



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5451

Introduced 2/9/2024, by Rep. Mary Beth Canty

SYNOPSIS AS INTRODUCED:

See Index

Creates the Department of Early Childhood Act. Creates the Department of Early Childhood to begin operation on July 1, 2024 and transfers to it certain rights, powers, duties, and functions currently exercised by various agencies of State Government. Provides that, beginning July 1, 2026 the Department of Early Childhood shall be the lead State agency for administering and providing early childhood education and care programs and services to children and families including: home-visiting services; early intervention services; preschool services; child care services; licensing for day care centers, day care homes, and group day care homes; and other early childhood education and care programs and administrative functions historically managed by the State Board of Education, the Department of Human Services, and the Department of Children and Family Services. Makes conforming changes to various Acts including the Department of Human Services Act, the Illinois Early Learning Council Act, the Illinois Procurement Code, the School Code, the Illinois Public Aid Code, the Early Intervention Services System Act and the Children and Family Services Act. Effective immediately.

LRB103 39421 KTG 69604 b

1 AN ACT concerning the Department of Early Childhood.

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

4 ARTICLE 1. GENERAL PROVISIONS

5 Section 1-1. Short title. This Act may be cited as the
6 Department of Early Childhood Act.

7 Section 1-5. Findings. The General Assembly finds that:

8 (1) There are over 875,000 children under the age of 5 in
9 Illinois, nearly half of whom are under the age of 3. At birth,
10 a baby's brain is 25 percent the size of an adult's brain. Yet,
11 an infant's brain has roughly 86 billion neurons, almost all
12 the neurons the human brain will ever have.

13 (2) From 3 to 15 months, neuron connections form at a rate
14 of 40,000 per second. By age 3, synaptic connections have
15 grown to 100 trillion. Ages 3 to 5 are critical years to build
16 executive function skills like focusing attention, remembering
17 instructions, and demonstrating self-control. Without these
18 skills, children are not fully equipped to learn when they
19 enter kindergarten. By age 5, 90% of brain development is
20 complete.

21 (3) Prenatal programs improve the regular care of birthing
22 parents, reduce the risk of infant low birth weight and

1 mortality, and increase regular child wellness visits,
2 screenings, and immunizations.

3 (4) Early childhood education and care not only improve
4 school readiness and literacy, but also improve cognitive
5 development for future success in life, school, and the
6 workforce.

7 (5) Research shows that for every dollar invested in
8 high-quality early childhood education and care, society gains
9 over \$7 in economic returns in the long-term.

10 (6) Supporting children means supporting their parents and
11 families. The early childhood education and care industry is
12 the workforce behind all other workforces. High-quality child
13 care enables parents and families to consistently work and
14 earn an income to support their children. Research also shows
15 that early childhood education and care programs can reduce
16 parental stress and improve family well-being.

17 (7) Investing in early childhood education and care is in
18 the interest of all residents and will make Illinois the best
19 state in the nation to raise young children.

20 Section 1-10. Purpose. It is the purpose of this Act to
21 provide for the creation of the Department of Early Childhood
22 and to transfer to it certain rights, powers, duties, and
23 functions currently exercised by various agencies of State
24 Government. The Department of Early Childhood shall be the
25 lead State agency for administering and providing early

1 childhood education and care programs and services to children
2 and families. This Act centralizes home-visiting services,
3 early intervention services, preschool services, child care
4 services, licensing for day care centers, day care homes, and
5 group day care homes, and other early childhood education and
6 care programs and administrative functions historically
7 managed by the Illinois State Board of Education, the Illinois
8 Department of Human Services, and the Illinois Department of
9 Children and Family Services. Centralizing early childhood
10 functions into a single State agency is intended to simplify
11 the process for parents and caregivers to identify and enroll
12 children in early childhood services, to create new,
13 equity-driven statewide systems, to streamline administrative
14 functions for providers, and to improve kindergarten readiness
15 for children.

16 Section 1-11. Rights; privileges; protections.
17 Notwithstanding any provision of law to the contrary, any
18 rights, privileges, or protections afforded to students in
19 early childhood education and care programs, including
20 undocumented students, under the School Code or any other
21 provision of law shall not terminate upon the effective date
22 of this Act.

23 Section 1-15. Definitions. As used in this Act, unless the
24 context otherwise requires:

1 "Department" means the Department of Early Childhood.

2 "Secretary" means the Secretary of Early Childhood.

3 "Transferring agency" means the Department of Human
4 Services, Department of Children and Family Services, and the
5 State Board of Education.

6 Section 1-20. Department; Secretary; organization.

7 (a) The Department of Early Childhood is created and shall
8 begin operation on July 1, 2024.

9 (b) The head officer of the Department is the Secretary.
10 The Secretary shall be appointed by the Governor, with the
11 advice and consent of the Senate. The Department may employ or
12 retain other persons to assist in the discharge of its
13 functions, subject to the Personnel Code.

14 (c) The Governor may, with the advice and consent of the
15 Senate, appoint an appropriate number of persons to serve as
16 Assistant Secretaries to head the major programmatic divisions
17 of the Department. Assistant Secretaries shall not be subject
18 to the Personnel Code.

19 (d) The Secretary shall create divisions and
20 administrative units within the Department and shall assign
21 functions, powers, duties, and personnel as may now or in the
22 future be required by State or federal law. The Secretary may
23 create other divisions and administrative units and may assign
24 other functions, powers, duties, and personnel as may be
25 necessary or desirable to carry out the functions and

1 responsibilities vested by law in the Department.

2 Section 1-30. General powers and duties.

3 (a) The Department shall exercise the rights, powers,
4 duties, and functions provided by law, including, but not
5 limited to, the rights, powers, duties, and functions
6 transferred to the Department.

7 (b) The Department may employ personnel (in accordance
8 with the Personnel Code and any applicable collective
9 bargaining agreements), provide facilities, contract for goods
10 and services, and adopt rules as necessary to carry out its
11 functions and purposes, all in accordance with applicable
12 State and federal law.

13 The Department may establish such subdivisions of the
14 Department as shall be desirable and assign to the various
15 subdivisions the responsibilities and duties placed upon the
16 Department by the Laws of the State of Illinois.

17 The Department shall adopt, as necessary, rules for the
18 execution of its powers. The provisions of the Illinois
19 Administrative Procedure Act are hereby expressly adopted and
20 shall apply to all administrative rules and procedures of the
21 Department under this Act, except that Section 5-35 of the
22 Illinois Administrative Procedure Act relating to procedures
23 for rulemaking does not apply to the adoption of any rule
24 required by federal law in connection with which the
25 Department is precluded by law from exercising any discretion.

1 (c) Procurement; contracts necessary for the creation of
2 the Department of Early Childhood and the implementation of
3 the Department's mission are not subject to the Illinois
4 Procurement Code provided that the process shall be conducted
5 in a manner substantially in accordance with the requirements
6 of the following Sections of the Illinois Procurement Code:
7 20-160, 50-5, 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20,
8 50-21, 50-35, 50-36, 50-37, 50-38, and 50-50. Contracts
9 entered into by the Department of Early Childhood using this
10 exemption shall not exceed 3 years in length and must expire no
11 later than July 1, 2027. All contracts entered into after July
12 1, 2027, are subject to the Procurement Code and the
13 requirements therein. Contracts entered into utilizing this
14 exemption shall be posted to the agency website for one year
15 after contract execution.

16 ARTICLE 10. POWERS AND DUTIES RELATING TO EARLY INTERVENTION
17 SERVICES

18 Section 10-5. Transition planning. Beginning July 1, 2024,
19 the Department of Early Childhood and the Department of Human
20 Services shall collaborate and plan for the transition of
21 administrative responsibilities as prescribed in the Early
22 Intervention Services System Act.

23 Section 10-10. Legislative findings and policy.

1 (a) The General Assembly finds that there is an urgent and
2 substantial need to:

3 (1) enhance the development of all eligible infants
4 and toddlers in the State of Illinois in order to minimize
5 developmental delay and maximize individual potential for
6 adult independence;

7 (2) enhance the capacity of families to meet the
8 special needs of eligible infants and toddlers including
9 the purchase of services when necessary;

10 (3) reduce educational costs by minimizing the need
11 for special education and related services when eligible
12 infants and toddlers reach school age;

13 (4) enhance the independence, productivity and
14 integration with age-appropriate peers of eligible
15 children and their families;

16 (5) reduce social services costs and minimize the need
17 for institutionalization; and

18 (6) prevent secondary impairments and disabilities by
19 improving the health of infants and toddlers, thereby
20 reducing health costs for the families and the State.

21 (b) The General Assembly therefore intends that the
22 policy of this State shall be to:

23 (1) affirm the importance of the family in all areas
24 of the child's development and reinforce the role of the
25 family as a participant in the decision-making processes
26 regarding their child;

1 (2) provide assistance and support to eligible infants
2 and toddlers and their families to address the individual
3 concerns and decisions of each family;

4 (3) develop and implement, on a statewide basis,
5 locally based comprehensive, coordinated,
6 interdisciplinary, interagency early intervention
7 services for all eligible infants and toddlers;

8 (4) enhance the local communities' capacity to provide
9 an array of quality early intervention services;

10 (5) identify and coordinate all available resources
11 for early intervention within the State including those
12 from federal, State, local and private sources;

13 (6) provide financial and technical assistance to
14 local communities for the purposes of coordinating early
15 intervention services in local communities and enhancing
16 the communities' capacity to provide individualized early
17 intervention services to all eligible infants and toddlers
18 in their homes or in community environments; and

19 (7) affirm that eligible infants and toddlers have a
20 right to receive early intervention services to the
21 maximum extent appropriate, in natural environments in
22 which infants and toddlers without disabilities would
23 participate.

24 (c) The General Assembly further finds that early
25 intervention services are cost-effective and effectively serve
26 the developmental needs of eligible infants and toddlers and

1 their families. Therefore, the purpose of this Act is to
2 provide a comprehensive, coordinated, interagency,
3 interdisciplinary early intervention services system for
4 eligible infants and toddlers and their families by enhancing
5 the capacity to provide quality early intervention services,
6 expanding and improving existing services, and facilitating
7 coordination of payments for early intervention services from
8 various public and private sources.

9 Section 10-15. Definitions. As used in this Act:

10 (a) "Eligible infants and toddlers" means infants and
11 toddlers under 36 months of age with any of the following
12 conditions:

13 (1) Developmental delays.

14 (2) A physical or mental condition which typically
15 results in developmental delay.

16 (3) Being at risk of having substantial developmental
17 delays based on informed clinical opinion.

18 (4) Either (A) having entered the program under any of
19 the circumstances listed in paragraphs (1) through (3) of
20 this subsection but no longer meeting the current
21 eligibility criteria under those paragraphs, and
22 continuing to have any measurable delay, or (B) not having
23 attained a level of development in each area, including
24 (i) cognitive, (ii) physical (including vision and
25 hearing), (iii) language, speech, and communication, (iv)

1 social or emotional, or (v) adaptive, that is at least at
2 the mean of the child's age equivalent peers; and, in
3 addition to either item (A) or item (B), (C) having been
4 determined by the multidisciplinary individualized family
5 service plan team to require the continuation of early
6 intervention services in order to support continuing
7 developmental progress, pursuant to the child's needs and
8 provided in an appropriate developmental manner. The type,
9 frequency, and intensity of services shall differ from the
10 initial individualized family services plan because of the
11 child's developmental progress, and may consist of only
12 service coordination, evaluation, and assessments.

13 "Eligible infants and toddlers" includes any child under
14 the age of 3 who is the subject of a substantiated case of
15 child abuse or neglect as defined in the federal Child Abuse
16 Prevention and Treatment Act.

17 (b) "Developmental delay" means a delay in one or more of
18 the following areas of childhood development as measured by
19 appropriate diagnostic instruments and standard procedures:
20 cognitive; physical, including vision and hearing; language,
21 speech and communication; social or emotional; or adaptive.
22 The term means a delay of 30% or more below the mean in
23 function in one or more of those areas.

24 (c) "Physical or mental condition which typically results
25 in developmental delay" means:

26 (1) a diagnosed medical disorder or exposure to a

1 toxic substance bearing a relatively well known expectancy
2 for developmental outcomes within varying ranges of
3 developmental disabilities; or

4 (2) a history of prenatal, perinatal, neonatal or
5 early developmental events suggestive of biological
6 insults to the developing central nervous system and which
7 either singly or collectively increase the probability of
8 developing a disability or delay based on a medical
9 history.

10 (d) "Informed clinical opinion" means both clinical
11 observations and parental participation to determine
12 eligibility by a consensus of a multidisciplinary team of 2 or
13 more members based on their professional experience and
14 expertise.

15 (e) "Early intervention services" means services which:

16 (1) are designed to meet the developmental needs of
17 each child eligible under this Act and the needs of his or
18 her family;

19 (2) are selected in collaboration with the child's
20 family;

21 (3) are provided under public supervision;

22 (4) are provided at no cost except where a schedule of
23 sliding scale fees or other system of payments by families
24 has been adopted in accordance with State and federal law;

25 (5) are designed to meet an infant's or toddler's
26 developmental needs in any of the following areas:

1 (A) physical development, including vision and
2 hearing,

3 (B) cognitive development,

4 (C) communication development,

5 (D) social or emotional development, or

6 (E) adaptive development;

7 (6) meet the standards of the State, including the
8 requirements of this Act;

9 (7) include one or more of the following:

10 (A) family training,

11 (B) social work services, including counseling,
12 and home visits,

13 (C) special instruction,

14 (D) speech, language pathology and audiology,

15 (E) occupational therapy,

16 (F) physical therapy,

17 (G) psychological services,

18 (H) service coordination services,

19 (I) medical services only for diagnostic or
20 evaluation purposes,

21 (J) early identification, screening, and
22 assessment services,

23 (K) health services specified by the lead agency
24 as necessary to enable the infant or toddler to
25 benefit from the other early intervention services,

26 (L) vision services,

- 1 (M) transportation,
2 (N) assistive technology devices and services,
3 (O) nursing services,
4 (P) nutrition services, and
5 (Q) sign language and cued language services;
6 (8) are provided by qualified personnel, including but
7 not limited to:
8 (A) child development specialists or special
9 educators, including teachers of children with hearing
10 impairments (including deafness) and teachers of
11 children with vision impairments (including
12 blindness),
13 (B) speech and language pathologists and
14 audiologists,
15 (C) occupational therapists,
16 (D) physical therapists,
17 (E) social workers,
18 (F) nurses,
19 (G) dietitian nutritionists,
20 (H) vision specialists, including ophthalmologists
21 and optometrists,
22 (I) psychologists, and
23 (J) physicians;
24 (9) are provided in conformity with an Individualized
25 Family Service Plan;
26 (10) are provided throughout the year; and

1 (11) are provided in natural environments, to the
2 maximum extent appropriate, which may include the home and
3 community settings, unless justification is provided
4 consistent with federal regulations adopted under Sections
5 1431 through 1444 of Title 20 of the United States Code.

6 (f) "Individualized Family Service Plan" or "Plan" means a
7 written plan for providing early intervention services to a
8 child eligible under this Act and the child's family, as set
9 forth in Section 10-65.

10 (g) "Local interagency agreement" means an agreement
11 entered into by local community and State and regional
12 agencies receiving early intervention funds directly from the
13 State and made in accordance with State interagency agreements
14 providing for the delivery of early intervention services
15 within a local community area.

16 (h) "Council" means the Illinois Interagency Council on
17 Early Intervention established under Section 10-30.

18 (i) "Lead agency" means the State agency responsible for
19 administering this Act and receiving and disbursing public
20 funds received in accordance with State and federal law and
21 rules.

22 (i-5) "Central billing office" means the central billing
23 office created by the lead agency under Section 10-75.

24 (j) "Child find" means a service which identifies eligible
25 infants and toddlers.

26 (k) "Regional intake entity" means the lead agency's

1 designated entity responsible for implementation of the Early
2 Intervention Services System within its designated geographic
3 area.

4 (l) "Early intervention provider" means an individual who
5 is qualified, as defined by the lead agency, to provide one or
6 more types of early intervention services, and who has
7 enrolled as a provider in the early intervention program.

8 (m) "Fully credentialed early intervention provider" means
9 an individual who has met the standards in the State
10 applicable to the relevant profession, and has met such other
11 qualifications as the lead agency has determined are suitable
12 for personnel providing early intervention services, including
13 pediatric experience, education, and continuing education. The
14 lead agency shall establish these qualifications by rule filed
15 no later than 180 days after the effective date of this Act.

16 (n) "Telehealth" has the meaning given to that term in
17 Section 5 of the Telehealth Act.

18 (o) "Department" means Department of Early Childhood
19 unless otherwise specified.

20 Section 10-25. Services delivered by telehealth. An early
21 intervention provider may deliver via telehealth any type of
22 early intervention service outlined in subsection (e) of
23 Section 10-15 to the extent of the early intervention
24 provider's scope of practice as established in the provider's
25 respective licensing Act consistent with the standards of care

1 for in-person services. This Section shall not be construed to
2 alter the scope of practice of any early intervention provider
3 or authorize the delivery of early intervention services in a
4 setting or in a manner not otherwise authorized by the laws of
5 this State.

6 Section 10-30. Illinois Interagency Council on Early
7 Intervention.

8 (a) There is established the Illinois Interagency Council
9 on Early Intervention. The Council shall be composed of at
10 least 20 but not more than 30 members. The members of the
11 Council and the designated chairperson of the Council shall be
12 appointed by the Governor. The Council member representing the
13 lead agency may not serve as chairperson of the Council. On and
14 after July 1, 2026, the Council shall be composed of the
15 following members:

16 (1) The Secretary of Early Childhood (or the Secretary's
17 designee) and 2 additional representatives of the Department
18 of Early Childhood designated by the Secretary, plus the
19 Directors (or their designees) of the following State agencies
20 involved in the provision of or payment for early intervention
21 services to eligible infants and toddlers and their families:

22 (A) Department of Insurance; and

23 (B) Department of Healthcare and Family Services.

24 (2) Other members as follows:

25 (A) At least 20% of the members of the Council shall be

1 parents, including minority parents, of infants or
2 toddlers with disabilities or children with disabilities
3 aged 12 or younger, with knowledge of, or experience with,
4 programs for infants and toddlers with disabilities. At
5 least one such member shall be a parent of an infant or
6 toddler with a disability or a child with a disability
7 aged 6 or younger;

8 (B) At least 20% of the members of the Council shall be
9 public or private providers of early intervention
10 services;

11 (C) One member shall be a representative of the
12 General Assembly;

13 (D) One member shall be involved in the preparation of
14 professional personnel to serve infants and toddlers
15 similar to those eligible for services under this Act;

16 (E) Two members shall be from advocacy organizations
17 with expertise in improving health, development, and
18 educational outcomes for infants and toddlers with
19 disabilities;

20 (F) One member shall be a Child and Family Connections
21 manager from a rural district;

22 (G) One member shall be a Child and Family Connections
23 manager from an urban district;

24 (H) One member shall be the co-chair of the Illinois
25 Early Learning Council (or their designee); and

26 (I) Members representing the following agencies or

1 entities: the Department of Human Services; the State
2 Board of Education; the Department of Public Health; the
3 Department of Children and Family Services; the University
4 of Illinois Division of Specialized Care for Children; the
5 Illinois Council on Developmental Disabilities; Head Start
6 or Early Head Start; and the Department of Human Services'
7 Division of Mental Health. A member may represent one or
8 more of the listed agencies or entities.

9 The Council shall meet at least quarterly and in such
10 places as it deems necessary. Terms of the initial members
11 appointed under paragraph (2) shall be determined by lot at
12 the first Council meeting as follows: of the persons appointed
13 under subparagraphs (A) and (B), one-third shall serve
14 one-year terms, one-third shall serve 2-year terms, and
15 one-third shall serve 3-year terms; and of the persons
16 appointed under subparagraphs (C) and (D), one shall serve a
17 2-year term and one shall serve a 3-year term. Thereafter,
18 successors appointed under paragraph (2) shall serve 3-year
19 terms. Once appointed, members shall continue to serve until
20 their successors are appointed. No member shall be appointed
21 to serve more than 2 consecutive terms.

22 Council members shall serve without compensation but shall
23 be reimbursed for reasonable costs incurred in the performance
24 of their duties, including costs related to child care, and
25 parents may be paid a stipend in accordance with applicable
26 requirements.

1 The Council shall prepare and approve a budget using funds
2 appropriated for the purpose to hire staff, and obtain the
3 services of such professional, technical, and clerical
4 personnel as may be necessary to carry out its functions under
5 this Act. This funding support and staff shall be directed by
6 the lead agency.

7 (b) The Council shall:

8 (1) advise and assist the lead agency in the
9 performance of its responsibilities including but not
10 limited to the identification of sources of fiscal and
11 other support services for early intervention programs,
12 and the promotion of interagency agreements which assign
13 financial responsibility to the appropriate agencies;

14 (2) advise and assist the lead agency in the
15 preparation of applications and amendments to
16 applications;

17 (3) review and advise on relevant rules and standards
18 proposed by the related State agencies;

19 (4) advise and assist the lead agency in the
20 development, implementation and evaluation of the
21 comprehensive early intervention services system;

22 (4.5) coordinate and collaborate with State
23 interagency early learning initiatives, as appropriate;
24 and

25 (5) prepare and submit an annual report to the
26 Governor and to the General Assembly on the status of

1 early intervention programs for eligible infants and
2 toddlers and their families in Illinois. The annual report
3 shall include (i) the estimated number of eligible infants
4 and toddlers in this State, (ii) the number of eligible
5 infants and toddlers who have received services under this
6 Act and the cost of providing those services, and (iii)
7 the estimated cost of providing services under this Act to
8 all eligible infants and toddlers in this State. The
9 report shall be posted by the lead agency on the early
10 intervention website as required under paragraph (f) of
11 Section 10-35 of this Act.

12 No member of the Council shall cast a vote on or
13 participate substantially in any matter which would provide a
14 direct financial benefit to that member or otherwise give the
15 appearance of a conflict of interest under State law. All
16 provisions and reporting requirements of the Illinois
17 Governmental Ethics Act shall apply to Council members.

18 Section 10-35. Lead agency. Through June 30, 2026, the
19 Department of Human Services is designated the lead agency and
20 shall provide leadership in establishing and implementing the
21 coordinated, comprehensive, interagency and interdisciplinary
22 system of early intervention services. On and after July 1,
23 2026, the Department of Early Childhood is designated the lead
24 agency and shall provide leadership in establishing and
25 implementing the coordinated, comprehensive, interagency and

1 interdisciplinary system of early intervention services. The
2 lead agency shall not have the sole responsibility for
3 providing these services. Each participating State agency
4 shall continue to coordinate those early intervention services
5 relating to health, social service and education provided
6 under this authority.

7 The lead agency is responsible for carrying out the
8 following:

9 (a) The general administration, supervision, and
10 monitoring of programs and activities receiving assistance
11 under Section 673 of the Individuals with Disabilities
12 Education Act (20 United States Code 1473).

13 (b) The identification and coordination of all
14 available resources within the State from federal, State,
15 local and private sources.

16 (c) The development of procedures to ensure that
17 services are provided to eligible infants and toddlers and
18 their families in a timely manner pending the resolution
19 of any disputes among public agencies or service
20 providers.

21 (d) The resolution of intra-agency and interagency
22 regulatory and procedural disputes.

23 (e) The development and implementation of formal
24 interagency agreements, and the entry into such
25 agreements, between the lead agency and (i) the Department
26 of Healthcare and Family Services, (ii) the University of

1 Illinois Division of Specialized Care for Children, and
2 (iii) other relevant State agencies that:

3 (1) define the financial responsibility of each
4 agency for paying for early intervention services
5 (consistent with existing State and federal law and
6 rules, including the requirement that early
7 intervention funds be used as the payor of last
8 resort), a hierarchical order of payment as among the
9 agencies for early intervention services that are
10 covered under or may be paid by programs in other
11 agencies, and procedures for direct billing,
12 collecting reimbursements for payments made, and
13 resolving service and payment disputes; and

14 (2) include all additional components necessary to
15 ensure meaningful cooperation and coordination. By
16 January 31, 2027, interagency agreements under this
17 paragraph (e) must be reviewed and revised to
18 implement the purposes of this Act.

19 (f) The maintenance of an early intervention website.
20 The lead agency shall post and keep posted on this website
21 the following: (i) the current annual report required
22 under subdivision (b) (5) of Section 10-30 of this Act, and
23 the annual reports of the prior 3 years, (ii) the most
24 recent Illinois application for funds prepared under
25 Section 637 of the Individuals with Disabilities Education
26 Act filed with the United States Department of Education,

1 (iii) proposed modifications of the application prepared
2 for public comment, (iv) notice of Council meetings,
3 Council agendas, and minutes of its proceedings for at
4 least the previous year, (v) proposed and final early
5 intervention rules, and (vi) all reports created for
6 dissemination to the public that are related to the early
7 intervention program, including reports prepared at the
8 request of the Council and the General Assembly. Each such
9 document shall be posted on the website within 3 working
10 days after the document's completion.

11 (g) Before adopting any new policy or procedure
12 (including any revisions to an existing policy or
13 procedure) needed to comply with Part C of the Individuals
14 with Disabilities Education Act, the lead agency must hold
15 public hearings on the new policy or procedure, provide
16 notice of the hearings at least 30 days before the
17 hearings are conducted to enable public participation, and
18 provide an opportunity for the general public, including
19 individuals with disabilities and parents of infants and
20 toddlers with disabilities, early intervention providers,
21 and members of the Council to comment for at least 30 days
22 on the new policy or procedure needed to comply with Part C
23 of the Individuals with Disabilities Education Act and
24 with 34 CFR Part 300 and Part 303.

25 Section 10-40. Local structure and interagency councils.

1 The lead agency, in conjunction with the Council and as
2 defined by administrative rule, shall define local service
3 areas and define the geographic boundaries of each so that all
4 areas of the State are included in a local service area but no
5 area of the State is included in more than one service area. In
6 each local service area, the lead agency shall designate a
7 regional entity responsible for the assessment of eligibility
8 and services and a local interagency council responsible for
9 coordination and design of child find and public awareness.
10 The regional entity shall be responsible for staffing the
11 local council, carrying out child find and public awareness
12 activities, and providing advocacy for eligible families
13 within the given geographic area. The regional entity is the
14 prime contractor responsible to the lead agency for
15 implementation of this Act.

16 The lead agency, in conjunction with the Council, shall
17 create local interagency councils. Members of each local
18 interagency council shall include, but not be limited to, the
19 following: parents; representatives from coordination and
20 advocacy service providers; local education agencies; other
21 local public and private service providers; representatives
22 from State agencies at the local level; and others deemed
23 necessary by the local council.

24 Local interagency councils shall:

25 (a) assist in the development of collaborative
26 agreements between local service providers, diagnostic and

1 other agencies providing additional services to the child
2 and family;

3 (b) assist in conducting local needs assessments and
4 planning efforts;

5 (c) identify and resolve local access issues;

6 (d) conduct collaborative child find activities;

7 (e) coordinate public awareness initiatives;

8 (f) coordinate local planning and evaluation;

9 (g) assist in the recruitment of specialty personnel;

10 (h) develop plans for facilitating transition and
11 integration of eligible children and families into the
12 community;

13 (i) facilitate conflict resolution at the local level;

14 and

15 (j) report annually to the Council.

16 Section 10-45. Essential components of the statewide
17 service system. As required by federal laws and regulations, a
18 statewide system of coordinated, comprehensive, interagency
19 and interdisciplinary programs shall be established and
20 maintained. The framework of the statewide system shall be
21 based on the components set forth in this Section. This
22 framework shall be used for planning, implementation,
23 coordination and evaluation of the statewide system of locally
24 based early intervention services.

25 The statewide system shall include, at a minimum:

1 (a) a definition of the term "developmentally
2 delayed", in accordance with the definition in Section
3 10-15, that will be used in Illinois in carrying out
4 programs under this Act;

5 (b) timetables for ensuring that appropriate early
6 intervention services, based on scientifically based
7 research, to the extent practicable, will be available to
8 all eligible infants and toddlers in this State after the
9 effective date of this Act;

10 (c) a timely, comprehensive, multidisciplinary
11 evaluation of each potentially eligible infant and toddler
12 in this State, unless the child meets the definition of
13 eligibility based upon his or her medical and other
14 records; for a child determined eligible, a
15 multidisciplinary assessment of the unique strengths and
16 needs of that infant or toddler and the identification of
17 services appropriate to meet those needs and a
18 family-directed assessment of the resources, priorities,
19 and concerns of the family and the identification of
20 supports and services necessary to enhance the family's
21 capacity to meet the developmental needs of that infant or
22 toddler;

23 (d) for each eligible infant and toddler, an
24 Individualized Family Service Plan, including service
25 coordination (case management) services;

26 (e) a comprehensive child find system, consistent with

1 Part B of the Individuals with Disabilities Education Act
2 (20 United States Code 1411 through 1420 and as set forth
3 in 34 CFR 300.115), which includes timelines and provides
4 for participation by primary referral sources;

5 (f) a public awareness program focusing on early
6 identification of eligible infants and toddlers;

7 (g) a central directory which includes public and
8 private early intervention services, resources, and
9 experts available in this State, professional and other
10 groups (including parent support groups and training and
11 information centers) that provide assistance to infants
12 and toddlers with disabilities who are eligible for early
13 intervention programs assisted under Part C of the
14 Individuals with Disabilities Education Act and their
15 families, and research and demonstration projects being
16 conducted in this State relating to infants and toddlers
17 with disabilities;

18 (h) a comprehensive system of personnel development;

19 (i) a policy pertaining to the contracting or making
20 of other arrangements with public and private service
21 providers to provide early intervention services in this
22 State, consistent with the provisions of this Act,
23 including the contents of the application used and the
24 conditions of the contract or other arrangements;

25 (j) a procedure for securing timely reimbursement of
26 funds;

1 (k) procedural safeguards with respect to programs
2 under this Act;

3 (l) policies and procedures relating to the
4 establishment and maintenance of standards to ensure that
5 personnel necessary to carry out this Act are
6 appropriately and adequately prepared and trained;

7 (m) a system of evaluation of, and compliance with,
8 program standards;

9 (n) a system for compiling data on the numbers of
10 eligible infants and toddlers and their families in this
11 State in need of appropriate early intervention services;
12 the numbers served; the types of services provided; and
13 other information required by the State or federal
14 government; and

15 (o) a single line of responsibility in a lead agency
16 designated by the Governor to carry out its
17 responsibilities as required by this Act.

18 In addition to these required components, linkages may be
19 established within a local community area among the prenatal
20 initiatives affording services to high risk pregnant women.
21 Additional linkages among at risk programs and local literacy
22 programs may also be established.

23 On and after July 1, 2026, the Department of Early
24 Childhood shall continue implementation of the 5-fiscal-year
25 implementation plan that was created by the Department of
26 Human Services with the concurrence of the Interagency Council

1 on Early Intervention. The plan shall list specific activities
2 to be accomplished each year, with cost estimates for each
3 activity. The lead agency shall, with the concurrence of the
4 Interagency Council, submit to the Governor's Office a report
5 on accomplishments of the previous year and a revised list of
6 activities for the remainder of the 5-fiscal-year plan, with
7 cost estimates for each. The Governor shall certify that
8 specific activities in the plan for the previous year have
9 been substantially completed before authorizing relevant State
10 or local agencies to implement activities listed in the
11 revised plan that depend substantially upon completion of one
12 or more of the earlier activities.

13 Section 10-50. Authority to adopt rules. The lead agency
14 shall adopt rules under this Act. These rules shall reflect
15 the intent of federal regulations adopted under Part C of the
16 Individuals with Disabilities Education Improvement Act of
17 2004 (Sections 1431 through 1444 of Title 20 of the United
18 States Code).

19 Section 10-55. Role of other State entities. The
20 Departments of Public Health, Early Childhood, Human Services,
21 Children and Family Services, and Healthcare and Family
22 Services; the University of Illinois Division of Specialized
23 Care for Children; the State Board of Education; and any other
24 State agency which directly or indirectly provides or

1 administers early intervention services shall adopt compatible
2 rules for the provision of services to eligible infants and
3 toddlers and their families by July 1, 2026.

4 These agencies shall enter into and maintain formal
5 interagency agreements to enable the State and local agencies
6 serving eligible children and their families to establish
7 working relationships that will increase the efficiency and
8 effectiveness of their early intervention services. The
9 agreements shall outline the administrative, program and
10 financial responsibilities of the relevant State agencies and
11 shall implement a coordinated service delivery system through
12 local interagency agreements.

13 There shall be an Early Childhood Intervention Ombudsman
14 to assist families and local parties in ensuring that all
15 State agencies serving eligible families do so in a
16 comprehensive and collaborative manner.

17 Section 10-60. Standards. The Council and the lead agency,
18 with assistance from parents and providers, shall develop and
19 promulgate policies and procedures relating to the
20 establishment and implementation of program and personnel
21 standards to ensure that services provided are consistent with
22 any State-approved or recognized certification, licensing,
23 registration, or other comparable requirements which apply to
24 the area of early intervention program service standards. Only
25 State-approved public or private early intervention service

1 providers shall be eligible to receive State and federal
2 funding for early intervention services. All early childhood
3 intervention staff shall hold the highest entry requirement
4 necessary for that position.

5 To be a State-approved early intervention service
6 provider, an individual (i) shall not have served or
7 completed, within the preceding 5 years, a sentence for
8 conviction of any felony that the lead agency establishes by
9 rule and (ii) shall not have been indicated as a perpetrator of
10 child abuse or neglect, within the preceding 5 years, in an
11 investigation by Illinois (pursuant to the Abused and
12 Neglected Child Reporting Act) or another state. The Lead
13 Agency is authorized to receive criminal background checks for
14 such providers and persons applying to be such a provider and
15 to receive child abuse and neglect reports regarding indicated
16 perpetrators who are applying to provide or currently
17 authorized to provide early intervention services in Illinois.
18 Beginning January 1, 2004, every provider of State-approved
19 early intervention services and every applicant to provide
20 such services must authorize, in writing and in the form
21 required by the lead agency, a State and FBI criminal
22 background check, as requested by the Department, and check of
23 child abuse and neglect reports regarding the provider or
24 applicant as a condition of authorization to provide early
25 intervention services. The lead agency shall use the results
26 of the checks only to determine State approval of the early

1 intervention service provider and shall not re-release the
2 information except as necessary to accomplish that purpose.

3 Section 10-65. Individualized Family Service Plans.

4 (a) Each eligible infant or toddler and that infant's or
5 toddler's family shall receive:

6 (1) timely, comprehensive, multidisciplinary
7 assessment of the unique strengths and needs of each
8 eligible infant and toddler, and assessment of the
9 concerns and priorities of the families to appropriately
10 assist them in meeting their needs and identify supports
11 and services to meet those needs; and

12 (2) a written Individualized Family Service Plan
13 developed by a multidisciplinary team which includes the
14 parent or guardian. The individualized family service plan
15 shall be based on the multidisciplinary team's assessment
16 of the resources, priorities, and concerns of the family
17 and its identification of the supports and services
18 necessary to enhance the family's capacity to meet the
19 developmental needs of the infant or toddler, and shall
20 include the identification of services appropriate to meet
21 those needs, including the frequency, intensity, and
22 method of delivering services. During and as part of the
23 initial development of the individualized family services
24 plan, and any periodic reviews of the plan, the
25 multidisciplinary team may seek consultation from the lead

1 agency's designated experts, if any, to help determine
2 appropriate services and the frequency and intensity of
3 those services. All services in the individualized family
4 services plan must be justified by the multidisciplinary
5 assessment of the unique strengths and needs of the infant
6 or toddler and must be appropriate to meet those needs. At
7 the periodic reviews, the team shall determine whether
8 modification or revision of the outcomes or services is
9 necessary.

10 (b) The Individualized Family Service Plan shall be
11 evaluated once a year and the family shall be provided a review
12 of the Plan at 6-month intervals or more often where
13 appropriate based on infant or toddler and family needs. The
14 lead agency shall create a quality review process regarding
15 Individualized Family Service Plan development and changes
16 thereto, to monitor and help ensure that resources are being
17 used to provide appropriate early intervention services.

18 (c) The initial evaluation and initial assessment and
19 initial Plan meeting must be held within 45 days after the
20 initial contact with the early intervention services system.
21 The 45-day timeline does not apply for any period when the
22 child or parent is unavailable to complete the initial
23 evaluation, the initial assessments of the child and family,
24 or the initial Plan meeting, due to exceptional family
25 circumstances that are documented in the child's early
26 intervention records, or when the parent has not provided

1 consent for the initial evaluation or the initial assessment
2 of the child despite documented, repeated attempts to obtain
3 parental consent. As soon as exceptional family circumstances
4 no longer exist or parental consent has been obtained, the
5 initial evaluation, the initial assessment, and the initial
6 Plan meeting must be completed as soon as possible. With
7 parental consent, early intervention services may commence
8 before the completion of the comprehensive assessment and
9 development of the Plan. All early intervention services shall
10 be initiated as soon as possible but not later than 30 calendar
11 days after the consent of the parent or guardian has been
12 obtained for the individualized family service plan, in
13 accordance with rules adopted by the lead agency.

14 (d) Parents must be informed that early intervention
15 services shall be provided to each eligible infant and
16 toddler, to the maximum extent appropriate, in the natural
17 environment, which may include the home or other community
18 settings. Parents must also be informed of the availability of
19 early intervention services provided through telehealth
20 services. Parents shall make the final decision to accept or
21 decline early intervention services, including whether
22 accepted services are delivered in person or via telehealth
23 services. A decision to decline such services shall not be a
24 basis for administrative determination of parental fitness, or
25 other findings or sanctions against the parents. Parameters of
26 the Plan shall be set forth in rules.

1 (e) The regional intake offices shall explain to each
2 family, orally and in writing, all of the following:

3 (1) That the early intervention program will pay for
4 all early intervention services set forth in the
5 individualized family service plan that are not covered or
6 paid under the family's public or private insurance plan
7 or policy and not eligible for payment through any other
8 third party payor.

9 (2) That services will not be delayed due to any rules
10 or restrictions under the family's insurance plan or
11 policy.

12 (3) That the family may request, with appropriate
13 documentation supporting the request, a determination of
14 an exemption from private insurance use under Section
15 10-100.

16 (4) That responsibility for co-payments or
17 co-insurance under a family's private insurance plan or
18 policy will be transferred to the lead agency's central
19 billing office.

20 (5) That families will be responsible for payments of
21 family fees, which will be based on a sliding scale
22 according to the State's definition of ability to pay
23 which is comparing household size and income to the
24 sliding scale and considering out-of-pocket medical or
25 disaster expenses, and that these fees are payable to the
26 central billing office. Families who fail to provide

1 income information shall be charged the maximum amount on
2 the sliding scale.

3 (f) The individualized family service plan must state
4 whether the family has private insurance coverage and, if the
5 family has such coverage, must have attached to it a copy of
6 the family's insurance identification card or otherwise
7 include all of the following information:

8 (1) The name, address, and telephone number of the
9 insurance carrier.

10 (2) The contract number and policy number of the
11 insurance plan.

12 (3) The name, address, and social security number of
13 the primary insured.

14 (4) The beginning date of the insurance benefit year.

