

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 1. Short title. This Act may be cited as the  
5 Homeschool Act.

6 Section 5. Application. Nothing in this Act applies to  
7 schools registered or recognized under Section 2-3.25 of the  
8 School Code.

9 Section 10. Findings. The General Assembly finds:

10 (1) Homeschool is a viable alternative to public  
11 education when engaged in good faith and for the benefit  
12 of students.

13 (2) Homeschool is currently the fastest growing form  
14 of education in the United States, yet the true number of  
15 homeschool students is unknown and will continue to be  
16 unknown without notification.

17 (3) Abusers in this State have taken advantage of a  
18 lack of notification to remove vulnerable students from  
19 the supervision of mandatory reporters under the false  
20 pretense of homeschool.

21 (4) When abusers take students out of school under the  
22 false pretense of homeschool, it conflates legitimate

1           homeschool with abuse and threatens the rights of those  
2           families who homeschool in good faith and for the benefit  
3           of their students.

4           (5) The State does not have an adequate system to  
5           further investigate signs of abuse once the abuser claims  
6           the removal of a vulnerable student from the supervision  
7           of mandatory reporters was under the false pretense of  
8           homeschool.

9           (6) The State's lack of process to investigate signs  
10          of abuse further delegitimizes homeschool as a viable  
11          alternative to public school.

12          (7) A notification process and investigation of  
13          educational neglect only after there is reasonable cause  
14          to believe a student is suffering from educational neglect  
15          is the least restrictive way for the State to protect  
16          vulnerable students removed from the presence of mandatory  
17          reporters under the false pretense of homeschool.

18          Section 15. Definitions. As used in this Act:

19          "Adequate education" means an education that fulfills the  
20          minimum requirements under Sections 26-1 and 27-1 of the  
21          School Code.

22          "Board" means the State Board of Education.

23          "Department" means the Department of Children and Family  
24          Services.

25          "Educational portfolio" means documentation of homeschool

1 instruction and a student's educational progress. "Educational  
2 portfolio" includes:

- 3 (1) a log of curriculum and materials used;
- 4 (2) samples of student work;
- 5 (3) administrator assessment of a student's progress,  
6 areas of improvement, or areas of needed improvement; and
- 7 (4) any other information designed to convey the  
8 instruction provided to the student and the student's  
9 engagement with the instruction provided.

10 "Homeschool" means a program where instruction is provided  
11 in a student's home environment and which may have more than  
12 one student so long as all students in the homeschool are  
13 members of the same household, except that students in  
14 homeschool are deemed private school children for the sole  
15 purpose of providing equitable services using proportionate  
16 share funds under the federal Individuals with Disabilities  
17 Education Act, 20 U.S.C. 1400. "Homeschool" does not mean a  
18 group of 2 or more households who provide full-time  
19 instruction to students of separate households under a  
20 cooperative agreement or communal living arrangement.

21 "Homeschool administrator" or "administrator" means the  
22 person providing instruction to the student. "Homeschool  
23 administrator" or "administrator" includes the parent,  
24 guardian, member of the student's household, or a third party  
25 engaged for the purpose of providing instruction. "Homeschool  
26 administrator" or "administrator" does not include a third

1 party who created, developed, or published the curriculum used  
2 by the homeschool and who has no direct interaction with the  
3 student or control over the delivery of the instruction.

4 "Homeschool notification form" or "notification form"  
5 means information submitted to a public school in a form  
6 prescribed by the State Board of Education.

7 "Regional superintendent" means the general superintendent  
8 of schools or a designee of the superintendent for a school  
9 district organized under Article 34 of the School Code.

10 "School district" means any school district other than  
11 those school districts organized under Article 34 of the  
12 School Code.

13 "Student" or "students" means a minor receiving an  
14 education in the home environment, unless otherwise indicated  
15 by context.

16 "Student's address" means the student's residence and, if  
17 different, the place at which the student is physically  
18 present while receiving the majority of instruction.

19 Section 20. Form of notification.

20 (a) The Board shall create a homeschool notification form  
21 that a parent or guardian shall submit to the regional office  
22 of education, intermediate service center, or regional  
23 superintendent for the area in which the student resides. The  
24 notification form shall be published in a downloadable and  
25 printable format on the Board's website no later than June 1,

1 2026.

2 (1) The notification form shall be submitted for each  
3 student attending homeschool and must include:

4 (A) the student's name, birthdate, grade level,  
5 and address;

6 (B) the name and contact information of the  
7 student's parent or guardian;

8 (C) the name, contact information, and address of  
9 the administrator if different than the parent or  
10 guardian; and

11 (D) the highest level of education achieved by the  
12 administrator or administrators who are not the  
13 student's parent.

14 (2) The notification form may include:

15 (A) occupation and educational level of the parent  
16 or parents;

17 (B) any curriculum purchased or used for the  
18 homeschool; and

19 (C) whether a homeschool intends to enroll the  
20 student or students part time at a public school,  
21 receive public school supplementary resources, or  
22 participate in public school or regional events.

23 (b) Beginning with the 2026-2027 school year, a parent or  
24 guardian who homeschools the parent's or guardian's student  
25 shall submit the notification form before September 1 of each  
26 year. However, a parent or guardian who chooses to homeschool

1 in the middle of a school year shall submit the form no later  
2 than 3 business days following the date at which the student  
3 last attended school.

4 (c) A parent or guardian shall submit an updated  
5 notification form within 10 business days after a change in a  
6 student's address or residence.

7 (d) A notification form is deemed submitted when it is  
8 submitted electronically or physically to the regional office  
9 of education, intermediate service center, or regional  
10 superintendent associated with the student's residence in a  
11 manner designated by that entity. A regional office of  
12 education, intermediate service center, or regional  
13 superintendent may accept but must not require electronic  
14 submission. The receiving entity shall provide proof of  
15 receipt to the homeschool submitting the notification form.

16 Section 25. Storage and record keeping.

17 (a) A notification form submitted to the incorrect  
18 regional office of education, intermediate service center, or  
19 regional superintendent shall either be transferred to the  
20 correct regional office of education, intermediate service  
21 center, or regional superintendent associated with the  
22 student's residence at the parent or guardian's request or  
23 returned to the parent and guardian with notice of the correct  
24 submission location. Receipt of the transferred or rejected  
25 form shall be provided to the homeschool.

1 (b) A public school or school district shall only retain a  
2 copy of the notification form if the homeschool parent or  
3 guardian requests that the record be retained by the public  
4 school or school district.

5 (c) The regional office of education, intermediate service  
6 center, or regional superintendent shall retain a record of  
7 each notification form for not less than 5 years.

8 (d) Individual homeschool notification forms are not  
9 subject to disclosure or inspection under the Freedom of  
10 Information Act.

11 Section 30. Accusation of truancy. There exists a  
12 rebuttable presumption that a student is not truant under  
13 Sections 26-10 and 26-11 of the School Code if a homeschool  
14 notification form was submitted in accordance with Section 20.

15 Section 35. Notification form required for access to  
16 public school resources.

17 (a) If a homeschool wishes to access public school  
18 resources, the homeschool must submit the notification form to  
19 the public school, school district, regional office of  
20 education, intermediate service center, or regional  
21 superintendent associated with the student's residence.

22 (b) A public school or school district receiving a  
23 notification form that indicates a homeschool's wish to access  
24 public school or school district resources shall:

1           (1) retain a copy of the notification form for the  
2 length of time the student is enrolled part time or  
3 receiving access to public school or school district  
4 resources and events;

5           (2) unless otherwise prohibited by law, require proof  
6 of residence before providing public school or school  
7 district resources;

8           (3) unless otherwise prohibited by law, require proof  
9 of residence, immunization records, and health screenings  
10 as a prerequisite to enroll a homeschool student part time  
11 or attend public school or school district events; and

12           (4) include any student enrolled part time or  
13 receiving resources or access to public school or school  
14 district events included in its enrollment count.

15           Section 40. Homeschool administrator qualifications.

16           (a) A homeschool administrator may have a high school  
17 diploma or its recognized equivalent. An administrator  
18 currently or formerly enrolled in an institution of higher  
19 education is sufficient to satisfy this requirement.

20           (b) An administrator other than the student's parent must  
21 not have a conviction under Section 11-1.20, 11-1.30, 11-1.40,  
22 11-1.50, or 11-1.60 of the Criminal Code of 2012 or any other  
23 conviction requiring registration under the Sex Offender  
24 Registration Act.

1           Section 45. Youth under the custody and guardianship of  
2 the Department of Children and Family Services. Consent must  
3 be obtained from the Department's Guardian Administrator prior  
4 to a homeschool notification form being submitted under  
5 Section 20 for all youth under the custody and guardianship of  
6 the Department. Nothing in this Act supersedes the Guardian  
7 Administrator's authority and discretion to approve or deny  
8 whether a youth under the custody or guardianship of the  
9 Department may participate in a homeschool program.

10           Section 50. Minimum content requirements. Homeschools  
11 shall provide every student enrolled in homeschool instruction  
12 sufficient content to satisfy the requirements of Sections  
13 26-1 and 27-1 of the School Code.

14           Section 55. Educational portfolio required. A truant  
15 officer may request an educational portfolio as part of a  
16 truancy investigation. The homeschool must produce an  
17 educational portfolio no later than 10 business days after the  
18 request is made.

19           Section 60. Department of Children and Family Services;  
20 investigation.

21           (a) The Department shall take the following actions after  
22 a report is "indicated" following a preliminary determination  
23 made under Section 7.12 of the Abused and Neglected Child

1 Reporting Act.

2 (1) A report of truancy shall be referred to the  
3 relevant regional office of education, intermediate  
4 service center, or regional superintendent.

5 (2) A report of abuse and neglect that includes  
6 truancy shall be investigated by and remain under the  
7 authority of the Department. The Department shall alert  
8 the relevant regional office of education, intermediate  
9 service center, or regional superintendent that truancy  
10 has been connected to a Department investigation. The  
11 relevant truant officer shall conduct a truancy  
12 investigation under Article 26 of the School Code.

13 (b) A report of truancy or educational neglect that has  
14 been referred or made to a regional office of education,  
15 intermediate service center, or regional superintendent shall  
16 be further investigated by a truant officer. If the truant  
17 officer finds evidence that supports a reasonable cause to  
18 believe the student is suffering educational neglect or not  
19 receiving an adequate education, the truant officer shall  
20 refer the case to the relevant State Attorney's office for  
21 further action. If, during the course of investigating  
22 educational neglect, the truant officer suspects other forms  
23 of neglect or abuse, the truant officer shall refer the case to  
24 the Department, or to local law enforcement in the case of an  
25 immediate risk to the life of the student.

1           Section 65. Assessment of a submitted educational  
2 portfolio.

3           (a) An educational portfolio submitted by a parent or  
4 guardian under of Section 55 shall be assessed by the regional  
5 office of education, intermediate service center, or regional  
6 superintendent associated with the child's residence.

7           (b) The assessment shall be provided to the homeschool. If  
8 the educational portfolio does not include all required  
9 elements, the homeschool shall be provided an opportunity and  
10 instruction on how to correct the deficiency.

11           (c) If the homeschool refuses to correct the deficiency,  
12 the regional office of education, intermediate service center,  
13 or regional superintendent shall refer the matter to the  
14 relevant State's Attorney or Department investigator only if  
15 there is reasonable cause to believe that the educational  
16 portfolio indicates educational neglect.

17           Section 70. Failure to submit educational portfolio. If a  
18 parent or guardian fails or refuses to provide an educational  
19 portfolio when required under Section 55 or when requested by  
20 the truancy officer upon reasonable belief that the student is  
21 suffering educational neglect or not receiving an adequate  
22 education, the truancy officer shall refer the case to the  
23 relevant State's Attorney for further action.

24           Section 75. Reports.

1           (a) On or before July 31, 2027 and on or before July 31 of  
2 every year thereafter, every regional office of education and  
3 intermediate service center and a school district organized  
4 under Article 34 of the School Code must make an annual report  
5 to the State Superintendent of Education containing data on  
6 homeschooling. The report shall include the total count of  
7 students receiving homeschooling that reside within each  
8 school district's boundaries for that regional office of  
9 education or intermediate service center and the total count  
10 of students receiving homeschooling that reside within the  
11 boundaries of a school district organized under Article 34 of  
12 the School Code. The report shall also break down by grade  
13 level and gender the number of students being homeschooled  
14 within each school district's boundaries for that regional  
15 office of education or intermediate service center or within a  
16 school district organized under Article 34 of the School Code.

17           (b) On or before February 1, 2028 and on or before February  
18 1 of every year thereafter, the State Board of Education shall  
19 create a report consisting of the data reported under  
20 subsection (a) and submit the report to the General Assembly.  
21 The report shall also outline the total count of students  
22 receiving homeschooling in each regional office of education,  
23 intermediate service center, and school district.

24           Section 80. Rules. The State Board of Education may adopt  
25 any rules necessary to implement and administer this Act.

1           Section 900. The Freedom of Information Act is amended by  
2 changing Section 7.5 as follows:

3           (5 ILCS 140/7.5)

4           Sec. 7.5. Statutory exemptions. To the extent provided for  
5 by the statutes referenced below, the following shall be  
6 exempt from inspection and copying:

7           (a) All information determined to be confidential  
8 under Section 4002 of the Technology Advancement and  
9 Development Act.

10           (b) Library circulation and order records identifying  
11 library users with specific materials under the Library  
12 Records Confidentiality Act.

13           (c) Applications, related documents, and medical  
14 records received by the Experimental Organ Transplantation  
15 Procedures Board and any and all documents or other  
16 records prepared by the Experimental Organ Transplantation  
17 Procedures Board or its staff relating to applications it  
18 has received.

19           (d) Information and records held by the Department of  
20 Public Health and its authorized representatives relating  
21 to known or suspected cases of sexually transmitted  
22 infection or any information the disclosure of which is  
23 restricted under the Illinois Sexually Transmitted  
24 Infection Control Act.

1           (e) Information the disclosure of which is exempted  
2 under Section 30 of the Radon Industry Licensing Act.

3           (f) Firm performance evaluations under Section 55 of  
4 the Architectural, Engineering, and Land Surveying  
5 Qualifications Based Selection Act.

6           (g) Information the disclosure of which is restricted  
7 and exempted under Section 50 of the Illinois Prepaid  
8 Tuition Act.

9           (h) Information the disclosure of which is exempted  
10 under the State Officials and Employees Ethics Act, and  
11 records of any lawfully created State or local inspector  
12 general's office that would be exempt if created or  
13 obtained by an Executive Inspector General's office under  
14 that Act.

15           (i) Information contained in a local emergency energy  
16 plan submitted to a municipality in accordance with a  
17 local emergency energy plan ordinance that is adopted  
18 under Section 11-21.5-5 of the Illinois Municipal Code.

19           (j) Information and data concerning the distribution  
20 of surcharge moneys collected and remitted by carriers  
21 under the Emergency Telephone System Act.

22           (k) Law enforcement officer identification information  
23 or driver identification information compiled by a law  
24 enforcement agency or the Department of Transportation  
25 under Section 11-212 of the Illinois Vehicle Code.

26           (l) Records and information provided to a residential

1 health care facility resident sexual assault and death  
2 review team or the Executive Council under the Abuse  
3 Prevention Review Team Act.

4 (m) Information provided to the predatory lending  
5 database created pursuant to Article 3 of the Residential  
6 Real Property Disclosure Act, except to the extent  
7 authorized under that Article.

8 (n) Defense budgets and petitions for certification of  
9 compensation and expenses for court appointed trial  
10 counsel as provided under Sections 10 and 15 of the  
11 Capital Crimes Litigation Act (repealed). This subsection  
12 (n) shall apply until the conclusion of the trial of the  
13 case, even if the prosecution chooses not to pursue the  
14 death penalty prior to trial or sentencing.

15 (o) Information that is prohibited from being  
16 disclosed under Section 4 of the Illinois Health and  
17 Hazardous Substances Registry Act.

18 (p) Security portions of system safety program plans,  
19 investigation reports, surveys, schedules, lists, data, or  
20 information compiled, collected, or prepared by or for the  
21 Department of Transportation under Sections 2705-300 and  
22 2705-616 of the Department of Transportation Law of the  
23 Civil Administrative Code of Illinois, the Regional  
24 Transportation Authority under Section 2.11 of the  
25 Regional Transportation Authority Act, or the St. Clair  
26 County Transit District under the Bi-State Transit Safety

1 Act (repealed).

2 (q) Information prohibited from being disclosed by the  
3 Personnel Record Review Act.

4 (r) Information prohibited from being disclosed by the  
5 Illinois School Student Records Act.

6 (s) Information the disclosure of which is restricted  
7 under Section 5-108 of the Public Utilities Act.

8 (t) (Blank).

9 (u) Records and information provided to an independent  
10 team of experts under the Developmental Disability and  
11 Mental Health Safety Act (also known as Brian's Law).

12 (v) Names and information of people who have applied  
13 for or received Firearm Owner's Identification Cards under  
14 the Firearm Owners Identification Card Act or applied for  
15 or received a concealed carry license under the Firearm  
16 Concealed Carry Act, unless otherwise authorized by the  
17 Firearm Concealed Carry Act; and databases under the  
18 Firearm Concealed Carry Act, records of the Concealed  
19 Carry Licensing Review Board under the Firearm Concealed  
20 Carry Act, and law enforcement agency objections under the  
21 Firearm Concealed Carry Act.

22 (v-5) Records of the Firearm Owner's Identification  
23 Card Review Board that are exempted from disclosure under  
24 Section 10 of the Firearm Owners Identification Card Act.

