

1 AN ACT concerning State government.

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

4 Section 5. The Personnel Code is amended by changing
5 Section 4d as follows:

6 (20 ILCS 415/4d) (from Ch. 127, par. 63b104d)

7 Sec. 4d. Partial exemptions. The following positions in
8 State service are exempt from jurisdictions A, B, and C to the
9 extent stated for each, unless those jurisdictions are
10 extended as provided in this Act:

11 (1) In each department, board or commission that now
12 maintains or may hereafter maintain a major administrative
13 division, service or office in both Sangamon County and
14 Cook County, 2 private secretaries for the director or
15 chairman thereof, one located in the Cook County office
16 and the other located in the Sangamon County office, shall
17 be exempt from jurisdiction B; in all other departments,
18 boards and commissions one private secretary for the
19 director or chairman thereof shall be exempt from
20 jurisdiction B. In all departments, boards and commissions
21 one confidential assistant for the director or chairman
22 thereof shall be exempt from jurisdiction B. This
23 paragraph is subject to such modifications or waiver of

1 the exemptions as may be necessary to assure the
2 continuity of federal contributions in those agencies
3 supported in whole or in part by federal funds.

4 (2) The resident administrative head of each State
5 charitable, penal and correctional institution, the
6 chaplains thereof, and all member, patient and inmate
7 employees are exempt from jurisdiction B.

8 (3) The Civil Service Commission, upon written
9 recommendation of the Director of Central Management
10 Services, shall exempt from jurisdiction B other positions
11 which, in the judgment of the Commission, involve either
12 principal administrative responsibility for the
13 determination of policy or principal administrative
14 responsibility for the way in which policies are carried
15 out, except positions in agencies which receive federal
16 funds if such exemption is inconsistent with federal
17 requirements, and except positions in agencies supported
18 in whole by federal funds.

19 (4) All individuals in positions paid in accordance
20 with prevailing wage laws, as well as beauticians and
21 teachers of beauty culture and teachers of barbering.

22 (5) Licensed attorneys in positions as legal or
23 technical advisors; positions in the Department of Natural
24 Resources requiring incumbents to be either a registered
25 professional engineer or to hold a bachelor's degree in
26 engineering from a recognized college or university;

1 licensed physicians in positions of medical administrator
2 or physician or physician specialist (including
3 psychiatrists); all positions within the Department of
4 Juvenile Justice requiring licensure by the State Board of
5 Education under Article 21B of the School Code; all
6 positions within the Illinois School for the Deaf and the
7 Illinois School for the Blind ~~Visually Impaired~~ requiring
8 licensure by the State Board of Education under Article
9 21B of the School Code and all rehabilitation/mobility
10 instructors and rehabilitation/mobility instructor
11 trainees at the Illinois School for the Blind ~~Visually~~
12 ~~Impaired~~; and registered nurses (except those registered
13 nurses employed by the Department of Public Health);
14 except those in positions in agencies which receive
15 federal funds if such exemption is inconsistent with
16 federal requirements and except those in positions in
17 agencies supported in whole by federal funds, are exempt
18 from jurisdiction B only to the extent that the
19 requirements of Section 8b.1, 8b.3 and 8b.5 of this Code
20 need not be met.

21 (6) All positions established outside the geographical
22 limits of the State of Illinois to which appointments of
23 other than Illinois citizens may be made are exempt from
24 jurisdiction B.

25 (7) Staff attorneys reporting directly to individual
26 Commissioners of the Illinois Workers' Compensation

1 Commission are exempt from jurisdiction B.

2 (8) (Blank).

3 (Source: P.A. 103-108, eff. 6-27-23.)

4 Section 10. The Rehabilitation of Persons with
5 Disabilities Act is amended by changing Sections 10, 10a, 13,
6 and 17 as follows:

7 (20 ILCS 2405/10) (from Ch. 23, par. 3441)

8 Sec. 10. Residential schools; visual and hearing
9 disabilities.

10 (a) The Department of Human Services shall operate
11 residential schools for the education of children with visual
12 and hearing disabilities who are unable to take advantage of
13 the regular educational facilities provided in the community,
14 and shall provide in connection therewith such academic,
15 vocational, and related services as may be required. Children
16 shall be eligible for admission to these schools only after
17 proper diagnosis and evaluation, in accordance with procedures
18 prescribed by the Department.

19 (a-5) The Superintendent of the Illinois School for the
20 Deaf shall be the chief executive officer of, and shall be
21 responsible for the day to day operations of, the School, and
22 shall obtain educational and professional employees who are
23 certified by the Illinois State Board of Education or licensed
24 by the appropriate agency or entity to which licensing

1 authority has been delegated, as well as all other employees
2 of the School, subject to the provisions of the Personnel Code
3 and any applicable collective bargaining agreement. The
4 Superintendent shall be appointed by the Governor, by and with
5 the advice and consent of the Senate. In the case of a vacancy
6 in the office of Superintendent during the recess of the
7 Senate, the Governor shall make a temporary appointment until
8 the next meeting of the Senate, when the Governor shall
9 nominate some person to fill the office, and any person so
10 nominated who is confirmed by the Senate shall hold office
11 during the remainder of the term and until his or her successor
12 is appointed and qualified. The Superintendent shall hold
13 office (i) for a term expiring on June 30 of 2015, and every 4
14 years thereafter and (ii) until the Superintendent's successor
15 is appointed and qualified. The Superintendent shall devote
16 his or her full time to the duties of the office, shall not
17 serve in any other capacity during his or her term of office,
18 and shall receive such compensation as the Governor shall
19 determine. The Superintendent shall have an administrative
20 certificate with a superintendent endorsement as provided for
21 under Section 21-7.1 of the School Code, and shall have a
22 degree in educational administration, together with at least
23 10 years of experience in either deaf or hard of hearing
24 education, the administration of deaf or hard of hearing
25 education, or a combination of the 2. Preference shall be
26 given to candidates with a degree in deaf education. The

