

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 Sections
5 10-22.6, 10-22.6a, 10-22.39, 13A-11, 14-8.02, 26-2a, and 27A-5
6 and by adding Article 13C as follows:

7 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

8 Sec. 10-22.6. Suspension or expulsion of pupils; school
9 searches.

10 (a) To expel pupils guilty of gross disobedience or
11 misconduct, and no action shall lie against them for such
12 expulsion. Expulsion shall take place only after the parents
13 have been requested to appear at a meeting of the board, or
14 with a hearing officer appointed by it, to discuss their
15 child's behavior. Such request shall be made by registered or
16 certified mail and shall state the time, place and purpose of
17 the meeting. The board, or a hearing officer appointed by it,
18 at such meeting shall state the reasons for dismissal and the
19 date on which the expulsion is to become effective. If a
20 hearing officer is appointed by the board he shall report to
21 the board a written summary of the evidence heard at the
22 meeting and the board may take such action thereon as it finds
23 appropriate.

1 (b) To suspend or by regulation to authorize the
2 superintendent of the district or the principal, assistant
3 principal, or dean of students of any school to suspend pupils
4 guilty of gross disobedience or misconduct, or to suspend
5 pupils guilty of gross disobedience or misconduct on the school
6 bus from riding the school bus, and no action shall lie against
7 them for such suspension. The board may by regulation authorize
8 the superintendent of the district or the principal, assistant
9 principal, or dean of students of any school to suspend pupils
10 guilty of such acts for a period not to exceed 10 school days.
11 If a pupil is suspended due to gross disobedience or misconduct
12 on a school bus, the board may suspend the pupil in excess of
13 10 school days for safety reasons. Any suspension shall be
14 reported immediately to the parents or guardian of such pupil
15 along with a full statement of the reasons for such suspension
16 and a notice of their right to a review, a copy of which shall
17 be given to the school board. Upon request of the parents or
18 guardian the school board or a hearing officer appointed by it
19 shall review such action of the superintendent or principal,
20 assistant principal, or dean of students. At such review the
21 parents or guardian of the pupil may appear and discuss the
22 suspension with the board or its hearing officer. If a hearing
23 officer is appointed by the board he shall report to the board
24 a written summary of the evidence heard at the meeting. After
25 its hearing or upon receipt of the written report of its
26 hearing officer, the board may take such action as it finds

1 appropriate.

2 (c) The Department of Human Services shall be invited to
3 send a representative to consult with the board at such meeting
4 whenever there is evidence that mental illness may be the cause
5 for expulsion or suspension.

6 (c-5) In all suspension and expulsion proceedings, a
7 student may raise his or her status as a parent, expectant
8 parent, or victim of domestic or sexual violence, which must be
9 considered as a mitigating factor in determining whether to
10 suspend or expel the student or in deciding the nature or
11 severity of the disciplinary action at any time throughout the
12 proceedings. This subsection (c-5) applies to all school
13 districts, including special charter districts and districts
14 organized under Article 34 of this Code.

15 (d) The board may expel a student for a definite period of
16 time not to exceed 2 calendar years, as determined on a case by
17 case basis. A student who is determined to have brought a
18 weapon to school, any school-sponsored activity or event, or
19 any activity or event which bears a reasonable relationship to
20 school shall be expelled for a period of not less than one
21 year, except that the expulsion period may be modified by the
22 superintendent, and the superintendent's determination may be
23 modified by the board on a case by case basis. For the purpose
24 of this Section, the term "weapon" means (1) possession, use,
25 control, or transfer of any gun, rifle, shotgun, weapon as
26 defined by Section 921 of Title 18, United States Code, firearm

1 as defined in Section 1.1 of the Firearm Owners Identification
2 Act, or use of a weapon as defined in Section 24-1 of the
3 Criminal Code, (2) any other object if used or attempted to be
4 used to cause bodily harm, including but not limited to,
5 knives, brass knuckles, or billy clubs, or (3) "look alike" of
6 any weapon as defined in this Section. Expulsion or suspension
7 shall be construed in a manner consistent with the Federal
8 Individuals with Disabilities Education Act. A student who is
9 subject to suspension or expulsion as provided in this Section
10 may be eligible for a transfer to an alternative school program
11 in accordance with Article 13A of the School Code. The
12 provisions of this subsection (d) apply in all school
13 districts, including special charter districts and districts
14 organized under Article 34.

15 (e) To maintain order and security in the schools, school
16 authorities may inspect and search places and areas such as
17 lockers, desks, parking lots, and other school property and
18 equipment owned or controlled by the school, as well as
19 personal effects left in those places and areas by students,
20 without notice to or the consent of the student, and without a
21 search warrant. As a matter of public policy, the General
22 Assembly finds that students have no reasonable expectation of
23 privacy in these places and areas or in their personal effects
24 left in these places and areas. School authorities may request
25 the assistance of law enforcement officials for the purpose of
26 conducting inspections and searches of lockers, desks, parking

1 lots, and other school property and equipment owned or
2 controlled by the school for illegal drugs, weapons, or other
3 illegal or dangerous substances or materials, including
4 searches conducted through the use of specially trained dogs.
5 If a search conducted in accordance with this Section produces
6 evidence that the student has violated or is violating either
7 the law, local ordinance, or the school's policies or rules,
8 such evidence may be seized by school authorities, and
9 disciplinary action may be taken. School authorities may also
10 turn over such evidence to law enforcement authorities. The
11 provisions of this subsection (e) apply in all school
12 districts, including special charter districts and districts
13 organized under Article 34.

14 (f) Suspension or expulsion may include suspension or
15 expulsion from school and all school activities and a
16 prohibition from being present on school grounds.

17 (g) A school district may adopt a policy providing that if
18 a student is suspended or expelled for any reason from any
19 public or private school in this or any other state, the
20 student must complete the entire term of the suspension or
21 expulsion before being admitted into the school district. A
22 school district that adopts such a policy must include a
23 provision allowing for consideration of a student's status as a
24 parent, expectant parent, or victim of domestic or sexual
25 violence as a mitigating factor in reviews during the
26 disciplinary period and exempting on a case-by-case basis those

1 students whose status as a parent, expectant parent, or victim
2 of domestic or sexual violence is a factor in the behavior that
3 gives rise to the suspension or expulsion. This policy may
4 allow placement of the student in an alternative school program
5 established under Article 13A of this Code, if available, for
6 the remainder of the suspension or expulsion. This subsection
7 (g) applies to all school districts, including special charter
8 districts and districts organized under Article 34 of this
9 Code.

10 (h) For the purposes of this subsection (h) and subsections
11 (c-5), (g), (i), and (j) of this Section:

12 "Domestic or sexual violence organization" means a
13 nonprofit, nongovernmental organization that provides
14 assistance to victims of domestic or sexual violence or to
15 advocates for such victims, including an organization carrying
16 out a domestic or sexual violence program; an organization
17 operating a shelter or a rape crisis center or providing
18 counseling services; or an organization that seeks to eliminate
19 domestic or sexual violence through legislative advocacy or
20 policy change, public education, or service collaboration.

21 "Domestic violence" includes one or more acts or threats of
22 violence among family or household members or persons who have
23 or have had a dating or engagement relationship, not including
24 acts of self-defense or the defense of another, as "domestic
25 violence" and "family or household members" are defined in
26 Section 103 of the Illinois Domestic Violence Act of 1986.

