
23 order to keep the certificate holder current in those
24 areas.

25 (B) Develop the certificate holder's knowledge and
26 skills in areas determined to be critical for all
27 Illinois teachers, as defined by the State Board of
28 Education, known as "State priorities".

29 (C) Address the knowledge, skills, and goals of the
30 certificate holder's local school improvement plan, if
31 the teacher is employed in an Illinois public or
32 State-operated elementary school, secondary school, or
33 cooperative or joint agreement with a governing body or
34 board of control.

1 (D) Expand knowledge and skills in an additional
2 teaching field or toward the acquisition of another
3 teaching certificate, endorsement, or relevant education
4 degree.

5 A certificate renewal plan must include a description of how
6 these goals are to be achieved and an explanation of selected
7 continuing professional development activities to be
8 completed, each of which must meet one or more of the
9 continuing professional development purposes specified in
10 this paragraph (2). The plan shall identify potential
11 activities and include projected timelines for those
12 activities that will assure completion of the plan before the
13 expiration of the 5-year validity of the Standard Teaching
14 Certificate. Except as otherwise provided in this subsection
15 (e), at least 50% of continuing professional development
16 units must relate to purposes (A) and (B) set forth in this
17 paragraph (2): the advancement of a certificate holder's
18 knowledge and skills as a teacher consistent with the
19 Illinois Professional Teaching Standards and the Illinois
20 Content Area Standards in the certificate holder's areas of
21 certification, endorsement, or teaching assignment in order
22 to keep the certificate holder current in those areas and the
23 development of a certificate holder's knowledge and skills in
24 the State priorities that exist at the time the certificate
25 renewal plan is developed.

26 (3) Continuing professional development activities
27 included in a certificate renewal plan may include, but are
28 not limited to, the following activities:

29 (A) at least 8 semester hours of coursework in an
30 approved education-related program, of which at least 2
31 semester hours relate to the continuing professional
32 development purpose set forth in purpose (A) of paragraph
33 (2) of this subsection (e), provided that such a plan
34 need not include any other continuing professional

1 development activities nor reflect or contain activities
2 related to the other continuing professional development
3 purposes set forth in paragraph (2) of this subsection
4 (e);

5 (B) continuing education units that satisfy the
6 continuing professional development purposes set forth in
7 paragraph (2) of this subsection (e), with each
8 continuing education unit equal to 5 clock hours,
9 provided that a plan that includes at least 24 continuing
10 education units (or 120 clock/contact hours) need not
11 include any other continuing professional development
12 activities;

13 (C) completion of the National Board of
14 Professional Teaching Standards ("NBPTS") process,
15 provided that a plan that includes completion of the
16 NBPTS process need not include any other continuing
17 professional development activities nor reflect or
18 contain activities related to the continuing professional
19 development purposes set forth in paragraph (2) of
20 subsection (e) of this Section;

21 (D) completion of 120 continuing professional
22 development units that satisfy the continuing
23 professional development purposes set forth in paragraph
24 (2) of this subsection (e) and may include without
25 limitation the activities identified in subdivisions (E)
26 through (I) of this paragraph (3);

27 (E) collaboration and partnership activities
28 related to improving the teacher's knowledge and skills
29 as a teacher, including the following:

30 (i) participating on collaborative planning
31 and professional improvement teams and committees;

32 (ii) peer review and coaching;

33 (iii) mentoring in a formal mentoring program,
34 including service as a consulting teacher

1 participating in a remediation process formulated
2 under Section 24A-5 of this Code;

3 (iv) participating in site-based management or
4 decision making teams, relevant committees, boards,
5 or task forces directly related to school
6 improvement plans;

7 (v) coordinating community resources in
8 schools, if the project is a specific goal of the
9 school improvement plan;

10 (vi) facilitating parent education programs
11 for a school, school district, or regional office of
12 education directly related to student achievement or
13 school improvement plans;

14 (vii) participating in business, school, or
15 community partnerships directly related to student
16 achievement or school improvement plans;

17 (viii) supervising a student teacher or
18 teacher education candidate in clinical supervision,
19 provided that the supervision may only be counted
20 once during the course of 5 years;

21 (F) college or university coursework related to
22 improving the teacher's knowledge and skills as a teacher
23 as follows:

24 (i) completing undergraduate or graduate
25 credit earned from a regionally accredited
26 institution in coursework relevant to the
27 certificate area being renewed, provided the
28 coursework meets Illinois Professional Teaching
29 Standards or Illinois Content Area Standards and
30 supports the essential characteristics of quality
31 professional development; or

32 (ii) teaching college or university courses in
33 areas relevant to the certificate area being
34 renewed, provided that the teaching may only be

1 counted once during the course of 5 years;

2 (G) conferences, workshops, institutes, seminars,
3 and symposiums related to improving the teacher's
4 knowledge and skills as a teacher, including the
5 following:

6 (i) completing non-university credit directly
7 related to student achievement, school improvement
8 plans, or State priorities;

9 (ii) participating in or presenting at
10 workshops, seminars, conferences, institutes, and
11 symposiums;

12 (iii) training as external reviewers for
13 Quality Assurance;

14 (iv) training as reviewers of university
15 teacher preparation programs;

16 (H) other educational experiences related to
17 improving the teacher's knowledge and skills as a
18 teacher, including the following:

19 (i) participating in action research and
20 inquiry projects;

21 (ii) observing programs or teaching in
22 schools, related businesses, or industry that is
23 systematic, purposeful, and relevant to certificate
24 renewal;

25 (iii) traveling related to ones teaching
26 assignment, directly related to student achievement
27 or school improvement plans and approved at least 30
28 days prior to the travel experience, provided that
29 the traveling shall not include time spent commuting
30 to destinations where the learning experience will
31 occur;

32 (iv) participating in study groups related to
33 student achievement or school improvement plans;

34 (v) serving on a statewide education-related

1 committee, including but not limited to the State
 2 Teacher Certification Board, State Board of
 3 Education strategic agenda teams, or the State
 4 Advisory Council on Education of Children with
 5 Disabilities;

6 (vi) participating in work/learn programs or
 7 internships; or

8 (I) professional leadership experiences related to
 9 improving the teacher's knowledge and skills as a
 10 teacher, including the following:

11 (i) participating in curriculum development or
 12 assessment activities at the school, school
 13 district, regional office of education, State, or
 14 national level;

15 (ii) participating in team or department
 16 leadership in a school or school district;

17 (iii) participating on external or internal
 18 school or school district review teams;

19 (iv) publishing educational articles, columns,
 20 or books relevant to the certificate area being
 21 renewed; or

22 (v) participating in non-strike related
 23 professional association or labor organization
 24 service or activities related to professional
 25 development; or;

26 (J) for speech-language pathologists and
 27 audiologists, completion of any continuing education
 28 activities approved by the American Speech-Language
 29 Hearing Association.

30 (4) A certificate renewal plan must initially be
 31 approved by the certificate holder's local professional
 32 development committee, as provided for in subsection (f) of
 33 this Section. If the local professional development
 34 committee does not approve the certificate renewal plan, the

1 certificate holder may appeal that determination to the
2 regional professional development review committee, as
3 provided for in paragraph (2) of subsection (g) of this
4 Section. If the regional professional development review
5 committee disagrees with the local professional development
6 committee's determination, the certificate renewal plan shall
7 be deemed approved and the certificate holder may begin
8 satisfying the continuing professional development activities
9 set forth in the plan. If the regional professional
10 development review committee agrees with the local
11 professional development committee's determination, the
12 certificate renewal plan shall be deemed disapproved and
13 shall be returned to the certificate holder to develop a
14 revised certificate renewal plan. In all cases, the regional
15 professional development review committee shall immediately
16 notify both the local professional development committee and
17 the certificate holder of its determination.