25 (w) Personally identifiable information which is  
26 exempted from disclosure under subsection (g) of Section

1 19.1 of the Toll Highway Act.

2 (x) Information which is exempted from disclosure  
3 under Section 5-1014.3 of the Counties Code or Section  
4 8-11-21 of the Illinois Municipal Code.

5 (y) Confidential information under the Adult  
6 Protective Services Act and its predecessor enabling  
7 statute, the Elder Abuse and Neglect Act, including  
8 information about the identity and administrative finding  
9 against any caregiver of a verified and substantiated  
10 decision of abuse, neglect, or financial exploitation of  
11 an eligible adult maintained in the Registry established  
12 under Section 7.5 of the Adult Protective Services Act.

13 (z) Records and information provided to a fatality  
14 review team or the Illinois Fatality Review Team Advisory  
15 Council under Section 15 of the Adult Protective Services  
16 Act.

17 (aa) Information which is exempted from disclosure  
18 under Section 2.37 of the Wildlife Code.

19 (bb) Information which is or was prohibited from  
20 disclosure by the Juvenile Court Act of 1987.

21 (cc) Recordings made under the Law Enforcement  
22 Officer-Worn Body Camera Act, except to the extent  
23 authorized under that Act.

24 (dd) Information that is prohibited from being  
25 disclosed under Section 45 of the Condominium and Common  
26 Interest Community Ombudsperson Act.

1 (ee) Information that is exempted from disclosure  
2 under Section 30.1 of the Pharmacy Practice Act.

3 (ff) Information that is exempted from disclosure  
4 under the Revised Uniform Unclaimed Property Act.

5 (gg) Information that is prohibited from being  
6 disclosed under Section 7-603.5 of the Illinois Vehicle  
7 Code.

8 (hh) Records that are exempt from disclosure under  
9 Section 1A-16.7 of the Election Code.

10 (ii) Information which is exempted from disclosure  
11 under Section 2505-800 of the Department of Revenue Law of  
12 the Civil Administrative Code of Illinois.

13 (jj) Information and reports that are required to be  
14 submitted to the Department of Labor by registering day  
15 and temporary labor service agencies but are exempt from  
16 disclosure under subsection (a-1) of Section 45 of the Day  
17 and Temporary Labor Services Act.

18 (kk) Information prohibited from disclosure under the  
19 Seizure and Forfeiture Reporting Act.

20 (ll) Information the disclosure of which is restricted  
21 and exempted under Section 5-30.8 of the Illinois Public  
22 Aid Code.

23 (mm) Records that are exempt from disclosure under  
24 Section 4.2 of the Crime Victims Compensation Act.

25 (nn) Information that is exempt from disclosure under  
26 Section 70 of the Higher Education Student Assistance Act.

1           (oo) Communications, notes, records, and reports  
2 arising out of a peer support counseling session  
3 prohibited from disclosure under the First Responders  
4 Suicide Prevention Act.

5           (pp) Names and all identifying information relating to  
6 an employee of an emergency services provider or law  
7 enforcement agency under the First Responders Suicide  
8 Prevention Act.

9           (qq) Information and records held by the Department of  
10 Public Health and its authorized representatives collected  
11 under the Reproductive Health Act.

12           (rr) Information that is exempt from disclosure under  
13 the Cannabis Regulation and Tax Act.

14           (ss) Data reported by an employer to the Department of  
15 Human Rights pursuant to Section 2-108 of the Illinois  
16 Human Rights Act.

17           (tt) Recordings made under the Children's Advocacy  
18 Center Act, except to the extent authorized under that  
19 Act.

20           (uu) Information that is exempt from disclosure under  
21 Section 50 of the Sexual Assault Evidence Submission Act.

22           (vv) Information that is exempt from disclosure under  
23 subsections (f) and (j) of Section 5-36 of the Illinois  
24 Public Aid Code.

25           (wv) Information that is exempt from disclosure under  
26 Section 16.8 of the State Treasurer Act.

1           (xx) Information that is exempt from disclosure or  
2 information that shall not be made public under the  
3 Illinois Insurance Code.

4           (yy) Information prohibited from being disclosed under  
5 the Illinois Educational Labor Relations Act.

6           (zz) Information prohibited from being disclosed under  
7 the Illinois Public Labor Relations Act.

8           (aaa) Information prohibited from being disclosed  
9 under Section 1-167 of the Illinois Pension Code.

10           (bbb) Information that is prohibited from disclosure  
11 by the Illinois Police Training Act and the Illinois State  
12 Police Act.

13           (ccc) Records exempt from disclosure under Section  
14 2605-304 of the Illinois State Police Law of the Civil  
15 Administrative Code of Illinois.

16           (ddd) Information prohibited from being disclosed  
17 under Section 35 of the Address Confidentiality for  
18 Victims of Domestic Violence, Sexual Assault, Human  
19 Trafficking, or Stalking Act.

20           (eee) Information prohibited from being disclosed  
21 under subsection (b) of Section 75 of the Domestic  
22 Violence Fatality Review Act.

23           (fff) Images from cameras under the Expressway Camera  
24 Act. This subsection (fff) is inoperative on and after  
25 July 1, 2025.

26           (ggg) Information prohibited from disclosure under

1 paragraph (3) of subsection (a) of Section 14 of the Nurse  
2 Agency Licensing Act.

3 (hhh) Information submitted to the Illinois State  
4 Police in an affidavit or application for an assault  
5 weapon endorsement, assault weapon attachment endorsement,  
6 .50 caliber rifle endorsement, or .50 caliber cartridge  
7 endorsement under the Firearm Owners Identification Card  
8 Act.

9 (iii) Data exempt from disclosure under Section 50 of  
10 the School Safety Drill Act.

11 (jjj) Information exempt from disclosure under Section  
12 30 of the Insurance Data Security Law.

13 (kkk) Confidential business information prohibited  
14 from disclosure under Section 45 of the Paint Stewardship  
15 Act.

16 (lll) Data exempt from disclosure under Section  
17 2-3.196 of the School Code.

18 (mmm) Information prohibited from being disclosed  
19 under subsection (e) of Section 1-129 of the Illinois  
20 Power Agency Act.

21 (nnn) Materials received by the Department of Commerce  
22 and Economic Opportunity that are confidential under the  
23 Music and Musicians Tax Credit and Jobs Act.

24 (ooo) Data or information provided pursuant to Section  
25 20 of the Statewide Recycling Needs and Assessment Act.

26 (ppp) Information that is exempt from disclosure under

1 Section 28-11 of the Lawful Health Care Activity Act.

2 (qqq) Information that is exempt from disclosure under  
3 Section 7-101 of the Illinois Human Rights Act.

4 (rrr) Information prohibited from being disclosed  
5 under Section 4-2 of the Uniform Money Transmission  
6 Modernization Act.

7 (sss) Information exempt from disclosure under Section  
8 40 of the Student-Athlete Endorsement Rights Act.

9 (ttt) Audio recordings made under Section 30 of the  
10 Illinois State Police Act, except to the extent authorized  
11 under that Section.

12 (uuu) Information and records held by the State Board  
13 of Education, a regional office of education, an  
14 intermediate service center, or any school district  
15 containing confidential information about a student,  
16 parent, or guardian under the Homeschool Act.

17 (vvv) Information and records held by the State Board  
18 of Education containing confidential information about a  
19 student, parent, or guardian under Section 2-3.25o of the  
20 School Code.

21 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;  
22 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.  
23 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;  
24 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.  
25 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,  
26 eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23;

1 103-580, eff. 12-8-23; 103-592, eff. 6-7-24; 103-605, eff.  
2 7-1-24; 103-636, eff. 7-1-24; 103-724, eff. 1-1-25; 103-786,  
3 eff. 8-7-24; 103-859, eff. 8-9-24; 103-991, eff. 8-9-24;  
4 103-1049, eff. 8-9-24; 103-1081, eff. 3-21-25.)

5 Section 905. The School Code is amended by changing  
6 Sections 2-3.25o, 26-1, 26-3a, 26-7, 26-5, and 26-16 as  
7 follows:

8 (105 ILCS 5/2-3.25o)

9 Sec. 2-3.25o. Registration and recognition of non-public  
10 elementary and secondary schools.

11 (a) Findings. The General Assembly finds and declares (i)  
12 that the Constitution of the State of Illinois provides that a  
13 "fundamental goal of the People of the State is the  
14 educational development of all persons to the limits of their  
15 capacities" and (ii) that the educational development of every  
16 school student serves the public purposes of the State. In  
17 order to ensure that all Illinois students and teachers have  
18 the opportunity to enroll and work in State-approved  
19 educational institutions and programs, the State Board of  
20 Education shall provide for the voluntary registration and  
21 recognition of non-public elementary and secondary schools.