1 "Expectant parent" means a female who is pregnant or a male
2 who voluntarily identifies himself as the parent of an unborn
3 child by seeking services for teen parents and who has not yet
4 graduated from secondary school as provided in Section 22-22 of
5 this Code.

6 "Parent" means a person who is a custodial parent or a
7 noncustodial parent taking an active role in the care and
8 supervision of a child and who has not yet graduated from
9 secondary school as provided in Section 22-22 of this Code,
10 unless the context otherwise requires.

11 "Perpetrator" means an individual who commits or is alleged
12 to have committed any act of domestic or sexual violence.

13 "Sexual violence" means sexual assault, abuse, or stalking
14 of an adult or minor child proscribed in the Criminal Code of
15 1961 in Sections 12-7.3, 12-7.4, 12-7.5, 12-12, 12-13, 12-14,
16 12-14.1, 12-15, and 12-16, including sexual violence committed
17 by perpetrators who are strangers to the victim and sexual
18 violence committed by perpetrators who are known or related by
19 blood or marriage to the victim.

20 "Student" or "pupil" means any youth enrolled, eligible to
21 enroll, or previously enrolled in a school who has not yet
22 graduated from secondary school as provided in Section 22-22 of
23 this Code.

24 "Victim" means an individual who has been subjected to one
25 or more acts of domestic or sexual violence.

26 "Youth", except as otherwise provided in this Code, means a

1 child, student, or juvenile below the age of 21 years who has
2 not yet completed his or her prescribed course of study or has
3 not graduated from secondary school as provided in Section
4 22-22 of this Code. "Youth" includes, but is not limited to,
5 unaccompanied youth not in the physical custody of a parent or
6 guardian.

7 (i) If a pupil is faced with either (i) suspension from
8 school due to gross disobedience or misconduct or suspension
9 from riding a school bus due to gross disobedience or
10 misconduct on the school bus as provided in this Section or
11 (ii) expulsion due to gross disobedience or misconduct as
12 provided in this Section and if there is a relationship between
13 the behavior that gives rise to the suspension or expulsion
14 proceedings and the pupil's status as a parent, expectant
15 parent, or victim of domestic or sexual violence, then the
16 suspension or expulsion requirement may be modified by the
17 district superintendent on a case-by-case basis. This
18 subsection (i) applies to all school districts, including
19 special charter districts and districts organized under
20 Article 34 of this Code.

21 (j) A school district may require a youth to provide
22 verification that he or she is or has been a victim of domestic
23 or sexual violence only when a youth asserts rights under this
24 Section on the basis of domestic or sexual violence. Any one of
25 the following is acceptable verification of a youth's claim of
26 domestic or sexual violence:

1 (1) A written statement from the youth or anyone who
2 has knowledge of the circumstances that support the youth's
3 claim.

4 (2) A police report, government agency record, or court
5 record.

6 (3) A statement or other documentation from a domestic
7 or sexual violence organization or any other organization
8 from which the youth sought services or advice.

9 (4) Documentation from a lawyer, clergy person,
10 medical professional, or other professional from whom the
11 youth sought domestic or sexual violence services or
12 advice.

13 (5) Any other evidence, such as physical evidence of
14 violence, that supports the claim.

15 A youth who has provided acceptable verification that he or she
16 is or has been a victim of domestic or sexual violence must not
17 be required to provide any additional verification if the
18 youth's efforts to assert rights under this Code stem from a
19 claim involving the same perpetrator. This subsection (j)
20 applies to all school districts, including special charter
21 districts and districts organized under Article 34 of this
22 Code.

23 (Source: P.A. 92-64, eff. 7-12-01.)

24 (105 ILCS 5/10-22.6a) (from Ch. 122, par. 10-22.6a)

25 Sec. 10-22.6a. To provide by home instruction,

1 correspondence courses or otherwise courses of instruction for
2 pupils who are unable to attend school because of pregnancy or
3 pregnancy-related conditions, the fulfillment of parenting
4 obligations related to the health of the pupil's child, or
5 health complications and safety concerns arising from domestic
6 or sexual violence. Such instruction shall be provided to the
7 pupil (1) before the birth of the child when the pupil's health
8 care provider ~~physician~~ has indicated to the district, in
9 writing, that the pupil is medically unable to attend regular
10 classroom instruction, and (2) for up to 3 months following the
11 birth of the child or a miscarriage, (3) to care for the
12 pupil's ill child when the child's health care provider has
13 indicated to the district, in writing, that the pupil's child
14 has a serious health condition, that the pupil is needed to
15 provide care to this child, and that alternative care for the
16 child is unavailable, or (4) to treat physical or mental health
17 complications or address safety concerns arising from domestic
18 or sexual violence when the pupil's domestic or sexual violence
19 organization or health care provider has indicated to the
20 district, in writing, that such care is needed and will cause
21 an absence for 2 or more consecutive weeks of school.

22 The instruction course shall be designed to offer
23 educational experiences that are equivalent to those given to
24 pupils at the same grade level in the district and that are
25 designed to enable the pupil to return to the classroom.

26 Notwithstanding any other law to the contrary, if a pupil

1 is unable to attend regular classes because of the reasons set
2 forth in this Section and if the pupil has participated in
3 instruction under this Section that is administered by the
4 school district, then the pupil must not be penalized for
5 grading purposes nor be denied course completion, grade level
6 advancement, or graduation solely on the basis of the pupil's
7 absence from the regular education program during the period of
8 this instruction.

9 A school district may require a youth to provide
10 verification that he or she is or has been a victim of domestic
11 or sexual violence only when a youth asserts rights under this
12 Section on the basis of domestic or sexual violence. Any one of
13 the following is acceptable verification of a youth's claim of
14 domestic or sexual violence:

15 (1) A written statement from the youth or anyone who
16 has knowledge of the circumstances that support the youth's
17 claim.

18 (2) A police report, government agency record, or court
19 record.

20 (3) A statement or other documentation from a domestic
21 or sexual violence organization or any other organization
22 from which the youth sought services or advice.

23 (4) Documentation from a lawyer, clergy person,
24 medical professional, or other professional from whom the
25 youth sought domestic or sexual violence services or
26 advice.

1 (5) Any other evidence, such as physical evidence of
2 violence, that supports the claim.

3 A youth who has provided acceptable verification that he or she
4 is or has been a victim of domestic or sexual violence must not
5 be required to provide any additional verification if the
6 youth's efforts to assert rights under this Code stem from a
7 claim involving the same perpetrator.

8 In this Section:

9 "Domestic or sexual violence organization" means a
10 nonprofit, nongovernmental organization that provides
11 assistance to victims of domestic or sexual violence or to
12 advocates for such victims, including an organization carrying
13 out a domestic or sexual violence program; an organization
14 operating a shelter or a rape crisis center or providing
15 counseling services; or an organization that seeks to eliminate
16 domestic or sexual violence through legislative advocacy or
17 policy change, public education, or service collaboration.

18 "Domestic violence" includes one or more acts or threats of
19 violence among family or household members or persons who have
20 or have had a dating or engagement relationship, not including
21 acts of self-defense or the defense of another, as "domestic
22 violence" and "family or household members" are defined in
23 Section 103 of the Illinois Domestic Violence Act of 1986.

24 "Perpetrator" means an individual who commits or is alleged
25 to have committed any act of domestic or sexual violence.

