

1 AN ACT concerning alternative learning opportunities.

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
5 Sections 3-15.12 and 26-2 and by adding Article 13B as
6 follows:

7 (105 ILCS 5/3-15.12) (from Ch. 122, par. 3-15.12)

8 Sec. 3-15.12. High school equivalency testing program.
9 The regional superintendent of schools shall make available
10 for qualified individuals residing within the region a High
11 School Equivalency Testing Program. For that purpose the
12 regional superintendent alone or with other regional
13 superintendents may establish and supervise a testing center
14 or centers to administer the secure forms of the high school
15 level Test of General Educational Development to qualified
16 persons. Such centers shall be under the supervision of the
17 regional superintendent in whose region such centers are
18 located, subject to the approval of the State Superintendent
19 of Education.

20 An individual is eligible to apply to the regional
21 superintendent of schools for the region in which he resides
22 if he is: (a) a person who is 18 years of age or older, has
23 maintained residence in the State of Illinois and is not a
24 high school graduate, but whose high school class has
25 graduated; (b) a member of the armed forces of the United
26 States on active duty who is 17 years of age or older and who
27 is stationed in Illinois or is a legal resident of Illinois;
28 (c) a ward of the Department of Corrections who is 17 years
29 of age or older or an inmate confined in any branch of the
30 Illinois State Penitentiary or in a county correctional
31 facility who is 17 years of age or older; (d) a female who is

1 17 years of age or older who is unable to attend school
2 because she is either pregnant or the mother of one or more
3 children; (e) a male 17 years of age or older who is unable
4 to attend school because he is a father of one or more
5 children; (f) a person who is successfully completing an
6 alternative education program under Section 2-3.81, ~~or~~
7 Article 13A, or Article 13B; (g) a person who is enrolled in
8 a youth education program sponsored by the Illinois National
9 Guard; or (h) a person who is 17 years of age or older who
10 has been a dropout for a period of at least one year. For
11 purposes of this Section, residence is that abode which the
12 applicant considers his home. Applicants may provide as
13 sufficient proof of such residence a picture identification
14 card and two pieces of correctly addressed and postmarked
15 mail. Such regional superintendent shall determine if the
16 applicant meets statutory and regulatory state standards. If
17 qualified the applicant shall at the time of such application
18 pay a fee established by the State Board of Education, which
19 fee shall be paid into a special fund under the control and
20 supervision of the regional superintendent. Such moneys
21 received by the regional superintendent shall be used, first,
22 for the expenses incurred in administering and scoring the
23 examination, and next for other educational programs that are
24 developed and designed by the regional superintendent of
25 schools to assist those who successfully complete the high
26 school level test of General Education Development in
27 furthering their academic development or their ability to
28 secure and retain gainful employment, including programs for
29 the competitive award based on test scores of college or
30 adult education scholarship grants or similar educational
31 incentives. Any excess moneys shall be paid into the
32 institute fund.

33 Any applicant who has achieved the minimum passing
34 standards as established by the State Board of Education

1 shall be notified in writing by the regional superintendent
2 and shall be issued a high school equivalency certificate on
3 the forms provided by the State Superintendent of Education.
4 The regional superintendent shall then certify to the Office
5 of the State Superintendent of Education the score of the
6 applicant and such other and additional information that may
7 be required by the State Superintendent of Education. The
8 moneys received therefrom shall be used in the same manner as
9 provided for in this Section.

10 Any applicant who has attained the age of 18 years and
11 maintained residence in the State of Illinois and is not a
12 high school graduate but whose high school class has
13 graduated or any ward of the Department of Corrections who
14 has attained the age of 17 years, any inmate confined in any
15 branch of the Illinois State Penitentiary or in a county
16 correctional facility who has attained the age of 17 years,
17 or any member of the armed forces of the United States on
18 active duty who has attained the age of 17 years and who is
19 stationed in Illinois or is a legal resident of Illinois, or
20 any female who has attained the age of 17 years and is either
21 pregnant or the mother of one or more children, or any male
22 who has attained the age of 17 years and is the father of one
23 or more children, or any person who has successfully
24 completed an alternative education program under Section
25 2-3.81, ~~or Article 13A,~~ or Article 13B and meets the
26 requirements prescribed by the State Board of Education, is
27 eligible to apply for a high school equivalency certificate
28 upon showing evidence that he has completed, successfully,
29 the high school level General Educational Development Tests,
30 administered by the United States Armed Forces Institute,
31 official GED Centers established in other states, or at
32 Veterans' Administration Hospitals or the office of the State
33 Superintendent of Education administered for the Illinois
34 State Penitentiary System and the Department of Corrections.

1 Such applicant shall apply to the regional superintendent of
2 the region wherein he has maintained residence, and upon
3 payment of a fee established by the State Board of Education
4 the regional superintendent shall issue a high school
5 equivalency certificate, and immediately thereafter certify
6 to the State Superintendent of Education the score of the
7 applicant and such other and additional information as may be
8 required by the State Superintendent of Education.

