

1 AN ACT regarding schools.

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
5 Section 10-21.3a and renumbering and changing Section
6 34-18.23 (added by P.A. 92-604) as follows:

7 (105 ILCS 5/10-21.3a)

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

9 (a) Each school board shall establish and implement a
10 policy governing the transfer of a student from one
11 attendance center to another within the school district upon
12 the request of the student's parent or guardian. Any request
13 by a parent or guardian to transfer his or her child from one
14 attendance center to another within the school district
15 pursuant to Section 1116 of the federal Elementary and
16 Secondary Education Act of 1965 (20 U.S.C. Sec. 6317) must be
17 made no later than 30 days after the parent or guardian
18 receives notice of the right to transfer pursuant to that
19 law. A student may not transfer to any of the following
20 attendance centers, except by change in residence if the
21 policy authorizes enrollment based on residence in an
22 attendance area or unless approved by the board on an
23 individual basis:

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

27 (2) An attendance center for which the board has
28 established academic criteria for enrollment if the
29 student does not meet the criteria, provided that the
30 transfer must be permitted if the attendance center is
31 the only attendance center serving the student's grade

1 that has not been identified for school improvement,
2 corrective action, or restructuring under Section 1116 of
3 the federal Elementary and Secondary Education Act of
4 1965 (20 U.S.C. Sec. 6317).

5 (3) Any attendance center if the transfer would
6 prevent the school district from meeting its obligations
7 under a State or federal law, court order, or consent
8 decree applicable to the school district.

9 (b) If a student must be transferred from one attendance
10 center to another within the school district because the
11 attendance center the student is currently attending exceeds
12 its attendance capacity, then the attendance center the
13 student is to be transferred to must not be an attendance
14 center that is on the academic watch list under Section
15 2-3.25d of this Code.

16 (Source: P.A. 92-604, eff. 7-1-02.)

17 (105 ILCS 5/34-18.24)

18 Sec. ~~34-18.24~~ 34-18-23. Transfer of students.

19 (a) The board shall establish and implement a policy
20 governing the transfer of a student from one attendance
21 center to another within the school district upon the request
22 of the student's parent or guardian. Any request by a parent
23 or guardian to transfer his or her child from one attendance
24 center to another within the school district pursuant to
25 Section 1116 of the federal Elementary and Secondary
26 Education Act of 1965 (20 U.S.C. Sec. 6317) must be made no
27 later than 30 days after the parent or guardian receives
28 notice of the right to transfer pursuant to that law. A
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30 centers, except by change in residence if the policy
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32 area or unless approved by the board on an individual basis:

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1 result of the transfer would exceed its attendance
2 capacity.

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9 corrective action, or restructuring under Section 1116 of
10 the federal Elementary and Secondary Education Act of
11 1965 (20 U.S.C. Sec. 6317).

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13 prevent the school district from meeting its obligations
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17 center to another within the school district because the
18 attendance center the student is currently attending exceeds
19 its attendance capacity, then the attendance center the
20 student is to be transferred to must not be an attendance
21 center that is on the academic watch list under Section
22 2-3.25d of this Code.

23 (Source: P.A. 92-604, eff. 7-1-02; revised 9-3-02.)

24 Section 90. The State Mandates Act is amended by adding
25 Section 8.28 as follows:

26 (30 ILCS 805/8.28 new)
27 Sec. 8.28. Exempt mandate. Notwithstanding Sections 6
28 and 8 of this Act, no reimbursement by the State is required
29 for the implementation of any mandate created by this
30 amendatory Act of the 93rd General Assembly.

31 Section 99. Effective date. This Act takes effect on

1 July 1, 2004.