



# Illinois General Assembly

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## SCHOOLS (105 ILCS 5/) School Code.

(105 ILCS 5/13B-30.30)

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-30.35)

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-30.40)

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-30.45)

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-35)

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-35.5)

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

(Source: P.A. 94-696, eff. 6-1-06.)

(105 ILCS 5/13B-35.10)

Sec. 13B-35.10. Committee of Cooperative Services. The State Superintendent of Education shall convene a State-level Committee of Cooperative Services. The Committee shall include representatives of the following agencies and organizations, selected by their respective heads: the Office of the Governor, the State Board of Education, the Illinois Association of Regional Superintendents of Schools, the Chicago Public Schools, the Intermediate Service Centers, the State Teacher Certification Board, the Illinois Community College Board, the Department of Human Services, the Department of Children and Family Services, the Illinois Principals Association, the Illinois Education Association, the Illinois Federation of Teachers, the Illinois Juvenile Justice Commission, the Office of the Attorney General, the Illinois Association of School Administrators, the Administrative Office of the Illinois Courts, the Department of Juvenile Justice, special education advocacy organizations, and non-profit and community-based organizations, as well as parent representatives and child advocates designated by the State Superintendent of Education.

(Source: P.A. 94-696, eff. 6-1-06.)

(105 ILCS 5/13B-35.15)

Sec. 13B-35.15. Role of Committee of Cooperative Services. The Committee of Cooperative Services shall advise the State Superintendent of Education on the statewide development, implementation, and coordination of alternative learning opportunities programs. The Committee shall make recommendations to the heads of the various State entities represented on the Committee to improve the educational

outcomes of students at risk of academic failure through the coordinated provision of education, health, mental health, and human services.

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-35.20)

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-40)

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-40.5)

Sec. 13B-40.5. (Repealed).

(Source: P.A. 92-42, eff. 1-1-02. Repealed by P.A. 95-793, eff. 1-1-09.)

(105 ILCS 5/13B-40.10)

Sec. 13B-40.10. (Repealed).

(Source: P.A. 92-42, eff. 1-1-02. Repealed by P.A. 95-793, eff. 1-1-09.)

(105 ILCS 5/13B-40.15)

Sec. 13B-40.15. (Repealed).

(Source: P.A. 92-42, eff. 1-1-02. Repealed by P.A. 95-793, eff. 1-1-09.)

(105 ILCS 5/13B-40.20)

Sec. 13B-40.20. (Repealed).

(Source: P.A. 92-42, eff. 1-1-02. Repealed by P.A. 95-793, eff. 1-1-09.)

(105 ILCS 5/13B-40.25)

Sec. 13B-40.25. (Repealed).

(Source: P.A. 92-42, eff. 1-1-02. Repealed by P.A. 95-793, eff. 1-1-09.)

(105 ILCS 5/13B-40.30)

Sec. 13B-40.30. (Repealed).

(Source: P.A. 92-42, eff. 1-1-02. Repealed by P.A. 95-793, eff. 1-1-09.)

(105 ILCS 5/13B-40.35)

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-40.40)

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-40.45)

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-40.50)

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-45)

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

(1) The district plan submitted under Section 13B-25.15 of this Code establishes that a program providing the required minimum number of days of attendance or daily hours of school work would not serve the needs of the program's students.

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

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

(4) Each program shall provide no fewer than 174 days of actual pupil attendance during the school term; however, approved evening programs that meet the

requirements of Section 13B-45 of this Code may offer less than 174 days of actual pupil attendance during the school term.

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-50)

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-50.5)

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-50.10)

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

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

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

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-50.15)

Sec. 13B-50.15. Level of funding. Approved alternative learning opportunities programs are entitled to claim general State aid, subject to Sections 13B-50, 13B-50.5, and 13B-50.10 of this Code. Approved programs operated by regional offices of education are entitled to receive general State aid at the foundation level of support. A school district or consortium must ensure that an approved program receives supplemental general State aid, transportation reimbursements, and special education resources, if appropriate, for students enrolled in the program.