22 (b) Registration. All non-public elementary and secondary  
23 schools in the State of Illinois may voluntarily register with  
24 the State Board of Education on an annual basis. However,

1 beginning on August 1, 2026, all non-public elementary and  
2 secondary schools in the State of Illinois shall register with  
3 the State Board of Education on an annual basis. Registration  
4 shall be completed in conformance with procedures prescribed  
5 by the State Board of Education. Information required for  
6 registration shall include assurances of compliance (i) with  
7 federal and State laws regarding health examination and  
8 immunization, attendance, length of term, and  
9 nondiscrimination, including assurances that the school will  
10 not prohibit hairstyles historically associated with race,  
11 ethnicity, or hair texture, including, but not limited to,  
12 protective hairstyles such as braids, locks, and twists, ~~and~~  
13 (ii) with applicable fire and health safety requirements,  
14 (iii) with the requirement that all individuals in the school  
15 assigned to a teaching or administrative position hold, at a  
16 minimum, a high school diploma or its recognized equivalent,  
17 (iv) with the requirement to maintain in its own records a list  
18 of every attending student's name, date of birth, grade level,  
19 address of residence, and the name and address of residence of  
20 at least one parent or guardian of each attending student, and  
21 (v) to confirm or deny to a truancy officer whether a  
22 particular student is enrolled and attending during the course  
23 of a truancy investigation under Article 26 of this Code.

24 (c) Recognition. All non-public elementary and secondary  
25 schools in the State of Illinois may voluntarily seek the  
26 status of "Non-public School Recognition" from the State Board

1 of Education. This status may be obtained by compliance with  
2 administrative guidelines and review procedures as prescribed  
3 by the State Board of Education. The guidelines and procedures  
4 must recognize that some of the aims and the financial bases of  
5 non-public schools are different from public schools and will  
6 not be identical to those for public schools, nor will they be  
7 more burdensome. The guidelines and procedures must also  
8 recognize the diversity of non-public schools and shall not  
9 impinge upon the noneducational relationships between those  
10 schools and their clientele.

11 (c-5) Prohibition against recognition. A non-public  
12 elementary or secondary school may not obtain "Non-public  
13 School Recognition" status unless the school requires all  
14 certified and non-certified applicants for employment with the  
15 school, after July 1, 2007, to authorize a fingerprint-based  
16 criminal history records check as a condition of employment to  
17 determine if such applicants have been convicted of any of the  
18 enumerated criminal or drug offenses set forth in Section  
19 21B-80 of this Code or have been convicted, within 7 years of  
20 the application for employment, of any other felony under the  
21 laws of this State or of any offense committed or attempted in  
22 any other state or against the laws of the United States that,  
23 if committed or attempted in this State, would have been  
24 punishable as a felony under the laws of this State.

25 Authorization for the check shall be furnished by the  
26 applicant to the school, except that if the applicant is a

1 substitute teacher seeking employment in more than one  
2 non-public school, a teacher seeking concurrent part-time  
3 employment positions with more than one non-public school (as  
4 a reading specialist, special education teacher, or  
5 otherwise), or an educational support personnel employee  
6 seeking employment positions with more than one non-public  
7 school, then only one of the non-public schools employing the  
8 individual shall request the authorization. Upon receipt of  
9 this authorization, the non-public school shall submit the  
10 applicant's name, sex, race, date of birth, social security  
11 number, fingerprint images, and other identifiers, as  
12 prescribed by the Illinois State Police, to the Illinois State  
13 Police.

14 The Illinois State Police and Federal Bureau of  
15 Investigation shall furnish, pursuant to a fingerprint-based  
16 criminal history records check, records of convictions,  
17 forever and hereafter, until expunged, to the president or  
18 principal of the non-public school that requested the check.  
19 The Illinois State Police shall charge that school a fee for  
20 conducting such check, which fee must be deposited into the  
21 State Police Services Fund and must not exceed the cost of the  
22 inquiry. Subject to appropriations for these purposes, the  
23 State Superintendent of Education shall reimburse non-public  
24 schools for fees paid to obtain criminal history records  
25 checks under this Section.

26 A non-public school may not obtain recognition status

1 unless the school also performs a check of the Statewide Sex  
2 Offender Database, as authorized by the Sex Offender Community  
3 Notification Law, and the Statewide Murderer and Violent  
4 Offender Against Youth Database, as authorized by the Murderer  
5 and Violent Offender Against Youth Registration Act, for each  
6 applicant for employment, after July 1, 2007, to determine  
7 whether the applicant has been adjudicated of a sex offense or  
8 of a murder or other violent crime against youth. The checks of  
9 the Statewide Sex Offender Database and the Statewide Murderer  
10 and Violent Offender Against Youth Database must be conducted  
11 by the non-public school once for every 5 years that an  
12 applicant remains employed by the non-public school.

13 Any information concerning the record of convictions  
14 obtained by a non-public school's president or principal under  
15 this Section is confidential and may be disseminated only to  
16 the governing body of the non-public school or any other  
17 person necessary to the decision of hiring the applicant for  
18 employment. A copy of the record of convictions obtained from  
19 the Illinois State Police shall be provided to the applicant  
20 for employment. Upon a check of the Statewide Sex Offender  
21 Database, the non-public school shall notify the applicant as  
22 to whether or not the applicant has been identified in the Sex  
23 Offender Database as a sex offender. Any information  
24 concerning the records of conviction obtained by the  
25 non-public school's president or principal under this Section  
26 for a substitute teacher seeking employment in more than one

1 non-public school, a teacher seeking concurrent part-time  
2 employment positions with more than one non-public school (as  
3 a reading specialist, special education teacher, or  
4 otherwise), or an educational support personnel employee  
5 seeking employment positions with more than one non-public  
6 school may be shared with another non-public school's  
7 principal or president to which the applicant seeks  
8 employment. Any unauthorized release of confidential  
9 information may be a violation of Section 7 of the Criminal  
10 Identification Act.

11 No non-public school may obtain recognition status that  
12 knowingly employs a person, hired after July 1, 2007, for whom  
13 an Illinois State Police and Federal Bureau of Investigation  
14 fingerprint-based criminal history records check and a  
15 Statewide Sex Offender Database check has not been initiated  
16 or who has been convicted of any offense enumerated in Section  
17 21B-80 of this Code or any offense committed or attempted in  
18 any other state or against the laws of the United States that,  
19 if committed or attempted in this State, would have been  
20 punishable as one or more of those offenses. No non-public  
21 school may obtain recognition status under this Section that  
22 knowingly employs a person who has been found to be the  
23 perpetrator of sexual or physical abuse of a minor under 18  
24 years of age pursuant to proceedings under Article II of the  
25 Juvenile Court Act of 1987.

26 In order to obtain recognition status under this Section,

1 a non-public school must require compliance with the  
2 provisions of this subsection (c-5) from all employees of  
3 persons or firms holding contracts with the school, including,  
4 but not limited to, food service workers, school bus drivers,  
5 and other transportation employees, who have direct, daily  
6 contact with pupils. Any information concerning the records of  
7 conviction or identification as a sex offender of any such  
8 employee obtained by the non-public school principal or  
9 president must be promptly reported to the school's governing  
10 body.

11 Prior to the commencement of any student teaching  
12 experience or required internship (which is referred to as  
13 student teaching in this Section) in any non-public elementary  
14 or secondary school that has obtained or seeks to obtain  
15 recognition status under this Section, a student teacher is  
16 required to authorize a fingerprint-based criminal history  
17 records check. Authorization for and payment of the costs of  
18 the check must be furnished by the student teacher to the chief  
19 administrative officer of the non-public school where the  
20 student teaching is to be completed. Upon receipt of this  
21 authorization and payment, the chief administrative officer of  
22 the non-public school shall submit the student teacher's name,  
23 sex, race, date of birth, social security number, fingerprint  
24 images, and other identifiers, as prescribed by the Illinois  
25 State Police, to the Illinois State Police. The Illinois State  
26 Police and the Federal Bureau of Investigation shall furnish,

1 pursuant to a fingerprint-based criminal history records  
2 check, records of convictions, forever and hereinafter, until  
3 expunged, to the chief administrative officer of the  
4 non-public school that requested the check. The Illinois State  
5 Police shall charge the school a fee for conducting the check,  
6 which fee must be passed on to the student teacher, must not  
7 exceed the cost of the inquiry, and must be deposited into the  
8 State Police Services Fund. The school shall further perform a  
9 check of the Statewide Sex Offender Database, as authorized by  
10 the Sex Offender Community Notification Law, and of the  
11 Statewide Murderer and Violent Offender Against Youth  
12 Database, as authorized by the Murderer and Violent Offender  
13 Against Youth Registration Act, for each student teacher. No  
14 school that has obtained or seeks to obtain recognition status  
15 under this Section may knowingly allow a person to student  
16 teach for whom a criminal history records check, a Statewide  
17 Sex Offender Database check, and a Statewide Murderer and  
18 Violent Offender Against Youth Database check have not been  
19 completed and reviewed by the chief administrative officer of  
20 the non-public school.