15 (g) A copy of the individualized family service plan must
16 be provided to each enrolled provider who is providing early
17 intervention services to the child who is the subject of that
18 plan.

19 (h) Children receiving services under this Act shall
20 receive a smooth and effective transition by their third
21 birthday consistent with federal regulations adopted pursuant
22 to Sections 1431 through 1444 of Title 20 of the United States
23 Code. Beginning January 1, 2022, children who receive early
24 intervention services prior to their third birthday and are
25 found eligible for an individualized education program under
26 the Individuals with Disabilities Education Act, 20 U.S.C.

1 1414(d)(1)(A), and under Section 14-8.02 of the School Code
2 and whose birthday falls between May 1 and August 31 may
3 continue to receive early intervention services until the
4 beginning of the school year following their third birthday in
5 order to minimize gaps in services, ensure better continuity
6 of care, and align practices for the enrollment of preschool
7 children with special needs to the enrollment practices of
8 typically developing preschool children.

9 Section 10-70. Procedural safeguards. The lead agency
10 shall adopt procedural safeguards that meet federal
11 requirements and ensure effective implementation of the
12 safeguards for families by each public agency involved in the
13 provision of early intervention services under this Act.

14 The procedural safeguards shall provide, at a minimum, the
15 following:

16 (a) The timely administrative resolution of State
17 complaints, due process hearings, and mediations as defined by
18 administrative rule.

19 (b) The right to confidentiality of personally
20 identifiable information.

21 (c) The opportunity for parents and a guardian to examine
22 and receive copies of records relating to evaluations and
23 assessments, screening, eligibility determinations, and the
24 development and implementation of the Individualized Family
25 Service Plan provision of early intervention services,

1 individual complaints involving the child, or any part of the
2 child's early intervention record.

3 (d) Procedures to protect the rights of the eligible
4 infant or toddler whenever the parents or guardians of the
5 child are not known or unavailable or the child is a youth in
6 care as defined in Section 4d of the Children and Family
7 Services Act, including the assignment of an individual (who
8 shall not be an employee of the State agency or local agency
9 providing services) to act as a surrogate for the parents or
10 guardian. The regional intake entity must make reasonable
11 efforts to ensure the assignment of a surrogate parent not
12 more than 30 days after a public agency determines that the
13 child needs a surrogate parent.

14 (e) Timely written prior notice to the parents or guardian
15 of the eligible infant or toddler whenever the State agency or
16 public or private service provider proposes to initiate or
17 change or refuses to initiate or change the identification,
18 evaluation, placement, or the provision of appropriate early
19 intervention services to the eligible infant or toddler.

20 (f) Written prior notice to fully inform the parents or
21 guardians, in their native language or mode of communication
22 used by the parent, unless clearly not feasible to do so, in a
23 comprehensible manner, of these procedural safeguards.

24 (g) During the pendency of any State complaint procedure,
25 due process hearing, or mediation involving a complaint,
26 unless the State agency and the parents or guardian otherwise

1 agree, the child shall continue to receive the appropriate
2 early intervention services currently being provided, or in
3 the case of an application for initial services, the child
4 shall receive the services not in dispute.

5 Section 10-75. Funding and fiscal responsibility.

6 (a) The lead agency and every other participating State
7 agency may receive and expend funds appropriated by the
8 General Assembly to implement the early intervention services
9 system as required by this Act.

10 (b) The lead agency and each participating State agency
11 shall identify and report on an annual basis to the Council the
12 State agency funds used for the provision of early
13 intervention services to eligible infants and toddlers.

14 (c) Funds provided under Section 633 of the Individuals
15 with Disabilities Education Act (20 United States Code 1433)
16 and State funds designated or appropriated for early
17 intervention services or programs may not be used to satisfy a
18 financial commitment for services which would have been paid
19 for from another public or private source but for the
20 enactment of this Act, except whenever considered necessary to
21 prevent delay in receiving appropriate early intervention
22 services by the eligible infant or toddler or family in a
23 timely manner. "Public or private source" includes public and
24 private insurance coverage.

25 Funds provided under Section 633 of the Individuals with

1 Disabilities Education Act and State funds designated or
2 appropriated for early intervention services or programs may
3 be used by the lead agency to pay the provider of services (A)
4 pending reimbursement from the appropriate State agency or (B)
5 if (i) the claim for payment is denied in whole or in part by a
6 public or private source, or would be denied under the written
7 terms of the public program or plan or private plan, or (ii)
8 use of private insurance for the service has been exempted
9 under Section 10-100. Payment under item (B)(i) may be made
10 based on a pre-determination telephone inquiry supported by
11 written documentation of the denial supplied thereafter by the
12 insurance carrier.

13 (d) Nothing in this Act shall be construed to permit the
14 State to reduce medical or other assistance available or to
15 alter eligibility under Title V and Title XIX of the Social
16 Security Act relating to the Maternal Child Health Program and
17 Medicaid for eligible infants and toddlers in this State.

18 (e) The lead agency shall create a central billing office
19 to receive and dispense all relevant State and federal
20 resources, as well as local government or independent
21 resources available, for early intervention services. This
22 office shall assure that maximum federal resources are
23 utilized and that providers receive funds with minimal
24 duplications or interagency reporting and with consolidated
25 audit procedures.

26 (f) The lead agency shall, by rule, create a system of

1 payments by families, including a schedule of fees. No fees,
2 however, may be charged for implementing child find,
3 evaluation and assessment, service coordination,
4 administrative and coordination activities related to the
5 development, review, and evaluation of Individualized Family
6 Service Plans, or the implementation of procedural safeguards
7 and other administrative components of the statewide early
8 intervention system.

9 The system of payments, called family fees, shall be
10 structured on a sliding scale based on the family's ability to
11 pay. The family's coverage or lack of coverage under a public
12 or private insurance plan or policy shall not be a factor in
13 determining the amount of the family fees.

14 Each family's fee obligation shall be established
15 annually, and shall be paid by families to the central billing
16 office in installments. At the written request of the family,
17 the fee obligation shall be adjusted prospectively at any
18 point during the year upon proof of a change in family income
19 or family size. The inability of the parents of an eligible
20 child to pay family fees due to catastrophic circumstances or
21 extraordinary expenses shall not result in the denial of
22 services to the child or the child's family. A family must
23 document its extraordinary expenses or other catastrophic
24 circumstances by showing one of the following: (i)
25 out-of-pocket medical expenses in excess of 15% of gross
26 income; (ii) a fire, flood, or other disaster causing a direct

1 out-of-pocket loss in excess of 15% of gross income; or (iii)
2 other catastrophic circumstances causing out-of-pocket losses
3 in excess of 15% of gross income. The family must present proof
4 of loss to its service coordinator, who shall document it, and
5 the lead agency shall determine whether the fees shall be
6 reduced, forgiven, or suspended within 10 business days after
7 the family's request.

8 (g) To ensure that early intervention funds are used as
9 the payor of last resort for early intervention services, the
10 lead agency shall determine at the point of early intervention
11 intake, and again at any periodic review of eligibility
12 thereafter or upon a change in family circumstances, whether
13 the family is eligible for or enrolled in any program for which
14 payment is made directly or through public or private
15 insurance for any or all of the early intervention services
16 made available under this Act. The lead agency shall establish
17 procedures to ensure that payments are made either directly
18 from these public and private sources instead of from State or
19 federal early intervention funds, or as reimbursement for
20 payments previously made from State or federal early
21 intervention funds.

22 Section 10-80. Other programs.

23 (a) When an application or a review of eligibility for
24 early intervention services is made, and at any eligibility
25 redetermination thereafter, the family shall be asked if it is

1 currently enrolled in any federally funded, Department of
2 Healthcare and Family Services administered, medical programs,
3 or the Title V program administered by the University of
4 Illinois Division of Specialized Care for Children. If the
5 family is enrolled in any of these programs, that information
6 shall be put on the individualized family service plan and
7 entered into the computerized case management system, and
8 shall require that the individualized family services plan of
9 a child who has been found eligible for services through the
10 Division of Specialized Care for Children state that the child
11 is enrolled in that program. For those programs in which the
12 family is not enrolled, a preliminary eligibility screen shall
13 be conducted simultaneously for (i) medical assistance
14 (Medicaid) under Article V of the Illinois Public Aid Code,
15 (ii) children's health insurance program (any federally
16 funded, Department of Healthcare and Family Services
17 administered, medical programs) benefits under the Children's
18 Health Insurance Program Act, and (iii) Title V maternal and
19 child health services provided through the Division of
20 Specialized Care for Children of the University of Illinois.

21 (b) For purposes of determining family fees under
22 subsection (f) of Section 10-75 and determining eligibility
23 for the other programs and services specified in items (i)
24 through (iii) of subsection (a), the lead agency shall develop
25 and use, with the cooperation of the Department of Healthcare
26 and Family Services and the Division of Specialized Care for

1 Children of the University of Illinois, a screening device
2 that provides sufficient information for the early
3 intervention regional intake entities or other agencies to
4 establish eligibility for those other programs and shall, in
5 cooperation with the Illinois Department of Healthcare and
6 Family Services and the Division of Specialized Care for
7 Children, train the regional intake entities on using the
8 screening device.

9 (c) When a child is determined eligible for and enrolled
10 in the early intervention program and has been found to at
11 least meet the threshold income eligibility requirements for
12 any federally funded, Department of Healthcare and Family
13 Services administered, medical programs, the regional intake
14 entity shall complete an application for any federally funded,
15 Department of Healthcare and Family Services administered,
16 medical programs with the family and forward it to the
17 Department of Healthcare and Family Services for a
18 determination of eligibility. A parent shall not be required
19 to enroll in any federally funded, Department of Healthcare
20 and Family Services administered, medical programs as a
21 condition of receiving services provided pursuant to Part C of
22 the Individuals with Disabilities Education Act.

23 (d) With the cooperation of the Department of Healthcare
24 and Family Services, the lead agency shall establish
25 procedures that ensure the timely and maximum allowable
26 recovery of payments for all early intervention services and

1 allowable administrative costs under Article V of the Illinois
2 Public Aid Code and the Children's Health Insurance Program
3 Act and shall include those procedures in the interagency
4 agreement required under subsection (e) of Section 10-35 of
5 Article 10 of this Act.

6 (e) For purposes of making referrals for final
7 determinations of eligibility for any federally funded,
8 Department of Healthcare and Family Services administered,
9 medical programs benefits under the Children's Health
10 Insurance Program Act and for medical assistance under Article
11 V of the Illinois Public Aid Code, the lead agency shall
12 require each early intervention regional intake entity to
13 enroll as an application agent in order for the entity to
14 complete any federally funded, Department of Healthcare and
15 Family Services administered, medical programs application as
16 authorized under Section 22 of the Children's Health Insurance
17 Program Act.

18 (f) For purposes of early intervention services that may
19 be provided by the Division of Specialized Care for Children
20 of the University of Illinois (DSCC), the lead agency shall
21 establish procedures whereby the early intervention regional
22 intake entities may determine whether children enrolled in the
23 early intervention program may also be eligible for those
24 services, and shall develop, (i) the interagency agreement
25 required under subsection (e) of Section 10-35 of this Act,
26 establishing that early intervention funds are to be used as

1 the payor of last resort when services required under an
2 individualized family services plan may be provided to an
3 eligible child through the DSCC, and (ii) training guidelines
4 for the regional intake entities and providers that explain
5 eligibility and billing procedures for services through DSCC.

6 (g) The lead agency shall require that an individual
7 applying for or renewing enrollment as a provider of services
8 in the early intervention program state whether or not he or
9 she is also enrolled as a DSCC provider. This information
10 shall be noted next to the name of the provider on the
11 computerized roster of Illinois early intervention providers,
12 and regional intake entities shall make every effort to refer
13 families eligible for DSCC services to these providers.

14 Section 10-85. Private health insurance; assignment. The
15 lead agency shall determine, at the point of new applications
16 for early intervention services, and for all children enrolled
17 in the early intervention program, at the regional intake
18 offices, whether the child is insured under a private health
19 insurance plan or policy.

20 Section 10-90. Billing of insurance carrier.

21 (a) Subject to the restrictions against private insurance
22 use on the basis of material risk of loss of coverage, as
23 determined under Section 10-100, each enrolled provider who is
24 providing a family with early intervention services shall bill

1 the child's insurance carrier for each unit of early
2 intervention service for which coverage may be available. The
3 lead agency may exempt from the requirement of this paragraph
4 any early intervention service that it has deemed not to be
5 covered by insurance plans. When the service is not exempted,
6 providers who receive a denial of payment on the basis that the
7 service is not covered under any circumstance under the plan
8 are not required to bill that carrier for that service again
9 until the following insurance benefit year. That explanation
10 of benefits denying the claim, once submitted to the central
11 billing office, shall be sufficient to meet the requirements
12 of this paragraph as to subsequent services billed under the
13 same billing code provided to that child during that insurance
14 benefit year. Any time limit on a provider's filing of a claim
15 for payment with the central billing office that is imposed
16 through a policy, procedure, or rule of the lead agency shall
17 be suspended until the provider receives an explanation of
18 benefits or other final determination of the claim it files
19 with the child's insurance carrier.

20 (b) In all instances when an insurance carrier has been
21 billed for early intervention services, whether paid in full,
22 paid in part, or denied by the carrier, the provider must
23 provide the central billing office, within 90 days after
24 receipt, with a copy of the explanation of benefits form and
25 other information in the manner prescribed by the lead agency.

26 (c) When the insurance carrier has denied the claim or

1 paid an amount for the early intervention service billed that
2 is less than the current State rate for early intervention
3 services, the provider shall submit the explanation of
4 benefits with a claim for payment, and the lead agency shall
5 pay the provider the difference between the sum actually paid
6 by the insurance carrier for each unit of service provided
7 under the individualized family service plan and the current
8 State rate for early intervention services. The State shall
9 also pay the family's co-payment or co-insurance under its
10 plan, but only to the extent that those payments plus the
11 balance of the claim do not exceed the current State rate for
12 early intervention services. The provider may under no
13 circumstances bill the family for the difference between its
14 charge for services and that which has been paid by the
15 insurance carrier or by the State.

16 Section 10-95. Families with insurance coverage.

17 (a) Families of children with insurance coverage, whether
18 public or private, shall incur no greater or less direct
19 out-of-pocket expenses for early intervention services than
20 families who are not insured.

21 (b) Managed care plans.

22 (1) Use of managed care network providers. When a
23 family's insurance coverage is through a managed care
24 arrangement with a network of providers that includes one
25 or more types of early intervention specialists who

1 provide the services set forth in the family's
2 individualized family service plan, the regional intake
3 entity shall require the family to use those network
4 providers, but only to the extent that:

5 (A) the network provider is immediately available
6 to receive the referral and to begin providing
7 services to the child;

8 (B) the network provider is enrolled as a provider
9 in the Illinois early intervention system and fully
10 credentialed under the current policy or rule of the
11 lead agency;

12 (C) the network provider can provide the services
13 to the child in the manner required in the
14 individualized service plan;

15 (D) the family would not have to travel more than
16 an additional 15 miles or an additional 30 minutes to
17 the network provider than it would have to travel to a
18 non-network provider who is available to provide the
19 same service; and

20 (E) the family's managed care plan does not allow
21 for billing (even at a reduced rate or reduced
22 percentage of the claim) for early intervention
23 services provided by non-network providers.

24 (2) Transfers from non-network to network providers.
25 If a child has been receiving services from a non-network
26 provider and the regional intake entity determines, at the

1 time of enrollment in the early intervention program or at
2 any point thereafter, that the family is enrolled in a
3 managed care plan, the regional intake entity shall
4 require the family to transfer to a network provider
5 within 45 days after that determination, but within no
6 more than 60 days after the effective date of this Act, if:

7 (A) all the requirements of subdivision (b)(1) of
8 this Section have been met; and

9 (B) the child is less than 26 months of age.

10 (3) Waivers. The lead agency may fully or partially
11 waive the network enrollment requirements of subdivision
12 (b)(1) of this Section and the transfer requirements of
13 subdivision (b)(2) of this Section as to a particular
14 region, or narrower geographic area, if it finds that the
15 managed care plans in that area are not allowing further
16 enrollment of early intervention providers and it finds
17 that referrals or transfers to network providers could
18 cause an overall shortage of early intervention providers
19 in that region of the State or could cause delays in
20 families securing the early intervention services set
21 forth in individualized family services plans.

22 (4) The lead agency, in conjunction with any entities
23 with which it may have contracted for the training and
24 credentialing of providers, the local interagency council
25 for early intervention, the regional intake entity, and
26 the enrolled providers in each region who wish to

1 participate, shall cooperate in developing a matrix and
2 action plan that (A) identifies both (i) which early
3 intervention providers and which fully credentialed early
4 intervention providers are members of the managed care
5 plans that are used in the region by families with
6 children in the early intervention program, and (ii) which
7 early intervention services, with what restrictions, if
8 any, are covered under those plans, (B) identifies which
9 credentialed specialists are members of which managed care
10 plans in the region, and (C) identifies the various
11 managed care plans to early intervention providers,
12 encourages their enrollment in the area plans, and
13 provides them with information on how to enroll. These
14 matrices shall be complete no later than 7 months after
15 the effective date of this Act, and shall be provided to
16 the Early Intervention Legislative Advisory Committee at
17 that time. The lead agency shall work with networks that
18 may have closed enrollment to additional providers to
19 encourage their admission of early intervention providers,
20 and shall report to the Early Intervention Legislative
21 Advisory Committee on the initial results of these efforts
22 no later than February 1, 2002.

23 Section 10-100. Private insurance; exemption.

24 (a) The lead agency shall establish procedures for a
25 family whose child is eligible to receive early intervention

1 services to apply for an exemption restricting the use of its
2 private insurance plan or policy based on material risk of
3 loss of coverage as authorized under subsection (c) of this
4 Section.

5 (b) The lead agency shall make a final determination on a
6 request for an exemption within 10 business days after its
7 receipt of a written request for an exemption at the regional
8 intake entity. During those 10 days, no claims may be filed
9 against the insurance plan or policy. If the exemption is
10 granted, it shall be noted on the individualized family
11 service plan, and the family and the providers serving the
12 family shall be notified in writing of the exemption.

13 (c) An exemption may be granted on the basis of material
14 risk of loss of coverage only if the family submits
15 documentation with its request for an exemption that
16 establishes (i) that the insurance plan or policy covering the
17 child is an individually purchased plan or policy and has been
18 purchased by a head of a household that is not eligible for a
19 group medical insurance plan, (ii) that the policy or plan has
20 a lifetime cap that applies to one or more specific types of
21 early intervention services specified in the family's
22 individualized family service plan, and that coverage could be
23 exhausted during the period covered by the individualized
24 family service plan, or (iii) proof of another risk that the
25 lead agency, in its discretion, may have additionally
26 established and defined as a ground for exemption by rule.

1 (d) An exemption under this Section based on material risk
2 of loss of coverage may apply to all early intervention
3 services and all plans or policies insuring the child, may be
4 limited to one or more plans or policies, or may be limited to
5 one or more types of early intervention services in the
6 child's individualized family services plan.

7 Section 10-105. System of personnel development. The lead
8 agency shall provide training to early intervention providers
9 and may enter into contracts to meet this requirement in
10 accordance with Section 1-30(c) of this Act. This training
11 shall include, at minimum, the following types of instruction:

12 (a) Courses in birth-to-3 evaluation and treatment of
13 children with developmental disabilities and delays (1) that
14 are taught by fully credentialed early intervention providers
15 or educators with substantial experience in evaluation and
16 treatment of children from birth to age 3 with developmental
17 disabilities and delays, (2) that cover these topics within
18 each of the disciplines of audiology, occupational therapy,
19 physical therapy, speech and language pathology, and
20 developmental therapy, including the social-emotional domain
21 of development, (3) that are held no less than twice per year,
22 (4) that offer no fewer than 20 contact hours per year of
23 course work, (5) that are held in no fewer than 5 separate
24 locales throughout the State, and (6) that give enrollment
25 priority to early intervention providers who do not meet the

1 experience, education, or continuing education requirements
2 necessary to be fully credentialed early intervention
3 providers; and

4 (b) Courses held no less than twice per year for no fewer
5 than 4 hours each in no fewer than 5 separate locales
6 throughout the State each on the following topics:

7 (1) Practice and procedures of private insurance
8 billing.

9 (2) The role of the regional intake entities; service
10 coordination; program eligibility determinations; family
11 fees; any federally funded, Department of Healthcare and
12 Family Services administered, medical programs, and
13 Division of Specialized Care applications, referrals, and
14 coordination with Early Intervention; and procedural
15 safeguards.

16 (3) Introduction to the early intervention program,
17 including provider enrollment and credentialing, overview
18 of Early Intervention program policies and rules, and
19 billing requirements.

20 (4) Evaluation and assessment of birth-to-3 children;
21 individualized family service plan development,
22 monitoring, and review; best practices; service
23 guidelines; and quality assurance.

24 Section 10-110. Contracting. In accordance with Section
25 1-30(c) of this Act, the lead agency may enter into contracts

1 for some or all of its responsibilities under this Act,
2 including, but not limited to: credentialing and enrolling
3 providers; training under Section 10-105; maintaining a
4 central billing office; data collection and analysis;
5 establishing and maintaining a computerized case management
6 system accessible to local referral offices and providers;
7 creating and maintaining a system for provider credentialing
8 and enrollment; creating and maintaining the central directory
9 required under subsection (g) of Section 10-45 of this Act;
10 and program operations. Contracts with or grants to regional
11 intake entities must be made subject to public bid under a
12 request for proposals process no later than July 1, 2005.

13 Section 10-120. Early Intervention Services Revolving
14 Fund. The Early Intervention Services Revolving Fund, created
15 by Public Act 89-106, shall be held by the lead agency.

16 The Early Intervention Services Revolving Fund shall be
17 used to the extent determined necessary by the lead agency to
18 pay for early intervention services.

19 Local Accounts for such purposes may be established by the
20 lead agency.

21 Expenditures from the Early Intervention Services
22 Revolving Fund shall be made in accordance with applicable
23 program provisions and shall be limited to those purposes and
24 amounts specified under applicable program guidelines. Funding
25 of the Fund shall be from family fees, insurance company

1 payments, federal financial participation received as
2 reimbursement for expenditures from the Fund, and
3 appropriations made to the State agencies involved in the
4 payment for early intervention services under this Act.

5 Disbursements from the Early Intervention Services
6 Revolving Fund shall be made as determined by the lead agency
7 or its designee. Funds in the Early Intervention Services
8 Revolving Fund or the local accounts created under this
9 Section that are not immediately required for expenditure may
10 be invested in certificates of deposit or other interest
11 bearing accounts. Any interest earned shall be deposited in
12 the Early Intervention Services Revolving Fund.

13 ARTICLE 15. POWERS AND DUTIES RELATING TO HOME-VISITING AND
14 PRESCHOOL SERVICES

15 Section 15-5. Transition of administrative
16 responsibilities related to home-visiting services Beginning
17 July 1, 2024, the Department of Early Childhood and the
18 Department of Human Services shall collaborate and plan for
19 the transition of administrative responsibilities related to
20 home-visiting services as prescribed in Section 10-16 of the
21 Department of Human Services Act.

22 Section 15-10. Home visiting program.

23 (a) The General Assembly finds that research-informed home

1 visiting programs work to strengthen families' functioning and
2 support parents in caring for their children to ensure optimal
3 child development.

4 (b) Through June 30, 2026, the Department of Human
5 Services shall administer a home visiting program to support
6 communities in providing intensive home visiting programs to
7 pregnant persons and families with children from birth up to
8 elementary school enrollment. Services shall be offered on a
9 voluntary basis to families. In awarding grants under the
10 program, the Department of Human Services shall prioritize
11 populations or communities in need of such services, as
12 determined by the Department of Human Services, based on data
13 including, but not limited to, statewide home visiting needs
14 assessments. Eligibility under the program shall also take
15 into consideration requirements of the federal Maternal,
16 Infant, and Early Childhood Home Visiting Program and Head
17 Start and Early Head Start to ensure appropriate alignment.
18 The overall goals for these services are to:

- 19 (1) improve maternal and newborn health;
- 20 (2) prevent child abuse and neglect;
- 21 (3) promote children's development and readiness to
22 participate in school; and
- 23 (4) connect families to needed community resources
24 and supports.

25 (b-5) On and after July 1, 2026, the Department of Early
26 Childhood shall establish and administer a home visiting

1 program to support communities in providing intensive home
2 visiting programs to pregnant persons and families with
3 children from birth up to elementary school enrollment.

4 (c) Allowable uses of funding include:

5 (1) Grants to community-based organizations to
6 implement home visiting and family support services with
7 fidelity to research-informed home visiting program
8 models, as defined by the Department. Services may
9 include, but are not limited to:

10 (A) personal visits with a child and the child's
11 parent or caregiver at a periodicity aligned with the
12 model being implemented;

13 (B) opportunities for connections with other
14 parents and caregivers in their community and other
15 social and community supports;

16 (C) enhancements to research-informed home
17 visiting program models based on community needs
18 including doula services, and other program
19 innovations as approved by the Department; and

20 (D) referrals to other resources needed by
21 families.

22 (2) Infrastructure supports for grantees, including,
23 but not limited to, professional development for the
24 workforce, technical assistance and capacity-building,
25 data system and supports, infant and early childhood
26 mental health consultation, trauma-informed practices,

1 research, universal newborn screening, and coordinated
2 intake.

3 (d) Subject to appropriation, the Department administering
4 home-visiting programs subject to Section 15-10 (b) and
5 Section 15-10(b-5) shall award grants to community-based
6 agencies in accordance with this Section and any other rules
7 that may be adopted by the Department. Successful grantees
8 under this program shall comply with policies and procedures
9 on program, data, and expense reporting as developed by the
10 Department.

11 (e) Funds received under this Section shall supplement,
12 not supplant, other existing or new federal, State, or local
13 sources of funding for these services. Any new federal funding
14 received shall supplement and not supplant funding for this
15 program.

16 (f) The Department administering home-visiting programs
17 subject to Section 15-10 (b) and Section 15-10(b-5) shall
18 collaborate with relevant agencies to support the coordination
19 and alignment of home visiting services provided through other
20 State and federal funds, to the extent possible. The
21 Department administering home-visiting programs subject to
22 Section 15-10 (b) and Section 15-10(b-5) shall collaborate
23 with the State Board of Education, the Department of
24 Healthcare and Family Services, and Head Start and Early Head
25 Start in the implementation of these services to support
26 alignment with home visiting services provided through the

1 Early Childhood Block Grant and the State's Medical Assistance
2 Program, respectively, to the extent possible.

3 (g) An advisory committee shall advise the Department
4 administering home-visiting programs subject to Section
5 15-10(b) and Section 15-10(b-5) concerning the implementation
6 of the home visiting program. The advisory committee shall
7 make recommendations on policy and implementation. The
8 Department shall determine whether the advisory committee
9 shall be a newly created body or an existing body such as a
10 committee of the Illinois Early Learning Council. The advisory
11 committee shall consist of one or more representatives of the
12 Department, other members representing public and private
13 entities that serve and interact with the families served
14 under the home visiting program, with the input of families
15 engaged in home visiting or related services themselves.
16 Family input may be secured by engaging families as members of
17 this advisory committee or as a separate committee of family
18 representatives.

19 (h) The Department of Early Childhood may adopt any rules
20 necessary to implement this Section.

21 Section 15-15. Collaboration; planning. Beginning July 1,
22 2024, the Department of Early Childhood shall collaborate with
23 the Illinois State Board of Education on administration of the
24 early childhood home-visiting and preschool programs
25 established in Sections 1C-2, 2-3.71, and 2-3.71a in the

1 School Code. The Department of Early Childhood and the
2 Illinois State Board of Education shall plan for the transfer
3 of administrative responsibilities that will occur on and
4 after July 1, 2026.

5 Section 15-20. Programs concerning services to at-risk
6 children and their families.

7 (a) On and after July 1, 2026, the Department of Early
8 Childhood may provide grants to eligible entities, as defined
9 by the Department, to establish programs which offer
10 coordinated services to at-risk infants and toddlers and their
11 families. Each program shall include a parent education
12 program relating to the development and nurturing of infants
13 and toddlers and case management services to coordinate
14 existing services available in the region served by the
15 program. These services shall be provided through the
16 implementation of an individual family service plan. Each
17 program will have a community involvement component to provide
18 coordination in the service system.

19 (b) The Department shall administer the programs through
20 the grants to public school districts and other eligible
21 entities. These grants must be used to supplement, not
22 supplant, funds received from any other source. School
23 districts and other eligible entities receiving grants
24 pursuant to this Section shall conduct voluntary, intensive,
25 research-based, and comprehensive prevention services, as

1 defined by the Department, for expecting parents and families
2 with children from birth to age 3 who are at-risk of academic
3 failure. A public school district that receives a grant under
4 this Section may subcontract with other eligible entities.

5 (c) The Department shall report to the General Assembly by
6 July 1, 2028 and every 2 years thereafter, using the most
7 current data available, on the status of programs funded under
8 this Section, including without limitation characteristics of
9 participants, services delivered, program models used, unmet
10 needs, and results of the programs funded.

11 Section 15-25. Block grants.

12 (a) Through June 30, 2026, the State Board of Education
13 shall award block grants to school districts and other
14 entities pursuant to Section 1C-1 of the School Code.

15 (b) On and after July 1, 2026, the Department of Early
16 Childhood shall award to school districts and other entities
17 block grants as described in subsection (c). The Department of
18 Early Childhood may adopt rules necessary to implement this
19 Section. Block grants are subject to audit. Therefore, block
20 grant receipts and block grant expenditures shall be recorded
21 to the appropriate fund code.

22 (c) An Early Childhood Education Block Grant shall be
23 created by combining the following programs: Preschool
24 Education, Parental Training and Prevention Initiative. These
25 funds shall be distributed to school districts and other

1 entities on a competitive basis, except that the Department of
2 Early Childhood shall award to a school district having a
3 population exceeding 500,000 inhabitants 37% of the funds in
4 each fiscal year. Not less than 14% of the Early Childhood
5 Education Block Grant allocation of funds shall be used to
6 fund programs for children ages 0-3. Beginning in Fiscal Year
7 2016, at least 25% of any additional Early Childhood Education
8 Block Grant funding over and above the previous fiscal year's
9 allocation shall be used to fund programs for children ages
10 0-3. Once the percentage of Early Childhood Education Block
11 Grant funding allocated to programs for children ages 0-3
12 reaches 20% of the overall Early Childhood Education Block
13 Grant allocation for a full fiscal year, thereafter in
14 subsequent fiscal years the percentage of Early Childhood
15 Education Block Grant funding allocated to programs for
16 children ages 0-3 each fiscal year shall remain at least 20% of
17 the overall Early Childhood Education Block Grant allocation.
18 However, if, in a given fiscal year, the amount appropriated
19 for the Early Childhood Education Block Grant is insufficient
20 to increase the percentage of the grant to fund programs for
21 children ages 0-3 without reducing the amount of the grant for
22 existing providers of preschool education programs, then the
23 percentage of the grant to fund programs for children ages 0-3
24 may be held steady instead of increased.

25 (d) A school district in a city having a population
26 exceeding 500,000 is not required to file any application or

1 other claim in order to receive the block grant to which it is
2 entitled under this Section. The Department of Early Childhood
3 shall make payments to the district of amounts due under the
4 district's block grant on a schedule determined by the
5 Department. A school district to which this Section applies
6 shall report to the Department of Early Childhood on its use of
7 the block grant in such form and detail as the Department may
8 specify. In addition, the report must include the following
9 description for the district, which must also be reported to
10 the General Assembly: block grant allocation and expenditures
11 by program; population and service levels by program; and
12 administrative expenditures by program. The Department shall
13 ensure that the reporting requirements for the district are
14 the same as for all other school districts in this State.
15 Beginning in Fiscal Year 2018, at least 25% of any additional
16 Preschool Education, Parental Training, and Prevention
17 Initiative program funding over and above the previous fiscal
18 year's allocation shall be used to fund programs for children
19 ages 0-3. Beginning in Fiscal Year 2018, funding for Preschool
20 Education, Parental Training, and Prevention Initiative
21 programs above the allocation for these programs in Fiscal
22 Year 2017 must be used solely as a supplement for these
23 programs and may not supplant funds received from other
24 sources.

25 (e) Reports. School districts and other entities that
26 receive an Early Childhood Education Block Grant shall report

1 to the Department of Early Childhood on its use of the block
2 grant in such form and detail as the Department may specify. In
3 addition, the report must include the following description
4 for the district and other entities that receive an Early
5 Childhood Block Grant, which must also be reported to the
6 General Assembly: block grant allocation and expenditures by
7 program; population and service levels by program; and
8 administrative expenditures by program.

9 Section 15-30. Grants for preschool educational programs.

10 (a) Preschool program.

11 (1) Through June 30, 2026, The State Board of
12 Education shall implement and administer a grant program
13 to conduct voluntary preschool educational programs for
14 children ages 3 to 5, which include a parent education
15 component, pursuant to Section 2-3.71 of the School Code.

16 (2) On and after July 1, 2026, the Department of Early
17 Childhood shall implement and administer a grant program
18 for school districts and other eligible entities, as
19 defined by the Department, to conduct voluntary preschool
20 educational programs for children ages 3 to 5 which
21 include a parent education component. A public school
22 district which receives grants under this subsection may
23 subcontract with other entities that are eligible to
24 conduct a preschool educational program. These grants must
25 be used to supplement, not supplant, funds received from

1 any other source.

2 (3) Except as otherwise provided under this subsection
3 (a), any teacher of preschool children in the program
4 authorized by this subsection shall hold a Professional
5 Educator License with an early childhood education
6 endorsement.

7 (3.5) Beginning with the 2018-2019 school year and
8 until the 2028-2029 school year, an individual may teach
9 preschool children in an early childhood program under
10 this Section if he or she holds a Professional Educator
11 License with an early childhood education endorsement or
12 with short-term approval for early childhood education or
13 he or she pursues a Professional Educator License and
14 holds any of the following:

15 (A) An ECE Credential Level of 5 awarded by the
16 Department of Human Services under the Gateways to
17 Opportunity Program developed under Section 10-70 of
18 the Department of Human Services Act.

19 (B) An Educator License with Stipulations with a
20 transitional bilingual educator endorsement and he or
21 she has (i) passed an early childhood education
22 content test or (ii) completed no less than 9 semester
23 hours of postsecondary coursework in the area of early
24 childhood education.

25 (4) Through June 30, 2026, the State Board of
26 Education shall provide the primary source of funding

1 through appropriations for the program. On and after July
2 1, 2026, the Department of Early Childhood shall provide
3 the primary source of funding through appropriations for
4 the program. Such funds shall be distributed to achieve a
5 goal of "Preschool for All Children" for the benefit of
6 all children whose families choose to participate in the
7 program. Based on available appropriations, newly funded
8 programs shall be selected through a process giving first
9 priority to qualified programs serving primarily at-risk
10 children and second priority to qualified programs serving
11 primarily children with a family income of less than 4
12 times the poverty guidelines updated periodically in the
13 Federal Register by the U.S. Department of Health and
14 Human Services under the authority of 42 U.S.C. 9902(2).
15 For purposes of this paragraph (4), at-risk children are
16 those who because of their home and community environment
17 are subject to such language, cultural, economic and like
18 disadvantages to cause them to have been determined as a
19 result of screening procedures to be at risk of academic
20 failure. Through June 30, 2026, such screening procedures
21 shall be based on criteria established by the State Board
22 of Education. On and after July 1, 2026, such screening
23 procedures shall be based on criteria established by the
24 Department of Early Childhood. Except as otherwise
25 provided in this paragraph (4), grantees under the program
26 must enter into a memorandum of understanding with the

1 appropriate local Head Start agency. This memorandum must
2 be entered into no later than 3 months after the award of a
3 grantee's grant under the program and must address
4 collaboration between the grantee's program and the local
5 Head Start agency on certain issues, which shall include
6 without limitation the following:

7 (A) educational activities, curricular objectives,
8 and instruction;

9 (B) public information dissemination and access to
10 programs for families contacting programs;

11 (C) service areas;

12 (D) selection priorities for eligible children to
13 be served by programs;

14 (E) maximizing the impact of federal and State
15 funding to benefit young children;

16 (F) staff training, including opportunities for
17 joint staff training;

18 (G) technical assistance;

19 (H) communication and parent outreach for smooth
20 transitions to kindergarten;

21 (I) provision and use of facilities,
22 transportation, and other program elements;

23 (J) facilitating each program's fulfillment of its
24 statutory and regulatory requirements;

25 (K) improving local planning and collaboration;
26 and

1 (L) providing comprehensive services for the
2 neediest Illinois children and families. Through June
3 30, 2026, if the appropriate local Head Start agency
4 is unable or unwilling to enter into a memorandum of
5 understanding as required under this paragraph (4),
6 the memorandum of understanding requirement shall not
7 apply and the grantee under the program must notify
8 the State Board of Education in writing of the Head
9 Start agency's inability or unwillingness. Through
10 June 30, 2026, the State Board of Education shall
11 compile all such written notices and make them
12 available to the public. On and after July 1, 2026, if
13 the appropriate local Head Start agency is unable or
14 unwilling to enter into a memorandum of understanding
15 as required under this paragraph (4), the memorandum
16 of understanding requirement shall not apply and the
17 grantee under the program must notify the Department
18 of Early Childhood in writing of the Head Start
19 agency's inability or unwillingness. The Department of
20 Early Childhood shall compile all such written notices
21 and make them available to the public.

22 (5) Through June 30, 2026, the State Board of
23 Education shall develop and provide evaluation tools,
24 including tests, that school districts and other eligible
25 entities may use to evaluate children for school readiness
26 prior to age 5. The State Board of Education shall require

1 school districts and other eligible entities to obtain
2 consent from the parents or guardians of children before
3 any evaluations are conducted. The State Board of
4 Education shall encourage local school districts and other
5 eligible entities to evaluate the population of preschool
6 children in their communities and provide preschool
7 programs, pursuant to this subsection, where appropriate.

8 (5.1) On and after July 1, 2026, the Department of
9 Early Childhood shall develop and provide evaluation
10 tools, including tests, that school districts and other
11 eligible entities may use to evaluate children for school
12 readiness prior to age 5. The Department of Early
13 Childhood shall require school districts and other
14 eligible entities to obtain consent from the parents or
15 guardians of children before any evaluations are
16 conducted. The Department of Early Childhood shall
17 encourage local school districts and other eligible
18 entities to evaluate the population of preschool children
19 in their communities and provide preschool programs,
20 pursuant to this subsection, where appropriate.

21 (6) Through June 30, 2026, the State Board of
22 Education shall report to the General Assembly by November
23 1, 2018 and every 2 years thereafter on the results and
24 progress of students who were enrolled in preschool
25 educational programs, including an assessment of which
26 programs have been most successful in promoting academic

1 excellence and alleviating academic failure. Through June
2 30, 2026, the State Board of Education shall assess the
3 academic progress of all students who have been enrolled
4 in preschool educational programs. Through Fiscal Year
5 2026, on or before November 1 of each fiscal year in which
6 the General Assembly provides funding for new programs
7 under paragraph (4) of this Section, the State Board of
8 Education shall report to the General Assembly on what
9 percentage of new funding was provided to programs serving
10 primarily at-risk children, what percentage of new funding
11 was provided to programs serving primarily children with a
12 family income of less than 4 times the federal poverty
13 level, and what percentage of new funding was provided to
14 other programs.

