



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB1310

Introduced 2/18/2009, by Rep. Darlene J. Senger - Mike Fortner
- Michael G. Connelly

SYNOPSIS AS INTRODUCED:

105 ILCS 5/13A-2.5
105 ILCS 5/13A-4

Amends the Safe Schools Law of the School Code. Provides that a "disruptive student" includes suspension or expulsion eligible students and students against whom juvenile or criminal proceedings alleging the commission of a felony are pending (instead of just suspension or expulsion eligible students). Provides that a student against whom juvenile or criminal proceedings alleging the commission of a felony are pending may be immediately transferred to an alternative program. Effective immediately.

LRB096 10655 NHT 21173 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 Sections
5 13A-2.5 and 13A-4 as follows:

6 (105 ILCS 5/13A-2.5)

7 Sec. 13A-2.5. Disruptive student. "Disruptive student"
8 includes suspension or expulsion eligible students and
9 students against whom juvenile or criminal proceedings
10 alleging the commission of a felony are pending in any of
11 grades 6 through 12. "Suspension or expulsion eligible
12 students" are those students that have been found to be
13 eligible for suspension or expulsion through the discipline
14 process established by a school district.

15 (Source: P.A. 89-383, eff. 8-18-95.)

16 (105 ILCS 5/13A-4)

17 Sec. 13A-4. Administrative transfers. A student who is
18 determined to be subject to suspension or expulsion in the
19 manner provided by Section 10-22.6 (or, in the case of a
20 student enrolled in the public schools of a school district
21 organized under Article 34, in accordance with the uniform
22 system of discipline established under Section 34-19) or a

1 student against whom juvenile or criminal proceedings alleging
2 the commission of a felony are pending may be immediately
3 transferred to the alternative program. At the earliest time
4 following that transfer appropriate personnel from the sending
5 school district and appropriate personnel of the alternative
6 program shall meet to develop an alternative education plan for
7 the student. The student's parent or guardian shall be invited
8 to this meeting. The student may be invited. The alternative
9 educational plan shall include, but not be limited to all of
10 the following:

11 (1) The duration of the plan, including a date after
12 which the student may be returned to the regular
13 educational program in the public schools of the
14 transferring district. If the parent or guardian of a
15 student who is scheduled to be returned to the regular
16 education program in the public schools of the district
17 files a written objection to the return with the principal
18 of the alternative school, the matter shall be referred by
19 the principal to the regional superintendent of the
20 educational service region in which the alternative school
21 program is located for a hearing. Notice of the hearing
22 shall be given by the regional superintendent to the
23 student's parent or guardian. After the hearing, the
24 regional superintendent may take such action as he or she
25 finds appropriate and in the best interests of the student.
26 The determination of the regional superintendent shall be

1 final.

2 (2) The specific academic and behavioral components of
3 the plan.

4 (3) A method and time frame for reviewing the student's
5 progress.

6 Notwithstanding any other provision of this Article, if a
7 student for whom an individualized educational program has been
8 developed under Article 14 is transferred to an alternative
9 school program under this Article 13A, that individualized
10 educational program shall continue to apply to that student
11 following the transfer unless modified in accordance with the
12 provisions of Article 14.

13 (Source: P.A. 89-383, eff. 8-18-95; 89-629, eff. 8-9-96.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.