

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 13A-4 as follows:

(105 ILCS 5/13A-4)

Sec. 13A-4. Administrative transfers.

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

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

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

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

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

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

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

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

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

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

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

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

If the student or the student's parents or guardians are unable to attend the meeting required under this subsection (c), the appropriate personnel from the alternative school program shall offer a meeting within 30 days after the effective date of the transfer to the student and the student's parents or guardians to discuss and provide input on the student's alternative educational plan and shall provide a copy of the alternative educational plan to the student and the student's parents or guardians prior to the meeting.

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

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

(f) Notwithstanding any other provision of this Article, if a student for whom an individualized education program has been developed under Article 14 is transferred to an

alternative school program under this Article, that individualized education program shall continue to apply to that student following the transfer, unless modified in accordance with the provisions of Article 14.

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