15 (6.1) On and after July 1, 2026, the Department of
16 Early Childhood shall report to the General Assembly by
17 November 1, 2026 and every 2 years thereafter on the
18 results and progress of students who were enrolled in
19 preschool educational programs, including an assessment of
20 which programs have been most successful in promoting
21 academic excellence and alleviating academic failure. On
22 and after July 1, 2026, the Department of Early Childhood
23 shall assess the academic progress of all students who
24 have been enrolled in preschool educational programs.
25 Beginning in Fiscal Year 2027, on or before November 1 of
26 each fiscal year in which the General Assembly provides

1 funding for new programs under paragraph (4) of this
2 Section, the Department of Early Childhood shall report to
3 the General Assembly on what percentage of new funding was
4 provided to programs serving primarily at-risk children,
5 what percentage of new funding was provided to programs
6 serving primarily children with a family income of less
7 than 4 times the federal poverty level, and what
8 percentage of new funding was provided to other programs.

9 (7) Due to evidence that expulsion practices in the
10 preschool years are linked to poor child outcomes and are
11 employed inconsistently across racial and gender groups,
12 early childhood programs receiving State funds under this
13 subsection (a) shall prohibit expulsions. Planned
14 transitions to settings that are able to better meet a
15 child's needs are not considered expulsion under this
16 paragraph (7).

17 (A) When persistent and serious challenging
18 behaviors emerge, the early childhood program shall
19 document steps taken to ensure that the child can
20 participate safely in the program; including
21 observations of initial and ongoing challenging
22 behaviors, strategies for remediation and intervention
23 plans to address the behaviors, and communication with
24 the parent or legal guardian, including participation
25 of the parent or legal guardian in planning and
26 decision-making.

1 (B) The early childhood program shall, with
2 parental or legal guardian consent as required, use a
3 range of community resources, if available and deemed
4 necessary, including, but not limited to,
5 developmental screenings, referrals to programs and
6 services administered by a local educational agency or
7 early intervention agency under Parts B and C of the
8 federal Individual with Disabilities Education Act,
9 and consultation with infant and early childhood
10 mental health consultants and the child's health care
11 provider. The program shall document attempts to
12 engage these resources, including parent or legal
13 guardian participation and consent attempted and
14 obtained. Communication with the parent or legal
15 guardian shall take place in a culturally and
16 linguistically competent manner.

17 (C) If there is documented evidence that all
18 available interventions and supports recommended by a
19 qualified professional have been exhausted and the
20 program determines in its professional judgment that
21 transitioning a child to another program is necessary
22 for the well-being of the child or his or her peers and
23 staff, with parent or legal guardian permission, both
24 the current and pending programs shall create a
25 transition plan designed to ensure continuity of
26 services and the comprehensive development of the

1 child. Communication with families shall occur in a
2 culturally and linguistically competent manner.

3 (D) Nothing in this paragraph (7) shall preclude a
4 parent's or legal guardian's right to voluntarily
5 withdraw his or her child from an early childhood
6 program. Early childhood programs shall request and
7 keep on file, when received, a written statement from
8 the parent or legal guardian stating the reason for
9 his or her decision to withdraw his or her child.

10 (E) In the case of the determination of a serious
11 safety threat to a child or others or in the case of
12 behaviors listed in subsection (d) of Section 10-22.6
13 of the School Code, the temporary removal of a child
14 from attendance in group settings may be used.
15 Temporary removal of a child from attendance in a
16 group setting shall trigger the process detailed in
17 subparagraphs (A), (B), and (C) of this paragraph (7),
18 with the child placed back in a group setting as
19 quickly as possible.

20 (F) Early childhood programs may use and the
21 Department of Early Childhood, State Board of
22 Education, the Department of Human Services, and the
23 Department of Children and Family Services shall
24 recommend training, technical support, and
25 professional development resources to improve the
26 ability of teachers, administrators, program

1 directors, and other staff to promote social-emotional
2 development and behavioral health, to address
3 challenging behaviors, and to understand trauma and
4 trauma-informed care, cultural competence, family
5 engagement with diverse populations, the impact of
6 implicit bias on adult behavior, and the use of
7 reflective practice techniques. Support shall include
8 the availability of resources to contract with infant
9 and early childhood mental health consultants.

10 (G) Through June 30, 2026, early childhood
11 programs shall annually report to the State Board of
12 Education, and, beginning in Fiscal Year 2020, the
13 State Board of Education shall make available on a
14 biennial basis, in an existing report, all of the
15 following data for children from birth to age 5 who are
16 served by the program:

17 (i) Total number served over the course of the
18 program year and the total number of children who
19 left the program during the program year.

20 (ii) Number of planned transitions to another
21 program due to children's behavior, by children's
22 race, gender, disability, language, class/group
23 size, teacher-child ratio, and length of program
24 day.

25 (iii) Number of temporary removals of a child
26 from attendance in group settings due to a serious

1 safety threat under subparagraph (E) of this
2 paragraph (7), by children's race, gender,
3 disability, language, class/group size,
4 teacher-child ratio, and length of program day.

5 (iv) Hours of infant and early childhood
6 mental health consultant contact with program
7 leaders, staff, and families over the program
8 year.

9 (G-5) On and after July 1, 2026, early childhood
10 programs shall annually report to the Department of
11 Early Childhood, and beginning in Fiscal Year 2028,
12 the Department of Early Childhood shall make available
13 on a biennial basis, in a report, all of the following
14 data for children from birth to age 5 who are served by
15 the program:

16 (i) Total number served over the course of the
17 program year and the total number of children who
18 left the program during the program year.

19 (ii) Number of planned transitions to another
20 program due to children's behavior, by children's
21 race, gender, disability, language, class/group
22 size, teacher-child ratio, and length of program
23 day.

24 (iii) Number of temporary removals of a child
25 from attendance in group settings due to a serious
26 safety threat under subparagraph (E) of this

1 paragraph (7), by children's race, gender,
2 disability, language, class/group size,
3 teacher-child ratio, and length of program day.

4 (iv) Hours of infant and early childhood
5 mental health consultant contact with program
6 leaders, staff, and families over the program
7 year.

8 (H) Changes to services for children with an
9 individualized education program or individual family
10 service plan shall be construed in a manner consistent
11 with the federal Individuals with Disabilities
12 Education Act.

13 The Department of Early Childhood, in consultation
14 with the Department of Children and Family Services, shall
15 adopt rules to administer this paragraph (7).

16 (b) Notwithstanding any other provisions of this Section,
17 grantees may serve children ages 0 to 12 of essential workers
18 if the Governor has declared a disaster due to a public health
19 emergency pursuant to Section 7 of the Illinois Emergency
20 Management Agency Act. The Department of Early Childhood may
21 adopt rules to administer this subsection.

22 Section 15-35. Chronic absenteeism in preschool children.

23 (a) In this Section, "chronic absence" means absences that
24 total 10% or more of school days of the most recent academic
25 school year, including absences with and without valid cause,

1 as defined in Section 26-2a of the School Code.

2 (b) The General Assembly makes all of the following
3 findings:

4 (1) The early years are an extremely important period
5 in a child's learning and development.

6 (2) Missed learning opportunities in the early years
7 make it difficult for a child to enter kindergarten ready
8 for success.

9 (3) Attendance patterns in the early years serve as
10 predictors of chronic absenteeism and reduced educational
11 outcomes in later school years. Therefore, it is crucial
12 that the implications of chronic absence be understood and
13 reviewed regularly under the Preschool for All Program and
14 Preschool for All Expansion Program under Section 15-30 of
15 this Act.

16 (c) The Preschool for All Program and Preschool for All
17 Expansion Program under Section 15-30 of this Act shall
18 collect and review its chronic absence data and determine what
19 support and resources are needed to positively engage
20 chronically absent students and their families to encourage
21 the habit of daily attendance and promote success.

22 (d) The Preschool for All Program and Preschool for All
23 Expansion Program under Section 15-30 of this Act are
24 encouraged to do all of the following:

25 (1) Provide support to students who are at risk of
26 reaching or exceeding chronic absence levels.

1 (2) Make resources available to families, such as
2 those available through the State Board of Education's
3 Family Engagement Framework, to support and encourage
4 families to ensure their children's daily program
5 attendance.

6 (3) Include information about chronic absenteeism as
7 part of their preschool to kindergarten transition
8 resources.

9 (e) On or before July 1, 2020, and annually thereafter
10 through June 30, 2026, the Preschool for All Program and
11 Preschool for All Expansion Program shall report all data
12 collected under subsection (c) of this Section to the State
13 Board of Education, which shall make the report publicly
14 available via the Illinois Early Childhood Asset Map Internet
15 website and the Preschool for All Program or Preschool for All
16 Expansion Program triennial report.

17 (e-5) On and after July 1, 2026, the Department of Early
18 Childhood shall collect and review its chronic absence data
19 and determine what support and resources are needed to
20 positively engage chronically absent students and their
21 families to encourage the habit of daily attendance and
22 promote success. The Department shall report all data
23 collected and make a report publicly available via the
24 Illinois Early Childhood Asset Map Internet website and the
25 Preschool for All Program or Preschool for All Expansion
26 Program triennial report.

1 Section 15-40. Restrictions on prekindergarten
2 assessments.

3 (a) In this Section:

4 "Diagnostic and screening purposes" means for the purpose
5 of determining if individual students need remedial
6 instruction or to determine eligibility for special education,
7 early intervention, bilingual education, dyslexia services, or
8 other related educational services. Any assessment used to
9 determine eligibility for special education or related
10 services must be consistent with Section 614 of the federal
11 Individuals with Disabilities Education Act. "Diagnostic and
12 screening purposes" includes the identification and evaluation
13 of students with disabilities. "Diagnostic and screening
14 purposes" does not include any assessment in which student
15 scores are used to rate or rank a classroom, program, teacher,
16 school, school district, or jurisdiction.

17 "Standardized assessment" means an assessment that
18 requires all student test takers to answer the same questions,
19 or a selection of questions from a common bank of questions, in
20 the same manner or substantially the same questions in the
21 same manner. "Standardized assessment" does not include an
22 observational assessment tool used to satisfy the requirements
23 of Section 2-3.64a-10 of the School Code.

24 (b) Consistent with Section 2-3.64a-15 of the School Code,
25 the Department of Early Childhood may not develop, purchase,

1 or require a school district to administer, develop, or
2 purchase a standardized assessment for students enrolled or
3 preparing to enroll in prekindergarten, other than for
4 diagnostic and screening purposes.

5 (c) Consistent with Section 2-3.64a-15 of the School Code,
6 the Department of Early Childhood may not provide funding for
7 any standardized assessment of students enrolled or preparing
8 to enroll in prekindergarten, other than for diagnostic and
9 screening purposes.

10 (d) Nothing in this Section shall be construed to limit
11 the ability of a classroom teacher or school district to
12 develop, purchase, administer, or score an assessment for an
13 individual classroom, grade level, or group of grade levels in
14 any subject area in prekindergarten.

15 (e) Nothing in this Section limits procedures used by a
16 school or school district for child find under 34 CFR
17 300.111(c) or evaluation under 34 CFR 300.304.

18 (f) Nothing in this Section restricts the use of an annual
19 assessment of English proficiency of all English learners to
20 comply with Section 1111(b)(2)(G) of the federal Elementary
21 and Secondary Education Act of 1965.

22 Section 15-45. Grants for early childhood parental
23 training programs. On and after July 1, 2026, the Department
24 of Early Childhood shall implement and administer a grant
25 program consisting of grants to public school districts and

1 other eligible entities, as defined by the Department, to
2 conduct early childhood parental training programs for the
3 parents of children in the period of life from birth to
4 kindergarten. A public school district that receives grants
5 under this Section may contract with other eligible entities
6 to conduct an early childhood parental training program. These
7 grants must be used to supplement, not supplant, funds
8 received from any other source. A school board or other
9 eligible entity shall employ appropriately qualified personnel
10 for its early childhood parental training program, including
11 but not limited to certified teachers, counselors,
12 psychiatrists, psychologists and social workers.

13 (a) As used in this Section, "parental training" means and
14 includes instruction in the following:

15 (1) Child growth and development, including prenatal
16 development.

17 (2) Childbirth and child care.

18 (3) Family structure, function and management.

19 (4) Prenatal and postnatal care for mothers and
20 infants.

21 (5) Prevention of child abuse.

22 (6) The physical, mental, emotional, social, economic
23 and psychological aspects of interpersonal and family
24 relationships.

25 (7) Parenting skill development.

26 The programs shall include activities that require

1 substantial participation and interaction between parent and
2 child.

3 (b) The Department shall annually award funds through a
4 grant approval process established by the Department,
5 providing that an annual appropriation is made for this
6 purpose from State, federal or private funds. Nothing in this
7 Section shall preclude school districts from applying for or
8 accepting private funds to establish and implement programs.

9 (c) The Department shall assist those districts and other
10 eligible entities offering early childhood parental training
11 programs, upon request, in developing instructional materials,
12 training teachers and staff, and establishing appropriate time
13 allotments for each of the areas included in such instruction.

14 (d) School districts and other eligible entities may offer
15 early childhood parental training courses during that period
16 of the day which is not part of the regular school day.
17 Residents of the community may enroll in such courses. The
18 school board or other eligible entity may establish fees and
19 collect such charges as may be necessary for attendance at
20 such courses in an amount not to exceed the per capita cost of
21 the operation thereof, except that the board or other eligible
22 entity may waive all or part of such charges if it determines
23 that the parent is indigent or that the educational needs of
24 the parent require his or her attendance at such courses.

25 (e) Parents who participate in early childhood parental
26 training programs under this Section may be eligible for

1 reasonable reimbursement of any incidental transportation and
2 child care expenses from the school district receiving funds
3 pursuant to this Section.

4 (f) Districts and other eligible entities receiving grants
5 pursuant to this Section shall coordinate programs created
6 under this Section with other preschool educational programs,
7 including "at-risk" preschool programs, special and vocational
8 education, and related services provided by other governmental
9 agencies and not-for-profit agencies.

10 (g) Early childhood programs under this Section are
11 subject to the requirements under paragraph (7) of subsection
12 (a) of Section 15-30 of this Act.

13 Section 15-50. Early childhood construction grants.

14 (a) The Capital Development Board is authorized to make
15 grants to public school districts and not-for-profit entities
16 for early childhood construction projects, except that in
17 Fiscal Year 2024 those grants may be made only to public school
18 districts. These grants shall be paid out of moneys
19 appropriated for that purpose from the School Construction
20 Fund, the Build Illinois Bond Fund, or the Rebuild Illinois
21 Projects Fund. No grants may be awarded to entities providing
22 services within private residences. A public school district
23 or other eligible entity must provide local matching funds in
24 the following manner:

25 (1) A public school district assigned to Tier 1 under

1 Section 18-8.15 of the School Code or any other eligible
2 entity in an area encompassed by that district must
3 provide local matching funds in an amount equal to 3% of
4 the grant awarded under this Section.

5 (2) A public school district assigned to Tier 2 under
6 Section 18-8.15 of the School Code or any other eligible
7 entity in an area encompassed by that district must
8 provide local matching funds in an amount equal to 7.5% of
9 the grant awarded under this Section.

10 (3) A public school district assigned to Tier 3 under
11 Section 18-8.15 of the School Code or any other eligible
12 entity in an area encompassed by that district must
13 provide local matching funds in an amount equal to 8.75%
14 of the grant awarded under this Section.

15 (4) A public school district assigned to Tier 4 under
16 Section 18-8.15 of the School Code or any other eligible
17 entity in an area encompassed by that district must
18 provide local matching funds in an amount equal to 10% of
19 the grant awarded under this Section.

20 A public school district or other eligible entity has no
21 entitlement to a grant under this Section.

22 (b) The Capital Development Board shall adopt rules to
23 implement this Section. These rules need not be the same as the
24 rules for school construction project grants or school
25 maintenance project grants. The rules may specify:

26 (1) the manner of applying for grants;

- 1 (2) project eligibility requirements;
- 2 (3) restrictions on the use of grant moneys;
- 3 (4) the manner in which school districts and other
4 eligible entities must account for the use of grant
5 moneys;
- 6 (5) requirements that new or improved facilities be
7 used for early childhood and other related programs for a
8 period of at least 10 years; and
- 9 (6) any other provision that the Capital Development
10 Board determines to be necessary or useful for the
11 administration of this Section.

12 (b-5) When grants are made to non-profit corporations for
13 the acquisition or construction of new facilities, the Capital
14 Development Board or any State agency it so designates shall
15 hold title to or place a lien on the facility for a period of
16 10 years after the date of the grant award, after which title
17 to the facility shall be transferred to the non-profit
18 corporation or the lien shall be removed, provided that the
19 non-profit corporation has complied with the terms of its
20 grant agreement. When grants are made to non-profit
21 corporations for the purpose of renovation or rehabilitation,
22 if the non-profit corporation does not comply with item (5) of
23 subsection (b) of this Section, the Capital Development Board
24 or any State agency it so designates shall recover the grant
25 pursuant to the procedures outlined in the Illinois Grant
26 Funds Recovery Act.

1 (c) On and after July 1, 2026, the Capital Development
2 Board, in consultation with the Department of Early Childhood,
3 shall establish standards for the determination of priority
4 needs concerning early childhood projects based on projects
5 located in communities in the State with the greatest
6 underserved population of young children, utilizing Census
7 data and other reliable local early childhood service data.

8 (d) In each school year in which early childhood
9 construction project grants are awarded, 20% of the total
10 amount awarded shall be awarded to a school district with a
11 population of more than 500,000, provided that the school
12 district complies with the requirements of this Section and
13 the rules adopted under this Section.

14 Section 15-55. Infant/early childhood mental health
15 consultations.

16 (a) Findings; policies.

17 (1) The General Assembly finds that social and
18 emotional development is a core, developmental domain in
19 young children and is codified in the Illinois Early
20 Learning Standards.

21 (2) Fostering social and emotional development in,
22 early childhood means both providing the supportive
23 settings and interactions to maximize healthy social and
24 emotional development for all children, as well as
25 providing communities, programs, and providers with

1 systems of tiered supports with training to respond to
2 more significant social and emotional challenges or where
3 experiences of trauma may be more prevalent.

4 (3) Early care and education programs and providers,
5 across a range of settings, have an important role to play
6 in supporting young children and families, especially
7 those who face greater challenges, such as trauma
8 exposure, social isolation, pervasive poverty, and toxic
9 stress. If programs, teaching staff, caregivers, and
10 providers are not provided with the support, services, and
11 training needed to accomplish these goals, it can lead to
12 children and families being asked to leave programs,
13 particularly without connection to more appropriate
14 services, thereby creating a disruption in learning and
15 social-emotional development. Investments in reflective
16 supervision, professional development specific to
17 diversity, equity, and inclusion practice, culturally
18 responsive training, implicit bias training, and how
19 trauma experienced during the early years can manifest in
20 challenging behaviors will create systems for serving
21 children that are informed in developmentally appropriate
22 and responsive supports.

23 (4) Studies have shown that the expulsion of infants,
24 toddlers, and young children in early care and education
25 settings is occurring at alarmingly high rates, more than
26 3 times that of students in K-12; further, expulsion

1 occurs more frequently for Black children and Latinx
2 children and more frequently for boys than for girls, with
3 Black boys being most frequently expelled; there is
4 evidence to show that the expulsion of Black girls is
5 occurring with increasing frequency.

6 (5) Illinois took its first steps toward addressing
7 this disparity through Public Act 100-105 to prohibit
8 expulsion due to child behavior in early care and
9 education settings, but further work is needed to
10 implement this law, including strengthening provider
11 understanding of a successful transition and beginning to
12 identify strategies to reduce "soft expulsions" and to
13 ensure more young children and their teachers, providers,
14 and caregivers, in a range of early care and education
15 settings, can benefit from services, such as Infant/Early
16 Childhood Mental Health Consultations (I/ECMHC) and
17 positive behavior interventions and supports such as the
18 Pyramid Model.

19 (6) I/ECMHC is a critical component needed to align
20 social-emotional well-being with the public health model
21 of promotion, prevention, and intervention across early
22 care and education systems.

23 (b) The General Assembly encourages that all of the
24 following actions be taken by:

25 (1) the State to increase the availability of
26 Infant/Early Childhood Mental Health Consultations

1 (I/ECMHC) through increased funding in early childhood
2 programs and sustainable funding for coordination of
3 I/ECMHC and other social and emotional support at the
4 State level;

5 (2) the Department of Early Childhood, the Department
6 of Human Services, the Illinois State Board of Education,
7 and other relevant agencies to develop and promote
8 provider-accessible and parent-accessible materials,
9 including native language, on the role and value of
10 I/ECMHC, including targeted promotion in underserved
11 communities, and promote the use of existing I/ECMHCs, the
12 I/ECMHC consultant database, or other existing services;

13 (3) the State to increase funding to promote and
14 provide training and implementation support for systems of
15 tiered support, such as the Pyramid Model, across early
16 childhood settings and urge the Department of Early
17 Childhood, the Department of Human Services, the Illinois
18 State Board of Education, and other relevant State
19 agencies to coordinate efforts and develop strategies to
20 provide outreach to and support providers in underserved
21 communities and communities with fewer programmatic
22 resources; and

23 (4) State agencies to provide the data required by
24 Public Act 100-105, even if the data is incomplete at the
25 time due to data system challenges.

1 defined by rule who are working or participating in employment
2 or Department approved education or training programs as
3 prescribed in Section 9A-11 of the Illinois Public Aid Code.

4 (c) Smart Start Child Care Program. Through June 30, 2026,
5 subject to appropriation, the Department of Human Services
6 shall establish and administer the Smart Start Child Care
7 Program. On and after July 1, 2026, the Department of Early
8 Childhood shall administer the Smart Start Child Care Program.
9 The Smart Start Child Care Program shall focus on creating
10 affordable child care, as well as increasing access to child
11 care, for Illinois residents and may include, but is not
12 limited to, providing funding to increase preschool
13 availability, providing funding for childcare workforce
14 compensation or capital investments, and expanding funding for
15 Early Childhood Access Consortium for Equity Scholarships. The
16 Department with authority to administer the Smart Start Child
17 Care Program shall establish program eligibility criteria,
18 participation conditions, payment levels, and other program
19 requirements by rule. The Department with authority to
20 administer the Smart Start Child Care Program may consult with
21 the Capital Development Board, the Department of Commerce and
22 Economic Opportunity, the State Board of Education, and the
23 Illinois Housing Development Authority, and other state
24 agencies as determined by the Department in the management and
25 disbursement of funds for capital-related projects. The
26 Capital Development Board, the Department of Commerce and

1 Economic Opportunity, the State Board of Education, and the
2 Illinois Housing Development Authority, and other state
3 agencies as determined by the Department shall act in a
4 consulting role only for the evaluation of applicants, scoring
5 of applicants, or administration of the grant program.

6 Section 20-15. Day care services.

7 (a) For the purpose of ensuring effective statewide
8 planning, development, and utilization of resources for the
9 day care of children, operated under various auspices, the
10 Department of Early Childhood is designated on and after July
11 1, 2026 to coordinate all day care activities for children of
12 the State and shall develop or continue, and shall update
13 every year, a State comprehensive day care plan for submission
14 to the Governor that identifies high-priority areas and
15 groups, relating them to available resources and identifying
16 the most effective approaches to the use of existing day care
17 services. The State comprehensive day care plan shall be made
18 available to the General Assembly following the Governor's
19 approval of the plan.

20 The plan shall include methods and procedures for the
21 development of additional day care resources for children to
22 meet the goal of reducing short-run and long-run dependency
23 and to provide necessary enrichment and stimulation to the
24 education of young children. Recommendations shall be made for
25 State policy on optimum use of private and public, local,

1 State and federal resources, including an estimate of the
2 resources needed for the licensing and regulation of day care
3 facilities.

4 A written report shall be submitted to the Governor and
5 the General Assembly annually on April 15. The report shall
6 include an evaluation of developments over the preceding
7 fiscal year, including cost-benefit analyses of various
8 arrangements. Beginning with the report in 1990 submitted by
9 the Department's predecessor agency and every 2 years
10 thereafter, the report shall also include the following:

11 (1) An assessment of the child care services, needs
12 and available resources throughout the State and an
13 assessment of the adequacy of existing child care
14 services, including, but not limited to, services assisted
15 under this Act and under any other program administered by
16 other State agencies.

17 (2) A survey of day care facilities to determine the
18 number of qualified caregivers, as defined by rule,
19 attracted to vacant positions and any problems encountered
20 by facilities in attracting and retaining capable
21 caregivers. The report shall include an assessment, based
22 on the survey, of improvements in employee benefits that
23 may attract capable caregivers.

24 (3) The average wages and salaries and fringe benefit
25 packages paid to caregivers throughout the State, computed
26 on a regional basis, compared to similarly qualified

1 employees in other but related fields.

2 (4) The qualifications of new caregivers hired at
3 licensed day care facilities during the previous 2-year
4 period.

5 (5) Recommendations for increasing caregiver wages and
6 salaries to ensure quality care for children.

7 (6) Evaluation of the fee structure and income
8 eligibility for child care subsidized by the State.

9 (b) The Department of Early Childhood shall establish
10 policies and procedures for developing and implementing
11 interagency agreements with other agencies of the State
12 providing child care services or reimbursement for such
13 services. The plans shall be annually reviewed and modified
14 for the purpose of addressing issues of applicability and
15 service system barriers.

16 (c) In cooperation with other State agencies, the
17 Department of Early Childhood shall develop and implement, or
18 shall continue, a resource and referral system for the State
19 of Illinois either within the Department or by contract with
20 local or regional agencies. Funding for implementation of this
21 system may be provided through Department appropriations or
22 other interagency funding arrangements. The resource and
23 referral system shall provide at least the following services:

24 (1) Assembling and maintaining a database on the
25 supply of child care services.

26 (2) Providing information and referrals for parents.

1 (3) Coordinating the development of new child care
2 resources.

3 (4) Providing technical assistance and training to
4 child care service providers.

5 (5) Recording and analyzing the demand for child care
6 services.

7 (d) The Department of Early Childhood shall conduct day
8 care planning activities with the following priorities:

9 (1) Development of voluntary day care resources
10 wherever possible, with the provision for grants-in-aid
11 only where demonstrated to be useful and necessary as
12 incentives or supports. The Department shall design a plan
13 to create more child care slots as well as goals and
14 timetables to improve quality and accessibility of child
15 care.

16 (2) Emphasis on service to children of recipients of
17 public assistance when such service will allow training or
18 employment of the parent toward achieving the goal of
19 independence.

20 (3) Care of children from families in stress and
21 crises whose members potentially may become, or are in
22 danger of becoming, non-productive and dependent.

23 (4) Expansion of family day care facilities wherever
24 possible.

25 (5) Location of centers in economically depressed
26 neighborhoods, preferably in multi-service centers with

1 cooperation of other agencies. The Department shall
2 coordinate the provision of grants, but only to the extent
3 funds are specifically appropriated for this purpose, to
4 encourage the creation and expansion of child care centers
5 in high need communities to be issued by the State,
6 business, and local governments.

7 (6) Use of existing facilities free of charge or for
8 reasonable rental whenever possible in lieu of
9 construction.

10 (7) Development of strategies for assuring a more
11 complete range of day care options, including provision of
12 day care services in homes, in schools, or in centers,
13 which will enable parents to complete a course of
14 education or obtain or maintain employment and the
15 creation of more child care options for swing shift,
16 evening, and weekend workers and for working women with
17 sick children. The Department shall encourage companies to
18 provide child care in their own offices or in the building
19 in which the corporation is located so that employees of
20 all the building's tenants can benefit from the facility.

21 (8) Development of strategies for subsidizing students
22 pursuing degrees in the child care field.

23 (9) Continuation and expansion of service programs
24 that assist teen parents to continue and complete their
25 education.

26 Emphasis shall be given to support services that will help

1 to ensure such parents' graduation from high school and to
2 services for participants in any programs of job training
3 conducted by the Department.

4 (e) The Department of Early Childhood shall actively
5 stimulate the development of public and private resources at
6 the local level. It shall also seek the fullest utilization of
7 federal funds directly or indirectly available to the
8 Department. Where appropriate, existing non-governmental
9 agencies or associations shall be involved in planning by the
10 Department.

11 Section 20-20. Day care facilities for the children of
12 migrant workers. On and after July 1, 2026, the Department of
13 Early Childhood shall operate day care facilities for the
14 children of migrant workers in areas of the State where they
15 are needed. The Department of Early Childhood may provide
16 these day care services by contracting with private centers if
17 practicable. "Migrant worker" means any person who moves
18 seasonally from one place to another, within or without the
19 State, for the purpose of employment in agricultural
20 activities.

21 Section 20-25. Licensing day care facilities.

22 (a) Beginning July 1, 2024, the Department of Early
23 Childhood and the Department of Children and Family Services
24 shall collaborate and plan for the transition of

1 administrative responsibilities related to licensing day care
2 centers, day care homes, and group day care homes as
3 prescribed throughout the Child Care Act of 1969.

4 (b) Beginning July 1, 2026, the Department of Early
5 Childhood shall manage all facets of licensing for day care
6 centers, day care homes, and group day care homes as
7 prescribed throughout the Child Care Act of 1969.

8 Section 20-30. Off-Hours Child Care Program.

9 (a) Legislative intent. The General Assembly finds that:

10 (1) Finding child care can be a challenge for
11 firefighters, paramedics, police officers, nurses, and
12 other third shift workers across the State who often work
13 non-typical work hours. This can impact home life, school,
14 bedtime routines, job safety, and the mental health of
15 some of our most critical front line workers and their
16 families.

17 (2) There is a need for increased options for
18 off-hours child care in the State.

19 (3) Illinois has a vested interest in ensuring that
20 our first responders and working families can provide
21 their children with appropriate care during off hours to
22 improve the morale of existing first responders and to
23 improve recruitment into the future.

24 (b) As used in this Section, "first responders" means
25 emergency medical services personnel as defined in the

1 Emergency Medical Services (EMS) Systems Act, firefighters,
2 law enforcement officers, and, as determined by the Department
3 of Early Childhood on and after July 1, 2026, any other workers
4 who, on account of their work schedule, need child care
5 outside of the hours when licensed child care facilities
6 typically operate.

7 (c) Beginning July 1, 2026, the Department of Early
8 Childhood shall administer the Off-Hours Child Care Program to
9 help first responders and other workers identify and access
10 off-hours, night, or sleep time child care, subject to
11 appropriation. Services funded under the program must address
12 the child care needs of first responders. Funding provided
13 under the program may also be used to cover any capital and
14 operating expenses related to the provision of off-hours,
15 night, or sleep time child care for first responders. Funding
16 awarded under this Section shall be funded through
17 appropriations from the Off-Hours Child Care Program Fund
18 created under Public Act 102-912. The Department of Early
19 Childhood may adopt any rules necessary to implement the
20 program.

21 Section 20-35. Great START program.

22 (a) Through June 30, 2026, the Department of Human
23 Services shall, subject to a specific appropriation for this
24 purpose, operate a Great START (Strategy To Attract and Retain
25 Teachers) program. The goal of the program is to improve

1 children's developmental and educational outcomes in child
2 care by encouraging increased professional preparation by
3 staff and staff retention. The Great START program shall
4 coordinate with the TEACH professional development program.

5 The program shall provide wage supplements and may include
6 other incentives to licensed child care center personnel,
7 including early childhood teachers, school-age workers, early
8 childhood assistants, school-age assistants, and directors, as
9 such positions are defined by administrative rule of the
10 Department of Children and Family Services. The program shall
11 provide wage supplements and may include other incentives to
12 licensed family day care home personnel and licensed group day
13 care home personnel, including caregivers and assistants as
14 such positions are defined by administrative rule of the
15 Department of Children and Family Services. Individuals will
16 receive supplements commensurate with their qualifications.

17 (b) On and after July 1, 2026, the Department of Early
18 Childhood shall, subject to a specific appropriation for this
19 purpose, operate a Great START program. The goal of the
20 program is to improve children's developmental and educational
21 outcomes in child care by encouraging increased professional
22 preparation by staff and staff retention. The Great START
23 program shall coordinate with the TEACH professional
24 development program.

25 The program shall provide wage supplements and may include
26 other incentives to licensed child care center personnel,

1 including early childhood teachers, school-age workers, early
2 childhood assistants, school-age assistants, and directors, as
3 such positions are defined by administrative rule by the
4 Department pursuant to subsections (a) and this subsection.

5 (c) The Department, pursuant to subsections (a) and (b),
6 shall, by rule, define the scope and operation of the program,
7 including a wage supplement scale. The scale shall pay
8 increasing amounts for higher levels of educational attainment
9 beyond minimum qualifications and shall recognize longevity of
10 employment. Subject to the availability of sufficient
11 appropriation, the wage supplements shall be paid to child
12 care personnel in the form of bonuses at 6-month intervals.
13 Six months of continuous service with a single employer is
14 required to be eligible to receive a wage supplement bonus.
15 Wage supplements shall be paid directly to individual day care
16 personnel, not to their employers. Eligible individuals must
17 provide to the Department or its agent all information and
18 documentation, including but not limited to college
19 transcripts, to demonstrate their qualifications for a
20 particular wage supplement level.

21 If appropriations permit, the Department may include
22 one-time signing bonuses or other incentives to help providers
23 attract staff, provided that the signing bonuses are less than
24 the supplement staff would have received if they had remained
25 employed with another day care center or family day care home.

26 If appropriations permit, the Department may include

1 one-time longevity bonuses or other incentives to recognize
2 staff who have remained with a single employer.

3 Section 20-40. Programs to train low-income older persons
4 to be child care workers. On and after July 1, 2026, the
5 Department of Early Childhood may, in conjunction with
6 colleges or universities in this State, establish programs to
7 train low-income older persons to be child care workers. The
8 Department shall prescribe, by rule:

9 (a) age and income qualifications for persons to be
10 trained under such programs; and

11 (b) standards for such programs to ensure that such
12 programs train participants to be skilled workers for the
13 child care industry.

14 Section 20-45. Home child care demonstration project;
15 conversion and renovation grants; Department of Early
16 Childhood.

17 (a) The General Assembly finds that the demand for quality
18 child care far outweighs the number of safe, quality spaces
19 for our children. The purpose of this Section is to increase
20 the number of child care providers by:

21 (1) developing a demonstration project to train
22 individuals to become home child care providers who are
23 able to establish and operate their own child care
24 facility; and

1 (2) providing grants to convert and renovate existing
2 facilities.

3 (b) On and after July 1, 2026, the Department of Early
4 Childhood may from appropriations from the Child Care
5 Development Block Grant establish a demonstration project to
6 train individuals to become home child care providers who are
7 able to establish and operate their own home-based child care
8 facilities. On and after July 1, 2026, the Department of Early
9 Childhood is authorized to use funds for this purpose from the
10 child care and development funds deposited into the DHS
11 Special Purposes Trust Fund as described in Section 12-10 of
12 the Illinois Public Aid Code or deposited into the Employment
13 and Training Fund as described in Section 12-10.3 of the
14 Illinois Public Aid Code. As an economic development program,
15 the project's focus is to foster individual self-sufficiency
16 through an entrepreneurial approach by the creation of new
17 jobs and opening of new small home-based child care
18 businesses. The demonstration project shall involve
19 coordination among State and county governments and the
20 private sector, including but not limited to: the community
21 college system, the Departments of Labor and Commerce and
22 Economic Opportunity, the State Board of Education, large and
23 small private businesses, non-profit programs, unions, and
24 child care providers in the State.

25 (c) On and after July 1, 2026, the Department of Early
26 Childhood may from appropriations from the Child Care

1 Development Block Grant provide grants to family child care
2 providers and center based programs to convert and renovate
3 existing facilities, to the extent permitted by federal law,
4 so additional family child care homes and child care centers
5 can be located in such facilities.

6 (1) Applications for grants shall be made to the
7 Department and shall contain information as the Department
8 shall require by rule. Every applicant shall provide
9 assurance to the Department that:

10 (A) the facility to be renovated or improved shall
11 be used as family child care home or child care center
12 for a continuous period of at least 5 years;

13 (B) any family child care home or child care
14 center program located in a renovated or improved
15 facility shall be licensed by the Department;

16 (C) the program shall comply with applicable
17 federal and State laws prohibiting discrimination
18 against any person on the basis of race, color,
19 national origin, religion, creed, or sex;

20 (D) the grant shall not be used for purposes of
21 entertainment or perquisites;

22 (E) the applicant shall comply with any other
23 requirement the Department may prescribe to ensure
24 adherence to applicable federal, State, and county
25 laws;

26 (F) all renovations and improvements undertaken

1 with funds received under this Section shall comply
2 with all applicable State and county statutes and
3 ordinances including applicable building codes and
4 structural requirements of the Department; and

5 (G) the applicant shall indemnify and save
6 harmless the State and its officers, agents, and
7 employees from and against any and all claims arising
8 out of or resulting from the renovation and
9 improvements made with funds provided by this Section,
10 and, upon request of the Department, the applicant
11 shall procure sufficient insurance to provide that
12 indemnification.

13 (2) To receive a grant under this Section to convert
14 an existing facility into a family child care home or
15 child care center facility, the applicant shall:

16 (A) agree to make available to the Department all
17 records it may have relating to the operation of any
18 family child care home and child care center facility,
19 and to allow State agencies to monitor its compliance
20 with the purpose of this Section;

21 (B) agree that, if the facility is to be altered or
22 improved, or is to be used by other groups, moneys
23 appropriated by this Section shall be used for
24 renovating or improving the facility only to the
25 proportionate extent that the floor space will be used
26 by the child care program; and

1 (C) establish, to the satisfaction of the
2 Department, that sufficient funds are available for
3 the effective use of the facility for the purpose for
4 which it is being renovated or improved.

5 (3) In selecting applicants for funding, the
6 Department shall make every effort to ensure that family
7 child care home or child care center facilities are
8 equitably distributed throughout the State according to
9 demographic need. The Department shall give priority
10 consideration to rural/Downstate areas of the State that
11 are currently experiencing a shortage of child care
12 services.

13 (4) In considering applications for grants to renovate
14 or improve an existing facility used for the operations of
15 a family child care home or child care center, the
16 Department shall give preference to applications to
17 renovate facilities most in need of repair to address
18 safety and habitability concerns. No grant shall be
19 disbursed unless an agreement is entered into between the
20 applicant and the State, by and through the Department.
21 The agreement shall include the assurances and conditions
22 required by this Section and any other terms which the
23 Department may require.

24 ARTICLE 80. TRANSITION PROVISIONS

1 Section 80-5. Transfer of functions. On and after July 1,
2 2026:

3 (a) The powers, duties, rights, and responsibilities
4 vested in the transferring agencies relating to early care and
5 education programs and services to children and families
6 transferred by this Act shall be vested in and shall be
7 exercised by the Department of Early Childhood.

8 (b) The personnel who are engaged in the performance of
9 functions transferred to the Department or who are engaged in
10 the administration of a law the administration of which is
11 transferred to the Department shall be employed by the
12 Department of Early Childhood and not the agency from which
13 the duties performed are transferred.