26 "Serious health condition" means an illness, injury,

1 impairment, or physical or mental condition that involves
2 inpatient care in a hospital, hospice, or residential medical
3 care facility or continuing treatment by a health care
4 provider.

5 "Sexual violence" means sexual assault, abuse, or stalking
6 of an adult or minor child proscribed in the Criminal Code of
7 1961 in Sections 12-7.3, 12-7.4, 12-7.5, 12-12, 12-13, 12-14,
8 12-14.1, 12-15, and 12-16, including sexual violence committed
9 by perpetrators who are strangers to the victim and sexual
10 violence committed by perpetrators who are known or related by
11 blood or marriage to the victim.

12 "Student" or "pupil" means any youth enrolled, eligible to
13 enroll, or previously enrolled in a school who has not yet
14 graduated from secondary school as provided in Section 22-22 of
15 this Code.

16 "Victim" means an individual who has been subjected to one
17 or more acts of domestic or sexual violence.

18 "Youth", except as otherwise provided in this Code, means a
19 child, student, or juvenile below the age of 21 years who has
20 not yet completed his or her prescribed course of study or has
21 not graduated from secondary school as provided in Section
22 22-22 of this Code. "Youth" includes, but is not limited to,
23 unaccompanied youth not in the physical custody of a parent or
24 guardian.

25 (Source: P.A. 84-1430.)

1 (105 ILCS 5/10-22.39) (from Ch. 122, par. 10-22.39)

2 Sec. 10-22.39. In-service training programs.

3 (a) To conduct in-service training programs for teachers.

4 (b) In addition to other topics at in-service training ~~such~~
5 programs, school guidance counselors, teachers and other
6 school personnel who work with pupils in grades 7 through 12
7 shall be trained to identify the warning signs of suicidal
8 behavior in adolescents and teens and shall be taught
9 appropriate intervention and referral techniques.

10 (c) School guidance counselors, nurses, teachers and other
11 school personnel who work with pupils may be trained to have a
12 basic knowledge of matters relating to acquired
13 immunodeficiency syndrome (AIDS), including the nature of the
14 disease, its causes and effects, the means of detecting it and
15 preventing its transmission, and the availability of
16 appropriate sources of counseling and referral, and any other
17 information that may be appropriate considering the age and
18 grade level of such pupils. The School Board shall supervise
19 such training. The State Board of Education and the Department
20 of Public Health shall jointly develop standards for such
21 training.

22 (d) In this subsection (d):

23 "Domestic violence" includes one or more acts or threats of
24 violence among family or household members or persons who have
25 or have had a dating or engagement relationship, not including
26 acts of self-defense or the defense of another, as "domestic

1 violence" and "family or household members" are defined in
2 Section 103 of the Illinois Domestic Violence Act of 1986.

3 "Expectant parent" means a female who is pregnant or a male
4 who voluntarily identifies himself as the parent of an unborn
5 child by seeking services for teen parents and who has not yet
6 graduated from secondary school as provided in Section 22-22 of
7 this Code.

8 "Parent" means a person who is a custodial parent or a
9 noncustodial parent taking an active role in the care and
10 supervision of a child and who has not yet graduated from
11 secondary school as provided in Section 22-22 of this Code,
12 unless the context otherwise requires.

13 "Perpetrator" means an individual who commits or is alleged
14 to have committed any act of domestic or sexual violence.

15 "Sexual violence" means sexual assault, abuse, or stalking
16 of an adult or minor child proscribed in the Criminal Code of
17 1961 in Sections 12-7.3, 12-7.4, 12-7.5, 12-12, 12-13, 12-14,
18 12-14.1, 12-15, and 12-16, including sexual violence committed
19 by perpetrators who are strangers to the victim and sexual
20 violence committed by perpetrators who are known or related by
21 blood or marriage to the victim.

22 "Student" or "pupil" means any youth enrolled, eligible to
23 enroll, or previously enrolled in a school who has not yet
24 graduated from secondary school as provided in Section 22-22 of
25 this Code.

26 "Victim" means an individual who has been subjected to one

1 or more acts of domestic or sexual violence.

2 "Youth", except as otherwise provided in this Code, means a
3 child, student, or juvenile below the age of 21 years who has
4 not yet completed his or her prescribed course of study or has
5 not graduated from secondary school as provided in Section
6 22-22 of this Code. "Youth" includes, but is not limited to,
7 unaccompanied youth not in the physical custody of a parent or
8 guardian.

9 At least once every 2 years, an in-service training program
10 for school personnel who work with pupils, including, but not
11 limited to, school and school district administrators,
12 teachers, school guidance counselors, school social workers,
13 school counselors, school psychologists, and school nurses,
14 must be conducted by persons with expertise in domestic and
15 sexual violence and the needs of expectant and parenting youth
16 and shall include training concerning (i) communicating with
17 and listening to youth victims of domestic or sexual violence
18 and expectant and parenting youth, (ii) connecting youth
19 victims of domestic or sexual violence and expectant and
20 parenting youth to appropriate in-school services and other
21 agencies, programs, and services as needed, and (iii)
22 implementing the school district's policies, procedures, and
23 protocols with regard to such youth, including
24 confidentiality. At a minimum, school personnel must be trained
25 to understand, provide information and referrals, and address
26 issues pertaining to youth who are parents, expectant parents,

1 or victims of domestic or sexual violence.

2 (Source: P.A. 86-900.)

3 (105 ILCS 5/13A-11)

4 Sec. 13A-11. Chicago public schools.

5 (a) The Chicago Board of Education may establish
6 alternative schools within Chicago and may contract with third
7 parties for services otherwise performed by employees,
8 including those in a bargaining unit, in accordance with
9 Sections 34-8.1, 34-18, and 34-49.

10 (b) Alternative schools operated by third parties within
11 Chicago shall be exempt from all provisions of the School Code,
12 except provisions concerning:

13 (1) Student civil rights;

14 (2) Staff civil rights;

15 (3) Health and safety;

16 (4) Performance and financial audits;

17 (5) The Illinois Goals Assessment Program;

18 (6) Chicago learning outcomes;

19 (7) Sections 2-3.25a through 2-3.25j of the School
20 Code;

21 (8) The Inspector General; ~~and~~

22 (9) Section 34-2.4b of the School Code; ~~and-~~

23 (10) Students who are parents, expectant parents, or
24 victims of domestic or sexual violence.

25 (Source: P.A. 89-383, eff. 8-18-95; 89-636, eff. 8-9-96.)

1 (105 ILCS 5/Art. 13C heading new)

2 ARTICLE 13C. ENSURING SUCCESS IN SCHOOL

3 (105 ILCS 5/13C-1 new)

4 Sec. 13C-1. Short title. This Article may be cited as the
5 Ensuring Success in School Law.

6 (105 ILCS 5/13C-5 new)

7 Sec. 13C-5. Purpose. The General Assembly, mindful that
8 children are our most precious resource, that the demands and
9 needs of adolescence make it a critical stage for educational
10 development in children, and that well-educated youth are a
11 critical component of a skilled and productive workforce,
12 declares that the following are the purposes of this Law:

13 (1) To ensure that youth who are parents, expectant
14 parents, or the victims of domestic or sexual violence are
15 identified by schools in a manner respectful of their
16 privacy and safety; treated with dignity and regard; and
17 provided the protection, instruction, and related support
18 services necessary to enable them to meet State educational
19 standards and successfully attain a high school diploma.

