



Sen. Kimberly A. Lightford

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1 AMENDMENT TO SENATE BILL 1

2 AMENDMENT NO. _____. Amend Senate Bill 1 by replacing
3 everything after the enacting clause with the following:

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

1 executive function skills like focusing attention, remembering
2 instructions, and demonstrating self-control. Without these
3 skills, children are not fully equipped to learn when they
4 enter kindergarten. By age 5, 90% of brain development is
5 complete.

6 (3) Prenatal programs improve the regular care of birthing
7 parents, reduce the risk of infant low birth weight and
8 mortality, and increase regular child wellness visits,
9 screenings, and immunizations.

10 (4) Early childhood education and care not only improve
11 school readiness and literacy, but also improve cognitive
12 development for future success in life, school, and the
13 workforce.

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

17 (6) Supporting children means supporting their parents and
18 families. The early childhood education and care industry is
19 the workforce behind all other workforces. High-quality child
20 care enables parents and families to consistently work and
21 earn an income to support their children. Research also shows
22 that early childhood education and care programs can reduce
23 parental stress and improve family well-being.

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

1 Section 1-10. Purpose. It is the purpose of this Act to
2 provide for the creation of the Department of Early Childhood
3 and to transfer to it certain rights, powers, duties, and
4 functions currently exercised by various agencies of State
5 Government. The Department of Early Childhood shall be the
6 lead State agency for administering and providing early
7 childhood education and care programs and services to children
8 and families. This Act centralizes home-visiting services,
9 early intervention services, preschool services, child care
10 services, licensing for day care centers, day care homes, and
11 group day care homes, and other early childhood education and
12 care programs and administrative functions historically
13 managed by the Illinois State Board of Education, the Illinois
14 Department of Human Services, and the Illinois Department of
15 Children and Family Services. Centralizing early childhood
16 functions into a single State agency is intended to simplify
17 the process for parents and caregivers to identify and enroll
18 children in early childhood services, to create new,
19 equity-driven statewide systems, to streamline administrative
20 functions for providers, and to improve kindergarten readiness
21 for children.

22 Section 1-11. Rights; privileges; protections.
23 Notwithstanding any provision of law to the contrary, any
24 rights, privileges, or protections afforded to students in

1 early childhood education and care programs, including
2 undocumented students, under the School Code or any other
3 provision of law shall not terminate upon the effective date
4 of this Act.

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

7 "Department" means the Department of Early Childhood.

8 "Secretary" means the Secretary of Early Childhood.

9 "Transferring agency" means the Department of Human
10 Services, Department of Children and Family Services, and the
11 State Board of Education.

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

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

15 (b) The head officer of the Department is the Secretary.
16 The Secretary shall be appointed by the Governor, with the
17 advice and consent of the Senate. The Department may employ or
18 retain other persons to assist in the discharge of its
19 functions, subject to the Personnel Code.

20 (c) The Governor may, with the advice and consent of the
21 Senate, appoint an appropriate number of persons to serve as
22 Assistant Secretaries to head the major programmatic divisions
23 of the Department. Assistant Secretaries shall not be subject
24 to the Personnel Code.

1 (d) The Secretary shall create divisions and
2 administrative units within the Department and shall assign
3 functions, powers, duties, and personnel as may now or in the
4 future be required by State or federal law. The Secretary may
5 create other divisions and administrative units and may assign
6 other functions, powers, duties, and personnel as may be
7 necessary or desirable to carry out the functions and
8 responsibilities vested by law in the Department.

9 Section 1-30. General powers and duties.

10 (a) The Department shall exercise the rights, powers,
11 duties, and functions provided by law, including, but not
12 limited to, the rights, powers, duties, and functions
13 transferred to the Department.

14 (b) The Department may employ personnel (in accordance
15 with the Personnel Code and any applicable collective
16 bargaining agreements), provide facilities, contract for goods
17 and services, and adopt rules as necessary to carry out its
18 functions and purposes, all in accordance with applicable
19 State and federal law.

20 The Department may establish such subdivisions of the
21 Department as shall be desirable and assign to the various
22 subdivisions the responsibilities and duties placed upon the
23 Department by the Laws of the State of Illinois.

24 The Department shall adopt, as necessary, rules for the
25 execution of its powers. The provisions of the Illinois

1 Administrative Procedure Act are hereby expressly adopted and
2 shall apply to all administrative rules and procedures of the
3 Department under this Act, except that Section 5-35 of the
4 Illinois Administrative Procedure Act relating to procedures
5 for rulemaking does not apply to the adoption of any rule
6 required by federal law in connection with which the
7 Department is precluded by law from exercising any discretion.

8 (c) Procurement; contracts necessary for the creation of
9 the Department of Early Childhood and the implementation of
10 the Department's mission are not subject to the Illinois
11 Procurement Code provided that the process shall be conducted
12 in a manner substantially in accordance with the requirements
13 of the following Sections of the Illinois Procurement Code:
14 20-160, 50-5, 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20,
15 50-21, 50-35, 50-36, 50-37, 50-38, and 50-50. Contracts
16 entered into by the Department of Early Childhood using this
17 exemption shall not exceed 3 years in length and must expire no
18 later than July 1, 2027. All contracts entered into after July
19 1, 2027, are subject to the Procurement Code and the
20 requirements therein. Contracts entered into utilizing this
21 exemption shall be posted to the agency website for one year
22 after contract execution.

23 ARTICLE 10. POWERS AND DUTIES RELATING TO EARLY INTERVENTION

24 SERVICES

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

6 Section 10-10. Legislative findings and policy.

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

9 (1) enhance the development of all eligible infants
10 and toddlers in the State of Illinois in order to minimize
11 developmental delay and maximize individual potential for
12 adult independence;

13 (2) enhance the capacity of families to meet the
14 special needs of eligible infants and toddlers including
15 the purchase of services when necessary;

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

19 (4) enhance the independence, productivity and
20 integration with age-appropriate peers of eligible
21 children and their families;

22 (5) reduce social services costs and minimize the need
23 for institutionalization; and

24 (6) prevent secondary impairments and disabilities by
25 improving the health of infants and toddlers, thereby

1 reducing health costs for the families and the State.

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

4 (1) affirm the importance of the family in all areas
5 of the child's development and reinforce the role of the
6 family as a participant in the decision-making processes
7 regarding their child;

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

11 (3) develop and implement, on a statewide basis,
12 locally based comprehensive, coordinated,
13 interdisciplinary, interagency early intervention
14 services for all eligible infants and toddlers;

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

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

20 (6) provide financial and technical assistance to
21 local communities for the purposes of coordinating early
22 intervention services in local communities and enhancing
23 the communities' capacity to provide individualized early
24 intervention services to all eligible infants and toddlers
25 in their homes or in community environments; and

26 (7) affirm that eligible infants and toddlers have a

1 right to receive early intervention services to the
2 maximum extent appropriate, in natural environments in
3 which infants and toddlers without disabilities would
4 participate.

5 (c) The General Assembly further finds that early
6 intervention services are cost-effective and effectively serve
7 the developmental needs of eligible infants and toddlers and
8 their families. Therefore, the purpose of this Act is to
9 provide a comprehensive, coordinated, interagency,
10 interdisciplinary early intervention services system for
11 eligible infants and toddlers and their families by enhancing
12 the capacity to provide quality early intervention services,
13 expanding and improving existing services, and facilitating
14 coordination of payments for early intervention services from
15 various public and private sources.

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

17 (a) "Eligible infants and toddlers" means infants and
18 toddlers under 36 months of age with any of the following
19 conditions:

20 (1) Developmental delays.

21 (2) A physical or mental condition which typically
22 results in developmental delay.

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

25 (4) Either (A) having entered the program under any of

1 the circumstances listed in paragraphs (1) through (3) of
2 this subsection but no longer meeting the current
3 eligibility criteria under those paragraphs, and
4 continuing to have any measurable delay, or (B) not having
5 attained a level of development in each area, including
6 (i) cognitive, (ii) physical (including vision and
7 hearing), (iii) language, speech, and communication, (iv)
8 social or emotional, or (v) adaptive, that is at least at
9 the mean of the child's age equivalent peers; and, in
10 addition to either item (A) or item (B), (C) having been
11 determined by the multidisciplinary individualized family
12 service plan team to require the continuation of early
13 intervention services in order to support continuing
14 developmental progress, pursuant to the child's needs and
15 provided in an appropriate developmental manner. The type,
16 frequency, and intensity of services shall differ from the
17 initial individualized family services plan because of the
18 child's developmental progress, and may consist of only
19 service coordination, evaluation, and assessments.

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

24 (b) "Developmental delay" means a delay in one or more of
25 the following areas of childhood development as measured by
26 appropriate diagnostic instruments and standard procedures:

1 cognitive; physical, including vision and hearing; language,
2 speech and communication; social or emotional; or adaptive.
3 The term means a delay of 30% or more below the mean in
4 function in one or more of those areas.

