



Elementary Secondary Education Committee

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09600HB1190ham001

LRB096 03443 NHT 22862 a

1 AMENDMENT TO HOUSE BILL 1190

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1190 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections  
5 14-1.10 and 14-13.01 as follows:

6 (105 ILCS 5/14-1.10) (from Ch. 122, par. 14-1.10)

7 Sec. 14-1.10. Qualified ~~Professional~~ worker. "Qualified  
8 ~~Professional~~ worker" means a trained specialist and includes a  
9 behavior analyst, certificated school nurse, professional  
10 consultant, registered therapist, school nurse intern, school  
11 counselor, school counselor intern, school psychologist,  
12 school psychologist intern, school social worker, school  
13 social worker intern, special administrator or supervisor  
14 giving full time to special education, speech language  
15 pathologist, speech language pathologist intern, and teacher  
16 of students with IEPs who meets the requirements of this

1 Article, who has the required special training in the  
2 understandings, techniques, and special instructional  
3 strategies for children with disabilities and who delivers  
4 services to students with IEPs, and any other trained  
5 specialist set forth by the State Board of Education in rules.  
6 ~~and is limited to speech correctionist, school social worker,~~  
7 ~~school counselor, school psychologist, psychologist intern,~~  
8 ~~school nurse intern, school social worker intern, school~~  
9 ~~counselor intern, certificated school nurse, special~~  
10 ~~administrator intern, registered therapist, professional~~  
11 ~~consultant, special administrator or supervisor giving full~~  
12 ~~time to special education, behavior analyst, and teacher of any~~  
13 ~~class or program defined in this Article who meets the~~  
14 ~~requirements of this Article, who has the required special~~  
15 ~~training in the understandings, techniques, and special~~  
16 ~~methods of instruction for children who because of their~~  
17 ~~disabling conditions are placed in any program provided for in~~  
18 ~~this Article, and who works in such program.~~

19 (Source: P.A. 94-948, eff. 1-1-07; 95-363, eff. 8-23-07.)

20 (105 ILCS 5/14-13.01) (from Ch. 122, par. 14-13.01)

21 Sec. 14-13.01. Reimbursement payable by State; amounts for  
22 personnel and transportation ~~Amounts. Reimbursement for~~  
23 ~~furnishing special educational facilities in a recognized~~  
24 ~~school to the type of children defined in Section 14-1.02 shall~~  
25 ~~be paid to the school districts in accordance with Section~~

1 ~~14-12.01 for each school year ending June 30 by the State~~  
2 ~~Comptroller out of any money in the treasury appropriated for~~  
3 ~~such purposes on the presentation of vouchers by the State~~  
4 ~~Board of Education.~~

5 ~~The reimbursement shall be limited to funds expended for~~  
6 ~~construction and maintenance of special education facilities~~  
7 ~~designed and utilized to house instructional programs,~~  
8 ~~diagnostic services, other special education services for~~  
9 ~~children with disabilities and reimbursement as provided in~~  
10 ~~Section 14-13.01. There shall be no reimbursement for~~  
11 ~~construction and maintenance of any administrative facility~~  
12 ~~separated from special education facilities designed and~~  
13 ~~utilized to house instructional programs, diagnostic services~~  
14 ~~and other special education services for children with~~  
15 ~~disabilities.~~

16 (a) For staff working on behalf of children who have not  
17 been identified as eligible for special education and for  
18 eligible children with physical disabilities, including all  
19 eligible children whose placement has been determined under  
20 Section 14-8.02 in hospital or home instruction, 1/2 of the  
21 teacher's salary but not more than \$1,000 annually per child or  
22 ~~\$8,000 per teacher for the 1985-1986 school year through the~~  
23 ~~2005-2006 school year and \$1,000 per child or \$9,000 per~~  
24 ~~teacher for the 2006-2007 school year and for each school year~~  
25 ~~thereafter, whichever is less. To qualify for home or hospital~~  
26 ~~instruction, a child must, due to a medical condition, be~~

1 unable to attend school, and instead must be instructed at home  
2 or in the hospital, for a period of 2 or more consecutive weeks  
3 or on an ongoing intermittent basis. In order to establish  
4 eligibility for home or hospital services, a student's parent  
5 or guardian must submit to the child's school district of  
6 residence a written statement from a physician licensed to  
7 practice medicine in all of its branches stating the existence  
8 of such medical condition, the impact on the child's ability to  
9 participate in education, and the anticipated duration or  
10 nature of the child's absence from school. Eligible children  
11 ~~Children~~ to be included in any reimbursement under this  
12 paragraph must regularly receive a minimum of one hour of  
13 instruction each school day, or in lieu thereof of a minimum of  
14 5 hours of instruction in each school week in order to qualify  
15 for full reimbursement under this Section. If the attending  
16 physician for such a child has certified that the child should  
17 not receive as many as 5 hours of instruction in a school week,  
18 however, reimbursement under this paragraph on account of that  
19 child shall be computed proportionate to the actual hours of  
20 instruction per week for that child divided by 5. The State  
21 Board of Education shall establish rules governing the required  
22 qualifications of staff providing home or hospital  
23 instruction.

