



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3768

Introduced 2/9/2024, by Sen. Suzy Glowiak Hilton

SYNOPSIS AS INTRODUCED:

105 ILCS 5/14-11.02

from Ch. 122, par. 14-11.02

Amends the Children with Disabilities Article of the School Code. Provides that the State Board of Education shall maintain and operate, or contract for (instead of being empowered to establish, maintain, and operate or contract for) the operation of a permanent statewide residential education facility (instead of statewide service center), known as the Philip J. Rock Center and School. Provides that the State Board of Education shall include a line item in its budget to pay the costs of operating and maintaining the Philip J. Rock Center and School. Limits the specified services provided by the Philip J. Rock Center and School to eligible deaf-blind persons of all ages to being subject to appropriated funding for those specified services. Makes changes concerning provided services. Provides that for the purposes of employment, the Philip J. Rock Center and School shall be considered its own employer. Provides that the State Board of Education shall appoint a Chief Administrator of the Philip J. Rock Center and School who shall be employed by the Philip J. Rock Center and School. Specifies the duties of the Chief Administrator. Sets forth provisions concerning a student with an individualized education program at the Philip J. Rock Center and School. Makes changes concerning the Advisory Board for the Philip J. Rock Center and School. Makes other changes.

LRB103 39303 RJT 69457 b

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Section
5 14-11.02 as follows:

6 (105 ILCS 5/14-11.02) (from Ch. 122, par. 14-11.02)

7 Sec. 14-11.02. The Phillip J. Rock Center and School for
8 the Deaf-Blind. ~~Notwithstanding any other Sections of this~~
9 ~~Article, the State Board of Education shall develop and~~
10 ~~operate or contract for the operation of a service center for~~
11 ~~persons who are deaf-blind.~~

12 (a) For the purpose of this Section, persons with
13 deaf-blindness are persons who have both auditory and visual
14 impairments, the combination of which causes such severe
15 communication and other developmental, educational, vocational
16 and rehabilitation problems that such persons cannot be
17 properly accommodated in special education or vocational
18 rehabilitation programs solely for persons with both hearing
19 and visual disabilities.

20 (b) To be eligible for deaf-blind services under this
21 Section, a person must have (i) a visual impairment and an
22 auditory impairment, or (ii) a condition in which there is a
23 progressive loss of hearing or vision or both that results in

1 concomitant vision and hearing impairments and that adversely
2 affects educational performance as determined by the
3 multidisciplinary conference. For purposes of this paragraph
4 and Section:

5 (1) (A) A visual impairment shall have the same
6 meaning as in the federal Individuals With Disabilities
7 Education Act and its implementing regulations ~~is defined~~
8 ~~to mean one or more of the following: (i) corrected visual~~
9 ~~acuity poorer than 20/70 in the better eye; (ii)~~
10 ~~restricted visual field of 20 degrees or less in the~~
11 ~~better eye; (iii) cortical blindness; (iv) does not appear~~
12 ~~to respond to visual stimulation, which adversely affects~~
13 ~~educational performance as determined by the~~
14 ~~multidisciplinary conference.~~

15 (2) (B) An auditory impairment shall have the same
16 meaning as in the federal Individuals With Disabilities
17 Education Act and its implementing regulations ~~is defined~~
18 ~~to mean one or more of the following: (i) a sensorineural~~
19 ~~or ongoing or chronic conductive hearing loss with aided~~
20 ~~sensitivity of 30dB HL or poorer; (ii) functional auditory~~
21 ~~behavior that is significantly discrepant from the~~
22 ~~person's present cognitive and/or developmental levels,~~
23 ~~which adversely affects educational performance as~~
24 ~~determined by the multidisciplinary conference.~~

25 (c) Notwithstanding any other Sections of this Article,
26 the ~~The~~ State Board of Education shall ~~is empowered to~~