1 Superintendent must be fluent in American Sign Language.

2 (a-10) The Superintendent of the Illinois School for the
3 Blind ~~Visually Impaired~~ shall be the chief executive officer
4 of, and shall be responsible for the day to day operations of,
5 the School, and shall obtain educational and professional
6 employees who are certified by the Illinois State Board of
7 Education or licensed by the appropriate agency or entity to
8 which licensing authority has been delegated, as well as all
9 other employees of the School, subject to the provisions of
10 the Personnel Code and any applicable collective bargaining
11 agreement. The Superintendent shall be appointed by the
12 Governor, by and with the advice and consent of the Senate. In
13 the case of a vacancy in the office of Superintendent during
14 the recess of the Senate, the Governor shall make a temporary
15 appointment until the next meeting of the Senate, when the
16 Governor shall nominate some person to fill the office, and
17 any person so nominated who is confirmed by the Senate shall
18 hold office during the remainder of the term and until his or
19 her successor is appointed and qualified. The Superintendent
20 shall hold office (i) for a term expiring on June 30 of 2015,
21 and every 4 years thereafter and (ii) until the
22 Superintendent's successor is appointed and qualified. The
23 Superintendent shall devote his or her full time to the duties
24 of the office, shall not serve in any other capacity during his
25 or her term of office, and shall receive such compensation as
26 the Governor shall determine. The Superintendent shall have an

1 administrative certificate with a superintendent endorsement
2 as provided for under Section 21-7.1 of the School Code, and
3 shall have a degree in educational administration, together
4 with at least 10 years of experience in either blind or
5 visually impaired education, the administration of blind or
6 visually impaired education, or a combination of the 2.
7 Preference shall be given to candidates with a degree in blind
8 or visually impaired education.

9 (b) In administering the Illinois School for the Deaf, the
10 Department shall adopt an admission policy which permits day
11 or residential enrollment, when resources are sufficient, of
12 children with hearing disabilities who are able to take
13 advantage of the regular educational facilities provided in
14 the community and thus unqualified for admission under
15 subsection (a). In doing so, the Department shall establish an
16 annual deadline by which shall be completed the enrollment of
17 children qualified under subsection (a) for admission to the
18 Illinois School for the Deaf. After the deadline, the Illinois
19 School for the Deaf may enroll other children with hearing
20 disabilities at the request of their parents or guardians if
21 the Department determines there are sufficient resources to
22 meet their needs as well as the needs of children enrolled
23 before the deadline and children qualified under subsection
24 (a) who may be enrolled after the deadline on an emergency
25 basis. The Department shall adopt any rules and regulations
26 necessary for the implementation of this subsection.

1 (c) In administering the Illinois School for the Blind
2 ~~Visually Impaired~~, the Department shall adopt an admission
3 policy that permits day or residential enrollment, when
4 resources are sufficient, of children with visual disabilities
5 who are able to take advantage of the regular educational
6 facilities provided in the community and thus unqualified for
7 admission under subsection (a). In doing so, the Department
8 shall establish an annual deadline by which the enrollment of
9 children qualified under subsection (a) for admission to the
10 Illinois School for the Blind ~~Visually Impaired~~ shall be
11 completed. After the deadline, the Illinois School for the
12 Blind ~~Visually Impaired~~ may enroll other children with visual
13 disabilities at the request of their parents or guardians if
14 the Department determines there are sufficient resources to
15 meet their needs as well as the needs of children enrolled
16 before the deadline and children qualified under subsection
17 (a) who may be enrolled after the deadline on an emergency
18 basis. The Department shall adopt any rules and regulations
19 necessary for the implementation of this subsection.

20 (Source: P.A. 102-196, eff. 7-30-21; 102-264, eff. 8-6-21.)

21 (20 ILCS 2405/10a)

22 Sec. 10a. Financial Participation of Students Attending
23 the Illinois School for the Deaf and the Illinois School for
24 the Blind ~~Visually Impaired~~.

25 (a) General. The Illinois School for the Deaf and the

1 Illinois School for the Blind ~~Visually Impaired~~ are required
2 to provide eligible students with disabilities with a free and
3 appropriate public education as required by Article 14 of the
4 Illinois School Code.

5 (b) Financial Participation. The Department shall
6 promulgate rules concerning fees for activities or services at
7 the schools with input from (i) the superintendent of each
8 school and (ii) Directors of Special Education from selected
9 Local Education Agencies who place students at the schools.
10 Parents or guardians of students attending the Illinois School
11 for the Deaf or the Illinois School for the Blind ~~Visually~~
12 ~~Impaired~~ may be asked to financially participate in the
13 following fees for services or activities provided at the
14 schools:

15 (1) Registration.

16 (2) Books, labs, and supplies (fees may vary depending
17 on the classes in which a student participates).

18 (3) Athletic or extracurricular activities (students
19 participating in multiple activities will not be required
20 to pay for more than 2 activities).

21 (4) Driver's education (if applicable).

22 (5) Graduation.

23 (6) Yearbook (optional).

24 (7) Activities (trips or leisure activities not
25 associated with classroom curriculum).

26 (8) Other activities or services identified by the

1 Department, pursuant to rule.

2 Exceptions may be granted to parents or guardians who are
3 unable to meet the financial participation obligations. The
4 Department shall promulgate rules concerning requests for
5 exception to the financial participation at the schools.

6 Any fees collected for activities or services identified
7 in (1) through (8) under this subsection (b) shall be held
8 locally by the school and used exclusively for the purpose for
9 which the fee was assessed. A separate locally held fund shall
10 be established by the Illinois School for the Deaf and the
11 Illinois School for the Blind ~~Visually Impaired~~ for this
12 purpose.

13 (c) (Blank).

14 (Source: P.A. 97-74, eff. 6-30-11; 97-664, eff. 1-13-12.)

15 (20 ILCS 2405/13) (from Ch. 23, par. 3444)

16 Sec. 13. The Department shall have all powers reasonable
17 and necessary for the administration of institutions for
18 persons with one or more disabilities under subsection (f) of
19 Section 3 of this Act, including, but not limited to, the
20 authority to do the following:

21 (a) Appoint and remove the superintendents of the
22 institutions operated by the Department, except for those
23 superintendents whose appointment and removal is provided for
24 under Section 10 of this Act; obtain all other employees
25 subject to the provisions of the Personnel Code, except for

1 educational and professional employees of the Illinois School
2 for the Deaf and the Illinois School for the Blind ~~Visually~~
3 ~~Impaired~~ who are certified by the Illinois State Board of
4 Education or licensed by the appropriate agency or entity to
5 which licensing authority has been delegated, and all other
6 employees of the Schools who are obtained by the
7 superintendents as provided under Section 10 of this Act,
8 subject to the provisions of the Personnel Code and any
9 applicable collective bargaining agreement; and conduct staff
10 training programs for the development and improvement of
11 services.