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

7 (1) a diagnosed medical disorder or exposure to a
8 toxic substance bearing a relatively well known expectancy
9 for developmental outcomes within varying ranges of
10 developmental disabilities; or

11 (2) a history of prenatal, perinatal, neonatal or
12 early developmental events suggestive of biological
13 insults to the developing central nervous system and which
14 either singly or collectively increase the probability of
15 developing a disability or delay based on a medical
16 history.

17 (d) "Informed clinical opinion" means both clinical
18 observations and parental participation to determine
19 eligibility by a consensus of a multidisciplinary team of 2 or
20 more members based on their professional experience and
21 expertise.

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

23 (1) are designed to meet the developmental needs of
24 each child eligible under this Act and the needs of his or
25 her family;

26 (2) are selected in collaboration with the child's

1 family;

2 (3) are provided under public supervision;

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

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

8 (A) physical development, including vision and
9 hearing,

10 (B) cognitive development,

11 (C) communication development,

12 (D) social or emotional development, or

13 (E) adaptive development;

14 (6) meet the standards of the State, including the
15 requirements of this Act;

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

17 (A) family training,

18 (B) social work services, including counseling,
19 and home visits,

20 (C) special instruction,

21 (D) speech, language pathology and audiology,

22 (E) occupational therapy,

23 (F) physical therapy,

24 (G) psychological services,

25 (H) service coordination services,

26 (I) medical services only for diagnostic or

1 evaluation purposes,

2 (J) early identification, screening, and
3 assessment services,

4 (K) health services specified by the lead agency
5 as necessary to enable the infant or toddler to
6 benefit from the other early intervention services,

7 (L) vision services,

8 (M) transportation,

9 (N) assistive technology devices and services,

10 (O) nursing services,

11 (P) nutrition services, and

12 (Q) sign language and cued language services;

13 (8) are provided by qualified personnel, including but
14 not limited to:

15 (A) child development specialists or special
16 educators, including teachers of children with hearing
17 impairments (including deafness) and teachers of
18 children with vision impairments (including
19 blindness),

20 (B) speech and language pathologists and
21 audiologists,

22 (C) occupational therapists,

23 (D) physical therapists,

24 (E) social workers,

25 (F) nurses,

26 (G) dietitian nutritionists,

1 (H) vision specialists, including ophthalmologists
2 and optometrists,

3 (I) psychologists, and

4 (J) physicians;

5 (9) are provided in conformity with an Individualized
6 Family Service Plan;

7 (10) are provided throughout the year; and

8 (11) are provided in natural environments, to the
9 maximum extent appropriate, which may include the home and
10 community settings, unless justification is provided
11 consistent with federal regulations adopted under Sections
12 1431 through 1444 of Title 20 of the United States Code.

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

17 (g) "Local interagency agreement" means an agreement
18 entered into by local community and State and regional
19 agencies receiving early intervention funds directly from the
20 State and made in accordance with State interagency agreements
21 providing for the delivery of early intervention services
22 within a local community area.

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

25 (i) "Lead agency" means the State agency responsible for
26 administering this Act and receiving and disbursing public

1 funds received in accordance with State and federal law and
2 rules.

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

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

7 (k) "Regional intake entity" means the lead agency's
8 designated entity responsible for implementation of the Early
9 Intervention Services System within its designated geographic
10 area.

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

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

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

25 (o) "Department" means Department of Early Childhood
26 unless otherwise specified.

1 Section 10-25. Services delivered by telehealth. An early
2 intervention provider may deliver via telehealth any type of
3 early intervention service outlined in subsection (e) of
4 Section 10-15 to the extent of the early intervention
5 provider's scope of practice as established in the provider's
6 respective licensing Act consistent with the standards of care
7 for in-person services. This Section shall not be construed to
8 alter the scope of practice of any early intervention provider
9 or authorize the delivery of early intervention services in a
10 setting or in a manner not otherwise authorized by the laws of
11 this State.

12 Section 10-30. Illinois Interagency Council on Early
13 Intervention.

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

22 (1) The Secretary of Early Childhood (or the Secretary's
23 designee) and 2 additional representatives of the Department
24 of Early Childhood designated by the Secretary, plus the

1 Directors (or their designees) of the following State agencies
2 involved in the provision of or payment for early intervention
3 services to eligible infants and toddlers and their families:

4 (A) Department of Insurance; and

5 (B) Department of Healthcare and Family Services.

6 (2) Other members as follows:

7 (A) At least 20% of the members of the Council shall be
8 parents, including minority parents, of infants or
9 toddlers with disabilities or children with disabilities
10 aged 12 or younger, with knowledge of, or experience with,
11 programs for infants and toddlers with disabilities. At
12 least one such member shall be a parent of an infant or
13 toddler with a disability or a child with a disability
14 aged 6 or younger;

15 (B) At least 20% of the members of the Council shall be
16 public or private providers of early intervention
17 services;

18 (C) One member shall be a representative of the
19 General Assembly;

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

23 (E) Two members shall be from advocacy organizations
24 with expertise in improving health, development, and
25 educational outcomes for infants and toddlers with
26 disabilities;

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

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

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

7 (I) Members representing the following agencies or
8 entities: the Department of Human Services; the State
9 Board of Education; the Department of Public Health; the
10 Department of Children and Family Services; the University
11 of Illinois Division of Specialized Care for Children; the
12 Illinois Council on Developmental Disabilities; Head Start
13 or Early Head Start; and the Department of Human Services'
14 Division of Mental Health. A member may represent one or
15 more of the listed agencies or entities.

16 The Council shall meet at least quarterly and in such
17 places as it deems necessary. Terms of the initial members
18 appointed under paragraph (2) shall be determined by lot at
19 the first Council meeting as follows: of the persons appointed
20 under subparagraphs (A) and (B), one-third shall serve
21 one-year terms, one-third shall serve 2-year terms, and
22 one-third shall serve 3-year terms; and of the persons
23 appointed under subparagraphs (C) and (D), one shall serve a
24 2-year term and one shall serve a 3-year term. Thereafter,
25 successors appointed under paragraph (2) shall serve 3-year
26 terms. Once appointed, members shall continue to serve until

1 their successors are appointed. No member shall be appointed
2 to serve more than 2 consecutive terms.

3 Council members shall serve without compensation but shall
4 be reimbursed for reasonable costs incurred in the performance
5 of their duties, including costs related to child care, and
6 parents may be paid a stipend in accordance with applicable
7 requirements.

8 The Council shall prepare and approve a budget using funds
9 appropriated for the purpose to hire staff, and obtain the
10 services of such professional, technical, and clerical
11 personnel as may be necessary to carry out its functions under
12 this Act. This funding support and staff shall be directed by
13 the lead agency.

14 (b) The Council shall:

15 (1) advise and assist the lead agency in the
16 performance of its responsibilities including but not
17 limited to the identification of sources of fiscal and
18 other support services for early intervention programs,
19 and the promotion of interagency agreements which assign
20 financial responsibility to the appropriate agencies;

21 (2) advise and assist the lead agency in the
22 preparation of applications and amendments to
23 applications;

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

26 (4) advise and assist the lead agency in the

1 development, implementation and evaluation of the
2 comprehensive early intervention services system;

3 (4.5) coordinate and collaborate with State
4 interagency early learning initiatives, as appropriate;
5 and

6 (5) prepare and submit an annual report to the
7 Governor and to the General Assembly on the status of
8 early intervention programs for eligible infants and
9 toddlers and their families in Illinois. The annual report
10 shall include (i) the estimated number of eligible infants
11 and toddlers in this State, (ii) the number of eligible
12 infants and toddlers who have received services under this
13 Act and the cost of providing those services, and (iii)
14 the estimated cost of providing services under this Act to
15 all eligible infants and toddlers in this State. The
16 report shall be posted by the lead agency on the early
17 intervention website as required under paragraph (f) of
18 Section 10-35 of this Act.

19 No member of the Council shall cast a vote on or
20 participate substantially in any matter which would provide a
21 direct financial benefit to that member or otherwise give the
22 appearance of a conflict of interest under State law. All
23 provisions and reporting requirements of the Illinois
24 Governmental Ethics Act shall apply to Council members.

25 Section 10-35. Lead agency. Through June 30, 2026, the

1 Department of Human Services is designated the lead agency and
2 shall provide leadership in establishing and implementing the
3 coordinated, comprehensive, interagency and interdisciplinary
4 system of early intervention services. On and after July 1,
5 2026, the Department of Early Childhood is designated the lead
6 agency and shall provide leadership in establishing and
7 implementing the coordinated, comprehensive, interagency and
8 interdisciplinary system of early intervention services. The
9 lead agency shall not have the sole responsibility for
10 providing these services. Each participating State agency
11 shall continue to coordinate those early intervention services
12 relating to health, social service and education provided
13 under this authority.

14 The lead agency is responsible for carrying out the
15 following:

16 (a) The general administration, supervision, and
17 monitoring of programs and activities receiving assistance
18 under Section 673 of the Individuals with Disabilities
19 Education Act (20 United States Code 1473).

20 (b) The identification and coordination of all
21 available resources within the State from federal, State,
22 local and private sources.

