

FY 2027 ALOP Program Amendment Guidance

[Public Act 104-0546](#) went into effect on July 10, 2026. Note: Some of the provisions within the Act have a delayed implementation date. Those provisions are not addressed within this notice. (Please refer only to the **Public Act** version of this bill for implementation.)

Public Act 104-0546 makes several changes related to student discipline and Alternative Learning Opportunities Programs (ALOPs). Among other changes, the Act:

- Prohibits the expulsion of students in kindergarten through Grade 2, except where otherwise required by state or federal law
- Requires superintendent, early childhood director, or equivalent approval for certain suspensions of preschool through Grade 2 students
- Expands eligibility for ALOP services to include students in kindergarten through Grade 3
- Authorizes ALOP pull-out services for students in kindergarten through Grade 2 for up to 90 days, subject to applicable statutory requirements and student protections **(Note: Public Act 104-0546 provides that “in no instance may a student in kindergarten through grade 5 who is enrolled in an [ALOP] participate in that program or receive services outside of the student’s home district except as otherwise provided in this Section.” Consistent with this, the Act should not be interpreted as creating any new authority for students in Grades 3-5 to participate in pull-out ALOPs. ISBE intends to create rules in the coming months to clarify these points.)**
- Clarifies annual discipline data reporting requirements for school districts and state-authorized charter schools

This notice is intended to address the immediate implementation considerations associated with the statutory changes related to student eligibility for ALOP services. It is not intended to provide comprehensive guidance on all provisions of Public Act 104-0546 and should not be construed as legal advice. School districts, Regional Offices of Education (ROEs), Intermediate Service Centers (ISCs), charter schools, and other stakeholders should consult the enacted Public Act, Article 13B of the School Code, 23 Ill. Adm. Code Part 240, and their own legal counsel regarding the implementation of Public Act 104-0546 and the application of the law to specific facts and circumstances.

Application Amendments

Any ROE, ISC, or school district seeking to amend its approved **FY 2027 ALOP application** in order to serve new grade levels, incorporate additional school districts, or make any other changes to the approved application must submit the following on official letterhead:

- ALOP program name
- Address
- Designated contact for application
- Grade levels to be served and whether push-in or pull-out services will be provided at each identified grade level
- Narrative explaining any changes to the original application along with the rationale (no more than one page)
- Signature page of any district(s) impacted by the amendment

The amendment request with all required information can be sent via email to alop@isbe.net. For questions regarding ALOP program requirements that are not specifically addressed in this notice, please refer to ISBE's [ALOP Application Guidance](#).

Appropriate Use of ALOP for Younger Students

The expansion of ALOP eligibility under Public Act 104-0546 is intended to increase access to educational supports, interventions, and services for younger students who are at risk of academic failure. Consistent with the purpose of Article 13B of the School Code, ALOPs are designed to provide individualized educational and support services needed to help students meet academic standards and successfully participate in school. ALOP placement should not be used as a substitute for suspension, expulsion, informal removals, or other exclusionary disciplinary practices (105 ILCS 5/13B-10, 13B-15.10, and 13B-20).

Before enrolling a student in an ALOP, districts should document the student's educational needs, the interventions and supports provided within the student's current educational setting, and the basis for determining that ALOP services are necessary to support the student's academic success. Consistent with 23 Ill. Adm. Code 240.20, districts should be able to demonstrate that:

- The student is at risk of academic failure and requires educational supports or services beyond those available through the regular school program, and that the district has implemented and documented appropriate interventions and supports within the student's current educational setting before determining that ALOP services are necessary (105 ILCS 5/13B-15.10; 23 Ill. Adm. Code 240.20(a), (d)(2), (d)(4), and (f)(3))

- Enrollment in the ALOP is based on the student's documented educational and support service needs and the student's status as a student at risk of academic failure, rather than serving as a substitute for suspension, expulsion, or other exclusionary disciplinary practices (105 ILCS 5/13B-15.10 and 13B-20; 23 Ill. Adm. Code 240.20(d)(2) and (d)(4))

Districts enrolling students in Grades K-2 in an ALOP must continue to comply with all requirements of Article 13B of the School Code and 23 Ill. Adm. Code Part 240. These requirements include, but are not limited to, parent notification, parent conferences, parental consent, Student Success Plans, provision of support services, progress monitoring, transition planning, and parent participation in placement and program decisions (105 ILCS 5/13B-15.10, 13B-15.15, and 13B-15.20; 23 Ill. Adm. Code 240.20, 240.30, and 240.40).

Parental consent is required for all ALOP enrollments. No student may be enrolled in an ALOP without the consent of the student's parent or guardian. Prior to enrollment, the district must provide notice of and conduct the required parent conference and provide sufficient information for the parent or guardian to make an informed decision regarding participation in the program. The parent or guardian has the right to participate in the development and review of the Student Success Plan, request reviews of the student's progress, and request the student's return to the regular school program (105 ILCS 5/13B-15.10 and 13B-15.15; 23 Ill. Adm. Code 240.20(f)-(j)).

Article 13B does not provide an exception to the parental consent requirement. Accordingly, districts may not enroll a student in an ALOP without parental consent, including students in Grades K-2 whose conduct may have previously subjected them to expulsion prior to the enactment of Public Act 104-0546. Placement in an ALOP remains subject to the parent conference, parental consent, Student Success Plan, progress review, and transition requirements of Article 13B and 23 Ill. Adm. Code Part 240.

Any enrollment of a student with an Individualized Education Program (IEP) in an ALOP must be consistent with the student's IEP, and all required special education and related services must continue to be provided (105 ILCS 5/13B-60.20).

Excerpt from Public Act:

(105 ILCS 5/13B-20.25)

Sec. 13B-20.25. Eligible students. Students in kindergarten ~~grades 4~~ through grade 12 who meet enrollment criteria established by the school district and who meet the definition of “student at risk of academic failure” are eligible to participate in an alternative learning opportunities program funded under this Article. Notwithstanding any other provision of law to the contrary, enrollment in a charter alternative learning opportunities program shall be open to any student ~~pupil~~ who has been expelled or suspended ~~for more than 20 days~~ under Section 10-22.6 or 34-19 of this Code. Any student in kindergarten through grade 2 placed in an out-of-district alternative learning opportunities program shall have the student’s placement limited to 90 days beginning on the student’s first date of attendance in the program. For students with disabilities, such removal shall be consistent with 34 CFR 300.530.