

SB1478



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1478

Introduced 2/13/2019, by Sen. Paul Schimpf

SYNOPSIS AS INTRODUCED:

105 ILCS 5/3-15.12	from Ch. 122, par. 3-15.12
105 ILCS 5/26-1	from Ch. 122, par. 26-1
105 ILCS 5/26-2	from Ch. 122, par. 26-2
105 ILCS 5/26-14	from Ch. 122, par. 26-14

Amends the School Code. Increases the compulsory school age from 17 to 18 years of age; makes related changes.

LRB101 05172 AXK 50184 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Sections
5 3-15.12, 26-1, 26-2, and 26-14 as follows:

6 (105 ILCS 5/3-15.12) (from Ch. 122, par. 3-15.12)

7 Sec. 3-15.12. High school equivalency. The regional
8 superintendent of schools and the Illinois Community College
9 Board shall make available for qualified individuals residing
10 within the region a High School Equivalency Testing Program and
11 alternative methods of credentialing, as identified under this
12 Section. For that purpose the regional superintendent alone or
13 with other regional superintendents may establish and
14 supervise a testing center or centers to administer the secure
15 forms for high school equivalency testing to qualified persons.
16 Such centers shall be under the supervision of the regional
17 superintendent in whose region such centers are located,
18 subject to the approval of the Executive Director of the
19 Illinois Community College Board. The Illinois Community
20 College Board shall also establish criteria and make available
21 alternative methods of credentialing throughout the State.

22 An individual is eligible to apply to the regional
23 superintendent of schools for the region in which he or she

1 resides if he or she is: (a) a person who is 18 ~~17~~ years of age
2 or older, has maintained residence in the State of Illinois,
3 and is not a high school graduate; (b) a person who is
4 successfully completing an alternative education program under
5 Section 2-3.81, Article 13A, or Article 13B; or (c) a person
6 who is enrolled in a youth education program sponsored by the
7 Illinois National Guard. For purposes of this Section,
8 residence is that abode which the applicant considers his or
9 her home. Applicants may provide as sufficient proof of such
10 residence and as an acceptable form of identification a
11 driver's license, valid passport, military ID, or other form of
12 government-issued national or foreign identification that
13 shows the applicant's name, address, date of birth, signature,
14 and photograph or other acceptable identification as may be
15 allowed by law or as regulated by the Illinois Community
16 College Board. Such regional superintendent shall determine if
17 the applicant meets statutory and regulatory state standards.

18 If qualified the applicant shall at the time of such
19 application pay a fee established by the Illinois Community
20 College Board, which fee shall be paid into a special fund
21 under the control and supervision of the regional
22 superintendent. Such moneys received by the regional
23 superintendent shall be used, first, for the expenses incurred
24 in administering and scoring the examination, and next for
25 other educational programs that are developed and designed by
26 the regional superintendent of schools to assist those who

1 successfully complete high school equivalency testing or meet
2 the criteria for alternative methods of credentialing in
3 furthering their academic development or their ability to
4 secure and retain gainful employment, including programs for
5 the competitive award based on test scores of college or adult
6 education scholarship grants or similar educational
7 incentives. Any excess moneys shall be paid into the institute
8 fund.

9 Any applicant who has achieved the minimum passing
10 standards as established by the Illinois Community College
11 Board shall be notified in writing by the regional
12 superintendent and shall be issued a high school equivalency
13 certificate on the forms provided by the Illinois Community
14 College Board. The regional superintendent shall then certify
15 to the Illinois Community College Board the score of the
16 applicant and such other and additional information that may be
17 required by the Illinois Community College Board. The moneys
18 received therefrom shall be used in the same manner as provided
19 for in this Section.