1 ~~establish,~~ maintain and operate, or contract for the operation
2 of a permanent statewide residential education facility
3 ~~state-wide service center~~ known as the Philip J. Rock Center
4 and School. The School serves eligible children between the
5 ages of 3 and 22. Subject to appropriations, the Philip J. Rock
6 Center and School may provide additional services to 21; ~~the~~
7 ~~Center serves~~ eligible deaf-blind persons of all ages. The
8 Philip J. Rock Center and School shall be located in the
9 Chicago metropolitan area near public transportation. The
10 State Board of Education shall include a line item in its
11 budget to pay the costs of operating and maintaining the
12 Philip J. Rock Center and School. If the Center is
13 appropriated funding to serve eligible deaf-blind persons of
14 all ages, services ~~Services~~ provided by the Center shall
15 include, but are not limited to:

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

19 (2) providing ~~Providing~~ families with appropriate
20 information and dissemination ~~counseling;~~

21 (3) providing information to ~~Referring~~ persons who are
22 deaf-blind to appropriate agencies for medical and
23 diagnostic services;

24 (4) referring ~~Referring~~ persons who are deaf-blind to
25 appropriate agencies for educational, rehabilitation, and
26 support ~~training and care~~ services;

1 (5) developing ~~Developing~~ and expanding services
2 throughout the State to persons who are deaf-blind. This
3 will include ancillary services, such as transportation so
4 that the individuals can take advantage of the expanded
5 services;

6 (6) (blank); ~~Maintaining a residential educational~~
7 ~~training facility in the Chicago metropolitan area located~~
8 ~~in an area accessible to public transportation;~~

9 (7) (blank); ~~Receiving, dispensing, and monitoring~~
10 ~~State and Federal funds to the School and Center~~
11 ~~designated for services to persons who are deaf-blind;~~

12 (8) coordinating ~~Coordinating~~ services to persons who
13 are deaf-blind through all appropriate agencies, including
14 the Department of Children and Family Services and the
15 Department of Human Services;

16 (9) entering ~~Entering~~ into contracts with other
17 agencies to provide services to persons who are
18 deaf-blind;

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

23 (11) serving ~~Serving~~ as the information ~~referral~~
24 clearinghouse for all persons who are deaf-blind, age 21
25 and older; and

26 (12) (blank). ~~Providing transition services for~~

1 ~~students of Philip J. Rock School who are deaf-blind and~~
2 ~~between the ages of 14 1/2 and 21.~~

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

11 (1) hire, evaluate, discipline, and terminate staff of
12 the Philip J. Rock Center and School;

13 (2) determine wages, benefits, and other conditions of
14 employment for all Philip J. Rock Center and School
15 employees;

16 (3) bargain with the exclusive bargaining
17 representative of the Philip J. Rock Center and School
18 employees;

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

21 (5) contract for any professional, legal, and
22 educational services necessary for the operation of the
23 residential educational facility;

24 (6) make all decisions regarding the daily operations
25 of the residential educational facility; and

26 (7) perform any other duties as set forth in the

1 employment contract for the Chief Administrator.

2 (e) If the State Board of Education contracts for the
3 fiscal administration of the Philip J. Rock Center and School,
4 then the contract shall be with a local school district,
5 special education cooperative, or regional office of education
6 that can serve as the fiscal agent for the Philip J. Rock
7 Center and School. To the extent possible, the fiscal agent
8 shall be in close geographic proximity to the Philip J. Rock
9 Center and School.

10 (f) In accordance with a student's individualized
11 education program, the Philip J. Rock Center and School shall
12 make every attempt to provide a free appropriate public
13 education pursuant to the federal Individuals with
14 Disabilities Education Act of 2001 to a student placed in its
15 residential educational facility either in its own program or
16 within a local school district program that are appropriate to
17 the child and contracted for by the Philip J. Rock Center and
18 School. Through the individualized education program process
19 with the student's resident school district, a student who
20 resides at the Philip J. Rock Center and School may be placed
21 in an alternate educational program by the student's
22 individualized education program team. Educational placement
23 and services shall be provided free of charge to the student's
24 resident school district unless there is tuition associated
25 with the educational placement and services. In the event the
26 Philip J. Rock Center and School must pay tuition or for a

1 student's educational placement and services, such tuition or
2 transportation shall be billed to the student's resident
3 school district.