24 (b) For children described in Section 14-1.02, 80% ~~4/5~~ of  
25 the cost of transportation approved as a related service in the  
26 Individualized Education Program for each student ~~for each such~~

1 ~~child, whom the State Superintendent of Education determined in~~  
2 ~~advance requires special transportation service~~ in order to  
3 take advantage of special educational facilities.  
4 Transportation costs shall be determined in the same fashion as  
5 provided in Section 29-5. For purposes of this subsection (b),  
6 the dates for processing claims specified in Section 29-5 shall  
7 apply.

8 (c) For each qualified professional worker ~~excluding those~~  
9 ~~included in subparagraphs (a), (d), (e), and (f) of this~~  
10 ~~Section, the annual sum of \$8,000 for the 1985-1986 school year~~  
11 ~~through the 2005-2006 school year and \$9,000 for the 2006-2007~~  
12 ~~school year and for each school year thereafter.~~

13 (d) For one full time qualified director of the special  
14 education program of each school district which maintains a  
15 fully approved program of special education the annual sum of  
16 ~~\$8,000 for the 1985-1986 school year through the 2005-2006~~  
17 ~~school year and \$9,000 for the 2006-2007 school year and for~~  
18 ~~each school year thereafter.~~ Districts participating in a joint  
19 agreement special education program shall not receive such  
20 reimbursement if reimbursement is made for a director of the  
21 joint agreement program.

22 (e) (Blank). ~~For each school psychologist as defined in~~  
23 ~~Section 14-1.09 the annual sum of \$8,000 for the 1985-1986~~  
24 ~~school year through the 2005-2006 school year and \$9,000 for~~  
25 ~~the 2006-2007 school year and for each school year thereafter.~~

26 (f) (Blank). ~~For each qualified teacher working in a fully~~

1 ~~approved program for children of preschool age who are deaf or~~  
2 ~~hard of hearing the annual sum of \$8,000 for the 1985-1986~~  
3 ~~school year through the 2005-2006 school year and \$9,000 for~~  
4 ~~the 2006-2007 school year and for each school year thereafter.~~

5 (g) For readers, working with blind or partially seeing  
6 children 1/2 of their salary but not more than \$400 annually  
7 per child. Readers may be employed to assist such children and  
8 shall not be required to be certified but prior to employment  
9 shall meet standards set up by the State Board of Education.

10 (h) For ~~necessary~~ non-certified employees, as defined by  
11 rules promulgated by the State Board of Education, who deliver  
12 services to students with IEPs ~~working in any class or program~~  
13 ~~for children defined in this Article, 1/2 of the salary paid or~~  
14 ~~\$2,800 annually per employee through the 2005-2006 school year~~  
15 ~~and \$3,500 per employee for the 2006-2007 school year and for~~  
16 ~~each school year thereafter, whichever is less.~~

17 The State Board of Education shall set standards and  
18 prescribe rules for determining the allocation of  
19 reimbursement under this section on less than a full time basis  
20 and for less than a school year.

21 When any school district eligible for reimbursement under  
22 this Section operates a school or program approved by the State  
23 Superintendent of Education for a number of days in excess of  
24 the adopted school calendar but not to exceed 235 school days,  
25 such reimbursement shall be increased by 1/180 of the amount or  
26 rate paid hereunder for each day such school is operated in

1 excess of 180 days per calendar year.

2 Notwithstanding any other provision of law, any school  
3 district receiving a payment under this Section or under  
4 Section 14-7.02, 14-7.02b, or 29-5 of this Code may classify  
5 all or a portion of the funds that it receives in a particular  
6 fiscal year or from general State aid pursuant to Section  
7 18-8.05 of this Code as funds received in connection with any  
8 funding program for which it is entitled to receive funds from  
9 the State in that fiscal year (including, without limitation,  
10 any funding program referenced in this Section), regardless of  
11 the source or timing of the receipt. The district may not  
12 classify more funds as funds received in connection with the  
13 funding program than the district is entitled to receive in  
14 that fiscal year for that program. Any classification by a  
15 district must be made by a resolution of its board of  
16 education. The resolution must identify the amount of any  
17 payments or general State aid to be classified under this  
18 paragraph and must specify the funding program to which the  
19 funds are to be treated as received in connection therewith.  
20 This resolution is controlling as to the classification of  
21 funds referenced therein. A certified copy of the resolution  
22 must be sent to the State Superintendent of Education. The  
23 resolution shall still take effect even though a copy of the  
24 resolution has not been sent to the State Superintendent of  
25 Education in a timely manner. No classification under this  
26 paragraph by a district shall affect the total amount or timing

1 of money the district is entitled to receive under this Code.  
2 No classification under this paragraph by a district shall in  
3 any way relieve the district from or affect any requirements  
4 that otherwise would apply with respect to that funding  
5 program, including any accounting of funds by source, reporting  
6 expenditures by original source and purpose, reporting  
7 requirements, or requirements of providing services.

8 (Source: P.A. 95-415, eff. 8-24-07; 95-707, eff. 1-11-08.)

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law."