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-55)

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-60)

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-60.5)

Sec. 13B-60.5. Request for enrollment. A school district that operates an alternative learning opportunities program shall ensure that parents and guardians are aware of the program and the services that the program offers. A student may be enrolled in the program only upon the request of the student or the student's parent or guardian and only after a conference under Section 13B-60.10 of this Code has been held.

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-60.10)

Sec. 13B-60.10. Parent conference. Before being enrolled in an alternative learning opportunities program, the student and each of his or her parents or guardians shall receive written notice to attend a conference to determine if the student would benefit from attending an alternative learning opportunities program. The conference must provide all of the information necessary for the student and parent or guardian to make an informed decision regarding enrollment in an alternative learning opportunities program. The conference shall include a discussion of the extent to which the student, if enrolled in the program, may participate in school activities. No student shall be enrolled in an alternative learning opportunities program without the consent of the student's parent or guardian.

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-60.15)

Sec. 13B-60.15. Review of student progress. A school district must regularly review the progress of students enrolled in an alternative learning opportunities program to ensure that students may return to the regular school program as soon as appropriate. Upon request of the student's parent or guardian, the school district shall review the student's progress using procedures established by the district. A student shall remain in the program only with the consent of the student's parent or guardian and shall be promptly

returned to the regular school program upon the request of the student's parent or guardian.

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-60.20)

Sec. 13B-60.20. Enrollment of special education students. Any enrollment of a special education student in an alternative learning opportunities program must be done only if included in the student's individualized education plan. The student's individualized education plan must be implemented in the program by appropriately certified personnel.

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-60.25)

Sec. 13B-60.25. Student Success Plan. A Student Success Plan must be developed for each student enrolled in an alternative learning opportunities program. The student and his or her parent or guardian must be afforded an opportunity to participate in the development of this Plan.

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-65)

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-65.5)

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-65.10)

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

(Source: P.A. 95-793, eff. 1-1-09.)

(105 ILCS 5/13B-70)

Sec. 13B-70. Truancy and attendance problems. If a student is a chronic or habitual truant as defined in Section 26-2a of this Code or if a child has been ordered to attend school, the school district may consider the student for placement in an alternative learning opportunities program specifically designed to prevent truancy, supplement instruction for students with attendance problems, intervene to decrease chronic truancy, and provide alternatives to high school

completion. A program operating pursuant to the truants' alternative and optional education program may contract with a school district or consortium to provide these services.

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-75)

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-80)

Sec. 13B-80. Student credit. A school district must grant academic credit to a student in an alternative learning opportunities program for work completed at an education provider that is accredited by a regional accrediting body or recognized by the State Board if the student's performance meets district standards.

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/13B-85)

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

(Source: P.A. 92-42, eff. 1-1-02.)

(105 ILCS 5/Art. 14 heading)

#### ARTICLE 14. CHILDREN WITH DISABILITIES

(105 ILCS 5/14-1.01) (from Ch. 122, par. 14-1.01)

Sec. 14-1.01. Meaning of terms.

Unless the context indicates otherwise, the terms used in this Article have the meanings ascribed to them in Sections 14--1.02 to 14--1.10, each inclusive.

(Source: Laws 1965, p. 1948.)

(105 ILCS 5/14-1.02) (from Ch. 122, par. 14-1.02)

Sec. 14-1.02. Children with disabilities. "Children with disabilities" means children between the ages of 3 and 21 for whom it is determined, through definitions and procedures described in the Illinois Rules and Regulations to Govern the Organization and Administration of Special Education, that special education services are needed. An eligible student who requires continued public school educational experience to facilitate his or her successful transition and integration into adult life is eligible for such services through age 21, inclusive, which, for purposes of this Article, means the day before the student's 22nd birthday. An individualized education program must be written and agreed upon by appropriate school personnel and parents or their representatives for any



child receiving special education.  
(Source: P.A. 95-14, eff. 7-16-07.)

(105 ILCS 5/14-1.03a) (from Ch. 122, par. 14-1.03a)  
Sec. 14-1.03a. Children with Specific Learning Disabilities.