9 Notwithstanding the provisions of this Section, any
10 applicant who has been out of school for at least one year
11 may request the regional superintendent of schools to
12 administer the restricted GED test upon written request of:
13 The director of a program who certifies to the Chief Examiner
14 of an official GED center that the applicant has completed a
15 program of instruction provided by such agencies as the Job
16 Corps, the Postal Service Academy or apprenticeship training
17 program; an employer or program director for purposes of
18 entry into apprenticeship programs; another State Department
19 of Education in order to meet regulations established by that
20 Department of Education, a post high school educational
21 institution for purposes of admission, the Department of
22 Professional Regulation for licensing purposes, or the Armed
23 Forces for induction purposes. The regional superintendent
24 shall administer such test and the applicant shall be
25 notified in writing that he is eligible to receive the
26 Illinois High School Equivalency Certificate upon reaching
27 age 18, provided he meets the standards established by the
28 State Board of Education.

29 Any test administered under this Section to an applicant
30 who does not speak and understand English may at the
31 discretion of the administering agency be given and answered
32 in any language in which the test is printed. The regional
33 superintendent of schools may waive any fees required by this
34 Section in case of hardship.

1 In counties of over 3,000,000 population a GED
 2 certificate issued on or after July 1, 1994 shall contain the
 3 signatures of the State Superintendent of Education, the
 4 superintendent, president or other chief executive officer of
 5 the institution where GED instruction occurred and any other
 6 signatures authorized by the State Superintendent of
 7 Education.

8 (Source: P.A. 89-273, eff. 1-1-96; 89-358, eff. 1-1-96;
 9 89-626, eff. 8-9-96; 89-629, eff. 8-9-96; 90-643, eff.
 10 7-24-98.)

11 (105 ILCS 5/Art. 13B heading new)

12 ARTICLE 13B. ALTERNATIVE LEARNING OPPORTUNITIES

13 (105 ILCS 5/13B-1 new)

14 Sec. 13B-1. Short title. This Article may be cited as the
 15 Alternative Learning Opportunities Law.

16 (105 ILCS 5/13B-5 new)

17 Sec. 13B-5. Legislative findings and declarations. The
 18 General Assembly finds and declares the following:

19 (1) It is the responsibility of each school
 20 district to provide educational support for every student
 21 to meet Illinois Learning Standards.

22 (2) School districts need flexibility and financial
 23 support to assist local schools in their efforts to
 24 provide students with educational and other services
 25 needed for students to successfully master the
 26 curriculum.

27 (3) Alternative education in this State has
 28 traditionally provided student-centered curriculum,
 29 social services, and other support needed to help
 30 students succeed.

31 (4) Standards-based reform requires a comprehensive

1 approach to alternative education to ensure that every
2 student has the opportunity to meet the State's rigorous
3 learning standards.

4 (5) While school districts operating alternative
5 learning opportunities programs must comply with all
6 applicable State and federal laws, these districts should
7 do so in a manner consistent with the goals and policies
8 stated in this Article.

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

10 Sec. 13B-10. Purpose. The purpose of this Article is to
11 specify the requirements for the operation of alternative
12 learning opportunities programs, which are intended to
13 provide at-risk students with the education and support
14 services needed to meet Illinois Learning Standards and to
15 complete their education in an orderly, safe, and secure
16 learning environment. Services provided under this Article
17 should be provided in a manner that addresses individual
18 learning styles, career development, and social needs to
19 enable students to successfully complete their education.

20 (105 ILCS 5/13B-15 new)

21 Sec. 13B-15. Definitions. In this Article, words and
22 phrases have the meanings set forth in the following Sections
23 preceding Section 13B-20 of this Code.

24 (105 ILCS 5/13B-15.5 new)

25 Sec. 13B-15.5. At-risk student. "At-risk student" means
26 a student at risk of academic failure due to serious
27 academic, personal, economic, or social impediments or any
28 combination of these, unrelated to a student's disability or
29 language proficiency, and includes without limitation a
30 student with a history of poor academic outcomes and
31 underachievement unrelated to a disability. "At-risk

1 student" may include without limitation, a high school
2 dropout, a student involved in substance abuse, a student who
3 is pregnant or parenting, a student at risk of academic
4 failure due to attendance problems or mobility issues, a
5 student involved with the police or the courts, and a student
6 impacted by chronic illness, poor nutritional status, or
7 economic disadvantage. Such students are eligible for
8 services up to the age of 21 years.

9 (105 ILCS 5/13B-15.10 new)

10 Sec. 13B-15.10. State Board. "State Board" means the
11 State Board of Education.

12 (105 ILCS 5/13B-15.15 new)

13 Sec. 13B-15.15. Student at risk of academic failure.
14 "Student at risk of academic failure" means a student whose
15 circumstances threaten his or her ability to master the
16 curriculum and who demonstrates a need for educational
17 support or social services beyond that provided by the
18 regular school program. Such students are eligible for
19 services up to the age of 21.

