



Sen. Kimberly A. Lightford

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1 AMENDMENT TO SENATE BILL 2075

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2075 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections  
5 10-20.12, 10-20.19a, 10-22.18, 26-1, 26-2, and 34-19 as  
6 follows:

7 (105 ILCS 5/10-20.12) (from Ch. 122, par. 10-20.12)

8 Sec. 10-20.12. School year - School age. To establish and  
9 keep in operation in each year during a school term of at least  
10 the minimum length required by Section 10-19, a sufficient  
11 number of free schools for the accommodation of all persons in  
12 the district who are 5 years of age or older but under 21 years  
13 of age, and to secure for all such persons the right and  
14 opportunity to an equal education in such schools; provided  
15 that (i) children who will attain the age of 5 years on or  
16 before September 1 of the year of the 1990-1991 school term

1 through the 2019-2020 and each school term or on or before May  
2 31 of the year of the 2020-2021 school term and each school  
3 term thereafter may attend school upon the commencement of such  
4 term and (ii) based upon an assessment of the child's  
5 readiness, children who have attended a non-public preschool  
6 and continued their education at that school through  
7 kindergarten, were taught in kindergarten by an appropriately  
8 certified teacher, and will attain the age of 6 years on or  
9 before December 31 of the year of the 2009-2010 school term and  
10 each school term thereafter may attend first grade upon  
11 commencement of such term. However, Section 33 of the  
12 Educational Opportunity for Military Children Act shall apply  
13 to children of active duty military personnel. Based upon an  
14 assessment of a child's readiness to attend school, a school  
15 district may permit a child to attend school prior to the dates  
16 contained in this Section. In any school district operating on  
17 a full year school basis ~~children who will attain age 5 within~~  
18 ~~30 days after the commencement of a term may attend school upon~~  
19 ~~the commencement of such term and,~~ based upon an assessment of  
20 the child's readiness, children who have attended a non-public  
21 preschool and continued their education at that school through  
22 kindergarten, were taught in kindergarten by an appropriately  
23 certified teacher, and will attain age 6 within 4 months after  
24 the commencement of a term may attend first grade upon the  
25 commencement of such term. The school district may, by  
26 resolution of its board, allow for a full year school plan.

1 (Source: P.A. 98-673, eff. 6-30-14.)

2 (105 ILCS 5/10-20.19a) (from Ch. 122, par. 10-20.19a)

3 Sec. 10-20.19a. Kindergartens. After July 1, 1970, to  
4 establish and maintain kindergartens for the instruction of  
5 children in accordance with rules and regulations prescribed by  
6 the State Board of Education. Such kindergartens may provide  
7 for either a 1/2 day or a full day of attendance for pupils  
8 enrolled therein. This Section is subject to Section 10-22.18.

9 (Source: P.A. 84-18.)

10 (105 ILCS 5/10-22.18) (from Ch. 122, par. 10-22.18)

11 Sec. 10-22.18. Kindergartens. To establish kindergartens  
12 for the instruction of children between the ages of 4 and 6  
13 years, if in their judgment the public interest requires it,  
14 and to pay the necessary expenses thereof out of the school  
15 funds of the district. Upon petition of at least 50 parents or  
16 guardians of children between the ages of 4 and 6, residing  
17 within any school district and within one mile of the public  
18 school where such kindergarten is proposed to be established,  
19 the board of directors shall, if funds are available, establish  
20 a kindergarten in connection with the public school designated  
21 in the petition and maintain it as long as the annual average  
22 daily attendance therein is not less than 15. The board may  
23 establish a kindergarten with half-day attendance or with  
24 full-day attendance. If the board establishes full-day

1 kindergarten, it shall also establish half-day kindergarten.  
2 No one shall be employed to teach in a kindergarten who does  
3 not hold a certificate as provided by law.

4 Beginning with the 2020-2021 school year, each school  
5 district, including a school district organized under Article  
6 34, must establish kindergarten for the instruction of children  
7 who are 5 years of age or older.

8 (Source: P.A. 84-1308.)

9 (105 ILCS 5/26-1) (from Ch. 122, par. 26-1)

10 Sec. 26-1. Compulsory school age; exemptions. Whoever has  
11 custody or control of any child (i) ~~between the ages of 7 and~~  
12 ~~17 years (unless the child has already graduated from high~~  
13 ~~school) for school years before the 2014-2015 school year or~~  
14 ~~(ii) between the ages of 6 (on or before September 1) and 17~~  
15 ~~years (unless the child has already graduated from high school)~~  
16 for school years before the 2020-2021 beginning with the  
17 2014-2015 school year or (ii) between the ages of 5 (on or  
18 before May 31) and 17 (unless the child has already graduated  
19 from high school) beginning with the 2020-2021 school year  
20 shall cause such child to attend some public school in the  
21 district wherein the child resides the entire time it is in  
22 session during the regular school term, except as provided in  
23 Section 10-19.1, and during a required summer school program  
24 established under Section 10-22.33B; provided, that the  
25 following children shall not be required to attend the public