18 (5) A certificate holder who wishes to modify the
19 continuing professional development activities or goals in
20 his or her certificate renewal plan must submit the proposed
21 modifications to his or her local professional development
22 committee for approval prior to engaging in the proposed
23 activities. If the local professional development committee
24 does not approve the proposed modification, the certificate
25 holder may appeal that determination to the regional
26 professional development review committee, as set forth in
27 paragraph (4) of this subsection (e).

28 (6) When a certificate holder changes assignments or
29 school districts during the course of completing a
30 certificate renewal plan, the professional development and
31 continuing education credit earned pursuant to the plan shall
32 transfer to the new assignment or school district and count
33 toward the total requirements. This certificate renewal plan
34 must be reviewed by the appropriate local professional

1 development committee and may be modified to reflect the
2 certificate holder's new work assignment or the school
3 improvement plan of the new school district or school
4 building.

5 (f) Notwithstanding any other provisions of this Code,
6 each school district, charter school, and cooperative or
7 joint agreement with a governing body or board of control
8 that employs certificated staff, shall establish and
9 implement, in conjunction with its exclusive representative,
10 if any, one or more local professional development
11 committees, as set forth in this subsection (f), which shall
12 perform the following functions:

13 (1) review and approve certificate renewal plans
14 and any modifications made to these plans, including
15 transferred plans;

16 (2) maintain a file of approved certificate renewal
17 plans;

18 (3) monitor certificate holders' progress in
19 completing approved certificate renewal plans;

20 (4) assist in the development of professional
21 development plans based upon needs identified in
22 certificate renewal plans;

23 (5) determine whether certificate holders have met
24 the requirements of their certificate renewal plans and
25 notify certificate holders of its determination;

26 (6) provide a certificate holder with the
27 opportunity to address the committee when it has
28 determined that the certificate holder has not met the
29 requirements of his or her certificate renewal plan;

30 (7) issue and forward recommendations for renewal
31 or nonrenewal of certificate holders' Standard Teaching
32 Certificates to the appropriate regional superintendent
33 of schools, based upon whether certificate holders have
34 met the requirements of their approved certificate

1 renewal plans, with 30-day written notice of its
2 recommendation provided to the certificate holder prior
3 to forwarding the recommendation to the regional
4 superintendent of schools, provided that if the local
5 professional development committee's recommendation is
6 for certificate nonrenewal, the written notice provided
7 to the certificate holder shall include a return receipt;
8 and

9 (8) reconsider its recommendation of certificate
10 nonrenewal, upon request of the certificate holder within
11 30 days of receipt of written notification that the local
12 professional development committee will make such a
13 recommendation, and forward to the regional
14 superintendent of schools its recommendation within 30
15 days of receipt of the certificate holder's request.

16 Each local professional development committee shall
17 consist of at least 3 classroom teachers; one superintendent
18 or chief administrator of the school district, charter
19 school, or cooperative or joint agreement or his or her
20 designee; and one at-large member who shall be either (i) a
21 parent, (ii) a member of the business community, (iii) a
22 community member, or (iv) an administrator, with preference
23 given to an individual chosen from among those persons listed
24 in items (i), (ii), and (iii) in order to secure
25 representation of an interest not already represented on the
26 committee. If mutually agreed upon by the school district,
27 charter school, or governing body or board of control of a
28 cooperative or joint agreement and its exclusive
29 representative, if any, additional members may be added to a
30 local professional development committee, provided that a
31 majority of members are classroom teachers. The school
32 district, charter school, or governing body or board of
33 control of a cooperative or joint agreement and its exclusive
34 representative, if any, shall determine the term of service

1 of the members of a local professional development committee.
2 All individuals selected to serve on local professional
3 development committees must be known to demonstrate the best
4 practices in teaching or their respective field of practice.

5 The exclusive representative, if any, shall select the
6 classroom teacher members of the local professional
7 development committee. If no exclusive representative
8 exists, then the classroom teacher members of a local
9 professional development committee shall be selected by the
10 classroom teachers that come within the local professional
11 development committee's authority. The school district,
12 charter school, or governing body or board of control of a
13 cooperative or joint agreement shall select the 2
14 non-classroom teacher members (the superintendent or chief
15 administrator of the school district, charter school, or
16 cooperative or joint agreement or his or her designee and the
17 at-large member) of a local professional development
18 committee. Vacancies in positions on a local professional
19 development committee shall be filled in the same manner as
20 the original selections. The members of a local professional
21 development committee shall select a chairperson. Local
22 professional development committee meetings shall be
23 scheduled so as not to interfere with committee members'
24 regularly scheduled teaching duties, except when otherwise
25 permitted by the policies of or agreed to or approved by the
26 school district, charter school, or governing body or board
27 of control of a cooperative or joint agreement, or its
28 designee.

29 The board of education or governing board shall convene
30 the first meeting of the local professional development
31 committee. All actions taken by the local professional
32 development committee shall require that a majority of
33 committee members be present, and no committee action may be
34 taken unless 50% or more of those present are teacher

1 members.

2 The State Board of Education and the State Teacher
3 Certification Board shall jointly provide local professional
4 development committee members with a training manual, and the
5 members shall certify that they have received and read the
6 manual.

7 Notwithstanding any other provisions of this subsection
8 (f), for a teacher employed and performing services in a
9 nonpublic or State-operated elementary or secondary school,
10 all references to a local professional development committee
11 shall mean the regional superintendent of schools of the
12 regional office of education for the geographic area where
13 the teaching is done.

14 (g)(1) Each regional superintendent of schools shall
15 review and concur or nonconcur with each recommendation for
16 renewal or nonrenewal of a Standard Teaching Certificate he
17 or she receives from a local professional development
18 committee or, if a certificate holder appeals the
19 recommendation to the regional professional development
20 review committee, the recommendation for renewal or
21 nonrenewal he or she receives from a regional professional
22 development review committee and, within 14 days of receipt
23 of the recommendation, shall provide the State Teacher
24 Certification Board with verification of the following, if
25 applicable:

26 (A) a certificate renewal plan was filed and
27 approved by the appropriate local professional
28 development committee;

29 (B) the professional development and continuing
30 education activities set forth in the approved
31 certificate renewal plan have been satisfactorily
32 completed;

33 (C) the local professional development committee
34 has recommended the renewal of the certificate holder's

1 Standard Teaching Certificate and forwarded the
2 recommendation, along with all supporting documentation
3 as jointly required by the State Board of Education and
4 the State Teacher Certification Board, to the regional
5 superintendent of schools;

6 (D) the certificate holder has appealed his or her
7 local professional development committee's recommendation
8 of nonrenewal to the regional professional development
9 review committee and the result of that appeal;

10 (E) the regional superintendent of schools has
11 concurred or nonconcurred with the local professional
12 development committee's or regional professional
13 development review committee's recommendation to renew or
14 nonrenew the certificate holder's Standard Teaching
15 Certificate and made a recommendation to that effect; and

16 (F) the established registration fee for the
17 Standard Teaching Certificate has been paid.