23 (c) The development of procedures to ensure that
24 services are provided to eligible infants and toddlers and
25 their families in a timely manner pending the resolution
26 of any disputes among public agencies or service

1 providers.

2 (d) The resolution of intra-agency and interagency
3 regulatory and procedural disputes.

4 (e) The development and implementation of formal
5 interagency agreements, and the entry into such
6 agreements, between the lead agency and (i) the Department
7 of Healthcare and Family Services, (ii) the University of
8 Illinois Division of Specialized Care for Children, and
9 (iii) other relevant State agencies that:

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

21 (2) include all additional components necessary to
22 ensure meaningful cooperation and coordination. By
23 January 31, 2027, interagency agreements under this
24 paragraph (e) must be reviewed and revised to
25 implement the purposes of this Act.

26 (f) The maintenance of an early intervention website.

1 The lead agency shall post and keep posted on this website
2 the following: (i) the current annual report required
3 under subdivision (b) (5) of Section 10-30 of this Act, and
4 the annual reports of the prior 3 years, (ii) the most
5 recent Illinois application for funds prepared under
6 Section 637 of the Individuals with Disabilities Education
7 Act filed with the United States Department of Education,
8 (iii) proposed modifications of the application prepared
9 for public comment, (iv) notice of Council meetings,
10 Council agendas, and minutes of its proceedings for at
11 least the previous year, (v) proposed and final early
12 intervention rules, and (vi) all reports created for
13 dissemination to the public that are related to the early
14 intervention program, including reports prepared at the
15 request of the Council and the General Assembly. Each such
16 document shall be posted on the website within 3 working
17 days after the document's completion.

18 (g) Before adopting any new policy or procedure
19 (including any revisions to an existing policy or
20 procedure) needed to comply with Part C of the Individuals
21 with Disabilities Education Act, the lead agency must hold
22 public hearings on the new policy or procedure, provide
23 notice of the hearings at least 30 days before the
24 hearings are conducted to enable public participation, and
25 provide an opportunity for the general public, including
26 individuals with disabilities and parents of infants and

1 toddlers with disabilities, early intervention providers,
2 and members of the Council to comment for at least 30 days
3 on the new policy or procedure needed to comply with Part C
4 of the Individuals with Disabilities Education Act and
5 with 34 CFR Part 300 and Part 303.

6 Section 10-40. Local structure and interagency councils.
7 The lead agency, in conjunction with the Council and as
8 defined by administrative rule, shall define local service
9 areas and define the geographic boundaries of each so that all
10 areas of the State are included in a local service area but no
11 area of the State is included in more than one service area. In
12 each local service area, the lead agency shall designate a
13 regional entity responsible for the assessment of eligibility
14 and services and a local interagency council responsible for
15 coordination and design of child find and public awareness.
16 The regional entity shall be responsible for staffing the
17 local council, carrying out child find and public awareness
18 activities, and providing advocacy for eligible families
19 within the given geographic area. The regional entity is the
20 prime contractor responsible to the lead agency for
21 implementation of this Act.

22 The lead agency, in conjunction with the Council, shall
23 create local interagency councils. Members of each local
24 interagency council shall include, but not be limited to, the
25 following: parents; representatives from coordination and

1 advocacy service providers; local education agencies; other
2 local public and private service providers; representatives
3 from State agencies at the local level; and others deemed
4 necessary by the local council.

5 Local interagency councils shall:

6 (a) assist in the development of collaborative
7 agreements between local service providers, diagnostic and
8 other agencies providing additional services to the child
9 and family;

10 (b) assist in conducting local needs assessments and
11 planning efforts;

12 (c) identify and resolve local access issues;

13 (d) conduct collaborative child find activities;

14 (e) coordinate public awareness initiatives;

15 (f) coordinate local planning and evaluation;

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

17 (h) develop plans for facilitating transition and
18 integration of eligible children and families into the
19 community;

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

21 and

22 (j) report annually to the Council.

23 Section 10-45. Essential components of the statewide
24 service system. As required by federal laws and regulations, a
25 statewide system of coordinated, comprehensive, interagency

1 and interdisciplinary programs shall be established and
2 maintained. The framework of the statewide system shall be
3 based on the components set forth in this Section. This
4 framework shall be used for planning, implementation,
5 coordination and evaluation of the statewide system of locally
6 based early intervention services.

7 The statewide system shall include, at a minimum:

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

12 (b) timetables for ensuring that appropriate early
13 intervention services, based on scientifically based
14 research, to the extent practicable, will be available to
15 all eligible infants and toddlers in this State after the
16 effective date of this Act;

17 (c) a timely, comprehensive, multidisciplinary
18 evaluation of each potentially eligible infant and toddler
19 in this State, unless the child meets the definition of
20 eligibility based upon his or her medical and other
21 records; for a child determined eligible, a
22 multidisciplinary assessment of the unique strengths and
23 needs of that infant or toddler and the identification of
24 services appropriate to meet those needs and a
25 family-directed assessment of the resources, priorities,
26 and concerns of the family and the identification of

1 supports and services necessary to enhance the family's
2 capacity to meet the developmental needs of that infant or
3 toddler;

4 (d) for each eligible infant and toddler, an
5 Individualized Family Service Plan, including service
6 coordination (case management) services;

7 (e) a comprehensive child find system, consistent with
8 Part B of the Individuals with Disabilities Education Act
9 (20 United States Code 1411 through 1420 and as set forth
10 in 34 CFR 300.115), which includes timelines and provides
11 for participation by primary referral sources;

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

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

25 (h) a comprehensive system of personnel development;

26 (i) a policy pertaining to the contracting or making

1 of other arrangements with public and private service
2 providers to provide early intervention services in this
3 State, consistent with the provisions of this Act,
4 including the contents of the application used and the
5 conditions of the contract or other arrangements;

6 (j) a procedure for securing timely reimbursement of
7 funds;

8 (k) procedural safeguards with respect to programs
9 under this Act;

10 (l) policies and procedures relating to the
11 establishment and maintenance of standards to ensure that
12 personnel necessary to carry out this Act are
13 appropriately and adequately prepared and trained;

14 (m) a system of evaluation of, and compliance with,
15 program standards;

16 (n) a system for compiling data on the numbers of
17 eligible infants and toddlers and their families in this
18 State in need of appropriate early intervention services;
19 the numbers served; the types of services provided; and
20 other information required by the State or federal
21 government; and

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

25 In addition to these required components, linkages may be
26 established within a local community area among the prenatal

1 initiatives affording services to high risk pregnant women.
2 Additional linkages among at risk programs and local literacy
3 programs may also be established.

4 On and after July 1, 2026, the Department of Early
5 Childhood shall continue implementation of the 5-fiscal-year
6 implementation plan that was created by the Department of
7 Human Services with the concurrence of the Interagency Council
8 on Early Intervention. The plan shall list specific activities
9 to be accomplished each year, with cost estimates for each
10 activity. The lead agency shall, with the concurrence of the
11 Interagency Council, submit to the Governor's Office a report
12 on accomplishments of the previous year and a revised list of
13 activities for the remainder of the 5-fiscal-year plan, with
14 cost estimates for each. The Governor shall certify that
15 specific activities in the plan for the previous year have
16 been substantially completed before authorizing relevant State
17 or local agencies to implement activities listed in the
18 revised plan that depend substantially upon completion of one
19 or more of the earlier activities.

20 Section 10-50. Authority to adopt rules. The lead agency
21 shall adopt rules under this Act. These rules shall reflect
22 the intent of federal regulations adopted under Part C of the
23 Individuals with Disabilities Education Improvement Act of
24 2004 (Sections 1431 through 1444 of Title 20 of the United
25 States Code).

1 Section 10-55. Role of other State entities. The
2 Departments of Public Health, Early Childhood, Human Services,
3 Children and Family Services, and Healthcare and Family
4 Services; the University of Illinois Division of Specialized
5 Care for Children; the State Board of Education; and any other
6 State agency which directly or indirectly provides or
7 administers early intervention services shall adopt compatible
8 rules for the provision of services to eligible infants and
9 toddlers and their families by July 1, 2026.

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

19 There shall be an Early Childhood Intervention Ombudsman
20 to assist families and local parties in ensuring that all
21 State agencies serving eligible families do so in a
22 comprehensive and collaborative manner.

23 Section 10-60. Standards. The Council and the lead agency,
24 with assistance from parents and providers, shall develop and

1 promulgate policies and procedures relating to the
2 establishment and implementation of program and personnel
3 standards to ensure that services provided are consistent with
4 any State-approved or recognized certification, licensing,
5 registration, or other comparable requirements which apply to
6 the area of early intervention program service standards. Only
7 State-approved public or private early intervention service
8 providers shall be eligible to receive State and federal
9 funding for early intervention services. All early childhood
10 intervention staff shall hold the highest entry requirement
11 necessary for that position.

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

1 such services must authorize, in writing and in the form
2 required by the lead agency, a State and FBI criminal
3 background check, as requested by the Department, and check of
4 child abuse and neglect reports regarding the provider or
5 applicant as a condition of authorization to provide early
6 intervention services. The lead agency shall use the results
7 of the checks only to determine State approval of the early
8 intervention service provider and shall not re-release the
9 information except as necessary to accomplish that purpose.

