



## 101ST GENERAL ASSEMBLY

### State of Illinois

### 2019 and 2020

### HB0218

by Rep. Mary E. Flowers

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-20.13	from Ch. 122, par. 10-20.13
105 ILCS 5/10-22.33A	from Ch. 122, par. 10-22.33A
105 ILCS 5/34-18.27	
105 ILCS 5/34-18.27a new	
105 ILCS 5/34-21.6	from Ch. 122, par. 34-21.6

Amends the School Code. Provides for the waiver of tuition assessed by a school district on children whose parents are unable to afford them. With respect to summer school, provides that a school board must (instead of may) waive all or part of summer school charges if it determines that the family of a pupil is indigent or the educational needs of the pupil require his or her attendance. Amends the Chicago School District Article to provide that the summer kindergarten provisions are subject to the waiver of fees and tuition provisions. Requires the Chicago Board of Education, during that period of the calendar year not embraced within the regular school term, to provide and conduct courses in subject matters normally embraced in the program of the schools during the regular school term, fix and collect a charge for attendance at such courses in an amount not to exceed the per capita cost of the operation thereof, except that the board must waive all or part of such charges if it determines that the family of an individual pupil is indigent or that the educational needs of the pupil require his or her attendance at such courses, and give regular school credit for satisfactory completion by the student of such courses as may be approved for credit by the State Board of Education.

LRB101 04720 AXK 49729 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Legislative findings. The General Assembly  
5 finds that:

6 (1) Section 1 of Article X of the Constitution of the  
7 State of Illinois provides that a fundamental goal of the  
8 People of the State of Illinois is the educational  
9 development of all person to the limits of their capacity.

10 (2) Section 1 of Article X also requires the State to  
11 provide free public education through the secondary level.

12 (3) If a student must attend school over the summer for  
13 his or her educational development, the schooling should be  
14 provided free of charge pursuant to the Constitution of the  
15 State of Illinois.

16 Section 5. The School Code is amended by changing Sections  
17 10-20.13, 10-22.33A, 34-18.27, and 34-21.6 and by adding  
18 Section 34-18.27a as follows:

19 (105 ILCS 5/10-20.13) (from Ch. 122, par. 10-20.13)  
20 Sec. 10-20.13. Textbooks for children of parents unable to  
21 buy them and other fees and tuition.

22 (a) To purchase, at the expense of the district, a

1 sufficient number of textbooks for children whose parents are  
2 unable to buy them, including but not limited to children  
3 living in households that meet the free lunch or breakfast  
4 eligibility guidelines established by the federal government  
5 pursuant to Section 1758 of the federal Richard B. Russell  
6 National School Lunch Act (42 U.S.C. 1758; 7 C.F.R. 245 et  
7 seq.), subject to verification as set forth in subsection (c)  
8 of this Section. Such textbooks shall be loaned only, and the  
9 directors shall require the teacher to see that they are  
10 properly cared for and returned at the end of each term of  
11 school.

12 (b) To waive all fees and tuition assessed by the district  
13 on children whose parents are unable to afford them, including  
14 but not limited to children living in households that meet the  
15 free lunch or breakfast eligibility guidelines established by  
16 the federal government pursuant to Section 1758 of the federal  
17 Richard B. Russell National School Lunch Act (42 U.S.C. 1758; 7  
18 C.F.R. 245 et seq.), subject to verification as set forth in  
19 subsection (c) of this Section. The school board shall adopt  
20 written policies and procedures for such waiver of fees and  
21 tuition in accordance with regulations promulgated by the State  
22 Board of Education.

23 (c) Any school board that participates in a federally  
24 funded, school-based child nutrition program and uses a  
25 student's application for, eligibility for, or participation  
26 in the federally funded, school-based child nutrition program

1 (42 U.S.C. 1758; 7 C.F.R. 245 et seq.) as the basis for waiving  
2 fees and tuition assessed by the school district must follow  
3 the verification requirements of the federally funded,  
4 school-based child nutrition program (42 U.S.C. 1758; 7 C.F.R.  
5 245.6a).

6 A school board that establishes a process for the  
7 determination of eligibility for waiver of fees and tuition  
8 assessed by the school district that is completely independent  
9 of a student's application for, eligibility for, or  
10 participation in a federally funded, school-based child  
11 nutrition program may provide for fee and tuition waiver  
12 verification no more often than every 60 calendar days.  
13 Information obtained during the independent, fee and tuition  
14 waiver verification process indicating that the student does  
15 not meet free lunch or breakfast eligibility guidelines may be  
16 used to deny the waiver of the student's fees and tuition,  
17 provided that any information obtained through this  
18 independent process for determining or verifying eligibility  
19 for fee and tuition waivers shall not be used to determine or  
20 verify eligibility for any federally funded, school-based  
21 child nutrition program.

