

1 AN ACT concerning alternative learning opportunities.

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 2-3.33a, 3-15.12, and 26-2 and by adding Article 13B
6 as follows:

7 (105 ILCS 5/2-3.33a)

8 Sec. 2-3.33a. Audit adjustments prohibited; alternative
9 education program. The State Board of Education shall not
10 make audit adjustments to general State aid claims paid in
11 fiscal years 1999, 2000, 2001, and 2002, and 2003 based upon
12 the claimant's failure to provide a minimum of 5 clock hours
13 of daily instruction to students in an alternative education
14 program or based upon the claimant's provision of service to
15 non-resident students in an alternative education program
16 without charging tuition, provided that the non-resident
17 students were enrolled in the alternative education program
18 on or before April 1, 2000.

19 (Source: P.A. 91-844, eff. 6-22-00.)

20 (105 ILCS 5/3-15.12) (from Ch. 122, par. 3-15.12)

21 Sec. 3-15.12. High school equivalency testing program.
22 The regional superintendent of schools shall make available
23 for qualified individuals residing within the region a High
24 School Equivalency Testing Program. For that purpose the
25 regional superintendent alone or with other regional
26 superintendents may establish and supervise a testing center
27 or centers to administer the secure forms of the high school
28 level Test of General Educational Development to qualified
29 persons. Such centers shall be under the supervision of the
30 regional superintendent in whose region such centers are

1 located, subject to the approval of the State Superintendent
2 of Education.

3 An individual is eligible to apply to the regional
4 superintendent of schools for the region in which he resides
5 if he is: (a) a person who is 18 years of age or older, has
6 maintained residence in the State of Illinois and is not a
7 high school graduate, but whose high school class has
8 graduated; (b) a member of the armed forces of the United
9 States on active duty who is 17 years of age or older and who
10 is stationed in Illinois or is a legal resident of Illinois;
11 (c) a ward of the Department of Corrections who is 17 years
12 of age or older or an inmate confined in any branch of the
13 Illinois State Penitentiary or in a county correctional
14 facility who is 17 years of age or older; (d) a female who is
15 17 years of age or older who is unable to attend school
16 because she is either pregnant or the mother of one or more
17 children; (e) a male 17 years of age or older who is unable
18 to attend school because he is a father of one or more
19 children; (f) a person who is successfully completing an
20 alternative education program under Section 2-3.81, ~~or~~
21 Article 13A, or Article 13B; (g) a person who is enrolled in
22 a youth education program sponsored by the Illinois National
23 Guard; or (h) a person who is 17 years of age or older who
24 has been a dropout for a period of at least one year. For
25 purposes of this Section, residence is that abode which the
26 applicant considers his home. Applicants may provide as
27 sufficient proof of such residence a picture identification
28 card and two pieces of correctly addressed and postmarked
29 mail. Such regional superintendent shall determine if the
30 applicant meets statutory and regulatory state standards. If
31 qualified the applicant shall at the time of such application
32 pay a fee established by the State Board of Education, which
33 fee shall be paid into a special fund under the control and
34 supervision of the regional superintendent. Such moneys

1 received by the regional superintendent shall be used, first,
2 for the expenses incurred in administering and scoring the
3 examination, and next for other educational programs that are
4 developed and designed by the regional superintendent of
5 schools to assist those who successfully complete the high
6 school level test of General Education Development in
7 furthering their academic development or their ability to
8 secure and retain gainful employment, including programs for
9 the competitive award based on test scores of college or
10 adult education scholarship grants or similar educational
11 incentives. Any excess moneys shall be paid into the
12 institute fund.

13 Any applicant who has achieved the minimum passing
14 standards as established by the State Board of Education
15 shall be notified in writing by the regional superintendent
16 and shall be issued a high school equivalency certificate on
17 the forms provided by the State Superintendent of Education.
18 The regional superintendent shall then certify to the Office
19 of the State Superintendent of Education the score of the
20 applicant and such other and additional information that may
21 be required by the State Superintendent of Education. The
22 moneys received therefrom shall be used in the same manner as
23 provided for in this Section.

24 Any applicant who has attained the age of 18 years and
25 maintained residence in the State of Illinois and is not a
26 high school graduate but whose high school class has
27 graduated or any ward of the Department of Corrections who
28 has attained the age of 17 years, any inmate confined in any
29 branch of the Illinois State Penitentiary or in a county
30 correctional facility who has attained the age of 17 years,
31 or any member of the armed forces of the United States on
32 active duty who has attained the age of 17 years and who is
33 stationed in Illinois or is a legal resident of Illinois, or
34 any female who has attained the age of 17 years and is either

1 pregnant or the mother of one or more children, or any male
2 who has attained the age of 17 years and is the father of one
3 or more children, or any person who has successfully
4 completed an alternative education program under Section
5 2-3.81, ~~or Article 13A,~~ or Article 13B and meets the
6 requirements prescribed by the State Board of Education, is
7 eligible to apply for a high school equivalency certificate
8 upon showing evidence that he has completed, successfully,
9 the high school level General Educational Development Tests,
10 administered by the United States Armed Forces Institute,
11 official GED Centers established in other states, or at
12 Veterans' Administration Hospitals or the office of the State
13 Superintendent of Education administered for the Illinois
14 State Penitentiary System and the Department of Corrections.
15 Such applicant shall apply to the regional superintendent of
16 the region wherein he has maintained residence, and upon
17 payment of a fee established by the State Board of Education
18 the regional superintendent shall issue a high school
19 equivalency certificate, and immediately thereafter certify
20 to the State Superintendent of Education the score of the
21 applicant and such other and additional information as may be
22 required by the State Superintendent of Education.

