



## 93RD GENERAL ASSEMBLY

### State of Illinois

2003 and 2004

**HB7344**

Introduced 10/27/2004, by Rep. Eileen Lyons - Julie Hamos

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/14-16 new  
30 ILCS 805/8.28 new

Amends the Children with Disabilities Article of the School Code. Provides that each school district that operates a high school must have a policy and procedures that allow a child with a disability who will have completed 4 years of high school at the end of a school year to participate in the graduation ceremony of the student's high school graduating class and receive a certificate of completion if the student's individualized education program prescribes special education, transition planning, transition services, or related services beyond the student's 4 years of high school. Provides for notification about the policy and procedures. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB093 23743 RAS 53762 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

1 AN ACT concerning education, which may be referred to as  
2 Brittany's Law.

3 **Be it enacted by the People of the State of Illinois,**  
4 **represented in the General Assembly:**

5 Section 5. The School Code is amended by adding Section  
6 14-16 as follows:

7 (105 ILCS 5/14-16 new)

8 Sec. 14-16. Participation in graduation ceremony.

9 (a) The General Assembly finds the following:

10 (1) Each year, school districts across this State  
11 celebrate their students' accomplishments through  
12 graduation ceremonies at which high school diplomas are  
13 bestowed upon students who have completed their high school  
14 requirements.

15 (2) There are children with disabilities in this  
16 State who have finished 4 years of high school, but whose  
17 individualized education programs prescribe the  
18 continuation of special education, transition planning,  
19 transition services, or related services beyond the  
20 completion of 4 years of high school.

21 (3) It is well-established that the awarding of a  
22 high school diploma to and the high school graduation of a  
23 child with a disability is tantamount to the termination of  
24 eligibility for special education and related services for  
25 the student under applicable federal law.

26 (4) Many children with disabilities who will  
27 continue their public education in accordance with their  
28 individualized education programs after finishing 4 years  
29 of high school wish to celebrate their accomplishments by  
30 participating in a graduation ceremony with their  
31 classmates.

32 (5) The opportunity for classmates with

1 disabilities and those without disabilities to celebrate  
2 their accomplishments together only occurs once, and the  
3 opportunity to celebrate the receipt of a diploma several  
4 years after one's classmates have graduated diminishes the  
5 experience for students whose age peers have left high  
6 school several years earlier.

7 (b) Beginning March 1, 2005, each school district that  
8 operates a high school must have a policy and procedures that  
9 allow a child with a disability who will have completed 4 years  
10 of high school at the end of a school year to participate in  
11 the graduation ceremony of the student's high school graduating  
12 class and receive a certificate of completion if the student's  
13 individualized education program prescribes special education,  
14 transition planning, transition services, or related services  
15 beyond the student's 4 years of high school. The policy and  
16 procedures must require timely and meaningful written notice to  
17 children with disabilities and their parents or guardians about  
18 the school district's policy and procedures adopted in  
19 accordance with this Section.

20 (c) The State Board of Education shall monitor and enforce  
21 compliance with the provisions of this Section and is  
22 authorized to adopt rules for that purpose.

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

25 (30 ILCS 805/8.28 new)

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

30 Section 99. Effective date. This Act takes effect upon  
31 becoming law.