

1 AN ACT regarding 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 10-22.18, 26-1, and 26-2 and by adding Section 34-18.27a as
6 follows:

7 (105 ILCS 5/10-22.18) (from Ch. 122, par. 10-22.18)

8 Sec. 10-22.18. Kindergartens. To establish kindergartens
9 for the instruction of children between the ages of 4 and 6
10 years, if in their judgment the public interest requires it,
11 and to pay the necessary expenses thereof out of the school
12 funds of the district. Upon petition of at least 50 parents or
13 guardians of children between the ages of 4 and 6, residing
14 within any school district and within one mile of the public
15 school where such kindergarten is proposed to be established,
16 the board of directors shall, if funds are available, establish
17 a kindergarten in connection with the public school designated
18 in the petition and maintain it as long as the annual average
19 daily attendance therein is not less than 15. The board may
20 establish a kindergarten with half-day attendance or with
21 full-day attendance. If the board establishes full-day
22 kindergarten, it shall also establish half-day kindergarten.
23 No one shall be employed to teach in a kindergarten who does

1 not hold a certificate as provided by law.

2 Beginning with the 2013-2014 school year, each school
3 district must establish kindergarten for the instruction of
4 children who are 6 years of age on or before September 1.

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

6 (105 ILCS 5/26-1) (from Ch. 122, par. 26-1)

7 Sec. 26-1. Compulsory school age-Exemptions. Whoever has
8 custody or control of any child (i) between the ages of 7 and
9 17 years (unless the child has already graduated from high
10 school) for school years before the 2013-2014 school year or
11 (ii) between the ages of 6 (on or before September 1) and 17
12 years for school years after the 2012-2013 school year shall
13 cause such child to attend some public school in the district
14 wherein the child resides the entire time it is in session
15 during the regular school term, except as provided in Section
16 10-19.1, and during a required summer school program
17 established under Section 10-22.33B; provided, that the
18 following children shall not be required to attend the public
19 schools:

20 1. Any child attending a private or a parochial school
21 where children are taught the branches of education taught
22 to children of corresponding age and grade in the public
23 schools, and where the instruction of the child in the
24 branches of education is in the English language;

25 2. Any child who is physically or mentally unable to

1 attend school, such disability being certified to the
2 county or district truant officer by a competent physician
3 licensed in Illinois to practice medicine and surgery in
4 all its branches, a chiropractic physician licensed under
5 the Medical Practice Act of 1987, an advanced practice
6 nurse who has a written collaborative agreement with a
7 collaborating physician that authorizes the advanced
8 practice nurse to perform health examinations, a physician
9 assistant who has been delegated the authority to perform
10 health examinations by his or her supervising physician, or
11 a Christian Science practitioner residing in this State and
12 listed in the Christian Science Journal; or who is excused
13 for temporary absence for cause by the principal or teacher
14 of the school which the child attends; the exemptions in
15 this paragraph (2) do not apply to any female who is
16 pregnant or the mother of one or more children, except
17 where a female is unable to attend school due to a
18 complication arising from her pregnancy and the existence
19 of such complication is certified to the county or district
20 truant officer by a competent physician;

21 3. Any child necessarily and lawfully employed
22 according to the provisions of the law regulating child
23 labor may be excused from attendance at school by the
24 county superintendent of schools or the superintendent of
25 the public school which the child should be attending, on
26 certification of the facts by and the recommendation of the

1 school board of the public school district in which the
2 child resides. In districts having part time continuation
3 schools, children so excused shall attend such schools at
4 least 8 hours each week;

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

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

1 required to submit a written excuse for such absence after
2 returning to school; and

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

10 (Source: P.A. 96-367, eff. 8-13-09.)

11 (105 ILCS 5/26-2) (from Ch. 122, par. 26-2)

12 Sec. 26-2. Enrolled pupils not of compulsory school age
13 ~~below 7 or over 17.~~

14 (a) For school years before the 2013-2014 school year, any
15 ~~Any~~ person having custody or control of a child who is below
16 the age of 7 years or is 17 years of age or above and who is
17 enrolled in any of grades kindergarten through 12 in the public
18 school shall cause him to attend the public school in the
19 district wherein he resides when it is in session during the
20 regular school term, unless he is excused under paragraph 2, 3,
21 4, 5, or 6 of Section 26-1. For school years after the
22 2012-2013 school year, any person having custody or control of
23 a child who is below the age of 6 years or above the age of 17
24 years and who is enrolled in any of grades kindergarten through
25 12 in the public school shall cause the child to attend the

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

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

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 academic standards if all of the following
24 conditions are met:

25 (1) The student achieved a grade point average of less
26 than "D" (or its equivalent) 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 failing academically and is subject to denial from
5 enrollment for one semester unless a "D" average (or its
6 equivalent) or better is attained in the current semester.

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

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

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

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

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

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

26 (3) The student's parent or guardian is provided with

1 the right to appeal the notice, as determined by the State
2 Board of Education in accordance with due process.

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

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

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

13 (d) No child may be denied enrollment or reenrollment under
14 this Section in violation of the Individuals with Disabilities
15 Education Act or the Americans with Disabilities Act.

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

25 (f) The State Board of Education shall adopt any rules
26 necessary to implement the changes to this Section made by

1 Public Act 93-803.

2 (Source: P.A. 95-417, eff. 8-24-07.)

3 (105 ILCS 5/34-18.27a new)

4 Sec. 34-18.27a. Mandatory kindergarten. Beginning with the
5 2013-2014 school year, the board must establish kindergarten
6 for the instruction of children who are 6 years of age on or
7 before September 1. The board may elect to establish either
8 full-day or half-day attendance for kindergarten.

9 Section 99. Effective date. This Act takes effect July 1,
10 2014.