20 (105 ILCS 5/13B-15.20 new)

21 Sec. 13B-15.20. Student Success Plan. "Student Success
22 Plan" means a plan based on an assessment of a student's
23 educational and social functioning and skills and that
24 establishes goals and objectives for satisfactory performance
25 in an alternative learning opportunities program. The Plan
26 must (i) specify the curriculum and instructional methods to
27 be used in improving the student's educational performance,
28 (ii) outline the support services needed to remove barriers
29 to learning, (iii) specify, when appropriate, the career
30 development experiences the student will receive to enhance
31 his or her career awareness, (iv) set objectives to ensure a

1 successful transition back to the regular school program or
2 to post-secondary educational options, and (v) outline the
3 student's responsibilities under the Plan.

4 (105 ILCS 5/13B-15.25 new)

5 Sec. 13B-15.25. Support services. "Support services"
6 may include without limitation alcohol and drug
7 rehabilitation; individual, group, and family counseling;
8 mentoring; tutoring; school physicals; health and nutrition
9 education; classroom aides; career counseling; child care;
10 and any other social, health, or supplemental service
11 approved as part of the Student Success Plan that is required
12 by students for their academic success.

13 (105 ILCS 5/13B-20 new)

14 Sec. 13B-20. Alternative learning opportunities program.
15 An alternative learning opportunities program shall provide a
16 flexible standards-based learning environment, innovative and
17 varied instructional strategies, a student-centered
18 curriculum, social programs, and supplemental social, health,
19 and support services to improve the educational achievement
20 of at-risk students.

21 (105 ILCS 5/13B-20.5 new)

22 Sec. 13B-20.5. Eligible activities and services.
23 Alternative learning opportunities programs may include
24 without limitation evening high school, in-school tutoring
25 and mentoring programs, in-school suspension programs, high
26 school completion programs, support services, parental
27 involvement programs, and programs to develop, enhance, or
28 extend the transition for students transferring back to the
29 regular school program, an adult education program, or a
30 post-secondary education program.

1 (105 ILCS 5/13B-20.10 new)

2 Sec. 13B-20.10. Specialization. An alternative learning
3 opportunities program may be designed to provide support
4 services for high school dropouts, students involved in
5 substance abuse, students who are pregnant or parenting,
6 students at risk of school failure because of attendance
7 problems or mobility issues, students involved with the
8 police or the courts, or students impacted by chronic
9 illness, poor nutritional status, or economic disadvantage.

10 (105 ILCS 5/13B-20.15 new)

11 Sec. 13B-20.15. Who may establish and operate programs.
12 School districts may establish alternative learning
13 opportunities programs or may contract with regional offices
14 of education, intermediate service centers, public community
15 colleges, non-profit or for-profit education providers, youth
16 service agencies, community-based organizations, or other
17 appropriate entities to establish alternative learning
18 opportunities programs within the public school system and
19 provide a range of alternative learning opportunities for
20 those students in the State who do not meet Illinois Learning
21 Standards. Districts may individually operate alternative
22 learning opportunities programs or may collaborate with 2 or
23 more districts or one or more regional offices of education
24 or both or with intermediate service centers to create and
25 operate alternative learning opportunities programs.

26 (105 ILCS 5/13B-20.20 new)

27 Sec. 13B-20.20. Other eligible providers of alternative
28 learning opportunities. School districts may contract with
29 health, mental health, or human service organizations,
30 workforce development boards or agencies, juvenile court
31 services, juvenile justice agencies, juvenile detention
32 programs, programs operated by the Department of Corrections,

1 or other appropriate agencies or organizations to serve
2 students whose needs are not being met in the regular school
3 program by providing alternative learning opportunities.

4 (105 ILCS 5/13B-20.25 new)

5 Sec. 13B-20.25. Enrollment in other programs. General
6 Educational Development preparation programs are not eligible
7 for funding under this Article. A student may enroll in a
8 program approved under Section 18-8.05 of this Code, as
9 appropriate, or attend both the alternative learning
10 opportunities program and the regular school program to
11 enhance student performance and facilitate on-time
12 graduation.

13 (105 ILCS 5/13B-20.30 new)

14 Sec. 13B-20.30. Eligible students. Students in grades 4
15 through 12 who meet criteria established by the school
16 district and who meet the definition of "at-risk student" or
17 "student at risk of academic failure" are eligible to
18 participate in an alternative learning opportunities program
19 funded under this Article.

20 (105 ILCS 5/13B-20.35 new)

21 Sec. 13B-20.35. Location of program. An alternative
22 learning opportunities program may be provided at facilities
23 separate from the regular school or in classrooms elsewhere
24 on school premises.

25 (105 ILCS 5/13B-20.40 new)

26 Sec. 13B-20.40. Transportation of students. School
27 districts that are required to provide transportation
28 pursuant to Section 29-3 of this Code shall provide
29 transportation for students enrolled in alternative learning
30 opportunities programs. Other school districts shall provide

1 transportation to the same extent that they provide
2 transportation to other students. A school district may
3 collaborate with the regional superintendent of schools to
4 establish a cooperative transportation agreement among school
5 districts in the region to reduce the costs of transportation
6 and to provide for greater accessibility for students
7 attending alternative learning opportunities programs.