23 Notwithstanding the provisions of this Section, any
24 applicant who has been out of school for at least one year
25 may request the regional superintendent of schools to
26 administer the restricted GED test upon written request of:
27 The director of a program who certifies to the Chief Examiner
28 of an official GED center that the applicant has completed a
29 program of instruction provided by such agencies as the Job
30 Corps, the Postal Service Academy or apprenticeship training
31 program; an employer or program director for purposes of
32 entry into apprenticeship programs; another State Department
33 of Education in order to meet regulations established by that
34 Department of Education, a post high school educational

1 institution for purposes of admission, the Department of
 2 Professional Regulation for licensing purposes, or the Armed
 3 Forces for induction purposes. The regional superintendent
 4 shall administer such test and the applicant shall be
 5 notified in writing that he is eligible to receive the
 6 Illinois High School Equivalency Certificate upon reaching
 7 age 18, provided he meets the standards established by the
 8 State Board of Education.

9 Any test administered under this Section to an applicant
 10 who does not speak and understand English may at the
 11 discretion of the administering agency be given and answered
 12 in any language in which the test is printed. The regional
 13 superintendent of schools may waive any fees required by this
 14 Section in case of hardship.

15 In counties of over 3,000,000 population a GED
 16 certificate issued on or after July 1, 1994 shall contain the
 17 signatures of the State Superintendent of Education, the
 18 superintendent, president or other chief executive officer of
 19 the institution where GED instruction occurred and any other
 20 signatures authorized by the State Superintendent of
 21 Education.

22 (Source: P.A. 89-273, eff. 1-1-96; 89-358, eff. 1-1-96;
 23 89-626, eff. 8-9-96; 89-629, eff. 8-9-96; 90-643, eff.
 24 7-24-98.)

25 (105 ILCS 5/Art. 13B heading new)

26 ARTICLE 13B. ALTERNATIVE LEARNING OPPORTUNITIES

27 (105 ILCS 5/13B-1 new)

28 Sec. 13B-1. Short title. This Article may be cited as
 29 the Alternative Learning Opportunities Law.

30 (105 ILCS 5/13B-5 new)

31 Sec. 13B-5. Legislative findings and declarations. The

1 General Assembly finds and declares the following:

2 (1) It is the responsibility of each school
3 district to provide educational support for every student
4 to meet Illinois Learning Standards.

5 (2) School districts need flexibility and financial
6 support to assist local schools in their efforts to
7 provide students with educational and other services
8 needed for students to successfully master the
9 curriculum.

10 (3) Alternative education in this State has
11 traditionally provided student-centered curriculum,
12 social services, and other support needed to help
13 students succeed.

14 (4) Standards-based reform requires a comprehensive
15 approach to alternative education to ensure that every
16 student has the opportunity to meet the State's rigorous
17 learning standards.

18 (5) While school districts operating alternative
19 learning opportunities programs must comply with all
20 applicable State and federal laws and rules, these
21 districts should do so in a manner consistent with the
22 goals and policies stated in this Article.

23 (105 ILCS 5/13B-10 new)

24 Sec. 13B-10. Purpose. The purpose of this Article is to
25 specify the requirements for the operation of alternative
26 learning opportunities programs, which are intended to
27 provide students at risk of academic failure with the
28 education and support services needed to meet Illinois
29 Learning Standards and to complete their education in an
30 orderly, safe, and secure learning environment. Services
31 provided under this Article should be provided in a manner
32 that addresses individual learning styles, career
33 development, and social needs to enable students to

1 successfully complete their education.

2 (105 ILCS 5/13B-15 new)

3 Sec. 13B-15. Definitions. In this Article, words and
4 phrases have the meanings set forth in the following Sections
5 preceding Section 13B-20 of this Code.

6 (105 ILCS 5/13B-15.5 new)

7 Sec. 13B-15.5. State Board. "State Board" means the
8 State Board of Education.

9 (105 ILCS 5/13B-15.10 new)

10 Sec. 13B-15.10. Student at risk of academic failure.
11 "Student at risk of academic failure" means a student at risk
12 of not meeting the Illinois Learning Standards or not
13 graduating from elementary or high school and who
14 demonstrates a need for educational support or social
15 services beyond that provided by the regular school program.
16 Such students are eligible for services up to the age of 21.

