

1 AN ACT concerning education.

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

4 Section 1. Short title. This Act may be cited as the  
5 Removing Barriers to Higher Education Success Act.

6 Section 5. Definition. For purposes of this Act, "public  
7 institution of higher education" means the University of  
8 Illinois, Southern Illinois University, Chicago State  
9 University, Eastern Illinois University, Governors State  
10 University, Illinois State University, Northeastern Illinois  
11 University, Northern Illinois University, Western Illinois  
12 University, a public community college of this State, or any  
13 other public university, college, or community college now or  
14 hereafter established or authorized by the General Assembly.

15 Section 10. Students with disabilities policy and  
16 documentation; dissemination of information.

17 (a) Each public institution of higher education shall  
18 adopt a policy that makes any of the documentation described  
19 in subsection (b) submitted by an enrolled or admitted student  
20 sufficient to establish that the student is an individual with  
21 a disability.

22 (b) The policy adopted under subsection (a) must provide

1 that any of the following documentation submitted by an  
2 enrolled or admitted student is sufficient to establish that  
3 the student is an individual with a disability:

4 (1) Documentation that the individual has had an  
5 individualized education program (IEP) in accordance with  
6 Section 614(d) of the federal Individuals with  
7 Disabilities Education Act. The public institution of  
8 higher education may request additional documentation from  
9 an individual who has had an IEP if the IEP was not in  
10 effect immediately prior to the date when the individual  
11 exited high school.

12 (2) Documentation that the individual has received  
13 services or accommodations provided to the individual  
14 under a Section 504 plan provided to the individual  
15 pursuant to Section 504 of the federal Rehabilitation Act  
16 of 1973. The public institution of higher education may  
17 request additional documentation from an individual who  
18 has received services or accommodations provided to the  
19 individual under a Section 504 plan if the Section 504  
20 plan was not in effect immediately prior to the date when  
21 the individual exited high school.

22 (3) Documentation of a plan or record of service for  
23 the individual from a private school, a local educational  
24 agency, a State educational agency, or an institution of  
25 higher education provided under a Section 504 plan  
26 pursuant to Section 504 of the federal Rehabilitation Act

1 of 1973 or in accordance with the federal Americans with  
2 Disabilities Act of 1990.

3 (4) A record or evaluation from a relevant licensed  
4 professional finding that the individual has a disability.

5 (5) A plan or record of disability from another  
6 institution of higher education.

7 (6) Documentation of a disability due to military  
8 service in the uniformed services.

9 (c) The policy adopted under subsection (a) must be  
10 transparent and explicit regarding information about the  
11 process by which the public institution of higher education  
12 determines eligibility for accommodations for an individual  
13 with a disability. Each public institution of higher education  
14 shall disseminate such information to students, parents, and  
15 faculty in accessible formats, including during any student  
16 orientation, and make the information readily available on a  
17 public website of the institution.

18 (d) A public institution of higher education may establish  
19 less burdensome criteria than the criteria described in this  
20 Section to establish whether an enrolled or admitted student  
21 is an individual with a disability.

22 Section 15. Establishment of reasonable accommodation. A  
23 public institution of higher education shall engage in an  
24 interactive process to establish a reasonable accommodation,  
25 including requesting additional documentation, if needed, for

1 an individual pursuant to Section 504 of the federal  
2 Rehabilitation Act of 1973 and the federal Americans with  
3 Disabilities Act of 1990.

4 Section 90. Construction with federal law. Nothing in this  
5 Act shall be construed to conflict with the terms "reasonable  
6 accommodation" and "record of such an impairment" under the  
7 federal Americans with Disabilities Act of 1990 or the rights  
8 or remedies provided under the federal Americans with  
9 Disabilities Act of 1990.