8 (105 ILCS 5/13B-25 new)

9 Sec. 13B-25. Eligibility for funding. The criteria set
10 forth in the following Sections preceding Section 13B-30 of
11 this Code shall determine the eligibility of an alternative
12 learning opportunities program for funding.

13 (105 ILCS 5/13B-25.5 new)

14 Sec. 13B-25.5. General standards for eligibility for
15 funding. To be eligible for funding, an alternative learning
16 opportunities program must provide evidence of an
17 administrative structure, program activities, program staff,
18 a budget, and a specific curriculum that is consistent with
19 Illinois Learning Standards but may be different from the
20 regular school program in terms of location, length of school
21 day, program sequence, pace, instructional activities, or any
22 combination of these.

23 (105 ILCS 5/13B-25.10 new)

24 Sec. 13B-25.10. District policies, guidelines, and
25 procedures; notification. Before receiving State funds for
26 an alternative learning opportunities program, a school
27 district must adopt policies and guidelines for the admission
28 and transfer of students to the program in a manner
29 consistent with guidelines provided by the State Board. A
30 school district must adopt policies and procedures for the
31 establishment of a new alternative learning opportunities

1 program or for securing State approval for an existing
2 program. Any district that plans to establish an alternative
3 learning opportunities program must notify the State Board.

4 (105 ILCS 5/13B-25.15 new)

5 Sec. 13B-25.15. Planning process and district plan. To
6 apply for funding to establish or maintain an alternative
7 learning opportunities program, a school district must
8 initiate a planning process to specify the type of program
9 needed by the district. Before submission of the district
10 plan, the school district or consortium may apply for a
11 one-year planning grant. The planning process may involve
12 key education and community stakeholders, such as teachers,
13 administrators, parents, interested members of the community,
14 and other agencies or organizations as appropriate.

15 (105 ILCS 5/13B-25.20 new)

16 Sec. 13B-25.20. Requirements for the district plan. The
17 district plan must be consistent with the school district's
18 overall mission and goals and aligned with the local school
19 improvement plans of each participating school. The district
20 plan must include all of the following:

21 (1) A description of the program, including the
22 at-risk student population to be served, evidence of
23 need, program goals, objectives, and measurable outcomes.

24 (2) A staffing plan, including the experiences,
25 competency, and qualifications of certified and
26 non-certificated staff and emphasizing their individual
27 and collective abilities to work with at-risk students.

28 (3) A description and schedule of support services
29 that will be available to students as part of their
30 instructional program, including procedures for accessing
31 services required for students on an as-needed basis.

32 (4) How the district will use grant funds to

1 improve the educational achievement of at-risk students.

2 (5) A detailed program budget that includes sources
3 of funding to be used in conjunction with alternative
4 learning opportunities grant funds and a plan for
5 allocating costs to those funds.

6 (6) A plan that outlines how funding for
7 alternative learning opportunities will be coordinated
8 with other State and federal funds to ensure the
9 efficient and effective delivery of the program.

10 (7) A description of other sources of revenue the
11 district will allocate to the program.

12 (8) An estimate of the total cost per student for
13 the program and an estimate of any gap between existing
14 revenue available for the program and the total cost of
15 the program.

16 (9) A description of how parents and community
17 members will be involved in the program.

18 (10) Policies and procedures used by the district
19 to grant credit for student work satisfactorily completed
20 in the program.

21 (11) How the district will assess students enrolled
22 in the program, including how statewide testing for
23 students in alternative learning opportunities settings
24 will be addressed.

25 (12) How students will be admitted to the program
26 and how students will make an effective transition back
27 to the regular school program, as appropriate.

28 (13) All cooperative and intergovernmental
29 agreements and subcontracts with eligible entities.

30 (105 ILCS 5/13B-25.25 new)

31 Sec. 13B-25.25. Testing and assessment. A district plan
32 for an alternative learning opportunities program operated
33 through a cooperative or intergovernmental agreement must

1 provide procedures for ensuring that students are included in
2 the administration of statewide testing programs. Students
3 enrolled in an alternative learning opportunities program
4 shall participate in State assessments under Section 2-3.64
5 of this Code.

6 (105 ILCS 5/13B-25.30 new)

7 Sec. 13B-25.30. Annual update and submission of district
8 plan. A district plan must be updated annually and submitted
9 to the State Board.

10 (105 ILCS 5/13B-25.35 new)

11 Sec. 13B-5.25.35. Regional plan. Based on district
12 plans to provide alternative learning opportunities, the
13 regional office of education must submit an annual plan
14 summarizing the number, needs, and demographics of at-risk
15 students expected to be served in its region. This plan must
16 be updated annually and submitted to the State Board.

17 (105 ILCS 5/13B-30 new)

18 Sec. 13B-30. Responsibilities of the State Board. The
19 State Board has the responsibilities set forth in the
20 following Sections preceding Section 13B-35 of this Code.