17 (105 ILCS 5/13B-15.15 new)

18 Sec. 13B-15.15. Student Success Plan. "Student Success
19 Plan" means a plan based on an assessment of a student's
20 educational and social functioning and skills and that
21 establishes goals and objectives for satisfactory performance
22 in an alternative learning opportunities program. The Plan
23 must (i) specify the curriculum and instructional methods to
24 be used in improving the student's educational performance,
25 (ii) outline the support services needed to remove barriers
26 to learning, (iii) specify, when appropriate, the career
27 development experiences the student will receive to enhance
28 his or her career awareness, (iv) set objectives to ensure a
29 successful transition back to the regular school program or
30 to post-secondary educational options, and (v) outline the

1 student's responsibilities under the Plan.

2 (105 ILCS 5/13B-15.20 new)

3 Sec. 13B-15.20. Support services. "Support services"
4 include alcohol and drug rehabilitation; individual, group,
5 and family counseling; mentoring; tutoring; school physicals;
6 health and nutrition education; classroom aides; career
7 counseling; child care; and any other social, health, or
8 supplemental service approved as part of the Student Success
9 Plan that is required by students for their academic success.

10 (105 ILCS 5/13B-20 new)

11 Sec. 13B-20. Alternative learning opportunities program.
12 An alternative learning opportunities program shall provide a
13 flexible standards-based learning environment, innovative and
14 varied instructional strategies, a student-centered
15 curriculum, social programs, and supplemental social, health,
16 and support services to improve the educational achievement
17 of students at risk of academic failure.

18 (105 ILCS 5/13B-20.5 new)

19 Sec. 13B-20.5. Eligible activities and services.
20 Alternative learning opportunities programs may include
21 without limitation evening high school, in-school tutoring
22 and mentoring programs, in-school suspension programs, high
23 school completion programs to assist high school dropouts in
24 completing their education, support services, parental
25 involvement programs, and programs to develop, enhance, or
26 extend the transition for students transferring back to the
27 regular school program, an adult education program, or a
28 post-secondary education program.

29 (105 ILCS 5/13B-20.10 new)

30 Sec. 13B-20.10. Who may establish and operate programs.

1 School districts may establish alternative learning
2 opportunities programs or may contract with regional offices
3 of education, intermediate service centers, public community
4 colleges, non-profit or for-profit education providers, youth
5 service agencies, community-based organizations, or other
6 appropriate entities to establish alternative learning
7 opportunities programs within the public school system and
8 provide a range of alternative learning opportunities for
9 those students in the State who do not meet Illinois Learning
10 Standards. Districts may individually operate alternative
11 learning opportunities programs or may collaborate with 2 or
12 more districts or one or more regional offices of education
13 or both or with intermediate service centers to create and
14 operate alternative learning opportunities programs.

15 (105 ILCS 5/13B-20.15 new)

16 Sec. 13B-20.15. Other eligible providers of alternative
17 learning opportunities. School districts may contract with
18 health, mental health, or human service organizations,
19 workforce development boards or agencies, juvenile court
20 services, juvenile justice agencies, juvenile detention
21 programs, programs operated by the Department of Corrections,
22 or other appropriate agencies or organizations to serve
23 students whose needs are not being met in the regular school
24 program by providing alternative learning opportunities.

25 (105 ILCS 5/13B-20.20 new)

26 Sec. 13B-20.20. Enrollment in other programs. General
27 Educational Development preparation programs are not eligible
28 for funding under this Article. A student may enroll in a
29 program approved under Section 18-8.05 of this Code, as
30 appropriate, or attend both the alternative learning
31 opportunities program and the regular school program to
32 enhance student performance and facilitate on-time

1 graduation.

2 (105 ILCS 5/13B-20.25 new)

3 Sec. 13B-20.25. Eligible students. Students in grades 4
4 through 12 who meet enrollment criteria established by the
5 school district and who meet the definition of "student at
6 risk of academic failure" are eligible to participate in an
7 alternative learning opportunities program funded under this
8 Article. All rights granted under this Article to a student's
9 parent or guardian become exclusively those of the student
10 upon the student's 18th birthday.

11 (105 ILCS 5/13B-20.30 new)

12 Sec. 13B-20.30. Location of program. A school district
13 must consider offering an alternative learning opportunities
14 program on-site in the regular school. An alternative
15 learning opportunities program may be provided at facilities
16 separate from the regular school or in classrooms elsewhere
17 on school premises.

18 (105 ILCS 5/13B-20.35 new)

19 Sec. 13B-20.35. Transportation of students. School
20 districts that are required to provide transportation
21 pursuant to Section 29-3 of this Code shall provide
22 transportation for students enrolled in alternative learning
23 opportunities programs. Other school districts shall provide
24 transportation to the same extent that they provide
25 transportation to other students. A school district may
26 collaborate with the regional superintendent of schools to
27 establish a cooperative transportation agreement among school
28 districts in the region to reduce the costs of transportation
29 and to provide for greater accessibility for students
30 attending alternative learning opportunities programs.

1 (105 ILCS 5/13B-25 new)

2 Sec. 13B-25. Eligibility for funding. The criteria set
3 forth in the following Sections preceding Section 13B-30 of
4 this Code shall determine the eligibility of an alternative
5 learning opportunities program for funding.

