



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB0806

Introduced 2/9/2009, by Rep. Mike Fortner

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-20.12

from Ch. 122, par. 10-20.12

105 ILCS 5/34-19

from Ch. 122, par. 34-19

Amends the School Code. Provides that children who have attended a State-certified, private preschool and continued their education at that school through kindergarten and who will attain the age of 6 years on or before December 31 of the year of the 2009-2010 school term and each school term thereafter may attend first grade upon commencement of such term. Makes related changes. Effective July 1, 2009.

LRB096 07449 NHT 17541 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

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 Sections  
5 10-20.12 and 34-19 as follows:

6 (105 ILCS 5/10-20.12) (from Ch. 122, par. 10-20.12)

7 Sec. 10-20.12. School year - School age. To establish and  
8 keep in operation in each year during a school term of at least  
9 the minimum length required by Section 10-19, a sufficient  
10 number of free schools for the accommodation of all persons in  
11 the district who are 5 years of age or older but under 21 years  
12 of age, and to secure for all such persons the right and  
13 opportunity to an equal education in such schools; provided  
14 that (i) children who will attain the age of 5 years on or  
15 before September 1 of the year of the 1990-1991 school term and  
16 each school term thereafter may attend school upon the  
17 commencement of such term and (ii) children who have attended a  
18 State-certified, private preschool and continued their  
19 education at that school through kindergarten and who will  
20 attain the age of 6 years on or before December 31 of the year  
21 of the 2009-2010 school term and each school term thereafter  
22 may attend first grade upon commencement of such term. Based  
23 upon an assessment of a child's readiness to attend school, a

1 school district may permit a child to attend school prior to  
2 the dates contained in this Section. In any school district  
3 operating on a full year school basis children who will attain  
4 age 5 within 30 days after the commencement of a term may  
5 attend school upon the commencement of such term and children  
6 who have attended a State-certified, private preschool and  
7 continued their education at that school through kindergarten  
8 and will attain age 6 within 4 months after the commencement of  
9 a term may attend first grade upon the commencement of such  
10 term. The school district may, by resolution of its board,  
11 allow for a full year school plan.

12 (Source: P.A. 87-359.)

13 (105 ILCS 5/34-19) (from Ch. 122, par. 34-19)

14 Sec. 34-19. By-laws, rules and regulations; business  
15 transacted at regular meetings; voting; records. The board  
16 shall, subject to the limitations in this Article, establish  
17 by-laws, rules and regulations, which shall have the force of  
18 ordinances, for the proper maintenance of a uniform system of  
19 discipline for both employees and pupils, and for the entire  
20 management of the schools, and may fix the school age of  
21 pupils, the minimum of which in kindergartens shall not be  
22 under 4 years, except that children who have attended a  
23 State-certified, private preschool and continued their  
24 education at that school through kindergarten and who will  
25 attain the age of 6 years on or before December 31 of the year

1 of the 2009-2010 school term and each school term thereafter  
2 may attend first grade upon commencement of such term, and in  
3 grade schools shall not be under 6 years. It may expel, suspend  
4 or, subject to the limitations of all policies established or  
5 adopted under Section 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. The bylaws,  
8 rules and regulations of the board shall be enacted, money  
9 shall be appropriated or expended, salaries shall be fixed or  
10 changed, and textbooks and courses of instruction shall be  
11 adopted or changed only at the regular meetings of the board  
12 and by a vote of a majority of the full membership of the  
13 board; provided that notwithstanding any other provision of  
14 this Article or the School Code, neither the board or any local  
15 school council may purchase any textbook for use in any public  
16 school of the district from any textbook publisher that fails  
17 to furnish any computer diskettes as required under Section  
18 28-21. The board shall be further encouraged to provide  
19 opportunities for public hearing and testimony before the  
20 adoption of bylaws, rules and regulations. Upon all  
21 propositions requiring for their adoption at least a majority  
22 of all the members of the board the yeas and nays shall be  
23 taken and reported. The by-laws, rules and regulations of the  
24 board shall not be repealed, amended or added to, except by a  
25 vote of 2/3 of the full membership of the board. The board  
26 shall keep a record of all its proceedings. Such records and

1 all by-laws, rules and regulations, or parts thereof, may be  
2 proved by a copy thereof certified to be such by the secretary  
3 of the board, but if they are printed in book or pamphlet form  
4 which are purported to be published by authority of the board  
5 they need not be otherwise published and the book or pamphlet  
6 shall be received as evidence, without further proof, of the  
7 records, by-laws, rules and regulations, or any part thereof,  
8 as of the dates thereof as shown in such book or pamphlet, in  
9 all courts and places where judicial proceedings are had.

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

24 (Source: P.A. 88-45; 89-15, eff. 5-30-95.)

25 Section 99. Effective date. This Act takes effect July 1,  
26 2009.