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LRB096 08328 NHT 23363 a

1 AMENDMENT TO HOUSE BILL 640

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 640 by replacing  
3 everything after the enacting clause with the following:

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, other than students in a school district organized  
10 under Article 34 of this Code, against whom juvenile or  
11 criminal proceedings alleging the commission of a forcible  
12 felony, as defined in Section 2-8 of the Criminal Code of 1961,  
13 are pending in any of grades 6 through 12. "Suspension or  
14 expulsion eligible students" are those students that have been  
15 found to be eligible for suspension or expulsion through the  
16 discipline process established by a school district.

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

2 (105 ILCS 5/13A-4)

3 Sec. 13A-4. Administrative transfers. A student who is  
4 determined to be subject to suspension or expulsion in the  
5 manner provided by Section 10-22.6 (or, in the case of a  
6 student enrolled in the public schools of a school district  
7 organized under Article 34, in accordance with the uniform  
8 system of discipline established under Section 34-19) or a  
9 student, other than a student in a school district organized  
10 under Article 34 of this Code, against whom juvenile or  
11 criminal proceedings alleging the commission of a forcible  
12 felony, as defined in Section 2-8 of the Criminal Code of 1961,  
13 are pending may be immediately transferred to the alternative  
14 program. At the earliest time following that transfer  
15 appropriate personnel from the sending school district and  
16 appropriate personnel of the alternative program shall meet to  
17 develop an alternative education plan for the student. The  
18 student's parent or guardian shall be invited to this meeting.  
19 The student may be invited. The alternative educational plan  
20 shall include, but not be limited to all of the following:

21 (1) The duration of the plan, including a date after  
22 which the student may be returned to the regular  
23 educational program in the public schools of the  
24 transferring district. If the parent or guardian of a  
25 student who is scheduled to be returned to the regular

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

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

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

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

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

25 Section 99. Effective date. This Act takes effect upon

1 becoming law.".