20 (2) To ensure that Illinois school-level staff and
21 policymakers understand and are sensitive to the needs and
22 characteristics of such youth, while recognizing and
23 honoring the role they will play and the choices they will

1 make in ensuring their own success in school and beyond.

2 (3) To afford protections in a school setting to a
3 population of youth who have historically been stigmatized
4 and discriminated against.

5 (4) To promote best practices in Illinois' schools for
6 the fulfillment of the constitutional goal of the
7 "educational development of all persons to the limits of
8 their capacities".

9 (105 ILCS 5/13C-10 new)

10 Sec. 13C-10. Legislative findings. The General Assembly
11 finds and declares all of the following:

12 (1) Youth, due to early pregnancy, childbearing,
13 parenting, or the experience of domestic or sexual
14 violence, experience significant educational losses
15 leading to a lifelong loss of schooling.

16 (2) Almost 60% of youth with a school-age pregnancy
17 drop out between 8th and 12th grade.

18 (3) This issue is of particular concern in Illinois,
19 where in 2004 almost 10% of Illinois births were to teen
20 mothers.

21 (4) More than 60% of young women who become pregnant as
22 youths have been sexually or physically abused at some
23 point in their lives.

24 (5) Over 60% of forcible rapes occur before the victim
25 is 18 years old.

1 (6) In 2001, 8.1% of Illinois students reported being a
2 victim of dating violence and 5.6% reported having been
3 sexually assaulted.

4 (7) Lifelong loss of schooling has a significant impact
5 on one's ability to attain economic success and stability
6 later in life.

7 (105 ILCS 5/13C-15 new)

8 Sec. 13C-15. Definitions. In this Article:

9 "Domestic or sexual violence organization" means a
10 nonprofit, nongovernmental organization that provides
11 assistance to victims of domestic or sexual violence or to
12 advocates for such victims, including an organization carrying
13 out a domestic or sexual violence program; an organization
14 operating a shelter or a rape crisis center or providing
15 counseling services; or an organization that seeks to eliminate
16 domestic or sexual violence through legislative advocacy or
17 policy change, public education, or service collaboration.

18 "Domestic violence" includes one or more acts or threats of
19 violence among family or household members or persons who have
20 or have had a dating or engagement relationship, not including
21 acts of self-defense or the defense of another, as "domestic
22 violence" and "family or household members" are defined in
23 Section 103 of the Illinois Domestic Violence Act of 1986.

24 "Expectant parent" means a female who is pregnant or a male
25 who voluntarily identifies himself as the parent of an unborn

1 child by seeking services for teen parents and who has not yet
2 graduated from secondary school as provided in Section 22-22 of
3 this Code.

4 "Parent" means a person who is a custodial parent or a
5 noncustodial parent taking an active role in the care and
6 supervision of a child and who has not yet graduated from
7 secondary school as provided in Section 22-22 of this Code,
8 unless the context otherwise requires.

9 "Perpetrator" means an individual who commits or is alleged
10 to have committed any act or threat of domestic or sexual
11 violence.

12 "School" means without limitation (i) a public or
13 State-operated elementary or secondary school; (ii) a school
14 operated pursuant to an agreement with a public school
15 district, including a cooperative or joint agreement with a
16 governing body or board of control; (iii) a charter school
17 operating in compliance with the Charter Schools Law; (iv) a
18 school operated under Section 13A-3 of this Code; (v) an
19 alternative school operated by third parties within the City of
20 Chicago under Section 13A-11 of this Code; (vi) an alternative
21 learning opportunities program operated under Section 13B of
22 this Code; or (vii) a public school administered by a local
23 public agency or the Department of Human Services operating
24 pursuant to the authority of this Code.

25 "School district" means any public entity responsible for
26 administering schools, including districts subject to Article

1 34 of this Code, and includes other entities responsible for
2 administering public schools, such as cooperatives, joint
3 agreements, charter schools, special charter districts,
4 regional offices of education, local agencies, and the
5 Department of Human Services.

6 "Sexual violence" means sexual assault, abuse, or stalking
7 of an adult or minor child proscribed in the Criminal Code of
8 1961 in Sections 12-7.3, 12-7.4, 12-7.5, 12-12, 12-13, 12-14,
9 12-14.1, 12-15, and 12-16, including sexual violence committed
10 by perpetrators who are strangers to the victim and sexual
11 violence committed by perpetrators who are known or related by
12 blood or marriage to the victim.

13 "Student" means any youth enrolled, eligible to enroll, or
14 previously enrolled in a school who has not yet graduated from
15 secondary school as provided in Section 22-22 of this Code.

16 "Victim" means an individual who has been subjected to one
17 or more acts of domestic or sexual violence.

18 "Youth", except as otherwise provided in this Code, means a
19 child, student, or juvenile below the age of 21 years who has
20 not yet completed his or her prescribed course of study or has
21 not graduated from secondary school as provided in Section
22 22-22 of this Code. "Youth" includes, but is not limited to,
23 unaccompanied youth not in the physical custody of a parent or
24 guardian.

1 Sec. 13C-20. Confidentiality. School districts shall adopt
2 and implement a policy and protocol to ensure that all
3 information concerning a youth's status as a parent, expectant
4 parent, or victim of domestic or sexual violence provided to
5 the school or school district or its employees or agents
6 pursuant to this Code or otherwise, including a statement of
7 the youth or any other documentation, record, or corroborating
8 evidence, and the fact that the youth has requested or obtained
9 assistance, accommodations, or services pursuant to this Code
10 shall be retained in the strictest confidence by the school or
11 school district and its employees and agents, except to the
12 extent that disclosure is (i) requested or consented to in
13 writing by the youth or the youth's parent or guardian, if it
14 is safe to obtain written consent of the youth's parent or
15 guardian, or (ii) otherwise required by applicable federal or
16 State law. School districts shall take all actions necessary to
17 comply with this Section no later than July 1, 2008.

18 (105 ILCS 5/13C-25 new)

19 Sec. 13C-25. Right to attend school. Youth who are parents,
20 expectant parents, or victims of domestic or sexual violence
21 have the right to attend school and receive the same or
22 equivalent educational instruction as other youth. No such
23 youth shall be deprived of or denied the opportunity to
24 participate in or complete an elementary and secondary public
25 school education because of his or her status as a parent,

1 expectant parent, or victim of domestic or sexual violence.

2 Written notice of the right to attend school and all of the
3 provisions under this Code about youth who are parents,
4 expectant parents, or victims of domestic or sexual violence
5 and all current school and school district policies about youth
6 who are parents, expectant parents, or victims of domestic or
7 sexual violence must be provided by each school district in the
8 form of policy manuals, employee and student handbooks, or
9 other written documentation. The written notice must be
10 distributed to all students, parents and guardians of students,
11 and school personnel at the beginning of each school year. In
12 addition, the notice must be distributed to individual youth
13 (i) at the time of transfer or withdrawal from school; (ii) at
14 the time the school learns of the youth's status as a parent,
15 expectant parent, or victim of domestic or sexual violence; and
16 (iii) at the time of any adverse action, including, but not
17 limited to, disenrollment, suspension, or expulsion. The
18 written notice must be available on request at no charge.