18 At the same time the regional superintendent of schools
19 provides the State Teacher Certification Board with the
20 notice required by this subsection (g), he or she shall also
21 notify the certificate holder in writing that this notice has
22 been provided to the State Teacher Certification Board,
23 provided that if the notice provided by the regional
24 superintendent of schools to the State Teacher Certification
25 Board includes a recommendation of certificate nonrenewal,
26 the written notice provided to the certificate holder shall
27 be by certified mail, return receipt requested.

28 (2) Each certificate holder shall have the right to
29 appeal his or her local professional development committee's
30 recommendation of nonrenewal to the regional professional
31 development review committee, within 14 days of receipt of
32 notice that the recommendation has been sent to the regional
33 superintendent of schools. Each regional superintendent of
34 schools shall establish a regional professional development

1 review committee or committees for the purpose of advising
2 the regional superintendent of schools, upon request, and
3 handling certificate holder appeals. This committee shall
4 consist of at least 4 classroom teachers, one
5 non-administrative certificated educational employee, 2
6 administrators, and one at-large member who shall be either
7 (i) a parent, (ii) a member of the business community, (iii)
8 a community member, or (iv) an administrator, with preference
9 given to an individual chosen from among those persons listed
10 in items (i), (ii), and (iii) in order to secure
11 representation of an interest not already represented on the
12 committee. The teacher and non-administrative certificated
13 educational employee members of the review committee shall be
14 selected by their exclusive representative, if any, and the
15 administrators and at-large member shall be selected by the
16 regional superintendent of schools. A regional
17 superintendent of schools may add additional members to the
18 committee, provided that the same proportion of teachers to
19 administrators and at-large members on the committee is
20 maintained. Any additional teacher and non-administrative
21 certificated educational employee members shall be selected
22 by their exclusive representative, if any. Vacancies in
23 positions on a regional professional development review
24 committee shall be filled in the same manner as the original
25 selections. Committee members shall serve staggered 3-year
26 terms. All individuals selected to serve on regional
27 professional development review committees must be known to
28 demonstrate the best practices in teaching or their
29 respective field of practice.

30 The exclusive representative responsible for choosing the
31 individuals that serve on a regional professional development
32 review committee shall notify each school district, charter
33 school, or governing body or board of control of a
34 cooperative or joint agreement employing the individuals

1 chosen to serve and provide their names to the appropriate
2 regional superintendent of schools. Regional professional
3 development review committee meetings shall be scheduled so
4 as not to interfere with the committee members' regularly
5 scheduled teaching duties, except when otherwise permitted by
6 the policies of or agreed to or approved by the school
7 district, charter school, or governing body or board of
8 control of a cooperative or joint agreement, or its designee,
9 provided that the school district, charter school, or
10 governing body or board of control shall not unreasonably
11 withhold permission for a committee member to attend regional
12 professional development review committee meetings.

13 In a city having a population exceeding 500,000 that does
14 not have a regional office of education, one or more separate
15 regional professional development review committees shall be
16 established as mutually agreed upon by the board of education
17 of the school district organized under Article 34 of this
18 Code and the exclusive representative. The composition of
19 each committee shall be the same as for a regional
20 professional development review committee, except that
21 members of the committee shall be jointly appointed by the
22 board of education and the exclusive representative. All
23 other provisions of this Section concerning regional
24 professional development review committees shall apply to
25 these committees.

26 The regional professional development review committee
27 may require information in addition to that received from a
28 certificate holder's local professional development committee
29 or request that the certificate holder appear before it,
30 shall either concur or nonconcur with a local professional
31 development committee's recommendation of nonrenewal, and
32 shall forward to the regional superintendent of schools its
33 recommendation of renewal or nonrenewal. All actions taken
34 by the regional professional development review committee

1 shall require a quorum and be by a simple majority of those
2 present and voting. A record of all votes shall be
3 maintained. The committee shall have 45 days from receipt of
4 a certificate holder's appeal to make its recommendation to
5 the regional superintendent of schools.

6 The State Board of Education and the State Teacher
7 Certification Board shall jointly provide regional
8 professional development review committee members with a
9 training manual, and the members shall be required to attend
10 one training seminar sponsored jointly by the State Board of
11 Education and the State Teacher Certification Board.

12 (h)(1) The State Teacher Certification Board shall
13 review the regional superintendent of schools'
14 recommendations to renew or nonrenew Standard Teaching
15 Certificates and notify certificate holders in writing
16 whether their certificates have been renewed or nonrenewed
17 within 90 days of receipt of the recommendations, unless a
18 certificate holder has appealed a regional superintendent of
19 schools' recommendation of nonrenewal, as provided in
20 paragraph (2) of this subsection (h). The State Teacher
21 Certification Board shall verify that the certificate holder
22 has met the renewal criteria set forth in paragraph (1) of
23 subsection (g) of this Section.

24 (2) Each certificate holder shall have the right to
25 appeal a regional superintendent of school's recommendation
26 to nonrenew his or her Standard Teaching Certificate to the
27 State Teacher Certification Board, within 14 days of receipt
28 of notice that the decision has been sent to the State
29 Teacher Certification Board, which shall hold an appeal
30 hearing within 60 days of receipt of the appeal. When such
31 an appeal is taken, the certificate holder's Standard
32 Teaching Certificate shall continue to be valid until the
33 appeal is finally determined. The State Teacher
34 Certification Board shall review the regional superintendent

1 of school's recommendation, the regional professional
2 development review committee's recommendation, if any, and
3 the local professional development committee's recommendation
4 and all relevant documentation to verify whether the
5 certificate holder has met the renewal criteria set forth in
6 paragraph (1) of subsection (g) of this Section. The State
7 Teacher Certification Board may request that the certificate
8 holder appear before it. All actions taken by the State
9 Teacher Certification Board shall require a quorum and be by
10 a simple majority of those present and voting. A record of
11 all votes shall be maintained. The State Teacher
12 Certification Board shall notify the certificate holder in
13 writing, within 7 days of completing the review, whether his
14 or her Standard Teaching Certificate has been renewed or
15 nonrenewed, provided that if the State Teacher Certification
16 Board determines to nonrenew a certificate, the written
17 notice provided to the certificate holder shall be by
18 certified mail, return receipt requested. All certificate
19 renewal or nonrenewal decisions of the State Teacher
20 Certification Board are final and subject to administrative
21 review, as set forth in Section 21-24 of this Code.

22 (i) Holders of Master Teaching Certificates shall meet
23 the same requirements and follow the same procedures as
24 holders of Standard Teaching Certificates, except that their
25 renewal cycle shall be as set forth in subsection (d) of
26 Section 21-2 of this Code.

27 (j) Holders of Valid and Exempt Standard and Master
28 Teaching Certificates who are not employed and performing
29 services in an Illinois public or State-operated elementary
30 school, secondary school, or cooperative or joint agreement
31 with a governing body or board of control, in a certificated
32 teaching position, may voluntarily activate their
33 certificates by developing and submitting a certificate
34 renewal plan to the regional superintendent of schools of the

1 regional office of education for the geographic area where
2 their teaching is done, who, or whose designee, shall approve
3 the plan and serve as the certificate holder's local
4 professional development committee. These certificate
5 holders shall follow the same renewal criteria and procedures
6 as all other Standard and Master Teaching Certificate
7 holders, except that their continuing professional
8 development plans shall not be required to reflect or address
9 the knowledge, skills, and goals of a local school
10 improvement plan.

