

AN ACT concerning education.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The School Code is amended by changing Section 14-1.11a as follows:

(105 ILCS 5/14-1.11a) (from Ch. 122, par. 14-1.11a)

Sec. 14-1.11a. Resident district; student. The resident district is the school district in which the student resides when:

(1) the parent has legal guardianship but the location of the parent is unknown; or

(2) an individual guardian has been appointed but the location of the guardian is unknown; or

(3) the student is 18 years of age or older and no legal guardian has been appointed; or

(4) the student is legally an emancipated minor; or

(5) an Illinois public agency has legal guardianship and such agency or any court in this State has placed the student residentially outside of the school district in which the parent lives.

In cases where an Illinois public agency has legal guardianship and has placed the student residentially outside of Illinois, the last school district that provided at least

45 days of educational service to the student shall continue to be the district of residence until the student is no longer under guardianship of an Illinois public agency or until the student is returned to Illinois.

The resident district of a homeless student is the Illinois district in which the student enrolls for educational services. Homeless students include individuals as defined in the Stewart B. McKinney Homeless Assistance Act.

The State Superintendent of Education may determine that the location of the parent or guardian of a student is unknown after considering information submitted from the school district that last enrolled the student or from the school or special education facility providing special education and related services to meet the needs of the student. The information submitted to the State Superintendent of Education must include an affidavit from that school district's superintendent or the facility's director attesting that the location of the parent or guardian is unknown and 4 items of documentary evidence that a minimum of 4 separate attempts were made to locate the parent or guardian. Any determination by the State Superintendent of Education that the location of a parent or guardian is unknown is final. However, any determination made by the State Superintendent of Education is subject to review and reconsideration any time a parent's or guardian's location becomes known.

(Source: P.A. 95-844, eff. 8-15-08.)

Public Act 102-0514

HB3906 Enrolled

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