21 A copy of the record of convictions obtained from the  
22 Illinois State Police must be provided to the student teacher.  
23 Any information concerning the record of convictions obtained  
24 by the chief administrative officer of the non-public school  
25 is confidential and may be transmitted only to the chief  
26 administrative officer of the non-public school or his or her

1 designee, the State Superintendent of Education, the State  
2 Educator Preparation and Licensure Board, or, for  
3 clarification purposes, the Illinois State Police or the  
4 Statewide Sex Offender Database or Statewide Murderer and  
5 Violent Offender Against Youth Database. Any unauthorized  
6 release of confidential information may be a violation of  
7 Section 7 of the Criminal Identification Act.

8 No school that has obtained or seeks to obtain recognition  
9 status under this Section may knowingly allow a person to  
10 student teach who has been convicted of any offense that would  
11 subject him or her to license suspension or revocation  
12 pursuant to Section 21B-80 of this Code or who has been found  
13 to be the perpetrator of sexual or physical abuse of a minor  
14 under 18 years of age pursuant to proceedings under Article II  
15 of the Juvenile Court Act of 1987.

16 Any school that has obtained or seeks to obtain  
17 recognition status under this Section may not prohibit  
18 hairstyles historically associated with race, ethnicity, or  
19 hair texture, including, but not limited to, protective  
20 hairstyles such as braids, locks, and twists.

21 (d) Public purposes. The provisions of this Section are in  
22 the public interest, for the public benefit, and serve secular  
23 public purposes.

24 (e) Definition. For purposes of this Section, a non-public  
25 school means (i) any non-profit, non-home-based, and  
26 non-public elementary or secondary school that is in

1 compliance with Title VI of the Civil Rights Act of 1964 and  
2 attendance at which satisfies the requirements of Section 26-1  
3 of this Code or (ii) any non-public elementary or secondary  
4 school that does not meet the definition of a homeschool under  
5 the Homeschool Act.

6 (Source: P.A. 102-360, eff. 1-1-22; 102-538, eff. 8-20-21;  
7 102-813, eff. 5-13-22; 103-111, eff. 6-29-23; 103-605, eff.  
8 7-1-24.)

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  
16 school) beginning with the 2014-2015 school year shall cause  
17 such child to attend some public school in the district  
18 wherein the child resides the entire time it is in session  
19 during the regular school term, except as provided in Section  
20 10-19.1, and during a required summer school program  
21 established under Section 10-22.33B; provided, that the  
22 following children shall not be required to attend the public  
23 schools:

24 1. Any child attending a private school, ~~or~~ a  
25 parochial school, or a homeschool where children are

1       taught the branches of education taught to children of  
2       corresponding age and grade in the public schools, ~~and~~  
3       ~~where the instruction of the child in the branches of~~  
4       ~~education is in the English language;~~

5               2. Any child who is physically or mentally unable to  
6       attend school, such disability being certified to the  
7       county or district truant officer by a competent physician  
8       licensed in Illinois to practice medicine and surgery in  
9       all its branches, a chiropractic physician licensed under  
10      the Medical Practice Act of 1987, a licensed advanced  
11      practice registered nurse, a licensed physician assistant,  
12      or a Christian Science practitioner residing in this State  
13      and listed in the Christian Science Journal; or who is  
14      excused for temporary absence for cause by the principal  
15      or teacher of the school which the child attends, with  
16      absence for cause by illness being required to include the  
17      mental or behavioral health of the child for up to 5 days  
18      for which the child need not provide a medical note, in  
19      which case the child shall be given the opportunity to  
20      make up any school work missed during the mental or  
21      behavioral health absence and, after the second mental  
22      health day used, may be referred to the appropriate school  
23      support personnel; the exemptions in this paragraph (2) do  
24      not apply to any female who is pregnant or the mother of  
25      one or more children, except where a female is unable to  
26      attend school due to a complication arising from her

1 pregnancy and the existence of such complication is  
2 certified to the county or district truant officer by a  
3 competent physician;

4 3. Any child necessarily and lawfully employed  
5 according to the provisions of the Child Labor Law of 2024  
6 may be excused from attendance at school by the county  
7 superintendent of schools or the superintendent of the  
8 public school which the child should be attending, on  
9 certification of the facts by and the recommendation of  
10 the school board of the public school district in which  
11 the child resides. In districts having part-time  
12 continuation schools, children so excused shall attend  
13 such schools at least 8 hours each week;

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

16 5. Any child absent from a public school on a  
17 particular day or days or at a particular time of day for  
18 the reason that he is unable to attend classes or to  
19 participate in any examination, study, or work  
20 requirements on a particular day or days or at a  
21 particular time of day because of religious reasons,  
22 including the observance of a religious holiday or  
23 participation in religious instruction, or because the  
24 tenets of his religion forbid secular activity on a  
25 particular day or days or at a particular time of day. A  
26 school board may require the parent or guardian of a child

1 who is to be excused from attending school because of  
2 religious reasons to give notice, not exceeding 5 days, of  
3 the child's absence to the school principal or other  
4 school personnel. Any child excused from attending school  
5 under this paragraph 5 shall not be required to submit a  
6 written excuse for such absence after returning to school.  
7 A district superintendent shall develop and distribute to  
8 schools appropriate procedures regarding a student's  
9 absence for religious reasons, how schools are notified of  
10 a student's impending absence for religious reasons, and  
11 the requirements of Section 26-2b of this Code;

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

19 7. A child in any of grades 6 through 12 absent from a  
20 public school on a particular day or days or at a  
21 particular time of day for the purpose of sounding "Taps"  
22 at a military honors funeral held in this State for a  
23 deceased veteran. In order to be excused under this  
24 paragraph 7, the student shall notify the school's  
25 administration at least 2 days prior to the date of the  
26 absence and shall provide the school's administration with

1 the date, time, and location of the military honors  
2 funeral. The school's administration may waive this 2-day  
3 notification requirement if the student did not receive at  
4 least 2 days advance notice, but the student shall notify  
5 the school's administration as soon as possible of the  
6 absence. A student whose absence is excused under this  
7 paragraph 7 shall be counted as if the student attended  
8 school for purposes of calculating the average daily  
9 attendance of students in the school district. A student  
10 whose absence is excused under this paragraph 7 must be  
11 allowed a reasonable time to make up school work missed  
12 during the absence. If the student satisfactorily  
13 completes the school work, the day of absence shall be  
14 counted as a day of compulsory attendance and he or she may  
15 not be penalized for that absence; ~~and~~

16 8. Any child absent from a public school on a  
17 particular day or days or at a particular time of day for  
18 the reason that his or her parent or legal guardian is an  
19 active duty member of the uniformed services and has been  
20 called to duty for, is on leave from, or has immediately  
21 returned from deployment to a combat zone or  
22 combat-support postings. Such a student shall be granted 5  
23 days of excused absences in any school year and, at the  
24 discretion of the school board, additional excused  
25 absences to visit the student's parent or legal guardian  
26 relative to such leave or deployment of the parent or

1 legal guardian. In the case of excused absences pursuant  
2 to this paragraph 8, the student and parent or legal  
3 guardian shall be responsible for obtaining assignments  
4 from the student's teacher prior to any period of excused  
5 absence and for ensuring that such assignments are  
6 completed by the student prior to his or her return to  
7 school from such period of excused absence; and -

8 9. Any child attending a homeschool program, provided  
9 that the homeschool administrator meets the requirements  
10 of the Homeschool Act, as those terms are defined in the  
11 Homeschool Act.

12 Any child from a public middle school or high school,  
13 subject to guidelines established by the State Board of  
14 Education, shall be permitted by a school board one school  
15 day-long excused absence per school year for the child who is  
16 absent from school to engage in a civic event. The school board  
17 may require that the student provide reasonable advance notice  
18 of the intended absence to the appropriate school  
19 administrator and require that the student provide  
20 documentation of participation in a civic event to the  
21 appropriate school administrator.

22 (Source: P.A. 102-266, eff. 1-1-22; 102-321, eff. 1-1-22;  
23 102-406, eff. 8-19-21; 102-813, eff. 5-13-22; 102-981, eff.  
24 1-1-23; 103-721, eff. 1-1-25.)