"Children with Specific Learning Disabilities" means children between the ages of 3 and 21 years who have a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which disorder may manifest itself in imperfect ability to listen, think, speak, read, write, spell or do mathematical calculations. Such disorders include such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. Such term does not include children who have learning problems which are primarily the result of visual, hearing or motor disabilities, of mental retardation, emotional disturbance or environmental disadvantage.

(Source: P. A. 89-397, eff. 8-20-95.)

(105 ILCS 5/14-1.08) (from Ch. 122, par. 14-1.08)  
Sec. 14-1.08. Special educational facilities and services. "Special educational facilities and services" includes special schools, special classes, special housing, including residential facilities, special instruction, special reader service, braillists and typists for children with visual disabilities, sign language interpreters, transportation, maintenance, instructional material, therapy, professional consultant services, medical services only for diagnostic and evaluation purposes provided by a physician licensed to practice medicine in all its branches to determine a child's need for special education and related services, psychological services, school social worker services, special administrative services, salaries of all required special personnel, and other special educational services, including special equipment for use in the classroom, required by the child because of his disability if such services or special equipment are approved by the State Superintendent of Education and the child is eligible therefor under this Article and the regulations of the State Board of Education.

(Source: P.A. 89-397, eff. 8-20-95.)

(105 ILCS 5/14-1.09) (from Ch. 122, par. 14-1.09)  
Sec. 14-1.09. School psychologist. "School psychologist" means a psychologist who has graduated with a master's or higher degree in psychology or educational psychology from an institution of higher learning which maintains equipment, courses of study, and standards of scholarship approved by the State Board of Education, who has had at least one school year of full-time supervised experience in the delivery of school psychological services of a character approved by the State Superintendent of Education, who has such additional qualifications as may be required by the State Board of Education, and who holds a School Service Personnel Certificate endorsed for school psychology issued pursuant to

Section 21-25. Persons so certified may use the title "school psychologist" and may offer school psychological services which are limited to those services set forth in 23 Ill. Adm. Code 226, Special Education, pertaining to children between the ages of 3 to 21, promulgated by the State Board of Education. School psychologists may make evaluations, recommendations or interventions regarding the placement of children in educational programs or special education classes. However, a school psychologist shall not provide such services outside his or her employment to any student in the district or districts which employ such school psychologist.

(Source: P.A. 85-361.)

(105 ILCS 5/14-1.09a) (from Ch. 122, par. 14-1.09a)

Sec. 14-1.09a. School social worker. "School Social Worker" means a social worker who has graduated with a master's or higher degree in social work from an accredited graduate school of social work and who has such additional qualifications as may be required by the State Board of Education and who holds a School Service Personnel Certificate endorsed for school social work issued pursuant to Section 21-25 of this Code. Persons so certified may use the title "school social worker" and may offer school social work services which are limited to those services set forth in 23 Ill. Adm. Code 226, Special Education, pertaining to children between the ages of 3 to 21, promulgated by the State Board of Education. School social workers may make evaluations, recommendations or interventions regarding the placement of children in educational programs or special education classes. However, a school social worker shall not provide such services outside his or her employment to any student in the district or districts which employ such school social worker.

(Source: P.A. 86-303.)

(105 ILCS 5/14-1.09b)

Sec. 14-1.09b. Speech-language pathologist.

(a) For purposes of supervision of a speech-language pathology assistant, "speech-language pathologist" means a person who has received a license pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act to engage in the practice of speech-language pathology.

(b) The School Service Personnel Certificate with a speech-language endorsement shall be issued under Section 21-25 of this Code to a speech-language pathologist who meets all of the following requirements:

- (1) (A) Holds a regular license as a speech-language pathologist pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act, (B) holds a current Certificate of Clinical Competence in speech-language pathology from the American Speech-Language-Hearing Association and a regular license in speech-language pathology from another state or territory or the District of Columbia and has applied for a regular license as a speech-language pathologist pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act, or

(C) holds or has applied for a temporary license pursuant to Section 8.1 of the Illinois Speech-Language Pathology and Audiology Practice Act.

(2) Holds a master's or doctoral degree with a major emphasis in speech-language pathology from an institution whose course of study was approved or program was accredited by the Council on Academic Accreditation in Audiology and Speech-Language Pathology of the American Speech-Language-Hearing Association or its predecessor.