21 (105 ILCS 5/13B-30.5 new)

22 Sec. 13B-30.5. Program assistance, evaluation, and
23 monitoring. Subject to the availability of State funds, the
24 State Board is authorized to assist school districts in
25 developing and implementing alternative learning
26 opportunities programs to meet the educational needs of
27 at-risk students. The State Board shall develop
28 research-based guidelines for alternative learning
29 opportunities programs, provide technical assistance to
30 ensure the establishment of quality programs aligned with

1 Illinois Learning Standards, and contract for services to
2 conduct an annual statewide evaluation. The State Board
3 shall conduct compliance visits of and monitor programs, as
4 appropriate. The State Board may conduct other
5 program-related research and planning projects, as
6 appropriate, to enhance student outcomes.

7 (105 ILCS 5/13B-30.10 new)

8 Sec. 13B-30.10. Compliance. The State Board is
9 responsible for ensuring that all alternative learning
10 opportunities programs are in compliance with all applicable
11 State laws, unless otherwise specified in this Article.

12 (105 ILCS 5/13B-30.15 new)

13 Sec. 13B-30.15. Statewide program evaluation of student
14 outcomes. Alternative learning opportunities programs must
15 be evaluated annually on a statewide basis. Indicators used
16 to measure student outcomes for this evaluation may include
17 program completion, elementary school graduation, high school
18 graduation or passage of the General Educational Development
19 test, attendance, the number of students involved in
20 work-based learning activities, the number of students making
21 an effective transition to the regular school program,
22 further education or work, and improvement in the percentage
23 of students enrolled in the sending school district or
24 districts that meet State standards.

25 (105 ILCS 5/13B-30.20 new)

26 Sec. 13B-30.20. Suspension or revocation of program
27 approval. The State Board may suspend or revoke approval of
28 an alternative learning opportunities program under any one
29 of the following conditions:

30 (1) A failure to meet educational outcomes as
31 enumerated in Section 13B-30.15 of this Code and as

1 specified in the alternative learning opportunities grant
2 agreement for a period of 2 or more consecutive years.

3 (2) A failure to comply with all applicable laws as
4 specified in this Code.

5 (3) A failure to comply with the terms and
6 conditions of the alternative learning opportunities
7 grant.

8 (4) A failure to maintain financial records
9 according to generally accepted accounting procedures as
10 specified by the State Board.

11 (105 ILCS 5/13B-30.25 new)

12 Sec. 13B-30.25. Corrective action plan. For school
13 districts whose alternative learning opportunities programs
14 are not making progress in specified program outcomes, the
15 State Board may require a school district to submit a
16 corrective action plan.

17 (105 ILCS 5/13B-30.30 new)

18 Sec. 13B-30.30. Technical assistance before suspension
19 or revocation of funding. Funding of an alternative learning
20 opportunities program may not be suspended or revoked unless
21 the program has been provided with technical assistance and
22 has had an opportunity to implement a corrective action plan.

23 (105 ILCS 5/13B-30.35 new)

24 Sec. 13B-30.35. Recovery of grant funds. The State may
25 recover grant funds from school districts that consistently
26 fail to improve student performance or have failed to
27 implement corrective actions to improve their alternative
28 learning opportunities programs.

29 (105 ILCS 5/13B-30.40 new)

1 Sec. 13B-30.40. Application for funding after suspension
2 or revocation of program approval. Once approval to operate
3 an alternative learning opportunities program is suspended or
4 revoked, the school district or consortium must reapply for
5 funding.

6 (105 ILCS 5/13B-30.45 new)

7 Sec. 13B-30.45. Administrative support. The State Board
8 shall use 1.5% of the State appropriation for the purposes of
9 this Article to conduct activities related to the provision
10 of technical assistance, professional development,
11 evaluations, and compliance monitoring.

12 (105 ILCS 5/13B-35 new)

13 Sec. 13B-35. Application to cooperative agreements. The
14 provisions set forth in the following Sections preceding
15 Section 13B-40 of this Code apply to cooperative agreements
16 among alternative learning opportunities program providers.

17 (105 ILCS 5/13B-35.5 new)

18 Sec. 13B-35.5. Local governance; cooperative agreements.
19 For an alternative learning opportunities program operated
20 jointly or offered under contract, the local governance of
21 the program shall be established by each local school board
22 through a cooperative or intergovernmental agreement with
23 other school districts. Cooperative agreements may be
24 established among regional offices of education, public
25 community colleges, community-based organizations, health and
26 human service agencies, youth service agencies, juvenile
27 court services, the Department of Corrections, and other
28 non-profit or for-profit education or support service
29 providers as appropriate. Nothing contained in this Section
30 shall prevent a school district, regional office of
31 education, or intermediate service center from forming a

1 cooperative for the purpose of delivering an alternative
2 learning opportunities program.