12 (b) Provide supervision, housing accommodations, board or
13 the payment of boarding costs, tuition, and treatment free of
14 charge, except as otherwise specified in this Act, for
15 residents of this State who are cared for in any institution,
16 or for persons receiving services under any program under the
17 jurisdiction of the Department. Residents of other states may
18 be admitted upon payment of the costs of board, tuition, and
19 treatment as determined by the Department; provided, that no
20 resident of another state shall be received or retained to the
21 exclusion of any resident of this State. The Department shall
22 accept any donation for the board, tuition, and treatment of
23 any person receiving service or care.

24 (c) Cooperate with the State Board of Education and the
25 Department of Children and Family Services in a program to
26 provide for the placement, supervision, and foster care of

1 children with disabilities who must leave their home community
2 in order to attend schools offering programs in special
3 education.

4 (d) Assess and collect (i) student activity fees and (ii)
5 charges to school districts for transportation of students
6 required under the School Code and provided by the Department.
7 The Department shall direct the expenditure of all money that
8 has been or may be received by any officer of the several State
9 institutions under the direction and supervision of the
10 Department as profit on sales from commissary stores, student
11 activity fees, or charges for student transportation. The
12 money shall be deposited into a locally held fund and expended
13 under the direction of the Department for the special comfort,
14 pleasure, and amusement of residents and employees and the
15 transportation of residents, provided that amounts expended
16 for comfort, pleasure, and amusement of employees shall not
17 exceed the amount of profits derived from sales made to
18 employees by the commissaries, as determined by the
19 Department.

20 Funds deposited with State institutions under the
21 direction and supervision of the Department by or for
22 residents of those State institutions shall be deposited into
23 interest-bearing accounts, and money received as interest and
24 income on those funds shall be deposited into a "needy student
25 fund" to be held and administered by the institution. Money in
26 the "needy student fund" shall be expended for the special

1 comfort, pleasure, and amusement of the residents of the
2 particular institution where the money is paid or received.

3 Any money belonging to residents separated by death,
4 discharge, or unauthorized absence from institutions described
5 under this Section, in custody of officers of the
6 institutions, may, if unclaimed by the resident or the legal
7 representatives of the resident for a period of 2 years, be
8 expended at the direction of the Department for the purposes
9 and in the manner specified in this subsection (d). Articles
10 of personal property, with the exception of clothing left in
11 the custody of those officers, shall, if unclaimed for the
12 period of 2 years, be sold and the money disposed of in the
13 same manner.

14 Clothing left at the institution by residents at the time
15 of separation may be used as determined by the institution if
16 unclaimed by the resident or legal representatives of the
17 resident within 30 days after notification.

18 (e) Keep, for each institution under the jurisdiction of
19 the Department, a register of the number of officers,
20 employees, and residents present each day in the year, in a
21 form that will permit a calculation of the average number
22 present each month.

23 (f) (Blank).

24 (g) (Blank).

25 (h) (Blank).

26 (i) Accept and hold in behalf of the State, if for the

1 public interest, a grant, gift, or legacy of money or property
2 to the State of Illinois, to the Department, or to any
3 institution or program of the Department made in trust for the
4 maintenance or support of a resident of an institution of the
5 Department, or for any other legitimate purpose connected with
6 any such institution or program. The Department shall cause
7 each gift, grant, or legacy to be kept as a distinct fund, and
8 shall invest the gift, grant, or legacy in the manner provided
9 by the laws of this State as those laws now exist or shall
10 hereafter be enacted relating to securities in which the
11 deposits in savings banks may be invested. The Department may,
12 however, in its discretion, deposit in a proper trust company
13 or savings bank, during the continuance of the trust, any fund
14 so left in trust for the life of a person and shall adopt rules
15 and regulations governing the deposit, transfer, or withdrawal
16 of the fund. The Department shall, on the expiration of any
17 trust as provided in any instrument creating the trust,
18 dispose of the fund thereby created in the manner provided in
19 the instrument. The Department shall include in its required
20 reports a statement showing what funds are so held by it and
21 the condition of the funds. Monies found on residents at the
22 time of their admission, or accruing to them during their
23 period of institutional care, and monies deposited with the
24 superintendents by relatives, guardians, or friends of
25 residents for the special comfort and pleasure of a resident,
26 shall remain in the possession of the superintendents, who

1 shall act as trustees for disbursement to, in behalf of, or for
2 the benefit of the resident. All types of retirement and
3 pension benefits from private and public sources may be paid
4 directly to the superintendent of the institution where the
5 person is a resident, for deposit to the resident's trust fund
6 account.

7 (j) Appoint, subject to the Personnel Code, persons to be
8 members of a police and security force. Members of the police
9 and security force shall be peace officers and as such have all
10 powers possessed by policemen in cities and sheriffs,
11 including the power to make arrests on view or warrants of
12 violations of State statutes or city or county ordinances.
13 These powers may, however, be exercised only in counties of
14 more than 500,000 population when required for the protection
15 of Department properties, interests, and personnel, or
16 specifically requested by appropriate State or local law
17 enforcement officials. Members of the police and security
18 force may not serve and execute civil processes.

19 (k) Maintain, and deposit receipts from the sale of
20 tickets to athletic, musical, and other events, fees for
21 participation in school sponsored tournaments and events, and
22 revenue from student activities relating to charges for art
23 and woodworking projects, charges for automobile repairs, and
24 other revenue generated from student projects into, locally
25 held accounts not to exceed \$20,000 per account for the
26 purposes of (i) providing immediate payment to officials,

1 judges, and athletic referees for their services rendered and
2 for other related expenses at school sponsored contests,
3 tournaments, or events, (ii) providing payment for expenses
4 related to student revenue producing activities such as art
5 and woodworking projects, automotive repair work, and other
6 student activities or projects that generate revenue and incur
7 expenses, and (iii) providing students who are enrolled in an
8 independent living program with cash so that they may fulfill
9 course objectives by purchasing commodities and other required
10 supplies.