1 schools:

2 1. Any child attending a private or a parochial school  
3 where children are taught the branches of education taught  
4 to children of corresponding age and grade in the public  
5 schools, and where the instruction of the child in the  
6 branches of education is in the English language;

7 2. Any child who is physically or mentally unable to  
8 attend school, such disability being certified to the  
9 county or district truant officer by a competent physician  
10 licensed in Illinois to practice medicine and surgery in  
11 all its branches, a chiropractic physician licensed under  
12 the Medical Practice Act of 1987, a licensed advanced  
13 practice registered nurse, a licensed physician assistant,  
14 or a Christian Science practitioner residing in this State  
15 and listed in the Christian Science Journal; or who is  
16 excused for temporary absence for cause by the principal or  
17 teacher of the school which the child attends; the  
18 exemptions in this paragraph (2) do not apply to any female  
19 who is pregnant or the mother of one or more children,  
20 except where a female is unable to attend school due to a  
21 complication arising from her pregnancy and the existence  
22 of such complication is certified to the county or district  
23 truant officer by a competent physician;

24 3. Any child necessarily and lawfully employed  
25 according to the provisions of the law regulating child  
26 labor may be excused from attendance at school by the

1 county superintendent of schools or the superintendent of  
2 the public school which the child should be attending, on  
3 certification of the facts by and the recommendation of the  
4 school board of the public school district in which the  
5 child resides. In districts having part-time continuation  
6 schools, children so excused shall attend such schools at  
7 least 8 hours each week;

8 4. Any child over 12 and under 14 years of age while in  
9 attendance at confirmation classes;

10 5. Any child absent from a public school on a  
11 particular day or days or at a particular time of day for  
12 the reason that he is unable to attend classes or to  
13 participate in any examination, study or work requirements  
14 on a particular day or days or at a particular time of day,  
15 because the tenets of his religion forbid secular activity  
16 on a particular day or days or at a particular time of day.  
17 Each school board shall prescribe rules and regulations  
18 relative to absences for religious holidays including, but  
19 not limited to, a list of religious holidays on which it  
20 shall be mandatory to excuse a child; but nothing in this  
21 paragraph 5 shall be construed to limit the right of any  
22 school board, at its discretion, to excuse an absence on  
23 any other day by reason of the observance of a religious  
24 holiday. A school board may require the parent or guardian  
25 of a child who is to be excused from attending school due  
26 to the observance of a religious holiday to give notice,

1 not exceeding 5 days, of the child's absence to the school  
2 principal or other school personnel. Any child excused from  
3 attending school under this paragraph 5 shall not be  
4 required to submit a written excuse for such absence after  
5 returning to school;

6 6. Any child 16 years of age or older who (i) submits  
7 to a school district evidence of necessary and lawful  
8 employment pursuant to paragraph 3 of this Section and (ii)  
9 is enrolled in a graduation incentives program pursuant to  
10 Section 26-16 of this Code or an alternative learning  
11 opportunities program established pursuant to Article 13B  
12 of this Code;

13 7. A child in any of grades 6 through 12 absent from a  
14 public school on a particular day or days or at a  
15 particular time of day for the purpose of sounding "Taps"  
16 at a military honors funeral held in this State for a  
17 deceased veteran. In order to be excused under this  
18 paragraph 7, the student shall notify the school's  
19 administration at least 2 days prior to the date of the  
20 absence and shall provide the school's administration with  
21 the date, time, and location of the military honors  
22 funeral. The school's administration may waive this 2-day  
23 notification requirement if the student did not receive at  
24 least 2 days advance notice, but the student shall notify  
25 the school's administration as soon as possible of the  
26 absence. A student whose absence is excused under this

1 paragraph 7 shall be counted as if the student attended  
2 school for purposes of calculating the average daily  
3 attendance of students in the school district. A student  
4 whose absence is excused under this paragraph 7 must be  
5 allowed a reasonable time to make up school work missed  
6 during the absence. If the student satisfactorily  
7 completes the school work, the day of absence shall be  
8 counted as a day of compulsory attendance and he or she may  
9 not be penalized for that absence; and

10 8. Any child absent from a public school on a  
11 particular day or days or at a particular time of day for  
12 the reason that his or her parent or legal guardian is an  
13 active duty member of the uniformed services and has been  
14 called to duty for, is on leave from, or has immediately  
15 returned from deployment to a combat zone or combat-support  
16 postings. Such a student shall be granted 5 days of excused  
17 absences in any school year and, at the discretion of the  
18 school board, additional excused absences to visit the  
19 student's parent or legal guardian relative to such leave  
20 or deployment of the parent or legal guardian. In the case  
21 of excused absences pursuant to this paragraph 8, the  
22 student and parent or legal guardian shall be responsible  
23 for obtaining assignments from the student's teacher prior  
24 to any period of excused absence and for ensuring that such  
25 assignments are completed by the student prior to his or  
26 her return to school from such period of excused absence.