11 (k) Each school district, charter school, or cooperative
12 or joint agreement shall be paid an annual amount of not less
13 than \$1,000, as determined by a formula based on the number
14 of Standard Teaching and Master Teaching Certificate holders,
15 subject to renewal and established by rule, not to exceed
16 \$1,000,000 annually for all school districts, charter
17 schools, and cooperatives or joint agreements, for
18 administrative costs associated with conducting the meetings
19 of the local professional development committee. Each
20 regional office of education shall receive \$2,000 annually to
21 pay school districts, charter schools, or cooperatives or
22 joint agreements for costs, as defined by rule, incurred in
23 staff attendance at regional professional development review
24 committee meetings and the training seminar required under
25 paragraph (2) of subsection (g) of this Section.

26 (l) The State Board of Education and the State Teacher
27 Certification Board shall jointly contract with an
28 independent party to conduct a comprehensive evaluation of
29 the certificate renewal system pursuant to this Section. The
30 first report of this evaluation shall be presented to the
31 General Assembly on January 1, 2005 and on January 1 of every
32 third year thereafter.

33 (Source: P.A. 90-548, eff. 1-1-98; 90-653, eff. 7-29-98;
34 90-811, eff. 1-26-99; 91-102, eff. 7-12-99.)

1 Section 10. The Illinois Speech-Language Pathology and
2 Audiology Practice Act is amended by changing Sections 3,
3 3.5, 7, 8, 10, 11, 13, 16, 16.5, 18, 26, 27, 28, 29, 29.5,
4 and 31a and adding Sections 8.5, 8.6, 8.7 and 8.8 as follows:

5 (225 ILCS 110/3) (from Ch. 111, par. 7903)

6 Sec. 3. Definitions. The following words and phrases
7 shall have the meaning ascribed to them in this Section
8 unless the context clearly indicates otherwise:

9 (a) "Department" means the Department of Professional
10 Regulation.

11 (b) "Director" means the Director of Professional
12 Regulation.

13 (c) "Board" means the Board of Speech-Language Pathology
14 and Audiology established under Section 5 of this Act.

15 (d) "Speech-Language Pathologist" means a person who has
16 received a license pursuant to this Act and who engages in
17 the practice of speech-language pathology.

18 (e) "Audiologist" means a person who has received a
19 license pursuant to this Act and who engages in the practice
20 of audiology.

21 (f) "Public member" means a person who is not a health
22 professional. For purposes of board membership, any person
23 with a significant financial interest in a health service or
24 profession is not a public member.

25 (g) "The practice of audiology" is the application of
26 nonmedical methods and procedures for the identification,
27 measurement, testing, appraisal, prediction, habilitation,
28 rehabilitation, or instruction related to hearing and
29 disorders of hearing. These procedures are for the purpose
30 of counseling, consulting and rendering or offering to render
31 services or for participating in the planning, directing or
32 conducting of programs that are designed to modify
33 communicative disorders involving speech, language or

1 auditory function related to hearing loss. The practice of
2 audiology may include, but shall not be limited to, the
3 following:

4 (1) any task, procedure, act, or practice that is
5 necessary for the evaluation of hearing or vestibular
6 function;

7 (2) training in the use of amplification, including
8 hearing aids;

9 (3) performing basic speech and language screening
10 tests and procedures consistent with audiology training.

11 (h) "The practice of speech-language pathology" is the
12 application of nonmedical methods and procedures for the
13 identification, measurement, testing, appraisal, prediction,
14 habilitation, rehabilitation, and modification related to
15 communication development, and disorders or disabilities of
16 speech, language, voice, swallowing, and other speech,
17 language and voice related disorders. These procedures are
18 for the purpose of counseling, consulting and rendering or
19 offering to render services, or for participating in the
20 planning, directing or conducting of programs that are
21 designed to modify communicative disorders and conditions in
22 individuals or groups of individuals involving speech,
23 language, voice and swallowing function.

24 "The practice of speech-language pathology" shall
25 include, but shall not be limited to, the following:

26 (1) hearing screening tests and aural
27 rehabilitation procedures consistent with speech-language
28 pathology training;

29 (2) tasks, procedures, acts or practices that are
30 necessary for the evaluation of, and training in the use
31 of, augmentative communication systems, communication
32 variation, cognitive rehabilitation, non-spoken language
33 production and comprehension.

34 (i) "Speech-language pathology assistant" means a person

1 who has received a license pursuant to this Act to assist a
2 speech-language pathologist in the manner provided in this
3 Act.

4 (Source: P.A. 90-69, eff. 7-8-97.)

5 (225 ILCS 110/3.5)

6 Sec. 3.5. Exemptions. This Act does not prohibit:

7 (a) The practice of speech-language pathology or
8 audiology by students in their course of study in
9 programs approved by the Department when acting under the
10 direction and supervision of licensed speech-language
11 pathologists or audiologists.

12 (b) The performance of any speech-language
13 pathology service by a speech-language pathology
14 assistant ~~an-appropriately-trained-person~~ if such service
15 is performed under the supervision and full
16 responsibility of a licensed speech-language pathologist.
17 A speech language pathology assistant may perform only
18 those duties authorized by Section 8.7 under the
19 supervision of a speech-language pathologist as provided
20 in Section 8.8.

21 (b-5) The performance of an audiology service by an
22 appropriately trained person if that service is performed
23 under the supervision and full responsibility of a
24 licensed audiologist.

25 (c) The performance of audiometric testing for the
26 purpose of industrial hearing conservation by an
27 audiometric technician certified by the Council of
28 Accreditation for Occupational Hearing Conservation
29 (CAOHC).

30 (d) The performance of an audiometric screening by
31 an audiometric screenings technician certified by the
32 Department of Public Health.

33 (e) The selling or practice of fitting, dispensing,

1 or servicing hearing instruments by a hearing instrument
2 dispenser licensed under the Hearing Instrument Consumer
3 Protection Act.

4 (f) A person licensed in this State under any other
5 Act from engaging in the practice for which he or she is
6 licensed.

7 (g) The performance of vestibular function testing
8 by an appropriately trained person under the supervision
9 of a physician licensed to practice medicine in all its
10 branches.

11 (Source: P.A. 90-69, eff. 7-8-97.)

12 (225 ILCS 110/7) (from Ch. 111, par. 7907)

13 Sec. 7. Licensure requirement. On or after June 1, 1989,
14 no person shall practice speech-language pathology or
15 audiology without first applying for and obtaining a license
16 for such purpose from the Department. Except as provided in
17 this Section, on or after January 1, 2002, no person shall
18 perform the functions and duties of a speech-language
19 pathology assistant without first applying for and obtaining
20 a license for that purpose from the Department. Before
21 January 1, 2004, however, any person holding a bachelor's
22 degree in communication disorders may perform the functions
23 and duties of a speech-language pathology assistant without
24 obtaining a license.

25 (Source: P.A. 90-69, eff. 7-8-97.)