6 (105 ILCS 5/13B-25.5 new)

7 Sec. 13B-25.5. General standards for eligibility for
8 funding. To be eligible for funding, an alternative learning
9 opportunities program must provide evidence of an
10 administrative structure, program activities, program staff,
11 a budget, and a specific curriculum that is consistent with
12 Illinois Learning Standards but may be different from the
13 regular school program in terms of location, length of school
14 day, program sequence, pace, instructional activities, or any
15 combination of these.

16 (105 ILCS 5/13B-25.10 new)

17 Sec. 13B-25.10. District policies, guidelines, and
18 procedures; notification. Before receiving State funds for
19 an alternative learning opportunities program, a school
20 district must adopt policies and guidelines for the admission
21 and transfer of students to the program and for transitioning
22 students as appropriate back to the regular school program in
23 a manner consistent with guidelines provided by the State
24 Board. A school district must adopt policies and procedures
25 for the establishment of a new alternative learning
26 opportunities program or for securing State approval for an
27 existing program. Any district that plans to establish an
28 alternative learning opportunities program must notify the
29 State Superintendent of Education before enrolling students
30 in the program.

31 (105 ILCS 5/13B-25.15 new)

1 Sec. 13B-25.15. Planning process and district plan. To
2 apply for funding to establish or maintain an alternative
3 learning opportunities program, a school district must
4 initiate a planning process to specify the type of program
5 needed by the district. Before submission of the district
6 plan, the school district or consortium may apply for a
7 one-year planning grant. The planning process may involve
8 key education and community stakeholders, such as teachers,
9 administrators, parents, interested members of the community,
10 and other agencies or organizations as appropriate.

11 (105 ILCS 5/13B-25.20 new)

12 Sec. 13B-25.20. Requirements for the district plan. The
13 district plan must be consistent with the school district's
14 overall mission and goals and aligned with the local school
15 improvement plans of each participating school. The district
16 plan must include all of the following:

17 (1) A description of the program, including the
18 students at risk of academic failure to be served,
19 evidence of need, program goals, objectives, and
20 measurable outcomes.

21 (2) A staffing plan, including the experiences,
22 competency, and qualifications of certified and
23 non-certificated staff and emphasizing their individual
24 and collective abilities to work with students at risk of
25 academic failure.

26 (3) A description and schedule of support services
27 that will be available to students as part of their
28 instructional program, including procedures for accessing
29 services required for students on an as-needed basis.

30 (4) How the district will use grant funds to
31 improve the educational achievement of students at risk
32 of academic failure.

33 (5) A detailed program budget that includes sources

1 of funding to be used in conjunction with alternative
2 learning opportunities grant funds and a plan for
3 allocating costs to those funds.

4 (6) A plan that outlines how funding for
5 alternative learning opportunities will be coordinated
6 with other State and federal funds to ensure the
7 efficient and effective delivery of the program.

8 (7) A description of other sources of revenue the
9 district will allocate to the program.

10 (8) An estimate of the total cost per student for
11 the program and an estimate of any gap between existing
12 revenue available for the program and the total cost of
13 the program.

14 (9) A description of how parents and community
15 members will be involved in the program.

16 (10) Policies and procedures used by the district
17 to grant credit for student work satisfactorily completed
18 in the program.

19 (11) How the district will assess students enrolled
20 in the program, including how statewide testing for
21 students in alternative learning opportunities settings
22 will be addressed.

23 (12) How students will be admitted to the program
24 and how students will make an effective transition back
25 to the regular school program, as appropriate.

26 (13) All cooperative and intergovernmental
27 agreements and subcontracts with eligible entities.

28 (105 ILCS 5/13B-25.25 new)

29 Sec. 13B-25.25. Testing and assessment. A district plan
30 for an alternative learning opportunities program operated
31 through a cooperative or intergovernmental agreement must
32 provide procedures for ensuring that students are included in
33 the administration of statewide testing programs. Students

1 enrolled in an alternative learning opportunities program
2 shall participate in State assessments under Section 2-3.64
3 of this Code.

4 (105 ILCS 5/13B-25.30 new)

5 Sec. 13B-25.30. Annual update and submission of district
6 plan. A district plan must be updated annually and submitted
7 to the State Board.

8 (105 ILCS 5/13B-25.35 new)

9 Sec. 13B-25.35. Regional plan. Based on district plans
10 to provide alternative learning opportunities, the regional
11 office of education must submit an annual plan summarizing
12 the number, needs, and demographics of students at risk of
13 academic failure expected to be served in its region. This
14 plan must be updated annually and submitted to the State
15 Board.

16 (105 ILCS 5/13B-30 new)

17 Sec. 13B-30. Responsibilities of the State Board; rules.
18 The State Board has the responsibilities set forth in the
19 following Sections preceding Section 13B-35 of this Code. The
20 State Board may adopt rules as necessary to implement this
21 Article.