1 (Source: P.A. 99-173, eff. 7-29-15; 99-804, eff. 1-1-17;  
2 100-185, eff. 8-18-17; 100-513, eff. 1-1-18; 100-863, eff.  
3 8-14-18.)

4 (105 ILCS 5/26-2) (from Ch. 122, par. 26-2)

5 Sec. 26-2. Enrolled pupils not of compulsory school age.

6 (a) For school years before the 2020-2021 ~~2014-2015~~ school  
7 ~~year, any person having custody or control of a child who is~~  
8 ~~below the age of 7 years or is 17 years of age or above and who~~  
9 ~~is enrolled in any of grades kindergarten through 12 in the~~  
10 ~~public school shall cause him to attend the public school in~~  
11 ~~the district wherein he resides when it is in session during~~  
12 ~~the regular school term, unless he is excused under paragraph~~  
13 ~~2, 3, 4, 5, or 6 of Section 26-1. Beginning with the 2014-2015~~  
14 school year, any person having custody or control of a child  
15 who is below the age of 6 years or is 17 years of age or above  
16 and who is enrolled in any of grades kindergarten through 12 in  
17 the public school shall cause the child to attend the public  
18 school in the district wherein he or she resides when it is in  
19 session during the regular school term, unless the child is  
20 excused under paragraph 2, 3, 4, 5, or 6 of Section 26-1 of  
21 this Code. Beginning with the 2020-2021 school year, any person  
22 having custody or control of a child who is below the age of 5  
23 years or is 17 years of age or above and who is enrolled in any  
24 of grades kindergarten through 12 in the public school shall  
25 cause the child to attend the public school in the district

1 wherein he or she resides when it is in session during the  
2 regular school term, unless the child is excused under  
3 paragraph 2, 3, 4, 5, or 6 of Section 26-1 of this Code.

4 (b) A school district shall deny reenrollment in its  
5 secondary schools to any child 19 years of age or above who has  
6 dropped out of school and who could not, because of age and  
7 lack of credits, attend classes during the normal school year  
8 and graduate before his or her twenty-first birthday. A  
9 district may, however, enroll the child in a graduation  
10 incentives program under Section 26-16 of this Code or an  
11 alternative learning opportunities program established under  
12 Article 13B. No child shall be denied reenrollment for the  
13 above reasons unless the school district first offers the child  
14 due process as required in cases of expulsion under Section  
15 10-22.6. If a child is denied reenrollment after being provided  
16 with due process, the school district must provide counseling  
17 to that child and must direct that child to alternative  
18 educational programs, including adult education programs, that  
19 lead to graduation or receipt of a high school equivalency  
20 certificate.

21 (c) A school or school district may deny enrollment to a  
22 student 17 years of age or older for one semester for failure  
23 to meet minimum attendance standards if all of the following  
24 conditions are met:

25 (1) The student was absent without valid cause for 20%  
26 or more of the attendance days in the semester immediately

1 prior to the current semester.

2 (2) The student and the student's parent or guardian  
3 are given written notice warning that the student is  
4 subject to denial from enrollment for one semester unless  
5 the student is absent without valid cause less than 20% of  
6 the attendance days in the current semester.

7 (3) The student's parent or guardian is provided with  
8 the right to appeal the notice, as determined by the State  
9 Board of Education in accordance with due process.

10 (4) The student is provided with attendance  
11 remediation services, including without limitation  
12 assessment, counseling, and support services.

13 (5) The student is absent without valid cause for 20%  
14 or more of the attendance days in the current semester.

15 A school or school district may not deny enrollment to a  
16 student (or reenrollment to a dropout) who is at least 17 years  
17 of age or older but below 19 years for more than one  
18 consecutive semester for failure to meet attendance standards.

19 (d) No child may be denied reenrollment under this Section  
20 in violation of the federal Individuals with Disabilities  
21 Education Act or the Americans with Disabilities Act.

22 (e) In this subsection (e), "reenrolled student" means a  
23 dropout who has reenrolled full-time in a public school. Each  
24 school district shall identify, track, and report on the  
25 educational progress and outcomes of reenrolled students as a  
26 subset of the district's required reporting on all enrollments.

1 A reenrolled student who again drops out must not be counted  
2 again against a district's dropout rate performance measure.  
3 The State Board of Education shall set performance standards  
4 for programs serving reenrolled students.

5 (f) The State Board of Education shall adopt any rules  
6 necessary to implement the changes to this Section made by  
7 Public Act 93-803.

