



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2530

by Rep. Jeff Keicher

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-22.5a
105 ILCS 5/34-18.30

from Ch. 122, par. 10-22.5a

Amends the School Code. Provides that if a dependent of active United States military personnel is a nonresident of the school district and his or her parent or guardian is being transferred to a military installation located within the district, then the district must permit the dependent to enroll in school and must not charge the dependent nonresident tuition if the dependent provides the district with official military documentation designating the transfer and arrival dates and proof, within 10 days after the arrival date, that the dependent is a district resident. Provides for electronic enrollment and course registration and what proof of district residency includes. Effective immediately.

LRB101 04934 AXK 49943 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Sections
5 10-22.5a and 34-18.30 as follows:

6 (105 ILCS 5/10-22.5a) (from Ch. 122, par. 10-22.5a)

7 Sec. 10-22.5a. Attendance by dependents of United States
8 military personnel, foreign exchange students, and certain
9 nonresident pupils.

10 (a) To enter into written agreements with cultural exchange
11 organizations, or with nationally recognized eleemosynary
12 institutions that promote excellence in the arts, mathematics,
13 or science. The written agreements may provide for tuition free
14 attendance at the local district school by foreign exchange
15 students, or by nonresident pupils of eleemosynary
16 institutions. The local board of education, as part of the
17 agreement, may require that the cultural exchange program or
18 the eleemosynary institutions provide services to the district
19 in exchange for the waiver of nonresident tuition.

20 To enter into written agreements with adjacent school
21 districts to provide for tuition free attendance by a student
22 of the adjacent district when requested for the student's
23 health and safety by the student or parent and both districts

1 determine that the student's health or safety will be served by
2 such attendance. Districts shall not be required to enter into
3 such agreements nor be required to alter existing
4 transportation services due to the attendance of such
5 non-resident pupils.

6 (a-5) If, at the time of enrollment, a dependent of United
7 States military personnel is housed in temporary housing
8 located outside of a school district, but will be living within
9 the district within 60 days after the time of initial
10 enrollment, the dependent must be allowed to enroll, subject to
11 the requirements of this subsection (a-5), and must not be
12 charged tuition. Any United States military personnel
13 attempting to enroll a dependent under this subsection (a-5)
14 shall provide proof that the dependent will be living within
15 the district within 60 days after the time of initial
16 enrollment. Proof of residency may include, but is not limited
17 to, postmarked mail addressed to the military personnel and
18 sent to an address located within the district, a lease
19 agreement for occupancy of a residence located within the
20 district, or proof of ownership of a residence located within
21 the district.

22 (a-10) Notwithstanding subsection (a-5), if a dependent of
23 active United States military personnel is a nonresident of the
24 school district and his or her parent or guardian is being
25 transferred to a military installation located within the
26 district, then the district must permit the dependent to enroll

1 in school and must not charge the dependent nonresident tuition
2 if the dependent provides the district with official military
3 documentation designating the transfer and arrival dates and
4 proof, within 10 days after the arrival date, that the
5 dependent is a district resident. The dependent must be allowed
6 to enroll and register for courses through electronic means,
7 including enrollment in a specific school or program. Proof of
8 district residency under this subsection shall include, but is
9 not limited to, any of the following residences located within
10 the district:

11 (1) A temporary, on-base military facility.

12 (2) A purchased or leased home or apartment.

13 (3) Federal government housing or off-base military
14 housing, including off-base military housing that is
15 provided through a public-private venture.

16 (b) Nonresident pupils and foreign exchange students
17 attending school on a tuition free basis under ~~such~~ agreements
18 entered into under subsection (a) and nonresident dependents of
19 United States military personnel attending school on a tuition
20 free basis under subsection (a-5) or (a-10) may be counted for
21 the purposes of determining the apportionment of State aid
22 provided under Section 18-8.05 or 18-8.15 of this Code. No
23 organization or institution participating in agreements
24 authorized under this Section may exclude any individual for
25 participation in its program on account of the person's race,
26 color, sex, religion or nationality.

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

2 (105 ILCS 5/34-18.30)

3 Sec. 34-18.30. Dependents of military personnel; no
4 tuition charge.

5 (a) If, at the time of enrollment, a dependent of United
6 States military personnel is housed in temporary housing
7 located outside of the school district, but will be living
8 within the district within 60 days after the time of initial
9 enrollment, the dependent must be allowed to enroll, subject to
10 the requirements of this Section, and must not be charged
11 tuition. Any United States military personnel attempting to
12 enroll a dependent under this Section shall provide proof that
13 the dependent will be living within the district within 60 days
14 after the time of initial enrollment. Proof of residency may
15 include, but is not limited to, postmarked mail addressed to
16 the military personnel and sent to an address located within
17 the district, a lease agreement for occupancy of a residence
18 located within the district, or proof of ownership of a
19 residence located within the district.

20 (b) Notwithstanding subsection (a), if a dependent of
21 active United States military personnel is a nonresident of the
22 school district and his or her parent or guardian is being
23 transferred to a military installation located within the
24 district, then the district must permit the dependent to enroll
25 in school and must not charge the dependent nonresident tuition

1 if the dependent provides the district with official military
2 documentation designating the transfer and arrival dates and
3 proof, within 10 days after the arrival date, that the
4 dependent is a district resident. The dependent must be allowed
5 to enroll and register for courses through electronic means,
6 including enrollment in a specific school or program. Proof of
7 district residency under this subsection shall include, but is
8 not limited to, any of the following residences located within
9 the district:

10 (1) A temporary, on-base military facility.

11 (2) A purchased or leased home or apartment.

12 (3) Federal government housing or off-base military
13 housing, including off-base military housing that is
14 provided through a public-private venture.

15 (c) Non-resident dependents of United States military
16 personnel attending school on a tuition-free basis may be
17 counted for the purposes of determining the apportionment of
18 State aid provided under Section 18-8.05 or 18-8.15 of this
19 Code.

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

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.