10 Section 10-65. Individualized Family Service Plans.

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

13 (1) timely, comprehensive, multidisciplinary
14 assessment of the unique strengths and needs of each
15 eligible infant and toddler, and assessment of the
16 concerns and priorities of the families to appropriately
17 assist them in meeting their needs and identify supports
18 and services to meet those needs; and

19 (2) a written Individualized Family Service Plan
20 developed by a multidisciplinary team which includes the
21 parent or guardian. The individualized family service plan
22 shall be based on the multidisciplinary team's assessment
23 of the resources, priorities, and concerns of the family
24 and its identification of the supports and services
25 necessary to enhance the family's capacity to meet the

1 developmental needs of the infant or toddler, and shall
2 include the identification of services appropriate to meet
3 those needs, including the frequency, intensity, and
4 method of delivering services. During and as part of the
5 initial development of the individualized family services
6 plan, and any periodic reviews of the plan, the
7 multidisciplinary team may seek consultation from the lead
8 agency's designated experts, if any, to help determine
9 appropriate services and the frequency and intensity of
10 those services. All services in the individualized family
11 services plan must be justified by the multidisciplinary
12 assessment of the unique strengths and needs of the infant
13 or toddler and must be appropriate to meet those needs. At
14 the periodic reviews, the team shall determine whether
15 modification or revision of the outcomes or services is
16 necessary.

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

25 (c) The initial evaluation and initial assessment and
26 initial Plan meeting must be held within 45 days after the

1 initial contact with the early intervention services system.
2 The 45-day timeline does not apply for any period when the
3 child or parent is unavailable to complete the initial
4 evaluation, the initial assessments of the child and family,
5 or the initial Plan meeting, due to exceptional family
6 circumstances that are documented in the child's early
7 intervention records, or when the parent has not provided
8 consent for the initial evaluation or the initial assessment
9 of the child despite documented, repeated attempts to obtain
10 parental consent. As soon as exceptional family circumstances
11 no longer exist or parental consent has been obtained, the
12 initial evaluation, the initial assessment, and the initial
13 Plan meeting must be completed as soon as possible. With
14 parental consent, early intervention services may commence
15 before the completion of the comprehensive assessment and
16 development of the Plan. All early intervention services shall
17 be initiated as soon as possible but not later than 30 calendar
18 days after the consent of the parent or guardian has been
19 obtained for the individualized family service plan, in
20 accordance with rules adopted by the lead agency.

21 (d) Parents must be informed that early intervention
22 services shall be provided to each eligible infant and
23 toddler, to the maximum extent appropriate, in the natural
24 environment, which may include the home or other community
25 settings. Parents must also be informed of the availability of
26 early intervention services provided through telehealth

1 services. Parents shall make the final decision to accept or
2 decline early intervention services, including whether
3 accepted services are delivered in person or via telehealth
4 services. A decision to decline such services shall not be a
5 basis for administrative determination of parental fitness, or
6 other findings or sanctions against the parents. Parameters of
7 the Plan shall be set forth in rules.

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

10 (1) That the early intervention program will pay for
11 all early intervention services set forth in the
12 individualized family service plan that are not covered or
13 paid under the family's public or private insurance plan
14 or policy and not eligible for payment through any other
15 third party payor.

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

19 (3) That the family may request, with appropriate
20 documentation supporting the request, a determination of
21 an exemption from private insurance use under Section
22 10-100.

23 (4) That responsibility for co-payments or
24 co-insurance under a family's private insurance plan or
25 policy will be transferred to the lead agency's central
26 billing office.

1 (5) That families will be responsible for payments of
2 family fees, which will be based on a sliding scale
3 according to the State's definition of ability to pay
4 which is comparing household size and income to the
5 sliding scale and considering out-of-pocket medical or
6 disaster expenses, and that these fees are payable to the
7 central billing office. Families who fail to provide
8 income information shall be charged the maximum amount on
9 the sliding scale.

10 (f) The individualized family service plan must state
11 whether the family has private insurance coverage and, if the
12 family has such coverage, must have attached to it a copy of
13 the family's insurance identification card or otherwise
14 include all of the following information:

15 (1) The name, address, and telephone number of the
16 insurance carrier.

17 (2) The contract number and policy number of the
18 insurance plan.

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

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

22 (g) A copy of the individualized family service plan must
23 be provided to each enrolled provider who is providing early
24 intervention services to the child who is the subject of that
25 plan.

26 (h) Children receiving services under this Act shall

1 receive a smooth and effective transition by their third
2 birthday consistent with federal regulations adopted pursuant
3 to Sections 1431 through 1444 of Title 20 of the United States
4 Code. Beginning January 1, 2022, children who receive early
5 intervention services prior to their third birthday and are
6 found eligible for an individualized education program under
7 the Individuals with Disabilities Education Act, 20 U.S.C.
8 1414(d)(1)(A), and under Section 14-8.02 of the School Code
9 and whose birthday falls between May 1 and August 31 may
10 continue to receive early intervention services until the
11 beginning of the school year following their third birthday in
12 order to minimize gaps in services, ensure better continuity
13 of care, and align practices for the enrollment of preschool
14 children with special needs to the enrollment practices of
15 typically developing preschool children.

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

21 The procedural safeguards shall provide, at a minimum, the
22 following:

23 (a) The timely administrative resolution of State
24 complaints, due process hearings, and mediations as defined by
25 administrative rule.

1 (b) The right to confidentiality of personally
2 identifiable information.

3 (c) The opportunity for parents and a guardian to examine
4 and receive copies of records relating to evaluations and
5 assessments, screening, eligibility determinations, and the
6 development and implementation of the Individualized Family
7 Service Plan provision of early intervention services,
8 individual complaints involving the child, or any part of the
9 child's early intervention record.

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

21 (e) Timely written prior notice to the parents or guardian
22 of the eligible infant or toddler whenever the State agency or
23 public or private service provider proposes to initiate or
24 change or refuses to initiate or change the identification,
25 evaluation, placement, or the provision of appropriate early
26 intervention services to the eligible infant or toddler.

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

5 (g) During the pendency of any State complaint procedure,
6 due process hearing, or mediation involving a complaint,
7 unless the State agency and the parents or guardian otherwise
8 agree, the child shall continue to receive the appropriate
9 early intervention services currently being provided, or in
10 the case of an application for initial services, the child
11 shall receive the services not in dispute.

12 Section 10-75. Funding and fiscal responsibility.

13 (a) The lead agency and every other participating State
14 agency may receive and expend funds appropriated by the
15 General Assembly to implement the early intervention services
16 system as required by this Act.

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

21 (c) Funds provided under Section 633 of the Individuals
22 with Disabilities Education Act (20 United States Code 1433)
23 and State funds designated or appropriated for early
24 intervention services or programs may not be used to satisfy a
25 financial commitment for services which would have been paid

1 for from another public or private source but for the
2 enactment of this Act, except whenever considered necessary to
3 prevent delay in receiving appropriate early intervention
4 services by the eligible infant or toddler or family in a
5 timely manner. "Public or private source" includes public and
6 private insurance coverage.

7 Funds provided under Section 633 of the Individuals with
8 Disabilities Education Act and State funds designated or
9 appropriated for early intervention services or programs may
10 be used by the lead agency to pay the provider of services (A)
11 pending reimbursement from the appropriate State agency or (B)
12 if (i) the claim for payment is denied in whole or in part by a
13 public or private source, or would be denied under the written
14 terms of the public program or plan or private plan, or (ii)
15 use of private insurance for the service has been exempted
16 under Section 10-100. Payment under item (B)(i) may be made
17 based on a pre-determination telephone inquiry supported by
18 written documentation of the denial supplied thereafter by the
19 insurance carrier.

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

25 (e) The lead agency shall create a central billing office
26 to receive and dispense all relevant State and federal

1 resources, as well as local government or independent
2 resources available, for early intervention services. This
3 office shall assure that maximum federal resources are
4 utilized and that providers receive funds with minimal
5 duplications or interagency reporting and with consolidated
6 audit procedures.

7 (f) The lead agency shall, by rule, create a system of
8 payments by families, including a schedule of fees. No fees,
9 however, may be charged for implementing child find,
10 evaluation and assessment, service coordination,
11 administrative and coordination activities related to the
12 development, review, and evaluation of Individualized Family
13 Service Plans, or the implementation of procedural safeguards
14 and other administrative components of the statewide early
15 intervention system.

16 The system of payments, called family fees, shall be
17 structured on a sliding scale based on the family's ability to
18 pay. The family's coverage or lack of coverage under a public
19 or private insurance plan or policy shall not be a factor in
20 determining the amount of the family fees.