25 (105 ILCS 5/26-3a) (from Ch. 122, par. 26-3a)

1           Sec. 26-3a. Report of pupils no longer enrolled in school.

2           The clerk or secretary of the school board of all school  
3 districts shall furnish quarterly on the first school day of  
4 October, January, April and July to the regional  
5 superintendent ~~and to the Secretary of State~~ a list of pupils,  
6 excluding transferees, who have been expelled or have  
7 withdrawn or who have left school and have been removed from  
8 the regular attendance rolls during the period of time school  
9 was in regular session from the time of the previous quarterly  
10 report. Such list shall include the names and addresses of  
11 pupils formerly in attendance, the names and addresses of  
12 persons having custody or control of such pupils, the reason,  
13 if known, such pupils are no longer in attendance and the date  
14 of removal from the attendance rolls. The list shall also  
15 include the names of: pupils whose withdrawal is due to  
16 extraordinary circumstances, including but not limited to  
17 economic or medical necessity or family hardship, as  
18 determined by the criteria established by the school district;  
19 pupils who have re-enrolled in school since their names were  
20 removed from the attendance rolls; any pupil certified to be a  
21 chronic or habitual truant, as defined in Section 26-2a; and  
22 pupils previously certified as chronic or habitual truants who  
23 have resumed regular school attendance. The regional  
24 superintendent shall inform the county or district truant  
25 officer who shall investigate to see that such pupils are in  
26 compliance with the requirements of this Article.

1 Each local school district shall establish, in writing, a  
2 set of criteria for use by the local superintendent of schools  
3 in determining whether a pupil's failure to attend school is  
4 the result of extraordinary circumstances, including but not  
5 limited to economic or medical necessity or family hardship.

6 ~~If a pupil re enrolls in school after his or her name was~~  
7 ~~removed from the attendance rolls or resumes regular~~  
8 ~~attendance after being certified a chronic or habitual truant,~~  
9 ~~the pupil must obtain and forward to the Secretary of State, on~~  
10 ~~a form designated by the Secretary of State, verification of~~  
11 ~~his or her re-enrollment. The verification may be in the form~~  
12 ~~of a signature or seal or in any other form determined by the~~  
13 ~~school board.~~

14 The State Board of Education shall, if possible, make  
15 available to any person, upon request, a comparison of drop  
16 out rates before and after the effective date of this  
17 amendatory Act of the 94th General Assembly.

18 (Source: P.A. 94-916, eff. 7-1-07; 95-496, eff. 8-28-07.)

19 (105 ILCS 5/26-5) (from Ch. 122, par. 26-5)

20 Sec. 26-5. Duties of truant officers.

21 (a) The truant officer of the school district, whenever  
22 notified by the Superintendent, teacher, or other person of  
23 violations of this Article, or the county truant officer, when  
24 notified by the County Superintendent, shall investigate all  
25 cases of truancy or non-attendance at school in their

1     respective jurisdictions, and if the children complained of  
2     are not exempt under the provisions of this Article, the  
3     truant officer shall proceed as is provided in this Article.  
4     The county truant officer, within the county and the district  
5     truant officers, within their respective districts, shall in  
6     the exercise of their duties be conservators of the peace and  
7     shall keep the same, suppress riots, routs, affray, fighting,  
8     breaches of the peace, and prevent crime; and may arrest  
9     offenders on view and cause them to be brought before proper  
10    officials for trial or examination.

11       (b) The truant officer or county truant officer notified  
12    of a homeschool in violation of Section 30 of the Homeschool  
13    Act, shall meet with the child or children complained of and  
14    make an initial determination of whether there is cause to  
15    start a truancy investigation.

16       (c) The truant officer or county truant officer who  
17    determines there is no cause to start a truancy investigation  
18    shall report the reasons for the determination to their  
19    respective office, and shall assist the homeschool in  
20    submitting the homeschool notification form in whatever way  
21    practicable.

22    (Source: Laws 1961, p. 31.)

23       (105 ILCS 5/26-7) (from Ch. 122, par. 26-7)

24       Sec. 26-7. Notice to custodian-Notice of non-compliance.  
25    If any person fails to send any child under his custody or

1 control to some lawful school, the truant officer or, in a  
2 school district that does not have a truant officer, the  
3 regional superintendent of schools or his or her designee  
4 shall, as soon as practicable after he is notified thereof,  
5 give notice in person or by mail to such person that such child  
6 shall be present at the proper public school on the day  
7 following the receipt of such notice. The notice shall state  
8 the date that attendance at school must begin and that such  
9 attendance must be continuous and consecutive in the district  
10 during the remainder of the school year. The truant officer  
11 or, in a school district that does not have a truant officer,  
12 the regional superintendent of schools or his or her designee  
13 shall at the same time that such notice is given notify the  
14 teacher or superintendent of the proper public school thereof  
15 and the teacher or superintendent shall notify the truant  
16 officer or regional superintendent of schools of any  
17 non-compliance therewith.

18 Beginning August 1, 2026, "lawful school", as used in this  
19 Section, means a registered school under Section 2-3.25o of  
20 this Code and includes a homeschool if the State Board of  
21 Education has been notified under the Homeschool Act.

22 (Source: P.A. 93-858, eff. 1-1-05.)

23 (105 ILCS 5/26-16)

24 Sec. 26-16. Graduation incentives program.

25 (a) The General Assembly finds that it is critical to

1 provide options for children to succeed in school. The purpose  
2 of this Section is to provide incentives for and encourage all  
3 Illinois students who have experienced or are experiencing  
4 difficulty in the traditional education system to enroll in  
5 alternative programs.

6 (b) Any student who is below the age of 20 years is  
7 eligible to enroll in a graduation incentives program if he or  
8 she:

9 (1) is considered a dropout pursuant to Section 26-2a  
10 of this Code;

11 (2) has been suspended or expelled pursuant to Section  
12 10-22.6 or 34-19 of this Code;

13 (3) is pregnant or is a parent;

14 (4) has been assessed as chemically dependent; ~~or~~

15 (5) is enrolled in a bilingual education or LEP  
16 program; or.

17 (6) was formerly enrolled in a homeschool program.

18 (c) The following programs qualify as graduation  
19 incentives programs for students meeting the criteria  
20 established in this Section:

21 (1) Any public elementary or secondary education  
22 graduation incentives program established by a school  
23 district or by a regional office of education.

24 (2) Any alternative learning opportunities program  
25 established pursuant to Article 13B of this Code.

26 (3) Vocational or job training courses approved by the

1 State Superintendent of Education that are available  
2 through the Illinois public community college system.  
3 Students may apply for reimbursement of 50% of tuition  
4 costs for one course per semester or a maximum of 3 courses  
5 per school year. Subject to available funds, students may  
6 apply for reimbursement of up to 100% of tuition costs  
7 upon a showing of employment within 6 months after  
8 completion of a vocational or job training program. The  
9 qualifications for reimbursement shall be established by  
10 the State Superintendent of Education by rule.

11 (4) Job and career programs approved by the State  
12 Superintendent of Education that are available through  
13 Illinois-accredited private business and vocational  
14 schools. Subject to available funds, pupils may apply for  
15 reimbursement of up to 100% of tuition costs upon a  
16 showing of employment within 6 months after completion of  
17 a job or career program. The State Superintendent of  
18 Education shall establish, by rule, the qualifications for  
19 reimbursement, criteria for determining reimbursement  
20 amounts, and limits on reimbursement.

21 (5) Adult education courses that offer preparation for  
22 high school equivalency testing.

23 (d) Graduation incentives programs established by school  
24 districts are entitled to claim general State aid and  
25 evidence-based funding, subject to Sections 13B-50, 13B-50.5,  
26 and 13B-50.10 of this Code. Graduation incentives programs

1 operated by regional offices of education are entitled to  
2 receive general State aid and evidence-based funding at the  
3 foundation level of support per pupil enrolled. A school  
4 district must ensure that its graduation incentives program  
5 receives supplemental general State aid, transportation  
6 reimbursements, and special education resources, if  
7 appropriate, for students enrolled in the program.

8 (Source: P.A. 100-465, eff. 8-31-17.)

9 Section 910. The Illinois School Student Records Act is  
10 amended by changing Sections 2, 3, and 6 as follows:

11 (105 ILCS 10/2) (from Ch. 122, par. 50-2)

12 (Text of Section before amendment by P.A. 102-466)

13 Sec. 2. As used in this Act:

14 (a) "Student" means any person enrolled or previously  
15 enrolled in a school.

16 (b) "School" means any public preschool, day care center,  
17 kindergarten, nursery, elementary or secondary educational  
18 institution, vocational school, special educational facility  
19 or any other elementary or secondary educational agency or  
20 institution and any person, agency or institution which  
21 maintains school student records from more than one school,  
22 but does not include a private or non-public school.

23 (c) "State Board" means the State Board of Education.

24 (d) "School Student Record" means any writing or other

1 recorded information concerning a student and by which a  
2 student may be individually identified, maintained by a school  
3 or at its direction or by an employee of a school, regardless  
4 of how or where the information is stored. The following shall  
5 not be deemed school student records under this Act: writings  
6 or other recorded information maintained by an employee of a  
7 school or other person at the direction of a school for his or  
8 her exclusive use; provided that all such writings and other  
9 recorded information are destroyed not later than the  
10 student's graduation or permanent withdrawal from the school;  
11 and provided further that no such records or recorded  
12 information may be released or disclosed to any person except  
13 a person designated by the school as a substitute unless they  
14 are first incorporated in a school student record and made  
15 subject to all of the provisions of this Act. School student  
16 records shall not include information maintained by law  
17 enforcement professionals working in the school.