11 (1) Advance moneys from its appropriations to be
12 maintained in locally held accounts at the schools to
13 establish (i) a "Student Compensation Account" to pay students
14 for work performed under the student work program, and (ii) a
15 "Student Activity Travel Account" to pay transportation,
16 meals, and lodging costs of students, coaches, and activity
17 sponsors while traveling off campus for sporting events,
18 lessons, and other activities directly associated with the
19 representation of the school. Funds in the "Student
20 Compensation Account" shall not exceed \$20,000, and funds in
21 the "Student Activity Travel Account" shall not exceed
22 \$200,000.

23 (1-5) Establish a locally held account (referred to as the
24 Account) to hold, maintain and administer the
25 Therkelsen/Hansen College Loan Fund (referred to as the Fund).
26 All cash represented by the Fund shall be transferred from the

1 State Treasury to the Account. The Department shall promulgate
2 rules regarding the maintenance and use of the Fund and all
3 interest earned thereon; the eligibility of potential
4 borrowers from the Fund; and the awarding and repayment of
5 loans from the Fund; and other rules as applicable regarding
6 the Fund. The administration of the Fund and the promulgation
7 of rules regarding the Fund shall be consistent with the will
8 of Petrea Therkelsen, which establishes the Fund.

9 (m) Promulgate rules of conduct applicable to the
10 residents of institutions for persons with one or more
11 disabilities. The rules shall include specific standards to be
12 used by the Department to determine (i) whether financial
13 restitution shall be required in the event of losses or
14 damages resulting from a resident's action and (ii) the
15 ability of the resident and the resident's parents to pay
16 restitution.

17 (Source: P.A. 99-143, eff. 7-27-15.)

18 (20 ILCS 2405/17) (from Ch. 23, par. 3448)

19 Sec. 17. Child Abuse and Neglect Reports.

20 (a) All applicants for employment at the Illinois School
21 for the Blind ~~Visually Impaired~~, the Illinois School for the
22 Deaf, the Illinois Center for the Rehabilitation and
23 Education-Roosevelt, and the Illinois Center for the
24 Rehabilitation and Education-Wood shall as a condition of
25 employment authorize, in writing on a form prescribed by the

1 Department of Children and Family Services, an investigation
2 of the Central Register, as defined in the Abused and
3 Neglected Child Reporting Act, to ascertain if the applicant
4 has been determined to be a perpetrator in an indicated report
5 of child abuse or neglect.

6 (b) The information concerning a prospective employee
7 obtained by the Department shall be confidential and exempt
8 from public inspection and copying, as provided under Section
9 7 of The Freedom of Information Act, and the information shall
10 not be transmitted outside the Department, except as provided
11 in the Abused and Neglected Child Reporting Act, and shall not
12 be transmitted to anyone within the Department except as
13 needed for the purposes of evaluation of an application for
14 employment.

15 (Source: P.A. 104-270, eff. 8-15-25.)

16 Section 15. The School Code is amended by changing Section
17 14-8.02 as follows:

18 (105 ILCS 5/14-8.02)

19 Sec. 14-8.02. Identification, evaluation, and placement of
20 children.

21 (a) The State Board of Education shall make rules under
22 which local school boards shall determine the eligibility of
23 children to receive special education. Such rules shall ensure
24 that a free appropriate public education be available to all

1 children with disabilities as defined in Section 14-1.02. The
2 State Board of Education shall require local school districts
3 to administer non-discriminatory procedures or tests to
4 English learners coming from homes in which a language other
5 than English is used to determine their eligibility to receive
6 special education. The placement of low English proficiency
7 students in special education programs and facilities shall be
8 made in accordance with the test results reflecting the
9 student's linguistic, cultural and special education needs.
10 For purposes of determining the eligibility of children the
11 State Board of Education shall include in the rules
12 definitions of "case study", "staff conference",
13 "individualized educational program", and "qualified
14 specialist" appropriate to each category of children with
15 disabilities as defined in this Article. For purposes of
16 determining the eligibility of children from homes in which a
17 language other than English is used, the State Board of
18 Education shall include in the rules definitions for
19 "qualified bilingual specialists" and "linguistically and
20 culturally appropriate individualized educational programs".
21 For purposes of this Section, as well as Sections 14-8.02a,
22 14-8.02b, and 14-8.02c of this Code, "parent" means a parent
23 as defined in the federal Individuals with Disabilities
24 Education Act (20 U.S.C. 1401(23)).

25 (b) No child shall be eligible for special education
26 facilities except with a carefully completed case study fully

1 reviewed by professional personnel in a multidisciplinary
2 staff conference and only upon the recommendation of qualified
3 specialists or a qualified bilingual specialist, if available.
4 At the conclusion of the multidisciplinary staff conference,
5 the parent of the child and, if the child is in the legal
6 custody of the Department of Children and Family Services, the
7 Department's Office of Education and Transition Services shall
8 be given a copy of the multidisciplinary conference summary
9 report and recommendations, which includes options considered,
10 and, in the case of the parent, be informed of his or her right
11 to obtain an independent educational evaluation if he or she
12 disagrees with the evaluation findings conducted or obtained
13 by the school district. If the school district's evaluation is
14 shown to be inappropriate, the school district shall reimburse
15 the parent for the cost of the independent evaluation. The
16 State Board of Education shall, with advice from the State
17 Advisory Council on Education of Children with Disabilities on
18 the inclusion of specific independent educational evaluators,
19 prepare a list of suggested independent educational
20 evaluators. The State Board of Education shall include on the
21 list clinical psychologists licensed pursuant to the Clinical
22 Psychologist Licensing Act. Such psychologists shall not be
23 paid fees in excess of the amount that would be received by a
24 school psychologist for performing the same services. The
25 State Board of Education shall supply school districts with
26 such list and make the list available to parents at their

1 request. School districts shall make the list available to
2 parents at the time they are informed of their right to obtain
3 an independent educational evaluation. However, the school
4 district may initiate an impartial due process hearing under
5 this Section within 7 school days of any written parent
6 request for an independent educational evaluation to show that
7 its evaluation is appropriate. If the final decision is that
8 the evaluation is appropriate, the parent still has a right to
9 an independent educational evaluation, but not at public
10 expense. An independent educational evaluation at public
11 expense must be completed within 60 school days of a parent's
12 written request unless the school district initiates an
13 impartial due process hearing or the parent or school district
14 offers reasonable grounds to show that such time period should
15 be extended. If the due process hearing decision indicates
16 that the parent is entitled to an independent educational
17 evaluation, it must be completed within 60 school days of the
18 decision unless the parent or the school district offers
19 reasonable grounds to show that such period should be
20 extended. If a parent disagrees with the summary report or
21 recommendations of the multidisciplinary conference or the
22 findings of any educational evaluation which results
23 therefrom, the school district shall not proceed with a
24 placement based upon such evaluation and the child shall
25 remain in his or her regular classroom setting. No child shall
26 be eligible for admission to a special class for children with