19 (105 ILCS 5/13C-30 new)

20 Sec. 13C-30. Review and revision of policies. School
21 districts shall review all existing policies to determine which
22 ones may act as a barrier to the enrollment, reenrollment,
23 attendance, and success in school of any youth who is a parent,
24 expectant parent, or victim of domestic or sexual violence and
25 shall revise those policies so that they no longer act as a

1 barrier to the enrollment, reenrollment, attendance, and
2 success in school of any youth who is a parent, expectant
3 parent, or victim of domestic or sexual violence. School
4 districts shall adopt new policies, as needed, to implement the
5 provisions of this Code about students who are parents,
6 expectant parents, or victims of domestic or sexual violence.
7 School districts shall confer with persons with expertise in
8 youth who are parents or expectant parents and persons with
9 expertise in domestic and sexual violence, including domestic
10 and sexual violence organizations, in the review and revision
11 of existing policies and the adoption of new policies,
12 including those related to confidentiality. School districts
13 shall take all actions necessary to comply with this Section no
14 later than July 1, 2008 and no later than July 1 every 2 years
15 thereafter.

16 (105 ILCS 5/13C-35 new)

17 Sec. 13C-35. Specially trained personnel.

18 (a) Each school district shall employ at least one staff
19 person who is a school social worker, psychologist, counselor,
20 or nurse and who is also trained to address in a confidential
21 and sensitive manner the needs of youth who are parents,
22 expectant parents, or victims of domestic or sexual violence.
23 Such staff shall be named "specially trained personnel". School
24 districts with more than 10,000 students shall employ at least
25 one additional staff person who is either a school social

1 worker, psychologist, counselor, or nurse and who is trained to
2 address in a confidential and sensitive manner the needs of
3 youth who are parents, expectant parents, or victims of
4 domestic or sexual violence for every additional 10,000
5 students. Such additional staff shall also be named "specially
6 trained personnel". Specially trained personnel are
7 responsible for, but not limited to, all of the following
8 activities:

9 (1) Communicating with and listening to such youth who
10 are parents, expectant parents, or victims of domestic or
11 sexual violence.

12 (2) Connecting such youth to appropriate in-school
13 services and other agencies, programs, and services, as
14 needed.

15 (3) Coordinating and monitoring the implementation of
16 the school district's policy, procedures, and protocols in
17 cases involving student allegations of domestic or sexual
18 violence.

19 (4) Coordinating and monitoring the implementation of
20 the school district's policy, procedures, and protocols as
21 set forth in provisions of this Code about students who are
22 parents, expectant parents, or victims of domestic or
23 sexual violence.

24 (5) Assisting such youth in their efforts to exercise
25 and preserve their rights set forth in provisions of this
26 Code about students who are parents, expectant parents, or

1 victims of domestic or sexual violence.

2 (6) Assisting in providing staff development to
3 establish a positive and sensitive learning environment
4 for such youth.

5 (b) At a minimum, specially trained personnel must be
6 trained to understand, provide information and referrals, and
7 address issues pertaining to youth who are parents, expectant
8 parents, or victims of domestic or sexual violence, including
9 theories and dynamics of domestic and sexual violence, the
10 necessity for confidentiality and the law, policy, procedures,
11 and protocols implementing confidentiality, and the
12 notification of such youth's parent or guardian regarding the
13 youth's status as a parent, expectant parent, or victim of
14 domestic or sexual violence or the enforcement of such youth's
15 rights under this Code when notice of the youth's status or the
16 involvement of the youth's parent or guardian may put the
17 health or safety of the youth at risk.

18 (c) School districts shall train all specially trained
19 personnel, and such personnel shall assist in implementing the
20 duties described in this Section no later than April 1, 2008,
21 except in those school districts where there exists a
22 collective bargaining agreement on the effective date of this
23 amendatory Act of the 95th General Assembly and where
24 implementation of this Section on or before April 1, 2008 would
25 be a violation of that collective bargaining agreement. In the
26 event that implementation of some activities required under

1 this Section is prevented by an existing collective bargaining
2 agreement, the school district must comply with this Section to
3 the fullest extent allowed by the existing collective
4 bargaining agreement no later than April 1, 2008. In those
5 instances where a collective bargaining agreement, which
6 either fully or partially prevents full implementation of this
7 Section, expires after April 1, 2008, the school district shall
8 train all specially trained personnel who shall implement the
9 duties described in this Section no later than the effective
10 date of the new collective bargaining agreement that
11 immediately succeeds the collective bargaining agreement in
12 effect on the effective date of this amendatory Act of the 95th
13 General Assembly.

14 (105 ILCS 5/14-8.02) (from Ch. 122, par. 14-8.02)

15 Sec. 14-8.02. Identification, Evaluation and Placement of
16 Children.

17 (a) The State Board of Education shall make rules under
18 which local school boards shall determine the eligibility of
19 children to receive special education. Such rules shall ensure
20 that a free appropriate public education be available to all
21 children with disabilities as defined in Section 14-1.02. The
22 State Board of Education shall require local school districts
23 to administer non-discriminatory procedures or tests to
24 limited English proficiency students coming from homes in which
25 a language other than English is used to determine their

1 eligibility to receive special education. The placement of low
2 English proficiency students in special education programs and
3 facilities shall be made in accordance with the test results
4 reflecting the student's linguistic, cultural and special
5 education needs. For purposes of determining the eligibility of
6 children the State Board of Education shall include in the
7 rules definitions of "case study", "staff conference",
8 "individualized educational program", and "qualified
9 specialist" appropriate to each category of children with
10 disabilities as defined in this Article. For purposes of
11 determining the eligibility of children from homes in which a
12 language other than English is used, the State Board of
13 Education shall include in the rules definitions for "qualified
14 bilingual specialists" and "linguistically and culturally
15 appropriate individualized educational programs". For purposes
16 of this Section, as well as Sections 14-8.02a, 14-8.02b, and
17 14-8.02c of this Code, "parent" means a parent as defined in
18 the federal Individuals with Disabilities Education Act (20
19 U.S.C. 1401(23)).

20 (b) No child shall be eligible for special education
21 facilities except with a carefully completed case study fully
22 reviewed by professional personnel in a multidisciplinary
23 staff conference and only upon the recommendation of qualified
24 specialists or a qualified bilingual specialist, if available.
25 At the conclusion of the multidisciplinary staff conference,
26 the parent of the child shall be given a copy of the

1 multidisciplinary conference summary report and
2 recommendations, which includes options considered, and be
3 informed of their right to obtain an independent educational
4 evaluation if they disagree with the evaluation findings
5 conducted or obtained by the school district. If the school
6 district's evaluation is shown to be inappropriate, the school
7 district shall reimburse the parent for the cost of the
8 independent evaluation. The State Board of Education shall,
9 with advice from the State Advisory Council on Education of
10 Children with Disabilities on the inclusion of specific
11 independent educational evaluators, prepare a list of
12 suggested independent educational evaluators. The State Board
13 of Education shall include on the list clinical psychologists
14 licensed pursuant to the Clinical Psychologist Licensing Act.
15 Such psychologists shall not be paid fees in excess of the
16 amount that would be received by a school psychologist for
17 performing the same services. The State Board of Education
18 shall supply school districts with such list and make the list
19 available to parents at their request. School districts shall
20 make the list available to parents at the time they are
21 informed of their right to obtain an independent educational
22 evaluation. However, the school district may initiate an
23 impartial due process hearing under this Section within 5 days
24 of any written parent request for an independent educational
25 evaluation to show that its evaluation is appropriate. If the
26 final decision is that the evaluation is appropriate, the