26 (225 ILCS 110/8) (from Ch. 111, par. 7908)

27 Sec. 8. Qualifications for licenses to practice
28 speech-language pathology or audiology. The Department shall
29 require that each applicant for a license to practice
30 speech-language pathology or audiology shall:

- 31 (a) (Blank);
- 32 (b) be at least 21 years of age;

1 (c) not have violated any provisions of Section 16
2 of this Act;

3 (d) present satisfactory evidence of receiving a
4 master's degree in speech-language pathology or audiology
5 from a program approved by the Department. Nothing in
6 this Act shall be construed to prevent any program from
7 establishing higher standards than specified in this Act;

8 (e) pass an examination authorized by the
9 Department in the theory and practice of the profession,
10 provided that the Department may recognize a certificate
11 granted by the American Speech-Language-Hearing
12 Association in lieu of such examination; and

13 (f) have completed the equivalent of 9 months of
14 full-time, supervised professional experience.

15 Applicants have 3 years from the date of application to
16 complete the application process. If the process has not been
17 completed within 3 years, the application shall be denied,
18 the fee shall be forfeited, and the applicant must reapply
19 and meet the requirements in effect at the time of
20 reapplication.

21 (Source: P.A. 89-387, eff. 8-20-95; 90-69, eff. 7-8-97.)

22 (225 ILCS 110/8.5 new)

23 Sec. 8.5. Qualifications for licenses as a
24 speech-language pathology assistant. A person is qualified
25 to be licensed as a speech-language pathology assistant if
26 that person has applied in writing on forms prescribed by the
27 Department, has paid the required fees, and meets both of the
28 following criteria:

29 (1) Is of good moral character. In determining
30 moral character, the Department may take into
31 consideration any felony conviction of the applicant, but
32 such a conviction shall not operate automatically as a
33 complete bar to licensure.

1 (2) Has received an associate degree from a
2 speech-language pathology assistant program that has been
3 approved by the Department and that meets the minimum
4 requirements set forth in Section 8.6.

5 (225 ILCS 110/8.6 new)

6 Sec. 8.6. Minimum Requirements for Speech-language
7 pathology assistant programs.

8 (a) An applicant for licensure as a speech-language
9 pathology assistant must have earned 60 semester credit hours
10 in a program of study that includes general education and the
11 specific knowledge and skills for a speech-language pathology
12 assistant. The curriculum of a speech-language pathology
13 assistant program must include all of the following content,
14 as further provided by rule promulgated by the Department:

15 (1) Thirty-six semester credit hours in general
16 education.

17 (2) Twenty-four semester credit hours in technical
18 content areas designed to provide students with knowledge
19 and skills required for speech-language pathology
20 assistants, which must include (i) an overview of normal
21 processes of communication; (ii) an overview of
22 communication disorders; (iii) instruction in
23 speech-language pathology assistant-level service
24 delivery practices; (iv) instruction in workplace
25 behaviors; (v) cultural and linguistic factors in
26 communication; and (vi) observation.

27 (3) Completion of at least 100 hours of supervised
28 field work experiences supervised by a licensed
29 speech-language pathologist at least 50% of the time when
30 the student is engaged in contact with the patient or
31 client. An applicant must obtain written verification
32 demonstrating successful completion of the required field
33 work experience, including a description of the setting

1 in which the training was received and an assessment of
2 the student's technical proficiency.

3 (b) The Department may promulgate rules that change the
4 curriculum requirements of subsection (a) in order to reflect
5 the guidelines for speech-language pathology assistant
6 programs recommended by the American Speech-Language Hearing
7 Association.

8 (225 ILCS 110/8.7 new)

9 Sec. 8.7. Duties of speech-language pathology
10 assistants.

11 (a) The scope of responsibility of speech-language
12 pathology assistants shall be limited to supplementing the
13 role of a speech-language pathologist in implementing the
14 treatment program established by the speech-language
15 pathologist. The functions and duties of a speech-language
16 pathology assistant shall be:

17 (1) conducting speech-language screening, without
18 interpretation, and using screening protocols developed
19 by the supervising speech-language pathologist;

20 (2) providing direct treatment assistance to
21 patients or clients, if authorized by and under the
22 supervision of a speech-language pathologist;

23 (3) following and implementing documented treatment
24 plans or protocols developed by a supervising
25 speech-language pathologist;

26 (4) documenting patient or client progress toward
27 meeting established objectives and reporting the
28 information to a supervising speech-language pathologist;

29 (5) assisting a speech-language pathologist during
30 assessments, including, but not limited to, assisting
31 with formal documentation, preparing materials, and
32 performing clerical duties for a supervising
33 speech-language pathologist;

1 (6) acting as an interpreter for non-English
2 speaking patients or clients and their family members
3 when competent to do so;

4 (7) scheduling activities and preparing charts,
5 records, graphs, and data;

6 (8) performing checks and maintenance of equipment,
7 including, but not limited to, augmentative communication
8 devices; and

9 (9) assisting with speech-language pathology
10 research projects, in-service training, and family or
11 community education;

12 (b) A speech-language pathology assistant may not:

13 (1) perform standardized or nonstandardized
14 diagnostic tests or formal or informal evaluations or
15 interpret test results;

16 (2) screen or diagnose patients or clients for
17 feeding or swallowing disorders;

18 (3) participate in parent conferences, case
19 conferences, or any interdisciplinary team without the
20 presence of the supervising speech-language pathologist;

21 (4) provide patient or client or family counseling;

22 (5) write, develop, or modify a patient's or
23 client's individualized treatment plan;

24 (6) assist with patients or clients without
25 following the individualized treatment plan prepared by
26 the supervising speech-language pathologist;

27 (7) sign any formal documents such as treatment
28 plans, reimbursement forms, or reports;

29 (8) select patients or clients for services;

30 (9) discharge a patient or client from services;

31 (10) disclose clinical or confidential information,
32 either orally or in writing, to anyone other than the
33 supervising speech-language pathologist;

34 (11) make referrals for additional services;

1 (12) counsel or consult with the patient or client,
2 family, or others regarding the patient's or client's
3 status or service;

4 (13) represent himself or herself to be a
5 speech-language pathologist;

6 (14) use a checklist or tabulate results of feeding
7 or swallowing evaluations; or

8 (15) demonstrate swallowing strategies or
9 precautions to patients, family, or staff.

10 (225 ILCS 110/8.8 new)

11 Sec. 8.8. Supervision of speech-language pathology
12 assistants.

13 (a) A speech-language pathology assistant shall practice
14 only under the supervision of a speech-language pathologist
15 who has at least 2 years experience in addition to the
16 supervised professional experience required under subsection
17 (f) of Section 8 of this Act. A speech-language pathologist
18 who supervises a speech-language pathology assistant must
19 have completed at least 10 clock hours of training in the
20 supervision of speech-language pathology assistants. The
21 Department shall promulgate rules describing the supervision
22 training requirements. The rules may allow a speech-language
23 pathologist to apply to the Board for an exemption from this
24 training requirement based upon prior supervisory experience.

25 (b) A speech-language pathology assistant must be under
26 the direct supervision of a speech-language pathologist at
27 least 30% of the speech-language pathology assistant's actual
28 patient or client contact time per patient or client during
29 the first 90 days of initial employment as a speech-language
30 pathology assistant. Thereafter, a speech-language pathology
31 assistant must be under the direct supervision of a
32 speech-language pathologist at least 20% of the
33 speech-language pathology assistant's actual patient or

1 client contact time per patient or client. Supervision of a
2 speech-language pathology assistant beyond the minimum
3 requirements of this subsection may be imposed at the
4 discretion of the supervising speech-language pathologist.
5 A supervising speech-language pathologist must be available
6 to communicate with a speech-language pathology assistant
7 whenever the assistant is in contact with a patient or
8 client.

