

Operational Services

Administrative Procedure - Unsafe School Choice Option

Illinois public school districts must comply with the following two statutes: (1) 105 ILCS 5/2-3.134 requires ISBE to maintain data and annually publish a list of persistently dangerous schools, and (2) 105 ILCS 5/10-21.3a requires each school board to adopt a policy governing the transfer of students within the district from a persistently dangerous school to another public school in the district. Board policy 4:170, *Safety*, fulfills this requirement with its section on **Unsafe School Choice Option**.

This procedure implements the policy. It incorporates guidance issued by the U.S. Dept. of Education (DOE), *Unsafe School Choice Option, Non-Regulatory Guidance* (February 2004), available under the Policy Guidance section at <https://files.eric.ed.gov/fulltext/ED494736.pdf>, when No Child Left Behind (NCLB) was in effect. NCLB was repealed. The law that took its place is called the Every Student Succeeds Act (ESSA), which amended Elementary and Secondary Education Act (ESEA) on December 10, 2015. ESEA, as amended by ESSA, still requires states to implement an unsafe school choice option; however, the DOE has not updated its guidance to be consistent with this new law. This procedure incorporates DOE guidance to the extent that it is consistent with the new law.

Unsafe School Choice Option for Students in Persistently Dangerous Schools

Actor	Action
ISBE	Identifies each Illinois school that is a <i>persistently dangerous school</i> as defined in 105 ILCS 5/10-21.3a(b). As of June 2025, ISBE has not identified a <i>persistently dangerous school</i> .
Building Principal or designee	Within 10 calendar days of identification, or longer time if necessary, notifies by U.S. mail, the parents/guardians of students attending a <i>persistently dangerous school</i> , of that school’s status as <i>persistently dangerous</i> .
Superintendent	Keeps the Board informed as appropriate. Determines which, if any, schools will receive students assigned to a <i>persistently dangerous school</i> . The recipient school may be a public charter school. If a recipient school is not available in the District, the Superintendent will explore other appropriate options, e.g., intergovernmental agreements with another district to accept transfer students. The needs and preferences of affected students and parents/guardians will be considered. Develops and implements a corrective action plan.
Building Principal or designee	Within 20 calendar days of identification, or longer time if necessary, informs parents/guardians of the following: 1. The status of the corrective action plan; and

Actor	Action
	2. The identities of any available school or public charter school into which students may transfer.
Parents/guardians	As soon as possible after being informed of the unsafe school choice option, confer with the Building Principal concerning whether to exercise the transfer option.
Building Principal or designee	Executes any requested transfers as soon as possible. Transfers will be in effect at least while the original school is identified as <i>persistently dangerous</i> . When determining the transfer length, the Principal considers the student's educational needs as well as other factors affecting the student's ability to succeed if returned to the transferring school.
Superintendent or designee	Upon corrective action plan's completion, requests that ISBE remove the school from the list of <i>persistently dangerous schools</i> .

Unsafe School Choice Option for Any Student Who Is a Victim of a Violent Criminal Offense Occurring on School Grounds During Regular School Hours or During a School-Sponsored Event

Actor	Action
Building Principal or designee	Notifies the Superintendent that a student was a victim of a violent crime, as defined by 725 ILCS 120/3, occurring on school grounds during regular school hours or during a school-sponsored event.
Superintendent	As soon as possible, determines which, if any, schools are available recipients for a student who was a victim of a violent crime while in school or on school grounds. The recipient school may be a public charter school. If a recipient school is not available in the District, the Superintendent will explore other appropriate options, e.g., an agreement with a neighboring district to accept the student. The needs and preferences of the affected student and his or her parents/guardians shall be considered. Keeps the Board informed as appropriate.
Building Principal or designee	As soon as possible, notifies the student's parent(s)/guardian(s) that the student may transfer to another school, provided another school is available.
Parent(s)/guardian(s)	As soon as possible after being informed of the unsafe school choice option, confer with the Building Principal concerning whether to exercise the transfer option.
Building Principal or designee	Executes any requested transfer as soon as possible. When determining the transfer length, considers the student's educational needs as well as other factors affecting the student's ability to succeed if returned to the transferring school.

APPROVED: