

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 14-8.02e and by adding Section 14-8.02g as follows:

6 (105 ILCS 5/14-8.02e)

7 Sec. 14-8.02e. State complaint procedures. The State Board
8 of Education shall adopt State complaint procedures,
9 consistent with Sections 300.151, 300.152, and 300.153 of Title
10 34 of the Code of Federal Regulations. The State Board of
11 Education, by rule, shall establish State complaint procedures
12 consistent with this Section. A school district or other public
13 entity shall be required to submit a written response to a
14 complaint within the time prescribed by the State Board of
15 Education following receipt of the complaint. A copy of the
16 response and all documentation submitted by the respondent to
17 the State Board of Education, including corrective action
18 compliance documentation, must be simultaneously provided by
19 the respondent to the complainant or to the attorney for the
20 complainant. If the complaint was filed by an individual other
21 than a parent of a child who is the subject of the complaint
22 (or the child if the child has reached majority or is
23 emancipated and has assumed responsibility for his or her own

1 educational decisions) and the complaint is about a specific
2 identifiable child or children, then appropriate written
3 signed releases must be obtained prior to the release of any
4 documentation or information to the complainant or the attorney
5 representing the complainant.

6 (Source: P.A. 98-383, eff. 8-16-13.)

7 (105 ILCS 5/14-8.02g new)

8 Sec. 14-8.02g. Additional opportunity to address systemic
9 delays and denials of special education services.

10 (a) This Section applies only to a school district
11 organized under Article 34.

12 (b) For complaints made under procedures authorized under
13 Section 14-8.02e for delays and denials of special education
14 services in the 2016-2017 or 2017-2018 school year, a
15 complainant has no less than 2 years following the finalization
16 of the State Board of Education's student-specific corrective
17 action plan per the State Board's 2017-2018 Public Inquiry
18 Team's Corrective Action Report and notification of that plan
19 to parents and guardians of potentially impacted children to
20 file a complaint under Section 14-8.02e. The State Board's
21 notification of its student-specific corrective action plan to
22 parents and guardians must include notification of the extended
23 timeframe to file complaints under this subsection.

24 Section 99. Effective date. This Act takes effect July 1,
25 2019.