(3) Either (i) has completed a program of study that meets the content area standards for speech-language pathologists approved by the State Board of Education, in consultation with the State Teachers Certification Board, (ii) has completed a program in another state, territory, or possession of the United States that is comparable to an approved program of study described in item (i), or (iii) holds a certificate issued by another state, territory, or possession of the United States that is comparable to the school service personnel certificate with a speech-language endorsement. If the requirements described in items (i), (ii), or (iii) of this paragraph (3) have not been met, a person must provide evidence that he or she has completed at least 150 clock hours of supervised experience in speech-language pathology with students with disabilities in a school setting, including experience required by federal law or federal court order; however, a person who lacks such experience may obtain interim certification as established by the Illinois State Board of Education, in consultation with the State Teacher Certification Board, and shall participate in school-based professional experience of at least 150 clock hours to meet this requirement.

(4) Has successfully completed the required Illinois certification tests.

(5) Has paid the application fee required for certification.

The provisions of this subsection (b) do not preclude the issuance of a teaching certificate to a speech-language pathologist who qualifies for such a certificate.

(Source: P.A. 92-510, eff. 6-1-02; 93-112, eff. 1-1-04; 93-1060, eff. 12-23-04.)

(105 ILCS 5/14-1.09c)

Sec. 14-1.09c. Speech-language pathology assistant. "Speech-language pathology assistant" means a person who has received a license to assist a speech-language pathologist pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act.

(Source: P.A. 92-510, eff. 6-1-02.)

(105 ILCS 5/14-1.09.1)

Sec. 14-1.09.1. School psychological services. In the public schools, school psychological services provided by qualified specialists who hold Type 73 School Service

Personnel Certificates endorsed for school psychology issued by the State Teacher Certification Board may include, but are not limited to: (i) administration and interpretation of psychological and educational evaluations; (ii) developing school-based prevention programs, including violence prevention programs; (iii) counseling with students, parents, and teachers on educational and mental health issues; (iv) acting as liaisons between public schools and community agencies; (v) evaluating program effectiveness; (vi) providing crisis intervention within the school setting; (vii) helping teachers, parents, and others involved in the educational process to provide optimum teaching and learning conditions for all students; (viii) supervising school psychologist interns enrolled in school psychology programs that meet the standards established by the State Board of Education; and (ix) screening of school enrollments to identify children who should be referred for individual study. Nothing in this Section prohibits other qualified professionals from providing those services listed for which they are appropriately trained.

(Source: P.A. 89-339, eff. 8-17-95.)

(105 ILCS 5/14-1.09.2)

Sec. 14-1.09.2. School Social Work Services. In the public schools, social work services may be provided by qualified specialists who hold Type 73 School Service Personnel Certificates endorsed for school social work issued by the State Teacher Certification Board.

School social work services may include, but are not limited to:

- (1) Identifying students in need of special education services by conducting a social-developmental study in a case study evaluation;
- (2) Developing and implementing comprehensive interventions with students, parents, and teachers that will enhance student adjustment to, and performance in, the school setting;
- (3) Consulting and collaborating with teachers and other school personnel regarding behavior management and intervention plans and inclusion in support of special education students in regular classroom settings;
- (4) Counseling with students, parents, and teachers in accordance with the rules and regulations governing provision of related services, provided that parent permission must be obtained in writing before a student participates in a group counseling session;
- (5) Acting as a liaison between the public schools and community resources;
- (6) Developing and implementing school-based prevention programs including mediation and violence prevention;
- (7) Providing crisis intervention within the school setting;
- (8) Supervising school social work interns enrolled in school social work programs that meet the standards established by the State Board of Education;

(9) Providing parent education and counseling as appropriate in relation to the child's educational assessment; and

(10) Assisting in completing a functional behavioral assessment, as well as assisting in the development of nonaversive behavioral intervention strategies.

Nothing in this Section prohibits other certified professionals from providing any of the services listed in this Section for which they are appropriately trained.

(Source: P.A. 92-362, eff. 8-15-01; 92-651, eff. 7-11-02.)

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