9 (c) A speech-language pathologist that supervises a
10 speech-language pathology assistant must document direct
11 supervision activities. At a minimum, supervision
12 documentation must provide (i) information regarding the
13 quality of the speech-language pathology assistant's
14 performance of assigned duties, and (ii) verification that
15 clinical activity is limited to duties specified in Section
16 8.7.

17 (d) A full-time speech-language pathologist may
18 supervise no more than 2 speech-language pathology
19 assistants. A speech-language pathologist that does not work
20 full-time may supervise no more than one speech-language
21 pathology assistant.

22 (e) For purposes of this Section, "direct supervision"
23 means on-site, in-view observation and guidance by a
24 speech-language pathologist while an assigned activity is
25 performed by the speech-language pathology assistant.

26 (225 ILCS 110/10) (from Ch. 111, par. 7910)
27 Sec. 10. List of Speech-Language Pathologists and
28 Audiologists. The Department shall maintain a list of the
29 names and addresses of the speech-language pathologists,
30 speech-language pathology assistants, and audiologists. Such
31 lists shall also be mailed by the Department to any person
32 upon request and payment of the required fee.

33 (Source: P.A. 85-1391.)

1 (225 ILCS 110/11) (from Ch. 111, par. 7911)

2 Sec. 11. Expiration, renewal and restoration of
3 licenses.

4 (a) The expiration date and renewal period for each
5 license issued under this Act shall be set by rule. A
6 speech-language pathologist, speech-language pathology
7 assistant, or audiologist may renew such license during the
8 month preceding the expiration date thereof by paying the
9 required fee.

10 (a-5) All renewal applicants shall provide proof of
11 having met the continuing education requirements set forth in
12 the rules of the Department. At a minimum, the rules shall
13 require a renewal applicant for licensure as a
14 speech-language pathologist or audiologist to provide proof
15 of completing at least 20 clock hours of continuing education
16 during the 2-year licensing cycle for which he or she is
17 currently licensed. An audiologist who has met the continuing
18 education requirements of the Hearing Instrument Consumer
19 Protection Act during an equivalent licensing cycle under
20 this Act shall be deemed to have met the continuing education
21 requirements of this Act. At a minimum, the rules shall
22 require a renewal applicant for licensure as a
23 speech-language pathology assistant to provide proof of
24 completing at least 10 clock hours of continuing education
25 during the 2-year period for which he or she currently holds
26 a license. The Department shall provide by rule for an
27 orderly process for the reinstatement of licenses that have
28 not been renewed for failure to meet the continuing education
29 requirements. The continuing education requirements may be
30 waived in cases of extreme hardship as defined by rule of the
31 Department.

32 The Department shall establish by rule a means for the
33 verification of completion of the continuing education
34 required by this Section. This verification may be

1 accomplished through audits of records maintained by
2 licensees, by requiring the filing of continuing education
3 certificates with the Department, or by other means
4 established by the Department.

5 (b) Inactive status.

6 (1) Any licensee who notifies the Department in
7 writing on forms prescribed by the Department may elect
8 to place his or her license on an inactive status and
9 shall, subject to rules of the Department, be excused
10 from payment of renewal fees until he or she notifies the
11 Department in writing of his or her desire to resume
12 active status.

13 (2) Any licensee requesting restoration from
14 inactive status shall be required to (i) pay the current
15 renewal fee; and (ii) demonstrate that he or she has
16 obtained the equivalent of 20 hours of continuing
17 education if the licensee has been inactive for 5 years
18 or more.

19 (3) Any licensee whose license is in an inactive
20 status shall not practice in the State of Illinois
21 without first restoring his or her license.

22 (4) Any licensee who shall engage in the practice
23 while the license is lapsed or inactive shall be
24 considered to be practicing without a license which shall
25 be grounds for discipline under Section 16 of this Act.

26 (c) Any speech-language pathologist, speech-language
27 pathology assistant, or audiologist whose license has expired
28 may have his or her license restored at any time within 5
29 years after the expiration thereof, upon payment of the
30 required fee.

31 (d) Any person whose license has been expired for 5
32 years or more may have his or her license restored by making
33 application to the Department and filing proof acceptable to
34 the Department of his or her fitness to have his or her

1 license restored, including sworn evidence certifying to
2 active lawful practice in another jurisdiction, and by paying
3 the required restoration fee. A person practicing on an
4 expired license is deemed to be practicing without a license.

5 (e) If a person whose license has expired has not
6 maintained active practice in another jurisdiction, the
7 Department shall determine, by an evaluation process
8 established by rule, his or her fitness to resume active
9 status and may require the person to complete a period of
10 evaluated clinical experience, and may require successful
11 completion of an examination.

12 (f) Any person whose license has expired while he or she
13 has been engaged (1) in federal or State service on active
14 duty, or (2) in training or education under the supervision
15 of the United States preliminary to induction into the
16 military service, may have his or her license restored
17 without paying any lapsed renewal or restoration fee, if
18 within 2 years after termination of such service, training or
19 education he or she furnishes the Department with
20 satisfactory proof that he or she has been so engaged and
21 that his or her service, training or education has been so
22 terminated.

23 (Source: P.A. 90-69, eff. 7-8-97.)

24 (225 ILCS 110/13) (from Ch. 111, par. 7913)

25 Sec. 13. Licensing applicants from other States.

26 Upon payment of the required fee, an applicant who is a
27 speech-language pathologist, speech-language pathology
28 assistant, or audiologist licensed under the laws of another
29 state or territory of the United States, shall without
30 examination be granted a license as a speech-language
31 pathologist, speech-language pathology assistant, or
32 audiologist by the Department:

33 (a) whenever the requirements of such state or territory

1 of the United States were at the date of licensure
2 substantially equal to the requirements then in force in this
3 State; or

4 (b) whenever such requirements of another state or
5 territory of the United States together with educational and
6 professional qualifications, as distinguished from practical
7 experience, of the applicant since obtaining a license as
8 speech-language pathologist, speech-language pathology
9 assistant, or audiologist in such state or territory of the
10 United States are substantially equal to the requirements in
11 force in Illinois at the time of application for licensure as
12 a speech-language pathologist, speech-language pathology
13 assistant, or audiologist.

14 Applicants have 3 years from the date of application to
15 complete the application process. If the process has not been
16 completed within 3 years, the application shall be denied,
17 the fee shall be forfeited, and the applicant must reapply
18 and meet the requirements in effect at the time of
19 reapplication.

20 (Source: P.A. 90-69, eff. 7-8-97.)

21 (225 ILCS 110/16) (from Ch. 111, par. 7916)

22 Sec. 16. Refusal, revocation or suspension of licenses.

23 (1) The Department may refuse to issue or renew, or may
24 revoke, suspend, place on probation, censure, reprimand or
25 take other disciplinary action as the Department may deem
26 proper, including fines not to exceed \$5,000 for each
27 violation, with regard to any license for any one or
28 combination of the following causes:

29 (a) Fraud in procuring the license.

30 (b) Habitual intoxication or addiction to the use
31 of drugs.

32 (c) Willful or repeated violations of the rules of
33 the Department of Public Health.