14 (c) All books, records, papers, documents, property (real
15 and personal), contracts, causes of action, and pending
16 business pertaining to the powers, duties, rights, and
17 responsibilities relating to functions transferred under this
18 Act to the Department of Early Childhood, including, but not
19 limited to, material in electronic or magnetic format and
20 necessary computer hardware and software, shall be transferred
21 to the Department.

22 (d) Whenever reports or notices are now required to be
23 made or given or papers or documents furnished or served by any
24 person in connection with any of the powers, duties, rights,
25 and responsibilities relating to functions transferred by this
26 Act, the same shall be made, given, furnished, or served in the

1 same manner to or upon the Department.

2 (e) This Act does not affect any act done, ratified, or
3 canceled or any right occurring or established or any action
4 or proceeding had or commenced in an administrative, civil, or
5 criminal cause by each transferring agency relating to
6 functions transferred by this Act before the transfer of
7 responsibilities; such actions or proceedings may be
8 prosecuted and continued by the Department.

9 Section 80-10. Rules and standards.

10 (a) The rules and standards of the Department's
11 predecessor agencies that are in effect on June 30, 2026 and
12 pertain to the rights, powers, duties, and functions
13 transferred to the Department under this Act shall become the
14 rules and standards of the Department of Early Childhood on
15 July 1, 2026 and shall continue in effect until amended or
16 repealed by the Department.

17 (b) Any rules pertaining to the rights, powers, duties,
18 and functions transferred to the Department under this Act
19 that have been proposed by a predecessor agency but have not
20 taken effect or been finally adopted by June 30, 2026 shall
21 become proposed rules of the Department of Early Childhood on
22 July 1, 2026, and any rulemaking procedures that have already
23 been completed by the predecessor agency for those proposed
24 rules need not be repeated.

25 (c) As soon as practical after July 1, 2026, the

1 Department of Early Childhood shall revise and clarify the
2 rules transferred to it under this Act to reflect the
3 reorganization of rights, powers, duties, and functions
4 effected by this Act using the procedures for recodification
5 of rules available under the Illinois Administrative Procedure
6 Act, except that existing Title, Part, and Section numbering
7 for the affected rules may be retained. The Department may
8 propose and adopt under the Illinois Administrative Procedure
9 Act such other rules as may be necessary to consolidate and
10 clarify the rules of the agencies reorganized by this Act.

11 Section 80-15. Savings provisions.

12 (a) The rights, powers, duties, and functions transferred
13 to the Department of Early Childhood by this Act shall be
14 vested in and exercised by the Department subject to the
15 provisions of this Act. An act done by the Department or an
16 officer, employee, or agent of the Department in the exercise
17 of the transferred rights, powers, duties, or functions shall
18 have the same legal effect as if done by the predecessor agency
19 or an officer, employee, or agent of the predecessor agency.

20 (b) The transfer of rights, powers, duties, and functions
21 to the Department of Early Childhood under this Act does not
22 invalidate any previous action taken by or in respect to any of
23 its predecessor agencies or their officers, employees, or
24 agents. References to those predecessor agencies or their
25 officers, employees or agents in any document, contract,

1 agreement, or law shall, in appropriate contexts, be deemed to
2 refer to the Department or its officers, employees, or agents.

3 (c) The transfer of rights, powers, duties, and functions
4 to the Department of Early Childhood under this Act does not
5 affect any person's rights, obligations, or duties, including
6 any civil or criminal penalties applicable thereto, arising
7 out of those transferred rights, powers, duties, and
8 functions.

9 (d) With respect to matters that pertain to a right,
10 power, duty, or function transferred to the Department of
11 Early Childhood under this Act:

12 (1) Beginning July 1, 2026, a report or notice that
13 was previously required to be made or given by any person
14 to a predecessor agency or any of its officers, employees,
15 or agents shall be made or given in the same manner to the
16 Department or its appropriate officer, employee, or agent.

17 (2) Beginning July 1, 2026, a document that was
18 previously required to be furnished or served by any
19 person to or upon a predecessor agency or any of its
20 officers, employees, or agents shall be furnished or
21 served in the same manner to or upon the Department or its
22 appropriate officer, employee, or agent.

23 (e) This Act does not affect any act done, ratified, or
24 canceled, any right occurring or established, or any action or
25 proceeding had or commenced in an administrative, civil, or
26 criminal cause before July 1, 2026. Any such action or

1 proceeding that pertains to a right, power, duty, or function
2 transferred to the Department of Early Childhood under this
3 Act and that is pending on that date may be prosecuted,
4 defended, or continued by the Department of Early Childhood.

5 ARTICLE 90. AMENDATORY PROVISIONS

6 Section 90-5. The Civil Administrative Code of Illinois is
7 amended by changing Sections 5-10, 5-15, and 5-20 and by
8 adding Sections 5-126 and 5-336 as follows:

9 (20 ILCS 5/5-10) (was 20 ILCS 5/2.1)

10 Sec. 5-10. "Director". As used in the Civil Administrative
11 Code of Illinois, unless the context clearly indicates
12 otherwise, the word "director" means the several directors of
13 the departments of State government as designated in Section
14 5-20 of this Law and includes the Secretary of Early
15 Childhood, the Secretary of Financial and Professional
16 Regulation, the Secretary of Innovation and Technology, the
17 Secretary of Human Services, and the Secretary of
18 Transportation.

19 (Source: P.A. 100-611, eff. 7-20-18.)

20 (20 ILCS 5/5-15) (was 20 ILCS 5/3)

21 Sec. 5-15. Departments of State government. The
22 Departments of State government are created as follows:

1 The Department on Aging.
2 The Department of Agriculture.
3 The Department of Central Management Services.
4 The Department of Children and Family Services.
5 The Department of Commerce and Economic Opportunity.
6 The Department of Corrections.
7 The Department of Early Childhood.
8 The Department of Employment Security.
9 The Illinois Emergency Management Agency.
10 The Department of Financial and Professional Regulation.
11 The Department of Healthcare and Family Services.
12 The Department of Human Rights.
13 The Department of Human Services.
14 The Department of Innovation and Technology.
15 The Department of Insurance.
16 The Department of Juvenile Justice.
17 The Department of Labor.
18 The Department of the Lottery.
19 The Department of Natural Resources.
20 The Department of Public Health.
21 The Department of Revenue.
22 The Illinois State Police.
23 The Department of Transportation.
24 The Department of Veterans' Affairs.
25 (Source: P.A. 102-538, eff. 8-20-21.)

1 (20 ILCS 5/5-20) (was 20 ILCS 5/4)

2 Sec. 5-20. Heads of departments. Each department shall
3 have an officer as its head who shall be known as director or
4 secretary and who shall, subject to the provisions of the
5 Civil Administrative Code of Illinois, execute the powers and
6 discharge the duties vested by law in his or her respective
7 department.

8 The following officers are hereby created:

9 Director of Aging, for the Department on Aging.

10 Director of Agriculture, for the Department of
11 Agriculture.

12 Director of Central Management Services, for the
13 Department of Central Management Services.

14 Director of Children and Family Services, for the
15 Department of Children and Family Services.

16 Director of Commerce and Economic Opportunity, for the
17 Department of Commerce and Economic Opportunity.

18 Director of Corrections, for the Department of
19 Corrections.

20 Director of the Illinois Emergency Management Agency, for
21 the Illinois Emergency Management Agency.

22 Secretary of Early Childhood, for the Department of Early
23 Childhood.

24 Director of Employment Security, for the Department of
25 Employment Security.

26 Secretary of Financial and Professional Regulation, for

1 the Department of Financial and Professional Regulation.

2 Director of Healthcare and Family Services, for the
3 Department of Healthcare and Family Services.

4 Director of Human Rights, for the Department of Human
5 Rights.

6 Secretary of Human Services, for the Department of Human
7 Services.

8 Secretary of Innovation and Technology, for the Department
9 of Innovation and Technology.

10 Director of Insurance, for the Department of Insurance.

11 Director of Juvenile Justice, for the Department of
12 Juvenile Justice.

13 Director of Labor, for the Department of Labor.

14 Director of the Lottery, for the Department of the
15 Lottery.

16 Director of Natural Resources, for the Department of
17 Natural Resources.

18 Director of Public Health, for the Department of Public
19 Health.

20 Director of Revenue, for the Department of Revenue.

21 Director of the Illinois State Police, for the Illinois
22 State Police.

23 Secretary of Transportation, for the Department of
24 Transportation.

25 Director of Veterans' Affairs, for the Department of
26 Veterans' Affairs.

1 (Source: P.A. 102-538, eff. 8-20-21.)

2 (20 ILCS 5/5-126 new)

3 Sec. 5-126. In the Department of Early Childhood.
4 Secretary and Assistant Secretaries of Early Childhood.

5 (20 ILCS 5/5-336 new)

6 Sec. 5-336. In the Department of Early Childhood. For
7 terms beginning on or after July 1, 2024, the Secretary shall
8 receive an annual salary of \$200,000 or as set by the Governor,
9 whichever is higher. On July 1, 2025, and on each July 1
10 thereafter, the Secretary shall receive an increase in salary
11 based on the cost of living adjustment as authorized by Senate
12 Joint Resolution 192 of the 86th General Assembly.

13 Section 90-10. The Children and Family Services Act is
14 amended by changing Sections 5.15, 5.20, 22.1, 34.9, and 34.10
15 as follows:

16 (20 ILCS 505/5.15)

17 Sec. 5.15. Daycare; Department of Human Services.

18 (a) For the purpose of ensuring effective statewide
19 planning, development, and utilization of resources for the
20 day care of children, operated under various auspices, the
21 Department of Human Services is designated to coordinate all
22 day care activities for children of the State and shall

1 develop or continue, and shall update every year, a State
2 comprehensive day-care plan for submission to the Governor
3 that identifies high-priority areas and groups, relating them
4 to available resources and identifying the most effective
5 approaches to the use of existing day care services. The State
6 comprehensive day-care plan shall be made available to the
7 General Assembly following the Governor's approval of the
8 plan.

9 The plan shall include methods and procedures for the
10 development of additional day care resources for children to
11 meet the goal of reducing short-run and long-run dependency
12 and to provide necessary enrichment and stimulation to the
13 education of young children. Recommendations shall be made for
14 State policy on optimum use of private and public, local,
15 State and federal resources, including an estimate of the
16 resources needed for the licensing and regulation of day care
17 facilities.

18 A written report shall be submitted to the Governor and
19 the General Assembly annually on April 15. The report shall
20 include an evaluation of developments over the preceding
21 fiscal year, including cost-benefit analyses of various
22 arrangements. Beginning with the report in 1990 submitted by
23 the Department's predecessor agency and every 2 years
24 thereafter, the report shall also include the following:

25 (1) An assessment of the child care services, needs
26 and available resources throughout the State and an

1 assessment of the adequacy of existing child care
2 services, including, but not limited to, services assisted
3 under this Act and under any other program administered by
4 other State agencies.

5 (2) A survey of day care facilities to determine the
6 number of qualified caregivers, as defined by rule,
7 attracted to vacant positions and any problems encountered
8 by facilities in attracting and retaining capable
9 caregivers. The report shall include an assessment, based
10 on the survey, of improvements in employee benefits that
11 may attract capable caregivers.

12 (3) The average wages and salaries and fringe benefit
13 packages paid to caregivers throughout the State, computed
14 on a regional basis, compared to similarly qualified
15 employees in other but related fields.

16 (4) The qualifications of new caregivers hired at
17 licensed day care facilities during the previous 2-year
18 period.

19 (5) Recommendations for increasing caregiver wages and
20 salaries to ensure quality care for children.

21 (6) Evaluation of the fee structure and income
22 eligibility for child care subsidized by the State.

23 The requirement for reporting to the General Assembly
24 shall be satisfied by filing copies of the report as required
25 by Section 3.1 of the General Assembly Organization Act, and
26 filing such additional copies with the State Government Report

1 Distribution Center for the General Assembly as is required
2 under paragraph (t) of Section 7 of the State Library Act.

3 (b) The Department of Human Services shall establish
4 policies and procedures for developing and implementing
5 interagency agreements with other agencies of the State
6 providing child care services or reimbursement for such
7 services. The plans shall be annually reviewed and modified
8 for the purpose of addressing issues of applicability and
9 service system barriers.

10 (c) In cooperation with other State agencies, the
11 Department of Human Services shall develop and implement, or
12 shall continue, a resource and referral system for the State
13 of Illinois either within the Department or by contract with
14 local or regional agencies. Funding for implementation of this
15 system may be provided through Department appropriations or
16 other inter-agency funding arrangements. The resource and
17 referral system shall provide at least the following services:

18 (1) Assembling and maintaining a data base on the
19 supply of child care services.

20 (2) Providing information and referrals for parents.

21 (3) Coordinating the development of new child care
22 resources.

23 (4) Providing technical assistance and training to
24 child care service providers.

25 (5) Recording and analyzing the demand for child care
26 services.

1 (d) The Department of Human Services shall conduct day
2 care planning activities with the following priorities:

3 (1) Development of voluntary day care resources
4 wherever possible, with the provision for grants-in-aid
5 only where demonstrated to be useful and necessary as
6 incentives or supports. By January 1, 2002, the Department
7 shall design a plan to create more child care slots as well
8 as goals and timetables to improve quality and
9 accessibility of child care.

10 (2) Emphasis on service to children of recipients of
11 public assistance when such service will allow training or
12 employment of the parent toward achieving the goal of
13 independence.

14 (3) (Blank).

15 (4) Care of children from families in stress and
16 crises whose members potentially may become, or are in
17 danger of becoming, non-productive and dependent.

18 (5) Expansion of family day care facilities wherever
19 possible.

20 (6) Location of centers in economically depressed
21 neighborhoods, preferably in multi-service centers with
22 cooperation of other agencies. The Department shall
23 coordinate the provision of grants, but only to the extent
24 funds are specifically appropriated for this purpose, to
25 encourage the creation and expansion of child care centers
26 in high need communities to be issued by the State,

1 business, and local governments.

2 (7) Use of existing facilities free of charge or for
3 reasonable rental whenever possible in lieu of
4 construction.

5 (8) Development of strategies for assuring a more
6 complete range of day care options, including provision of
7 day care services in homes, in schools, or in centers,
8 which will enable a parent or parents to complete a course
9 of education or obtain or maintain employment and the
10 creation of more child care options for swing shift,
11 evening, and weekend workers and for working women with
12 sick children. The Department shall encourage companies to
13 provide child care in their own offices or in the building
14 in which the corporation is located so that employees of
15 all the building's tenants can benefit from the facility.

16 (9) Development of strategies for subsidizing students
17 pursuing degrees in the child care field.

18 (10) Continuation and expansion of service programs
19 that assist teen parents to continue and complete their
20 education.

21 Emphasis shall be given to support services that will help
22 to ensure such parents' graduation from high school and to
23 services for participants in any programs of job training
24 conducted by the Department.

25 (e) The Department of Human Services shall actively
26 stimulate the development of public and private resources at

1 the local level. It shall also seek the fullest utilization of
2 federal funds directly or indirectly available to the
3 Department.

4 Where appropriate, existing non-governmental agencies or
5 associations shall be involved in planning by the Department.

6 (f) To better accommodate the child care needs of low
7 income working families, especially those who receive
8 Temporary Assistance for Needy Families (TANF) or who are
9 transitioning from TANF to work, or who are at risk of
10 depending on TANF in the absence of child care, the Department
11 shall complete a study using outcome-based assessment
12 measurements to analyze the various types of child care needs,
13 including but not limited to: child care homes; child care
14 facilities; before and after school care; and evening and
15 weekend care. Based upon the findings of the study, the
16 Department shall develop a plan by April 15, 1998, that
17 identifies the various types of child care needs within
18 various geographic locations. The plan shall include, but not
19 be limited to, the special needs of parents and guardians in
20 need of non-traditional child care services such as early
21 mornings, evenings, and weekends; the needs of very low income
22 families and children and how they might be better served; and
23 strategies to assist child care providers to meet the needs
24 and schedules of low income families.

25 (g) This Section is repealed on July 1, 2026.

26 (Source: P.A. 100-1148, eff. 12-10-18.)

1 (20 ILCS 505/5.20)

2 Sec. 5.20. Child care for former public aid recipients;
3 Department of Human Services. The Department of Human Services
4 may provide child care services to former recipients of
5 assistance under the Illinois Public Aid Code as authorized by
6 Section 9-6.3 of that Code. This Section is repealed on July 1,
7 2026.

8 (Source: P.A. 89-507, eff. 7-1-97.)

9 (20 ILCS 505/22.1) (from Ch. 23, par. 5022.1)

10 Sec. 22.1. Grants-in-aid for child care services;
11 Department of Human Services.

12 (a) Blank.

13 (b) Blank.

14 (c) The Department of Human Services shall establish and
15 operate day care facilities for the children of migrant
16 workers in areas of the State where they are needed. The
17 Department may provide these day care services by contracting
18 with private centers if practicable. "Migrant worker" means
19 any person who moves seasonally from one place to another,
20 within or without the State, for the purpose of employment in
21 agricultural activities. This Section is repealed on July 1,
22 2026.

23 (Source: P.A. 97-516, eff. 8-23-11.)

1 (20 ILCS 505/34.9) (from Ch. 23, par. 5034.9)

2 Sec. 34.9. The Department may, in conjunction with
3 colleges or universities in this State, establish programs to
4 train low-income older persons to be child care workers. The
5 Department shall prescribe, by rule:

6 (a) age and income qualifications for persons to be
7 trained under such programs; and

8 (b) standards for such programs to ensure that such
9 programs train participants to be skilled workers for the
10 child care industry.

11 This Section is repealed on July 1, 2026.

12 (Source: P.A. 86-889.)

13 (20 ILCS 505/34.10) (from Ch. 23, par. 5034.10)

14 Sec. 34.10. Home child care demonstration project;
15 conversion and renovation grants; Department of Human
16 Services.

17 (a) The legislature finds that the demand for quality
18 child care far outweighs the number of safe, quality spaces
19 for our children. The purpose of this Section is to increase
20 the number of child care providers by:

21 (1) developing a demonstration project to train
22 individuals to become home child care providers who are
23 able to establish and operate their own child care
24 facility; and

25 (2) providing grants to convert and renovate existing

1 facilities.

2 (b) The Department of Human Services may from
3 appropriations from the Child Care Development Block Grant
4 establish a demonstration project to train individuals to
5 become home child care providers who are able to establish and
6 operate their own home-based child care facilities. The
7 Department of Human Services is authorized to use funds for
8 this purpose from the child care and development funds
9 deposited into the DHS Special Purposes Trust Fund as
10 described in Section 12-10 of the Illinois Public Aid Code or
11 deposited into the Employment and Training Fund as described
12 in Section 12-10.3 of the Illinois Public Aid Code. As an
13 economic development program, the project's focus is to foster
14 individual self-sufficiency through an entrepreneurial
15 approach by the creation of new jobs and opening of new small
16 home-based child care businesses. The demonstration project
17 shall involve coordination among State and county governments
18 and the private sector, including but not limited to: the
19 community college system, the Departments of Labor and
20 Commerce and Economic Opportunity, the State Board of
21 Education, large and small private businesses, nonprofit
22 programs, unions, and child care providers in the State.

23 The Department shall submit:

24 (1) a progress report on the demonstration project to
25 the legislature by one year after January 1, 1992 (the
26 effective date of Public Act 87-332); and

1 (2) a final evaluation report on the demonstration
2 project, including findings and recommendations, to the
3 legislature by one year after the due date of the progress
4 report.

5 (c) The Department of Human Services may from
6 appropriations from the Child Care Development Block Grant
7 provide grants to family child care providers and center based
8 programs to convert and renovate existing facilities, to the
9 extent permitted by federal law, so additional family child
10 care homes and child care centers can be located in such
11 facilities.

12 (1) Applications for grants shall be made to the
13 Department and shall contain information as the Department
14 shall require by rule. Every applicant shall provide
15 assurance to the Department that:

16 (A) the facility to be renovated or improved shall
17 be used as family child care home or child care center
18 for a continuous period of at least 5 years;

19 (B) any family child care home or child care
20 center program located in a renovated or improved
21 facility shall be licensed by the Department;

22 (C) the program shall comply with applicable
23 federal and State laws prohibiting discrimination
24 against any person on the basis of race, color,
25 national origin, religion, creed, or sex;

26 (D) the grant shall not be used for purposes of

1 entertainment or perquisites;

2 (E) the applicant shall comply with any other
3 requirement the Department may prescribe to ensure
4 adherence to applicable federal, State, and county
5 laws;

6 (F) all renovations and improvements undertaken
7 with funds received under this Section shall comply
8 with all applicable State and county statutes and
9 ordinances including applicable building codes and
10 structural requirements of the Department; and

11 (G) the applicant shall indemnify and save
12 harmless the State and its officers, agents, and
13 employees from and against any and all claims arising
14 out of or resulting from the renovation and
15 improvements made with funds provided by this Section,
16 and, upon request of the Department, the applicant
17 shall procure sufficient insurance to provide that
18 indemnification.

19 (2) To receive a grant under this Section to convert
20 an existing facility into a family child care home or
21 child care center facility, the applicant shall:

22 (A) agree to make available to the Department of
23 Human Services all records it may have relating to the
24 operation of any family child care home and child care
25 center facility, and to allow State agencies to
26 monitor its compliance with the purpose of this

1 Section;

2 (B) agree that, if the facility is to be altered or
3 improved, or is to be used by other groups, moneys
4 appropriated by this Section shall be used for
5 renovating or improving the facility only to the
6 proportionate extent that the floor space will be used
7 by the child care program; and

8 (C) establish, to the satisfaction of the
9 Department that sufficient funds are available for the
10 effective use of the facility for the purpose for
11 which it is being renovated or improved.

12 (3) In selecting applicants for funding, the
13 Department shall make every effort to ensure that family
14 child care home or child care center facilities are
15 equitably distributed throughout the State according to
16 demographic need. The Department shall give priority
17 consideration to rural/Downstate areas of the State that
18 are currently experiencing a shortage of child care
19 services.

20 (4) In considering applications for grants to renovate
21 or improve an existing facility used for the operations of
22 a family child care home or child care center, the
23 Department shall give preference to applications to
24 renovate facilities most in need of repair to address
25 safety and habitability concerns. No grant shall be
26 disbursed unless an agreement is entered into between the

1 applicant and the State, by and through the Department.
2 The agreement shall include the assurances and conditions
3 required by this Section and any other terms which the
4 Department may require.

5 (d) This Section is repealed on July 1, 2026.

6 (Source: P.A. 103-363, eff. 7-28-23.)

7 Section 90-15. The Department of Human Services Act is
8 amended by changing Sections 1-75, 10-16, and 10-22 as
9 follows:

10 (20 ILCS 1305/1-75)

11 Sec. 1-75. Off-Hours Child Care Program.

12 (a) Legislative intent. The General Assembly finds that:

13 (1) Finding child care can be a challenge for
14 firefighters, paramedics, police officers, nurses, and
15 other third shift workers across the State who often work
16 non-typical work hours. This can impact home life, school,
17 bedtime routines, job safety, and the mental health of
18 some of our most critical front line workers and their
19 families.

20 (2) There is a need for increased options for
21 off-hours child care in the State. A majority of the
22 State's child care facilities do not provide care outside
23 of normal work hours, with just 3,251 day care homes and
24 435 group day care homes that provide night care.

1 (3) Illinois has a vested interest in ensuring that
2 our first responders and working families can provide
3 their children with appropriate care during off hours to
4 improve the morale of existing first responders and to
5 improve recruitment into the future.

6 (b) As used in this Section, "first responders" means
7 emergency medical services personnel as defined in the
8 Emergency Medical Services (EMS) Systems Act, firefighters,
9 law enforcement officers, and, as determined by the
10 Department, any other workers who, on account of their work
11 schedule, need child care outside of the hours when licensed
12 child care facilities typically operate.

13 (c) Subject to appropriation, the Department of Human
14 Services shall establish and administer an Off-Hours Child
15 Care Program to help first responders and other workers
16 identify and access off-hours, night, or sleep time child
17 care. Services funded under the program must address the child
18 care needs of first responders. Funding provided under the
19 program may also be used to cover any capital and operating
20 expenses related to the provision of off-hours, night, or
21 sleep time child care for first responders. Funding awarded
22 under this Section shall be funded through appropriations from
23 the Off-Hours Child Care Program Fund created under subsection
24 (d). The Department shall implement the program by July 1,
25 2023. The Department may adopt any rules necessary to
26 implement the program.

1 (d) The Off-Hours Child Care Program Fund is created as a
2 special fund in the State treasury. The Fund shall consist of
3 any moneys appropriated to the Department of Human Services
4 for the Off-Hours Child Care Program. Moneys in the Fund shall
5 be expended for the Off-Hours Child Care Program and for no
6 other purpose. All interest earned on moneys in the Fund shall
7 be deposited into the Fund.

8 (e) This Section is repealed on July 1, 2026.

9 (Source: P.A. 102-912, eff. 5-27-22; 103-154, eff. 6-30-23.)

10 (20 ILCS 1305/10-16)

11 Sec. 10-16. Home visiting program.

12 (a) The General Assembly finds that research-informed home
13 visiting programs work to strengthen families' functioning and
14 support parents in caring for their children to ensure optimal
15 child development.

16 (b) The Department shall establish a home visiting program
17 to support communities in providing intensive home visiting
18 programs to pregnant persons and families with children from
19 birth up to elementary school enrollment. Services shall be
20 offered on a voluntary basis to families. In awarding grants
21 under the program, the Department shall prioritize populations
22 or communities in need of such services, as determined by the
23 Department, based on data including, but not limited to,
24 statewide home visiting needs assessments. Eligibility under
25 the program shall also take into consideration requirements of

1 the federal Maternal, Infant, and Early Childhood Home
2 Visiting Program and Head Start and Early Head Start to ensure
3 appropriate alignment. The overall goals for these services
4 are to:

5 (1) improve maternal and newborn health;

6 (2) prevent child abuse and neglect;

7 (3) promote children's development and readiness to
8 participate in school; and

9 (4) connect families to needed community resources and
10 supports.

11 (b) Allowable uses of funding include:

12 (1) Grants to community-based organizations to
13 implement home visiting and family support services with
14 fidelity to research-informed home visiting program
15 models, as defined by the Department. Services may
16 include, but are not limited to:

17 (A) personal visits with a child and the child's
18 parent or caregiver at a periodicity aligned with the
19 model being implemented;

20 (B) opportunities for connections with other
21 parents and caregivers in their community and other
22 social and community supports;

23 (C) enhancements to research-informed home
24 visiting program models based on community needs
25 including doula services, and other program
26 innovations as approved by the Department; and

1 (D) referrals to other resources needed by
2 families.

3 (2) Infrastructure supports for grantees, including,
4 but not limited to, professional development for the
5 workforce, technical assistance and capacity-building,
6 data system and supports, infant and early childhood
7 mental health consultation, trauma-informed practices,
8 research, universal newborn screening, and coordinated
9 intake.

10 (c) Subject to appropriation, the Department shall award
11 grants to community-based agencies in accordance with this
12 Section and any other rules that may be adopted by the
13 Department. Successful grantees under this program shall
14 comply with policies and procedures on program, data, and
15 expense reporting as developed by the Department.

16 (d) Funds received under this Section shall supplement,
17 not supplant, other existing or new federal, State, or local
18 sources of funding for these services. Any new federal funding
19 received shall supplement and not supplant funding for this
20 program.

21 (e) The Department shall collaborate with relevant
22 agencies to support the coordination and alignment of home
23 visiting services provided through other State and federal
24 funds, to the extent possible. The Department shall
25 collaborate with the State Board of Education, the Department
26 of Healthcare and Family Services, and Head Start and Early

1 Head Start in the implementation of these services to support
2 alignment with home visiting services provided through the
3 Early Childhood Block Grant and the State's Medical Assistance
4 Program, respectively, to the extent possible.

5 (f) An advisory committee shall advise the Department
6 concerning the implementation of the home visiting program.
7 The advisory committee shall make recommendations on policy
8 and implementation. The Department shall determine whether the
9 advisory committee shall be a newly created body or an
10 existing body such as a committee of the Illinois Early
11 Learning Council. The advisory committee shall consist of one
12 or more representatives of the Department, other members
13 representing public and private entities that serve and
14 interact with the families served under the home visiting
15 program, with the input of families engaged in home visiting
16 or related services themselves. Family input may be secured by
17 engaging families as members of this advisory committee or as
18 a separate committee of family representatives.

19 (g) The Department may adopt any rules necessary to
20 implement this Section.

21 (i) This Section is repealed on July 1, 2026.

22 (Source: P.A. 103-498, eff. 1-1-24.)

23 (20 ILCS 1305/10-22)

24 Sec. 10-22. Great START program.

25 (a) The Department of Human Services shall, subject to a

1 specific appropriation for this purpose, operate a Great START
2 (Strategy To Attract and Retain Teachers) program. The goal of
3 the program is to improve children's developmental and
4 educational outcomes in child care by encouraging increased
5 professional preparation by staff and staff retention. The
6 Great START program shall coordinate with the TEACH
7 professional development program.

8 The program shall provide wage supplements and may include
9 other incentives to licensed child care center personnel,
10 including early childhood teachers, school-age workers, early
11 childhood assistants, school-age assistants, and directors, as
12 such positions are defined by administrative rule of the
13 Department of Children and Family Services. The program shall
14 provide wage supplements and may include other incentives to
15 licensed family day care home personnel and licensed group day
16 care home personnel, including caregivers and assistants as
17 such positions are defined by administrative rule of the
18 Department of Children and Family Services. Individuals will
19 receive supplements commensurate with their qualifications.

20 (b) (Blank).

21 (c) The Department shall, by rule, define the scope and
22 operation of the program, including a wage supplement scale.
23 The scale shall pay increasing amounts for higher levels of
24 educational attainment beyond minimum qualifications and shall
25 recognize longevity of employment. Subject to the availability
26 of sufficient appropriation, the wage supplements shall be

1 paid to child care personnel in the form of bonuses at 6 month
2 intervals. Six months of continuous service with a single
3 employer is required to be eligible to receive a wage
4 supplement bonus. Wage supplements shall be paid directly to
5 individual day care personnel, not to their employers.
6 Eligible individuals must provide to the Department or its
7 agent all information and documentation, including but not
8 limited to college transcripts, to demonstrate their
9 qualifications for a particular wage supplement level.

10 If appropriations permit, the Department may include
11 one-time signing bonuses or other incentives to help providers
12 attract staff, provided that the signing bonuses are less than
13 the supplement staff would have received if they had remained
14 employed with another day care center or family day care home.

15 If appropriations permit, the Department may include
16 one-time longevity bonuses or other incentives to recognize
17 staff who have remained with a single employer.

18 (d) (Blank).

19 (e) This Section is repealed on July 1, 2026.

20 (Source: P.A. 93-711, eff. 7-12-04.)

21 Section 90-20. The Illinois Early Learning Council Act is
22 amended by changing Section 10 as follows:

23 (20 ILCS 3933/10)

24 Sec. 10. Membership. The Illinois Early Learning Council

1 shall include representation from both public and private
2 organizations, and its membership shall reflect regional,
3 racial, and cultural diversity to ensure representation of the
4 needs of all Illinois children. One member shall be appointed
5 by the President of the Senate, one member appointed by the
6 Minority Leader of the Senate, one member appointed by the
7 Speaker of the House of Representatives, one member appointed
8 by the Minority Leader of the House of Representatives, and
9 other members appointed by the Governor. The Governor's
10 appointments shall include without limitation the following:

11 (1) A leader of stature from the Governor's office, to
12 serve as co-chairperson of the Council.

13 (2) The chief administrators of the following State
14 agencies: Department of Early Childhood, State Board of
15 Education; Department of Human Services; Department of
16 Children and Family Services; Department of Public Health;
17 Department of Healthcare and Family Services; Board of
18 Higher Education; and Illinois Community College Board.

19 (3) Local government stakeholders and nongovernment
20 stakeholders with an interest in early childhood care and
21 education, including representation from the following
22 private-sector fields and constituencies: early childhood
23 education and development; child care; child advocacy;
24 parenting support; local community collaborations among
25 early care and education programs and services; maternal
26 and child health; children with special needs; business;

1 labor; and law enforcement. The Governor shall designate
2 one of the members who is a nongovernment stakeholder to
3 serve as co-chairperson.

4 In addition, the Governor shall request that the Region V
5 office of the U.S. Department of Health and Human Services'
6 Administration for Children and Families appoint a member to
7 the Council to represent federal children's programs and
8 services.

9 Members appointed by General Assembly members and members
10 appointed by the Governor who are local government or
11 nongovernment stakeholders shall serve 3-year terms, except
12 that of the initial appointments, half of these members, as
13 determined by lot, shall be appointed to 2-year terms so that
14 terms are staggered. Members shall serve on a voluntary,
15 unpaid basis.

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

17 Section 90-25. The Illinois Procurement Code is amended by
18 changing Section 1-10 as follows:

19 (30 ILCS 500/1-10)

20 Sec. 1-10. Application.

21 (a) This Code applies only to procurements for which
22 bidders, offerors, potential contractors, or contractors were
23 first solicited on or after July 1, 1998. This Code shall not
24 be construed to affect or impair any contract, or any

1 provision of a contract, entered into based on a solicitation
2 prior to the implementation date of this Code as described in
3 Article 99, including, but not limited to, any covenant
4 entered into with respect to any revenue bonds or similar
5 instruments. All procurements for which contracts are
6 solicited between the effective date of Articles 50 and 99 and
7 July 1, 1998 shall be substantially in accordance with this
8 Code and its intent.

9 (b) This Code shall apply regardless of the source of the
10 funds with which the contracts are paid, including federal
11 assistance moneys. This Code shall not apply to:

12 (1) Contracts between the State and its political
13 subdivisions or other governments, or between State
14 governmental bodies, except as specifically provided in
15 this Code.

16 (2) Grants, except for the filing requirements of
17 Section 20-80.

18 (3) Purchase of care, except as provided in Section
19 5-30.6 of the Illinois Public Aid Code and this Section.

20 (4) Hiring of an individual as an employee and not as
21 an independent contractor, whether pursuant to an
22 employment code or policy or by contract directly with
23 that individual.

24 (5) Collective bargaining contracts.

25 (6) Purchase of real estate, except that notice of
26 this type of contract with a value of more than \$25,000

1 must be published in the Procurement Bulletin within 10
2 calendar days after the deed is recorded in the county of
3 jurisdiction. The notice shall identify the real estate
4 purchased, the names of all parties to the contract, the
5 value of the contract, and the effective date of the
6 contract.

7 (7) Contracts necessary to prepare for anticipated
8 litigation, enforcement actions, or investigations,
9 provided that the chief legal counsel to the Governor
10 shall give his or her prior approval when the procuring
11 agency is one subject to the jurisdiction of the Governor,
12 and provided that the chief legal counsel of any other
13 procuring entity subject to this Code shall give his or
14 her prior approval when the procuring entity is not one
15 subject to the jurisdiction of the Governor.

16 (8) (Blank).

17 (9) Procurement expenditures by the Illinois
18 Conservation Foundation when only private funds are used.

19 (10) (Blank).

20 (11) Public-private agreements entered into according
21 to the procurement requirements of Section 20 of the
22 Public-Private Partnerships for Transportation Act and
23 design-build agreements entered into according to the
24 procurement requirements of Section 25 of the
25 Public-Private Partnerships for Transportation Act.

26 (12) (A) Contracts for legal, financial, and other

1 professional and artistic services entered into by the
2 Illinois Finance Authority in which the State of Illinois
3 is not obligated. Such contracts shall be awarded through
4 a competitive process authorized by the members of the
5 Illinois Finance Authority and are subject to Sections
6 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,
7 as well as the final approval by the members of the
8 Illinois Finance Authority of the terms of the contract.

9 (B) Contracts for legal and financial services entered
10 into by the Illinois Housing Development Authority in
11 connection with the issuance of bonds in which the State
12 of Illinois is not obligated. Such contracts shall be
13 awarded through a competitive process authorized by the
14 members of the Illinois Housing Development Authority and
15 are subject to Sections 5-30, 20-160, 50-13, 50-20, 50-35,
16 and 50-37 of this Code, as well as the final approval by
17 the members of the Illinois Housing Development Authority
18 of the terms of the contract.

19 (13) Contracts for services, commodities, and
20 equipment to support the delivery of timely forensic
21 science services in consultation with and subject to the
22 approval of the Chief Procurement Officer as provided in
23 subsection (d) of Section 5-4-3a of the Unified Code of
24 Corrections, except for the requirements of Sections
25 20-60, 20-65, 20-70, and 20-160 and Article 50 of this
26 Code; however, the Chief Procurement Officer may, in

1 writing with justification, waive any certification
2 required under Article 50 of this Code. For any contracts
3 for services which are currently provided by members of a
4 collective bargaining agreement, the applicable terms of
5 the collective bargaining agreement concerning
6 subcontracting shall be followed.

7 On and after January 1, 2019, this paragraph (13),
8 except for this sentence, is inoperative.

9 (14) Contracts for participation expenditures required
10 by a domestic or international trade show or exhibition of
11 an exhibitor, member, or sponsor.

12 (15) Contracts with a railroad or utility that
13 requires the State to reimburse the railroad or utilities
14 for the relocation of utilities for construction or other
15 public purpose. Contracts included within this paragraph
16 (15) shall include, but not be limited to, those
17 associated with: relocations, crossings, installations,
18 and maintenance. For the purposes of this paragraph (15),
19 "railroad" means any form of non-highway ground
20 transportation that runs on rails or electromagnetic
21 guideways and "utility" means: (1) public utilities as
22 defined in Section 3-105 of the Public Utilities Act, (2)
23 telecommunications carriers as defined in Section 13-202
24 of the Public Utilities Act, (3) electric cooperatives as
25 defined in Section 3.4 of the Electric Supplier Act, (4)
26 telephone or telecommunications cooperatives as defined in

1 Section 13-212 of the Public Utilities Act, (5) rural
2 water or waste water systems with 10,000 connections or
3 less, (6) a holder as defined in Section 21-201 of the
4 Public Utilities Act, and (7) municipalities owning or
5 operating utility systems consisting of public utilities
6 as that term is defined in Section 11-117-2 of the
7 Illinois Municipal Code.

8 (16) Procurement expenditures necessary for the
9 Department of Public Health to provide the delivery of
10 timely newborn screening services in accordance with the
11 Newborn Metabolic Screening Act.

12 (17) Procurement expenditures necessary for the
13 Department of Agriculture, the Department of Financial and
14 Professional Regulation, the Department of Human Services,
15 and the Department of Public Health to implement the
16 Compassionate Use of Medical Cannabis Program and Opioid
17 Alternative Pilot Program requirements and ensure access
18 to medical cannabis for patients with debilitating medical
19 conditions in accordance with the Compassionate Use of
20 Medical Cannabis Program Act.

