

# HB2403



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB2403

by Rep. Fred Crespo

### SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-21.3a

Amends the School Code. In provisions concerning the transfer of students, removes references to now-repealed federal laws.

LRB100 07878 MLM 17949 b

A BILL FOR

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 changing Section  
5 10-21.3a as follows:

6 (105 ILCS 5/10-21.3a)

7 Sec. 10-21.3a. Transfer of students.

8 (a) Each school board shall establish and implement a  
9 policy governing the transfer of a student from one attendance  
10 center to another within the school district upon the request  
11 of the student's parent or guardian. ~~Any request by a parent or~~  
12 ~~guardian to transfer his or her child from one attendance~~  
13 ~~center to another within the school district pursuant to~~  
14 ~~Section 1116 of the federal Elementary and Secondary Education~~  
15 ~~Act of 1965 (20 U.S.C. Sec. 6316) must be made no later than 30~~  
16 ~~days after the parent or guardian receives notice of the right~~  
17 ~~to transfer pursuant to that law.~~ A student may not transfer to  
18 any of the following attendance centers, except by change in  
19 residence if the policy authorizes enrollment based on  
20 residence in an attendance area or unless approved by the board  
21 on an individual basis:

22 (1) An attendance center that exceeds or as a result of  
23 the transfer would exceed its attendance capacity.

1           (2) An attendance center for which the board has  
2 established academic criteria for enrollment if the  
3 student does not meet the criteria, ~~provided that the~~  
4 ~~transfer must be permitted if the attendance center is the~~  
5 ~~only attendance center serving the student's grade that has~~  
6 ~~not been identified for school improvement, corrective~~  
7 ~~action, or restructuring under Section 1116 of the federal~~  
8 ~~Elementary and Secondary Education Act of 1965 (20 U.S.C.~~  
9 ~~Sec. 6316).~~

10           (3) Any attendance center if the transfer would prevent  
11 the school district from meeting its obligations under a  
12 State or federal law, court order, or consent decree  
13 applicable to the school district.

14           (b) Each school board shall establish and implement a  
15 policy governing the transfer of students within a school  
16 district from a persistently dangerous school to another public  
17 school in that district that is not deemed to be persistently  
18 dangerous. In order to be considered a persistently dangerous  
19 school, the school must meet all of the following criteria for  
20 2 consecutive years:

21           (1) Have greater than 3% of the students enrolled in  
22 the school expelled for violence-related conduct.

23           (2) Have one or more students expelled for bringing a  
24 firearm to school as defined in 18 U.S.C. 921.

25           (3) Have at least 3% of the students enrolled in the  
26 school exercise the individual option to transfer schools

1           pursuant to subsection (c) of this Section.

2           (c) A student may transfer from one public school to  
3 another public school in that district if the student is a  
4 victim of a violent crime as defined in Section 3 of the Rights  
5 of Crime Victims and Witnesses Act. The violent crime must have  
6 occurred on school grounds during regular school hours or  
7 during a school-sponsored event.

8           (d) (Blank). ~~Transfers made pursuant to subsections (b) and~~  
9 ~~(c) of this Section shall be made in compliance with the~~  
10 ~~federal No Child Left Behind Act of 2001 (Public Law 107 110).~~  
11 (Source: P.A. 96-328, eff. 8-11-09.)