21 Each family's fee obligation shall be established
22 annually, and shall be paid by families to the central billing
23 office in installments. At the written request of the family,
24 the fee obligation shall be adjusted prospectively at any
25 point during the year upon proof of a change in family income
26 or family size. The inability of the parents of an eligible

1 child to pay family fees due to catastrophic circumstances or
2 extraordinary expenses shall not result in the denial of
3 services to the child or the child's family. A family must
4 document its extraordinary expenses or other catastrophic
5 circumstances by showing one of the following: (i)
6 out-of-pocket medical expenses in excess of 15% of gross
7 income; (ii) a fire, flood, or other disaster causing a direct
8 out-of-pocket loss in excess of 15% of gross income; or (iii)
9 other catastrophic circumstances causing out-of-pocket losses
10 in excess of 15% of gross income. The family must present proof
11 of loss to its service coordinator, who shall document it, and
12 the lead agency shall determine whether the fees shall be
13 reduced, forgiven, or suspended within 10 business days after
14 the family's request.

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

1 payments previously made from State or federal early
2 intervention funds.

3 Section 10-80. Other programs.

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

1 Specialized Care for Children of the University of Illinois.

2 (b) For purposes of determining family fees under
3 subsection (f) of Section 10-75 and determining eligibility
4 for the other programs and services specified in items (i)
5 through (iii) of subsection (a), the lead agency shall develop
6 and use, with the cooperation of the Department of Healthcare
7 and Family Services and the Division of Specialized Care for
8 Children of the University of Illinois, a screening device
9 that provides sufficient information for the early
10 intervention regional intake entities or other agencies to
11 establish eligibility for those other programs and shall, in
12 cooperation with the Illinois Department of Healthcare and
13 Family Services and the Division of Specialized Care for
14 Children, train the regional intake entities on using the
15 screening device.

16 (c) When a child is determined eligible for and enrolled
17 in the early intervention program and has been found to at
18 least meet the threshold income eligibility requirements for
19 any federally funded, Department of Healthcare and Family
20 Services administered, medical programs, the regional intake
21 entity shall complete an application for any federally funded,
22 Department of Healthcare and Family Services administered,
23 medical programs with the family and forward it to the
24 Department of Healthcare and Family Services for a
25 determination of eligibility. A parent shall not be required
26 to enroll in any federally funded, Department of Healthcare

1 and Family Services administered, medical programs as a
2 condition of receiving services provided pursuant to Part C of
3 the Individuals with Disabilities Education Act.

4 (d) With the cooperation of the Department of Healthcare
5 and Family Services, the lead agency shall establish
6 procedures that ensure the timely and maximum allowable
7 recovery of payments for all early intervention services and
8 allowable administrative costs under Article V of the Illinois
9 Public Aid Code and the Children's Health Insurance Program
10 Act and shall include those procedures in the interagency
11 agreement required under subsection (e) of Section 10-35 of
12 Article 10 of this Act.

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

25 (f) For purposes of early intervention services that may
26 be provided by the Division of Specialized Care for Children

1 of the University of Illinois (DSCC), the lead agency shall
2 establish procedures whereby the early intervention regional
3 intake entities may determine whether children enrolled in the
4 early intervention program may also be eligible for those
5 services, and shall develop, (i) the interagency agreement
6 required under subsection (e) of Section 10-35 of this Act,
7 establishing that early intervention funds are to be used as
8 the payor of last resort when services required under an
9 individualized family services plan may be provided to an
10 eligible child through the DSCC, and (ii) training guidelines
11 for the regional intake entities and providers that explain
12 eligibility and billing procedures for services through DSCC.

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

21 Section 10-85. Private health insurance; assignment. The
22 lead agency shall determine, at the point of new applications
23 for early intervention services, and for all children enrolled
24 in the early intervention program, at the regional intake
25 offices, whether the child is insured under a private health

1 insurance plan or policy.

2 Section 10-90. Billing of insurance carrier.

3 (a) Subject to the restrictions against private insurance
4 use on the basis of material risk of loss of coverage, as
5 determined under Section 10-100, each enrolled provider who is
6 providing a family with early intervention services shall bill
7 the child's insurance carrier for each unit of early
8 intervention service for which coverage may be available. The
9 lead agency may exempt from the requirement of this paragraph
10 any early intervention service that it has deemed not to be
11 covered by insurance plans. When the service is not exempted,
12 providers who receive a denial of payment on the basis that the
13 service is not covered under any circumstance under the plan
14 are not required to bill that carrier for that service again
15 until the following insurance benefit year. That explanation
16 of benefits denying the claim, once submitted to the central
17 billing office, shall be sufficient to meet the requirements
18 of this paragraph as to subsequent services billed under the
19 same billing code provided to that child during that insurance
20 benefit year. Any time limit on a provider's filing of a claim
21 for payment with the central billing office that is imposed
22 through a policy, procedure, or rule of the lead agency shall
23 be suspended until the provider receives an explanation of
24 benefits or other final determination of the claim it files
25 with the child's insurance carrier.

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

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

23 Section 10-95. Families with insurance coverage.

24 (a) Families of children with insurance coverage, whether
25 public or private, shall incur no greater or less direct

1 out-of-pocket expenses for early intervention services than
2 families who are not insured.

3 (b) Managed care plans.

4 (1) Use of managed care network providers. When a
5 family's insurance coverage is through a managed care
6 arrangement with a network of providers that includes one
7 or more types of early intervention specialists who
8 provide the services set forth in the family's
9 individualized family service plan, the regional intake
10 entity shall require the family to use those network
11 providers, but only to the extent that:

12 (A) the network provider is immediately available
13 to receive the referral and to begin providing
14 services to the child;

15 (B) the network provider is enrolled as a provider
16 in the Illinois early intervention system and fully
17 credentialed under the current policy or rule of the
18 lead agency;

19 (C) the network provider can provide the services
20 to the child in the manner required in the
21 individualized service plan;

22 (D) the family would not have to travel more than
23 an additional 15 miles or an additional 30 minutes to
24 the network provider than it would have to travel to a
25 non-network provider who is available to provide the
26 same service; and

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

5 (2) Transfers from non-network to network providers.
6 If a child has been receiving services from a non-network
7 provider and the regional intake entity determines, at the
8 time of enrollment in the early intervention program or at
9 any point thereafter, that the family is enrolled in a
10 managed care plan, the regional intake entity shall
11 require the family to transfer to a network provider
12 within 45 days after that determination, but within no
13 more than 60 days after the effective date of this Act, if:

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

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

17 (3) Waivers. The lead agency may fully or partially
18 waive the network enrollment requirements of subdivision
19 (b)(1) of this Section and the transfer requirements of
20 subdivision (b)(2) of this Section as to a particular
21 region, or narrower geographic area, if it finds that the
22 managed care plans in that area are not allowing further
23 enrollment of early intervention providers and it finds
24 that referrals or transfers to network providers could
25 cause an overall shortage of early intervention providers
26 in that region of the State or could cause delays in

1 families securing the early intervention services set
2 forth in individualized family services plans.

3 (4) The lead agency, in conjunction with any entities
4 with which it may have contracted for the training and
5 credentialing of providers, the local interagency council
6 for early intervention, the regional intake entity, and
7 the enrolled providers in each region who wish to
8 participate, shall cooperate in developing a matrix and
9 action plan that (A) identifies both (i) which early
10 intervention providers and which fully credentialed early
11 intervention providers are members of the managed care
12 plans that are used in the region by families with
13 children in the early intervention program, and (ii) which
14 early intervention services, with what restrictions, if
15 any, are covered under those plans, (B) identifies which
16 credentialed specialists are members of which managed care
17 plans in the region, and (C) identifies the various
18 managed care plans to early intervention providers,
19 encourages their enrollment in the area plans, and
20 provides them with information on how to enroll. These
21 matrices shall be complete no later than 7 months after
22 the effective date of this Act, and shall be provided to
23 the Early Intervention Legislative Advisory Committee at
24 that time. The lead agency shall work with networks that
25 may have closed enrollment to additional providers to
26 encourage their admission of early intervention providers,

1 and shall report to the Early Intervention Legislative
2 Advisory Committee on the initial results of these efforts
3 no later than February 1, 2002.

4 Section 10-100. Private insurance; exemption.

5 (a) The lead agency shall establish procedures for a
6 family whose child is eligible to receive early intervention
7 services to apply for an exemption restricting the use of its
8 private insurance plan or policy based on material risk of
9 loss of coverage as authorized under subsection (c) of this
10 Section.

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

19 (c) An exemption may be granted on the basis of material
20 risk of loss of coverage only if the family submits
21 documentation with its request for an exemption that
22 establishes (i) that the insurance plan or policy covering the
23 child is an individually purchased plan or policy and has been
24 purchased by a head of a household that is not eligible for a
25 group medical insurance plan, (ii) that the policy or plan has

1 a lifetime cap that applies to one or more specific types of
2 early intervention services specified in the family's
3 individualized family service plan, and that coverage could be
4 exhausted during the period covered by the individualized
5 family service plan, or (iii) proof of another risk that the
6 lead agency, in its discretion, may have additionally
7 established and defined as a ground for exemption by rule.

8 (d) An exemption under this Section based on material risk
9 of loss of coverage may apply to all early intervention
10 services and all plans or policies insuring the child, may be
11 limited to one or more plans or policies, or may be limited to
12 one or more types of early intervention services in the
13 child's individualized family services plan.