21 (18) This Code does not apply to any procurements
22 necessary for the Department of Agriculture, the
23 Department of Financial and Professional Regulation, the
24 Department of Human Services, the Department of Commerce
25 and Economic Opportunity, and the Department of Public
26 Health to implement the Cannabis Regulation and Tax Act if

1 the applicable agency has made a good faith determination
2 that it is necessary and appropriate for the expenditure
3 to fall within this exemption and if the process is
4 conducted in a manner substantially in accordance with the
5 requirements of Sections 20-160, 25-60, 30-22, 50-5,
6 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,
7 50-36, 50-37, 50-38, and 50-50 of this Code; however, for
8 Section 50-35, compliance applies only to contracts or
9 subcontracts over \$100,000. Notice of each contract
10 entered into under this paragraph (18) that is related to
11 the procurement of goods and services identified in
12 paragraph (1) through (9) of this subsection shall be
13 published in the Procurement Bulletin within 14 calendar
14 days after contract execution. The Chief Procurement
15 Officer shall prescribe the form and content of the
16 notice. Each agency shall provide the Chief Procurement
17 Officer, on a monthly basis, in the form and content
18 prescribed by the Chief Procurement Officer, a report of
19 contracts that are related to the procurement of goods and
20 services identified in this subsection. At a minimum, this
21 report shall include the name of the contractor, a
22 description of the supply or service provided, the total
23 amount of the contract, the term of the contract, and the
24 exception to this Code utilized. A copy of any or all of
25 these contracts shall be made available to the Chief
26 Procurement Officer immediately upon request. The Chief

1 Procurement Officer shall submit a report to the Governor
2 and General Assembly no later than November 1 of each year
3 that includes, at a minimum, an annual summary of the
4 monthly information reported to the Chief Procurement
5 Officer. This exemption becomes inoperative 5 years after
6 June 25, 2019 (the effective date of Public Act 101-27).

7 (19) Acquisition of modifications or adjustments,
8 limited to assistive technology devices and assistive
9 technology services, adaptive equipment, repairs, and
10 replacement parts to provide reasonable accommodations (i)
11 that enable a qualified applicant with a disability to
12 complete the job application process and be considered for
13 the position such qualified applicant desires, (ii) that
14 modify or adjust the work environment to enable a
15 qualified current employee with a disability to perform
16 the essential functions of the position held by that
17 employee, (iii) to enable a qualified current employee
18 with a disability to enjoy equal benefits and privileges
19 of employment as are enjoyed by other similarly situated
20 employees without disabilities, and (iv) that allow a
21 customer, client, claimant, or member of the public
22 seeking State services full use and enjoyment of and
23 access to its programs, services, or benefits.

24 For purposes of this paragraph (19):

25 "Assistive technology devices" means any item, piece
26 of equipment, or product system, whether acquired

1 commercially off the shelf, modified, or customized, that
2 is used to increase, maintain, or improve functional
3 capabilities of individuals with disabilities.

4 "Assistive technology services" means any service that
5 directly assists an individual with a disability in
6 selection, acquisition, or use of an assistive technology
7 device.

8 "Qualified" has the same meaning and use as provided
9 under the federal Americans with Disabilities Act when
10 describing an individual with a disability.

11 (20) Procurement expenditures necessary for the
12 Illinois Commerce Commission to hire third-party
13 facilitators pursuant to Sections 16-105.17 and 16-108.18
14 of the Public Utilities Act or an ombudsman pursuant to
15 Section 16-107.5 of the Public Utilities Act, a
16 facilitator pursuant to Section 16-105.17 of the Public
17 Utilities Act, or a grid auditor pursuant to Section
18 16-105.10 of the Public Utilities Act.

19 (21) Procurement expenditures for the purchase,
20 renewal, and expansion of software, software licenses, or
21 software maintenance agreements that support the efforts
22 of the Illinois State Police to enforce, regulate, and
23 administer the Firearm Owners Identification Card Act, the
24 Firearm Concealed Carry Act, the Firearms Restraining
25 Order Act, the Firearm Dealer License Certification Act,
26 the Law Enforcement Agencies Data System (LEADS), the

1 Uniform Crime Reporting Act, the Criminal Identification
2 Act, the Illinois Uniform Conviction Information Act, and
3 the Gun Trafficking Information Act, or establish or
4 maintain record management systems necessary to conduct
5 human trafficking investigations or gun trafficking or
6 other stolen firearm investigations. This paragraph (21)
7 applies to contracts entered into on or after January 10,
8 2023 (the effective date of Public Act 102-1116) and the
9 renewal of contracts that are in effect on January 10,
10 2023 (the effective date of Public Act 102-1116).

11 (22) Contracts for project management services and
12 system integration services required for the completion of
13 the State's enterprise resource planning project. This
14 exemption becomes inoperative 5 years after June 7, 2023
15 (the effective date of the changes made to this Section by
16 Public Act 103-8). This paragraph (22) applies to
17 contracts entered into on or after June 7, 2023 (the
18 effective date of the changes made to this Section by
19 Public Act 103-8) and the renewal of contracts that are in
20 effect on June 7, 2023 (the effective date of the changes
21 made to this Section by Public Act 103-8).

22 (23) Procurements necessary for the Department of
23 Insurance to implement the Illinois Health Benefits
24 Exchange Law if the Department of Insurance has made a
25 good faith determination that it is necessary and
26 appropriate for the expenditure to fall within this

1 exemption. The procurement process shall be conducted in a
2 manner substantially in accordance with the requirements
3 of Sections 20-160 and 25-60 and Article 50 of this Code. A
4 copy of these contracts shall be made available to the
5 Chief Procurement Officer immediately upon request. This
6 paragraph is inoperative 5 years after June 27, 2023 (the
7 effective date of Public Act 103-103).

8 (24) ~~(22)~~ Contracts for public education programming,
9 noncommercial sustaining announcements, public service
10 announcements, and public awareness and education
11 messaging with the nonprofit trade associations of the
12 providers of those services that inform the public on
13 immediate and ongoing health and safety risks and hazards.

14 (25) Contracts necessary for the creation of the
15 Department of Early Childhood and the implementation of
16 the Department's core mission are not subject to this
17 Code, provided that the process shall be conducted in a
18 manner substantially in accordance with the requirements
19 of the following sections of this Code: 20-160, 50-5,
20 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,
21 50-36, 50-37, 50-38, and 50-50. This Section becomes
22 inoperative on July 1, 2027.

23 Notwithstanding any other provision of law, for contracts
24 with an annual value of more than \$100,000 entered into on or
25 after October 1, 2017 under an exemption provided in any
26 paragraph of this subsection (b), except paragraph (1), (2),

1 or (5), each State agency shall post to the appropriate
2 procurement bulletin the name of the contractor, a description
3 of the supply or service provided, the total amount of the
4 contract, the term of the contract, and the exception to the
5 Code utilized. The chief procurement officer shall submit a
6 report to the Governor and General Assembly no later than
7 November 1 of each year that shall include, at a minimum, an
8 annual summary of the monthly information reported to the
9 chief procurement officer.

10 (c) This Code does not apply to the electric power
11 procurement process provided for under Section 1-75 of the
12 Illinois Power Agency Act and Section 16-111.5 of the Public
13 Utilities Act. This Code does not apply to the procurement of
14 technical and policy experts pursuant to Section 1-129 of the
15 Illinois Power Agency Act.

16 (d) Except for Section 20-160 and Article 50 of this Code,
17 and as expressly required by Section 9.1 of the Illinois
18 Lottery Law, the provisions of this Code do not apply to the
19 procurement process provided for under Section 9.1 of the
20 Illinois Lottery Law.

21 (e) This Code does not apply to the process used by the
22 Capital Development Board to retain a person or entity to
23 assist the Capital Development Board with its duties related
24 to the determination of costs of a clean coal SNG brownfield
25 facility, as defined by Section 1-10 of the Illinois Power
26 Agency Act, as required in subsection (h-3) of Section 9-220

1 of the Public Utilities Act, including calculating the range
2 of capital costs, the range of operating and maintenance
3 costs, or the sequestration costs or monitoring the
4 construction of clean coal SNG brownfield facility for the
5 full duration of construction.

6 (f) (Blank).

7 (g) (Blank).

8 (h) This Code does not apply to the process to procure or
9 contracts entered into in accordance with Sections 11-5.2 and
10 11-5.3 of the Illinois Public Aid Code.

11 (i) Each chief procurement officer may access records
12 necessary to review whether a contract, purchase, or other
13 expenditure is or is not subject to the provisions of this
14 Code, unless such records would be subject to attorney-client
15 privilege.

16 (j) This Code does not apply to the process used by the
17 Capital Development Board to retain an artist or work or works
18 of art as required in Section 14 of the Capital Development
19 Board Act.

20 (k) This Code does not apply to the process to procure
21 contracts, or contracts entered into, by the State Board of
22 Elections or the State Electoral Board for hearing officers
23 appointed pursuant to the Election Code.

24 (l) This Code does not apply to the processes used by the
25 Illinois Student Assistance Commission to procure supplies and
26 services paid for from the private funds of the Illinois

1 Prepaid Tuition Fund. As used in this subsection (1), "private
2 funds" means funds derived from deposits paid into the
3 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

4 (m) This Code shall apply regardless of the source of
5 funds with which contracts are paid, including federal
6 assistance moneys. Except as specifically provided in this
7 Code, this Code shall not apply to procurement expenditures
8 necessary for the Department of Public Health to conduct the
9 Healthy Illinois Survey in accordance with Section 2310-431 of
10 the Department of Public Health Powers and Duties Law of the
11 Civil Administrative Code of Illinois.

12 (Source: P.A. 102-175, eff. 7-29-21; 102-483, eff. 1-1-22;
13 102-558, eff. 8-20-21; 102-600, eff. 8-27-21; 102-662, eff.
14 9-15-21; 102-721, eff. 1-1-23; 102-813, eff. 5-13-22;
15 102-1116, eff. 1-10-23; 103-8, eff. 6-7-23; 103-103, eff.
16 6-27-23; 103-570, eff. 1-1-24; 103-580, eff. 12-8-23; revised
17 1-2-24.)

18 Section 90-30. The School Code is amended by changing
19 Sections 1A-4, 1C-2, 1C-4, 1D-1, 2-3.47, 2-3.64a-10, 2-3.71,
20 2-3.71a, 2-3.79, 2-3.89, 10-22.6, 21B-50, 22-45, and 26-19 as
21 follows:

22 (105 ILCS 5/1A-4) (from Ch. 122, par. 1A-4)
23 Sec. 1A-4. Powers and duties of the Board.
24 A. (Blank).

1 B. The Board shall determine the qualifications of and
2 appoint a chief education officer, to be known as the State
3 Superintendent of Education, who may be proposed by the
4 Governor and who shall serve at the pleasure of the Board and
5 pursuant to a performance-based contract linked to statewide
6 student performance and academic improvement within Illinois
7 schools. Upon expiration or buyout of the contract of the
8 State Superintendent of Education in office on the effective
9 date of this amendatory Act of the 93rd General Assembly, a
10 State Superintendent of Education shall be appointed by a
11 State Board of Education that includes the 7 new Board members
12 who were appointed to fill seats of members whose terms were
13 terminated on the effective date of this amendatory Act of the
14 93rd General Assembly. Thereafter, a State Superintendent of
15 Education must, at a minimum, be appointed at the beginning of
16 each term of a Governor after that Governor has made
17 appointments to the Board. A performance-based contract issued
18 for the employment of a State Superintendent of Education
19 entered into on or after the effective date of this amendatory
20 Act of the 93rd General Assembly must expire no later than
21 February 1, 2007, and subsequent contracts must expire no
22 later than February 1 each 4 years thereafter. No contract
23 shall be extended or renewed beyond February 1, 2007 and
24 February 1 each 4 years thereafter, but a State Superintendent
25 of Education shall serve until his or her successor is
26 appointed. Each contract entered into on or before January 8,

1 2007 with a State Superintendent of Education must provide
2 that the State Board of Education may terminate the contract
3 for cause, and the State Board of Education shall not
4 thereafter be liable for further payments under the contract.
5 With regard to this amendatory Act of the 93rd General
6 Assembly, it is the intent of the General Assembly that,
7 beginning with the Governor who takes office on the second
8 Monday of January, 2007, a State Superintendent of Education
9 be appointed at the beginning of each term of a Governor after
10 that Governor has made appointments to the Board. The State
11 Superintendent of Education shall not serve as a member of the
12 State Board of Education. The Board shall set the compensation
13 of the State Superintendent of Education who shall serve as
14 the Board's chief executive officer. The Board shall also
15 establish the duties, powers and responsibilities of the State
16 Superintendent, which shall be included in the State
17 Superintendent's performance-based contract along with the
18 goals and indicators of student performance and academic
19 improvement used to measure the performance and effectiveness
20 of the State Superintendent. The State Board of Education may
21 delegate to the State Superintendent of Education the
22 authority to act on the Board's behalf, provided such
23 delegation is made pursuant to adopted board policy or the
24 powers delegated are ministerial in nature. The State Board
25 may not delegate authority under this Section to the State
26 Superintendent to (1) nonrecognize school districts, (2)

1 withhold State payments as a penalty, or (3) make final
2 decisions under the contested case provisions of the Illinois
3 Administrative Procedure Act unless otherwise provided by law.

4 C. The powers and duties of the State Board of Education
5 shall encompass all duties delegated to the Office of
6 Superintendent of Public Instruction on January 12, 1975,
7 except as the law providing for such powers and duties is
8 thereafter amended, and such other powers and duties as the
9 General Assembly shall designate. The Board shall be
10 responsible for the educational policies and guidelines for
11 public schools, pre-school through grade 12 and Vocational
12 Education in the State of Illinois. Beginning July 1, 2024,
13 educational policies and guidelines pertaining to pre-school
14 shall be done in consultation with the Department of Early
15 Childhood. The Board shall analyze the present and future
16 aims, needs, and requirements of education in the State of
17 Illinois and recommend to the General Assembly the powers
18 which should be exercised by the Board. The Board shall
19 recommend the passage and the legislation necessary to
20 determine the appropriate relationship between the Board and
21 local boards of education and the various State agencies and
22 shall recommend desirable modifications in the laws which
23 affect schools.

24 D. Two members of the Board shall be appointed by the
25 chairperson to serve on a standing joint Education Committee,
26 2 others shall be appointed from the Board of Higher

1 Education, 2 others shall be appointed by the chairperson of
2 the Illinois Community College Board, and 2 others shall be
3 appointed by the chairperson of the Human Resource Investment
4 Council. The Committee shall be responsible for making
5 recommendations concerning the submission of any workforce
6 development plan or workforce training program required by
7 federal law or under any block grant authority. The Committee
8 will be responsible for developing policy on matters of mutual
9 concern to elementary, secondary and higher education such as
10 Occupational and Career Education, Teacher Preparation and
11 Licensure, Educational Finance, Articulation between
12 Elementary, Secondary and Higher Education and Research and
13 Planning. The joint Education Committee shall meet at least
14 quarterly and submit an annual report of its findings,
15 conclusions, and recommendations to the State Board of
16 Education, the Board of Higher Education, the Illinois
17 Community College Board, the Human Resource Investment
18 Council, the Governor, and the General Assembly. All meetings
19 of this Committee shall be official meetings for reimbursement
20 under this Act. On the effective date of this amendatory Act of
21 the 95th General Assembly, the Joint Education Committee is
22 abolished.

23 E. Five members of the Board shall constitute a quorum. A
24 majority vote of the members appointed, confirmed and serving
25 on the Board is required to approve any action, except that the
26 7 new Board members who were appointed to fill seats of members

1 whose terms were terminated on the effective date of this
2 amendatory act of the 93rd General Assembly may vote to
3 approve actions when appointed and serving.

4 F. Upon appointment of the 7 new Board members who were
5 appointed to fill seats of members whose terms were terminated
6 on the effective date of this amendatory Act of the 93rd
7 General Assembly, the Board shall review all of its current
8 rules in an effort to streamline procedures, improve
9 efficiency, and eliminate unnecessary forms and paperwork.

10 (Source: P.A. 102-894, eff. 5-20-22.)

11 (105 ILCS 5/1C-2)

12 Sec. 1C-2. Block grants.

13 (a) For fiscal year 1999, and each fiscal year thereafter
14 through fiscal year 2026, the State Board of Education shall
15 award to school districts block grants as described in
16 subsection (c). The State Board of Education may adopt rules
17 and regulations necessary to implement this Section. In
18 accordance with Section 2-3.32, all state block grants are
19 subject to an audit. Therefore, block grant receipts and block
20 grant expenditures shall be recorded to the appropriate fund
21 code.

22 (b) (Blank).

23 (c) An Early Childhood Education Block Grant shall be
24 created by combining the following programs: Preschool
25 Education, Parental Training and Prevention Initiative. These

1 funds shall be distributed to school districts and other
2 entities on a competitive basis, except that the State Board
3 of Education shall award to a school district having a
4 population exceeding 500,000 inhabitants 37% of the funds in
5 each fiscal year. Not less than 14% of the Early Childhood
6 Education Block Grant allocation of funds shall be used to
7 fund programs for children ages 0-3. Beginning in Fiscal Year
8 2016, at least 25% of any additional Early Childhood Education
9 Block Grant funding over and above the previous fiscal year's
10 allocation shall be used to fund programs for children ages
11 0-3. Once the percentage of Early Childhood Education Block
12 Grant funding allocated to programs for children ages 0-3
13 reaches 20% of the overall Early Childhood Education Block
14 Grant allocation for a full fiscal year, thereafter in
15 subsequent fiscal years the percentage of Early Childhood
16 Education Block Grant funding allocated to programs for
17 children ages 0-3 each fiscal year shall remain at least 20% of
18 the overall Early Childhood Education Block Grant allocation.
19 However, if, in a given fiscal year, the amount appropriated
20 for the Early Childhood Education Block Grant is insufficient
21 to increase the percentage of the grant to fund programs for
22 children ages 0-3 without reducing the amount of the grant for
23 existing providers of preschool education programs, then the
24 percentage of the grant to fund programs for children ages 0-3
25 may be held steady instead of increased. This subsection (c) is
26 inoperative on and after July 1, 2026.

1 (Source: P.A. 99-589, eff. 7-21-16; 100-465, eff. 8-31-17.)

2 (105 ILCS 5/1C-4)

3 Sec. 1C-4. Reports. A school district that receives an
4 Early Childhood Education Block Grant shall report to the
5 State Board of Education on its use of the block grant in such
6 form and detail as the State Board of Education may specify. In
7 addition, the report must include the following description
8 for the district, which must also be reported to the General
9 Assembly: block grant allocation and expenditures by program;
10 population and service levels by program; and administrative
11 expenditures by program. The State Board of Education shall
12 ensure that the reporting requirements for a district
13 organized under Article 34 of this Code are the same as for all
14 other school districts in this State.

15 This Section is repealed on July 1, 2026.

16 (Source: P.A. 99-30, eff. 7-10-15.)

17 (105 ILCS 5/1D-1)

18 (Text of Section from P.A. 100-55)

19 Sec. 1D-1. Block grant funding.

20 (a) For fiscal year 1996 and each fiscal year thereafter,
21 the State Board of Education shall award to a school district
22 having a population exceeding 500,000 inhabitants a general
23 education block grant and an educational services block grant,
24 determined as provided in this Section, in lieu of

1 distributing to the district separate State funding for the
2 programs described in subsections (b) and (c). The provisions
3 of this Section, however, do not apply to any federal funds
4 that the district is entitled to receive. In accordance with
5 Section 2-3.32, all block grants are subject to an audit.
6 Therefore, block grant receipts and block grant expenditures
7 shall be recorded to the appropriate fund code for the
8 designated block grant.

9 (b) The general education block grant shall include the
10 following programs: REI Initiative, Summer Bridges, ~~Preschool~~
11 ~~Education~~, K-6 Comprehensive Arts, School Improvement Support,
12 Urban Education, Scientific Literacy, Substance Abuse
13 Prevention, Second Language Planning, Staff Development,
14 Outcomes and Assessment, K-6 Reading Improvement, 7-12
15 Continued Reading Improvement, Truants' Optional Education,
16 Hispanic Programs, Agriculture Education, ~~Parental Training,~~
17 ~~Prevention Initiative~~, Report Cards, and Criminal Background
18 Investigations. The general education block grant shall also
19 include Preschool Education, Parental Training, and Prevention
20 Initiative through June 30, 2026. Notwithstanding any other
21 provision of law, all amounts paid under the general education
22 block grant from State appropriations to a school district in
23 a city having a population exceeding 500,000 inhabitants shall
24 be appropriated and expended by the board of that district for
25 any of the programs included in the block grant or any of the
26 board's lawful purposes. Beginning in Fiscal Year 2018, at

1 least 25% of any additional Preschool Education, Parental
2 Training, and Prevention Initiative program funding over and
3 above the previous fiscal year's allocation shall be used to
4 fund programs for children ages 0-3. Beginning in Fiscal Year
5 2018, funding for Preschool Education, Parental Training, and
6 Prevention Initiative programs above the allocation for these
7 programs in Fiscal Year 2017 must be used solely as a
8 supplement for these programs and may not supplant funds
9 received from other sources.

10 (b-5) Beginning in Fiscal Year 2027, the Department of
11 Early Childhood shall award a block grant for Preschool
12 Education, Parental Training, and Prevention Initiative to a
13 school district having a population exceeding 500,000
14 inhabitants. The grants are subject to audit. Therefore, block
15 grant receipts and block grant expenditures shall be recorded
16 to the appropriate fund code for the designated block grant.
17 Notwithstanding any other provision of law, all amounts paid
18 under the block grant from State appropriations to a school
19 district in a city having a population exceeding 500,000
20 inhabitants shall be appropriated and expended by the board of
21 that district for any of the programs included in the block
22 grant or any of the board's lawful purposes. The district is
23 not required to file any application or other claim in order to
24 receive the block grant to which it is entitled under this
25 Section. The Department of Early Childhood shall make payments
26 to the district of amounts due under the district's block

1 grant on a schedule determined by the Department. A school
2 district to which this Section applies shall report to the
3 Department of Early Childhood on its use of the block grant in
4 such form and detail as the Department may specify. In
5 addition, the report must include the following description
6 for the district, which must also be reported to the General
7 Assembly: block grant allocation and expenditures by program;
8 population and service levels by program; and administrative
9 expenditures by program. The Department shall ensure that the
10 reporting requirements for the district are the same as for
11 all other school districts in this State. Beginning in Fiscal
12 Year 2018, at least 25% of any additional Preschool Education,
13 Parental Training, and Prevention Initiative program funding
14 over and above the previous fiscal year's allocation shall be
15 used to fund programs for children ages 0-3. Beginning in
16 Fiscal Year 2018, funding for Preschool Education, Parental
17 Training, and Prevention Initiative programs above the
18 allocation for these programs in Fiscal Year 2017 must be used
19 solely as a supplement for these programs and may not supplant
20 funds received from other sources. (b-10).

21 (c) The educational services block grant shall include the
22 following programs: Regular and Vocational Transportation,
23 State Lunch and Free Breakfast Program, Special Education
24 (Personnel, Transportation, Orphanage, Private Tuition),
25 funding for children requiring special education services,
26 Summer School, Educational Service Centers, and

1 Administrator's Academy. This subsection (c) does not relieve
2 the district of its obligation to provide the services
3 required under a program that is included within the
4 educational services block grant. It is the intention of the
5 General Assembly in enacting the provisions of this subsection
6 (c) to relieve the district of the administrative burdens that
7 impede efficiency and accompany single-program funding. The
8 General Assembly encourages the board to pursue mandate
9 waivers pursuant to Section 2-3.25g.

10 The funding program included in the educational services
11 block grant for funding for children requiring special
12 education services in each fiscal year shall be treated in
13 that fiscal year as a payment to the school district in respect
14 of services provided or costs incurred in the prior fiscal
15 year, calculated in each case as provided in this Section.
16 Nothing in this Section shall change the nature of payments
17 for any program that, apart from this Section, would be or,
18 prior to adoption or amendment of this Section, was on the
19 basis of a payment in a fiscal year in respect of services
20 provided or costs incurred in the prior fiscal year,
21 calculated in each case as provided in this Section.

22 (d) For fiscal year 1996 and each fiscal year thereafter,
23 the amount of the district's block grants shall be determined
24 as follows: (i) with respect to each program that is included
25 within each block grant, the district shall receive an amount
26 equal to the same percentage of the current fiscal year

1 appropriation made for that program as the percentage of the
2 appropriation received by the district from the 1995 fiscal
3 year appropriation made for that program, and (ii) the total
4 amount that is due the district under the block grant shall be
5 the aggregate of the amounts that the district is entitled to
6 receive for the fiscal year with respect to each program that
7 is included within the block grant that the State Board of
8 Education shall award the district under this Section for that
9 fiscal year. In the case of the Summer Bridges program, the
10 amount of the district's block grant shall be equal to 44% of
11 the amount of the current fiscal year appropriation made for
12 that program.

13 (e) The district is not required to file any application
14 or other claim in order to receive the block grants to which it
15 is entitled under this Section. The State Board of Education
16 shall make payments to the district of amounts due under the
17 district's block grants on a schedule determined by the State
18 Board of Education.

19 (f) A school district to which this Section applies shall
20 report to the State Board of Education on its use of the block
21 grants in such form and detail as the State Board of Education
22 may specify. In addition, the report must include the
23 following description for the district, which must also be
24 reported to the General Assembly: block grant allocation and
25 expenditures by program; population and service levels by
26 program; and administrative expenditures by program. The State

1 Board of Education shall ensure that the reporting
2 requirements for the district are the same as for all other
3 school districts in this State.

4 (g) This paragraph provides for the treatment of block
5 grants under Article 1C for purposes of calculating the amount
6 of block grants for a district under this Section. Those block
7 grants under Article 1C are, for this purpose, treated as
8 included in the amount of appropriation for the various
9 programs set forth in paragraph (b) above. The appropriation
10 in each current fiscal year for each block grant under Article
11 1C shall be treated for these purposes as appropriations for
12 the individual program included in that block grant. The
13 proportion of each block grant so allocated to each such
14 program included in it shall be the proportion which the
15 appropriation for that program was of all appropriations for
16 such purposes now in that block grant, in fiscal 1995.

17 Payments to the school district under this Section with
18 respect to each program for which payments to school districts
19 generally, as of the date of this amendatory Act of the 92nd
20 General Assembly, are on a reimbursement basis shall continue
21 to be made to the district on a reimbursement basis, pursuant
22 to the provisions of this Code governing those programs.

23 (h) Notwithstanding any other provision of law, any school
24 district receiving a block grant under this Section may
25 classify all or a portion of the funds that it receives in a
26 particular fiscal year from any block grant authorized under

1 this Code or from general State aid pursuant to Section
2 18-8.05 of this Code (other than supplemental general State
3 aid) as funds received in connection with any funding program
4 for which it is entitled to receive funds from the State in
5 that fiscal year (including, without limitation, any funding
6 program referred to in subsection (c) of this Section),
7 regardless of the source or timing of the receipt. The
8 district may not classify more funds as funds received in
9 connection with the funding program than the district is
10 entitled to receive in that fiscal year for that program. Any
11 classification by a district must be made by a resolution of
12 its board of education. The resolution must identify the
13 amount of any block grant or general State aid to be classified
14 under this subsection (h) and must specify the funding program
15 to which the funds are to be treated as received in connection
16 therewith. This resolution is controlling as to the
17 classification of funds referenced therein. A certified copy
18 of the resolution must be sent to the State Superintendent of
19 Education. The resolution shall still take effect even though
20 a copy of the resolution has not been sent to the State
21 Superintendent of Education in a timely manner. No
22 classification under this subsection (h) by a district shall
23 affect the total amount or timing of money the district is
24 entitled to receive under this Code. No classification under
25 this subsection (h) by a district shall in any way relieve the
26 district from or affect any requirements that otherwise would

1 apply with respect to the block grant as provided in this
2 Section, including any accounting of funds by source,
3 reporting expenditures by original source and purpose,
4 reporting requirements, or requirements of provision of
5 services.

6 (Source: P.A. 100-55, eff. 8-11-17.)

7 (Text of Section from P.A. 100-465)

8 Sec. 1D-1. Block grant funding.

9 (a) For fiscal year 1996 through fiscal year 2017, the
10 State Board of Education shall award to a school district
11 having a population exceeding 500,000 inhabitants a general
12 education block grant and an educational services block grant,
13 determined as provided in this Section, in lieu of
14 distributing to the district separate State funding for the
15 programs described in subsections (b) and (c). The provisions
16 of this Section, however, do not apply to any federal funds
17 that the district is entitled to receive. In accordance with
18 Section 2-3.32, all block grants are subject to an audit.
19 Therefore, block grant receipts and block grant expenditures
20 shall be recorded to the appropriate fund code for the
21 designated block grant.

22 (b) The general education block grant shall include the
23 following programs: REI Initiative, Summer Bridges, Preschool
24 At Risk, K-6 Comprehensive Arts, School Improvement Support,
25 Urban Education, Scientific Literacy, Substance Abuse

1 Prevention, Second Language Planning, Staff Development,
2 Outcomes and Assessment, K-6 Reading Improvement, 7-12
3 Continued Reading Improvement, Truants' Optional Education,
4 Hispanic Programs, Agriculture Education, ~~Parental Education,~~
5 ~~Prevention Initiative,~~ Report Cards, and Criminal Background
6 Investigations. The general education block grant shall also
7 include Preschool Education, Parental Training, and Prevention
8 Initiative through June 30, 2026. Notwithstanding any other
9 provision of law, all amounts paid under the general education
10 block grant from State appropriations to a school district in
11 a city having a population exceeding 500,000 inhabitants shall
12 be appropriated and expended by the board of that district for
13 any of the programs included in the block grant or any of the
14 board's lawful purposes.

15 (b-5) Beginning in Fiscal Year 2027, the Department of
16 Early Childhood shall award a block grant for Preschool
17 Education, Parental Training, and Prevention Initiative to a
18 school district having a population exceeding 500,000
19 inhabitants. The grants are subject to audit. Therefore, block
20 grant receipts and block grant expenditures shall be recorded
21 to the appropriate fund code for the designated block grant.
22 Notwithstanding any other provision of law, all amounts paid
23 under the block grant from State appropriations to a school
24 district in a city having a population exceeding 500,000
25 inhabitants shall be appropriated and expended by the board of
26 that district for any of the programs included in the block

1 grant or any of the board's lawful purposes. The district is
2 not required to file any application or other claim in order to
3 receive the block grant to which it is entitled under this
4 Section. The Department of Early Childhood shall make payments
5 to the district of amounts due under the district's block
6 grant on a schedule determined by the Department. A school
7 district to which this Section applies shall report to the
8 Department of Early Childhood on its use of the block grant in
9 such form and detail as the Department may specify. In
10 addition, the report must include the following description
11 for the district, which must also be reported to the General
12 Assembly: block grant allocation and expenditures by program;
13 population and service levels by program; and administrative
14 expenditures by program. The Department shall ensure that the
15 reporting requirements for the district are the same as for
16 all other school districts in this State. Beginning in Fiscal
17 Year 2018, at least 25% of any additional Preschool Education,
18 Parental Training, and Prevention Initiative program funding
19 over and above the previous fiscal year's allocation shall be
20 used to fund programs for children ages 0-3. Beginning in
21 Fiscal Year 2018, funding for Preschool Education, Parental
22 Training, and Prevention Initiative programs above the
23 allocation for these programs in Fiscal Year 2017 must be used
24 solely as a supplement for these programs and may not supplant
25 funds received from other sources. (b-10).

26 (c) The educational services block grant shall include the

1 following programs: Regular and Vocational Transportation,
2 State Lunch and Free Breakfast Program, Special Education
3 (Personnel, Transportation, Orphanage, Private Tuition),
4 funding for children requiring special education services,
5 Summer School, Educational Service Centers, and
6 Administrator's Academy. This subsection (c) does not relieve
7 the district of its obligation to provide the services
8 required under a program that is included within the
9 educational services block grant. It is the intention of the
10 General Assembly in enacting the provisions of this subsection
11 (c) to relieve the district of the administrative burdens that
12 impede efficiency and accompany single-program funding. The
13 General Assembly encourages the board to pursue mandate
14 waivers pursuant to Section 2-3.25g.

15 The funding program included in the educational services
16 block grant for funding for children requiring special
17 education services in each fiscal year shall be treated in
18 that fiscal year as a payment to the school district in respect
19 of services provided or costs incurred in the prior fiscal
20 year, calculated in each case as provided in this Section.
21 Nothing in this Section shall change the nature of payments
22 for any program that, apart from this Section, would be or,
23 prior to adoption or amendment of this Section, was on the
24 basis of a payment in a fiscal year in respect of services
25 provided or costs incurred in the prior fiscal year,
26 calculated in each case as provided in this Section.

1 (d) For fiscal year 1996 through fiscal year 2017, the
2 amount of the district's block grants shall be determined as
3 follows: (i) with respect to each program that is included
4 within each block grant, the district shall receive an amount
5 equal to the same percentage of the current fiscal year
6 appropriation made for that program as the percentage of the
7 appropriation received by the district from the 1995 fiscal
8 year appropriation made for that program, and (ii) the total
9 amount that is due the district under the block grant shall be
10 the aggregate of the amounts that the district is entitled to
11 receive for the fiscal year with respect to each program that
12 is included within the block grant that the State Board of
13 Education shall award the district under this Section for that
14 fiscal year. In the case of the Summer Bridges program, the
15 amount of the district's block grant shall be equal to 44% of
16 the amount of the current fiscal year appropriation made for
17 that program.

18 (e) The district is not required to file any application
19 or other claim in order to receive the block grants to which it
20 is entitled under this Section. The State Board of Education
21 shall make payments to the district of amounts due under the
22 district's block grants on a schedule determined by the State
23 Board of Education.

24 (f) A school district to which this Section applies shall
25 report to the State Board of Education on its use of the block
26 grants in such form and detail as the State Board of Education

1 may specify. In addition, the report must include the
2 following description for the district, which must also be
3 reported to the General Assembly: block grant allocation and
4 expenditures by program; population and service levels by
5 program; and administrative expenditures by program. The State
6 Board of Education shall ensure that the reporting
7 requirements for the district are the same as for all other
8 school districts in this State.

9 (g) Through fiscal year 2017, this paragraph provides for
10 the treatment of block grants under Article 1C for purposes of
11 calculating the amount of block grants for a district under
12 this Section. Those block grants under Article 1C are, for
13 this purpose, treated as included in the amount of
14 appropriation for the various programs set forth in paragraph
15 (b) above. The appropriation in each current fiscal year for
16 each block grant under Article 1C shall be treated for these
17 purposes as appropriations for the individual program included
18 in that block grant. The proportion of each block grant so
19 allocated to each such program included in it shall be the
20 proportion which the appropriation for that program was of all
21 appropriations for such purposes now in that block grant, in
22 fiscal 1995.

23 Payments to the school district under this Section with
24 respect to each program for which payments to school districts
25 generally, as of the date of this amendatory Act of the 92nd
26 General Assembly, are on a reimbursement basis shall continue

1 to be made to the district on a reimbursement basis, pursuant
2 to the provisions of this Code governing those programs.

3 (h) Notwithstanding any other provision of law, any school
4 district receiving a block grant under this Section may
5 classify all or a portion of the funds that it receives in a
6 particular fiscal year from any block grant authorized under
7 this Code or from general State aid pursuant to Section
8 18-8.05 of this Code (other than supplemental general State
9 aid) as funds received in connection with any funding program
10 for which it is entitled to receive funds from the State in
11 that fiscal year (including, without limitation, any funding
12 program referred to in subsection (c) of this Section),
13 regardless of the source or timing of the receipt. The
14 district may not classify more funds as funds received in
15 connection with the funding program than the district is
16 entitled to receive in that fiscal year for that program. Any
17 classification by a district must be made by a resolution of
18 its board of education. The resolution must identify the
19 amount of any block grant or general State aid to be classified
20 under this subsection (h) and must specify the funding program
21 to which the funds are to be treated as received in connection
22 therewith. This resolution is controlling as to the
23 classification of funds referenced therein. A certified copy
24 of the resolution must be sent to the State Superintendent of
25 Education. The resolution shall still take effect even though
26 a copy of the resolution has not been sent to the State

1 Superintendent of Education in a timely manner. No
2 classification under this subsection (h) by a district shall
3 affect the total amount or timing of money the district is
4 entitled to receive under this Code. No classification under
5 this subsection (h) by a district shall in any way relieve the
6 district from or affect any requirements that otherwise would
7 apply with respect to the block grant as provided in this
8 Section, including any accounting of funds by source,
9 reporting expenditures by original source and purpose,
10 reporting requirements, or requirements of provision of
11 services.

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

13 (105 ILCS 5/2-3.47) (from Ch. 122, par. 2-3.47)

14 Sec. 2-3.47. The State Board of Education shall annually
15 submit a budget recommendation to the Governor and General
16 Assembly that contains recommendations for funding for
17 pre-school through grade 12 through Fiscal Year 2026. For
18 Fiscal Year 2027, and annually thereafter, the State Board of
19 Education shall submit a budget recommendation to the Governor
20 and General Assembly that contains recommendations for funding
21 for kindergarten through grade 12.

22 (Source: P.A. 98-739, eff. 7-16-14.)

23 (105 ILCS 5/2-3.64a-10)

24 Sec. 2-3.64a-10. Kindergarten assessment.

1 (a) For the purposes of this Section, "kindergarten"
2 includes both full-day and half-day kindergarten programs.

3 (b) Beginning no later than the 2021-2022 school year, the
4 State Board of Education shall annually assess all public
5 school students entering kindergarten using a common
6 assessment tool, unless the State Board determines that a
7 student is otherwise exempt. The common assessment tool must
8 assess multiple developmental domains, including literacy,
9 language, mathematics, and social and emotional development.
10 The assessment must be valid, reliable, and developmentally
11 appropriate to formatively assess a child's development and
12 readiness for kindergarten.

13 (c) Results from the assessment may be used by the school
14 to understand the child's development and readiness for
15 kindergarten, to tailor instruction, and to measure the
16 child's progress over time. Assessment results may also be
17 used to identify a need for the professional development of
18 teachers and early childhood educators and to inform
19 State-level and district-level policies and resource
20 allocation.

21 The school shall make the assessment results available to
22 the child's parent or guardian.

23 The assessment results may not be used (i) to prevent a
24 child from enrolling in kindergarten or (ii) as the sole
25 measure used in determining the grade promotion or retention
26 of a student.

1 (d) On an annual basis, the State Board shall report
2 publicly, at a minimum, data from the assessment for the State
3 overall and for each school district. The State Board's report
4 must disaggregate data by race and ethnicity, household
5 income, students who are English learners, and students who
6 have an individualized education program.

7 (e) The State Superintendent of Education shall appoint a
8 committee of no more than 22 ~~21~~ members, including the
9 Secretary of Early Childhood or the Secretary's designee,
10 parents, teachers, school administrators, assessment experts,
11 regional superintendents of schools, state policy advocates,
12 early childhood administrators, and other stakeholders, to
13 review, on an ongoing basis, the content and design of the
14 assessment, the collective results of the assessment as
15 measured against kindergarten-readiness standards, and other
16 issues involving the assessment as identified by the
17 committee.

18 The committee shall make periodic recommendations to the
19 State Superintendent of Education and the General Assembly
20 concerning the assessments.

21 (f) The State Board may adopt rules to implement and
22 administer this Section.

23 (Source: P.A. 101-654, eff. 3-8-21; 102-635, eff. 11-30-21
24 (See Section 10 of P.A. 102-671 for effective date of P.A.
25 102-209).)

