

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 Sections 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 in any of
9 grades 6 through 12 or a student to which subsection (b) of
10 Section 13A-4 of this Code applies. Suspension or expulsion
11 eligible students are those students that have been found to
12 be eligible for suspension or expulsion through the
13 discipline process established by a school district.

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

15 (105 ILCS 5/13A-4)

16 Sec. 13A-4. Administrative transfers.

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

24 (b) If a student (i) enrolls in a school district on or
25 after the effective date of this amendatory Act of the 92nd
26 General Assembly, (ii) immediately before enrolling, attended
27 school within the Department of Corrections school district,
28 and (iii) was enrolled in a school district in this State
29 immediately before being transferred into the Department of
30 Corrections school district, then the student must be

1 immediately transferred to the alternative school program.
2 The student may not be returned to the regular educational
3 program in the public schools of any school district until
4 the student has attended an alternative school program for at
5 least one semester after attending school within the
6 Department of Corrections school district. If the student
7 enrolls in another school district before completing the
8 minimum one semester of attendance, the student must again be
9 immediately transferred to an alternative school program.

10 (c) At the earliest time following the transfer,
11 appropriate personnel from the sending school district and
12 appropriate personnel of the alternative program shall meet
13 to develop an alternative education plan for the student.
14 The student's parent or guardian shall be invited to this
15 meeting. The student may be invited. The alternative
16 educational plan shall include, but not be limited to, all of
17 the following:

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

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

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

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

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

13 Section 99. Effective date. This Act takes effect on
14 July 1, 2001.