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

19 (a) Courses in birth-to-3 evaluation and treatment of
20 children with developmental disabilities and delays (1) that
21 are taught by fully credentialed early intervention providers
22 or educators with substantial experience in evaluation and
23 treatment of children from birth to age 3 with developmental
24 disabilities and delays, (2) that cover these topics within
25 each of the disciplines of audiology, occupational therapy,

1 physical therapy, speech and language pathology, and
2 developmental therapy, including the social-emotional domain
3 of development, (3) that are held no less than twice per year,
4 (4) that offer no fewer than 20 contact hours per year of
5 course work, (5) that are held in no fewer than 5 separate
6 locales throughout the State, and (6) that give enrollment
7 priority to early intervention providers who do not meet the
8 experience, education, or continuing education requirements
9 necessary to be fully credentialed early intervention
10 providers; and

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

14 (1) Practice and procedures of private insurance
15 billing.

16 (2) The role of the regional intake entities; service
17 coordination; program eligibility determinations; family
18 fees; any federally funded, Department of Healthcare and
19 Family Services administered, medical programs, and
20 Division of Specialized Care applications, referrals, and
21 coordination with Early Intervention; and procedural
22 safeguards.

23 (3) Introduction to the early intervention program,
24 including provider enrollment and credentialing, overview
25 of Early Intervention program policies and rules, and
26 billing requirements.

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

5 Section 10-110. Contracting. In accordance with Section
6 1-30(c) of this Act, the lead agency may enter into contracts
7 for some or all of its responsibilities under this Act,
8 including, but not limited to: credentialing and enrolling
9 providers; training under Section 10-105; maintaining a
10 central billing office; data collection and analysis;
11 establishing and maintaining a computerized case management
12 system accessible to local referral offices and providers;
13 creating and maintaining a system for provider credentialing
14 and enrollment; creating and maintaining the central directory
15 required under subsection (g) of Section 10-45 of this Act;
16 and program operations. Contracts with or grants to regional
17 intake entities must be made subject to public bid under a
18 request for proposals process no later than July 1, 2005.

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

22 The Early Intervention Services Revolving Fund shall be
23 used to the extent determined necessary by the lead agency to
24 pay for early intervention services.

1 Local Accounts for such purposes may be established by the
2 lead agency.

3 Expenditures from the Early Intervention Services
4 Revolving Fund shall be made in accordance with applicable
5 program provisions and shall be limited to those purposes and
6 amounts specified under applicable program guidelines. Funding
7 of the Fund shall be from family fees, insurance company
8 payments, federal financial participation received as
9 reimbursement for expenditures from the Fund, and
10 appropriations made to the State agencies involved in the
11 payment for early intervention services under this Act.

12 Disbursements from the Early Intervention Services
13 Revolving Fund shall be made as determined by the lead agency
14 or its designee. Funds in the Early Intervention Services
15 Revolving Fund or the local accounts created under this
16 Section that are not immediately required for expenditure may
17 be invested in certificates of deposit or other interest
18 bearing accounts. Any interest earned shall be deposited in
19 the Early Intervention Services Revolving Fund.

20 ARTICLE 15. POWERS AND DUTIES RELATING TO HOME-VISITING AND
21 PRESCHOOL SERVICES

22 Section 15-5. Transition of administrative
23 responsibilities related to home-visiting services Beginning
24 July 1, 2024, the Department of Early Childhood and the

1 Department of Human Services shall collaborate and plan for
2 the transition of administrative responsibilities related to
3 home-visiting services as prescribed in Section 10-16 of the
4 Department of Human Services Act.

5 Section 15-10. Home visiting program.

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

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

25 (1) improve maternal and newborn health;

- 1 (2) prevent child abuse and neglect;
- 2 (3) promote children's development and readiness to
- 3 participate in school; and
- 4 (4) connect families to needed community resources
- 5 and supports.

6 (b-5) On and after July 1, 2026, the Department of Early

7 Childhood shall establish and administer a home visiting

8 program to support communities in providing intensive home

9 visiting programs to pregnant persons and families with

10 children from birth up to elementary school enrollment.

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

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

23 (f) The Department administering home-visiting programs
24 subject to Section 15-10 (b) and Section 15-10(b-5) shall
25 collaborate with relevant agencies to support the coordination
26 and alignment of home visiting services provided through other

1 State and federal funds, to the extent possible. The
2 Department administering home-visiting programs subject to
3 Section 15-10 (b) and Section 15-10(b-5) shall collaborate
4 with the State Board of Education, the Department of
5 Healthcare and Family Services, and Head Start and Early Head
6 Start in the implementation of these services to support
7 alignment with home visiting services provided through the
8 Early Childhood Block Grant and the State's Medical Assistance
9 Program, respectively, to the extent possible.

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

26 (h) The Department of Early Childhood may adopt any rules

1 necessary to implement this Section.

2 Section 15-15. Collaboration; planning. Beginning July 1,
3 2024, the Department of Early Childhood shall collaborate with
4 the Illinois State Board of Education on administration of the
5 early childhood home-visiting and preschool programs
6 established in Sections 1C-2, 2-3.71, and 2-3.71a in the
7 School Code. The Department of Early Childhood and the
8 Illinois State Board of Education shall plan for the transfer
9 of administrative responsibilities that will occur on and
10 after July 1, 2026.

11 Section 15-20. Programs concerning services to at-risk
12 children and their families.

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

1 (b) The Department shall administer the programs through
2 the grants to public school districts and other eligible
3 entities. These grants must be used to supplement, not
4 supplant, funds received from any other source. School
5 districts and other eligible entities receiving grants
6 pursuant to this Section shall conduct voluntary, intensive,
7 research-based, and comprehensive prevention services, as
8 defined by the Department, for expecting parents and families
9 with children from birth to age 3 who are at-risk of academic
10 failure. A public school district that receives a grant under
11 this Section may subcontract with other eligible entities.

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

18 Section 15-25. Block grants.

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

22 (b) On and after July 1, 2026, the Department of Early
23 Childhood shall award to school districts and other entities
24 block grants as described in subsection (c). The Department of
25 Early Childhood may adopt rules necessary to implement this

1 Section. Block grants are subject to audit. Therefore, block
2 grant receipts and block grant expenditures shall be recorded
3 to the appropriate fund code.

4 (c) An Early Childhood Education Block Grant shall be
5 created by combining the following programs: Preschool
6 Education, Parental Training and Prevention Initiative. These
7 funds shall be distributed to school districts and other
8 entities on a competitive basis, except that the Department of
9 Early Childhood shall award to a school district having a
10 population exceeding 500,000 inhabitants 37% of the funds in
11 each fiscal year. Not less than 14% of the Early Childhood
12 Education Block Grant allocation of funds shall be used to
13 fund programs for children ages 0-3. Beginning in Fiscal Year
14 2016, at least 25% of any additional Early Childhood Education
15 Block Grant funding over and above the previous fiscal year's
16 allocation shall be used to fund programs for children ages
17 0-3. Once the percentage of Early Childhood Education Block
18 Grant funding allocated to programs for children ages 0-3
19 reaches 20% of the overall Early Childhood Education Block
20 Grant allocation for a full fiscal year, thereafter in
21 subsequent fiscal years the percentage of Early Childhood
22 Education Block Grant funding allocated to programs for
23 children ages 0-3 each fiscal year shall remain at least 20% of
24 the overall Early Childhood Education Block Grant allocation.
25 However, if, in a given fiscal year, the amount appropriated
26 for the Early Childhood Education Block Grant is insufficient

1 to increase the percentage of the grant to fund programs for
2 children ages 0-3 without reducing the amount of the grant for
3 existing providers of preschool education programs, then the
4 percentage of the grant to fund programs for children ages 0-3
5 may be held steady instead of increased.

6 (d) A school district in a city having a population
7 exceeding 500,000 is not required to file any application or
8 other claim in order to receive the block grant to which it is
9 entitled under this Section. The Department of Early Childhood
10 shall make payments to the district of amounts due under the
11 district's block grant on a schedule determined by the
12 Department. A school district to which this Section applies
13 shall report to the Department of Early Childhood on its use of
14 the block grant in such form and detail as the Department may
15 specify. In addition, the report must include the following
16 description for the district, which must also be reported to
17 the General Assembly: block grant allocation and expenditures
18 by program; population and service levels by program; and
19 administrative expenditures by program. The Department shall
20 ensure that the reporting requirements for the district are
21 the same as for all other school districts in this State.
22 Beginning in Fiscal Year 2018, at least 25% of any additional
23 Preschool Education, Parental Training, and Prevention
24 Initiative program funding over and above the previous fiscal
25 year's allocation shall be used to fund programs for children
26 ages 0-3. Beginning in Fiscal Year 2018, funding for Preschool

1 Education, Parental Training, and Prevention Initiative
2 programs above the allocation for these programs in Fiscal
3 Year 2017 must be used solely as a supplement for these
4 programs and may not supplant funds received from other
5 sources.