20 The Illinois Community College Board shall establish
21 alternative methods of credentialing for the issuance of high
22 school equivalency certification. In addition to high school
23 equivalency testing, the following alternative methods of
24 receiving a high school equivalency credential shall be made
25 available to qualified individuals on or after January 1, 2018:

26 (A) High School Equivalency based on High School

1 Credit. A qualified candidate may petition to have his or
2 her high school transcripts evaluated to determine what the
3 candidate needs to meet criteria as established by the
4 Illinois Community College Board.

5 (B) High School Equivalency based on Post-Secondary
6 Credit. A qualified candidate may petition to have his or
7 her post-secondary transcripts evaluated to determine what
8 the candidate needs to meet criteria established by the
9 Illinois Community College Board.

10 (C) High School Equivalency based on a Foreign Diploma.
11 A qualified candidate may petition to have his or her
12 foreign high school or post-secondary transcripts
13 evaluated to determine what the candidate needs to meet
14 criteria established by the Illinois Community College
15 Board.

16 (D) High School Equivalency based on Completion of a
17 Competency-Based Program as approved by the Illinois
18 Community College Board. The Illinois Community College
19 Board shall establish guidelines for competency-based high
20 school equivalency programs.

21 Any applicant who has attained the age of 18 ~~17~~ years and
22 maintained residence in the State of Illinois and is not a high
23 school graduate, any person who has enrolled in a youth
24 education program sponsored by the Illinois National Guard, or
25 any person who has successfully completed an alternative
26 education program under Section 2-3.81, Article 13A, or Article

1 13B is eligible to apply for a high school equivalency
2 certificate (if he or she meets the requirements prescribed by
3 the Illinois Community College Board) upon showing evidence
4 that he or she has completed, successfully, high school
5 equivalency testing, administered by the United States Armed
6 Forces Institute, official high school equivalency testing
7 centers established in other states, Veterans' Administration
8 Hospitals, or the office of the State Superintendent of
9 Education for the Illinois State Penitentiary System and the
10 Department of Corrections. Such applicant shall apply to the
11 regional superintendent of the region wherein he or she has
12 maintained residence, and, upon payment of a fee established by
13 the Illinois Community College Board, the regional
14 superintendent shall issue a high school equivalency
15 certificate and immediately thereafter certify to the Illinois
16 Community College Board the score of the applicant and such
17 other and additional information as may be required by the
18 Illinois Community College Board.

19 Notwithstanding the provisions of this Section, any
20 applicant who has been out of school for at least one year may
21 request the regional superintendent of schools to administer
22 restricted high school equivalency testing upon written
23 request of: the director of a program who certifies to the
24 Chief Examiner of an official high school equivalency testing
25 center that the applicant has completed a program of
26 instruction provided by such agencies as the Job Corps, the

1 Postal Service Academy, or an apprenticeship training program;
2 an employer or program director for purposes of entry into
3 apprenticeship programs; another state's department of
4 education in order to meet regulations established by that
5 department of education; or a post high school educational
6 institution for purposes of admission, the Department of
7 Financial and Professional Regulation for licensing purposes,
8 or the Armed Forces for induction purposes. The regional
9 superintendent shall administer such testing, and the
10 applicant shall be notified in writing that he or she is
11 eligible to receive a high school equivalency certificate upon
12 reaching age 18 ~~17~~, provided he or she meets the standards
13 established by the Illinois Community College Board.

14 Any test administered under this Section to an applicant
15 who does not speak and understand English may at the discretion
16 of the administering agency be given and answered in any
17 language in which the test is printed. The regional
18 superintendent of schools may waive any fees required by this
19 Section in case of hardship. The regional superintendent of
20 schools and the Illinois Community College Board shall waive
21 any fees required by this Section for an applicant who meets
22 all of the following criteria:

23 (1) The applicant qualifies as a homeless person,
24 child, or youth as defined in the Education for Homeless
25 Children Act.

26 (2) The applicant has not attained 25 years of age as

1 of the date of the scheduled test.

2 (3) The applicant can verify his or her status as a
3 homeless person, child, or youth. A homeless services
4 provider that is qualified to verify an individual's
5 housing status, as determined by the Illinois Community
6 College Board, and that has knowledge of the applicant's
7 housing status may verify the applicant's status for
8 purposes of this subdivision (3).

9 (4) The applicant has completed a high school
10 equivalency preparation course through an Illinois
11 Community College Board-approved provider.

12 (5) The applicant is taking the test at a testing
13 center operated by a regional superintendent of schools or
14 the Cook County High School Equivalency Office.

15 In counties of over 3,000,000 population, a high school
16 equivalency certificate shall contain the signatures of the
17 Executive Director of the Illinois Community College Board and
18 the superintendent, president, or other chief executive
19 officer of the institution where high school equivalency
20 testing instruction occurred and any other signatures
21 authorized by the Illinois Community College Board.

22 The regional superintendent of schools shall furnish the
23 Illinois Community College Board with any information that the
24 Illinois Community College Board requests with regard to
25 testing and certificates under this Section.

26 (Source: P.A. 99-78, eff. 7-20-15; 99-742, eff. 1-1-17;

1 100-130, eff. 1-1-18.)

2 (105 ILCS 5/26-1) (from Ch. 122, par. 26-1)

3 Sec. 26-1. Compulsory school age; exemptions. Whoever has
4 custody or control of any child ~~(i) between the ages of 7 and~~
5 ~~17 years (unless the child has already graduated from high~~
6 ~~school) for school years before the 2014-2015 school year or~~
7 ~~(ii) between the ages of 6 (on or before September 1) and 18 17~~
8 years (unless the child has already graduated from high school)
9 ~~beginning with the 2014-2015 school year~~ shall cause such child
10 to attend some public school in the district wherein the child
11 resides the entire time it is in session during the regular
12 school term, except as provided in Section 10-19.1, and during
13 a required summer school program established under Section
14 10-22.33B; provided, that the following children shall not be
15 required to attend the public schools:

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

21 2. Any child who is physically or mentally unable to
22 attend school, such disability being certified to the
23 county or district truant officer by a competent physician
24 licensed in Illinois to practice medicine and surgery in
25 all its branches, a chiropractic physician licensed under

1 the Medical Practice Act of 1987, a licensed advanced
2 practice registered nurse, a licensed physician assistant,
3 or a Christian Science practitioner residing in this State
4 and listed in the Christian Science Journal; or who is
5 excused for temporary absence for cause by the principal or
6 teacher of the school which the child attends; the
7 exemptions in this paragraph (2) do not apply to any female
8 who is pregnant or the mother of one or more children,
9 except where a female is unable to attend school due to a
10 complication arising from her pregnancy and the existence
11 of such complication is certified to the county or district
12 truant officer by a competent physician;

13 3. Any child necessarily and lawfully employed
14 according to the provisions of the law regulating child
15 labor may be excused from attendance at school by the
16 county superintendent of schools or the superintendent of
17 the public school which the child should be attending, on
18 certification of the facts by and the recommendation of the
19 school board of the public school district in which the
20 child resides. In districts having part-time continuation
21 schools, children so excused shall attend such schools at
22 least 8 hours each week;

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

25 5. Any child absent from a public school on a
26 particular day or days or at a particular time of day for

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

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

1 of this Code;

2 7. A child in any of grades 6 through 12 absent from a
3 public school on a particular day or days or at a
4 particular time of day for the purpose of sounding "Taps"
5 at a military honors funeral held in this State for a
6 deceased veteran. In order to be excused under this
7 paragraph 7, the student shall notify the school's
8 administration at least 2 days prior to the date of the
9 absence and shall provide the school's administration with
10 the date, time, and location of the military honors
11 funeral. The school's administration may waive this 2-day
12 notification requirement if the student did not receive at
13 least 2 days advance notice, but the student shall notify
14 the school's administration as soon as possible of the
15 absence. A student whose absence is excused under this
16 paragraph 7 shall be counted as if the student attended
17 school for purposes of calculating the average daily
18 attendance of students in the school district. A student
19 whose absence is excused under this paragraph 7 must be
20 allowed a reasonable time to make up school work missed
21 during the absence. If the student satisfactorily
22 completes the school work, the day of absence shall be
23 counted as a day of compulsory attendance and he or she may
24 not be penalized for that absence; and