22 (Source: P.A. 96-360, eff. 9-1-09.)

23 (105 ILCS 5/10-22.33A) (from Ch. 122, par. 10-22.33A)

24 Sec. 10-22.33A. Summer school. During that period of the  
25 calendar year not embraced within the regular school term to

1 provide and conduct courses in subject matters normally  
2 embraced in the program of the schools during the regular  
3 school term, to fix and collect a charge for attendance at such  
4 courses in an amount not to exceed the per capita cost of the  
5 operation thereof, except that the board must ~~may~~ waive all or  
6 part of such charges if it determines that the family of an  
7 individual pupil is indigent or that the educational needs of  
8 the pupil require his attendance at such courses, and to give  
9 regular school credit for satisfactory completion by the  
10 student of such courses as may be approved for credit by the  
11 State Board of Education.

12 (Source: P.A. 81-1508.)

13 (105 ILCS 5/34-18.27)

14 Sec. 34-18.27. Summer kindergarten. The board may  
15 establish, maintain, and operate, in connection with the  
16 kindergarten program of the school district, a summer  
17 kindergarten program that begins 2 months before the beginning  
18 of the regular school year and a summer kindergarten program  
19 for grade one readiness for those pupils making unsatisfactory  
20 progress during the regular kindergarten session that will  
21 continue for 2 months after the regular school year. The summer  
22 kindergarten program may be held within the school district or,  
23 pursuant to a contract that must be approved by the State Board  
24 of Education, may be operated by 2 or more adjacent school  
25 districts or by a public or private university or college.

1 Transportation for students attending the summer kindergarten  
2 program shall be the responsibility of the school district. The  
3 expense of establishing, maintaining, and operating the summer  
4 kindergarten program may be paid from funds contributed or  
5 otherwise made available to the school district for that  
6 purpose by federal or State appropriation. The provisions of  
7 this Section are subject to Section 34-21.6 of this Code.

8 (Source: P.A. 95-331, eff. 8-21-07.)

9 (105 ILCS 5/34-18.27a new)

10 Sec. 34-18.27a. Summer school. During that period of the  
11 calendar year not embraced within the regular school term, the  
12 board shall provide and conduct courses in subject matters  
13 normally embraced in the program of the schools during the  
14 regular school term, fix and collect a charge for attendance at  
15 such courses in an amount not to exceed the per capita cost of  
16 the operation thereof, except that the board must waive all or  
17 part of such charges if it determines that the family of an  
18 individual pupil is indigent or that the educational needs of  
19 the pupil require his or her attendance at such courses, and  
20 give regular school credit for satisfactory completion by the  
21 student of such courses as may be approved for credit by the  
22 State Board of Education.

23 (105 ILCS 5/34-21.6) (from Ch. 122, par. 34-21.6)

24 Sec. 34-21.6. Waiver of fees and tuition.

1 (a) The board shall waive all fees and tuition assessed by  
2 the district on children whose parents are unable to afford  
3 them, including but not limited to children living in  
4 households that meet the free lunch or breakfast eligibility  
5 guidelines established by the federal government pursuant to  
6 Section 1758 of the federal Richard B. Russell National School  
7 Lunch Act (42 U.S.C. 1758; 7 C.F.R. 245 et seq.), subject to  
8 verification as set forth in subsection (b) of this Section.  
9 The board shall develop written policies and procedures  
10 implementing this Section in accordance with regulations  
11 promulgated by the State Board of Education.

12 (b) If the board participates in a federally funded,  
13 school-based child nutrition program and uses a student's  
14 application for, eligibility for, or participation in the  
15 federally funded, school-based child nutrition program (42  
16 U.S.C. 1758; 7 C.F.R. 245 et seq.) as the basis for waiving  
17 fees and tuition assessed by the district, then the board must  
18 follow the verification requirements of the federally funded,  
19 school-based child nutrition program (42 U.S.C. 1758; 7 C.F.R.  
20 245.6a).

21 If the board establishes a process for the determination of  
22 eligibility for waiver of fees and tuition assessed by the  
23 district that is completely independent of a student's  
24 application for, eligibility for, or participation in a  
25 federally funded, school-based child nutrition program, the  
26 board may provide for fee and tuition waiver verification no

1 more often than every 60 calendar days. Information obtained  
2 during the independent, fee and tuition waiver verification  
3 process indicating that the student does not meet free lunch or  
4 breakfast eligibility guidelines may be used to deny the waiver  
5 of the student's fees and tuition, provided that any  
6 information obtained through this independent process for  
7 determining or verifying eligibility for fee and tuition  
8 waivers shall not be used to determine or verify eligibility  
9 for any federally funded, school-based child nutrition  
10 program.

11 (Source: P.A. 96-360, eff. 9-1-09.)