



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2425

Introduced 2/17/2021, by Rep. Fred Crespo

SYNOPSIS AS INTRODUCED:

105 ILCS 5/14-8.02e

Amends the Children with Disabilities Article of the School Code. Provides that complaints concerning delays and denials of special education services in the 2016-2017 or 2017-2018 school year by the Chicago school district as a result of the adoption of policies and procedures identified by the State Board of Education as unlawful must be filed on or before September 30, 2022 (rather than September 30, 2021). Effective immediately.

LRB102 13398 CMG 18742 b

FISCAL NOTE ACT
MAY APPLY

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 14-8.02e as follows:

6 (105 ILCS 5/14-8.02e)

7 Sec. 14-8.02e. State complaint procedures.

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

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

7 (b) For a complaint made under procedures authorized under
8 this Section alleging a delay or denial of special education
9 or related services in the 2016-2017 or 2017-2018 school year
10 by a school district organized under Article 34 as a result of
11 the adoption of policies and procedures identified by the
12 State Board of Education as unlawful, the complaint must be
13 filed on or before September 30, 2022 ~~2021~~. This filing
14 deadline must be included in the written notification sent by
15 the school district under subsection (b) of Section 14-8.02g.

16 (Source: P.A. 101-507, eff. 8-23-19.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.