22 (105 ILCS 5/13B-30.5 new)

23 Sec. 13B-30.5. Program assistance, evaluation, and
24 monitoring. Subject to the availability of State funds, the
25 State Board is authorized to assist school districts in
26 developing and implementing alternative learning
27 opportunities programs to meet the educational needs of
28 students at risk of academic failure. The State Board shall
29 develop research-based guidelines for alternative learning
30 opportunities programs, provide technical assistance to

1 ensure the establishment of quality programs aligned with
 2 Illinois Learning Standards, and contract for services to
 3 conduct an annual statewide evaluation. The State Board
 4 shall conduct compliance visits of and monitor programs, as
 5 appropriate. The State Board may conduct other
 6 program-related research and planning projects, as
 7 appropriate, to enhance student outcomes.

8 (105 ILCS 5/13B-30.10 new)

9 Sec. 13B-30.10. Compliance. The State Board is
 10 responsible for ensuring that all alternative learning
 11 opportunities programs are in compliance with all applicable
 12 federal and State laws, unless otherwise specified in this
 13 Article.

14 (105 ILCS 5/13B-30.15 new)

15 Sec. 13B-30.15. Statewide program evaluation of student
 16 outcomes. Alternative learning opportunities programs must
 17 be evaluated annually on a statewide basis. Indicators used
 18 to measure student outcomes for this evaluation may include
 19 program completion, elementary school graduation, high school
 20 graduation or passage of the General Educational Development
 21 test, attendance, the number of students involved in
 22 work-based learning activities, the number of students making
 23 an effective transition to the regular school program,
 24 further education or work, and improvement in the percentage
 25 of students enrolled in the sending school district or
 26 districts that meet State standards.

27 (105 ILCS 5/13B-30.20 new)

28 Sec. 13B-30.20. Suspension or revocation of program
 29 approval. The State Board may suspend or revoke approval of
 30 an alternative learning opportunities program under any one
 31 of the following conditions:

1 (1) A failure to meet educational outcomes as
2 enumerated in Section 13B-30.15 of this Code and as
3 specified in the alternative learning opportunities grant
4 agreement for a period of 2 or more consecutive years.

5 (2) A failure to comply with all applicable laws as
6 specified in this Code.

7 (3) A failure to comply with the terms and
8 conditions of the alternative learning opportunities
9 grant.

10 (4) A failure to maintain financial records
11 according to generally accepted accounting procedures as
12 specified by the State Board.

13 (105 ILCS 5/13B-30.25 new)

14 Sec. 13B-30.25. Corrective action plan. For school
15 districts whose alternative learning opportunities programs
16 are not making progress in specified program outcomes, the
17 State Board may require a school district to submit a
18 corrective action plan.

19 (105 ILCS 5/13B-30.30 new)

20 Sec. 13B-30.30. Technical assistance before suspension
21 or revocation of funding. Funding of an alternative learning
22 opportunities program may not be suspended or revoked unless
23 the program has been provided with technical assistance and
24 has had an opportunity to implement a corrective action plan.

25 (105 ILCS 5/13B-30.35 new)

26 Sec. 13B-30.35. Recovery of grant funds. The State may
27 recover grant funds from school districts that consistently
28 fail to improve student performance or have failed to
29 implement corrective actions to improve their alternative
30 learning opportunities programs.

1 (105 ILCS 5/13B-30.40 new)

2 Sec. 13B-30.40. Application for funding after suspension
3 or revocation of program approval. Once approval to operate
4 an alternative learning opportunities program is suspended or
5 revoked, the school district or consortium must reapply for
6 funding.

7 (105 ILCS 5/13B-30.45 new)

8 Sec. 13B-30.45. Administrative support. The State Board
9 shall use 1.5% of the State appropriation for the purposes of
10 this Article to conduct activities related to the provision
11 of technical assistance, professional development,
12 evaluations, and compliance monitoring.

13 (105 ILCS 5/13B-35 new)

14 Sec. 13B-35. Application to cooperative agreements. The
15 provisions set forth in the following Sections preceding
16 Section 13B-40 of this Code apply to cooperative agreements
17 among alternative learning opportunities program providers.

18 (105 ILCS 5/13B-35.5 new)

19 Sec. 13B-35.5. Local governance; cooperative agreements.
20 For an alternative learning opportunities program operated
21 jointly or offered under contract, the local governance of
22 the program shall be established by each local school board
23 through a cooperative or intergovernmental agreement with
24 other school districts. Cooperative agreements may be
25 established among regional offices of education, public
26 community colleges, community-based organizations, health and
27 human service agencies, youth service agencies, juvenile
28 court services, the Department of Corrections, and other
29 non-profit or for-profit education or support service
30 providers as appropriate. Nothing contained in this Section
31 shall prevent a school district, regional office of

1 education, or intermediate service center from forming a
2 cooperative for the purpose of delivering an alternative
3 learning opportunities program.