1 (d) Division of fees or agreeing to split or divide
2 the fees received for speech-language pathology or
3 audiology services with any person for referring an
4 individual, or assisting in the care or treatment of an
5 individual, without the knowledge of the individual or
6 his or her legal representative.

7 (e) Employing, procuring, inducing, aiding or
8 abetting a person not licensed as a speech-language
9 pathologist or audiologist to engage in the unauthorized
10 practice of speech-language pathology or audiology.

11 ~~(e-5) Employing, procuring, inducing, aiding, or~~
12 ~~abetting a person not licensed as a speech-language~~
13 ~~pathology assistant to perform the functions and duties~~
14 ~~of a speech-language pathology assistant.~~

15 (f) Making any misrepresentations or false
16 promises, directly or indirectly, to influence, persuade
17 or induce patronage.

18 (g) Professional connection or association with, or
19 lending his or her name to another for the illegal
20 practice of speech-language pathology or audiology by
21 another, or professional connection or association with
22 any person, firm or corporation holding itself out in any
23 manner contrary to this Act.

24 (h) Obtaining or seeking to obtain checks, money,
25 or any other things of value by false or fraudulent
26 representations, including but not limited to, engaging
27 in such fraudulent practice to defraud the medical
28 assistance program of the Department of Public Aid.

29 (i) Practicing under a name other than his or her
30 own.

31 (j) Improper, unprofessional or dishonorable
32 conduct of a character likely to deceive, defraud or harm
33 the public.

34 (k) Conviction in this or another state of any

1 crime which is a felony under the laws of this State or
2 conviction of a felony in a federal court, if the
3 Department determines, after investigation, that such
4 person has not been sufficiently rehabilitated to warrant
5 the public trust.

6 (l) Permitting a person under his or her
7 supervision to perform any function not authorized by
8 this Act.

9 (m) A violation of any provision of this Act or
10 rules promulgated thereunder.

11 (n) Revocation by another state, the District of
12 Columbia, territory, or foreign nation of a license to
13 practice speech-language pathology or audiology or a
14 license to practice as a speech-language pathology
15 assistant in its jurisdiction if at least one of the
16 grounds for that revocation is the same as or the
17 equivalent of one of the grounds for revocation set forth
18 herein.

19 (o) Willfully failing to report an instance of
20 suspected child abuse or neglect as required by the
21 Abused and Neglected Child Reporting Act.

22 (p) Gross or repeated malpractice resulting in
23 injury or death of an individual.

24 (q) Willfully making or filing false records or
25 reports in his or her practice as a speech-language
26 pathologist, speech-language pathology assistant, or
27 audiologist, including, but not limited to, false records
28 to support claims against the public assistance program
29 of the Illinois Department of Public Aid.

30 (r) Professional incompetence as manifested by poor
31 standards of care or mental incompetence as declared by a
32 court of competent jurisdiction.

33 (s) Repeated irregularities in billing a third
34 party for services rendered to an individual. For

1 purposes of this Section, "irregularities in billing"
2 shall include:

3 (i) reporting excessive charges for the
4 purpose of obtaining a total payment in excess of
5 that usually received by the speech-language
6 pathologist, speech-language pathology assistant, or
7 audiologist for the services rendered;

8 (ii) reporting charges for services not
9 rendered; or

10 (iii) incorrectly reporting services rendered
11 for the purpose of obtaining payment not earned.

12 (t) (Blank).

13 (u) Violation of the Health Care Worker
14 Self-Referral Act.

15 (v) Physical illness, including but not limited to
16 deterioration through the aging process or loss of motor
17 skill, mental illness, or disability that results in the
18 inability to practice the profession with reasonable
19 judgment, skill, or safety.

20 (w) Violation of the Hearing Instrument Consumer
21 Protection Act.

22 (x) Failure by a speech-language pathology assistant
23 and supervising speech-language pathologist to comply
24 with the supervision requirements set forth in Section
25 8.8.

26 (y) Wilfully exceeding the scope of duties
27 customarily undertaken by speech-language pathology
28 assistants set forth in Section 8.7 that results in, or
29 may result in, harm to the public.

30 (2) The Department shall deny a license or renewal
31 authorized by this Act to any person who has defaulted on an
32 educational loan guaranteed by the Illinois State Scholarship
33 Commission; however, the Department may issue a license or
34 renewal if the aforementioned persons have established a

1 satisfactory repayment record as determined by the Illinois
2 State Scholarship Commission.

3 (3) The entry of an order by a circuit court
4 establishing that any person holding a license under this Act
5 is subject to involuntary admission or judicial admission as
6 provided for in the Mental Health and Developmental
7 Disabilities Code, operates as an automatic suspension of
8 that license. That person may have his or her license
9 restored only upon the determination by a circuit court that
10 the patient is no longer subject to involuntary admission or
11 judicial admission and the issuance of an order so finding
12 and discharging the patient, and upon the Board's
13 recommendation to the Department that the license be
14 restored. Where the circumstances so indicate, the Board may
15 recommend to the Department that it require an examination
16 prior to restoring any license automatically suspended under
17 this subsection.

18 (4) The Department may refuse to issue or may suspend
19 the license of any person who fails to file a return, or to
20 pay the tax, penalty, or interest shown in a filed return, or
21 to pay any final assessment of the tax penalty or interest,
22 as required by any tax Act administered by the Department of
23 Revenue, until such time as the requirements of any such tax
24 Act are satisfied.

25 (5) In enforcing this Section, the Board upon a showing
26 of a possible violation may compel an individual licensed to
27 practice under this Act, or who has applied for licensure
28 pursuant to this Act, to submit to a mental or physical
29 examination, or both, as required by and at the expense of
30 the Department. The examining physicians or clinical
31 psychologists shall be those specifically designated by the
32 Board. The individual to be examined may have, at his or her
33 own expense, another physician or clinical psychologist of
34 his or her choice present during all aspects of this

1 examination. Failure of any individual to submit to a mental
2 or physical examination, when directed, shall be grounds for
3 suspension of his or her license until the individual submits
4 to the examination if the Board finds, after notice and
5 hearing, that the refusal to submit to the examination was
6 without reasonable cause.

7 If the Board finds an individual unable to practice
8 because of the reasons set forth in this Section, the Board
9 may require that individual to submit to care, counseling, or
10 treatment by physicians or clinical psychologists approved or
11 designated by the Board, as a condition, term, or restriction
12 for continued, reinstated, or renewed licensure to practice;
13 or, in lieu of care, counseling, or treatment, the Board may
14 recommend to the Department to file a complaint to
15 immediately suspend, revoke, or otherwise discipline the
16 license of the individual. Any individual whose license was
17 granted, continued, reinstated, renewed, disciplined or
18 supervised subject to such terms, conditions, or
19 restrictions, and who fails to comply with such terms,
20 conditions, or restrictions, shall be referred to the
21 Director for a determination as to whether the individual
22 shall have his or her license suspended immediately, pending
23 a hearing by the Board.

24 In instances in which the Director immediately suspends a
25 person's license under this Section, a hearing on that
26 person's license must be convened by the Board within 15 days
27 after the suspension and completed without appreciable delay.
28 The Board shall have the authority to review the subject
29 individual's record of treatment and counseling regarding the
30 impairment to the extent permitted by applicable federal
31 statutes and regulations safeguarding the confidentiality of
32 medical records.

33 An individual licensed under this Act and affected under
34 this Section shall be afforded an opportunity to demonstrate

1 to the Board that he or she can resume practice in compliance
2 with acceptable and prevailing standards under the provisions
3 of his or her license.