1 (105 ILCS 5/2-3.71) (from Ch. 122, par. 2-3.71)

2 Sec. 2-3.71. Grants for preschool educational programs.

3 (a) Preschool program.

4 (1) Through June 30, 2026, the ~~The~~ State Board of
5 Education shall implement and administer a grant program
6 under the provisions of this subsection which shall
7 consist of grants to public school districts and other
8 eligible entities, as defined by the State Board of
9 Education, to conduct voluntary preschool educational
10 programs for children ages 3 to 5 which include a parent
11 education component. A public school district which
12 receives grants under this subsection may subcontract with
13 other entities that are eligible to conduct a preschool
14 educational program. These grants must be used to
15 supplement, not supplant, funds received from any other
16 source.

17 (1.5) On and after July 1, 2026, the Department of
18 Early Childhood shall implement and administer a grant
19 program for school districts and other eligible entities,
20 as defined by the Department, to conduct voluntary
21 preschool educational programs for children ages 3 to 5
22 which include a parent education component. A public
23 school district which receives grants under this
24 subsection may subcontract with other entities that are
25 eligible to conduct a preschool educational program. These
26 grants must be used to supplement, not supplant, funds

1 received from any other source.

2 (2) (Blank).

3 (3) Except as otherwise provided under this subsection
4 (a), any teacher of preschool children in the program
5 authorized by this subsection shall hold a Professional
6 Educator License with an early childhood education
7 endorsement.

8 (3.5) Beginning with the 2018-2019 school year and
9 until the 2028-2029 school year, an individual may teach
10 preschool children in an early childhood program under
11 this Section if he or she holds a Professional Educator
12 License with an early childhood education endorsement or
13 with short-term approval for early childhood education or
14 he or she pursues a Professional Educator License and
15 holds any of the following:

16 (A) An ECE Credential Level of 5 awarded by the
17 Department of Human Services under the Gateways to
18 Opportunity Program developed under Section 10-70 of
19 the Department of Human Services Act.

20 (B) An Educator License with Stipulations with a
21 transitional bilingual educator endorsement and he or
22 she has (i) passed an early childhood education
23 content test or (ii) completed no less than 9 semester
24 hours of postsecondary coursework in the area of early
25 childhood education.

26 (4) (Blank).

1 (4.5) Through June 30, 2026, the State Board of
2 Education shall provide the primary source of funding
3 through appropriations for the program. On and after July
4 1, 2026, the Department of Early Childhood shall provide
5 the primary source of funding through appropriations for
6 the program. ~~The State Board of Education shall provide~~
7 ~~the primary source of funding through appropriations for~~
8 ~~the program.~~ Such funds shall be distributed to achieve a
9 goal of "Preschool for All Children" for the benefit of
10 all children whose families choose to participate in the
11 program. Based on available appropriations, newly funded
12 programs shall be selected through a process giving first
13 priority to qualified programs serving primarily at-risk
14 children and second priority to qualified programs serving
15 primarily children with a family income of less than 4
16 times the poverty guidelines updated periodically in the
17 Federal Register by the U.S. Department of Health and
18 Human Services under the authority of 42 U.S.C. 9902(2).
19 For purposes of this paragraph (4.5), at-risk children are
20 those who because of their home and community environment
21 are subject to such language, cultural, economic and like
22 disadvantages to cause them to have been determined as a
23 result of screening procedures to be at risk of academic
24 failure. Through June 30, 2026, such screening procedures
25 shall be based on criteria established by the State Board
26 of Education. On and after July 1, 2026, such screening

1 procedures shall be based on criteria established by the
2 Department of Early Childhood. ~~Such screening procedures~~
3 ~~shall be based on criteria established by the State Board~~
4 ~~of Education.~~

5 Except as otherwise provided in this paragraph (4.5),
6 grantees under the program must enter into a memorandum of
7 understanding with the appropriate local Head Start
8 agency. This memorandum must be entered into no later than
9 3 months after the award of a grantee's grant under the
10 program, except that, in the case of the 2009-2010 program
11 year, the memorandum must be entered into no later than
12 the deadline set by the State Board of Education for
13 applications to participate in the program in fiscal year
14 2011, and must address collaboration between the grantee's
15 program and the local Head Start agency on certain issues,
16 which shall include without limitation the following:

17 (A) educational activities, curricular objectives,
18 and instruction;

19 (B) public information dissemination and access to
20 programs for families contacting programs;

21 (C) service areas;

22 (D) selection priorities for eligible children to
23 be served by programs;

24 (E) maximizing the impact of federal and State
25 funding to benefit young children;

26 (F) staff training, including opportunities for

- 1 joint staff training;
- 2 (G) technical assistance;
- 3 (H) communication and parent outreach for smooth
4 transitions to kindergarten;
- 5 (I) provision and use of facilities,
6 transportation, and other program elements;
- 7 (J) facilitating each program's fulfillment of its
8 statutory and regulatory requirements;
- 9 (K) improving local planning and collaboration;
10 and
- 11 (L) providing comprehensive services for the
12 neediest Illinois children and families.

13 Through June 30, 2026, if ~~if~~ the appropriate local Head
14 Start agency is unable or unwilling to enter into a
15 memorandum of understanding as required under this
16 paragraph (4.5), the memorandum of understanding
17 requirement shall not apply and the grantee under the
18 program must notify the State Board of Education in
19 writing of the Head Start agency's inability or
20 unwillingness. The State Board of Education shall compile
21 all such written notices and make them available to the
22 public. On and after July 1, 2026, if the appropriate
23 local Head Start agency is unable or unwilling to enter
24 into a memorandum of understanding as required under this
25 paragraph (4.5), the memorandum of understanding
26 requirement shall not apply and the grantee under the

1 program must notify the Department of Early Childhood in
2 writing of the Head Start agency's inability or
3 unwillingness. The Department of Early Childhood shall
4 compile all such written notices and make them available
5 to the public.

6 (5) Through June 30, 2026, the ~~The~~ State Board of
7 Education shall develop and provide evaluation tools,
8 including tests, that school districts and other eligible
9 entities may use to evaluate children for school readiness
10 prior to age 5. The State Board of Education shall require
11 school districts and other eligible entities to obtain
12 consent from the parents or guardians of children before
13 any evaluations are conducted. The State Board of
14 Education shall encourage local school districts and other
15 eligible entities to evaluate the population of preschool
16 children in their communities and provide preschool
17 programs, pursuant to this subsection, where appropriate.

18 (5.1) On and after July 1, 2026, the Department of
19 Early Childhood shall develop and provide evaluation
20 tools, including tests, that school districts and other
21 eligible entities may use to evaluate children for school
22 readiness prior to age 5. The Department of Early
23 Childhood shall require school districts and other
24 eligible entities to obtain consent from the parents or
25 guardians of children before any evaluations are
26 conducted. The Department of Early Childhood shall

1 encourage local school districts and other eligible
2 entities to evaluate the population of preschool children
3 in their communities and provide preschool programs,
4 pursuant to this subsection, where appropriate.

5 (6) Through June 30, 2026, the ~~The~~ State Board of
6 Education shall report to the General Assembly by November
7 1, 2018 and every 2 years thereafter on the results and
8 progress of students who were enrolled in preschool
9 educational programs, including an assessment of which
10 programs have been most successful in promoting academic
11 excellence and alleviating academic failure. Through June
12 30, 2026, the ~~The~~ State Board of Education shall assess
13 the academic progress of all students who have been
14 enrolled in preschool educational programs.

15 Through fiscal year 2026, on ~~on~~ or before November 1
16 of each fiscal year in which the General Assembly provides
17 funding for new programs under paragraph (4.5) of this
18 Section, the State Board of Education shall report to the
19 General Assembly on what percentage of new funding was
20 provided to programs serving primarily at-risk children,
21 what percentage of new funding was provided to programs
22 serving primarily children with a family income of less
23 than 4 times the federal poverty level, and what
24 percentage of new funding was provided to other programs.

25 (6.1) On and after July 1, 2026, the Department of
26 Early Childhood shall report to the General Assembly by

1 November 1, 2026 and every 2 years thereafter on the
2 results and progress of students who were enrolled in
3 preschool educational programs, including an assessment of
4 which programs have been most successful in promoting
5 academic excellence and alleviating academic failure. On
6 and after July 1, 2026, the Department of Early Childhood
7 shall assess the academic progress of all students who
8 have been enrolled in preschool educational programs.
9 Beginning in fiscal year 2027, on or before November 1 of
10 each fiscal year in which the General Assembly provides
11 funding for new programs under paragraph (4.5) of this
12 Section, the Department of Early Childhood shall report to
13 the General Assembly on what percentage of new funding was
14 provided to programs serving primarily at-risk children,
15 what percentage of new funding was provided to programs
16 serving primarily children with a family income of less
17 than 4 times the federal poverty level, and what
18 percentage of new funding was provided to other programs.

19 (7) Due to evidence that expulsion practices in the
20 preschool years are linked to poor child outcomes and are
21 employed inconsistently across racial and gender groups,
22 early childhood programs receiving State funds under this
23 subsection (a) shall prohibit expulsions. Planned
24 transitions to settings that are able to better meet a
25 child's needs are not considered expulsion under this
26 paragraph (7).

1 (A) When persistent and serious challenging
2 behaviors emerge, the early childhood program shall
3 document steps taken to ensure that the child can
4 participate safely in the program; including
5 observations of initial and ongoing challenging
6 behaviors, strategies for remediation and intervention
7 plans to address the behaviors, and communication with
8 the parent or legal guardian, including participation
9 of the parent or legal guardian in planning and
10 decision-making.

11 (B) The early childhood program shall, with
12 parental or legal guardian consent as required,
13 utilize a range of community resources, if available
14 and deemed necessary, including, but not limited to,
15 developmental screenings, referrals to programs and
16 services administered by a local educational agency or
17 early intervention agency under Parts B and C of the
18 federal Individual with Disabilities Education Act,
19 and consultation with infant and early childhood
20 mental health consultants and the child's health care
21 provider. The program shall document attempts to
22 engage these resources, including parent or legal
23 guardian participation and consent attempted and
24 obtained. Communication with the parent or legal
25 guardian shall take place in a culturally and
26 linguistically competent manner.

1 (C) If there is documented evidence that all
2 available interventions and supports recommended by a
3 qualified professional have been exhausted and the
4 program determines in its professional judgment that
5 transitioning a child to another program is necessary
6 for the well-being of the child or his or her peers and
7 staff, with parent or legal guardian permission, both
8 the current and pending programs shall create a
9 transition plan designed to ensure continuity of
10 services and the comprehensive development of the
11 child. Communication with families shall occur in a
12 culturally and linguistically competent manner.

13 (D) Nothing in this paragraph (7) shall preclude a
14 parent's or legal guardian's right to voluntarily
15 withdraw his or her child from an early childhood
16 program. Early childhood programs shall request and
17 keep on file, when received, a written statement from
18 the parent or legal guardian stating the reason for
19 his or her decision to withdraw his or her child.

20 (E) In the case of the determination of a serious
21 safety threat to a child or others or in the case of
22 behaviors listed in subsection (d) of Section 10-22.6
23 of this Code, the temporary removal of a child from
24 attendance in group settings may be used. Temporary
25 removal of a child from attendance in a group setting
26 shall trigger the process detailed in subparagraphs

1 (A), (B), and (C) of this paragraph (7), with the child
2 placed back in a group setting as quickly as possible.

3 (F) Early childhood programs may utilize and the
4 Department of Early Childhood, State Board of
5 Education, the Department of Human Services, and the
6 Department of Children and Family Services shall
7 recommend training, technical support, and
8 professional development resources to improve the
9 ability of teachers, administrators, program
10 directors, and other staff to promote social-emotional
11 development and behavioral health, to address
12 challenging behaviors, and to understand trauma and
13 trauma-informed care, cultural competence, family
14 engagement with diverse populations, the impact of
15 implicit bias on adult behavior, and the use of
16 reflective practice techniques. Support shall include
17 the availability of resources to contract with infant
18 and early childhood mental health consultants.

19 (G) Through June 30, 2026 ~~Beginning on July 1,~~
20 ~~2018~~, early childhood programs shall annually report
21 to the State Board of Education, and, beginning in
22 fiscal year 2020, the State Board of Education shall
23 make available on a biennial basis, in an existing
24 report, all of the following data for children from
25 birth to age 5 who are served by the program:

26 (i) Total number served over the course of the

1 program year and the total number of children who
2 left the program during the program year.

3 (ii) Number of planned transitions to another
4 program due to children's behavior, by children's
5 race, gender, disability, language, class/group
6 size, teacher-child ratio, and length of program
7 day.

8 (iii) Number of temporary removals of a child
9 from attendance in group settings due to a serious
10 safety threat under subparagraph (E) of this
11 paragraph (7), by children's race, gender,
12 disability, language, class/group size,
13 teacher-child ratio, and length of program day.

14 (iv) Hours of infant and early childhood
15 mental health consultant contact with program
16 leaders, staff, and families over the program
17 year.

18 (G-5) On and after July 1, 2026, early childhood
19 programs shall annually report to the Department of
20 Early Childhood, and beginning in fiscal year 2028,
21 the Department of Early Childhood shall make available
22 on a biennial basis, in a report, all of the following
23 data for children from birth to age 5 who are served by
24 the program:

25 (i) Total number served over the course of the
26 program year and the total number of children who

1 left the program during the program year.

2 (ii) Number of planned transitions to another
3 program due to children's behavior, by children's
4 race, gender, disability, language, class/group
5 size, teacher-child ratio, and length of program
6 day.

7 (iii) Number of temporary removals of a child
8 from attendance in group settings due to a serious
9 safety threat under subparagraph (E) of this
10 paragraph (7), by children's race, gender,
11 disability, language, class/group size,
12 teacher-child ratio, and length of program day.

13 (iv) Hours of infant and early childhood
14 mental health consultant contact with program
15 leaders, staff, and families over the program
16 year.

17 (H) Changes to services for children with an
18 individualized education program or individual family
19 service plan shall be construed in a manner consistent
20 with the federal Individuals with Disabilities
21 Education Act.

22 The Department of Early Childhood ~~State Board of~~
23 ~~Education~~, in consultation with the ~~Governor's Office of~~
24 ~~Early Childhood Development and the~~ Department of Children
25 and Family Services, shall adopt rules to administer this
26 paragraph (7).

1 (b) (Blank).

2 (c) Notwithstanding any other provisions of this Section,
3 grantees may serve children ages 0 to 12 of essential workers
4 if the Governor has declared a disaster due to a public health
5 emergency pursuant to Section 7 of the Illinois Emergency
6 Management Agency Act. For the purposes of this subsection,
7 essential workers include those outlined in Executive Order
8 20-8 and school employees. The State Board of Education shall
9 adopt rules to administer this subsection.

10 (d) Paragraphs (a) (1), (a) (1.5), (a) (4.5), (a) (5),
11 (a) (5.1), (a) (6), and (a) (7) and subsection (c) of this
12 Section are inoperative on and after July 1, 2026.

13 (Source: P.A. 103-111, eff. 6-29-23.)

14 (105 ILCS 5/2-3.71a) (from Ch. 122, par. 2-3.71a)

15 Sec. 2-3.71a. Grants for early childhood parental training
16 programs. The State Board of Education shall implement and
17 administer a grant program consisting of grants to public
18 school districts and other eligible entities, as defined by
19 the State Board of Education, to conduct early childhood
20 parental training programs for the parents of children in the
21 period of life from birth to kindergarten. A public school
22 district that receives grants under this Section may contract
23 with other eligible entities to conduct an early childhood
24 parental training program. These grants must be used to
25 supplement, not supplant, funds received from any other

1 source. A school board or other eligible entity shall employ
2 appropriately qualified personnel for its early childhood
3 parental training program, including but not limited to
4 certified teachers, counselors, psychiatrists, psychologists
5 and social workers.

6 (a) As used in this Section, "parental training" means and
7 includes instruction in the following:

8 (1) Child growth and development, including prenatal
9 development.

10 (2) Childbirth and child care.

11 (3) Family structure, function and management.

12 (4) Prenatal and postnatal care for mothers and
13 infants.

14 (5) Prevention of child abuse.

15 (6) The physical, mental, emotional, social, economic
16 and psychological aspects of interpersonal and family
17 relationships.

18 (7) Parenting skill development.

19 The programs shall include activities that require
20 substantial participation and interaction between parent and
21 child.

22 (b) The Board shall annually award funds through a grant
23 approval process established by the State Board of Education,
24 providing that an annual appropriation is made for this
25 purpose from State, federal or private funds. Nothing in this
26 Section shall preclude school districts from applying for or

1 accepting private funds to establish and implement programs.

2 (c) The State Board of Education shall assist those
3 districts and other eligible entities offering early childhood
4 parental training programs, upon request, in developing
5 instructional materials, training teachers and staff, and
6 establishing appropriate time allotments for each of the areas
7 included in such instruction.

8 (d) School districts and other eligible entities may offer
9 early childhood parental training courses during that period
10 of the day which is not part of the regular school day.
11 Residents of the community may enroll in such courses. The
12 school board or other eligible entity may establish fees and
13 collect such charges as may be necessary for attendance at
14 such courses in an amount not to exceed the per capita cost of
15 the operation thereof, except that the board or other eligible
16 entity may waive all or part of such charges if it determines
17 that the parent is indigent or that the educational needs of
18 the parent require his or her attendance at such courses.

19 (e) Parents who participate in early childhood parental
20 training programs under this Section may be eligible for
21 reasonable reimbursement of any incidental transportation and
22 child care expenses from the school district receiving funds
23 pursuant to this Section.

24 (f) Districts and other eligible entities receiving grants
25 pursuant to this Section shall coordinate programs created
26 under this Section with other preschool educational programs,

1 including "at-risk" preschool programs, special and vocational
2 education, and related services provided by other governmental
3 agencies and not-for-profit agencies.

4 (g) The State Board of Education shall report to the
5 General Assembly by July 1, 1991, on the results of the
6 programs funded pursuant to this Section and whether a need
7 continues for such programs.

8 (h) After July 1, 2006, any parental training services
9 funded pursuant to this Section on the effective date of this
10 amendatory Act of the 94th General Assembly shall continue to
11 be funded pursuant to this Section, subject to appropriation
12 and the meeting of program standards. Any additional parental
13 training services must be funded, subject to appropriation,
14 through preschool education grants pursuant to subdivision (4)
15 of subsection (a) of Section 2-3.71 of this Code for families
16 with children ages 3 to 5 and through prevention initiative
17 grants pursuant to subsection (b) of Section 2-3.89 of this
18 Code for expecting families and those with children from birth
19 to 3 years of age.

20 (i) Early childhood programs under this Section are
21 subject to the requirements under paragraph (7) of subsection
22 (a) of Section 2-3.71 of this Code.

23 (j) This Section is repealed on July 1, 2026.

24 (Source: P.A. 100-105, eff. 1-1-18.)

25 (105 ILCS 5/2-3.79) (from Ch. 122, par. 2-3.79)

1 Sec. 2-3.79. Pilot programs and special education services
2 for preschool children with disabilities from birth to age 3.
3 The State Board of Education may enter into contracts with
4 public or not-for-profit private organizations or agencies to
5 establish model pilot programs which provide services to
6 children with disabilities from birth up to the age of 3 years.
7 Annual grants shall be awarded on a competitive basis pursuant
8 to established criteria provided that there is an annual
9 appropriation for this purpose. Public or not-for-profit
10 private organizations or agencies that are providing services
11 to children with disabilities up to the age of 3 years prior to
12 September 22, 1985 are eligible to receive grants awarded
13 pursuant to this Section.

14 Each pilot program shall include, but not be limited to: a
15 process for identification of infants with disabilities in the
16 region; community awareness of the project and the services
17 provided; an intervention system; methods to assess and
18 diagnose infants with disabilities; written individual
19 treatment programs that include parental involvement; an
20 interdisciplinary treatment approach to include other agencies
21 and not-for-profit organizations; and a written evaluation
22 submitted to the State Board of Education at the end of the
23 grant period.

24 An Interagency Coordination Council shall be established
25 consisting of a representative of the State Superintendent of
26 Education who shall serve as chairman, and one representative

1 from the following departments appointed by the respective
2 directors or secretary: Children and Family Services, Public
3 Health, Human Services, Public Aid, and the Division of
4 Specialized Care for Children of the University of Illinois.
5 The council shall recommend criteria to the State Board of
6 Education for the awarding of grants pursuant to this Section
7 and shall assist in coordinating the services provided by
8 agencies to the children with disabilities described in this
9 Section.

10 A report containing recommendations concerning all of the
11 pilot programs shall be submitted by the State Board of
12 Education to the General Assembly by January of 1989. The
13 report which shall analyze the results of the pilot programs
14 funded under this Section and make recommendations concerning
15 existing and proposed programs shall include, but not be
16 limited to: recommendations for staff licensure and
17 qualifications; the number of children and families eligible
18 for services statewide; the cost of serving the children and
19 their families; the types of services to be provided; and
20 designs for the most effective delivery systems of these
21 services.

22 This Section is repealed on July 1, 2026.

23 (Source: P.A. 89-397, eff. 8-20-95; 89-507, eff. 7-1-97.)

24 (105 ILCS 5/2-3.89) (from Ch. 122, par. 2-3.89)

25 Sec. 2-3.89. Programs concerning services to at-risk

1 children and their families.

2 (a) The State Board of Education may provide grants to
3 eligible entities, as defined by the State Board of Education,
4 to establish programs which offer coordinated services to
5 at-risk infants and toddlers and their families. Each program
6 shall include a parent education program relating to the
7 development and nurturing of infants and toddlers and case
8 management services to coordinate existing services available
9 in the region served by the program. These services shall be
10 provided through the implementation of an individual family
11 service plan. Each program will have a community involvement
12 component to provide coordination in the service system.

13 (b) The State Board of Education shall administer the
14 programs through the grants to public school districts and
15 other eligible entities. These grants must be used to
16 supplement, not supplant, funds received from any other
17 source. School districts and other eligible entities receiving
18 grants pursuant to this Section shall conduct voluntary,
19 intensive, research-based, and comprehensive prevention
20 services, as defined by the State Board of Education, for
21 expecting parents and families with children from birth to age
22 3 who are at-risk of academic failure. A public school
23 district that receives a grant under this Section may
24 subcontract with other eligible entities.

25 (c) The State Board of Education shall report to the
26 General Assembly by July 1, 2006 and every 2 years thereafter,

1 using the most current data available, on the status of
2 programs funded under this Section, including without
3 limitation characteristics of participants, services
4 delivered, program models used, unmet needs, and results of
5 the programs funded.

6 (Source: P.A. 96-734, eff. 8-25-09.)

7 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

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

9 Sec. 10-22.6. Suspension or expulsion of pupils; school
10 searches.

11 (a) To expel pupils guilty of gross disobedience or
12 misconduct, including gross disobedience or misconduct
13 perpetuated by electronic means, pursuant to subsection (b-20)
14 of this Section, and no action shall lie against them for such
15 expulsion. Expulsion shall take place only after the parents
16 have been requested to appear at a meeting of the board, or
17 with a hearing officer appointed by it, to discuss their
18 child's behavior. Such request shall be made by registered or
19 certified mail and shall state the time, place and purpose of
20 the meeting. The board, or a hearing officer appointed by it,
21 at such meeting shall state the reasons for dismissal and the
22 date on which the expulsion is to become effective. If a
23 hearing officer is appointed by the board, he shall report to
24 the board a written summary of the evidence heard at the
25 meeting and the board may take such action thereon as it finds

1 appropriate. If the board acts to expel a pupil, the written
2 expulsion decision shall detail the specific reasons why
3 removing the pupil from the learning environment is in the
4 best interest of the school. The expulsion decision shall also
5 include a rationale as to the specific duration of the
6 expulsion. An expelled pupil may be immediately transferred to
7 an alternative program in the manner provided in Article 13A
8 or 13B of this Code. A pupil must not be denied transfer
9 because of the expulsion, except in cases in which such
10 transfer is deemed to cause a threat to the safety of students
11 or staff in the alternative program.

12 (b) To suspend or by policy to authorize the
13 superintendent of the district or the principal, assistant
14 principal, or dean of students of any school to suspend pupils
15 guilty of gross disobedience or misconduct, or to suspend
16 pupils guilty of gross disobedience or misconduct on the
17 school bus from riding the school bus, pursuant to subsections
18 (b-15) and (b-20) of this Section, and no action shall lie
19 against them for such suspension. The board may by policy
20 authorize the superintendent of the district or the principal,
21 assistant principal, or dean of students of any school to
22 suspend pupils guilty of such acts for a period not to exceed
23 10 school days. If a pupil is suspended due to gross
24 disobedience or misconduct on a school bus, the board may
25 suspend the pupil in excess of 10 school days for safety
26 reasons.

1 Any suspension shall be reported immediately to the
2 parents or guardian of a pupil along with a full statement of
3 the reasons for such suspension and a notice of their right to
4 a review. The school board must be given a summary of the
5 notice, including the reason for the suspension and the
6 suspension length. Upon request of the parents or guardian,
7 the school board or a hearing officer appointed by it shall
8 review such action of the superintendent or principal,
9 assistant principal, or dean of students. At such review, the
10 parents or guardian of the pupil may appear and discuss the
11 suspension with the board or its hearing officer. If a hearing
12 officer is appointed by the board, he shall report to the board
13 a written summary of the evidence heard at the meeting. After
14 its hearing or upon receipt of the written report of its
15 hearing officer, the board may take such action as it finds
16 appropriate. If a student is suspended pursuant to this
17 subsection (b), the board shall, in the written suspension
18 decision, detail the specific act of gross disobedience or
19 misconduct resulting in the decision to suspend. The
20 suspension decision shall also include a rationale as to the
21 specific duration of the suspension. A pupil who is suspended
22 in excess of 20 school days may be immediately transferred to
23 an alternative program in the manner provided in Article 13A
24 or 13B of this Code. A pupil must not be denied transfer
25 because of the suspension, except in cases in which such
26 transfer is deemed to cause a threat to the safety of students

1 or staff in the alternative program.

2 (b-5) Among the many possible disciplinary interventions
3 and consequences available to school officials, school
4 exclusions, such as out-of-school suspensions and expulsions,
5 are the most serious. School officials shall limit the number
6 and duration of expulsions and suspensions to the greatest
7 extent practicable, and it is recommended that they use them
8 only for legitimate educational purposes. To ensure that
9 students are not excluded from school unnecessarily, it is
10 recommended that school officials consider forms of
11 non-exclusionary discipline prior to using out-of-school
12 suspensions or expulsions.

13 (b-10) Unless otherwise required by federal law or this
14 Code, school boards may not institute zero-tolerance policies
15 by which school administrators are required to suspend or
16 expel students for particular behaviors.

17 (b-15) Out-of-school suspensions of 3 days or less may be
18 used only if the student's continuing presence in school would
19 pose a threat to school safety or a disruption to other
20 students' learning opportunities. For purposes of this
21 subsection (b-15), "threat to school safety or a disruption to
22 other students' learning opportunities" shall be determined on
23 a case-by-case basis by the school board or its designee.
24 School officials shall make all reasonable efforts to resolve
25 such threats, address such disruptions, and minimize the
26 length of suspensions to the greatest extent practicable.

1 (b-20) Unless otherwise required by this Code,
2 out-of-school suspensions of longer than 3 days, expulsions,
3 and disciplinary removals to alternative schools may be used
4 only if other appropriate and available behavioral and
5 disciplinary interventions have been exhausted and the
6 student's continuing presence in school would either (i) pose
7 a threat to the safety of other students, staff, or members of
8 the school community or (ii) substantially disrupt, impede, or
9 interfere with the operation of the school. For purposes of
10 this subsection (b-20), "threat to the safety of other
11 students, staff, or members of the school community" and
12 "substantially disrupt, impede, or interfere with the
13 operation of the school" shall be determined on a case-by-case
14 basis by school officials. For purposes of this subsection
15 (b-20), the determination of whether "appropriate and
16 available behavioral and disciplinary interventions have been
17 exhausted" shall be made by school officials. School officials
18 shall make all reasonable efforts to resolve such threats,
19 address such disruptions, and minimize the length of student
20 exclusions to the greatest extent practicable. Within the
21 suspension decision described in subsection (b) of this
22 Section or the expulsion decision described in subsection (a)
23 of this Section, it shall be documented whether other
24 interventions were attempted or whether it was determined that
25 there were no other appropriate and available interventions.

26 (b-25) Students who are suspended out-of-school for longer

1 than 4 school days shall be provided appropriate and available
2 support services during the period of their suspension. For
3 purposes of this subsection (b-25), "appropriate and available
4 support services" shall be determined by school authorities.
5 Within the suspension decision described in subsection (b) of
6 this Section, it shall be documented whether such services are
7 to be provided or whether it was determined that there are no
8 such appropriate and available services.

9 A school district may refer students who are expelled to
10 appropriate and available support services.

11 A school district shall create a policy to facilitate the
12 re-engagement of students who are suspended out-of-school,
13 expelled, or returning from an alternative school setting.

14 (b-30) A school district shall create a policy by which
15 suspended pupils, including those pupils suspended from the
16 school bus who do not have alternate transportation to school,
17 shall have the opportunity to make up work for equivalent
18 academic credit. It shall be the responsibility of a pupil's
19 parent or guardian to notify school officials that a pupil
20 suspended from the school bus does not have alternate
21 transportation to school.

22 (c) A school board must invite a representative from a
23 local mental health agency to consult with the board at the
24 meeting whenever there is evidence that mental illness may be
25 the cause of a student's expulsion or suspension.

26 (c-5) School districts shall make reasonable efforts to

1 provide ongoing professional development to teachers,
2 administrators, school board members, school resource
3 officers, and staff on the adverse consequences of school
4 exclusion and justice-system involvement, effective classroom
5 management strategies, culturally responsive discipline, the
6 appropriate and available supportive services for the
7 promotion of student attendance and engagement, and
8 developmentally appropriate disciplinary methods that promote
9 positive and healthy school climates.

10 (d) The board may expel a student for a definite period of
11 time not to exceed 2 calendar years, as determined on a
12 case-by-case basis. A student who is determined to have
13 brought one of the following objects to school, any
14 school-sponsored activity or event, or any activity or event
15 that bears a reasonable relationship to school shall be
16 expelled for a period of not less than one year:

17 (1) A firearm. For the purposes of this Section,
18 "firearm" means any gun, rifle, shotgun, weapon as defined
19 by Section 921 of Title 18 of the United States Code,
20 firearm as defined in Section 1.1 of the Firearm Owners
21 Identification Card Act, or firearm as defined in Section
22 24-1 of the Criminal Code of 2012. The expulsion period
23 under this subdivision (1) may be modified by the
24 superintendent, and the superintendent's determination may
25 be modified by the board on a case-by-case basis.

26 (2) A knife, brass knuckles or other knuckle weapon

1 regardless of its composition, a billy club, or any other
2 object if used or attempted to be used to cause bodily
3 harm, including "look alike" of any firearm as defined in
4 subdivision (1) of this subsection (d). The expulsion
5 requirement under this subdivision (2) may be modified by
6 the superintendent, and the superintendent's determination
7 may be modified by the board on a case-by-case basis.

8 Expulsion or suspension shall be construed in a manner
9 consistent with the federal Individuals with Disabilities
10 Education Act. A student who is subject to suspension or
11 expulsion as provided in this Section may be eligible for a
12 transfer to an alternative school program in accordance with
13 Article 13A of the School Code.

14 (d-5) The board may suspend or by regulation authorize the
15 superintendent of the district or the principal, assistant
16 principal, or dean of students of any school to suspend a
17 student for a period not to exceed 10 school days or may expel
18 a student for a definite period of time not to exceed 2
19 calendar years, as determined on a case-by-case basis, if (i)
20 that student has been determined to have made an explicit
21 threat on an Internet website against a school employee, a
22 student, or any school-related personnel, (ii) the Internet
23 website through which the threat was made is a site that was
24 accessible within the school at the time the threat was made or
25 was available to third parties who worked or studied within
26 the school grounds at the time the threat was made, and (iii)

1 the threat could be reasonably interpreted as threatening to
2 the safety and security of the threatened individual because
3 of his or her duties or employment status or status as a
4 student inside the school.

5 (e) To maintain order and security in the schools, school
6 authorities may inspect and search places and areas such as
7 lockers, desks, parking lots, and other school property and
8 equipment owned or controlled by the school, as well as
9 personal effects left in those places and areas by students,
10 without notice to or the consent of the student, and without a
11 search warrant. As a matter of public policy, the General
12 Assembly finds that students have no reasonable expectation of
13 privacy in these places and areas or in their personal effects
14 left in these places and areas. School authorities may request
15 the assistance of law enforcement officials for the purpose of
16 conducting inspections and searches of lockers, desks, parking
17 lots, and other school property and equipment owned or
18 controlled by the school for illegal drugs, weapons, or other
19 illegal or dangerous substances or materials, including
20 searches conducted through the use of specially trained dogs.
21 If a search conducted in accordance with this Section produces
22 evidence that the student has violated or is violating either
23 the law, local ordinance, or the school's policies or rules,
24 such evidence may be seized by school authorities, and
25 disciplinary action may be taken. School authorities may also
26 turn over such evidence to law enforcement authorities.

1 (f) Suspension or expulsion may include suspension or
2 expulsion from school and all school activities and a
3 prohibition from being present on school grounds.

4 (g) A school district may adopt a policy providing that if
5 a student is suspended or expelled for any reason from any
6 public or private school in this or any other state, the
7 student must complete the entire term of the suspension or
8 expulsion in an alternative school program under Article 13A
9 of this Code or an alternative learning opportunities program
10 under Article 13B of this Code before being admitted into the
11 school district if there is no threat to the safety of students
12 or staff in the alternative program.

13 (h) School officials shall not advise or encourage
14 students to drop out voluntarily due to behavioral or academic
15 difficulties.

16 (i) A student may not be issued a monetary fine or fee as a
17 disciplinary consequence, though this shall not preclude
18 requiring a student to provide restitution for lost, stolen,
19 or damaged property.

20 (j) Subsections (a) through (i) of this Section shall
21 apply to elementary and secondary schools, charter schools,
22 special charter districts, and school districts organized
23 under Article 34 of this Code.

24 (k) The expulsion of children enrolled in programs funded
25 under Section 1C-2 of this Code is subject to the requirements
26 under paragraph (7) of subsection (a) of Section 2-3.71 of

1 this Code.

2 (1) Beginning with the 2018-2019 school year, an in-school
3 suspension program provided by a school district for any
4 students in kindergarten through grade 12 may focus on
5 promoting non-violent conflict resolution and positive
6 interaction with other students and school personnel. A school
7 district may employ a school social worker or a licensed
8 mental health professional to oversee an in-school suspension
9 program in kindergarten through grade 12.

10 (Source: P.A. 101-81, eff. 7-12-19; 102-539, eff. 8-20-21;
11 102-813, eff. 5-13-22.)

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

13 Sec. 10-22.6. Suspension or expulsion of pupils; school
14 searches.

15 (a) To expel pupils guilty of gross disobedience or
16 misconduct, including gross disobedience or misconduct
17 perpetuated by electronic means, pursuant to subsection (b-20)
18 of this Section, and no action shall lie against them for such
19 expulsion. Expulsion shall take place only after the parents
20 or guardians have been requested to appear at a meeting of the
21 board, or with a hearing officer appointed by it, to discuss
22 their child's behavior. Such request shall be made by
23 registered or certified mail and shall state the time, place
24 and purpose of the meeting. The board, or a hearing officer
25 appointed by it, at such meeting shall state the reasons for

1 dismissal and the date on which the expulsion is to become
2 effective. If a hearing officer is appointed by the board, he
3 shall report to the board a written summary of the evidence
4 heard at the meeting and the board may take such action thereon
5 as it finds appropriate. If the board acts to expel a pupil,
6 the written expulsion decision shall detail the specific
7 reasons why removing the pupil from the learning environment
8 is in the best interest of the school. The expulsion decision
9 shall also include a rationale as to the specific duration of
10 the expulsion. An expelled pupil may be immediately
11 transferred to an alternative program in the manner provided
12 in Article 13A or 13B of this Code. A pupil must not be denied
13 transfer because of the expulsion, except in cases in which
14 such transfer is deemed to cause a threat to the safety of
15 students or staff in the alternative program.

16 (b) To suspend or by policy to authorize the
17 superintendent of the district or the principal, assistant
18 principal, or dean of students of any school to suspend pupils
19 guilty of gross disobedience or misconduct, or to suspend
20 pupils guilty of gross disobedience or misconduct on the
21 school bus from riding the school bus, pursuant to subsections
22 (b-15) and (b-20) of this Section, and no action shall lie
23 against them for such suspension. The board may by policy
24 authorize the superintendent of the district or the principal,
25 assistant principal, or dean of students of any school to
26 suspend pupils guilty of such acts for a period not to exceed

1 10 school days. If a pupil is suspended due to gross
2 disobedience or misconduct on a school bus, the board may
3 suspend the pupil in excess of 10 school days for safety
4 reasons.

5 Any suspension shall be reported immediately to the
6 parents or guardians of a pupil along with a full statement of
7 the reasons for such suspension and a notice of their right to
8 a review. The school board must be given a summary of the
9 notice, including the reason for the suspension and the
10 suspension length. Upon request of the parents or guardians,
11 the school board or a hearing officer appointed by it shall
12 review such action of the superintendent or principal,
13 assistant principal, or dean of students. At such review, the
14 parents or guardians of the pupil may appear and discuss the
15 suspension with the board or its hearing officer. If a hearing
16 officer is appointed by the board, he shall report to the board
17 a written summary of the evidence heard at the meeting. After
18 its hearing or upon receipt of the written report of its
19 hearing officer, the board may take such action as it finds
20 appropriate. If a student is suspended pursuant to this
21 subsection (b), the board shall, in the written suspension
22 decision, detail the specific act of gross disobedience or
23 misconduct resulting in the decision to suspend. The
24 suspension decision shall also include a rationale as to the
25 specific duration of the suspension. A pupil who is suspended
26 in excess of 20 school days may be immediately transferred to

1 an alternative program in the manner provided in Article 13A
2 or 13B of this Code. A pupil must not be denied transfer
3 because of the suspension, except in cases in which such
4 transfer is deemed to cause a threat to the safety of students
5 or staff in the alternative program.

6 (b-5) Among the many possible disciplinary interventions
7 and consequences available to school officials, school
8 exclusions, such as out-of-school suspensions and expulsions,
9 are the most serious. School officials shall limit the number
10 and duration of expulsions and suspensions to the greatest
11 extent practicable, and it is recommended that they use them
12 only for legitimate educational purposes. To ensure that
13 students are not excluded from school unnecessarily, it is
14 recommended that school officials consider forms of
15 non-exclusionary discipline prior to using out-of-school
16 suspensions or expulsions.

17 (b-10) Unless otherwise required by federal law or this
18 Code, school boards may not institute zero-tolerance policies
19 by which school administrators are required to suspend or
20 expel students for particular behaviors.

21 (b-15) Out-of-school suspensions of 3 days or less may be
22 used only if the student's continuing presence in school would
23 pose a threat to school safety or a disruption to other
24 students' learning opportunities. For purposes of this
25 subsection (b-15), "threat to school safety or a disruption to
26 other students' learning opportunities" shall be determined on

1 a case-by-case basis by the school board or its designee.
2 School officials shall make all reasonable efforts to resolve
3 such threats, address such disruptions, and minimize the
4 length of suspensions to the greatest extent practicable.