4 (105 ILCS 5/13B-35.10 new)

5 Sec. 13B-35.10. Committee of Cooperative Services. The
6 State Superintendent of Education shall convene a State-level
7 Committee of Cooperative Services. The Committee shall
8 include representatives of the following agencies and
9 organizations, selected by their respective heads: the Office
10 of the Governor, the State Board of Education, the Illinois
11 Association of Regional Superintendents of Schools, the
12 Chicago Public Schools, the Intermediate Service Centers, the
13 State Teacher Certification Board, the Illinois Community
14 College Board, the Department of Human Services, the
15 Department of Children and Family Services, the Illinois
16 Principals Association, the Illinois Education Association,
17 the Illinois Federation of Teachers, the Illinois Juvenile
18 Justice Commission, the Office of the Attorney General, the
19 Illinois Association of School Administrators, the
20 Administrative Office of the Illinois Courts, the Department
21 of Corrections, special education advocacy organizations, and
22 non-profit and community-based organizations, as well as
23 parent representatives and child advocates designated by the
24 State Superintendent of Education.

25 (105 ILCS 5/13B-35.15 new)

26 Sec. 13B-35.15. Role of Committee of Cooperative
27 Services. The Committee of Cooperative Services shall advise
28 the State Superintendent of Education on the statewide
29 development, implementation, and coordination of alternative
30 learning opportunities programs. The Committee shall make
31 recommendations to the heads of the various State entities
32 represented on the Committee to improve the educational

1 outcomes of students at risk of academic failure through the
2 coordinated provision of education, health, mental health,
3 and human services.

4 (105 ILCS 5/13B-35.20 new)

5 Sec. 13B-35.20. Operation of Committee of Cooperative
6 Services. The Committee of Cooperative Services shall
7 establish its by-laws and procedures, subject to approval of
8 the State Superintendent of Education.

9 (105 ILCS 5/13B-40 new)

10 Sec. 13B-40. Funding. The provisions set forth in the
11 following Sections preceding Section 13B-45 of this Code
12 apply to the funding of alternative learning opportunities
13 programs under this Article.

14 (105 ILCS 5/13B-40.5 new)

15 Sec. 13B-40.5. Budget. The General Assembly shall
16 appropriate new, additional funds to establish alternative
17 learning opportunities programs throughout the State.

18 (105 ILCS 5/13B-40.10 new)

19 Sec. 13B-40.10. Availability of grants. Based on
20 available funding, the State Board shall establish the
21 maximum amount of funding available for planning grants. The
22 remaining funding shall be distributed for supplemental and
23 implementation grants based on available funds, according to
24 the State's calculated share of costs in excess of the per
25 capita cost per student.

26 (105 ILCS 5/13B-40.15 new)

27 Sec. 13B-40.15. Limitation to existing programs. In the
28 first year of funding under this Article, supplemental and
29 implementation grants shall be limited to existing

1 educational programs that meet the guidelines set forth under
2 this Article.

3 (105 ILCS 5/13B-40.20 new)

4 Sec. 13B-40.20. Planning grants. A planning grant shall
5 be used to support the costs associated with developing a
6 district plan for the establishment of a new alternative
7 learning opportunities program or to seek approval for an
8 existing program. A planning grant is limited to one year.

9 (105 ILCS 5/13B-40.25 new)

10 Sec. 13B-40.25. Supplemental grants. A supplemental
11 grant shall be used to significantly extend the services of
12 an existing alternative learning opportunities program to
13 additional students or to develop a new component to enhance
14 an existing program. The State Board shall establish the
15 maximum amount of funding available for supplemental grants.

16 (105 ILCS 5/13B-40.30 new)

17 Sec. 13B-40.30. Implementation grants. An
18 implementation grant shall be used to support the excess cost
19 of instruction and support services provided by an
20 alternative learning opportunities program. Implementation
21 grants shall be distributed based on available funding
22 grouped according to the per capita costs by school district.
23 The State Board shall establish the maximum amount of funding
24 for implementation grants. In years subsequent to the first
25 year of funding under this Article, implementation grants
26 shall be continued based on completion of program plans,
27 compliance with applicable State laws, and program
28 performance as measured by the percentage of students
29 achieving one or more specified positive outcomes and overall
30 progress in increasing the percentage of students that meet
31 State standards in each participating school district.

1 (105 ILCS 5/13B-40.35 new)

2 Sec. 13B-40.35. Supplanting prohibited. Alternative
3 learning opportunities grants may not be used to supplant
4 existing funds that the student would otherwise generate if
5 in attendance in the regular school program.

6 (105 ILCS 5/13B-40.40 new)

7 Sec. 13B-40.40. Cooperative and intergovernmental
8 agreements funding. Alternative learning opportunities
9 programs operating under a cooperative or intergovernmental
10 agreement shall receive the total of funding that each
11 individual program would be entitled to receive separately.

12 (105 ILCS 5/13B-40.45 new)

13 Sec. 13B-40.45. Deobligated funds. Within any given
14 grant year, deobligated funds shall be redistributed to
15 existing alternative learning opportunities programs.

16 (105 ILCS 5/13B-40.50 new)

17 Sec. 13B-40.50. Supplemental funding. An alternative
18 learning opportunities program may receive federal, State,
19 and local grants, gifts, and foundation grants to support the
20 program.