4 (Source: P.A. 90-69, eff. 7-8-97; 91-949, eff. 2-9-01.)

5 (225 ILCS 110/16.5)

6 Sec. 16.5. Advertising. A person licensed under this Act
7 as a speech-language pathologist or audiologist may advertise
8 the availability of professional services in the public media
9 or on the premises where such professional services are
10 rendered as permitted by law, provided the advertising is
11 truthful and not misleading or deceptive. The Department may
12 adopt rules consistent with this Section.

13 (Source: P.A. 90-69, eff. 7-8-97.)

14 (225 ILCS 110/18) (from Ch. 111, par. 7918)

15 Sec. 18. Disciplinary actions.

16 (a) In case the licensee, after receiving notice, fails
17 to file an answer, his or her license may, in the discretion
18 of the Director, having first received the recommendation of
19 the Board, be suspended, revoked, placed on probationary
20 status or the Director may take whatever disciplinary action
21 he or she may deem proper, including limiting the scope,
22 nature, or extent of the person's practice or the imposition
23 of a fine, without a hearing, if the act or acts charged
24 constitute sufficient grounds for such action under this Act.

25 (b) The Director may temporarily suspend the license of
26 a speech-language pathologist, speech-language pathology
27 assistant, or audiologist without a hearing, simultaneous to
28 the institution of proceedings for a hearing under this Act,
29 if the Director finds that evidence in his or her possession
30 indicates that a speech-language pathologist's,
31 speech-language pathology assistant's, or an audiologist's
32 continuation in practice would constitute an immediate danger

1 to the public. In the event that the Director temporarily
2 suspends the license of a speech-language pathologist,
3 speech-language pathology assistant, or audiologist without a
4 hearing, a hearing by the Board must be held within 15 days
5 after such suspension has occurred and concluded without
6 appreciable delay.

7 (Source: P.A. 90-69, eff. 7-8-97.)

8 (225 ILCS 110/26) (from Ch. 111, par. 7926)

9 Sec. 26. Confidential Information - Disclosure. In all
10 hearings conducted under this Act, information received,
11 pursuant to law, relating to any information acquired by a
12 speech-language pathologist, speech-language pathology
13 assistant, or audiologist in serving any individual in a
14 professional capacity, and necessary to professionally serve
15 such individual, shall be deemed strictly confidential and
16 shall only be made available, either as part of the record of
17 a hearing hereunder or otherwise;

18 (a) when such record is required, in its entirety, for
19 purposes of judicial review pursuant to this Act; or

20 (b) upon the express, written consent of the individual
21 served, or in the case of his or her death or disability, the
22 consent of his or her personal representative.

23 (Source: P.A. 85-1391.)

24 (225 ILCS 110/27) (from Ch. 111, par. 7927)

25 Sec. 27. Reports of Violations. Any person licensed
26 under this Act, or any other person, may report to the
27 Department any information such person may have which appears
28 to show that a speech-language pathologist, speech-language
29 pathology assistant, or audiologist is or may be in violation
30 of any of the provisions of this Act.

31 (Source: P.A. 85-1391.)

1 (225 ILCS 110/28) (from Ch. 111, par. 7928)

2 Sec. 28. Injunction. The practice of speech-language
3 pathology or audiology by any person not holding a valid and
4 current license under this Act or a person performing the
5 functions and duties of a speech-language pathology assistant
6 without a valid and current license under this Act, is
7 declared to be inimical to the public welfare, to constitute
8 a public nuisance, and to cause irreparable harm to the
9 public welfare. The Director, the Attorney General, the
10 State's attorney of any county in the State or any person may
11 maintain an action in the name of the People of the State of
12 Illinois, and may apply for an injunction in any circuit
13 court to enjoin any such person from engaging in such
14 practice. Upon the filing of a verified petition in such
15 court, the court or any judge thereof, if satisfied by
16 affidavit, or otherwise, that such person has been engaged in
17 such practice without a valid and current license, may issue
18 a temporary injunction without notice or bond, enjoining the
19 defendant from any such further practice. Only the showing of
20 nonlicensure, by affidavit or otherwise, is necessary in
21 order for a temporary injunction to issue. A copy of the
22 verified complaint shall be served upon the defendant and the
23 proceedings shall thereafter be conducted as in other civil
24 cases except as modified by this Section. If it is
25 established that the defendant has been, or is engaged in any
26 such unlawful practice, the court, or any judge thereof, may
27 enter an order or judgment perpetually enjoining the
28 defendant from further such practice. In all proceedings
29 hereunder, the court, in its discretion, may apportion the
30 costs among the parties interested in the suit, including
31 cost of filing the complaint, service of process, witness
32 fees and expenses, court reporter charges and reasonable
33 attorneys' fees. In case of violation of any injunction
34 issued under the provisions of this Section, the court or any

1 judge thereof may summarily try and punish the offender for
2 contempt of court. Such injunction proceedings shall be in
3 addition to, and not in lieu of, all penalties and other
4 remedies provided in this Act.

5 (Source: P.A. 90-69, eff. 7-8-97.)

6 (225 ILCS 110/29) (from Ch. 111, par. 7929)

7 Sec. 29. Penalty of unlawful practice - second and
8 subsequent offenses. Any person who practices or offers to
9 practice speech-language pathology or audiology or performs
10 the functions and duties of a speech-language pathology
11 assistant in this State without being licensed for that
12 purpose, or whose license has been suspended or revoked, or
13 who violates any of the provisions of this Act, for which no
14 specific penalty has been provided herein, is guilty of a
15 Class A misdemeanor.

16 Any person who has been previously convicted under any of
17 the provisions of this Act and who subsequently violates any
18 of the provisions of this Act is guilty of a Class 4 felony.
19 In addition, whenever any person is punished as a subsequent
20 offender under this Section, the Director shall proceed to
21 obtain a permanent injunction against such person under
22 Section 29 of this Act.

23 (Source: P.A. 85-1391.)

24 (225 ILCS 110/29.5)

25 Sec. 29.5. Unlicensed practice; civil penalty.

26 (a) Any person who practices, offers to practice,
27 attempts to practice, or holds oneself out to practice
28 speech-language pathology or audiology or performs the
29 functions and duties of a speech-language pathology assistant
30 without being licensed under this Act shall, in addition to
31 any other penalty provided by law, pay a civil penalty to the
32 Department in an amount not to exceed \$5,000 for each offense

1 as determined by the Department. The civil penalty shall be
2 assessed by the Department after a hearing is held in
3 accordance with the provisions set forth in this Act
4 regarding the provision of a hearing for the discipline of a
5 licensee.

6 (b) The Department has the authority and power to
7 investigate any and all unlicensed activity.

8 (c) The civil penalty shall be paid within 60 days after
9 the effective date of the order imposing the civil penalty.
10 The order shall constitute a judgment and may be filed and
11 execution had thereon in the same manner as any judgment from
12 any court of record.

13 (Source: P.A. 90-69, eff. 7-8-97.)

14 (225 ILCS 110/31a)

15 Sec. 31a. Advertising services. A speech-language
16 pathologist or audiologist licensee shall include in every
17 advertisement for services regulated under this Act his or
18 her title as it appears on the license or the initials
19 authorized under this Act.

20 (Source: P.A. 91-310, eff. 1-1-00.)"