

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 14-8.02e and by adding Section 14-8.02g as follows:

(105 ILCS 5/14-8.02e)

Sec. 14-8.02e. State complaint procedures.

(a) The State Board of Education shall adopt State complaint procedures, consistent with Sections 300.151, 300.152, and 300.153 of Title 34 of the Code of Federal Regulations. The State Board of Education, by rule, shall establish State complaint procedures consistent with this Section. A school district or other public entity shall be required to submit a written response to a complaint within the time prescribed by the State Board of Education following receipt of the complaint. A copy of the response and all documentation submitted by the respondent to the State Board of Education, including corrective action compliance documentation, must be simultaneously provided by the respondent to the complainant or to the attorney for the complainant. If the complaint was filed by an individual other than a parent of a child who is the subject of the complaint (or the child if the child has reached majority or is

emancipated and has assumed responsibility for his or her own educational decisions) and the complaint is about a specific identifiable child or children, then appropriate written signed releases must be obtained prior to the release of any documentation or information to the complainant or the attorney representing the complainant.

(b) For a complaint made under procedures authorized under this Section alleging a delay or denial of special education or related services in the 2016-2017 or 2017-2018 school year by a school district organized under Article 34 as a result of the adoption of policies and procedures identified by the State Board of Education as unlawful, the complaint must be filed on or before September 30, 2021. This filing deadline must be included in the written notification sent by the school district under subsection (b) of Section 14-8.02g.

(Source: P.A. 98-383, eff. 8-16-13.)

(105 ILCS 5/14-8.02g new)

Sec. 14-8.02g. Written notification required for delays and denials of special education services.

(a) This Section applies only to a school district organized under Article 34.

(b) With respect to a student enrolled in the school district for or to whom appropriate special education or related services may have been delayed or denied in the 2016-2017 or 2017-2018 school year as a result of the adoption

of policies and procedures identified by the State Board of Education as unlawful, the school district must provide a separate written notification no later than 30 days after the first school day of the 2019-2020 school year to (i) the parent or guardian of the student, (ii) a designated representative of the student, (iii) the student if he or she is an emancipated minor, or (iv) the student if he or she has reached the age of majority and does not have a designated representative that states that appropriate relief may be available through a State complaint procedure authorized under Section 14-8.02e, State-sponsored mediation, or an impartial due process hearing under Section 14-8.02a. The written notification must include contact information for the State Board of Education, a list of organizations that provide free or low-cost legal services, advocacy, and advice on special education matters, and the filing deadline under subsection (b) of Section 14-8.02e. The written notification must be posted on the home page of the school district's public website and must, at least once, be included with any written informational materials for parents sent home with the student.

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