1 parent still has a right to an independent educational
2 evaluation, but not at public expense. An independent
3 educational evaluation at public expense must be completed
4 within 30 days of a parent written request unless the school
5 district initiates an impartial due process hearing or the
6 parent or school district offers reasonable grounds to show
7 that such 30 day time period should be extended. If the due
8 process hearing decision indicates that the parent is entitled
9 to an independent educational evaluation, it must be completed
10 within 30 days of the decision unless the parent or the school
11 district offers reasonable grounds to show that such 30 day
12 period should be extended. If a parent disagrees with the
13 summary report or recommendations of the multidisciplinary
14 conference or the findings of any educational evaluation which
15 results therefrom, the school district shall not proceed with a
16 placement based upon such evaluation and the child shall remain
17 in his or her regular classroom setting. No child shall be
18 eligible for admission to a special class for the educable
19 mentally disabled or for the trainable mentally disabled except
20 with a psychological evaluation and recommendation by a school
21 psychologist. Consent shall be obtained from the parent of a
22 child before any evaluation is conducted. If consent is not
23 given by the parent or if the parent disagrees with the
24 findings of the evaluation, then the school district may
25 initiate an impartial due process hearing under this Section.
26 The school district may evaluate the child if that is the

1 decision resulting from the impartial due process hearing and
2 the decision is not appealed or if the decision is affirmed on
3 appeal. The determination of eligibility shall be made and the
4 IEP meeting shall be completed within 60 school days from the
5 date of written parental consent. In those instances when
6 written parental consent is obtained with fewer than 60 pupil
7 attendance days left in the school year, the eligibility
8 determination shall be made and the IEP meeting shall be
9 completed prior to the first day of the following school year.
10 After a child has been determined to be eligible for a special
11 education class, such child must be placed in the appropriate
12 program pursuant to the individualized educational program by
13 or no later than the beginning of the next school semester. The
14 appropriate program pursuant to the individualized educational
15 program of students whose native tongue is a language other
16 than English shall reflect the special education, cultural and
17 linguistic needs. No later than September 1, 1993, the State
18 Board of Education shall establish standards for the
19 development, implementation and monitoring of appropriate
20 bilingual special individualized educational programs. The
21 State Board of Education shall further incorporate appropriate
22 monitoring procedures to verify implementation of these
23 standards. The district shall indicate to the parent and the
24 State Board of Education the nature of the services the child
25 will receive for the regular school term while waiting
26 placement in the appropriate special education class.

1 If the child is deaf, hard of hearing, blind, or visually
2 impaired and he or she might be eligible to receive services
3 from the Illinois School for the Deaf or the Illinois School
4 for the Visually Impaired, the school district shall notify the
5 parents, in writing, of the existence of these schools and the
6 services they provide and shall make a reasonable effort to
7 inform the parents of the existence of other, local schools
8 that provide similar services and the services that these other
9 schools provide. This notification shall include without
10 limitation information on school services, school admissions
11 criteria, and school contact information.

12 If the student may be eligible to participate in the
13 Home-Based Support Services Program for Mentally Disabled
14 Adults authorized under the Developmental Disability and
15 Mental Disability Services Act upon becoming an adult, the
16 student's individualized education program shall include plans
17 for (i) determining the student's eligibility for those
18 home-based services, (ii) enrolling the student in the program
19 of home-based services, and (iii) developing a plan for the
20 student's most effective use of the home-based services after
21 the student becomes an adult and no longer receives special
22 educational services under this Article. The plans developed
23 under this paragraph shall include specific actions to be taken
24 by specified individuals, agencies, or officials.

25 (c) In the development of the individualized education
26 program for a student who is functionally blind, it shall be

1 presumed that proficiency in Braille reading and writing is
2 essential for the student's satisfactory educational progress.
3 For purposes of this subsection, the State Board of Education
4 shall determine the criteria for a student to be classified as
5 functionally blind. Students who are not currently identified
6 as functionally blind who are also entitled to Braille
7 instruction include: (i) those whose vision loss is so severe
8 that they are unable to read and write at a level comparable to
9 their peers solely through the use of vision, and (ii) those
10 who show evidence of progressive vision loss that may result in
11 functional blindness. Each student who is functionally blind
12 shall be entitled to Braille reading and writing instruction
13 that is sufficient to enable the student to communicate with
14 the same level of proficiency as other students of comparable
15 ability. Instruction should be provided to the extent that the
16 student is physically and cognitively able to use Braille.
17 Braille instruction may be used in combination with other
18 special education services appropriate to the student's
19 educational needs. The assessment of each student who is
20 functionally blind for the purpose of developing the student's
21 individualized education program shall include documentation
22 of the student's strengths and weaknesses in Braille skills.
23 Each person assisting in the development of the individualized
24 education program for a student who is functionally blind shall
25 receive information describing the benefits of Braille
26 instruction. The individualized education program for each

1 student who is functionally blind shall specify the appropriate
2 learning medium or media based on the assessment report.

3 (c-5) In this subsection (c-5):

4 "Domestic or sexual violence organization" means a
5 nonprofit, nongovernmental organization that provides
6 assistance to victims of domestic or sexual violence or to
7 advocates for such victims, including an organization carrying
8 out a domestic or sexual violence program; an organization
9 operating a shelter or a rape crisis center or providing
10 counseling services; or an organization that seeks to eliminate
11 domestic or sexual violence through legislative advocacy or
12 policy change, public education, or service collaboration.

13 "Domestic violence" includes one or more acts or threats of
14 violence among family or household members or persons who have
15 or have had a dating or engagement relationship, not including
16 acts of self-defense or the defense of another, as "domestic
17 violence" and "family or household members" are defined in
18 Section 103 of the Illinois Domestic Violence Act of 1986.

19 "Expectant parent" means a female who is pregnant or a male
20 who voluntarily identifies himself as the parent of an unborn
21 child by seeking services for teen parents and who has not yet
22 graduated from secondary school as provided in Section 22-22 of
23 this Code.

24 "Parent" means a person who is a custodial parent or a
25 noncustodial parent taking an active role in the care and
26 supervision of a child and who has not yet graduated from

1 secondary school as provided in Section 22-22 of this Code,
2 unless the context otherwise requires.

3 "Perpetrator" means an individual who commits or is alleged
4 to have committed any act of domestic or sexual violence.

5 "Sexual violence" means sexual assault, abuse, or stalking
6 of an adult or minor child proscribed in the Criminal Code of
7 1961 in Sections 12-7.3, 12-7.4, 12-7.5, 12-12, 12-13, 12-14,
8 12-14.1, 12-15, and 12-16, including sexual violence committed
9 by perpetrators who are strangers to the victim and sexual
10 violence committed by perpetrators who are known or related by
11 blood or marriage to the victim.

12 "Student" means any youth enrolled, eligible to enroll, or
13 previously enrolled in a school who has not yet graduated from
14 secondary school as provided in Section 22-22 of this Code.

15 "Victim" means an individual who has been subjected to one
16 or more acts of domestic or sexual violence.

17 "Youth", except as otherwise provided in this Code, means a
18 child, student, or juvenile below the age of 21 years who has
19 not yet completed his or her prescribed course of study or has
20 not graduated from secondary school as provided in Section
21 22-22 of this Code. "Youth" includes, but is not limited to,
22 unaccompanied youth not in the physical custody of a parent or
23 guardian.

24 In the development of the individualized education program
25 for a student who is also a parent, expectant parent, or victim
26 of domestic or sexual violence, any appropriate accommodations

1 or services for that student in connection with these
2 circumstances, with the exception of information that is
3 confidential under applicable privacy laws, must be included as
4 part of the student's individualized education program.

