

Bills followed by ISHA that have been signed into law by the Governor as of 9/1/2011

Source: www.ilga.gov & Jim Morphey, ISHA Lobbyist

Public Act 97-0284 (HB0189)

Amends the School Code by redefining the term “general education” classroom for special education students who receive services in general education classrooms. “With respect to any State statute or administrative rule that defines a general education classroom to be composed of a certain percentage of students with Individualized Education Programs (IEPs), students with IEPs shall exclude students receiving only speech services outside of the general education classroom, provided that the instruction the students receive in the general education classroom does not require modification.” Effective immediately.

Public Act 97-0294 (HB0192)

Amends the Stalking No Contact Order Act, the Civil No Contact Order Act and Illinois Domestic Violence Act of 1986. Describes provisions for educational placement of the respondent to a stalking no contact order, civil no contact order or order of protection. (The provisions relating to respondents who receive special education services pursuant to an IEP were removed from the bill by amendment.) Effective 1/1/2012.

Public Act 97-0204 (HB0200)

Amends the Park District Code and the School Code. Park districts are encouraged to provide educational materials on the nature and risk of concussion and head injuries (including information on removing injured athletes from play) to residents. Specifies requirements for school boards in relation to student athlete concussions and head injuries including adoption of a policy that complies with that of the Illinois High School Association, inclusion of the district’s concussion/head injury policy on agreements/contracts, etc. signed by athletes and parents, and provision of materials for school districts to use in educating coaches, athletes, parents, etc. about concussion and head injury, and the dangers involved in continuing to play following such injury. Effective 7/28/2011.

Public Act 97-0156 (HB1271)

Specifies that the licenses of health care workers may be permanently revoked without a hearing if they have been convicted of a criminal act that requires them to register as a sex offender, if they have been convicted of criminal battery against a patient during care/treatment or convicted of a forcible felony, etc. Those who have been convicted of such crimes or who are required to register as a sex offender cannot receive an Illinois health care worker license. Describes provisions for notification of patients regarding criminal charges against health care workers, and describes the rights of accused licensees. Effective 8/20/2011.

Public Act 97-0169 (HB1425)

Creates the Electronic Health Record Incentive Fund in which federal money received by DHFS for payments to health care providers to encourage use of electronic health care technology, will be deposited. Effective 7/22/2011.

Public Act 97-0437 (HB1530)

Amends the IL Insurance Code. Group insurance policies shall offer treatment/services for mental, emotional and nervous disorders/conditions... consistent with health parity requirements of the law. Includes provision for encouraging patients to confer with their primary care physician regarding treatment, and written notification to primary care physician that services are being provided. (Licensed SLPs are among the professionals listed in this law that may provide treatment). Effective 8/18/2011.

Public Act 97-0123 (HB1706)

Amends the Children with Disabilities Article of the School Code. Describes provisions for instructing children with medical conditions in a hospital/home setting. Effective 7/14/2011.

Public Act 97-0387 (SB0106)

Amends the Abused and Neglected Child Reporting Act. Provides that the privileged quality of communication between any professional person required to report a suspected case of child abuse or neglect and his or her patient/client does not constitute grounds for failure to share information or documents with the Department of Children and Family Services during the course of a child abuse or neglect investigation. Provides that written reports from those required to report are admissible in evidence in judicial proceedings or administrative hearings relating to child abuse or neglect, etc. Effective 8/15/2011.

Public Act 97-0410 (HB3010)

Amends the Illinois Human Rights Act. Provides that the definition of "disability" also includes any mental, psychological, or developmental disability, including autism spectrum disorders. Effective 1/1/2012

Public Act 97-0461 (SB1794)

Amends the School Code. "Removes a provision requiring the State Teacher Certification Board to categorically certify a special education teacher in one or more of certain specialized categories of disability if the special education teacher applies and qualifies for such certification. Provides instead that the State Board of Education and State Teacher Certification Board shall certify a special education teacher under (1) learning behavior specialist I; (2) learning behavior specialist II; (3) teacher of students who are blind or visually impaired; (4) teacher of students who are deaf or hard of hearing; (5) speech-language pathologist; or (6) early childhood special education teacher. Authorizes the State Board of Education to provide for the assignment of individuals to special education positions by short-term, emergency certification, which shall not be renewed." Effective 8/19/2011.

Public Act 97-0607 (SB1799)

Amends the School Code. Establishes educator licensure. Specifically, by July 1, 2013 the Illinois State Board of Education (ISBE) will have implemented a licensure procedure, "whereby individuals employed in school districts who are required to be licensed must have one of the following licenses: (i) a professional educator license; (ii) a professional educator license with stipulations; or (iii) a substitute teaching license." The professional educator license, "shall be endorsed with specific areas and grade levels in which the individual is eligible to practice (...) Individuals can receive subsequent endorsements on the professional educator license." In addition to the content area and grade level endorsements, ISBE will develop requirements for a variety of other endorsements including a special education

endorsement (areas include Learning Behavior Specialist I & II, Speech Language Pathologist, Blind or Visually Impaired, Deaf-Hard of Hearing and Early Childhood Special Education), and school support personnel endorsement (including school speech-language pathologist). The ISBE Legislative Liaison, Nicole Willis, sent Jim Morphew, ISHA Lobbyist, the following explanatory example: "Under the licensure system established by SB1799, there wouldn't be a change in what an individual is qualified to do. An individual would receive a professional educator license with a SLP endorsement for the appropriate grades. For example, an individual who currently has a Type 03 and a Type 09 certificate SLP endorsement would receive a SLP teaching K-8 endorsement and SLP teaching 9-12 endorsement on the professional educator license. And an individual that has a Type 10 certificate with SLP endorsement will receive a professional educator license with SLP teaching K-12 endorsement. In addition, individuals that currently have a school support personnel certificate (a Type 73) would receive a professional educator license with a SLP non-teaching K-12 endorsement." The act also contains provisions regarding educator qualifications, testing, requirements for educators trained in other countries and states, fees and renewal of licenses. The act repeals the current certification provisions during 2013, when the new educator licensure provisions take effect; ISBE will write the rules for implementation of the new law.

Jim Morphew, ISHA Lobbyist, continues to monitor SB0512, which is the bill that will be amended in the House with the pension language impacting state employees. If it passes the House, it goes back to the Senate for a concurrence vote, according to Jim.