1 a mental disability who are educable or for children with a
2 mental disability who are trainable except with a
3 psychological evaluation and recommendation by a school
4 psychologist. Consent shall be obtained from the parent of a
5 child before any evaluation is conducted. If consent is not
6 given by the parent or if the parent disagrees with the
7 findings of the evaluation, then the school district may
8 initiate an impartial due process hearing under this Section.
9 The school district may evaluate the child if that is the
10 decision resulting from the impartial due process hearing and
11 the decision is not appealed or if the decision is affirmed on
12 appeal. The determination of eligibility shall be made and the
13 IEP meeting shall be completed within 60 school days from the
14 date of written parental consent. In those instances when
15 written parental consent is obtained with fewer than 60 pupil
16 attendance days left in the school year, the eligibility
17 determination shall be made and the IEP meeting shall be
18 completed prior to the first day of the following school year.
19 Special education and related services must be provided in
20 accordance with the student's IEP no later than 10 school
21 attendance days after notice is provided to the parents
22 pursuant to Section 300.503 of Title 34 of the Code of Federal
23 Regulations and implementing rules adopted by the State Board
24 of Education. The appropriate program pursuant to the
25 individualized educational program of students whose native
26 tongue is a language other than English shall reflect the

1 special education, cultural and linguistic needs. No later
2 than September 1, 1993, the State Board of Education shall
3 establish standards for the development, implementation and
4 monitoring of appropriate bilingual special individualized
5 educational programs. The State Board of Education shall
6 further incorporate appropriate monitoring procedures to
7 verify implementation of these standards. The district shall
8 indicate to the parent, the State Board of Education, and, if
9 applicable, the Department's Office of Education and
10 Transition Services the nature of the services the child will
11 receive for the regular school term while awaiting placement
12 in the appropriate special education class. At the child's
13 initial IEP meeting and at each annual review meeting, the
14 child's IEP team shall provide the child's parent or guardian
15 and, if applicable, the Department's Office of Education and
16 Transition Services with a written notification that informs
17 the parent or guardian or the Department's Office of Education
18 and Transition Services that the IEP team is required to
19 consider whether the child requires assistive technology in
20 order to receive free, appropriate public education. The
21 notification must also include a toll-free telephone number
22 and internet address for the State's assistive technology
23 program.

24 If the child is deaf, hard of hearing, blind, or visually
25 impaired or has an orthopedic impairment or physical
26 disability and he or she might be eligible to receive services

1 from the Illinois School for the Deaf, the Illinois School for
2 the Blind ~~Visually Impaired~~, the Illinois Center for
3 Rehabilitation and Education-Wood, or the Illinois Center for
4 Rehabilitation and Education-Roosevelt, the school district
5 shall notify the parents, in writing, of the existence of
6 these schools and the services they provide and shall make a
7 reasonable effort to inform the parents of the existence of
8 other, local schools that provide similar services and the
9 services that these other schools provide. This notification
10 shall include, without limitation, information on school
11 services, school admissions criteria, and school contact
12 information.

13 In the development of the individualized education program
14 for a student who has a disability on the autism spectrum
15 (which includes autistic disorder, Asperger's disorder,
16 pervasive developmental disorder not otherwise specified,
17 childhood disintegrative disorder, and Rett Syndrome, as
18 defined in the Diagnostic and Statistical Manual of Mental
19 Disorders, fourth edition (DSM-IV, 2000)), the IEP team shall
20 consider all of the following factors:

21 (1) The verbal and nonverbal communication needs of
22 the child.

23 (2) The need to develop social interaction skills and
24 proficiencies.

25 (3) The needs resulting from the child's unusual
26 responses to sensory experiences.

1 (4) The needs resulting from resistance to
2 environmental change or change in daily routines.

3 (5) The needs resulting from engagement in repetitive
4 activities and stereotyped movements.

5 (6) The need for any positive behavioral
6 interventions, strategies, and supports to address any
7 behavioral difficulties resulting from autism spectrum
8 disorder.

9 (7) Other needs resulting from the child's disability
10 that impact progress in the general curriculum, including
11 social and emotional development.

12 Public Act 95-257 does not create any new entitlement to a
13 service, program, or benefit, but must not affect any
14 entitlement to a service, program, or benefit created by any
15 other law.

16 If the student may be eligible to participate in the
17 Home-Based Support Services Program for Adults with Mental
18 Disabilities authorized under the Developmental Disability and
19 Mental Disability Services Act upon becoming an adult, the
20 student's individualized education program shall include plans
21 for (i) determining the student's eligibility for those
22 home-based services, (ii) enrolling the student in the program
23 of home-based services, and (iii) developing a plan for the
24 student's most effective use of the home-based services after
25 the student becomes an adult and no longer receives special
26 educational services under this Article. The plans developed

1 under this paragraph shall include specific actions to be
2 taken by specified individuals, agencies, or officials.

3 (c) In the development of the individualized education
4 program for a student who is functionally blind, it shall be
5 presumed that proficiency in Braille reading and writing is
6 essential for the student's satisfactory educational progress.
7 For purposes of this subsection, the State Board of Education
8 shall determine the criteria for a student to be classified as
9 functionally blind. Students who are not currently identified
10 as functionally blind who are also entitled to Braille
11 instruction include: (i) those whose vision loss is so severe
12 that they are unable to read and write at a level comparable to
13 their peers solely through the use of vision, and (ii) those
14 who show evidence of progressive vision loss that may result
15 in functional blindness. Each student who is functionally
16 blind shall be entitled to Braille reading and writing
17 instruction that is sufficient to enable the student to
18 communicate with the same level of proficiency as other
19 students of comparable ability. Instruction should be provided
20 to the extent that the student is physically and cognitively
21 able to use Braille. Braille instruction may be used in
22 combination with other special education services appropriate
23 to the student's educational needs. The assessment of each
24 student who is functionally blind for the purpose of
25 developing the student's individualized education program
26 shall include documentation of the student's strengths and

1 weaknesses in Braille skills. Each person assisting in the
2 development of the individualized education program for a
3 student who is functionally blind shall receive information
4 describing the benefits of Braille instruction. The
5 individualized education program for each student who is
6 functionally blind shall specify the appropriate learning
7 medium or media based on the assessment report.