3 (105 ILCS 5/13B-35.10 new)

4 Sec. 13B-35.10. Committee of Cooperative Services. The
5 State Superintendent of Education shall convene a State-level
6 Committee of Cooperative Services. The Committee shall
7 include representatives of the following agencies and
8 organizations, selected by their respective heads: the Office
9 of the Governor, the State Board of Education, the Illinois
10 Association of Regional Superintendents of Schools, the
11 Chicago Public Schools, the Intermediate Service Centers, the
12 State Teacher Certification Board, the Illinois Community
13 College Board, the Department of Human Services, the
14 Department of Children and Family Services, the Illinois
15 Principals Association, the Illinois Education Association,
16 the Illinois Federation of Teachers, the Illinois Juvenile
17 Justice Commission, the Office of the Attorney General, the
18 Illinois Association of School Administrators, the
19 Administrative Office of the Illinois Courts, the Department
20 of Corrections, special education organizations, and
21 non-profit and community-based organizations, as well as
22 parent representatives designated by the State Superintendent
23 of Education.

24 (105 ILCS 5/13B-35.15 new)

25 Sec. 13B-35.15. Role of Committee of Cooperative
26 Services. The Committee of Cooperative Services shall advise
27 the State Superintendent of Education on the statewide
28 development, implementation, and coordination of alternative
29 learning opportunities programs. The Committee shall make
30 recommendations to the heads of the various State entities
31 represented on the Committee to improve the educational
32 outcomes of at-risk students through the coordinated

1 provision of education, health, mental health, and human
2 services.

3 (105 ILCS 5/13B-35.20 new)

4 Sec. 13B-35.20. Operation of Committee of Cooperative
5 Services. The Committee of Cooperative Services shall
6 establish its by-laws and procedures, subject to approval of
7 the State Superintendent of Education.

8 (105 ILCS 5/13B-40 new)

9 Sec. 13B-40. Funding. The provisions set forth in the
10 following Sections preceding Section 13B-45 of this Code
11 apply to the funding of alternative learning opportunities
12 programs under this Article.

13 (105 ILCS 5/13B-40.5 new)

14 Sec. 13B-40.5. Budget. The General Assembly shall
15 appropriate new, additional funds to establish alternative
16 learning opportunities programs throughout the State.

17 (105 ILCS 5/13B-40.10 new)

18 Sec. 13B-40.10. Availability of grants. Based on
19 available funding, the State Board shall establish the
20 maximum amount of funding available for planning grants. The
21 remaining funding shall be distributed for supplemental and
22 implementation grants based on available funds, according to
23 the State's calculated share of costs in excess of the per
24 capita cost per student.

25 (105 ILCS 5/13B-40.15 new)

26 Sec. 13B-40.15. Limitation to existing programs. In the
27 first year of funding under this Article, supplemental and
28 implementation grants shall be limited to existing
29 educational programs that meet the guidelines set forth under

1 this Article.

2 (105 ILCS 5/13B-40.20 new)

3 Sec. 13B-40.20. Planning grants. A planning grant shall
4 be used to support the costs associated with developing a
5 district plan for the establishment of a new alternative
6 learning opportunities program or to seek approval for an
7 existing program. A planning grant is limited to one year.

8 (105 ILCS 5/13B-40.25 new)

9 Sec. 13B-40.25. Supplemental grants. A supplemental
10 grant shall be used to significantly extend the services of
11 an existing alternative learning opportunities program to
12 additional students or to develop a new component to enhance
13 an existing program. The State Board shall establish the
14 maximum amount of funding available for supplemental grants.

15 (105 ILCS 5/13B-40.30 new)

16 Sec. 13B-40.30. Implementation grants. An
17 implementation grant shall be used to support the excess cost
18 of instruction and support services provided by an
19 alternative learning opportunities program. Implementation
20 grants shall be distributed based on available funding
21 grouped according to the per capita costs by school district.
22 The State Board shall establish the maximum amount of funding
23 for implementation grants. In years subsequent to the first
24 year of funding under this Article, implementation grants
25 shall be continued based on completion of program plans,
26 compliance with applicable State laws, and program
27 performance as measured by the percentage of students
28 achieving one or more specified positive outcomes and overall
29 progress in increasing the percentage of students that meet
30 State standards in each participating school district.

1 (105 ILCS 5/13B-40.35 new)

2 Sec. 13B-40.35. Supplanting prohibited. Alternative
3 learning opportunities grants may not be used to supplant
4 existing funds that the student would otherwise generate if
5 in attendance in the regular school program.

6 (105 ILCS 5/13B-40.40 new)

7 Sec. 13B-40.40. Cooperative and intergovernmental
8 agreements funding. Alternative learning opportunities
9 programs operating under a cooperative or intergovernmental
10 agreement shall receive the total of funding that each
11 individual program would be entitled to receive separately.

12 (105 ILCS 5/13B-40.45 new)

13 Sec. 13B-40.45. Deobligated funds. Within any given
14 grant year, deobligated funds shall be redistributed to
15 existing alternative learning opportunities programs.

16 (105 ILCS 5/13B-40.50 new)

17 Sec. 13B-40.50. Supplemental funding. An alternative
18 learning opportunities program may receive federal, State,
19 and local grants, gifts, and foundation grants to support the
20 program.