21 (105 ILCS 5/13B-45 new)

22 Sec. 13B-45. Days and hours of attendance. An
23 alternative learning opportunities program shall provide
24 students with at least the minimum number of days of pupil
25 attendance required under Section 10-19 of this Code and the
26 minimum number of daily hours of school work required under
27 Section 18-8.05 of this Code, provided that the State Board
28 may approve exceptions to these requirements if the program
29 meets all of the following conditions:

30 (1) The district plan submitted under Section

1 13B-25.15 of this Code establishes that a program
2 providing the required minimum number of days of
3 attendance or daily hours of school work would not serve
4 the needs of the program's students.

5 (2) Each day of attendance shall provide no fewer
6 than 3 clock hours of school work, as defined under
7 paragraph (1) of subsection (F) of Section 18-8.05 of
8 this Code.

9 (3) Each day of attendance that provides fewer than
10 5 clock hours of school work shall also provide
11 supplementary services, including without limitation
12 work-based learning, student assistance programs,
13 counseling, case management, health and fitness programs,
14 or life-skills or conflict resolution training, in order
15 to provide a total daily program to the student of 5
16 clock hours. A program may claim general State aid for
17 up to 2 hours of the time each day that a student is
18 receiving supplementary services.

19 (4) Each program shall provide no fewer than 174
20 days of actual pupil attendance during the school term;
21 however, approved evening programs that meet the
22 requirements of Section 13B-45 of this Code may offer
23 less than 174 days of actual pupil attendance during the
24 school term.

25 (105 ILCS 5/13B-50 new)

26 Sec. 13B-50. Eligibility to receive general State aid.
27 In order to receive general State aid, alternative learning
28 opportunities programs must meet the requirements for
29 claiming general State aid as specified in Section 18-8.05 of
30 this Code, with the exception of the length of the
31 instructional day, which may be less than 5 hours of school
32 work if the program meets the criteria set forth under
33 Sections 13B-50.5 and 13B-50.10 of this Code and if the

1 program is approved by the State Board.

2 (105 ILCS 5/13B-50.5 new)

3 Sec. 13B-50.5. Conditions of funding. If an alternative
4 learning opportunities program provides less than 5 clock
5 hours of school work daily, the program must meet guidelines
6 established by the State Board and must provide supplementary
7 services, including without limitation work-based learning,
8 student assistance programs, counseling, case management,
9 health and fitness programs, life skills, conflict
10 resolution, or service learning, that are equal to the
11 required attendance.

12 (105 ILCS 5/13B-50.10 new)

13 Sec. 13B-50.10. Additional criteria for general State
14 aid. In order to claim general State aid, an alternative
15 learning opportunities program must meet the following
16 criteria:

17 (1) Teacher professional development plans should
18 include education in the instruction of at-risk students.

19 (2) Facilities must meet the health, life, and safety
20 requirements in this Code.

21 (3) The program must comply with all other State and
22 federal laws applicable to education providers.

23 (105 ILCS 5/13B-50.15 new)

24 Sec. 13B-50.15. Level of funding. Approved alternative
25 learning opportunities programs are entitled to claim general
26 State aid, subject to Sections 13B-50, 13B-50.5, and
27 13B-50.10 of this Code. Approved programs operated by
28 regional offices of education are entitled to receive general
29 State aid at the foundation level of support. A school
30 district or consortium must ensure that an approved program
31 receives supplemental general State aid, transportation

1 reimbursements, and special education resources, if
2 appropriate, for students enrolled in the program.

3 (105 ILCS 5/13B-55 new)

4 Sec. 13B-55. Non-resident students. If one school
5 district can more efficiently serve students from multiple
6 school districts, an approved alternative learning
7 opportunities program may admit non-resident students
8 pursuant to the terms of an intergovernmental agreement
9 negotiated among participating districts. The tuition charge
10 must not be less than 100% nor greater than 110% of the per
11 capita tuition rate for the resident district.

12 (105 ILCS 5/13B-60 new)

13 Sec. 13B-60. Enrollment in program. The provisions set
14 forth in the following Sections preceding Section 13B-65 of
15 this Code govern enrollment in an alternative learning
16 opportunities program.

17 (105 ILCS 5/13B-60.5 new)

18 Sec. 13B-60.5. Request for enrollment. A school
19 district that operates an alternative learning opportunities
20 program shall ensure that parents and guardians are aware of
21 the program and the services that the program offers. A
22 student may be enrolled in the program only upon the request
23 of the student or the student's parent or guardian and only
24 after a conference under Section 13B-60.10 of this Code has
25 been held.

26 (105 ILCS 5/13B-60.10 new)

27 Sec. 13B-60.10. Parent conference. Before being
28 enrolled in an alternative learning opportunities program,
29 the student and each of his or her parents or guardians shall
30 receive written notice to attend a conference to determine if

1 the student would benefit from attending an alternative
2 learning opportunities program. The conference must provide
3 all of the information necessary for the student and parent
4 or guardian to make an informed decision regarding enrollment
5 in an alternative learning opportunities program. The
6 conference shall include a discussion of the extent to which
7 the student, if enrolled in the program, may participate in
8 school activities. No student shall be enrolled in an
9 alternative learning opportunities program without the
10 consent of the student's parent or guardian.

