



Rep. Michelle Mussman

Filed: 4/2/2024

10300HB0340ham002

LRB103 03867 RJT 71730 a

1 AMENDMENT TO HOUSE BILL 340

2 AMENDMENT NO. _____. Amend House Bill 340 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section
5 14-8.02f as follows:

6 (105 ILCS 5/14-8.02f)

7 Sec. 14-8.02f. Individualized education program meeting
8 protections.

9 (a) (Blank).

10 (b) This subsection (b) applies only to a school district
11 organized under Article 34. No later than 10 calendar days
12 prior to a child's individualized education program meeting or
13 as soon as possible if a meeting is scheduled within 10
14 calendar days with written parental consent, the school board
15 or school personnel must provide the child's parent or
16 guardian with a written notification of the services that

1 require a specific data collection procedure from the school
2 district for services related to the child's individualized
3 education program. The notification must indicate, with a
4 checkbox, whether specific data has been collected for the
5 child's individualized education program services. For
6 purposes of this subsection (b), individualized education
7 program services must include, but are not limited to,
8 paraprofessional support, an extended school year,
9 transportation, therapeutic day school, and services for
10 specific learning disabilities.

11 (c) Beginning on July 1, 2020, no later than 3 school days
12 prior to a meeting to determine a child's eligibility for
13 special education and related services or to review a child's
14 individualized education program, or as soon as possible if an
15 individualized education program meeting is scheduled within 3
16 school days with the written consent of the child's parent or
17 guardian, the local education agency must provide the child's
18 parent or guardian copies of all written material that will be
19 considered by the individualized education program team at the
20 meeting so that the parent or guardian may participate in the
21 meeting as a fully-informed team member. The parent or
22 guardian shall have the option of choosing from the available
23 methods of delivery, which must include regular mail and
24 picking up the materials at school. The notice provided to the
25 parent or guardian prior to the meeting pursuant to subsection
26 (g) of Section 14-8.02 shall inform the parent or guardian of

1 the parent's or guardian's right to receive copies of all
2 written material under this subsection (c) and shall provide
3 the date when the written material will be delivered or made
4 available to the parent or guardian.

5 For a meeting to determine the child's eligibility for
6 special education, the written material must include all
7 evaluations and collected data that will be considered at the
8 meeting. For a child who is already eligible for special
9 education and related services, the written material must
10 include a copy of all individualized education program
11 components that will be discussed by the individualized
12 education program team, other than the components related to
13 the educational and related service minutes proposed for the
14 child and the child's placement.

15 Parents shall also be informed of their right to review
16 and copy their child's school student records prior to any
17 special education eligibility or individualized education
18 program review meeting, subject to the requirements of
19 applicable federal and State law.

20 (d) Local education agencies must make logs that record
21 the delivery of related services administered under the
22 child's individualized education program and the minutes of
23 each type of related service that has been administered
24 available to the child's parent or guardian at any time upon
25 request of the child's parent or guardian. For purposes of
26 this subsection (d), related services for which a log must be

1 made are: speech and language services, occupational therapy
2 services, physical therapy services, school social work
3 services, school counseling services, school psychology
4 services, and school nursing services. The local education
5 agency must inform the child's parent or guardian within 20
6 school days from the beginning of the school year or upon
7 establishment of an individualized education program of his or
8 her ability to request those related service logs.

9 (d-5) If, at a meeting to develop or revise a child's
10 individualized education program, the individualized education
11 program team determines that a certain service is required in
12 order for the child to receive a free, appropriate public
13 education and that service is not implemented within 10 school
14 days after the service was to be initiated as set forth by the
15 child's individualized education program, then the local
16 education agency shall provide the child's parent or guardian
17 with written notification that the service has not yet been
18 implemented. The notification must be provided to the child's
19 parent or guardian within 3 school days of the local education
20 agency's non-compliance with the child's individualized
21 education program and must inform the parent or guardian about
22 the school district's procedures for requesting compensatory
23 services. In this subsection (d-5), "school days" does not
24 include days where a child is absent from school for reasons
25 unrelated to a lack of individualized education program
26 services or when the service is available, but the child is

1 unavailable.

2 (e) The State Board of Education may create a telephone
3 hotline to address complaints regarding the special education
4 services or lack of special education services of a school
5 district subject to this Section. If a hotline is created, it
6 must be available to all students enrolled in the school
7 district, parents or guardians of those students, and school
8 personnel. If a hotline is created, any complaints received
9 through the hotline must be registered and recorded with the
10 State Board's monitor of special education policies. No
11 student, parent or guardian, or member of school personnel may
12 be retaliated against for submitting a complaint through a
13 telephone hotline created by the State Board under this
14 subsection (e).

15 (f) A school district subject to this Section may not use
16 any measure that would prevent or delay an individualized
17 education program team from adding a service to the program or
18 create a time restriction in which a service is prohibited
19 from being added to the program. The school district may not
20 build functions into its computer software that would remove
21 any services from a student's individualized education program
22 without the approval of the program team and may not prohibit
23 the program team from adding a service to the program.

24 (Source: P.A. 100-993, eff. 8-20-18; 101-515, eff. 8-23-19;
25 101-598, eff. 12-6-19; 101-643, eff. 6-18-20.)

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