8 (Source: P.A. 100-825, eff. 8-13-18.)

9 (105 ILCS 5/34-19) (from Ch. 122, par. 34-19)

10 Sec. 34-19. By-laws, rules and regulations; business  
11 transacted at regular meetings; voting; records. The board  
12 shall, subject to the limitations in this Article, establish  
13 by-laws, rules and regulations, which shall have the force of  
14 ordinances, for the proper maintenance of a uniform system of  
15 discipline for both employees and pupils, and for the entire  
16 management of the schools, and may fix the school age of  
17 pupils, the minimum of which in kindergartens (which, beginning  
18 with the 2020-2021 school year, must be established under  
19 Section 10-22.18 for children 5 years of age or older) shall  
20 not be under 4 years, except that, based upon an assessment of  
21 the child's readiness, children who have attended a non-public  
22 preschool and continued their education at that school through  
23 kindergarten, were taught in kindergarten by an appropriately  
24 certified teacher, and will attain the age of 6 years on or  
25 before December 31 of the year of the 2009-2010 school term and

1 each school term thereafter may attend first grade upon  
2 commencement of such term, and in grade schools shall not be  
3 under 6 years. It may expel, suspend or, subject to the  
4 limitations of all policies established or adopted under  
5 Section 10-22.6 or 14-8.05, otherwise discipline any pupil  
6 found guilty of gross disobedience, misconduct, or other  
7 violation of the by-laws, rules, and regulations, including  
8 gross disobedience or misconduct perpetuated by electronic  
9 means. An expelled pupil may be immediately transferred to an  
10 alternative program in the manner provided in Article 13A or  
11 13B of this Code. A pupil must not be denied transfer because  
12 of the expulsion, except in cases in which such transfer is  
13 deemed to cause a threat to the safety of students or staff in  
14 the alternative program. A pupil who is suspended in excess of  
15 20 school days may be immediately transferred to an alternative  
16 program in the manner provided in Article 13A or 13B of this  
17 Code. A pupil must not be denied transfer because of the  
18 suspension, except in cases in which such transfer is deemed to  
19 cause a threat to the safety of students or staff in the  
20 alternative program. The bylaws, rules and regulations of the  
21 board shall be enacted, money shall be appropriated or  
22 expended, salaries shall be fixed or changed, and textbooks,  
23 electronic textbooks, and courses of instruction shall be  
24 adopted or changed only at the regular meetings of the board  
25 and by a vote of a majority of the full membership of the  
26 board; provided that notwithstanding any other provision of

1 this Article or the School Code, neither the board or any local  
2 school council may purchase any textbook for use in any public  
3 school of the district from any textbook publisher that fails  
4 to furnish any computer diskettes as required under Section  
5 28-21. Funds appropriated for textbook purchases must be  
6 available for electronic textbook purchases and the  
7 technological equipment necessary to gain access to and use  
8 electronic textbooks at the local school council's discretion.  
9 The board shall be further encouraged to provide opportunities  
10 for public hearing and testimony before the adoption of bylaws,  
11 rules and regulations. Upon all propositions requiring for  
12 their adoption at least a majority of all the members of the  
13 board the yeas and nays shall be taken and reported. The  
14 by-laws, rules and regulations of the board shall not be  
15 repealed, amended or added to, except by a vote of 2/3 of the  
16 full membership of the board. The board shall keep a record of  
17 all its proceedings. Such records and all by-laws, rules and  
18 regulations, or parts thereof, may be proved by a copy thereof  
19 certified to be such by the secretary of the board, but if they  
20 are printed in book or pamphlet form which are purported to be  
21 published by authority of the board they need not be otherwise  
22 published and the book or pamphlet shall be received as  
23 evidence, without further proof, of the records, by-laws, rules  
24 and regulations, or any part thereof, as of the dates thereof  
25 as shown in such book or pamphlet, in all courts and places  
26 where judicial proceedings are had.

1           Notwithstanding any other provision in this Article or in  
2 the School Code, the board may delegate to the general  
3 superintendent or to the attorney the authorities granted to  
4 the board in the School Code, provided such delegation and  
5 appropriate oversight procedures are made pursuant to board  
6 by-laws, rules and regulations, adopted as herein provided,  
7 except that the board may not delegate its authorities and  
8 responsibilities regarding (1) budget approval obligations;  
9 (2) rule-making functions; (3) desegregation obligations; (4)  
10 real estate acquisition, sale or lease in excess of 10 years as  
11 provided in Section 34-21; (5) the levy of taxes; or (6) any  
12 mandates imposed upon the board by "An Act in relation to  
13 school reform in cities over 500,000, amending Acts herein  
14 named", approved December 12, 1988 (P.A. 85-1418).  
15 (Source: P.A. 99-456, eff. 9-15-16.)".