

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 10-20.13 and 34-21.6 as follows:

6 (105 ILCS 5/10-20.13) (from Ch. 122, par. 10-20.13)

7 Sec. 10-20.13. Textbooks for children of parents unable to
8 buy them and other fees.

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

21 (b) To waive all fees assessed by the district on children
22 whose parents are unable to afford them, including but not
23 limited to children living in households that meet the free

1 lunch or breakfast eligibility guidelines established by the
2 federal government pursuant to Section 1758 of the federal
3 Richard B. Russell National School Lunch Act (42 U.S.C. 1758;
4 7 C.F.R. 245 et seq.) and students whose parents are veterans
5 or active duty military personnel with income at or below 200%
6 of the federal poverty line, subject to verification as set
7 forth in subsection (c) of this Section. The school board
8 shall adopt written policies and procedures for such waiver of
9 fees in accordance with regulations promulgated by the State
10 Board of Education.

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

20 A school board that establishes a process for the
21 determination of eligibility for waiver of fees assessed by
22 the school district that is completely independent of a
23 student's application for, eligibility for, or participation
24 in a federally funded, school-based child nutrition program
25 may provide for fee waiver verification no more often than
26 every 60 calendar days. Information obtained during the

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

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

10 (105 ILCS 5/34-21.6) (from Ch. 122, par. 34-21.6)

11 Sec. 34-21.6. Waiver of fees.

12 (a) The board shall waive all fees assessed by the
13 district on children whose parents are unable to afford them,
14 including but not limited to children living in households
15 that meet the free lunch or breakfast eligibility guidelines
16 established by the federal government pursuant to Section 1758
17 of the federal Richard B. Russell National School Lunch Act
18 (42 U.S.C. 1758; 7 C.F.R. 245 et seq.) and students whose
19 parents are veterans or active duty military personnel with
20 income at or below 200% of the federal poverty level, subject
21 to verification as set forth in subsection (b) of this
22 Section. The board shall develop written policies and
23 procedures implementing this Section in accordance with
24 regulations promulgated by the State Board of Education.

25 (b) If the board participates in a federally funded,

1 school-based child nutrition program and uses a student's
2 application for, eligibility for, or participation in the
3 federally funded, school-based child nutrition program (42
4 U.S.C. 1758; 7 C.F.R. 245 et seq.) as the basis for waiving
5 fees assessed by the district, then the board must follow the
6 verification requirements of the federally funded,
7 school-based child nutrition program (42 U.S.C. 1758; 7 C.F.R.
8 245.6a).

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

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

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.