21 (105 ILCS 5/13B-45 new)

22 Sec. 13B-45. Days and hours of attendance. An
23 alternative learning opportunities program shall provide
24 students with at least the minimum number of days of pupil
25 attendance required under Section 10-19 of this Code and the
26 minimum number of daily hours of school work required under
27 Section 18-8.05 of this Code, provided that the State Board
28 may approve exceptions to these requirements if the program
29 meets all of the following conditions:

30 (1) The district plan submitted under Section

1 13B-25.15 of this Code establishes that a program
2 providing the required minimum number of days of
3 attendance or daily hours of school work would not serve
4 the needs of the program's students.

5 (2) Each day of attendance shall provide no fewer
6 than 3 clock hours of school work, as defined under
7 paragraph (1) of subsection (F) of Section 18-8.05 of
8 this Code.

9 (3) Each day of attendance that provides fewer than
10 5 clock hours of school work shall also provide
11 supplementary services, including without limitation
12 work-based learning, student assistance programs,
13 counseling, case management, health and fitness programs,
14 or life-skills or conflict resolution training, in order
15 to provide a total daily program to the student of 5
16 clock hours. A program may claim general State aid for
17 up to 2 hours of the time each day that a student is
18 receiving supplementary services.

19 (4) Each program shall provide no fewer than 174
20 days of actual pupil attendance during the school term;
21 however, approved evening programs that meet the
22 requirements of Section 13B-45 of this Code may offer
23 less than 174 days of actual pupil attendance during the
24 school term.

25 (105 ILCS 5/13B-50 new)

26 Sec. 13B-50. Eligibility to receive general State aid.
27 In order to receive general State aid, alternative learning
28 opportunities programs must meet the requirements for
29 claiming general State aid as specified in Section 18-8.05 of
30 this Code, with the exception of the length of the
31 instructional day, which may be less than 5 hours of school
32 work if the program meets the criteria set forth under
33 Sections 13B-50.5 and 13B-50.10 of this Code and if the

1 program is approved by the State Board.

2 (105 ILCS 5/13B-50.5 new)

3 Sec. 13B-50.5. Conditions of funding. If an alternative
4 learning opportunities program provides less than 5 clock
5 hours of school work daily, the program must meet guidelines
6 established by the State Board and must provide supplementary
7 services, including without limitation work-based learning,
8 student assistance programs, counseling, case management,
9 health and fitness programs, life skills, conflict
10 resolution, or service learning, that are equal to the
11 required attendance.

12 (105 ILCS 5/13B-50.10 new)

13 Sec. 13B-50.10. Additional criteria for general State
14 aid. In order to claim general State aid, an alternative
15 learning opportunities program must meet the following
16 criteria:

17 (1) Teacher professional development plans should
18 include education in the instruction of at-risk students.

19 (2) Facilities must meet the health, life, and safety
20 requirements in this Code.

21 (3) The program must comply with all other State and
22 federal laws applicable to education providers.

23 (105 ILCS 5/13B-50.15 new)

24 Sec. 13B-50.15. Level of funding. Approved alternative
25 learning opportunities programs are entitled to claim general
26 State aid, subject to Sections 13B-50, 13B-50.5, and
27 13B-50.10 of this Code. Approved programs operated by
28 regional offices of education are entitled to receive general
29 State aid at the foundation level of support. A school
30 district or consortium must ensure that an approved program
31 receives supplemental general State aid, transportation

1 reimbursements, and special education resources, if
2 appropriate, for students enrolled in the program.

3 (105 ILCS 5/13B-55 new)

4 Sec. 13B-55. Non-resident students. If one school
5 district can more efficiently serve students from multiple
6 school districts, an approved alternative learning
7 opportunities program may admit non-resident students
8 pursuant to the terms of an intergovernmental agreement
9 negotiated among participating districts. The tuition charge
10 must not be less than 100% nor greater than 110% of the per
11 capita tuition rate for the resident district.

12 (105 ILCS 5/13B-60 new)

13 Sec. 13B-60. Enrollment in program. The provisions set
14 forth in the following Sections preceding Section 13B-65 of
15 this Code govern enrollment in an alternative learning
16 opportunities program.

17 (105 ILCS 5/13B-60.5 new)

18 Sec. 13B-60.5. Procedures for voluntary admission.
19 Eligible students may apply for enrollment in an alternative
20 learning opportunities program and may be accepted on a
21 space-available basis in accordance with procedures
22 established by the school district for this purpose.

23 (105 ILCS 5/13B-60.10 new)

24 Sec. 13B-60.10. Administrative transfers. A school
25 district may transfer a student to an alternative learning
26 opportunities program if the district finds it to be in the
27 best interests of the student.

28 (105 ILCS 5/13B-60.15 new)

29 Sec. 13B-60.15. Parent conference. Before being

1 voluntarily admitted or administratively transferred to an
2 alternative learning opportunities program, the student and
3 each of his or her parents or guardians shall receive written
4 notice to attend a conference to determine if the student
5 would benefit from attending an alternative learning
6 opportunities program. The conference must provide all of
7 the information necessary for the student and parent or
8 guardian to make an informed decision regarding enrollment in
9 an alternative learning opportunities program.

10 (105 ILCS 5/13B-60.20 new)

11 Sec. 13B-60.20. Due process and informed consent. A
12 student may not be recommended for enrollment in or
13 administratively transferred to an alternative learning
14 opportunities program unless each parent or guardian of the
15 student has been sent notification of the student's
16 application or the school district's decision to consider an
17 alternative learning opportunities program.

