

**SB1885**



**96TH GENERAL ASSEMBLY**

**State of Illinois**

**2009 and 2010**

**SB1885**

Introduced 2/20/2009, by Sen. Randall M. Hultgren

**SYNOPSIS AS INTRODUCED:**

105 ILCS 5/13A-2.5  
105 ILCS 5/13A-4

Amends the Safe Schools Law of the School Code. Provides that a "disruptive student" includes suspension or expulsion eligible students and students against whom juvenile or criminal proceedings alleging the commission of a felony are pending (instead of just suspension or expulsion eligible students). Provides that a student against whom juvenile or criminal proceedings alleging the commission of a felony are pending may be immediately transferred to an alternative program. Effective immediately.

LRB096 11133 NHT 21498 b

FISCAL NOTE ACT  
MAY APPLY

**A BILL FOR**

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 Sections  
5 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 and  
9 students against whom juvenile or criminal proceedings  
10 alleging the commission of a felony are pending in any of  
11 grades 6 through 12. "Suspension or expulsion eligible  
12 students" are those students that have been found to be  
13 eligible for suspension or expulsion through the discipline  
14 process established by a school district.

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

16 (105 ILCS 5/13A-4)

17 Sec. 13A-4. Administrative transfers. A student who is  
18 determined to be subject to suspension or expulsion in the  
19 manner provided by Section 10-22.6 (or, in the case of a  
20 student enrolled in the public schools of a school district  
21 organized under Article 34, in accordance with the uniform  
22 system of discipline established under Section 34-19) or a

1 student against whom juvenile or criminal proceedings alleging  
2 the commission of a felony are pending may be immediately  
3 transferred to the alternative program. At the earliest time  
4 following that transfer appropriate personnel from the sending  
5 school district and appropriate personnel of the alternative  
6 program shall meet to develop an alternative education plan for  
7 the student. The student's parent or guardian shall be invited  
8 to this meeting. The student may be invited. The alternative  
9 educational plan shall include, but not be limited to all of  
10 the following:

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

1 final.

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

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

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

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

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