5 (b-20) Unless otherwise required by this Code,
6 out-of-school suspensions of longer than 3 days, expulsions,
7 and disciplinary removals to alternative schools may be used
8 only if other appropriate and available behavioral and
9 disciplinary interventions have been exhausted and the
10 student's continuing presence in school would either (i) pose
11 a threat to the safety of other students, staff, or members of
12 the school community or (ii) substantially disrupt, impede, or
13 interfere with the operation of the school. For purposes of
14 this subsection (b-20), "threat to the safety of other
15 students, staff, or members of the school community" and
16 "substantially disrupt, impede, or interfere with the
17 operation of the school" shall be determined on a case-by-case
18 basis by school officials. For purposes of this subsection
19 (b-20), the determination of whether "appropriate and
20 available behavioral and disciplinary interventions have been
21 exhausted" shall be made by school officials. School officials
22 shall make all reasonable efforts to resolve such threats,
23 address such disruptions, and minimize the length of student
24 exclusions to the greatest extent practicable. Within the
25 suspension decision described in subsection (b) of this
26 Section or the expulsion decision described in subsection (a)

1 of this Section, it shall be documented whether other
2 interventions were attempted or whether it was determined that
3 there were no other appropriate and available interventions.

4 (b-25) Students who are suspended out-of-school for longer
5 than 4 school days shall be provided appropriate and available
6 support services during the period of their suspension. For
7 purposes of this subsection (b-25), "appropriate and available
8 support services" shall be determined by school authorities.
9 Within the suspension decision described in subsection (b) of
10 this Section, it shall be documented whether such services are
11 to be provided or whether it was determined that there are no
12 such appropriate and available services.

13 A school district may refer students who are expelled to
14 appropriate and available support services.

15 A school district shall create a policy to facilitate the
16 re-engagement of students who are suspended out-of-school,
17 expelled, or returning from an alternative school setting.

18 (b-30) A school district shall create a policy by which
19 suspended pupils, including those pupils suspended from the
20 school bus who do not have alternate transportation to school,
21 shall have the opportunity to make up work for equivalent
22 academic credit. It shall be the responsibility of a pupil's
23 parents or guardians to notify school officials that a pupil
24 suspended from the school bus does not have alternate
25 transportation to school.

26 (b-35) In all suspension review hearings conducted under

1 subsection (b) or expulsion hearings conducted under
2 subsection (a), a student may disclose any factor to be
3 considered in mitigation, including his or her status as a
4 parent, expectant parent, or victim of domestic or sexual
5 violence, as defined in Article 26A. A representative of the
6 parent's or guardian's choice, or of the student's choice if
7 emancipated, must be permitted to represent the student
8 throughout the proceedings and to address the school board or
9 its appointed hearing officer. With the approval of the
10 student's parent or guardian, or of the student if
11 emancipated, a support person must be permitted to accompany
12 the student to any disciplinary hearings or proceedings. The
13 representative or support person must comply with any rules of
14 the school district's hearing process. If the representative
15 or support person violates the rules or engages in behavior or
16 advocacy that harasses, abuses, or intimidates either party, a
17 witness, or anyone else in attendance at the hearing, the
18 representative or support person may be prohibited from
19 further participation in the hearing or proceeding. A
20 suspension or expulsion proceeding under this subsection
21 (b-35) must be conducted independently from any ongoing
22 criminal investigation or proceeding, and an absence of
23 pending or possible criminal charges, criminal investigations,
24 or proceedings may not be a factor in school disciplinary
25 decisions.

26 (b-40) During a suspension review hearing conducted under

1 subsection (b) or an expulsion hearing conducted under
2 subsection (a) that involves allegations of sexual violence by
3 the student who is subject to discipline, neither the student
4 nor his or her representative shall directly question nor have
5 direct contact with the alleged victim. The student who is
6 subject to discipline or his or her representative may, at the
7 discretion and direction of the school board or its appointed
8 hearing officer, suggest questions to be posed by the school
9 board or its appointed hearing officer to the alleged victim.

10 (c) A school board must invite a representative from a
11 local mental health agency to consult with the board at the
12 meeting whenever there is evidence that mental illness may be
13 the cause of a student's expulsion or suspension.

14 (c-5) School districts shall make reasonable efforts to
15 provide ongoing professional development to teachers,
16 administrators, school board members, school resource
17 officers, and staff on the adverse consequences of school
18 exclusion and justice-system involvement, effective classroom
19 management strategies, culturally responsive discipline, the
20 appropriate and available supportive services for the
21 promotion of student attendance and engagement, and
22 developmentally appropriate disciplinary methods that promote
23 positive and healthy school climates.

24 (d) The board may expel a student for a definite period of
25 time not to exceed 2 calendar years, as determined on a
26 case-by-case basis. A student who is determined to have

1 brought one of the following objects to school, any
2 school-sponsored activity or event, or any activity or event
3 that bears a reasonable relationship to school shall be
4 expelled for a period of not less than one year:

5 (1) A firearm. For the purposes of this Section,
6 "firearm" means any gun, rifle, shotgun, weapon as defined
7 by Section 921 of Title 18 of the United States Code,
8 firearm as defined in Section 1.1 of the Firearm Owners
9 Identification Card Act, or firearm as defined in Section
10 24-1 of the Criminal Code of 2012. The expulsion period
11 under this subdivision (1) may be modified by the
12 superintendent, and the superintendent's determination may
13 be modified by the board on a case-by-case basis.

14 (2) A knife, brass knuckles or other knuckle weapon
15 regardless of its composition, a billy club, or any other
16 object if used or attempted to be used to cause bodily
17 harm, including "look alikes" of any firearm as defined in
18 subdivision (1) of this subsection (d). The expulsion
19 requirement under this subdivision (2) may be modified by
20 the superintendent, and the superintendent's determination
21 may be modified by the board on a case-by-case basis.

22 Expulsion or suspension shall be construed in a manner
23 consistent with the federal Individuals with Disabilities
24 Education Act. A student who is subject to suspension or
25 expulsion as provided in this Section may be eligible for a
26 transfer to an alternative school program in accordance with

1 Article 13A of the School Code.

2 (d-5) The board may suspend or by regulation authorize the
3 superintendent of the district or the principal, assistant
4 principal, or dean of students of any school to suspend a
5 student for a period not to exceed 10 school days or may expel
6 a student for a definite period of time not to exceed 2
7 calendar years, as determined on a case-by-case basis, if (i)
8 that student has been determined to have made an explicit
9 threat on an Internet website against a school employee, a
10 student, or any school-related personnel, (ii) the Internet
11 website through which the threat was made is a site that was
12 accessible within the school at the time the threat was made or
13 was available to third parties who worked or studied within
14 the school grounds at the time the threat was made, and (iii)
15 the threat could be reasonably interpreted as threatening to
16 the safety and security of the threatened individual because
17 of his or her duties or employment status or status as a
18 student inside the school.

19 (e) To maintain order and security in the schools, school
20 authorities may inspect and search places and areas such as
21 lockers, desks, parking lots, and other school property and
22 equipment owned or controlled by the school, as well as
23 personal effects left in those places and areas by students,
24 without notice to or the consent of the student, and without a
25 search warrant. As a matter of public policy, the General
26 Assembly finds that students have no reasonable expectation of

1 privacy in these places and areas or in their personal effects
2 left in these places and areas. School authorities may request
3 the assistance of law enforcement officials for the purpose of
4 conducting inspections and searches of lockers, desks, parking
5 lots, and other school property and equipment owned or
6 controlled by the school for illegal drugs, weapons, or other
7 illegal or dangerous substances or materials, including
8 searches conducted through the use of specially trained dogs.
9 If a search conducted in accordance with this Section produces
10 evidence that the student has violated or is violating either
11 the law, local ordinance, or the school's policies or rules,
12 such evidence may be seized by school authorities, and
13 disciplinary action may be taken. School authorities may also
14 turn over such evidence to law enforcement authorities.

15 (f) Suspension or expulsion may include suspension or
16 expulsion from school and all school activities and a
17 prohibition from being present on school grounds.

18 (g) A school district may adopt a policy providing that if
19 a student is suspended or expelled for any reason from any
20 public or private school in this or any other state, the
21 student must complete the entire term of the suspension or
22 expulsion in an alternative school program under Article 13A
23 of this Code or an alternative learning opportunities program
24 under Article 13B of this Code before being admitted into the
25 school district if there is no threat to the safety of students
26 or staff in the alternative program. A school district that

1 adopts a policy under this subsection (g) must include a
2 provision allowing for consideration of any mitigating
3 factors, including, but not limited to, a student's status as
4 a parent, expectant parent, or victim of domestic or sexual
5 violence, as defined in Article 26A.

6 (h) School officials shall not advise or encourage
7 students to drop out voluntarily due to behavioral or academic
8 difficulties.

9 (i) A student may not be issued a monetary fine or fee as a
10 disciplinary consequence, though this shall not preclude
11 requiring a student to provide restitution for lost, stolen,
12 or damaged property.

13 (j) Subsections (a) through (i) of this Section shall
14 apply to elementary and secondary schools, charter schools,
15 special charter districts, and school districts organized
16 under Article 34 of this Code.

17 (k) Through June 30, 2026, the ~~The~~ expulsion of children
18 enrolled in programs funded under Section 1C-2 of this Code is
19 subject to the requirements under paragraph (7) of subsection
20 (a) of Section 2-3.71 of this Code.

21 (k-5) On and after July 1, 2026, the expulsion of children
22 enrolled in programs funded under Section 15-25 is subject to
23 the requirements of paragraph (7) of subsection (a) of Section
24 15-30 of the Department of Early Childhood Act.

25 (l) Beginning with the 2018-2019 school year, an in-school
26 suspension program provided by a school district for any

1 students in kindergarten through grade 12 may focus on
2 promoting non-violent conflict resolution and positive
3 interaction with other students and school personnel. A school
4 district may employ a school social worker or a licensed
5 mental health professional to oversee an in-school suspension
6 program in kindergarten through grade 12.

7 (Source: P.A. 101-81, eff. 7-12-19; 102-466, eff. 7-1-25;
8 102-539, eff. 8-20-21; 102-813, eff. 5-13-22.)

9 (105 ILCS 5/21B-50)

10 Sec. 21B-50. Alternative Educator Licensure Program for
11 Teachers.

12 (a) There is established an alternative educator licensure
13 program, to be known as the Alternative Educator Licensure
14 Program for Teachers.

15 (b) The Alternative Educator Licensure Program for
16 Teachers may be offered by a recognized institution approved
17 to offer educator preparation programs by the State Board of
18 Education, in consultation with the State Educator Preparation
19 and Licensure Board.

20 The program shall be comprised of up to 3 phases:

21 (1) A course of study that at a minimum includes
22 instructional planning; instructional strategies,
23 including special education, reading, and English language
24 learning; classroom management; and the assessment of
25 students and use of data to drive instruction.

1 (2) A year of residency, which is a candidate's
2 assignment to a full-time teaching position or as a
3 co-teacher for one full school year. An individual must
4 hold an Educator License with Stipulations with an
5 alternative provisional educator endorsement in order to
6 enter the residency. In residency, the candidate must~~+~~ be
7 assigned an effective, fully licensed teacher by the
8 principal or principal equivalent to act as a mentor and
9 coach the candidate through residency, complete additional
10 program requirements that address required State and
11 national standards, pass the State Board's teacher
12 performance assessment, if required under Section 21B-30,
13 and be recommended by the principal or qualified
14 equivalent of a principal, as required under subsection
15 (d) of this Section, and the program coordinator to be
16 recommended for full licensure or to continue with a
17 second year of the residency.

18 (3) (Blank).

19 (4) A comprehensive assessment of the candidate's
20 teaching effectiveness, as evaluated by the principal or
21 qualified equivalent of a principal, as required under
22 subsection (d) of this Section, and the program
23 coordinator, at the end of either the first or the second
24 year of residency. If there is disagreement between the 2
25 evaluators about the candidate's teaching effectiveness at
26 the end of the first year of residency, a second year of

1 residency shall be required. If there is disagreement
2 between the 2 evaluators at the end of the second year of
3 residency, the candidate may complete one additional year
4 of residency teaching under a professional development
5 plan developed by the principal or qualified equivalent
6 and the preparation program. At the completion of the
7 third year, a candidate must have positive evaluations and
8 a recommendation for full licensure from both the
9 principal or qualified equivalent and the program
10 coordinator or no Professional Educator License shall be
11 issued.

12 Successful completion of the program shall be deemed to
13 satisfy any other practice or student teaching and content
14 matter requirements established by law.

15 (c) An alternative provisional educator endorsement on an
16 Educator License with Stipulations is valid for up to 2 years
17 of teaching in the public schools, including without
18 limitation a preschool educational program under Section
19 2-3.71 of this Code or Section 15-30 of the Department of Early
20 Childhood Act or charter school, or in a State-recognized
21 nonpublic school in which the chief administrator is required
22 to have the licensure necessary to be a principal in a public
23 school in this State and in which a majority of the teachers
24 are required to have the licensure necessary to be instructors
25 in a public school in this State, but may be renewed for a
26 third year if needed to complete the Alternative Educator

1 Licensure Program for Teachers. The endorsement shall be
2 issued only once to an individual who meets all of the
3 following requirements:

4 (1) Has graduated from a regionally accredited college
5 or university with a bachelor's degree or higher.

6 (2) (Blank).

7 (3) Has completed a major in the content area if
8 seeking a middle or secondary level endorsement or, if
9 seeking an early childhood, elementary, or special
10 education endorsement, has completed a major in the
11 content area of early childhood reading, English/language
12 arts, mathematics, or one of the sciences. If the
13 individual does not have a major in a content area for any
14 level of teaching, he or she must submit transcripts to
15 the State Board of Education to be reviewed for
16 equivalency.

17 (4) Has successfully completed phase (1) of subsection
18 (b) of this Section.

19 (5) Has passed a content area test required for the
20 specific endorsement for admission into the program, as
21 required under Section 21B-30 of this Code.

22 A candidate possessing the alternative provisional
23 educator endorsement may receive a salary, benefits, and any
24 other terms of employment offered to teachers in the school
25 who are members of an exclusive bargaining representative, if
26 any, but a school is not required to provide these benefits

1 during the years of residency if the candidate is serving only
2 as a co-teacher. If the candidate is serving as the teacher of
3 record, the candidate must receive a salary, benefits, and any
4 other terms of employment. Residency experiences must not be
5 counted towards tenure.

6 (d) The recognized institution offering the Alternative
7 Educator Licensure Program for Teachers must partner with a
8 school district, including without limitation a preschool
9 educational program under Section 2-3.71 of this Code or
10 Section 15-30 of the Department of Early Childhood Act or
11 charter school, or a State-recognized, nonpublic school in
12 this State in which the chief administrator is required to
13 have the licensure necessary to be a principal in a public
14 school in this State and in which a majority of the teachers
15 are required to have the licensure necessary to be instructors
16 in a public school in this State. A recognized institution
17 that partners with a public school district administering a
18 preschool educational program under Section 2-3.71 of this
19 Code or Section 15-30 of the Department of Early Childhood Act
20 must require a principal to recommend or evaluate candidates
21 in the program. A recognized institution that partners with an
22 eligible entity administering a preschool educational program
23 under Section 2-3.71 of this Code or Section 15-30 of the
24 Department of Early Childhood Act and that is not a public
25 school district must require a principal or qualified
26 equivalent of a principal to recommend or evaluate candidates

1 in the program. The program presented for approval by the
2 State Board of Education must demonstrate the supports that
3 are to be provided to assist the provisional teacher during
4 the one-year ~~1-year~~ or 2-year residency period and if the
5 residency period is to be less than 2 years in length,
6 assurances from the partner school districts to provide
7 intensive mentoring and supports through at least the end of
8 the second full year of teaching for educators who completed
9 the Alternative Educator ~~Educators~~ Licensure Program for
10 Teachers in less than 2 years. These supports must, at a
11 minimum, provide additional contact hours with mentors during
12 the first year of residency.

13 (e) Upon completion of phases under paragraphs (1), (2),
14 (4), and, if needed, (3) in subsection (b) of this Section and
15 all assessments required under Section 21B-30 of this Code, an
16 individual shall receive a Professional Educator License.

17 (f) The State Board of Education, in consultation with the
18 State Educator Preparation and Licensure Board, may adopt such
19 rules as may be necessary to establish and implement the
20 Alternative Educator Licensure Program for Teachers.

21 (Source: P.A. 103-111, eff. 6-29-23; 103-488, eff. 8-4-23;
22 revised 9-1-23.)

23 (105 ILCS 5/22-45)

24 Sec. 22-45. Illinois P-20 Council.

25 (a) The General Assembly finds that preparing Illinoisans

1 for success in school and the workplace requires a continuum
2 of quality education from preschool through graduate school.
3 This State needs a framework to guide education policy and
4 integrate education at every level. A statewide coordinating
5 council to study and make recommendations concerning education
6 at all levels can avoid fragmentation of policies, promote
7 improved teaching and learning, and continue to cultivate and
8 demonstrate strong accountability and efficiency. Establishing
9 an Illinois P-20 Council will develop a statewide agenda that
10 will move the State towards the common goals of improving
11 academic achievement, increasing college access and success,
12 improving use of existing data and measurements, developing
13 improved accountability, fostering innovative approaches to
14 education, promoting lifelong learning, easing the transition
15 to college, and reducing remediation. A pre-kindergarten
16 through grade 20 agenda will strengthen this State's economic
17 competitiveness by producing a highly-skilled workforce. In
18 addition, lifelong learning plans will enhance this State's
19 ability to leverage funding.

20 (b) There is created the Illinois P-20 Council. The
21 Illinois P-20 Council shall include all of the following
22 members:

23 (1) The Governor or his or her designee, to serve as
24 chairperson.

25 (2) Four members of the General Assembly, one
26 appointed by the Speaker of the House of Representatives,

1 one appointed by the Minority Leader of the House of
2 Representatives, one appointed by the President of the
3 Senate, and one appointed by the Minority Leader of the
4 Senate.

5 (3) Six at-large members appointed by the Governor as
6 follows, with 2 members being from the City of Chicago, 2
7 members being from Lake County, McHenry County, Kane
8 County, DuPage County, Will County, or that part of Cook
9 County outside of the City of Chicago, and 2 members being
10 from the remainder of the State:

11 (A) one representative of civic leaders;

12 (B) one representative of local government;

13 (C) one representative of trade unions;

14 (D) one representative of nonprofit organizations
15 or foundations;

16 (E) one representative of parents' organizations;

17 and

18 (F) one education research expert.

19 (4) Five members appointed by statewide business
20 organizations and business trade associations.

21 (5) Six members appointed by statewide professional
22 organizations and associations representing
23 pre-kindergarten through grade 20 teachers, community
24 college faculty, and public university faculty.

25 (6) Two members appointed by associations representing
26 local school administrators and school board members. One

1 of these members must be a special education
2 administrator.

3 (7) One member representing community colleges,
4 appointed by the Illinois Council of Community College
5 Presidents.

6 (8) One member representing 4-year independent
7 colleges and universities, appointed by a statewide
8 organization representing private institutions of higher
9 learning.

10 (9) One member representing public 4-year
11 universities, appointed jointly by the university
12 presidents and chancellors.

13 (10) Ex-officio members as follows:

14 (A) The State Superintendent of Education or his
15 or her designee.

16 (A-5) The Secretary of Early Childhood or the
17 Secretary's designee.

18 (B) The Executive Director of the Board of Higher
19 Education or his or her designee.

20 (C) The Executive Director of the Illinois
21 Community College Board or his or her designee.

22 (D) The Executive Director of the Illinois Student
23 Assistance Commission or his or her designee.

24 (E) The Co-chairpersons of the Illinois Workforce
25 Investment Board or their designee.

26 (F) The Director of Commerce and Economic

1 Opportunity or his or her designee.

2 (G) The Chairperson of the Illinois Early Learning
3 Council or his or her designee.

4 (H) The President of the Illinois Mathematics and
5 Science Academy or his or her designee.

6 (I) The president of an association representing
7 educators of adult learners or his or her designee.

8 Ex-officio members shall have no vote on the Illinois P-20
9 Council.

10 Appointed members shall serve for staggered terms expiring
11 on July 1 of the first, second, or third calendar year
12 following their appointments or until their successors are
13 appointed and have qualified. Staggered terms shall be
14 determined by lot at the organizing meeting of the Illinois
15 P-20 Council.

16 Vacancies shall be filled in the same manner as original
17 appointments, and any member so appointed shall serve during
18 the remainder of the term for which the vacancy occurred.

19 (c) The Illinois P-20 Council shall be funded through
20 State appropriations to support staff activities, research,
21 data-collection, and dissemination. The Illinois P-20 Council
22 shall be staffed by the Office of the Governor, in
23 coordination with relevant State agencies, boards, and
24 commissions. The Illinois Education Research Council shall
25 provide research and coordinate research collection activities
26 for the Illinois P-20 Council.

1 (d) The Illinois P-20 Council shall have all of the
2 following duties:

3 (1) To make recommendations to do all of the
4 following:

5 (A) Coordinate pre-kindergarten through grade 20
6 (graduate school) education in this State through
7 working at the intersections of educational systems to
8 promote collaborative infrastructure.

9 (B) Coordinate and leverage strategies, actions,
10 legislation, policies, and resources of all
11 stakeholders to support fundamental and lasting
12 improvement in this State's public schools, community
13 colleges, and universities.

14 (C) Better align the high school curriculum with
15 postsecondary expectations.

16 (D) Better align assessments across all levels of
17 education.

18 (E) Reduce the need for students entering
19 institutions of higher education to take remedial
20 courses.

21 (F) Smooth the transition from high school to
22 college.

23 (G) Improve high school and college graduation
24 rates.

25 (H) Improve the rigor and relevance of academic
26 standards for college and workforce readiness.

1 (I) Better align college and university teaching
2 programs with the needs of Illinois schools.

3 (2) To advise the Governor, the General Assembly, the
4 State's education and higher education agencies, and the
5 State's workforce and economic development boards and
6 agencies on policies related to lifelong learning for
7 Illinois students and families.

8 (3) To articulate a framework for systemic educational
9 improvement and innovation that will enable every student
10 to meet or exceed Illinois learning standards and be
11 well-prepared to succeed in the workforce and community.

12 (4) To provide an estimated fiscal impact for
13 implementation of all Council recommendations.

14 (5) To make recommendations for short-term and
15 long-term learning recovery actions for public school
16 students in this State in the wake of the COVID-19
17 pandemic. The Illinois P-20 Council shall submit a report
18 with its recommendations for a multi-year recovery plan by
19 December 31, 2021 to the Governor, the State Board of
20 Education, the Board of Higher Education, the Illinois
21 Community College Board, and the General Assembly that
22 addresses all of the following:

23 (A) Closing the digital divide for all students,
24 including access to devices, Internet connectivity,
25 and ensuring that educators have the necessary support
26 and training to provide high quality remote and

1 blended learning to students.

2 (B) Evaluating the academic growth and proficiency
3 of students in order to understand the impact of
4 school closures and remote and blended remote learning
5 conditions on student academic outcomes, including
6 disaggregating data by race, income, diverse learners,
7 and English learners, in ways that balance the need to
8 understand that impact with the need to support
9 student well-being and also take into consideration
10 the logistical constraints facing schools and
11 districts.

12 (C) Establishing a system for the collection and
13 review of student data at the State level, including
14 data about prekindergarten through higher education
15 student attendance, engagement and participation,
16 discipline, and social-emotional and mental health
17 inputs and outcomes, in order to better understand the
18 full impact of disrupted learning.

19 (D) Providing students with resources and programs
20 for academic support, such as enrichment
21 opportunities, tutoring corps, summer bridge programs,
22 youth leadership and development programs, youth and
23 community-led restorative and transformative justice
24 programs, and youth internship and apprenticeship
25 programs.

26 (E) Providing students with resources and support

1 to ensure access to social-emotional learning, mental
2 health services, and trauma responsive, restorative
3 justice and anti-racist practices in order to support
4 the growth of the whole child, such as investing in
5 community schools and providing comprehensive
6 year-round services and support for both students and
7 their families.

8 (F) Ensuring more time for students' academic,
9 social-emotional, and mental health needs by
10 considering such strategies as: (i) extending planning
11 time for teachers, (ii) extending the school day and
12 school year, and (iii) transitioning to year-round
13 schooling.

14 (G) Strengthening the transition from secondary
15 education to postsecondary education in the wake of
16 threats to alignment and affordability created by the
17 pandemic and related conditions.

18 (e) The chairperson of the Illinois P-20 Council may
19 authorize the creation of working groups focusing on areas of
20 interest to Illinois educational and workforce development,
21 including without limitation the following areas:

22 (1) Preparation, recruitment, and certification of
23 highly qualified teachers.

24 (2) Mentoring and induction of highly qualified
25 teachers.

26 (3) The diversity of highly qualified teachers.

1 (4) Funding for highly qualified teachers, including
2 developing a strategic and collaborative plan to seek
3 federal and private grants to support initiatives
4 targeting teacher preparation and its impact on student
5 achievement.

6 (5) Highly effective administrators.

7 (6) Illinois birth through age 3 education,
8 pre-kindergarten, and early childhood education.

9 (7) The assessment, alignment, outreach, and network
10 of college and workforce readiness efforts.

11 (8) Alternative routes to college access.

12 (9) Research data and accountability.

13 (10) Community schools, community participation, and
14 other innovative approaches to education that foster
15 community partnerships.

16 (11) Tuition, financial aid, and other issues related
17 to keeping postsecondary education affordable for Illinois
18 residents.

19 (12) Learning recovery in the wake of the COVID-19
20 pandemic.

21 The chairperson of the Illinois P-20 Council may designate
22 Council members to serve as working group chairpersons.
23 Working groups may invite organizations and individuals
24 representing pre-kindergarten through grade 20 interests to
25 participate in discussions, data collection, and
26 dissemination.

1 (Source: P.A. 101-654, eff. 3-8-21.)

2 (105 ILCS 5/26-19)

3 Sec. 26-19. Chronic absenteeism in preschool children.

4 (a) In this Section, "chronic absence" has the meaning
5 ascribed to that term in Section 26-18 of this Code.

6 (b) The General Assembly makes all of the following
7 findings:

8 (1) The early years are an extremely important period
9 in a child's learning and development.

10 (2) Missed learning opportunities in the early years
11 make it difficult for a child to enter kindergarten ready
12 for success.

13 (3) Attendance patterns in the early years serve as
14 predictors of chronic absenteeism and reduced educational
15 outcomes in later school years. Therefore, it is crucial
16 that the implications of chronic absence be understood and
17 reviewed regularly under the Preschool for All Program and
18 Preschool for All Expansion Program under Section 2-3.71
19 of this Code.

20 (c) The Preschool for All Program and Preschool for All
21 Expansion Program under Section 2-3.71 of this Code shall
22 collect and review its chronic absence data and determine what
23 support and resources are needed to positively engage
24 chronically absent students and their families to encourage
25 the habit of daily attendance and promote success.

1 (d) The Preschool for All Program and Preschool for All
2 Expansion Program under Section 2-3.71 of this Code are
3 encouraged to do all of the following:

4 (1) Provide support to students who are at risk of
5 reaching or exceeding chronic absence levels.

6 (2) Make resources available to families, such as
7 those available through the State Board of Education's
8 Family Engagement Framework, to support and encourage
9 families to ensure their children's daily program
10 attendance.

11 (3) Include information about chronic absenteeism as
12 part of their preschool to kindergarten transition
13 resources.

14 (e) On or before July 1, 2020, and annually thereafter,
15 the Preschool for All Program and Preschool for All Expansion
16 Program shall report all data collected under subsection (c)
17 of this Section to the State Board of Education, which shall
18 make the report publicly available via the Illinois Early
19 Childhood Asset Map Internet website and the Preschool for All
20 Program or Preschool for All Expansion Program triennial
21 report.

22 (f) This Section is repealed on July 1, 2026.

23 (Source: P.A. 102-539, eff. 8-20-21.)

24 Section 90-35. The School Construction Law is amended by
25 changing Section 5-300 as follows:

1 (105 ILCS 230/5-300)

2 Sec. 5-300. Early childhood construction grants.

3 (a) The Capital Development Board is authorized to make
4 grants to public school districts and not-for-profit entities
5 for early childhood construction projects, except that in
6 fiscal year 2024 those grants may be made only to public school
7 districts. These grants shall be paid out of moneys
8 appropriated for that purpose from the School Construction
9 Fund, the Build Illinois Bond Fund, or the Rebuild Illinois
10 Projects Fund. No grants may be awarded to entities providing
11 services within private residences. A public school district
12 or other eligible entity must provide local matching funds in
13 the following manner:

14 (1) A public school district assigned to Tier 1 under
15 Section 18-8.15 of the School Code or any other eligible
16 entity in an area encompassed by that district must
17 provide local matching funds in an amount equal to 3% of
18 the grant awarded under this Section.

19 (2) A public school district assigned to Tier 2 under
20 Section 18-8.15 of the School Code or any other eligible
21 entity in an area encompassed by that district must
22 provide local matching funds in an amount equal to 7.5% of
23 the grant awarded under this Section.

24 (3) A public school district assigned to Tier 3 under
25 Section 18-8.15 of the School Code or any other eligible

1 entity in an area encompassed by that district must
2 provide local matching funds in an amount equal to 8.75%
3 of the grant awarded under this Section.

4 (4) A public school district assigned to Tier 4 under
5 Section 18-8.15 of the School Code or any other eligible
6 entity in an area encompassed by that district must
7 provide local matching funds in an amount equal to 10% of
8 the grant awarded under this Section.

9 A public school district or other eligible entity has no
10 entitlement to a grant under this Section.

11 (b) The Capital Development Board shall adopt rules to
12 implement this Section. These rules need not be the same as the
13 rules for school construction project grants or school
14 maintenance project grants. The rules may specify:

15 (1) the manner of applying for grants;

16 (2) project eligibility requirements;

17 (3) restrictions on the use of grant moneys;

18 (4) the manner in which school districts and other
19 eligible entities must account for the use of grant
20 moneys;

21 (5) requirements that new or improved facilities be
22 used for early childhood and other related programs for a
23 period of at least 10 years; and

24 (6) any other provision that the Capital Development
25 Board determines to be necessary or useful for the
26 administration of this Section.

1 (b-5) When grants are made to non-profit corporations for
2 the acquisition or construction of new facilities, the Capital
3 Development Board or any State agency it so designates shall
4 hold title to or place a lien on the facility for a period of
5 10 years after the date of the grant award, after which title
6 to the facility shall be transferred to the non-profit
7 corporation or the lien shall be removed, provided that the
8 non-profit corporation has complied with the terms of its
9 grant agreement. When grants are made to non-profit
10 corporations for the purpose of renovation or rehabilitation,
11 if the non-profit corporation does not comply with item (5) of
12 subsection (b) of this Section, the Capital Development Board
13 or any State agency it so designates shall recover the grant
14 pursuant to the procedures outlined in the Illinois Grant
15 Funds Recovery Act.

16 (c) The Capital Development Board, in consultation with
17 the State Board of Education, shall establish standards for
18 the determination of priority needs concerning early childhood
19 projects based on projects located in communities in the State
20 with the greatest underserved population of young children,
21 utilizing Census data and other reliable local early childhood
22 service data.

23 (d) In each school year in which early childhood
24 construction project grants are awarded, 20% of the total
25 amount awarded shall be awarded to a school district with a
26 population of more than 500,000, provided that the school

1 district complies with the requirements of this Section and
2 the rules adopted under this Section.

3 (e) This Section is repealed on July 1, 2026.

4 (Source: P.A. 102-16, eff. 6-17-21; 103-8, eff. 6-7-23.)

5 Section 90-40. The Early Childhood Access Consortium for
6 Equity Act is amended by changing Sections 25 and 35 as
7 follows:

8 (110 ILCS 28/25)

9 Sec. 25. Advisory committee; membership.

10 (a) The Board of Higher Education, the Illinois Community
11 College Board, the State Board of Education, the Department of
12 Human Services, and the Department of Early Childhood
13 ~~Governor's Office of Early Childhood Development~~ shall jointly
14 convene a Consortium advisory committee to provide guidance on
15 the operation of the Consortium.

16 (b) Membership on the advisory committee shall be
17 comprised of employers and experts appointed by the Board of
18 Higher Education, the Illinois Community College Board, the
19 Department of Early Childhood, the Department of Human
20 Services ~~Governor's Office of Early Childhood Development~~, and
21 the State Board of Education. Membership shall also include
22 all of the following members:

23 (1) An employer from a community-based child care
24 provider, appointed by the Department of Human Services

1 ~~Governor's Office of Early Childhood Development.~~

2 (2) An employer from a for-profit child care provider,
3 appointed by the Department of Human Services ~~Governor's~~
4 ~~Office of Early Childhood Development.~~

5 (3) An employer from a nonprofit child care provider,
6 appointed by the Department of Human Services ~~Governor's~~
7 ~~Office of Early Childhood Development.~~

8 (4) A provider of family child care, appointed by the
9 Department of Human Services ~~Governor's Office of Early~~
10 ~~Childhood Development.~~

11 (5) An employer located in southern Illinois,
12 appointed by the Department of Early Childhood ~~Governor's~~
13 ~~Office of Early Childhood Development.~~

14 (6) An employer located in central Illinois, appointed
15 by the Department of Early Childhood ~~Governor's Office of~~
16 ~~Early Childhood Development.~~

17 (7) At least one member who represents an urban school
18 district, appointed by the State Board of Education.

19 (8) At least one member who represents a suburban
20 school district, appointed by the State Board of
21 Education.

22 (9) At least one member who represents a rural school
23 district, appointed by the State Board of Education.

24 (10) At least one member who represents a school
25 district in a city with a population of 500,000 or more,
26 appointed by the State Board of Education.

1 (11) Two early childhood advocates with statewide
2 expertise in early childhood workforce issues, appointed
3 by the Department of Early Childhood ~~Governor's Office of~~
4 ~~Early Childhood Development~~.

5 (12) The Chairperson or Vice-Chairperson and the
6 Minority Spokesperson or a designee of the Senate
7 Committee on Higher Education.

8 (13) The Chairperson or Vice-Chairperson and the
9 Minority Spokesperson or a designee of the House Committee
10 on Higher Education.

11 (14) One member representing the Illinois Community
12 College Board, who shall serve as co-chairperson,
13 appointed by the Illinois Community College Board.

14 (15) One member representing the Board of Higher
15 Education, who shall serve as co-chairperson, appointed by
16 the Board of Higher Education.

17 (16) One member representing the Illinois Student
18 Assistance Commission, appointed by the Board of Higher
19 Education.

20 (17) One member representing the State Board of
21 Education, who shall serve as co-chairperson, appointed by
22 the State Board of Education.

23 (18) One member representing the Department of Early
24 Childhood ~~Governor's Office of Early Childhood~~
25 ~~Development~~, who shall serve as co-chairperson, appointed
26 by the Department of Early Childhood ~~Governor's Office of~~

1 ~~Early Childhood Development.~~

2 (19) One member representing the Department of Human
3 Services, who shall serve as co-chairperson, appointed by
4 the Department of Human Services ~~Governor's Office of~~
5 ~~Early Childhood Development.~~

6 (20) One member representing INCCRRA, appointed by the
7 Department of Early Childhood ~~Governor's Office of Early~~
8 ~~Childhood Development.~~

9 (21) One member representing the Department of
10 Children and Family Services, appointed by the Department
11 of Children and Family Services ~~Governor's Office of Early~~
12 ~~Childhood Development.~~

13 (22) One member representing an organization that
14 advocates on behalf of community college trustees,
15 appointed by the Illinois Community College Board.

16 (23) One member of a union representing child care and
17 early childhood providers, appointed by the Department of
18 Human Services ~~Governor's Office of Early Childhood~~
19 ~~Development.~~

20 (24) Two members of unions representing higher
21 education faculty, appointed by the Board of Higher
22 Education.

23 (25) A representative from the College of Education of
24 an urban public university, appointed by the Board of
25 Higher Education.

26 (26) A representative from the College of Education of

1 a suburban public university, appointed by the Board of
2 Higher Education.

3 (27) A representative from the College of Education of
4 a rural public university, appointed by the Board of
5 Higher Education.

6 (28) A representative from the College of Education of
7 a private university, appointed by the Board of Higher
8 Education.

9 (29) A representative of an urban community college,
10 appointed by the Illinois Community College Board.

11 (30) A representative of a suburban community college,
12 appointed by the Illinois Community College Board.

13 (31) A representative of rural community college,
14 appointed by the Illinois Community College Board.

15 (c) The advisory committee shall meet quarterly. The
16 committee meetings shall be open to the public in accordance
17 with the provisions of the Open Meetings Act.

18 (Source: P.A. 102-174, eff. 7-28-21.)

19 (110 ILCS 28/35)

20 Sec. 35. Goals and metrics.

21 (a) By July 1, 2021 or within 60 days after the effective
22 date of this amendatory Act of the 102nd General Assembly, the
23 Board of Higher Education's Strategic Plan Educator Workforce
24 subgroup on the early childhood workforce must set goals for
25 the Consortium for the enrollment, persistence, and completion

1 of members of the incumbent workforce in associate,
2 bachelor's, and master's degree programs, Gateways Credentials
3 in Level 2, 3, or 4, and Professional Educator Licensure by
4 September 30, 2024. The goals set for the Consortium must be
5 data informed and include targets for annual enrollment and
6 persistence.

7 (b) Data from the Gateways Registry, March 2020, indicates
8 that there are 7,670 individuals with an associate degree who
9 would benefit from progressing to a baccalaureate degree and
10 20,467 individuals with a high school diploma or some college
11 who would benefit from progressing to an associate degree. If
12 the goals cannot be set in accordance with subsection (a), the
13 goal for the Consortium shall be that by September 30, 2024,
14 20% of the individuals described in this subsection (b) who do
15 not have a degree will have enrolled and be persisting toward
16 or have attained a Gateways Credential in Level 2, 3, or 4 or
17 an associate degree and, of the individuals who have an
18 associate degree, will be enrolled and persisting toward or
19 have attained a baccalaureate degree or will be persisting
20 toward or have attained a Professional Educator License.

21 (c) Student financial aid, including incentives and
22 stipends, data-sharing, and professional statewide engagement
23 and marketing campaign and recruitment efforts are critical to
24 the Consortium's ability to quickly attract and enroll
25 students into these programs. Navigators, mentors, and
26 advisors are critical for persistence and completion. If

1 federal funds are not appropriated for these purposes and the
2 other purposes of this Section, the Board of Higher Education,
3 the Illinois Community College Board, the State Board of
4 Education, the Department of Human Services, and the
5 Department of Early Childhood ~~Governor's Office of Early~~
6 ~~Childhood Development~~, in consultation with the advisory
7 committee, shall adjust the initial target metrics
8 appropriately by adopting challenging goals that may be
9 attainable with less public investment.