11 (105 ILCS 5/13B-60.15 new)

12 Sec. 13B-60.15. Review of student progress. A school
13 district must regularly review the progress of students
14 enrolled in an alternative learning opportunities program to
15 ensure that students may return to the regular school program
16 as soon as appropriate. Upon request of the student's parent
17 or guardian, the school district shall review the student's
18 progress using procedures established by the district. A
19 student shall remain in the program only with the consent of
20 the student's parent or guardian and shall be promptly
21 returned to the regular school program upon the request of
22 the student's parent or guardian.

23 (105 ILCS 5/13B-60.20 new)

24 Sec. 13B-60.20. Enrollment of special education
25 students. Any enrollment of a special education student in
26 an alternative learning opportunities program must be done
27 only if included in the student's individualized education
28 plan. The student's individualized education plan must be
29 implemented in the program by appropriately certified
30 personnel.

31 (105 ILCS 5/13B-60.25 new)

1 Sec. 13B-60.25. Student Success Plan. A Student Success
2 Plan must be developed for each student enrolled in an
3 alternative learning opportunities program. The student and
4 his or her parent or guardian must be afforded an opportunity
5 to participate in the development of this Plan.

6 (105 ILCS 5/13B-65 new)

7 Sec. 13B-65. Teacher certification. Teachers with a
8 valid and active elementary, secondary, or special PK-12
9 Illinois teaching certificate may teach in an alternative
10 learning opportunities program.

11 (105 ILCS 5/13B-65.5 new)

12 Sec. 13B-65.5. Alternative learning credentials for
13 teachers. Certificated teachers may receive an endorsement
14 or approval in the area of alternative learning. The State
15 Board shall establish teaching standards in alternative
16 learning that lead to such an endorsement or approval.

17 (105 ILCS 5/13B-65.10 new)

18 Sec. 13B-65.10. Continuing professional development for
19 teachers. Teachers may receive continuing education units or
20 continuing professional development units, subject to the
21 provisions of Section 13B-65.5 of this Code, for professional
22 development related to alternative learning.

23 (105 ILCS 5/13B-70 new)

24 Sec. 13B-70. Truancy and attendance problems. If a
25 student is a chronic or habitual truant as defined in Section
26 26-2a of this Code or if a child has been ordered to attend
27 school, the school district may consider the student for
28 placement in an alternative learning opportunities program
29 specifically designed to prevent truancy, supplement
30 instruction for students with attendance problems, intervene

1 to decrease chronic truancy, and provide alternatives to high
2 school completion. A program operating pursuant to the
3 truants' alternative and optional education program may
4 contract with a school district or consortium to provide
5 these services.

6 (105 ILCS 5/13B-75 new)

7 Sec. 13B-75. Subcontracting. A school district,
8 regional office of education, or public community college may
9 contract with a non-profit or for-profit educational entity
10 for the delivery of services under this Article. All
11 educational entities providing instructional services for
12 eligible students must be recognized by the State Board.

13 (105 ILCS 5/13B-80 new)

14 Sec. 13B-80. Student credit. A school district must
15 grant academic credit to a student in an alternative learning
16 opportunities program for work completed at an education
17 provider that is accredited by a regional accrediting body or
18 recognized by the State Board if the student's performance
19 meets district standards.

20 (105 ILCS 5/13B-85 new)

21 Sec. 13B-85. Test of General Educational Development. A
22 student 16 years of age or over who satisfactorily completes
23 an alternative learning opportunities program in accordance
24 with school district guidelines and the Student Success Plan
25 may take the Test of General Educational Development.

26 (105 ILCS 5/26-2) (from Ch. 122, par. 26-2)

27 Sec. 26-2. Enrolled pupils below 7 or over 16. Any
28 person having custody or control of a child who is below the
29 age of 7 years or above the age of 16 years and who is

1 enrolled in any of grades 1 through 12, in the public school
2 shall cause him to attend the public school in the district
3 wherein he resides when it is in session during the regular
4 school term unless he is excused under paragraphs 2, 3, 4 or
5 5 of Section 26-1.

6 A school district shall deny reenrollment in its
7 secondary schools to any child above the age of 16 years who
8 has dropped out of school and who could not, because of age
9 and lack of credits, attend classes during the normal school
10 year and graduate before his or her twenty-first birthday. A
11 district may, however, enroll the child in an alternative
12 learning opportunities program established under Article 13B.

13 No child shall be denied reenrollment for the above reasons
14 unless the school district first offers the child due process
15 as required in cases of expulsion under Section 10-22.6. If
16 a child is denied reenrollment after being provided with due
17 process, the school district must provide counseling to that
18 child and must direct that child to alternative educational
19 programs, including adult education programs, that lead to
20 graduation or receipt of a GED diploma. No child may be
21 denied reenrollment in violation of the Individuals with
22 Disabilities Education Act or the Americans with Disabilities
23 Act.

24 (Source: P.A. 88-199; 88-555, eff. 7-27-94.)

25 Section 99. Effective date. This Act takes effect on
26 January 1, 2002.

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