

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 Section
5 14-8.02f as follows:

6 (105 ILCS 5/14-8.02f)

7 Sec. 14-8.02f. Individualized education program meeting
8 protections.

9 (a) (Blank).

10 (b) This subsection (b) applies only to a school district
11 organized under Article 34. No later than 10 calendar days
12 prior to a child's individualized education program meeting or
13 as soon as possible if a meeting is scheduled within 10
14 calendar days with written parental consent, the school board
15 or school personnel must provide the child's parent or
16 guardian with a written notification of the services that
17 require a specific data collection procedure from the school
18 district for services related to the child's individualized
19 education program. The notification must indicate, with a
20 checkbox, whether specific data has been collected for the
21 child's individualized education program services. For
22 purposes of this subsection (b), individualized education
23 program services must include, but are not limited to,

1 paraprofessional support, an extended school year,
2 transportation, therapeutic day school, and services for
3 specific learning disabilities.

4 (c) Beginning on July 1, 2020, no later than 3 school days
5 prior to a meeting to determine a child's eligibility for
6 special education and related services or to review a child's
7 individualized education program, or as soon as possible if an
8 individualized education program meeting is scheduled within 3
9 school days with the written consent of the child's parent or
10 guardian, the local education agency must provide the child's
11 parent or guardian copies of all written material that will be
12 considered by the individualized education program team at the
13 meeting so that the parent or guardian may participate in the
14 meeting as a fully-informed team member. The parent or
15 guardian shall have the option of choosing from the available
16 methods of delivery, which must include regular mail and
17 picking up the materials at school. The notice provided to the
18 parent or guardian prior to the meeting pursuant to subsection
19 (g) of Section 14-8.02 shall inform the parent or guardian of
20 the parent's or guardian's right to receive copies of all
21 written material under this subsection (c) and shall provide
22 the date when the written material will be delivered or made
23 available to the parent or guardian.

24 For a meeting to determine the child's eligibility for
25 special education, the written material must include all
26 evaluations and collected data that will be considered at the

1 meeting. For a child who is already eligible for special
2 education and related services, the written material must
3 include a copy of all individualized education program
4 components that will be discussed by the individualized
5 education program team, other than the components related to
6 the educational and related service minutes proposed for the
7 child and the child's placement.

8 Parents shall also be informed of their right to review
9 and copy their child's school student records prior to any
10 special education eligibility or individualized education
11 program review meeting, subject to the requirements of
12 applicable federal and State law.

13 (d) Local education agencies must make logs that record
14 the delivery of related services administered under the
15 child's individualized education program and the minutes of
16 each type of related service that has been administered
17 available to the child's parent or guardian at any time upon
18 request of the child's parent or guardian. For purposes of
19 this subsection (d), related services for which a log must be
20 made are: speech and language services, occupational therapy
21 services, physical therapy services, school social work
22 services, school counseling services, school psychology
23 services, and school nursing services. The local education
24 agency must inform the child's parent or guardian within 20
25 school days from the beginning of the school year or upon
26 establishment of an individualized education program of his or

1 her ability to request those related service logs.

2 (d-5) If, at a meeting to develop or revise a child's
3 individualized education program, the individualized education
4 program team determines that a certain service is required in
5 order for the child to receive a free, appropriate public
6 education and that service is not implemented within 10 school
7 days after the service was to be initiated as set forth by the
8 child's individualized education program, then the local
9 education agency shall provide the child's parent or guardian
10 with written notification that the service has not yet been
11 implemented. The notification must be provided to the child's
12 parent or guardian within 3 school days of the local education
13 agency's non-compliance with the child's individualized
14 education program and must inform the parent or guardian about
15 the school district's procedures for requesting compensatory
16 services. In this subsection (d-5), "school days" does not
17 include days where a child is absent from school for reasons
18 unrelated to a lack of individualized education program
19 services or when the service is available, but the child is
20 unavailable.

21 (e) The State Board of Education may create a telephone
22 hotline to address complaints regarding the special education
23 services or lack of special education services of a school
24 district subject to this Section. If a hotline is created, it
25 must be available to all students enrolled in the school
26 district, parents or guardians of those students, and school

1 personnel. If a hotline is created, any complaints received
2 through the hotline must be registered and recorded with the
3 State Board's monitor of special education policies. No
4 student, parent or guardian, or member of school personnel may
5 be retaliated against for submitting a complaint through a
6 telephone hotline created by the State Board under this
7 subsection (e).

8 (f) A school district subject to this Section may not use
9 any measure that would prevent or delay an individualized
10 education program team from adding a service to the program or
11 create a time restriction in which a service is prohibited
12 from being added to the program. The school district may not
13 build functions into its computer software that would remove
14 any services from a student's individualized education program
15 without the approval of the program team and may not prohibit
16 the program team from adding a service to the program.

17 (Source: P.A. 100-993, eff. 8-20-18; 101-515, eff. 8-23-19;
18 101-598, eff. 12-6-19; 101-643, eff. 6-18-20.)

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