10 (d) The Board of Higher Education, the Illinois Community
11 College Board, the State Board of Education, the Department of
12 Human Services, and the Department of Early Childhood
13 ~~Governor's Office of Early Childhood Development~~, in
14 consultation with the advisory committee, shall determine new
15 metrics and goals for the Consortium as they relate to the
16 remaining and future early childhood workforce, to be
17 instituted after the close of the 2024-2025 academic year and
18 going forward. Metrics must take into consideration that the
19 pipeline depends on sustained, increased student enrollment
20 and completion rates at the associate degree level if this
21 State aims to continue with sustained, increased student
22 enrollment and completion at the bachelor's degree level.

23 (Source: P.A. 102-174, eff. 7-28-21.)

24 Section 90-45. The Illinois Public Aid Code is amended by
25 changing Sections 2-12, 2-12.5, 9A-11, 9A-11.5, and 9A-17 as

1 follows:

2 (305 ILCS 5/2-12) (from Ch. 23, par. 2-12)

3 Sec. 2-12. "Illinois Department"; "Department". In this
4 Code, "Illinois Department" or "Department", when a particular
5 entity is not specified, means the following:

6 (1) In the case of a function performed before July 1, 1997
7 (the effective date of the Department of Human Services Act),
8 the term means the Department of Public Aid.

9 (2) Except as provided in paragraph (2.5), in ~~the~~ the case
10 of a function to be performed on or after July 1, 1997 under
11 Article III, IV, VI, IX, or IXA, the term means the Department
12 of Human Services as successor to the Illinois Department of
13 Public Aid.

14 (2.5) In the case of a function to be performed on or after
15 July 1, 2026 under Sections 9A-11 and 9A-11-5, the term means
16 the Department of Early Childhood.

17 (3) In the case of a function to be performed on or after
18 July 1, 1997 under Article V, V-A, V-B, V-C, V-D, V-E, X, XIV,
19 or XV, the term means the Department of Healthcare and Family
20 Services (formerly Illinois Department of Public Aid).

21 (4) In the case of a function to be performed on or after
22 July 1, 1997 under Article I, II, VIIIA, XI, XII, or XIII, the
23 term means the Department of Human Services (acting as
24 successor to the Illinois Department of Public Aid) or the
25 Department of Healthcare and Family Services (formerly

1 Illinois Department of Public Aid) or both, according to
2 whether that function, in the specific context, has been
3 allocated to the Department of Human Services or the
4 Department of Healthcare and Family Services (formerly
5 Department of Public Aid) or both of those departments.

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

7 (305 ILCS 5/2-12.5)

8 Sec. 2-12.5. "Director of the Illinois Department";
9 "Director of the Department"; "Director". In this Code,
10 "Director of the Illinois Department", "Director of the
11 Department", or "Director", when a particular official is not
12 specified, means the following:

13 (1) In the case of a function performed before July 1, 1997
14 (the effective date of the Department of Human Services Act),
15 the term means the Director of Public Aid.

16 (2) Except as provided in paragraph (2.5), in ~~in~~ the case
17 of a function to be performed on or after July 1, 1997 under
18 Article III, IV, VI, IX, or IXA, the term means the Secretary
19 of Human Services.

20 (2.5) In the case of a function to be performed on or after
21 July 1, 2026 under Sections 9A-11 and 9A-11-5, the term means
22 the Secretary of Early Childhood.

23 (3) In the case of a function to be performed on or after
24 July 1, 1997 under Article V, V-A, V-B, V-C, V-D, V-E, X, XIV,
25 or XV, the term means the Director of Healthcare and Family

1 Services (formerly Director of Public Aid).

2 (4) In the case of a function to be performed on or after
3 July 1, 1997 under Article I, II, VIIIA, XI, XII, or XIII, the
4 term means the Secretary of Human Services or the Director of
5 Healthcare and Family Services (formerly Director of Public
6 Aid) or both, according to whether that function, in the
7 specific context, has been allocated to the Department of
8 Human Services or the Department of Healthcare and Family
9 Services (formerly Department of Public Aid) or both of those
10 departments.

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

12 (305 ILCS 5/9A-11) (from Ch. 23, par. 9A-11)

13 Sec. 9A-11. Child care.

14 (a) The General Assembly recognizes that families with
15 children need child care in order to work. Child care is
16 expensive and families with limited access to economic
17 resources, including those who are transitioning from welfare
18 to work, often struggle to pay the costs of day care. The
19 General Assembly understands the importance of helping working
20 families with limited access to economic resources become and
21 remain self-sufficient. The General Assembly also believes
22 that it is the responsibility of families to share in the costs
23 of child care. It is also the preference of the General
24 Assembly that all working families with limited access to
25 economic resources should be treated equally, regardless of

1 their welfare status.

2 (b) To the extent resources permit, the Illinois
3 Department shall provide child care services to parents or
4 other relatives as defined by rule who are working or
5 participating in employment or Department approved education
6 or training programs. At a minimum, the Illinois Department
7 shall cover the following categories of families:

8 (1) recipients of TANF under Article IV participating
9 in work and training activities as specified in the
10 personal plan for employment and self-sufficiency;

11 (2) families transitioning from TANF to work;

12 (3) families at risk of becoming recipients of TANF;

13 (4) families with special needs as defined by rule;

14 (5) working families with very low incomes as defined
15 by rule;

16 (6) families that are not recipients of TANF and that
17 need child care assistance to participate in education and
18 training activities;

19 (7) youth in care, as defined in Section 4d of the
20 Children and Family Services Act, who are parents,
21 regardless of income or whether they are working or
22 participating in Department-approved employment or
23 education or training programs. Any family that receives
24 child care assistance in accordance with this paragraph
25 shall receive one additional 12-month child care
26 eligibility period after the parenting youth in care's

1 case with the Department of Children and Family Services
2 is closed, regardless of income or whether the parenting
3 youth in care is working or participating in
4 Department-approved employment or education or training
5 programs;

6 (8) families receiving Extended Family Support Program
7 services from the Department of Children and Family
8 Services, regardless of income or whether they are working
9 or participating in Department-approved employment or
10 education or training programs; and

11 (9) families with children under the age of 5 who have
12 an open intact family services case with the Department of
13 Children and Family Services. Any family that receives
14 child care assistance in accordance with this paragraph
15 shall remain eligible for child care assistance 6 months
16 after the child's intact family services case is closed,
17 regardless of whether the child's parents or other
18 relatives as defined by rule are working or participating
19 in Department approved employment or education or training
20 programs. The Department of Early Childhood Human
21 ~~Services~~, in consultation with the Department of Children
22 and Family Services, shall adopt rules to protect the
23 privacy of families who are the subject of an open intact
24 family services case when such families enroll in child
25 care services. Additional rules shall be adopted to offer
26 children who have an open intact family services case the

1 opportunity to receive an Early Intervention screening and
2 other services that their families may be eligible for as
3 provided by the Department of Human Services.

4 Beginning October 1, 2027 ~~2023~~, and every October 1
5 thereafter, the Department of Children and Family Services
6 shall report to the General Assembly on the number of children
7 who received child care via vouchers paid for by the
8 Department of Early Childhood ~~Children and Family Services~~
9 during the preceding fiscal year. The report shall include the
10 ages of children who received child care, the type of child
11 care they received, and the number of months they received
12 child care.

13 The Department shall specify by rule the conditions of
14 eligibility, the application process, and the types, amounts,
15 and duration of services. Eligibility for child care benefits
16 and the amount of child care provided may vary based on family
17 size, income, and other factors as specified by rule.

18 The Department shall update the Child Care Assistance
19 Program Eligibility Calculator posted on its website to
20 include a question on whether a family is applying for child
21 care assistance for the first time or is applying for a
22 redetermination of eligibility.

23 A family's eligibility for child care services shall be
24 redetermined no sooner than 12 months following the initial
25 determination or most recent redetermination. During the
26 12-month periods, the family shall remain eligible for child

1 care services regardless of (i) a change in family income,
2 unless family income exceeds 85% of State median income, or
3 (ii) a temporary change in the ongoing status of the parents or
4 other relatives, as defined by rule, as working or attending a
5 job training or educational program.

6 In determining income eligibility for child care benefits,
7 the Department annually, at the beginning of each fiscal year,
8 shall establish, by rule, one income threshold for each family
9 size, in relation to percentage of State median income for a
10 family of that size, that makes families with incomes below
11 the specified threshold eligible for assistance and families
12 with incomes above the specified threshold ineligible for
13 assistance. Through and including fiscal year 2007, the
14 specified threshold must be no less than 50% of the
15 then-current State median income for each family size.
16 Beginning in fiscal year 2008, the specified threshold must be
17 no less than 185% of the then-current federal poverty level
18 for each family size. Notwithstanding any other provision of
19 law or administrative rule to the contrary, beginning in
20 fiscal year 2019, the specified threshold for working families
21 with very low incomes as defined by rule must be no less than
22 185% of the then-current federal poverty level for each family
23 size. Notwithstanding any other provision of law or
24 administrative rule to the contrary, beginning in State fiscal
25 year 2022 through State fiscal year 2023, the specified income
26 threshold shall be no less than 200% of the then-current

1 federal poverty level for each family size. Beginning in State
2 fiscal year 2024, the specified income threshold shall be no
3 less than 225% of the then-current federal poverty level for
4 each family size.

5 In determining eligibility for assistance, the Department
6 shall not give preference to any category of recipients or
7 give preference to individuals based on their receipt of
8 benefits under this Code.

9 Nothing in this Section shall be construed as conferring
10 entitlement status to eligible families.

11 The Illinois Department is authorized to lower income
12 eligibility ceilings, raise parent co-payments, create waiting
13 lists, or take such other actions during a fiscal year as are
14 necessary to ensure that child care benefits paid under this
15 Article do not exceed the amounts appropriated for those child
16 care benefits. These changes may be accomplished by emergency
17 rule under Section 5-45 of the Illinois Administrative
18 Procedure Act, except that the limitation on the number of
19 emergency rules that may be adopted in a 24-month period shall
20 not apply.

21 The Illinois Department may contract with other State
22 agencies or child care organizations for the administration of
23 child care services.

24 (c) Payment shall be made for child care that otherwise
25 meets the requirements of this Section and applicable
26 standards of State and local law and regulation, including any

1 requirements the Illinois Department promulgates by rule.
2 Through June 30, 2026, the rules of this Section include
3 licensure requirements adopted by the Department of Children
4 and Family Services. On and after July 1, 2026, the rules of
5 this Section include licensure requirements adopted by the
6 Department of Early Childhood. In addition, the regulations of
7 this Section include the ~~in addition to the licensure~~
8 ~~requirements promulgated by the Department of Children and~~
9 ~~Family Services and~~ Fire Prevention and Safety requirements
10 promulgated by the Office of the State Fire Marshal, and is
11 provided in any of the following:

12 (1) a child care center which is licensed or exempt
13 from licensure pursuant to Section 2.09 of the Child Care
14 Act of 1969;

15 (2) a licensed child care home or home exempt from
16 licensing;

17 (3) a licensed group child care home;

18 (4) other types of child care, including child care
19 provided by relatives or persons living in the same home
20 as the child, as determined by the Illinois Department by
21 rule.

22 (c-5) Solely for the purposes of coverage under the
23 Illinois Public Labor Relations Act, child and day care home
24 providers, including licensed and license exempt,
25 participating in the Department's child care assistance
26 program shall be considered to be public employees and the

1 State of Illinois shall be considered to be their employer as
2 of January 1, 2006 (the effective date of Public Act 94-320),
3 but not before. The State shall engage in collective
4 bargaining with an exclusive representative of child and day
5 care home providers participating in the child care assistance
6 program concerning their terms and conditions of employment
7 that are within the State's control. Nothing in this
8 subsection shall be understood to limit the right of families
9 receiving services defined in this Section to select child and
10 day care home providers or supervise them within the limits of
11 this Section. The State shall not be considered to be the
12 employer of child and day care home providers for any purposes
13 not specifically provided in Public Act 94-320, including, but
14 not limited to, purposes of vicarious liability in tort and
15 purposes of statutory retirement or health insurance benefits.
16 Child and day care home providers shall not be covered by the
17 State Employees Group Insurance Act of 1971.

18 In according child and day care home providers and their
19 selected representative rights under the Illinois Public Labor
20 Relations Act, the State intends that the State action
21 exemption to application of federal and State antitrust laws
22 be fully available to the extent that their activities are
23 authorized by Public Act 94-320.

24 (d) The Illinois Department shall establish, by rule, a
25 co-payment scale that provides for cost sharing by families
26 that receive child care services, including parents whose only

1 income is from assistance under this Code. The co-payment
2 shall be based on family income and family size and may be
3 based on other factors as appropriate. Co-payments may be
4 waived for families whose incomes are at or below the federal
5 poverty level.

6 (d-5) The Illinois Department, in consultation with its
7 Child Care and Development Advisory Council, shall develop a
8 plan to revise the child care assistance program's co-payment
9 scale. The plan shall be completed no later than February 1,
10 2008, and shall include:

11 (1) findings as to the percentage of income that the
12 average American family spends on child care and the
13 relative amounts that low-income families and the average
14 American family spend on other necessities of life;

15 (2) recommendations for revising the child care
16 co-payment scale to assure that families receiving child
17 care services from the Department are paying no more than
18 they can reasonably afford;

19 (3) recommendations for revising the child care
20 co-payment scale to provide at-risk children with complete
21 access to Preschool for All and Head Start; and

22 (4) recommendations for changes in child care program
23 policies that affect the affordability of child care.

24 (e) (Blank).

25 (f) The Illinois Department shall, by rule, set rates to
26 be paid for the various types of child care. Child care may be

1 provided through one of the following methods:

2 (1) arranging the child care through eligible
3 providers by use of purchase of service contracts or
4 vouchers;

5 (2) arranging with other agencies and community
6 volunteer groups for non-reimbursed child care;

7 (3) (blank); or

8 (4) adopting such other arrangements as the Department
9 determines appropriate.

10 (f-1) Within 30 days after June 4, 2018 (the effective
11 date of Public Act 100-587), the Department of Human Services
12 shall establish rates for child care providers that are no
13 less than the rates in effect on January 1, 2018 increased by
14 4.26%.

15 (f-5) (Blank).

16 (g) Families eligible for assistance under this Section
17 shall be given the following options:

18 (1) receiving a child care certificate issued by the
19 Department or a subcontractor of the Department that may
20 be used by the parents as payment for child care and
21 development services only; or

22 (2) if space is available, enrolling the child with a
23 child care provider that has a purchase of service
24 contract with the Department or a subcontractor of the
25 Department for the provision of child care and development
26 services. The Department may identify particular priority

1 populations for whom they may request special
2 consideration by a provider with purchase of service
3 contracts, provided that the providers shall be permitted
4 to maintain a balance of clients in terms of household
5 incomes and families and children with special needs, as
6 defined by rule.

7 (Source: P.A. 102-491, eff. 8-20-21; 102-813, eff. 5-13-22;
8 102-926, eff. 5-27-22; 103-8, eff. 6-7-23.)

9 (305 ILCS 5/9A-11.5)

10 Sec. 9A-11.5. Investigate child care providers.

11 (a) Through June 30, 2026, any ~~Any~~ child care provider
12 receiving funds from the child care assistance program under
13 this Code who is not required to be licensed under the Child
14 Care Act of 1969 shall, as a condition of eligibility to
15 participate in the child care assistance program under this
16 Code, authorize in writing on a form prescribed by the
17 Department of Children and Family Services, periodic
18 investigations of the Central Register, as defined in the
19 Abused and Neglected Child Reporting Act, to ascertain if the
20 child care provider has been determined to be a perpetrator in
21 an indicated report of child abuse or neglect. The Department
22 of Children and Family Services shall conduct an investigation
23 of the Central Register at the request of the Department of
24 Human Services.

25 (a-5) On and after July 1, 2026, any child care provider

1 receiving funds from the child care assistance program under
2 this Code who is not required to be licensed under the Child
3 Care Act of 1969 shall, as a condition of eligibility to
4 participate in the child care assistance program under this
5 Code, authorize in writing on a form prescribed by the
6 Department of Early Childhood, periodic investigations of the
7 Central Register, as defined in the Abused and Neglected Child
8 Reporting Act, to ascertain if the child care provider has
9 been determined to be a perpetrator in an indicated report of
10 child abuse or neglect.

11 (b) Any child care provider, other than a relative of the
12 child, receiving funds from the child care assistance program
13 under this Code who is not required to be licensed under the
14 Child Care Act of 1969 shall, as a condition of eligibility to
15 participate in the child care assistance program under this
16 Code, authorize in writing a State and Federal Bureau of
17 Investigation fingerprint-based criminal history record check
18 to determine if the child care provider has ever been
19 convicted of a crime with respect to which the conviction has
20 not been overturned and the criminal records have not been
21 sealed or expunged. Upon this authorization, the Department
22 shall request and receive information and assistance from any
23 federal or State governmental agency as part of the authorized
24 criminal history record check. The Illinois State Police shall
25 provide information concerning any conviction that has not
26 been overturned and with respect to which the criminal records

1 have not been sealed or expunged, whether the conviction
2 occurred before or on or after the effective date of this
3 amendatory Act of the 96th General Assembly, of a child care
4 provider upon the request of the Department when the request
5 is made in the form and manner required by the Illinois State
6 Police. The Illinois State Police shall charge a fee not to
7 exceed the cost of processing the criminal history record
8 check. The fee is to be deposited into the State Police
9 Services Fund. Any information concerning convictions that
10 have not been overturned and with respect to which the
11 criminal records have not been sealed or expunged obtained by
12 the Department is confidential and may not be transmitted (i)
13 outside the Department except as required in this Section or
14 (ii) to anyone within the Department except as needed for the
15 purposes of determining participation in the child care
16 assistance program. A copy of the criminal history record
17 check obtained from the Illinois State Police shall be
18 provided to the unlicensed child care provider.

19 (c) The Department shall by rule set standards for
20 determining when to disqualify an unlicensed child care
21 provider for payment because (i) there is an indicated finding
22 against the provider based on the results of the Central
23 Register search or (ii) there is a disqualifying criminal
24 charge pending against the provider or the provider has a
25 disqualifying criminal conviction that has not been overturned
26 and with respect to which the criminal records have not been

1 expunged or sealed based on the results of the
2 fingerprint-based Illinois State Police and Federal Bureau of
3 Investigation criminal history record check. In determining
4 whether to disqualify an unlicensed child care provider for
5 payment under this subsection, the Department shall consider
6 the nature and gravity of any offense or offenses; the time
7 that has passed since the offense or offenses or the
8 completion of the criminal sentence or both; and the
9 relationship of the offense or offenses to the
10 responsibilities of the child care provider.

11 (Source: P.A. 102-538, eff. 8-20-21.)

12 (305 ILCS 5/9A-17)

13 Sec. 9A-17. Smart Start Child Care Program. Subject to
14 appropriation, the Department of Human Services shall
15 establish the Smart Start Child Care Program. The Smart Start
16 Child Care Program shall focus on creating affordable child
17 care, as well as increasing access to child care, for Illinois
18 residents and may include, but is not limited to, providing
19 funding to increase preschool availability, providing funding
20 for childcare workforce compensation or capital investments,
21 and expanding funding for Early Childhood Access Consortium
22 for Equity Scholarships. The Department shall establish
23 program eligibility criteria, participation conditions,
24 payment levels, and other program requirements by rule. The
25 Department of Human Services may consult with the Capital

1 Development Board, the Department of Commerce and Economic
2 Opportunity, and the Illinois Housing Development Authority in
3 the management and disbursement of funds for capital-related
4 projects. The Capital Development Board, the Department of
5 Commerce and Economic Opportunity, and the Illinois Housing
6 Development Authority shall act in a consulting role only for
7 the evaluation of applicants, scoring of applicants, or
8 administration of the grant program.

9 This Section is repealed on July 1, 2026.

10 (Source: P.A. 103-8, eff. 6-7-23.)

11 Section 90-50. The Early Intervention Services System Act
12 is amended by adding Section 20.1 as follows:

13 (325 ILCS 20/20.1 new)

14 Sec. 20.1. Repeal. This Act is repealed on July 1, 2026.

15 Section 90-55. The Infant/Early Childhood Mental Health
16 Consultations Act is amended by changing Section 35-5 as
17 follows:

18 (405 ILCS 47/35-5)

19 Sec. 35-5. Findings; policies.

20 (a) The General Assembly finds the following:

21 (1) Social and emotional development is a core
22 developmental domain in young children and is codified in

1 the Illinois Early Learning Standards.

2 (2) Fostering social and emotional development in
3 early childhood means both providing the supportive
4 settings and interactions to maximize healthy social and
5 emotional development for all children, as well as
6 providing communities, programs, and providers with
7 systems of tiered supports with training to respond to
8 more significant social and emotional challenges or where
9 experiences of trauma may be more prevalent.

10 (3) Early care and education programs and providers,
11 across a range of settings, have an important role to play
12 in supporting young children and families, especially
13 those who face greater challenges, such as trauma
14 exposure, social isolation, pervasive poverty, and toxic
15 stress; if programs, teaching staff, caregivers, and
16 providers are not provided with the support, services, and
17 training needed to accomplish these goals, it can lead to
18 children and families being asked to leave programs,
19 particularly without connection to more appropriate
20 services, thereby creating a disruption in learning and
21 social-emotional development; investments in reflective
22 supervision, professional development specific to
23 diversity, equity and inclusion practice, culturally
24 responsive training, implicit bias training, and how
25 trauma experienced during the early years can manifest in
26 challenging behaviors will create systems for serving

1 children that are informed in developmentally appropriate
2 and responsive supports.

3 (4) Studies have shown that the expulsion of infants,
4 toddlers, and young children in early care and education
5 settings is occurring at alarmingly high rates, more than
6 3 times that of students in K-12; further, expulsion
7 occurs more frequently for Black children and Latinx
8 children and more frequently for boys than for girls, with
9 Black boys being most frequently expelled; there is
10 evidence to show that the expulsion of Black girls is
11 occurring with increasing frequency.

12 (5) Illinois took its first steps toward addressing
13 this disparity through Public Act 100-105 to prohibit
14 expulsion due to child behavior in early care and
15 education settings, but further work is needed to
16 implement this law, including strengthening provider
17 understanding of a successful transition and beginning to
18 identify strategies to reduce "soft expulsions" and to
19 ensure more young children and their teachers, providers,
20 and caregivers, in a range of early care and education
21 settings, can benefit from services, such as Infant/Early
22 Childhood Mental Health Consultations (I/ECMHC) and
23 positive behavior interventions and supports such as the
24 Pyramid Model.

25 (6) I/ECMHC is a critical component needed to align
26 social-emotional well-being with the public health model

1 of promotion, prevention, and intervention across early
2 care and education systems.

3 (b) The General Assembly encourages that all of the
4 following actions be taken by:

5 (1) the State to increase the availability of
6 Infant/Early Childhood Mental Health Consultations
7 (I/ECMHC) through increased funding in early childhood
8 programs and sustainable funding for coordination of
9 I/ECMHC and other social and emotional support at the
10 State level;

11 (2) the Department of Human Services (IDHS), the
12 Illinois State Board of Education (ISBE), the Governor's
13 Office of Early Childhood Development (GOECD), and other
14 relevant agencies to develop and promote
15 provider-accessible and parent-accessible materials,
16 including native language, on the role and value of
17 I/ECMHC, including targeted promotion in underserved
18 communities, and promote the use of existing I/ECMHCs, the
19 I/ECMHC consultant database, or other existing services;

20 (3) the State to increase funding to promote and
21 provide training and implementation support for systems of
22 tiered support, such as the Pyramid Model, across early
23 childhood settings and urge DHS, ISBE, GOECD, and other
24 relevant State agencies to coordinate efforts and develop
25 strategies to provide outreach to and support providers in
26 underserved communities and communities with fewer

1 programmatic resources; and

2 (4) ISBE and DCFS to provide the data required by
3 Public Act 100-105, even if the data is incomplete at the
4 time due to data system challenges.

5 (c) This Section is repealed on July 1, 2026.

6 (Source: P.A. 101-654, eff. 3-8-21.)

7 Section 90-60. The Children's Mental Health Act is amended
8 by changing Section 5 as follows:

9 (405 ILCS 49/5)

10 Sec. 5. Children's Mental Health Partnership; Children's
11 Mental Health Plan.

12 (a) The Children's Mental Health Partnership (hereafter
13 referred to as "the Partnership") created under Public Act
14 93-495 and continued under Public Act 102-899 shall advise
15 State agencies on designing and implementing short-term and
16 long-term strategies to provide comprehensive and coordinated
17 services for children from birth to age 25 and their families
18 with the goal of addressing children's mental health needs
19 across a full continuum of care, including social determinants
20 of health, prevention, early identification, and treatment.
21 The recommended strategies shall build upon the
22 recommendations in the Children's Mental Health Plan of 2022
23 and may include, but are not limited to, recommendations
24 regarding the following:

1 (1) Increasing public awareness on issues connected to
2 children's mental health and wellness to decrease stigma,
3 promote acceptance, and strengthen the ability of
4 children, families, and communities to access supports.

5 (2) Coordination of programs, services, and policies
6 across child-serving State agencies to best monitor and
7 assess spending, as well as foster innovation of adaptive
8 or new practices.

9 (3) Funding and resources for children's mental health
10 prevention, early identification, and treatment across
11 child-serving State agencies.

12 (4) Facilitation of research on best practices and
13 model programs and dissemination of this information to
14 State policymakers, practitioners, and the general public.

15 (5) Monitoring programs, services, and policies
16 addressing children's mental health and wellness.

17 (6) Growing, retaining, diversifying, and supporting
18 the child-serving workforce, with special emphasis on
19 professional development around child and family mental
20 health and wellness services.

21 (7) Supporting the design, implementation, and
22 evaluation of a quality-driven children's mental health
23 system of care across all child services that prevents
24 mental health concerns and mitigates trauma.

25 (8) Improving the system to more effectively meet the
26 emergency and residential placement needs for all children

1 with severe mental and behavioral challenges.

2 (b) The Partnership shall have the responsibility of
3 developing and updating the Children's Mental Health Plan and
4 advising the relevant State agencies on implementation of the
5 Plan. The Children's Mental Health Partnership shall be
6 comprised of the following members:

7 (1) The Governor or his or her designee.

8 (2) The Attorney General or his or her designee.

9 (3) The Secretary of the Department of Human Services
10 or his or her designee.

11 (4) The State Superintendent of Education or his or
12 her designee.

13 (5) The Director of the Department of Children and
14 Family Services or his or her designee.

15 (6) The Director of the Department of Healthcare and
16 Family Services or his or her designee.

17 (7) The Director of the Department of Public Health or
18 his or her designee.

19 (8) The Director of the Department of Juvenile Justice
20 or his or her designee.

21 (9) The Secretary of Early Childhood ~~Executive~~
22 ~~Director of the Governor's Office of Early Childhood~~
23 ~~Development~~ or his or her designee.

24 (10) The Director of the Criminal Justice Information
25 Authority or his or her designee.

26 (11) One member of the General Assembly appointed by

1 the Speaker of the House.

2 (12) One member of the General Assembly appointed by
3 the President of the Senate.

4 (13) One member of the General Assembly appointed by
5 the Minority Leader of the Senate.

6 (14) One member of the General Assembly appointed by
7 the Minority Leader of the House.

8 (15) Up to 25 representatives from the public
9 reflecting a diversity of age, gender identity, race,
10 ethnicity, socioeconomic status, and geographic location,
11 to be appointed by the Governor. Those public members
12 appointed under this paragraph must include, but are not
13 limited to:

14 (A) a family member or individual with lived
15 experience in the children's mental health system;

16 (B) a child advocate;

17 (C) a community mental health expert,
18 practitioner, or provider;

19 (D) a representative of a statewide association
20 representing a majority of hospitals in the State;

21 (E) an early childhood expert or practitioner;

22 (F) a representative from the K-12 school system;

23 (G) a representative from the healthcare sector;

24 (H) a substance use prevention expert or
25 practitioner, or a representative of a statewide
26 association representing community-based mental health

1 substance use disorder treatment providers in the
2 State;

3 (I) a violence prevention expert or practitioner;

4 (J) a representative from the juvenile justice
5 system;

6 (K) a school social worker; and

7 (L) a representative of a statewide organization
8 representing pediatricians.

9 (16) Two co-chairs appointed by the Governor, one
10 being a representative from the public and one being a
11 representative from the State.

12 The members appointed by the Governor shall be appointed
13 for 4 years with one opportunity for reappointment, except as
14 otherwise provided for in this subsection. Members who were
15 appointed by the Governor and are serving on January 1, 2023
16 (the effective date of Public Act 102-899) shall maintain
17 their appointment until the term of their appointment has
18 expired. For new appointments made pursuant to Public Act
19 102-899, members shall be appointed for one-year, 2-year, or
20 4-year terms, as determined by the Governor, with no more than
21 9 of the Governor's new or existing appointees serving the
22 same term. Those new appointments serving a one-year or 2-year
23 term may be appointed to 2 additional 4-year terms. If a
24 vacancy occurs in the Partnership membership, the vacancy
25 shall be filled in the same manner as the original appointment
26 for the remainder of the term.

1 The Partnership shall be convened no later than January
2 31, 2023 to discuss the changes in Public Act 102-899.

3 The members of the Partnership shall serve without
4 compensation but may be entitled to reimbursement for all
5 necessary expenses incurred in the performance of their
6 official duties as members of the Partnership from funds
7 appropriated for that purpose.

8 The Partnership may convene and appoint special committees
9 or study groups to operate under the direction of the
10 Partnership. Persons appointed to such special committees or
11 study groups shall only receive reimbursement for reasonable
12 expenses.

13 (b-5) The Partnership shall include an adjunct council
14 comprised of no more than 6 youth aged 14 to 25 and 4
15 representatives of 4 different community-based organizations
16 that focus on youth mental health. Of the community-based
17 organizations that focus on youth mental health, one of the
18 community-based organizations shall be led by an
19 LGBTQ-identified person, one of the community-based
20 organizations shall be led by a person of color, and one of the
21 community-based organizations shall be led by a woman. Of the
22 representatives appointed to the council from the
23 community-based organizations, at least one representative
24 shall be LGBTQ-identified, at least one representative shall
25 be a person of color, and at least one representative shall be
26 a woman. The council members shall be appointed by the Chair of

1 the Partnership and shall reflect the racial, gender identity,
2 sexual orientation, ability, socioeconomic, ethnic, and
3 geographic diversity of the State, including rural, suburban,
4 and urban appointees. The council shall make recommendations
5 to the Partnership regarding youth mental health, including,
6 but not limited to, identifying barriers to youth feeling
7 supported by and empowered by the system of mental health and
8 treatment providers, barriers perceived by youth in accessing
9 mental health services, gaps in the mental health system,
10 available resources in schools, including youth's perceptions
11 and experiences with outreach personnel, agency websites, and
12 informational materials, methods to destigmatize mental health
13 services, and how to improve State policy concerning student
14 mental health. The mental health system may include services
15 for substance use disorders and addiction. The council shall
16 meet at least 4 times annually.

17 (c) (Blank).

18 (d) The Illinois Children's Mental Health Partnership has
19 the following powers and duties:

20 (1) Conducting research assessments to determine the
21 needs and gaps of programs, services, and policies that
22 touch children's mental health.

23 (2) Developing policy statements for interagency
24 cooperation to cover all aspects of mental health
25 delivery, including social determinants of health,
26 prevention, early identification, and treatment.

1 (3) Recommending policies and providing information on
2 effective programs for delivery of mental health services.

3 (4) Using funding from federal, State, or
4 philanthropic partners, to fund pilot programs or research
5 activities to resource innovative practices by
6 organizational partners that will address children's
7 mental health. However, the Partnership may not provide
8 direct services.

9 (5) Submitting an annual report, on or before December
10 30 of each year, to the Governor and the General Assembly
11 on the progress of the Plan, any recommendations regarding
12 State policies, laws, or rules necessary to fulfill the
13 purposes of the Act, and any additional recommendations
14 regarding mental or behavioral health that the Partnership
15 deems necessary.

16 (6) Employing an Executive Director and setting the
17 compensation of the Executive Director and other such
18 employees and technical assistance as it deems necessary
19 to carry out its duties under this Section.

20 The Partnership may designate a fiscal and administrative
21 agent that can accept funds to carry out its duties as outlined
22 in this Section.

23 The Department of Healthcare and Family Services shall
24 provide technical and administrative support for the
25 Partnership.

26 (e) The Partnership may accept monetary gifts or grants

1 from the federal government or any agency thereof, from any
2 charitable foundation or professional association, or from any
3 reputable source for implementation of any program necessary
4 or desirable to carry out the powers and duties as defined
5 under this Section.

6 (f) On or before January 1, 2027, the Partnership shall
7 submit recommendations to the Governor and General Assembly
8 that includes recommended updates to the Act to reflect the
9 current mental health landscape in this State.

10 (Source: P.A. 102-16, eff. 6-17-21; 102-116, eff. 7-23-21;
11 102-899, eff. 1-1-23; 102-1034, eff. 1-1-23; 103-154, eff.
12 6-30-23.)

13 Section 90-65. The Advisory Board for the Maternal and
14 Child Health Block Grant Programs Act is amended by changing
15 Section 15 as follows:

16 (410 ILCS 221/15)

17 Sec. 15. Advisory Board for the Maternal and Child Health
18 Block Grant Programs.

19 (a) The Advisory Board for the Maternal and Child Health
20 Block Grant Programs is created within the Department to
21 advise the Department on programs and activities related to
22 maternal and child health in the State of Illinois.

23 The Board shall consist of the Director's designee
24 responsible for maternal and child health programs, who shall

1 serve as the Chair of the Board; the Department's Title V
2 administrator, if the Director's designee is not serving in
3 the capacity of Title V Director at the Department; one
4 representative each from the Department of Early Childhood,
5 the Department of Children and Family Services, the Department
6 of Human Services, and the Department of Healthcare and Family
7 Services, appointed by the Director or Secretary of each
8 Department; the Director of the University of Illinois at
9 Chicago's Division of Specialized Care for Children; 4 members
10 of the General Assembly, one each appointed by the President
11 and Minority Leader of the Senate and the Speaker and Minority
12 Leader of the House of Representatives; and 20 additional
13 members appointed by the Director.

14 Of the members appointed by the Director:

15 (1) Two shall be physicians licensed to practice
16 medicine in all of its branches who currently serve
17 patients enrolled in maternal and child health programs
18 funded by the State of Illinois, one of whom shall be an
19 individual with a specialty in obstetrics and gynecology
20 and one of whom shall be an individual with a specialty in
21 pediatric medicine;

22 (2) Sixteen shall be persons with expertise in one or
23 more of the following areas, with no more than 3 persons
24 from each listed area of expertise and with preference
25 given to the areas of need identified by the most recent
26 State needs assessment: the health of women, infants,

1 young children, school-aged children, adolescents, and
2 children with special health care needs; public health;
3 epidemiology; behavioral health; nursing; social work;
4 substance abuse prevention; juvenile justice; oral health;
5 child development; chronic disease prevention; health
6 promotion; and education; 5 of the 16 members shall
7 represent organizations that provide maternal and child
8 health services with funds from the Department; and

9 (3) either 2 consumers who have received services
10 through a Department-funded maternal and child health
11 program, 2 representatives from advocacy groups that
12 advocate on behalf of such consumers, or one such consumer
13 and one such representative of an advocacy group.

14 Members appointed by the Director shall be selected to
15 represent the racial, ethnic, and geographic diversity of the
16 State's population and shall include representatives of local
17 health departments, other direct service providers, and
18 faculty of the University of Illinois at Chicago School of
19 Public Health Center of Excellence in Maternal and Child
20 Health.

21 Legislative members shall serve during their term of
22 office in the General Assembly. Members appointed by the
23 Director shall serve a term of 4 years or until their
24 successors are appointed.

25 Any member appointed to fill a vacancy occurring prior to
26 the expiration of the term for which his or her predecessor was

1 appointed shall be appointed for the remainder of such term.
2 Members of the Board shall serve without compensation but
3 shall be reimbursed for necessary expenses incurred in the
4 performance of their duties.

5 (b) The Board shall advise the Director on improving the
6 well-being of mothers, fathers, infants, children, families,
7 and adults, considering both physical and social determinants
8 of health, and using a life-span approach to health promotion
9 and disease prevention in the State of Illinois. In addition,
10 the Board shall review and make recommendations to the
11 Department and the Governor in regard to the system for
12 maternal and child health programs, collaboration, and
13 interrelation between and delivery of programs, both within
14 the Department and with related programs in other departments.
15 In performing its duties, the Board may hold hearings
16 throughout the State and advise and receive advice from any
17 local advisory bodies created to address maternal and child
18 health.

19 (c) The Board may offer recommendations and feedback
20 regarding the development of the State's annual Maternal and
21 Child Health Services Block Grant application and report as
22 well as the periodic needs assessment.

23 (Source: P.A. 99-901, eff. 8-26-16.)

24 ARTICLE 99. NONACCELERATION, SEVERABILITY,

25 AND

1

EFFECTIVE DATE

2

3

4

5

6

7

8

Section 99-1. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

9

10

Section 99-5. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

11

12

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

1

INDEX

2

Statutes amended in order of appearance

3 New Act

4 20 ILCS 5/5-10 was 20 ILCS 5/2.1

5 20 ILCS 5/5-15 was 20 ILCS 5/3

6 20 ILCS 5/5-20 was 20 ILCS 5/4

7 20 ILCS 5/5-126 new

8 20 ILCS 5/5-336 new

9 20 ILCS 505/5.15

10 20 ILCS 505/5.20

11 20 ILCS 505/22.1 from Ch. 23, par. 5022.1

12 20 ILCS 505/34.9 from Ch. 23, par. 5034.9

13 20 ILCS 505/34.10 from Ch. 23, par. 5034.10

14 20 ILCS 1305/1-75

15 20 ILCS 1305/10-16

16 20 ILCS 1305/10-22

17 20 ILCS 3933/10

18 30 ILCS 500/1-10

19 105 ILCS 5/1A-4 from Ch. 122, par. 1A-4

20 105 ILCS 5/1C-2

21 105 ILCS 5/1C-4

22 105 ILCS 5/1D-1

23 105 ILCS 5/2-3.47 from Ch. 122, par. 2-3.47

24 105 ILCS 5/2-3.64a-10

25 105 ILCS 5/2-3.71 from Ch. 122, par. 2-3.71

1	105 ILCS 5/2-3.71a	from Ch. 122, par. 2-3.71a
2	105 ILCS 5/2-3.79	from Ch. 122, par. 2-3.79
3	105 ILCS 5/2-3.89	from Ch. 122, par. 2-3.89
4	105 ILCS 5/10-22.6	from Ch. 122, par. 10-22.6
5	105 ILCS 5/21B-50	
6	105 ILCS 5/22-45	
7	105 ILCS 5/26-19	
8	105 ILCS 230/5-300	
9	110 ILCS 28/25	
10	110 ILCS 28/35	
11	305 ILCS 5/2-12	from Ch. 23, par. 2-12
12	305 ILCS 5/2-12.5	
13	305 ILCS 5/9A-11	from Ch. 23, par. 9A-11
14	305 ILCS 5/9A-11.5	
15	305 ILCS 5/9A-17	
16	325 ILCS 20/20.1 new	
17	405 ILCS 47/35-5	
18	405 ILCS 49/5	
19	410 ILCS 221/15	