

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 Section
5 34-18.24 as follows:

6 (105 ILCS 5/34-18.24)

7 Sec. 34-18.24. Transfer of students.

8 (a) The board shall establish and implement a policy
9 governing the transfer of a student from one attendance center
10 to another within the school district upon the request of the
11 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. 6317) 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. 6317).

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

22 (1) Have greater than 3% of the students enrolled in
23 the attendance center expelled for violence-related
24 conduct.

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

1 (3) Have at least 3% of the students enrolled in the
2 attendance center exercise the individual option to
3 transfer attendance centers pursuant to subsection (c) of
4 this Section.

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

11 (d) Transfers made pursuant to subsections (b) and (c) of
12 this Section shall be made in compliance with the federal No
13 Child Left Behind Act of 2001 (Public Law 107-110).

14 (e) If a student must be transferred from one attendance
15 center to another within the school district because the
16 attendance center the student is currently attending exceeds
17 its attendance capacity, then the attendance center the student
18 is to be transferred to must not be an attendance center that
19 is on the academic watch list under Section 2-3.25d of this
20 Code, unless the student's parent or guardian prefers that the
21 student be transferred there.

22 (Source: P.A. 92-604, eff. 7-1-02; 93-633, eff. 12-23-03.)

23 Section 90. The State Mandates Act is amended by adding
24 Section 8.32 as follows:

1 (30 ILCS 805/8.32 new)

2 Sec. 8.32. Exempt mandate. Notwithstanding Sections 6 and 8
3 of this Act, no reimbursement by the State is required for the
4 implementation of any mandate created by this amendatory Act of
5 the 95th General Assembly.

6 Section 99. Effective date. This Act takes effect July 1,
7 2008.