

AN ACT concerning education.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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