

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 adding Section  
5 14-8.02j as follows:

6 (105 ILCS 5/14-8.02j new)

7 Sec. 14-8.02j. Timelines for addressing requests for  
8 disability accommodations under Section 504 of the federal  
9 Rehabilitation Act of 1973.

10 (a) In this Section:

11 "Health care provider" means a physician licensed to  
12 practice medicine in all of its branches, a licensed physician  
13 assistant, or a licensed advanced practice registered nurse.

14 "Individualized health care plan" means a document  
15 developed with the involvement of a school nurse or, if a  
16 school nurse is unavailable, a licensed nurse, that is  
17 implemented in the school setting for a student with a  
18 significant health condition who requires direct or indirect  
19 nursing services at school.

20 "Qualified provider" means a licensed, certified, or  
21 registered practitioner meeting State standards to deliver  
22 specific services.

23 (b) Within 14 school days after receiving a written

1 request for a federal Section 504 plan from a child's parent or  
2 guardian, a school district shall determine:

3 (1) whether the clinical information, which may  
4 include a diagnosis from a health care provider or  
5 qualified provider that is provided by the parent or  
6 guardian, is sufficient to support the existence of a  
7 disability pursuant to Section 504 of the federal  
8 Rehabilitation Act of 1973 and eligibility for a Section  
9 504 plan;

10 (2) whether further evaluation is needed to make the  
11 determination in paragraph (1); or

12 (3) whether there is no basis for an evaluation or  
13 plan based on available information.

14 If the school district makes the determination not to confer  
15 eligibility based on existing information or that an  
16 evaluation is to be conducted, the school district shall  
17 provide written notice to the parent or guardian explaining  
18 the rationale for the determination.

19 If the school district makes the determination that an  
20 evaluation is to be conducted, the school district shall  
21 convene a team of individuals, including the parent or  
22 guardian, having the knowledge and skills necessary to  
23 administer and interpret evaluation data. The composition of  
24 the team shall vary depending on the nature of the student's  
25 symptoms and other relevant factors. The team shall identify  
26 any assessments that are necessary and other relevant

1 information, if any, that needs to be collected to complete  
2 the evaluation. The school district shall ensure that written  
3 notification of the team's conclusions is transmitted to the  
4 parent or guardian within the 14-school-day timeline under  
5 this subsection, along with the school district's request for  
6 the parent's or guardian's consent to conduct the needed  
7 assessments. After a meeting is scheduled within the  
8 14-school-day timeline under this subsection, the parent or  
9 guardian may request, in writing, an extension of the  
10 14-school-day timeline for up to 10 additional school days.  
11 The written request for an extension shall be maintained in  
12 the student's temporary school records.

13 (c) For a student with documentation from a health care  
14 provider indicating the need for an individualized health care  
15 plan to address a significant health condition that is a  
16 likely threat to the student's health or safety in the school  
17 setting, the appropriate school personnel shall, within 14  
18 school days after receipt of (i) documentation from the health  
19 care provider outlining the student's medical need and (ii)  
20 duly executed authorization for the release of information  
21 forms pursuant to applicable federal and State laws to permit  
22 school personnel to communicate and exchange information with  
23 the health care provider, meet with the student's parent or  
24 guardian and, if appropriate, the student, to consider the  
25 creation of an individualized health care plan consistent with  
26 the health care provider's health or safety recommendations.

1 If the appropriate school personnel agree with the health care  
2 provider's recommendations, implementation of the  
3 individualized health care plan shall commence within the  
4 14-school-day timeline under this subsection. The creation of  
5 an individualized health care plan for a student does not  
6 preclude the development of a Section 504 plan for the  
7 student.

8 (d) Nothing in this Section supersedes the requirements in  
9 Section 22-30 of this Code, the Care of Students with Diabetes  
10 Act, or the Seizure Smart School Act.

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law.