

AN ACT concerning education.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Education for Homeless Children Act is amended by changing Sections 1-25 and 1-30 as follows:

(105 ILCS 45/1-25)

Sec. 1-25. Ombudspersons; dispute resolution; civil actions.

(a) Each regional superintendent of schools shall appoint ~~act as~~ an ombudsperson who is fair and impartial and familiar with the educational rights and needs of homeless children to provide resource information and resolve disputes at schools within his or her jurisdiction relating to the rights of homeless children under this Act, ~~except in Cook County, where each school district shall designate a person to serve as ombudsperson when a dispute arises.~~ If a school denies a homeless child enrollment or transportation, it shall immediately refer the child or his or her parent or guardian to the ombudsperson and provide the child or his or her parent or guardian with a written statement of the basis for the denial. The child shall be admitted and transported to the school chosen by the parent or guardian ~~parents or guardians~~ until final resolution of the dispute. The ombudsperson shall convene a meeting of all parties and attempt to resolve the dispute within 5 school days after receiving notice of the dispute, if possible.

(a-5) Whenever a child and his or her parent or guardian who initially share the housing of another person due to loss of housing, economic hardship, or a similar hardship continue to share the housing, a school district may, after the passage of 18 months and annually thereafter, conduct a review as to whether such hardship continues to exist. The district may, at

the time of review, request information from the parent or guardian to reasonably establish the hardship, and sworn affidavits or declarations may be sought and provided. If, upon review, the district determines that the family no longer suffers such hardship, it may notify the family in writing and begin the process of dispute resolution as set forth in this Act. Any change required as a result of this review and determination shall be effective solely at the close of the school year. Any person who knowingly or willfully presents false information regarding the hardship of a child in any review under this subsection (a-5) shall be guilty of a Class C misdemeanor.

(b) Any party to a dispute under this Act may file a civil action in a court of competent jurisdiction to seek appropriate relief. In any civil action, a party whose rights under this Act are found to have been violated shall be entitled to recover reasonable attorney's fees and costs.

(c) If a dispute arises, the school district shall inform parents and guardians of homeless children of the availability of the ombudsperson, sources of low cost or free legal assistance, and other advocacy services in the community.

(Source: P.A. 88-634, eff. 1-1-95.)

(105 ILCS 45/1-30)

Sec. 1-30. McKinney-Vento Education for Homeless Children Act implementation and technical assistance Committee. The Homeless Children Committee is abolished on the effective date of this amendatory Act of the 94th General Assembly. The Office of the Coordinator for the Education of Homeless Children and Youth, established pursuant to the federal McKinney-Vento Homeless Assistance Act, shall convene meetings throughout the State for the purpose of providing technical assistance, education, training, and problem-solving regarding the implementation of this Act and the federal McKinney-Vento Homeless Assistance Act. These meetings shall include lead liaisons, local educational agency liaisons, educators,

shelter, housing, and service providers, homeless or formerly homeless persons, advocates working with homeless families, and other persons or agencies deemed appropriate by the Coordinator. ~~There is hereby created a Homeless Children Committee composed of 24 members, 18 of whom shall be appointed by the State Superintendent of Education after consultation with advocates for the homeless and private nonprofit organizations that advocate an end to homelessness, 2 of whom shall be members of the General Assembly appointed (one from each chamber) by the Governor, and 4 of whom shall be members of the General Assembly appointed one each by the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate. Of the 18 members appointed by the State Superintendent of Education as provided in this Section, 6 shall be homeless and formerly homeless parents or guardians, 6 shall be providers to and advocates for homeless persons, and 6 shall be school personnel from different geographic regions of the State. Members of the Committee shall serve at the pleasure of the appointing authority and a vacancy on the Committee shall be filled by the appropriate appointing authority. The Committee shall have the authority to review and modify the current and future State plans that are required under the federal Stewart B. McKinney Homeless Assistance Act.~~

(Source: P.A. 88-634, eff. 1-1-95.)

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