18 (105 ILCS 5/13B-60.25 new)

19 Sec. 13B-60.25. Right to appeal. Unless otherwise
20 specified, each parent or guardian of a student has the right
21 to appeal the decision to place the student in an alternative
22 learning opportunities program according to procedures
23 specified by the school district.

24 (105 ILCS 5/13B-60.30 new)

25 Sec. 13B-60.30. Review of student progress. A school
26 district must regularly review the progress of students
27 enrolled in an alternative learning opportunities program to
28 ensure that students may return to the regular school program
29 as soon as appropriate.

30 (105 ILCS 5/13B-60.35 new)

1 Sec. 13B-60.35. Transfer of special education students
2 to program. Any transfer of a special education student to
3 an alternative learning opportunities program shall be done
4 only in accordance with that student's Individualized
5 Education Plan.

6 (105 ILCS 5/13B-60.40 new)

7 Sec. 13B-60.40. Student Success Plan. A Student Success
8 Plan must be developed for each student enrolled in an
9 alternative learning opportunities program. The student and
10 each of his or her parents or guardians must be afforded an
11 opportunity to participate in the development of this Plan.

12 (105 ILCS 5/13B-65 new)

13 Sec. 13B-65. Teacher certification. Teachers with a
14 valid and active elementary, secondary, or special PK-12
15 Illinois teaching certificate may teach in an alternative
16 learning opportunities program.

17 (105 ILCS 5/13B-65.5 new)

18 Sec. 13B-65.5. Alternative learning credentials for
19 teachers. Certificated teachers may receive an endorsement
20 or approval in the area of alternative learning. The State
21 Board shall establish teaching standards in alternative
22 learning that lead to such an endorsement or approval.

23 (105 ILCS 5/13B-65.10 new)

24 Sec. 13B-65.10. Continuing professional development for
25 teachers. Teachers may receive continuing education units or
26 continuing professional development units, subject to the
27 provisions of Section 13B-65.5 of this Code, for professional
28 development related to alternative learning.

29 (105 ILCS 5/13B-70 new)

1 Sec. 13B-70. Truancy and attendance problems. If it has
2 been determined that a student's attendance is not adequate
3 enough to benefit from the regular school program or if a
4 child has been ordered to attend school, the school district
5 may consider the student for placement in an alternative
6 learning opportunities program specifically designed to
7 prevent truancy, supplement instruction for students with
8 attendance problems, intervene to decrease chronic truancy,
9 and provide alternatives to high school completion. A
10 program operating pursuant to the truants' alternative and
11 optional education program may contract with a school
12 district or consortium to provide these services.

13 (105 ILCS 5/13B-75 new)

14 Sec. 13B-75. Subcontracting. A school district,
15 regional office of education, or public community college may
16 contract with a non-profit or for-profit educational entity
17 for the delivery of services under this Article. All
18 educational entities providing instructional services for
19 eligible students must be recognized by the State Board.

20 (105 ILCS 5/13B-80 new)

21 Sec. 13B-80. Student credit. A school district may
22 grant academic credit to a student in an alternative learning
23 opportunities program for work completed at an education
24 provider that is accredited by a regional accrediting body or
25 recognized by the State Board and if the student's
26 performance is acceptable to the district.

27 (105 ILCS 5/13B-85 new)

28 Sec. 13B-85. Test of General Educational Development. A
29 student 16 years of age or over who satisfactorily completes
30 an alternative learning opportunities program in accordance
31 with school district guidelines and the Student Success Plan

1 may take the Test of General Educational Development.

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

3 Sec. 26-2. Enrolled pupils below 7 or over 16. Any
4 person having custody or control of a child who is below the
5 age of 7 years or above the age of 16 years and who is
6 enrolled in any of grades 1 through 12, in the public school
7 shall cause him to attend the public school in the district
8 wherein he resides when it is in session during the regular
9 school term unless he is excused under paragraphs 2, 3, 4 or
10 5 of Section 26-1.

11 A school district shall deny reenrollment in its
12 secondary schools to any child above the age of 16 years who
13 has dropped out of school and who could not, because of age
14 and lack of credits, attend classes during the normal school
15 year and graduate before his or her twenty-first birthday. A
16 district may, however, enroll the child in an alternative
17 learning opportunities program established under Article 13B.

18 No child shall be denied reenrollment for the above reasons
19 unless the school district first offers the child due process
20 as required in cases of expulsion under Section 10-22.6. If
21 a child is denied reenrollment after being provided with due
22 process, the school district must provide counseling to that
23 child and must direct that child to alternative educational
24 programs, including adult education programs, that lead to
25 graduation or receipt of a GED diploma. No child may be
26 denied reenrollment in violation of the Individuals with
27 Disabilities Education Act or the Americans with Disabilities
28 Act.

29 (Source: P.A. 88-199; 88-555, eff. 7-27-94.)

30 Section 99. Effective date. This Act takes effect on
31 July 1, 2001.

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