6 (e) Reports. School districts and other entities that
7 receive an Early Childhood Education Block Grant shall report
8 to the Department of Early Childhood on its use of the block
9 grant in such form and detail as the Department may specify. In
10 addition, the report must include the following description
11 for the district and other entities that receive an Early
12 Childhood Block Grant, which must also be reported to the
13 General Assembly: block grant allocation and expenditures by
14 program; population and service levels by program; and
15 administrative expenditures by program.

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

17 (a) Preschool program.

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

23 (2) On and after July 1, 2026, the Department of Early
24 Childhood shall implement and administer a grant program
25 for school districts and other eligible entities, as

1 defined by the Department, to conduct voluntary preschool
2 educational programs for children ages 3 to 5 which
3 include a parent education component. A public school
4 district which receives grants under this subsection may
5 subcontract with other entities that are eligible to
6 conduct a preschool educational program. These grants must
7 be used to supplement, not supplant, funds received from
8 any other source.

9 (3) Except as otherwise provided under this subsection
10 (a), any teacher of preschool children in the program
11 authorized by this subsection shall hold a Professional
12 Educator License with an early childhood education
13 endorsement.

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

22 (A) An ECE Credential Level of 5 awarded by the
23 Department of Human Services under the Gateways to
24 Opportunity Program developed under Section 10-70 of
25 the Department of Human Services Act.

26 (B) An Educator License with Stipulations with a

1 transitional bilingual educator endorsement and he or
2 she has (i) passed an early childhood education
3 content test or (ii) completed no less than 9 semester
4 hours of postsecondary coursework in the area of early
5 childhood education.

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

1 failure. Through June 30, 2026, such screening procedures
2 shall be based on criteria established by the State Board
3 of Education. On and after July 1, 2026, such screening
4 procedures shall be based on criteria established by the
5 Department of Early Childhood. Except as otherwise
6 provided in this paragraph (4), grantees under the program
7 must enter into a memorandum of understanding with the
8 appropriate local Head Start agency. This memorandum must
9 be entered into no later than 3 months after the award of a
10 grantee's grant under the program and must address
11 collaboration between the grantee's program and the local
12 Head Start agency on certain issues, which shall include
13 without limitation the following:

14 (A) educational activities, curricular objectives,
15 and instruction;

16 (B) public information dissemination and access to
17 programs for families contacting programs;

18 (C) service areas;

19 (D) selection priorities for eligible children to
20 be served by programs;

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

23 (F) staff training, including opportunities for
24 joint staff training;

25 (G) technical assistance;

26 (H) communication and parent outreach for smooth

1 transitions to kindergarten;

2 (I) provision and use of facilities,
3 transportation, and other program elements;

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

6 (K) improving local planning and collaboration;
7 and

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

1 Early Childhood shall compile all such written notices
2 and make them available to the public.

3 (5) Through June 30, 2026, the State Board of
4 Education shall develop and provide evaluation tools,
5 including tests, that school districts and other eligible
6 entities may use to evaluate children for school readiness
7 prior to age 5. The State Board of Education shall require
8 school districts and other eligible entities to obtain
9 consent from the parents or guardians of children before
10 any evaluations are conducted. The State Board of
11 Education shall encourage local school districts and other
12 eligible entities to evaluate the population of preschool
13 children in their communities and provide preschool
14 programs, pursuant to this subsection, where appropriate.

15 (5.1) On and after July 1, 2026, the Department of
16 Early Childhood shall develop and provide evaluation
17 tools, including tests, that school districts and other
18 eligible entities may use to evaluate children for school
19 readiness prior to age 5. The Department of Early
20 Childhood shall require school districts and other
21 eligible entities to obtain consent from the parents or
22 guardians of children before any evaluations are
23 conducted. The Department of Early Childhood shall
24 encourage local school districts and other eligible
25 entities to evaluate the population of preschool children
26 in their communities and provide preschool programs,

1 pursuant to this subsection, where appropriate.

2 (6) Through June 30, 2026, the State Board of
3 Education shall report to the General Assembly by November
4 1, 2018 and every 2 years thereafter on the results and
5 progress of students who were enrolled in preschool
6 educational programs, including an assessment of which
7 programs have been most successful in promoting academic
8 excellence and alleviating academic failure. Through June
9 30, 2026, the State Board of Education shall assess the
10 academic progress of all students who have been enrolled
11 in preschool educational programs. Through Fiscal Year
12 2026, on or before November 1 of each fiscal year in which
13 the General Assembly provides funding for new programs
14 under paragraph (4) of this Section, the State Board of
15 Education shall report to the General Assembly on what
16 percentage of new funding was provided to programs serving
17 primarily at-risk children, what percentage of new funding
18 was provided to programs serving primarily children with a
19 family income of less than 4 times the federal poverty
20 level, and what percentage of new funding was provided to
21 other programs.

22 (6.1) On and after July 1, 2026, the Department of
23 Early Childhood shall report to the General Assembly by
24 November 1, 2026 and every 2 years thereafter on the
25 results and progress of students who were enrolled in
26 preschool educational programs, including an assessment of

1 which programs have been most successful in promoting
2 academic excellence and alleviating academic failure. On
3 and after July 1, 2026, the Department of Early Childhood
4 shall assess the academic progress of all students who
5 have been enrolled in preschool educational programs.
6 Beginning in Fiscal Year 2027, on or before November 1 of
7 each fiscal year in which the General Assembly provides
8 funding for new programs under paragraph (4) of this
9 Section, the Department of Early Childhood shall report to
10 the General Assembly on what percentage of new funding was
11 provided to programs serving primarily at-risk children,
12 what percentage of new funding was provided to programs
13 serving primarily children with a family income of less
14 than 4 times the federal poverty level, and what
15 percentage of new funding was provided to other programs.

16 (7) Due to evidence that expulsion practices in the
17 preschool years are linked to poor child outcomes and are
18 employed inconsistently across racial and gender groups,
19 early childhood programs receiving State funds under this
20 subsection (a) shall prohibit expulsions. Planned
21 transitions to settings that are able to better meet a
22 child's needs are not considered expulsion under this
23 paragraph (7).

24 (A) When persistent and serious challenging
25 behaviors emerge, the early childhood program shall
26 document steps taken to ensure that the child can

1 participate safely in the program; including
2 observations of initial and ongoing challenging
3 behaviors, strategies for remediation and intervention
4 plans to address the behaviors, and communication with
5 the parent or legal guardian, including participation
6 of the parent or legal guardian in planning and
7 decision-making.

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

24 (C) If there is documented evidence that all
25 available interventions and supports recommended by a
26 qualified professional have been exhausted and the

1 program determines in its professional judgment that
2 transitioning a child to another program is necessary
3 for the well-being of the child or his or her peers and
4 staff, with parent or legal guardian permission, both
5 the current and pending programs shall create a
6 transition plan designed to ensure continuity of
7 services and the comprehensive development of the
8 child. Communication with families shall occur in a
9 culturally and linguistically competent manner.

10 (D) Nothing in this paragraph (7) shall preclude a
11 parent's or legal guardian's right to voluntarily
12 withdraw his or her child from an early childhood
13 program. Early childhood programs shall request and
14 keep on file, when received, a written statement from
15 the parent or legal guardian stating the reason for
16 his or her decision to withdraw his or her child.

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

1 (F) Early childhood programs may use and the
2 Department of Early Childhood, State Board of
3 Education, the Department of Human Services, and the
4 Department of Children and Family Services shall
5 recommend training, technical support, and
6 professional development resources to improve the
7 ability of teachers, administrators, program
8 directors, and other staff to promote social-emotional
9 development and behavioral health, to address
10 challenging behaviors, and to understand trauma and
11 trauma-informed care, cultural competence, family
12 engagement with diverse populations, the impact of
13 implicit bias on adult behavior, and the use of
14 reflective practice techniques. Support shall include
15 the availability of resources to contract with infant
16 and early childhood mental health consultants.

17 (G) Through June 30, 2026, early childhood
18 programs shall annually report to the State Board of
19 Education, and, beginning in Fiscal Year 2020, the
20 State Board of Education shall make available on a
21 biennial basis, in an existing report, all of the
22 following data for children from birth to age 5 who are
23 served by the program:

24 (i) Total number served over the course of the
25 program year and the total number of children who
26 left the program during the program year.

1 (ii) Number of planned transitions to another
2 program due to children's behavior, by children's
3 race, gender, disability, language, class/group
4 size, teacher-child ratio, and length of program
5 day.

6 (iii) Number of temporary removals of a child
7 from attendance in group settings due to a serious
8 safety threat under subparagraph (E) of this
9 paragraph (7), by children's race, gender,
10 disability, language, class/group size,
11 teacher-child ratio, and length of program day.

12 (iv) Hours of infant and early childhood
13 mental health consultant contact with program
14 leaders, staff, and families over the program
15 year.