8 (d) To the maximum extent appropriate, the placement shall
9 provide the child with the opportunity to be educated with
10 children who do not have a disability; provided that children
11 with disabilities who are recommended to be placed into
12 regular education classrooms are provided with supplementary
13 services to assist the children with disabilities to benefit
14 from the regular classroom instruction and are included on the
15 teacher's regular education class register. Subject to the
16 limitation of the preceding sentence, placement in special
17 classes, separate schools or other removal of the child with a
18 disability from the regular educational environment shall
19 occur only when the nature of the severity of the disability is
20 such that education in the regular classes with the use of
21 supplementary aids and services cannot be achieved
22 satisfactorily. The placement of English learners with
23 disabilities shall be in non-restrictive environments which
24 provide for integration with peers who do not have
25 disabilities in bilingual classrooms. Annually, each January,
26 school districts shall report data on students from

1 non-English speaking backgrounds receiving special education
2 and related services in public and private facilities as
3 prescribed in Section 2-3.30. If there is a disagreement
4 between parties involved regarding the special education
5 placement of any child, either in-state or out-of-state, the
6 placement is subject to impartial due process procedures
7 described in Article 10 of the Rules and Regulations to Govern
8 the Administration and Operation of Special Education.

9 (e) No child who comes from a home in which a language
10 other than English is the principal language used may be
11 assigned to any class or program under this Article until he
12 has been given, in the principal language used by the child and
13 used in his home, tests reasonably related to his cultural
14 environment. All testing and evaluation materials and
15 procedures utilized for evaluation and placement shall not be
16 linguistically, racially or culturally discriminatory.

17 (f) Nothing in this Article shall be construed to require
18 any child to undergo any physical examination or medical
19 treatment whose parents object thereto on the grounds that
20 such examination or treatment conflicts with his religious
21 beliefs.

22 (g) School boards or their designee shall provide to the
23 parents of a child or, if applicable, the Department of
24 Children and Family Services' Office of Education and
25 Transition Services prior written notice of any decision (a)
26 proposing to initiate or change, or (b) refusing to initiate

1 or change, the identification, evaluation, or educational
2 placement of the child or the provision of a free appropriate
3 public education to their child, and the reasons therefor. For
4 a parent, such written notification shall also inform the
5 parent of the opportunity to present complaints with respect
6 to any matter relating to the educational placement of the
7 student, or the provision of a free appropriate public
8 education and to have an impartial due process hearing on the
9 complaint. The notice shall inform the parents in the parents'
10 native language, unless it is clearly not feasible to do so, of
11 their rights and all procedures available pursuant to this Act
12 and the federal Individuals with Disabilities Education
13 Improvement Act of 2004 (Public Law 108-446); it shall be the
14 responsibility of the State Superintendent to develop uniform
15 notices setting forth the procedures available under this Act
16 and the federal Individuals with Disabilities Education
17 Improvement Act of 2004 (Public Law 108-446) to be used by all
18 school boards. The notice shall also inform the parents of the
19 availability upon request of a list of free or low-cost legal
20 and other relevant services available locally to assist
21 parents in initiating an impartial due process hearing. The
22 State Superintendent shall revise the uniform notices required
23 by this subsection (g) to reflect current law and procedures
24 at least once every 2 years. Any parent who is deaf or does not
25 normally communicate using spoken English and who participates
26 in a meeting with a representative of a local educational

1 agency for the purposes of developing an individualized
2 educational program or attends a multidisciplinary conference
3 shall be entitled to the services of an interpreter. The State
4 Board of Education must adopt rules to establish the criteria,
5 standards, and competencies for a bilingual language
6 interpreter who attends an individualized education program
7 meeting under this subsection to assist a parent who has
8 limited English proficiency.

9 (g-5) For purposes of this subsection (g-5), "qualified
10 professional" means an individual who holds credentials to
11 evaluate the child in the domain or domains for which an
12 evaluation is sought or an intern working under the direct
13 supervision of a qualified professional, including a master's
14 or doctoral degree candidate.

15 To ensure that a parent can participate fully and
16 effectively with school personnel in the development of
17 appropriate educational and related services for his or her
18 child, the parent, an independent educational evaluator, or a
19 qualified professional retained by or on behalf of a parent or
20 child must be afforded reasonable access to educational
21 facilities, personnel, classrooms, and buildings and to the
22 child as provided in this subsection (g-5). The requirements
23 of this subsection (g-5) apply to any public school facility,
24 building, or program and to any facility, building, or program
25 supported in whole or in part by public funds. Prior to
26 visiting a school, school building, or school facility, the

1 parent, independent educational evaluator, or qualified
2 professional may be required by the school district to inform
3 the building principal or supervisor in writing of the
4 proposed visit, the purpose of the visit, and the approximate
5 duration of the visit. The visitor and the school district
6 shall arrange the visit or visits at times that are mutually
7 agreeable. Visitors shall comply with school safety, security,
8 and visitation policies at all times. School district
9 visitation policies must not conflict with this subsection
10 (g-5). Visitors shall be required to comply with the
11 requirements of applicable privacy laws, including those laws
12 protecting the confidentiality of education records such as
13 the federal Family Educational Rights and Privacy Act and the
14 Illinois School Student Records Act. The visitor shall not
15 disrupt the educational process.

16 (1) A parent must be afforded reasonable access of
17 sufficient duration and scope for the purpose of observing
18 his or her child in the child's current educational
19 placement, services, or program or for the purpose of
20 visiting an educational placement or program proposed for
21 the child.

22 (2) An independent educational evaluator or a
23 qualified professional retained by or on behalf of a
24 parent or child must be afforded reasonable access of
25 sufficient duration and scope for the purpose of
26 conducting an evaluation of the child, the child's

1 performance, the child's current educational program,
2 placement, services, or environment, or any educational
3 program, placement, services, or environment proposed for
4 the child, including interviews of educational personnel,
5 child observations, assessments, tests or assessments of
6 the child's educational program, services, or placement or
7 of any proposed educational program, services, or
8 placement. If one or more interviews of school personnel
9 are part of the evaluation, the interviews must be
10 conducted at a mutually agreed-upon time, date, and place
11 that do not interfere with the school employee's school
12 duties. The school district may limit interviews to
13 personnel having information relevant to the child's
14 current educational services, program, or placement or to
15 a proposed educational service, program, or placement.