25 8. Any child absent from a public school on a
26 particular day or days or at a particular time of day for

1 the reason that his or her parent or legal guardian is an
2 active duty member of the uniformed services and has been
3 called to duty for, is on leave from, or has immediately
4 returned from deployment to a combat zone or combat-support
5 postings. Such a student shall be granted 5 days of excused
6 absences in any school year and, at the discretion of the
7 school board, additional excused absences to visit the
8 student's parent or legal guardian relative to such leave
9 or deployment of the parent or legal guardian. In the case
10 of excused absences pursuant to this paragraph 8, the
11 student and parent or legal guardian shall be responsible
12 for obtaining assignments from the student's teacher prior
13 to any period of excused absence and for ensuring that such
14 assignments are completed by the student prior to his or
15 her return to school from such period of excused absence.

16 (Source: P.A. 99-173, eff. 7-29-15; 99-804, eff. 1-1-17;
17 100-185, eff. 8-18-17; 100-513, eff. 1-1-18; 100-863, eff.
18 8-14-18.)

19 (105 ILCS 5/26-2) (from Ch. 122, par. 26-2)

20 Sec. 26-2. Enrolled pupils not of compulsory school age.

21 (a) ~~Any For school years before the 2014-2015 school year,~~
22 ~~any person having custody or control of a child who is below~~
23 ~~the age of 7 years or is 17 years of age or above and who is~~
24 ~~enrolled in any of grades kindergarten through 12 in the public~~
25 ~~school shall cause him to attend the public school in the~~

1 ~~district wherein he resides when it is in session during the~~
2 ~~regular school term, unless he is excused under paragraph 2, 3,~~
3 ~~4, 5, or 6 of Section 26-1. Beginning with the 2014-2015 school~~
4 ~~year, any person having custody or control of a child who is~~
5 below the age of 6 years or is 18 ~~17~~ years of age or above and
6 who is enrolled in any of grades kindergarten through 12 in the
7 public school shall cause the child to attend the public school
8 in the district wherein he or she resides when it is in session
9 during the regular school term, unless the child is excused
10 under paragraph 2, 3, 4, 5, or 6 of Section 26-1 of this Code.

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

1 certificate.

2 (c) A school or school district may deny enrollment to a
3 student 18 ~~17~~ years of age or older for one semester for
4 failure to meet minimum attendance standards if all of the
5 following conditions are met:

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

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

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

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

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

22 A school or school district may not deny enrollment to a
23 student (or reenrollment to a dropout) who is ~~at least~~ 18 ~~17~~
24 years of age ~~or older but below 19 years~~ for more than one
25 consecutive semester for failure to meet attendance standards.

26 (d) No child may be denied reenrollment under this Section

1 in violation of the federal Individuals with Disabilities
2 Education Act or the Americans with Disabilities Act.

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

12 (f) The State Board of Education shall adopt any rules
13 necessary to implement the changes to this Section made by
14 Public Act 93-803.

15 (Source: P.A. 100-825, eff. 8-13-18.)

16 (105 ILCS 5/26-14) (from Ch. 122, par. 26-14)

17 Sec. 26-14. Truancy programs for dropouts. Any dropout, as
18 defined in Section 26-2a, who is 18 ~~17~~ years of age may apply
19 to a school district for status as a truant, and the school
20 district shall permit such person to participate in the
21 district's various programs and resources for truants. At the
22 time of the person's application, the district may request
23 documentation of his dropout status for the previous 6 months.

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