18 (e) "Student Permanent Record" means the minimum personal  
19 information necessary to a school in the education of the  
20 student and contained in a school student record. Such  
21 information may include the student's name, birth date,  
22 address, grades and grade level, parents' names and addresses,  
23 attendance records, and such other entries as the State Board  
24 may require or authorize. "Student Permanent Record" does not  
25 include a homeschool notification form or any record that a  
26 homeschool administrator submits to a school district for

1 proof of a homeschooled student's immunization and health  
2 examination as required by Section 27-8.1 of the School Code.

3 (f) "Student Temporary Record" means all information  
4 contained in a school student record but not contained in the  
5 student permanent record. Such information may include family  
6 background information, intelligence test scores, aptitude  
7 test scores, psychological and personality test results,  
8 teacher evaluations, and other information of clear relevance  
9 to the education of the student, all subject to regulations of  
10 the State Board. The information shall include information  
11 provided under Section 8.6 of the Abused and Neglected Child  
12 Reporting Act and information contained in service logs  
13 maintained by a local education agency under subsection (d) of  
14 Section 14-8.02f of the School Code. In addition, the student  
15 temporary record shall include information regarding serious  
16 disciplinary infractions that resulted in expulsion,  
17 suspension, or the imposition of punishment or sanction. For  
18 purposes of this provision, serious disciplinary infractions  
19 means: infractions involving drugs, weapons, or bodily harm to  
20 another. "Student Temporary Record" does not include a  
21 homeschool notification form or any record that a homeschool  
22 administrator submits to a school district for proof of a  
23 homeschooled student's immunization and health examination as  
24 required by Section 27-8.1 of the School Code.

25 (g) "Parent" means a person who is the natural parent of  
26 the student or other person who has the primary responsibility

1 for the care and upbringing of the student. All rights and  
2 privileges accorded to a parent under this Act shall become  
3 exclusively those of the student upon his 18th birthday,  
4 graduation from secondary school, marriage or entry into  
5 military service, whichever occurs first. Such rights and  
6 privileges may also be exercised by the student at any time  
7 with respect to the student's permanent school record.

8 (h) "Department" means the Department of Children and  
9 Family Services.

10 (i) "Homeschool administrator" and "homeschool  
11 notification form" have the meanings given to those terms in  
12 the Homeschool Act.

13 (Source: P.A. 101-515, eff. 8-23-19; 102-199, eff. 7-1-22;  
14 102-558, eff. 8-20-21; 102-813, eff. 5-13-22.)

15 (Text of Section after amendment by P.A. 102-466)

16 Sec. 2. As used in this Act:

17 (a) "Student" means any person enrolled or previously  
18 enrolled in a school.

19 (b) "School" means any public preschool, day care center,  
20 kindergarten, nursery, elementary or secondary educational  
21 institution, vocational school, special educational facility  
22 or any other elementary or secondary educational agency or  
23 institution and any person, agency or institution which  
24 maintains school student records from more than one school,  
25 but does not include a private or non-public school.

1 (c) "State Board" means the State Board of Education.

2 (d) "School Student Record" means any writing or other  
3 recorded information concerning a student and by which a  
4 student may be individually identified, maintained by a school  
5 or at its direction or by an employee of a school, regardless  
6 of how or where the information is stored. The following shall  
7 not be deemed school student records under this Act: writings  
8 or other recorded information maintained by an employee of a  
9 school or other person at the direction of a school for his or  
10 her exclusive use; provided that all such writings and other  
11 recorded information are destroyed not later than the  
12 student's graduation or permanent withdrawal from the school;  
13 and provided further that no such records or recorded  
14 information may be released or disclosed to any person except  
15 a person designated by the school as a substitute unless they  
16 are first incorporated in a school student record and made  
17 subject to all of the provisions of this Act. School student  
18 records shall not include information maintained by law  
19 enforcement professionals working in the school.

20 (e) "Student Permanent Record" means the minimum personal  
21 information necessary to a school in the education of the  
22 student and contained in a school student record. Such  
23 information may include the student's name, birth date,  
24 address, grades and grade level, parents' names and addresses,  
25 attendance records, and such other entries as the State Board  
26 may require or authorize. "Student Permanent Record" does not

1 include a homeschool notification form or any record that a  
2 homeschool administrator submits to a school district for  
3 proof of a homeschooled student's immunization and health  
4 examination as required by Section 27-8.1 of the School Code.

5 (f) "Student Temporary Record" means all information  
6 contained in a school student record but not contained in the  
7 student permanent record. Such information may include family  
8 background information, intelligence test scores, aptitude  
9 test scores, psychological and personality test results,  
10 teacher evaluations, and other information of clear relevance  
11 to the education of the student, all subject to regulations of  
12 the State Board. The information shall include all of the  
13 following:

14 (1) Information provided under Section 8.6 of the  
15 Abused and Neglected Child Reporting Act and information  
16 contained in service logs maintained by a local education  
17 agency under subsection (d) of Section 14-8.02f of the  
18 School Code.

19 (2) Information regarding serious disciplinary  
20 infractions that resulted in expulsion, suspension, or the  
21 imposition of punishment or sanction. For purposes of this  
22 provision, serious disciplinary infractions means:  
23 infractions involving drugs, weapons, or bodily harm to  
24 another.

25 (3) Information concerning a student's status and  
26 related experiences as a parent, expectant parent, or

1 victim of domestic or sexual violence, as defined in  
2 Article 26A of the School Code, including a statement of  
3 the student or any other documentation, record, or  
4 corroborating evidence and the fact that the student has  
5 requested or obtained assistance, support, or services  
6 related to that status. Enforcement of this paragraph (3)  
7 shall follow the procedures provided in Section 26A-40 of  
8 the School Code.

9 "Student Temporary Record" does not include a homeschool  
10 notification form or any record that a homeschool  
11 administrator submits to a school district for proof of a  
12 homeschooled student's immunization and health examination as  
13 required by Section 27-8.1 of the School Code.

14 (g) "Parent" means a person who is the natural parent of  
15 the student or other person who has the primary responsibility  
16 for the care and upbringing of the student. All rights and  
17 privileges accorded to a parent under this Act shall become  
18 exclusively those of the student upon his 18th birthday,  
19 graduation from secondary school, marriage or entry into  
20 military service, whichever occurs first. Such rights and  
21 privileges may also be exercised by the student at any time  
22 with respect to the student's permanent school record.

23 (h) "Department" means the Department of Children and  
24 Family Services.

25 (i) "Homeschool administrator" and "homeschool  
26 notification form" have the meanings given to those terms in

1 the Homeschool Act.

2 (Source: P.A. 101-515, eff. 8-23-19; 102-199, eff. 7-1-22;  
3 102-466, eff. 7-1-25; 102-558, eff. 8-20-21; 102-813, eff.  
4 5-13-22.)

5 (105 ILCS 10/3) (from Ch. 122, par. 50-3)

6 Sec. 3. (a) The State Board shall issue regulations to  
7 govern the contents of school student records, to implement  
8 and assure compliance with the provisions of this Act and to  
9 prescribe appropriate procedures and forms for all  
10 administrative proceedings, notices and consents required or  
11 permitted under this Act. All such regulations and any rules  
12 and regulations adopted by any school relating to the  
13 maintenance of, access to, dissemination of or challenge to  
14 school student records shall be available to the general  
15 public. Any information exempt from this Act under the  
16 Homeschool Act is prohibited from being included in school  
17 student records.

18 (b) The State Board, each local school board or other  
19 governing body and each school shall take reasonable measures  
20 to assure that all persons accorded rights or obligations  
21 under this Act are informed of such rights and obligations.

22 (c) The principal of each school or the person with like  
23 responsibilities or his or her designate shall take all action  
24 necessary to assure that school personnel are informed of the  
25 provisions of this Act.

1 (Source: P.A. 79-1108.)

