

1 AN ACT with regard to schools.

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 Section
5 26-2 as follows:

6 (105 ILCS 5/26-2) (from Ch. 122, par. 26-2)

7 Sec. 26-2. Enrolled pupils below 7 or over 16.

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

15 (b) A school district shall deny reenrollment in its
16 secondary schools to any child above the age of 19 ~~16~~ years who
17 has dropped out of school and who could not, because of age and
18 lack of credits, attend classes during the normal school year
19 and graduate before his or her twenty-first birthday. A
20 district may, however, enroll the child in an alternative
21 learning opportunities program established under Article 13B.
22 No child shall be denied reenrollment for the above reasons
23 unless the school district first offers the child due process
24 as required in cases of expulsion under Section 10-22.6. If a
25 child is denied reenrollment after being provided with due
26 process, the school district must provide counseling to that
27 child and must direct that child to alternative educational
28 programs, including adult education programs, that lead to
29 graduation or receipt of a GED diploma.

30 (c) A school or school district may deny enrollment to a
31 student 16 years of age or older for one semester for failure
32 to meet minimum academic standards if all of the following

1 conditions are met:

2 (1) The student achieved a grade point average of less
3 than "D" (or its equivalent) in the semester immediately
4 prior to the current semester.

5 (2) The student and the student's parent or guardian
6 are given written notice warning that the student is
7 failing academically and is subject to denial from
8 enrollment for one semester unless a "D" average (or its
9 equivalent) or better is attained in the current semester.

10 (3) The parent or guardian is provided with the right
11 to appeal the notice, as determined by the State Board of
12 Education in accordance with due process.

13 (4) The student is provided with an academic
14 improvement plan and academic remediation services.

15 (5) The student fails to achieve a "D" average (or its
16 equivalent) or better in the current semester.

17 A school or school district may deny enrollment to a
18 student 16 years of age or older for one semester for failure
19 to meet minimum attendance standards if all of the following
20 conditions are met:

21 (1) The student was absent without valid cause for 20%
22 or more of the attendance days in the semester immediately
23 prior to the current semester.

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

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

32 (4) The student is provided with attendance
33 remediation services, including without limitation
34 assessment, counseling, and support services.

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

1 A school or school district may not deny enrollment to a
2 student (or reenrollment to a dropout) who is at least 16 years
3 of age or older but not more than 19 years for more than one
4 consecutive semester for failure to meet academic or attendance
5 standards.

6 (d) No child may be denied enrollment or reenrollment
7 under this Section in violation of the Individuals with
8 Disabilities Education Act or the Americans with Disabilities
9 Act.

10 (e) In this subsection (e), "reenrolled student" means a
11 dropout who has reenrolled full-time in a public school. Each
12 school district shall identify, track, and report on the
13 educational progress and outcomes of reenrolled students as a
14 subset of the district's required reporting on all enrollments.
15 A reenrolled student who again drops out must not be counted
16 again against a district's dropout rate performance measure.
17 The State Board of Education shall set performance standards
18 for programs serving reenrolled students.

19 (f) The State Board of Education shall adopt any rules
20 necessary to implement the changes to this Section made by this
21 amendatory Act of the 93rd General Assembly.

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

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.