16 (h) In the development of the individualized education
17 program or federal Section 504 plan for a student, if the
18 student needs extra accommodation during emergencies,
19 including natural disasters or an active shooter situation,
20 then that accommodation shall be taken into account when
21 developing the student's individualized education program or
22 federal Section 504 plan.

23 (Source: P.A. 103-197, eff. 1-1-24; 103-605, eff. 7-1-24;
24 104-270, eff. 8-15-25; 104-368, eff. 1-1-26; revised 9-12-25.)

25 Section 20. The School Safety Drill Act is amended by

1 changing Section 50 as follows:

2 (105 ILCS 128/50)

3 Sec. 50. Crisis response mapping data grants.

4 (a) Subject to appropriation, a public school district, a
5 charter school, a special education cooperative or district,
6 an education for employment system, a State-approved area
7 career center, a public university laboratory school, the
8 Illinois Mathematics and Science Academy, the Department of
9 Juvenile Justice School District, a regional office of
10 education, the Illinois School for the Deaf, the Illinois
11 School for the Blind ~~Visually Impaired~~, the Philip J. Rock
12 Center and School, an early childhood or preschool program
13 supported by the Early Childhood Block Grant, or any other
14 public school entity designated by the State Board of
15 Education by rule, may apply to the State Board of Education or
16 the State Board's designee for a grant to obtain crisis
17 response mapping data and to provide copies of the crisis
18 response mapping data to appropriate local, county, State, and
19 federal first responders for use in response to emergencies.
20 The crisis response mapping data shall be stored and provided
21 in an electronic or digital format to assist first responders
22 in responding to emergencies at the school.

23 (b) Subject to appropriation, including funding for any
24 administrative costs reasonably incurred by the State Board of
25 Education or the State Board's designee in the administration

1 of the grant program described by this Section, the State
2 Board shall provide grants to any entity in subsection (a)
3 upon approval of an application submitted by the entity to
4 cover the costs incurred in obtaining crisis response mapping
5 data under this Section. The grant application must include
6 crisis response mapping data for all schools under the
7 jurisdiction of the entity submitting the application,
8 including, in the case of a public school district, any
9 charter schools authorized by the school board for the school
10 district.

11 (c) To be eligible for a grant under this Section, the
12 crisis response mapping data must, at a minimum:

13 (1) be compatible and integrate into security software
14 platforms in use by the specific school for which the data
15 is provided without requiring local law enforcement
16 agencies or the school district to purchase additional
17 software or requiring the integration of third-party
18 software to view the data;

19 (2) be compatible with security software platforms in
20 use by the specific school for which the data is provided
21 without requiring local public safety agencies or the
22 school district to purchase additional software or
23 requiring the integration of third-party software to view
24 the data;

25 (3) be capable of being provided in a printable
26 format;

1 (4) be verified for accuracy by an on-site
2 walk-through of the school building and grounds;

3 (5) be oriented to true north;

4 (6) be overlaid on current aerial imagery or plans of
5 the school building;

6 (7) contain site-specific labeling that matches the
7 structure of the school building, including room labels,
8 hallway names, and external door or stairwell numbers and
9 the location of hazards, critical utilities, key boxes,
10 automated external defibrillators, and trauma kits, and
11 that matches the school grounds, including parking areas,
12 athletic fields, surrounding roads, and neighboring
13 properties; and

14 (8) be overlaid with gridded x/y coordinates.

15 (d) Subject to appropriation, the crisis response mapping
16 data may be reviewed annually to update the data as necessary.

17 (e) Crisis response mapping data obtained pursuant to this
18 Section are confidential and exempt from disclosure under the
19 Freedom of Information Act.

20 (f) The State Board may adopt rules to implement the
21 provisions of this Section.

22 (Source: P.A. 103-8, eff. 6-7-23; 103-605, eff. 7-1-24;
23 103-780, eff. 8-2-24.)

24 Section 25. The Illinois Educational Labor Relations Act
25 is amended by changing Section 2 as follows:

1 (115 ILCS 5/2) (from Ch. 48, par. 1702)

2 Sec. 2. Definitions. As used in this Act:

3 (a) "Educational employer" or "employer" means the
4 governing body of a public school district, including the
5 governing body of a charter school established under Article
6 27A of the School Code or of a contract school or contract
7 turnaround school established under paragraph 30 of Section
8 34-18 of the School Code, combination of public school
9 districts, including the governing body of joint agreements of
10 any type formed by 2 or more school districts, public
11 community college district or State college or university, a
12 subcontractor of instructional services of a school district
13 (other than a school district organized under Article 34 of
14 the School Code), combination of school districts, charter
15 school established under Article 27A of the School Code, or
16 contract school or contract turnaround school established
17 under paragraph 30 of Section 34-18 of the School Code, an
18 Independent Authority created under Section 2-3.25f-5 of the
19 School Code, and any State agency whose major function is
20 providing educational services. "Educational employer" or
21 "employer" does not include (1) a Financial Oversight Panel
22 created pursuant to Section 1A-8 of the School Code due to a
23 district violating a financial plan or (2) an approved
24 nonpublic special education facility that contracts with a
25 school district or combination of school districts to provide

1 special education services pursuant to Section 14-7.02 of the
2 School Code, but does include a School Finance Authority
3 created under Article 1E of the School Code and a Financial
4 Oversight Panel created under Article 1B or 1H of the School
5 Code. The change made by Public Act 96-104 to this paragraph
6 (a) to make clear that the governing body of a charter school
7 is an educational employer is declaratory of existing law.