2 (105 ILCS 10/6) (from Ch. 122, par. 50-6)

3 Sec. 6. (a) No school student records or information  
4 contained therein may be released, transferred, disclosed or  
5 otherwise disseminated, except as follows:

6 (1) to a parent or student or person specifically  
7 designated as a representative by a parent, as provided in  
8 paragraph (a) of Section 5;

9 (2) to an employee or official of the school or school  
10 district or State Board with current demonstrable  
11 educational or administrative interest in the student, in  
12 furtherance of such interest;

13 (3) to the official records custodian of another  
14 school within Illinois or an official with similar  
15 responsibilities of a school outside Illinois, in which  
16 the student has enrolled, or intends to enroll, upon the  
17 request of such official or student;

18 (4) to any person for the purpose of research,  
19 statistical reporting, or planning, provided that such  
20 research, statistical reporting, or planning is  
21 permissible under and undertaken in accordance with the  
22 federal Family Educational Rights and Privacy Act (20  
23 U.S.C. 1232g);

24 (5) pursuant to a court order, provided that the  
25 parent shall be given prompt written notice upon receipt

1 of such order of the terms of the order, the nature and  
2 substance of the information proposed to be released in  
3 compliance with such order and an opportunity to inspect  
4 and copy the school student records and to challenge their  
5 contents pursuant to Section 7;

6 (6) to any person as specifically required by State or  
7 federal law;

8 (6.5) to juvenile authorities when necessary for the  
9 discharge of their official duties who request information  
10 prior to adjudication of the student and who certify in  
11 writing that the information will not be disclosed to any  
12 other party except as provided under law or order of  
13 court. For purposes of this Section "juvenile authorities"  
14 means: (i) a judge of the circuit court and members of the  
15 staff of the court designated by the judge; (ii) parties  
16 to the proceedings under the Juvenile Court Act of 1987  
17 and their attorneys; (iii) probation officers and court  
18 appointed advocates for the juvenile authorized by the  
19 judge hearing the case; (iv) any individual, public or  
20 private agency having custody of the child pursuant to  
21 court order; (v) any individual, public or private agency  
22 providing education, medical or mental health service to  
23 the child when the requested information is needed to  
24 determine the appropriate service or treatment for the  
25 minor; (vi) any potential placement provider when such  
26 release is authorized by the court for the limited purpose

1 of determining the appropriateness of the potential  
2 placement; (vii) law enforcement officers and prosecutors;  
3 (viii) adult and juvenile prisoner review boards; (ix)  
4 authorized military personnel; (x) individuals authorized  
5 by court;

6 (7) subject to regulations of the State Board, in  
7 connection with an emergency, to appropriate persons if  
8 the knowledge of such information is necessary to protect  
9 the health or safety of the student or other persons;

10 (8) to any person, with the prior specific dated  
11 written consent of the parent designating the person to  
12 whom the records may be released, provided that at the  
13 time any such consent is requested or obtained, the parent  
14 shall be advised in writing that he has the right to  
15 inspect and copy such records in accordance with Section  
16 5, to challenge their contents in accordance with Section  
17 7 and to limit any such consent to designated records or  
18 designated portions of the information contained therein;

19 (9) to a governmental agency, or social service agency  
20 contracted by a governmental agency, in furtherance of an  
21 investigation of a student's school attendance pursuant to  
22 the compulsory student attendance laws of this State,  
23 provided that the records are released to the employee or  
24 agent designated by the agency;

25 (10) to those SHOCAP committee members who fall within  
26 the meaning of "state and local officials and

1 authorities", as those terms are used within the meaning  
2 of the federal Family Educational Rights and Privacy Act,  
3 for the purposes of identifying serious habitual juvenile  
4 offenders and matching those offenders with community  
5 resources pursuant to Section 5-145 of the Juvenile Court  
6 Act of 1987, but only to the extent that the release,  
7 transfer, disclosure, or dissemination is consistent with  
8 the Family Educational Rights and Privacy Act;

9 (11) to the Department of Healthcare and Family  
10 Services in furtherance of the requirements of Section  
11 2-3.131, 3-14.29, 10-28, or 34-18.26 of the School Code or  
12 Section 10 of the School Breakfast and Lunch Program Act;

13 (12) to the State Board or another State government  
14 agency or between or among State government agencies in  
15 order to evaluate or audit federal and State programs or  
16 perform research and planning, but only to the extent that  
17 the release, transfer, disclosure, or dissemination is  
18 consistent with the federal Family Educational Rights and  
19 Privacy Act (20 U.S.C. 1232g);

20 (12.5) if the student is in the legal custody of the  
21 Department of Children and Family Services, to the  
22 Department's Office of Education and Transition Services;

23 ~~or~~

24 (13) under an intergovernmental agreement if an  
25 elementary school district and a high school district have  
26 attendance boundaries that overlap and are parties to an

1           intergovernmental agreement that allows the sharing of  
2           student records and information between the districts.  
3           However, the sharing of student information is allowed  
4           under an intergovernmental agreement only if the  
5           intergovernmental agreement meets all of the following  
6           requirements:

7                   (A) The sharing of student information must be  
8                   voluntary and at the discretion of each school  
9                   district that is a party to the agreement.

10                   (B) The sharing of student information applies  
11                   only to students who have been enrolled in both  
12                   districts or would be enrolled in both districts based  
13                   on district attendance boundaries, and the student's  
14                   parent or guardian has expressed in writing that the  
15                   student intends to enroll or has enrolled in the high  
16                   school district.

17                   (C) The sharing of student information does not  
18                   exceed the scope of information that is shared among  
19                   schools in a unit school district. However, the terms  
20                   of an intergovernmental agreement may place further  
21                   limitations on the information that is allowed to be  
22                   shared; or-

23                   (14) to the State Board of Education or a school or  
24                   school district's regional office of education or  
25                   intermediate service center or, in the case of a school  
26                   district organized under Article 34 of the School Code,

1       the general superintendent of schools only for the  
2       purposes of transmitting a homeschool notification form to  
3       one of these entities in accordance with the Homeschool  
4       Act.

5       (b) No information may be released pursuant to  
6       subparagraph (3) or (6) of paragraph (a) of this Section 6  
7       unless the parent receives prior written notice of the nature  
8       and substance of the information proposed to be released, and  
9       an opportunity to inspect and copy such records in accordance  
10      with Section 5 and to challenge their contents in accordance  
11      with Section 7. Provided, however, that such notice shall be  
12      sufficient if published in a local newspaper of general  
13      circulation or other publication directed generally to the  
14      parents involved where the proposed release of information is  
15      pursuant to subparagraph (6) of paragraph (a) of this Section  
16      6 and relates to more than 25 students.

17      A homeschool notification form being transmitted in  
18      accordance with the provisions of the Homeschool Act to the  
19      State Board of Education or the school or school district's  
20      regional office of education or intermediate service center  
21      or, in the case of a school district organized under Article 34  
22      of the School Code, the general superintendent of schools is  
23      not subject to the requirements of paragraph (a) of this  
24      Section.

25      (c) A record of any release of information pursuant to  
26      this Section must be made and kept as a part of the school

1 student record and subject to the access granted by Section 5.  
2 Such record of release shall be maintained for the life of the  
3 school student records and shall be available only to the  
4 parent and the official records custodian. Each record of  
5 release shall also include:

6 (1) the nature and substance of the information  
7 released;

8 (2) the name and signature of the official records  
9 custodian releasing such information;

10 (3) the name of the person requesting such  
11 information, the capacity in which such a request has been  
12 made, and the purpose of such request;

13 (4) the date of the release; and

14 (5) a copy of any consent to such release.

15 (d) Except for the student and his or her parents or, if  
16 applicable, the Department's Office of Education and  
17 Transition Services, no person to whom information is released  
18 pursuant to this Section and no person specifically designated  
19 as a representative by a parent may permit any other person to  
20 have access to such information without a prior consent of the  
21 parent obtained in accordance with the requirements of  
22 subparagraph (8) of paragraph (a) of this Section.

23 (e) Nothing contained in this Act shall prohibit the  
24 publication of student directories which list student names,  
25 addresses and other identifying information and similar  
26 publications which comply with regulations issued by the State

1 Board.

2 (Source: P.A. 102-199, eff. 7-1-22; 102-557, eff. 8-20-21;  
3 102-813, eff. 5-13-22.)

4 Section 915. The Abused and Neglected Child Reporting Act  
5 is amended by adding Section 4.4d as follows:

6 (325 ILCS 5/4.4d new)

7 Sec. 4.4d. Duty to refer caller to regional office of  
8 education, intermediate service center, or superintendent.  
9 Whenever the Department receives, by means of its statewide  
10 toll-free telephone number established under Section 7.6 for  
11 the purpose of reporting suspected child abuse or neglect or  
12 by any other means or from any mandated reporter under Section  
13 4, a report of suspected truancy, the Department shall notify  
14 the caller that the report must go to the local regional office  
15 of education, intermediate service center, or general  
16 superintendent of schools or a designee of the superintendent  
17 for a school district organized under Article 34 of the School  
18 Code that is associated with the child's address. The  
19 Department shall inform the caller of what website includes  
20 the information to find the relevant regional office of  
21 education, intermediate service center, or general  
22 superintendent of schools or a designee of the superintendent  
23 for a school district organized under Article 34 of the School  
24 Code.

1           Section 995. No acceleration or delay. Where this Act  
2 makes changes in a statute that is represented in this Act by  
3 text that is not yet or no longer in effect (for example, a  
4 Section represented by multiple versions), the use of that  
5 text does not accelerate or delay the taking effect of (i) the  
6 changes made by this Act or (ii) provisions derived from any  
7 other Public Act.