5 A school district may require a youth to provide
6 verification that he or she is or has been a victim of domestic
7 or sexual violence only when the youth asserts rights under
8 this subsection (c-5) on the basis of domestic or sexual
9 violence. Any one of the following is acceptable verification
10 of a youth's claim of domestic or sexual violence:

11 (1) A written statement from the youth or anyone who
12 has knowledge of the circumstances that support the youth's
13 claim.

14 (2) A police report, government agency record, or court
15 record.

16 (3) A statement or other documentation from a domestic
17 or sexual violence organization or any other organization
18 from which the youth sought services or advice.

19 (4) Documentation from a lawyer, clergy person,
20 medical professional, or other professional from whom the
21 youth sought domestic or sexual violence services or
22 advice.

23 (5) Any other evidence, such as physical evidence of
24 violence, that supports the claim.

25 A youth who has provided acceptable verification that he or she
26 is or has been a victim of domestic or sexual violence must not

1 be required to provide any additional verification if the
2 youth's efforts to assert rights under this Code stem from a
3 claim involving the same perpetrator.

4 (d) To the maximum extent appropriate, the placement shall
5 provide the child with the opportunity to be educated with
6 children who are not disabled; provided that children with
7 disabilities who are recommended to be placed into regular
8 education classrooms are provided with supplementary services
9 to assist the children with disabilities to benefit from the
10 regular classroom instruction and are included on the teacher's
11 regular education class register. Subject to the limitation of
12 the preceding sentence, placement in special classes, separate
13 schools or other removal of the disabled child from the regular
14 educational environment shall occur only when the nature of the
15 severity of the disability is such that education in the
16 regular classes with the use of supplementary aids and services
17 cannot be achieved satisfactorily. The placement of limited
18 English proficiency students with disabilities shall be in
19 non-restrictive environments which provide for integration
20 with non-disabled peers in bilingual classrooms. Annually,
21 each January, school districts shall report data on students
22 from non-English speaking backgrounds receiving special
23 education and related services in public and private facilities
24 as prescribed in Section 2-3.30. If there is a disagreement
25 between parties involved regarding the special education
26 placement of any child, either in-state or out-of-state, the

1 placement is subject to impartial due process procedures
2 described in Article 10 of the Rules and Regulations to Govern
3 the Administration and Operation of Special Education.

4 (e) No child who comes from a home in which a language
5 other than English is the principal language used may be
6 assigned to any class or program under this Article until he
7 has been given, in the principal language used by the child and
8 used in his home, tests reasonably related to his cultural
9 environment. All testing and evaluation materials and
10 procedures utilized for evaluation and placement shall not be
11 linguistically, racially or culturally discriminatory.

12 (f) Nothing in this Article shall be construed to require
13 any child to undergo any physical examination or medical
14 treatment whose parents object thereto on the grounds that such
15 examination or treatment conflicts with his religious beliefs.

16 (g) School boards or their designee shall provide to the
17 parents of a child prior written notice of any decision (a)
18 proposing to initiate or change, or (b) refusing to initiate or
19 change, the identification, evaluation, or educational
20 placement of the child or the provision of a free appropriate
21 public education to their child, and the reasons therefor. Such
22 written notification shall also inform the parent of the
23 opportunity to present complaints with respect to any matter
24 relating to the educational placement of the student, or the
25 provision of a free appropriate public education and to have an
26 impartial due process hearing on the complaint. The notice

1 shall inform the parents in the parents' native language,
2 unless it is clearly not feasible to do so, of their rights and
3 all procedures available pursuant to this Act and the federal
4 Individuals with Disabilities Education Improvement Act of
5 2004 (Public Law 108-446); it shall be the responsibility of
6 the State Superintendent to develop uniform notices setting
7 forth the procedures available under this Act and the federal
8 Individuals with Disabilities Education Improvement Act of
9 2004 (Public Law 108-446) to be used by all school boards. The
10 notice shall also inform the parents of the availability upon
11 request of a list of free or low-cost legal and other relevant
12 services available locally to assist parents in initiating an
13 impartial due process hearing. Any parent who is deaf, or does
14 not normally communicate using spoken English, who
15 participates in a meeting with a representative of a local
16 educational agency for the purposes of developing an
17 individualized educational program shall be entitled to the
18 services of an interpreter.

19 (h) (Blank).

20 (i) (Blank).

21 (j) (Blank).

22 (k) (Blank).

23 (l) (Blank).

24 (m) (Blank).

25 (n) (Blank).

26 (o) (Blank).

1 (Source: P.A. 93-282, eff. 7-22-03; 94-376, eff. 7-29-05;
2 94-1100, eff. 2-2-07.)

3 (105 ILCS 5/26-2a) (from Ch. 122, par. 26-2a)

4 Sec. 26-2a. A "truant" is defined as a child subject to
5 compulsory school attendance and who is absent without valid
6 cause from such attendance for a school day or portion thereof.

7 "Valid cause" for absence shall be illness, attendance at
8 pregnancy-related medical appointments, observance of a
9 religious holiday, death in the immediate family, family
10 emergency, and fulfillment of the student's parenting
11 responsibilities (including, but not limited to, arranging
12 child care, caring for the student's sick child, and attending
13 medical appointments for the student's child) and shall include
14 such other situations beyond the control of the student as
15 determined by the board of education in each district, or such
16 other circumstances which cause reasonable concern to the
17 parent or the student for the safety or health of the student,
18 such as addressing circumstances resulting from domestic or
19 sexual violence.

20 "Chronic or habitual truant" shall be defined as a child
21 subject to compulsory school attendance and who is absent
22 without valid cause from such attendance for 10% or more of the
23 previous 180 regular attendance days.

24 "Truant minor" is defined as a chronic truant to whom
25 supportive services, including prevention, diagnostic,

1 intervention and remedial services, alternative programs and
2 other school and community resources have been provided and
3 have failed to result in the cessation of chronic truancy, or
4 have been offered and refused.

5 A "dropout" is defined as any child enrolled in grades 1
6 through 12 whose name has been removed from the district
7 enrollment roster for any reason other than his death, extended
8 illness, graduation or completion of a program of studies and
9 who has not transferred to another public or private school.

10 "Religion" for the purposes of this Article, includes all
11 aspects of religious observance and practice, as well as
12 belief.

13 A school district may require a youth to provide
14 verification that he or she is or has been a victim of domestic
15 or sexual violence only when a youth asserts rights under this
16 Section on the basis of domestic or sexual violence. Any one of
17 the following is acceptable verification of a youth's claim of
18 domestic or sexual violence:

19 (1) A written statement from the youth or anyone who
20 has knowledge of the circumstances that support the youth's
21 claim.

22 (2) A police report, government agency record, or court
23 record.

24 (3) A statement or other documentation from a domestic
25 or sexual violence organization or any other organization
26 from which the youth sought services or advice.

1 (4) Documentation from a lawyer, clergy person,
2 medical professional, or other professional from whom the
3 youth sought domestic or sexual violence services or
4 advice.

5 (5) Any other evidence, such as physical evidence of
6 violence, that supports the claim.

7 A youth who has provided acceptable verification that he or she
8 is or has been a victim of domestic or sexual violence must not
9 be required to provide any additional verification if the
10 youth's efforts to assert rights under this Code stem from a
11 claim involving the same perpetrator.

