

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, other than students in a school district organized
10 under Article 34 of this Code, against whom juvenile or
11 criminal proceedings alleging the commission of a forcible
12 felony, as defined in Section 2-8 of the Criminal Code of 1961,
13 are pending in any of grades 6 through 12. "Suspension or
14 expulsion eligible students" are those students that have been
15 found to be eligible for suspension or expulsion through the
16 discipline process established by a school district.

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

18 (105 ILCS 5/13A-4)

19 Sec. 13A-4. Administrative transfers. A student who is
20 determined to be subject to suspension or expulsion in the
21 manner provided by Section 10-22.6 (or, in the case of a
22 student enrolled in the public schools of a school district

1 organized under Article 34, in accordance with the uniform
2 system of discipline established under Section 34-19) or a
3 student, other than a student in a school district organized
4 under Article 34 of this Code, against whom juvenile or
5 criminal proceedings alleging the commission of a forcible
6 felony, as defined in Section 2-8 of the Criminal Code of 1961,
7 are pending may be immediately transferred to the alternative
8 program. At the earliest time following that transfer
9 appropriate personnel from the sending school district and
10 appropriate personnel of the alternative program shall meet to
11 develop an alternative education plan for the student. The
12 student's parent or guardian shall be invited to this meeting.
13 The student may be invited. The alternative educational plan
14 shall include, but not be limited to all of the following:

15 (1) The duration of the plan, including a date after
16 which the student may be returned to the regular
17 educational program in the public schools of the
18 transferring district. If the parent or guardian of a
19 student who is scheduled to be returned to the regular
20 education program in the public schools of the district
21 files a written objection to the return with the principal
22 of the alternative school, the matter shall be referred by
23 the principal to the regional superintendent of the
24 educational service region in which the alternative school
25 program is located for a hearing. Notice of the hearing
26 shall be given by the regional superintendent to the

1 student's parent or guardian. After the hearing, the
2 regional superintendent may take such action as he or she
3 finds appropriate and in the best interests of the student.
4 The determination of the regional superintendent shall be
5 final.

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

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

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

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

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