8 (b) "Educational employee" or "employee" means any
9 individual, excluding supervisors, managerial, confidential,
10 short term employees, student, and part-time academic
11 employees of community colleges employed full or part time by
12 an educational employer, but shall not include elected
13 officials and appointees of the Governor with the advice and
14 consent of the Senate, firefighters as defined by subsection
15 (g-1) of Section 3 of the Illinois Public Labor Relations Act,
16 and peace officers employed by a State university. However,
17 with respect to an educational employer of a school district
18 organized under Article 34 of the School Code, a supervisor
19 shall be considered an educational employee under this
20 definition unless the supervisor is also a managerial
21 employee. For the purposes of this Act, part-time academic
22 employees of community colleges shall be defined as those
23 employees who provide less than 3 credit hours of instruction
24 per academic semester. In this subsection (b), the term
25 "student" does not include graduate students who are research
26 assistants primarily performing duties that involve research,

1 graduate assistants primarily performing duties that are
2 pre-professional, graduate students who are teaching
3 assistants primarily performing duties that involve the
4 delivery and support of instruction, or any other graduate
5 assistants.

6 (c) "Employee organization" or "labor organization" means
7 an organization of any kind in which membership includes
8 educational employees, and which exists for the purpose, in
9 whole or in part, of dealing with employers concerning
10 grievances, employee-employer disputes, wages, rates of pay,
11 hours of employment, or conditions of work, but shall not
12 include any organization which practices discrimination in
13 membership because of race, color, creed, age, gender,
14 national origin or political affiliation.

15 (d) "Exclusive representative" means the labor
16 organization which has been designated by the Illinois
17 Educational Labor Relations Board as the representative of the
18 majority of educational employees in an appropriate unit, or
19 recognized by an educational employer prior to January 1, 1984
20 as the exclusive representative of the employees in an
21 appropriate unit or, after January 1, 1984, recognized by an
22 employer upon evidence that the employee organization has been
23 designated as the exclusive representative by a majority of
24 the employees in an appropriate unit.

25 (e) "Board" means the Illinois Educational Labor Relations
26 Board.

1 (f) "Regional Superintendent" means the regional
2 superintendent of schools provided for in Articles 3 and 3A of
3 The School Code.

4 (g) "Supervisor" means any individual having authority in
5 the interests of the employer to hire, transfer, suspend, lay
6 off, recall, promote, discharge, reward or discipline other
7 employees within the appropriate bargaining unit and adjust
8 their grievances, or to effectively recommend such action if
9 the exercise of such authority is not of a merely routine or
10 clerical nature but requires the use of independent judgment.
11 The term "supervisor" includes only those individuals who
12 devote a preponderance of their employment time to such
13 exercising authority.

14 (h) "Unfair labor practice" or "unfair practice" means any
15 practice prohibited by Section 14 of this Act.

16 (i) "Person" includes an individual, educational employee,
17 educational employer, legal representative, or employee
18 organization.

19 (j) "Wages" means salaries or other forms of compensation
20 for services rendered.

21 (k) "Professional employee" means, in the case of a public
22 community college, State college or university, State agency
23 whose major function is providing educational services, the
24 Illinois School for the Deaf, and the Illinois School for the
25 Blind ~~Visually Impaired~~, (1) any employee engaged in work (i)
26 predominantly intellectual and varied in character as opposed

1 to routine mental, manual, mechanical, or physical work; (ii)
2 involving the consistent exercise of discretion and judgment
3 in its performance; (iii) of such character that the output
4 produced or the result accomplished cannot be standardized in
5 relation to a given period of time; and (iv) requiring
6 knowledge of an advanced type in a field of science or learning
7 customarily acquired by a prolonged course of specialized
8 intellectual instruction and study in an institution of higher
9 learning or a hospital, as distinguished from a general
10 academic education or from an apprenticeship or from training
11 in the performance of routine mental, manual, or physical
12 processes; or (2) any employee, who (i) has completed the
13 courses of specialized intellectual instruction and study
14 described in clause (iv) of paragraph (1) of this subsection,
15 and (ii) is performing related work under the supervision of a
16 professional person to qualify himself or herself to become a
17 professional as defined in paragraph (1).

18 (l) "Professional employee" means, in the case of any
19 public school district, or combination of school districts
20 pursuant to joint agreement, any employee who has a license
21 issued under Article 21B of the School Code.

22 (m) "Unit" or "bargaining unit" means any group of
23 employees for which an exclusive representative is selected.

24 (n) "Confidential employee" means an employee, who (i) in
25 the regular course of his or her duties, assists and acts in a
26 confidential capacity to persons who formulate, determine and

1 effectuate management policies with regard to labor relations
2 or who (ii) in the regular course of his or her duties has
3 access to information relating to the effectuation or review
4 of the employer's collective bargaining policies.

5 (o) "Managerial employee" means, with respect to an
6 educational employer other than an educational employer of a
7 school district organized under Article 34 of the School Code,
8 an individual who is engaged predominantly in executive and
9 management functions and is charged with the responsibility of
10 directing the effectuation of such management policies and
11 practices or, with respect to an educational employer of a
12 school district organized under Article 34 of the School Code,
13 an individual who has a significant role in the negotiation of
14 collective bargaining agreements or who formulates and
15 determines employer-wide management policies and practices.
16 "Managerial employee" includes a general superintendent of
17 schools provided for under Section 34-6 of the School Code.

18 (p) "Craft employee" means a skilled journeyman, craft
19 person, and his or her apprentice or helper.

20 (q) "Short-term employee" is an employee who is employed
21 for less than 2 consecutive calendar quarters during a
22 calendar year and who does not have a reasonable expectation
23 that he or she will be rehired by the same employer for the
24 same service in a subsequent calendar year. Nothing in this
25 subsection shall affect the employee status of individuals who
26 were covered by a collective bargaining agreement on January

1 1, 1992 (the effective date of Public Act 87-736).

2 The changes made to this Section by Public Act 102-1138
3 may not be construed to void or change the powers and duties
4 given to local school councils under Section 34-2.3 of the
5 School Code.

6 (Source: P.A. 102-894, eff. 5-20-22; 102-1071, eff. 6-10-22;
7 102-1138, eff. 2-10-23; 103-605, eff. 7-1-24.)

8 Section 30. The MRSA Prevention, Control, and Reporting
9 Act is amended by changing Section 5 as follows:

10 (410 ILCS 120/5)

11 Sec. 5. Definition. In this Act, "State residential
12 facility" or "facility" means: any Department of Human
13 Services operated residential facility, including any State
14 mental health hospital, State developmental center, or State
15 residential school for the deaf and blind ~~visually impaired~~;
16 any Department of Corrections operated correctional center,
17 work camp or boot camp; and any Department of Juvenile Justice
18 operated juvenile center or boot camp.

19 (Source: P.A. 96-438, eff. 8-14-09.)