12 In this Section:

13 "Domestic or sexual violence organization" means a
14 nonprofit, nongovernmental organization that provides
15 assistance to victims of domestic or sexual violence or to
16 advocates for such victims, including an organization carrying
17 out a domestic or sexual violence program; an organization
18 operating a shelter or a rape crisis center or providing
19 counseling services; or an organization that seeks to eliminate
20 domestic or sexual violence through legislative advocacy or
21 policy change, public education, or service collaboration.

22 "Domestic violence" includes one or more acts or threats of
23 violence among family or household members or persons who have
24 or have had a dating or engagement relationship, not including
25 acts of self-defense or the defense of another, as "domestic
26 violence" and "family or household members" are defined in

1 Section 103 of the Illinois Domestic Violence Act of 1986.

2 "Perpetrator" means an individual who commits or is alleged
3 to have committed any act of domestic or sexual violence.

4 "Sexual violence" means sexual assault, abuse, or stalking
5 of an adult or minor child proscribed in the Criminal Code of
6 1961 in Sections 12-7.3, 12-7.4, 12-7.5, 12-12, 12-13, 12-14,
7 12-14.1, 12-15, and 12-16, including sexual violence committed
8 by perpetrators who are strangers to the victim and sexual
9 violence committed by perpetrators who are known or related by
10 blood or marriage to the victim.

11 "Student" means any youth enrolled, eligible to enroll, or
12 previously enrolled in a school who has not yet graduated from
13 secondary school as provided in Section 22-22 of this Code.

14 "Victim" means an individual who has been subjected to one
15 or more acts of domestic or sexual violence.

16 "Youth", except as otherwise provided in this Code, means a
17 child, student, or juvenile below the age of 21 years who has
18 not yet completed his or her prescribed course of study or has
19 not graduated from secondary school as provided in Section
20 22-22 of this Code. "Youth" includes, but is not limited to,
21 unaccompanied youth not in the physical custody of a parent or
22 guardian.

23 (Source: P.A. 84-1308; 84-1420; 84-1424; 84-1438.)

24 (105 ILCS 5/27A-5)

25 Sec. 27A-5. Charter school; legal entity; requirements.

1 (a) A charter school shall be a public, nonsectarian,
2 nonreligious, non-home based, and non-profit school. A charter
3 school shall be organized and operated as a nonprofit
4 corporation or other discrete, legal, nonprofit entity
5 authorized under the laws of the State of Illinois.

6 (b) A charter school may be established under this Article
7 by creating a new school or by converting an existing public
8 school or attendance center to charter school status. Beginning
9 on the effective date of this amendatory Act of the 93rd
10 General Assembly, in all new applications submitted to the
11 State Board or a local school board to establish a charter
12 school in a city having a population exceeding 500,000,
13 operation of the charter school shall be limited to one campus.
14 The changes made to this Section by this amendatory Act of the
15 93rd General Assembly do not apply to charter schools existing
16 or approved on or before the effective date of this amendatory
17 Act.

18 (c) A charter school shall be administered and governed by
19 its board of directors or other governing body in the manner
20 provided in its charter. The governing body of a charter school
21 shall be subject to the Freedom of Information Act and the Open
22 Meetings Act.

23 (d) A charter school shall comply with all applicable
24 health and safety requirements applicable to public schools
25 under the laws of the State of Illinois.

26 (e) Except as otherwise provided in the School Code, a

1 charter school shall not charge tuition; provided that a
2 charter school may charge reasonable fees for textbooks,
3 instructional materials, and student activities.

4 (f) A charter school shall be responsible for the
5 management and operation of its fiscal affairs including, but
6 not limited to, the preparation of its budget. An audit of each
7 charter school's finances shall be conducted annually by an
8 outside, independent contractor retained by the charter
9 school.

10 (g) A charter school shall comply with all provisions of
11 this Article and its charter. A charter school is exempt from
12 all other State laws and regulations in the School Code
13 governing public schools and local school board policies,
14 except the following:

15 (1) Sections 10-21.9 and 34-18.5 of the School Code
16 regarding criminal history records checks and checks of the
17 Statewide Sex Offender Database of applicants for
18 employment;

19 (2) Sections 24-24 and 34-84A of the School Code
20 regarding discipline of students;

21 (3) The Local Governmental and Governmental Employees
22 Tort Immunity Act;

23 (4) Section 108.75 of the General Not For Profit
24 Corporation Act of 1986 regarding indemnification of
25 officers, directors, employees, and agents;

26 (5) The Abused and Neglected Child Reporting Act;

1 (6) The Illinois School Student Records Act; and
2 (7) Section 10-17a of the School Code regarding school
3 report cards; and;

4 (8) Provisions about students who are parents,
5 expectant parents, or victims of domestic or sexual
6 violence.

7 (h) A charter school may negotiate and contract with a
8 school district, the governing body of a State college or
9 university or public community college, or any other public or
10 for-profit or nonprofit private entity for: (i) the use of a
11 school building and grounds or any other real property or
12 facilities that the charter school desires to use or convert
13 for use as a charter school site, (ii) the operation and
14 maintenance thereof, and (iii) the provision of any service,
15 activity, or undertaking that the charter school is required to
16 perform in order to carry out the terms of its charter.
17 However, a charter school that is established on or after the
18 effective date of this amendatory Act of the 93rd General
19 Assembly and that operates in a city having a population
20 exceeding 500,000 may not contract with a for-profit entity to
21 manage or operate the school during the period that commences
22 on the effective date of this amendatory Act of the 93rd
23 General Assembly and concludes at the end of the 2004-2005
24 school year. Except as provided in subsection (i) of this
25 Section, a school district may charge a charter school
26 reasonable rent for the use of the district's buildings,

1 grounds, and facilities. Any services for which a charter
2 school contracts with a school district shall be provided by
3 the district at cost. Any services for which a charter school
4 contracts with a local school board or with the governing body
5 of a State college or university or public community college
6 shall be provided by the public entity at cost.

7 (i) In no event shall a charter school that is established
8 by converting an existing school or attendance center to
9 charter school status be required to pay rent for space that is
10 deemed available, as negotiated and provided in the charter
11 agreement, in school district facilities. However, all other
12 costs for the operation and maintenance of school district
13 facilities that are used by the charter school shall be subject
14 to negotiation between the charter school and the local school
15 board and shall be set forth in the charter.

16 (j) A charter school may limit student enrollment by age or
17 grade level.

18 (Source: P.A. 93-3, eff. 4-16-03; 93-909, eff. 8-12-04; 94-219,
19 eff. 7-14-05.)

20 Section 97. Severability. The provisions of this Act are
21 severable under Section 1.31 of the Statute on Statutes.

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

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105 ILCS 5/10-22.6 from Ch. 122, par. 10-22.6

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105 ILCS 5/10-22.6a from Ch. 122, par. 10-22.6a

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105 ILCS 5/10-22.39 from Ch. 122, par. 10-22.39

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105 ILCS 5/13A-11

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105 ILCS 5/Art. 13C

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heading new

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105 ILCS 5/13C-1 new

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105 ILCS 5/13C-10 new

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105 ILCS 5/13C-15 new

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105 ILCS 5/13C-30 new

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105 ILCS 5/13C-35 new

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105 ILCS 5/14-8.02 from Ch. 122, par. 14-8.02

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105 ILCS 5/26-2a from Ch. 122, par. 26-2a

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