

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 Section
5 13A-4 as follows:

6 (105 ILCS 5/13A-4)

7 Sec. 13A-4. Administrative transfers.

8 (a) A student who is determined to be subject to
9 suspension or expulsion in the manner provided by Section
10 10-22.6 (or, in the case of a student enrolled in the public
11 schools of a school district organized under Article 34, in
12 accordance with the uniform system of discipline established
13 under Section 34-19) may be immediately transferred to the
14 alternative school program. ~~At the earliest time following~~
15 ~~that transfer appropriate personnel from the sending school~~
16 ~~district and appropriate personnel of the alternative program~~
17 ~~shall meet to develop an alternative education plan for the~~
18 ~~student. The student's parent or guardian shall be invited to~~
19 ~~this meeting. The student may be invited. The alternative~~
20 ~~educational plan shall include, but not be limited to all of~~
21 ~~the following:~~

22 ~~(1) The duration of the plan, including a date after~~
23 ~~which the student may be returned to the regular~~

1 ~~educational program in the public schools of the~~
2 ~~transferring district. If the parent or guardian of a~~
3 ~~student who is scheduled to be returned to the regular~~
4 ~~education program in the public schools of the district~~
5 ~~files a written objection to the return with the principal~~
6 ~~of the alternative school, the matter shall be referred by~~
7 ~~the principal to the regional superintendent of the~~
8 ~~educational service region in which the alternative school~~
9 ~~program is located for a hearing. Notice of the hearing~~
10 ~~shall be given by the regional superintendent to the~~
11 ~~student's parent or guardian. After the hearing, the~~
12 ~~regional superintendent may take such action as he or she~~
13 ~~finds appropriate and in the best interests of the~~
14 ~~student. The determination of the regional superintendent~~
15 ~~shall be final.~~

16 ~~(2) The specific academic and behavioral components of~~
17 ~~the plan.~~

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

20 ~~Notwithstanding any other provision of this Article, if a~~
21 ~~student for whom an individualized educational program has~~
22 ~~been developed under Article 14 is transferred to an~~
23 ~~alternative school program under this Article 13A, that~~
24 ~~individualized educational program shall continue to apply to~~
25 ~~that student following the transfer unless modified in~~
26 ~~accordance with the provisions of Article 14.~~

1 (b) Before the effective date of the transfer, the
2 student's parents or guardians shall receive information about
3 the alternative school program, including the specific nature
4 of the curriculum, the number of students in the program, any
5 available services, the program's disciplinary policies, a
6 typical daily schedule, and any extracurricular activities
7 that may be offered at the alternative school program.

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

16 (1) The duration of the plan, including a date after
17 which the student will be returned to the regular
18 educational program in the public schools of the
19 transferring district.

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

22 (3) A method and time frame for reviewing the
23 student's progress and for transitioning the student back
24 to the regular educational program in the public schools
25 of the transferring district on the date set forth in
26 paragraph (1), including a transition meeting between the

1 sending school district, the alternative school program,
2 and the student's parent or guardian at least 30 days
3 prior to the date after which the student will be returned
4 to the regular educational program in the public schools
5 of the transferring district.

6 (d) The date after which the student will return to the
7 regular educational program in the public schools of the
8 transferring district shall not be extended over the objection
9 of the student's parent or guardian.

10 (e) The date after which the student will return to the
11 regular educational program in the public schools of the
12 transferring district may be extended upon written agreement
13 by the transferring school district, the alternative school
14 program, and the student's parent or guardian.

15 (f) Notwithstanding any other provision of this Article,
16 if a student for whom an individualized education program has
17 been developed under Article 14 is transferred to an
18 alternative school program under this Article, that
19 individualized education program shall continue to apply to
20 that student following the transfer, unless modified in
21 accordance with the provisions of Article 14.

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