4 (g) The Advisory Board for Services for Persons who are
5 Deaf-Blind shall provide advice to the State Superintendent of
6 Education, the Governor, and the General Assembly on all
7 matters pertaining to policy concerning persons who are
8 deaf-blind, including the implementation of legislation
9 enacted on their behalf.

10 ~~The Regarding the maintenance, operation and education~~
11 ~~functions of the Philip J. Rock Center and School, the~~
12 Advisory Board shall also make recommendations pertaining to
13 but not limited to the following matters:

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

17 (2) the ~~The~~ State program and financial plan for
18 deaf-blind services and the system of priorities to be
19 developed by the State Board of Education;

20 (3) standards ~~Standards~~ for services in facilities
21 serving persons who are deaf-blind;

22 (4) standards ~~Standards~~ and rates for State payments
23 for any services purchased for persons who are deaf-blind;

24 (5) services ~~Services~~ and research activities in the
25 field of deaf-blindness, including evaluation of services;
26 and

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

3 The Advisory Board shall consist of 3 persons appointed by
4 the Governor; 2 persons appointed by the State Superintendent
5 of Education; 4 persons appointed by the Secretary of Human
6 Services; and 2 persons appointed by the Director of Children
7 and Family Services. ~~The 3 appointments of the Governor shall~~
8 ~~consist of a senior citizen 60 years of age or older, a~~
9 ~~consumer who is deaf blind, and a parent of a person who is~~
10 ~~deaf blind; provided that if any gubernatorial appointee~~
11 ~~serving on the Advisory Board on the effective date of this~~
12 ~~amendatory Act of 1991 is not either a senior citizen 60 years~~
13 ~~of age or older or a consumer who is deaf blind or a parent of~~
14 ~~a person who is deaf blind, then whenever that appointee's~~
15 ~~term of office expires or a vacancy in that appointee's office~~
16 ~~sooner occurs, the Governor shall make the appointment to fill~~
17 ~~that office or vacancy in a manner that will result, at the~~
18 ~~earliest possible time, in the Governor's appointments to the~~
19 ~~Advisory Board being comprised of one senior citizen 60 years~~
20 ~~of age or older, one consumer who is deaf blind, and one parent~~
21 ~~of a person who is deaf blind.~~ One person designated by each
22 agency other than the Department of Human Services may be an
23 employee of that agency. Two persons appointed by the
24 Secretary of Human Services may be employees of the Department
25 of Human Services. The appointments of each appointing
26 authority other than the Governor shall include at least one

1 parent of an individual who is deaf-blind or a person who is
2 deaf-blind.

3 Vacancies in terms shall be filled by the original
4 appointing authority. After the original terms, all terms
5 shall be for 3 years.

6 ~~Except for those members of the Advisory Board who are~~
7 ~~compensated for State service on a full time basis, members~~
8 ~~shall be reimbursed for all actual expenses incurred in the~~
9 ~~performance of their duties. Each member who is not~~
10 ~~compensated for State service on a full time basis shall be~~
11 ~~compensated at a rate of \$50 per day which he spends on~~
12 ~~Advisory Board duties.~~ The Advisory Board shall meet at least
13 2 ~~4~~ times per year ~~and not more than 12 times per year.~~

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

16 ~~Six members of the Advisory Board shall constitute a~~
17 ~~quorum.~~ The affirmative vote of a majority of all members of
18 the Advisory Board shall be necessary for any action taken by
19 the Advisory Board.

20 (Source: P.A. 88-670, eff. 12-2-94; 89-397, eff. 8-20-95;
21 89-507, eff. 7-1-97.)