16 (G-5) On and after July 1, 2026, early childhood
17 programs shall annually report to the Department of
18 Early Childhood, and beginning in Fiscal Year 2028,
19 the Department of Early Childhood shall make available
20 on a biennial basis, in a report, all of the following
21 data for children from birth to age 5 who are served by
22 the program:

23 (i) Total number served over the course of the
24 program year and the total number of children who
25 left the program during the program year.

26 (ii) Number of planned transitions to another

1 program due to children's behavior, by children's
2 race, gender, disability, language, class/group
3 size, teacher-child ratio, and length of program
4 day.

5 (iii) Number of temporary removals of a child
6 from attendance in group settings due to a serious
7 safety threat under subparagraph (E) of this
8 paragraph (7), by children's race, gender,
9 disability, language, class/group size,
10 teacher-child ratio, and length of program day.

11 (iv) Hours of infant and early childhood
12 mental health consultant contact with program
13 leaders, staff, and families over the program
14 year.

15 (H) Changes to services for children with an
16 individualized education program or individual family
17 service plan shall be construed in a manner consistent
18 with the federal Individuals with Disabilities
19 Education Act.

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

23 (b) Notwithstanding any other provisions of this Section,
24 grantees may serve children ages 0 to 12 of essential workers
25 if the Governor has declared a disaster due to a public health
26 emergency pursuant to Section 7 of the Illinois Emergency

1 Management Agency Act. The Department of Early Childhood may
2 adopt rules to administer this subsection.

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

4 (a) In this Section, "chronic absence" means absences that
5 total 10% or more of school days of the most recent academic
6 school year, including absences with and without valid cause,
7 as defined in Section 26-2a of the School Code.

8 (b) The General Assembly makes all of the following
9 findings:

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

12 (2) Missed learning opportunities in the early years
13 make it difficult for a child to enter kindergarten ready
14 for success.

15 (3) Attendance patterns in the early years serve as
16 predictors of chronic absenteeism and reduced educational
17 outcomes in later school years. Therefore, it is crucial
18 that the implications of chronic absence be understood and
19 reviewed regularly under the Preschool for All Program and
20 Preschool for All Expansion Program under Section 15-30 of
21 this Act.

22 (c) The Preschool for All Program and Preschool for All
23 Expansion Program under Section 15-30 of this Act shall
24 collect and review its chronic absence data and determine what
25 support and resources are needed to positively engage

1 chronically absent students and their families to encourage
2 the habit of daily attendance and promote success.

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

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

8 (2) Make resources available to families, such as
9 those available through the State Board of Education's
10 Family Engagement Framework, to support and encourage
11 families to ensure their children's daily program
12 attendance.

13 (3) Include information about chronic absenteeism as
14 part of their preschool to kindergarten transition
15 resources.

16 (e) On or before July 1, 2020, and annually thereafter
17 through June 30, 2026, the Preschool for All Program and
18 Preschool for All Expansion Program shall report all data
19 collected under subsection (c) of this Section to the State
20 Board of Education, which shall make the report publicly
21 available via the Illinois Early Childhood Asset Map Internet
22 website and the Preschool for All Program or Preschool for All
23 Expansion Program triennial report.

24 (e-5) On and after July 1, 2026, the Department of Early
25 Childhood shall collect and review its chronic absence data
26 and determine what support and resources are needed to

1 positively engage chronically absent students and their
2 families to encourage the habit of daily attendance and
3 promote success. The Department shall report all data
4 collected and make a report publicly available via the
5 Illinois Early Childhood Asset Map Internet website and the
6 Preschool for All Program or Preschool for All Expansion
7 Program triennial report.

8 Section 15-40. Restrictions on prekindergarten
9 assessments.

10 (a) In this Section:

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

24 "Standardized assessment" means an assessment that
25 requires all student test takers to answer the same questions,

1 or a selection of questions from a common bank of questions, in
2 the same manner or substantially the same questions in the
3 same manner. "Standardized assessment" does not include an
4 observational assessment tool used to satisfy the requirements
5 of Section 2-3.64a-10 of the School Code.

6 (b) Consistent with Section 2-3.64a-15 of the School Code,
7 the Department of Early Childhood may not develop, purchase,
8 or require a school district to administer, develop, or
9 purchase a standardized assessment for students enrolled or
10 preparing to enroll in prekindergarten, other than for
11 diagnostic and screening purposes.

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

17 (d) Nothing in this Section shall be construed to limit
18 the ability of a classroom teacher or school district to
19 develop, purchase, administer, or score an assessment for an
20 individual classroom, grade level, or group of grade levels in
21 any subject area in prekindergarten.

22 (e) Nothing in this Section limits procedures used by a
23 school or school district for child find under 34 CFR
24 300.111(c) or evaluation under 34 CFR 300.304.

25 (f) Nothing in this Section restricts the use of an annual
26 assessment of English proficiency of all English learners to

1 comply with Section 1111(b)(2)(G) of the federal Elementary
2 and Secondary Education Act of 1965.

3 Section 15-45. Grants for early childhood parental
4 training programs. On and after July 1, 2026, the Department
5 of Early Childhood shall implement and administer a grant
6 program consisting of grants to public school districts and
7 other eligible entities, as defined by the Department, to
8 conduct early childhood parental training programs for the
9 parents of children in the period of life from birth to
10 kindergarten. A public school district that receives grants
11 under this Section may contract with other eligible entities
12 to conduct an early childhood parental training program. These
13 grants must be used to supplement, not supplant, funds
14 received from any other source. A school board or other
15 eligible entity shall employ appropriately qualified personnel
16 for its early childhood parental training program, including
17 but not limited to certified teachers, counselors,
18 psychiatrists, psychologists and social workers.

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

- 21 (1) Child growth and development, including prenatal
22 development.
- 23 (2) Childbirth and child care.
- 24 (3) Family structure, function and management.
- 25 (4) Prenatal and postnatal care for mothers and

1 infants.

2 (5) Prevention of child abuse.

3 (6) The physical, mental, emotional, social, economic
4 and psychological aspects of interpersonal and family
5 relationships.

6 (7) Parenting skill development.

7 The programs shall include activities that require
8 substantial participation and interaction between parent and
9 child.

10 (b) The Department shall annually award funds through a
11 grant approval process established by the Department,
12 providing that an annual appropriation is made for this
13 purpose from State, federal or private funds. Nothing in this
14 Section shall preclude school districts from applying for or
15 accepting private funds to establish and implement programs.

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

21 (d) School districts and other eligible entities may offer
22 early childhood parental training courses during that period
23 of the day which is not part of the regular school day.
24 Residents of the community may enroll in such courses. The
25 school board or other eligible entity may establish fees and
26 collect such charges as may be necessary for attendance at

1 such courses in an amount not to exceed the per capita cost of
2 the operation thereof, except that the board or other eligible
3 entity may waive all or part of such charges if it determines
4 that the parent is indigent or that the educational needs of
5 the parent require his or her attendance at such courses.

6 (e) Parents who participate in early childhood parental
7 training programs under this Section may be eligible for
8 reasonable reimbursement of any incidental transportation and
9 child care expenses from the school district receiving funds
10 pursuant to this Section.

11 (f) Districts and other eligible entities receiving grants
12 pursuant to this Section shall coordinate programs created
13 under this Section with other preschool educational programs,
14 including "at-risk" preschool programs, special and vocational
15 education, and related services provided by other governmental
16 agencies and not-for-profit agencies.

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

20 Section 15-50. Early childhood construction grants.

21 (a) The Capital Development Board is authorized to make
22 grants to public school districts and not-for-profit entities
23 for early childhood construction projects, except that in
24 Fiscal Year 2024 those grants may be made only to public school
25 districts. These grants shall be paid out of moneys

1 appropriated for that purpose from the School Construction
2 Fund, the Build Illinois Bond Fund, or the Rebuild Illinois
3 Projects Fund. No grants may be awarded to entities providing
4 services within private residences. A public school district
5 or other eligible entity must provide local matching funds in
6 the following manner:

7 (1) A public school district assigned to Tier 1 under
8 Section 18-8.15 of the School Code or any other eligible
9 entity in an area encompassed by that district must
10 provide local matching funds in an amount equal to 3% of
11 the grant awarded under this Section.

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

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

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

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

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

7 (1) the manner of applying for grants;

8 (2) project eligibility requirements;

9 (3) restrictions on the use of grant moneys;

10 (4) the manner in which school districts and other
11 eligible entities must account for the use of grant
12 moneys;

13 (5) requirements that new or improved facilities be
14 used for early childhood and other related programs for a
15 period of at least 10 years; and

16 (6) any other provision that the Capital Development
17 Board determines to be necessary or useful for the
18 administration of this Section.

19 (b-5) When grants are made to non-profit corporations for
20 the acquisition or construction of new facilities, the Capital
21 Development Board or any State agency it so designates shall
22 hold title to or place a lien on the facility for a period of
23 10 years after the date of the grant award, after which title
24 to the facility shall be transferred to the non-profit
25 corporation or the lien shall be removed, provided that the
26 non-profit corporation has complied with the terms of its

1 grant agreement. When grants are made to non-profit
2 corporations for the purpose of renovation or rehabilitation,
3 if the non-profit corporation does not comply with item (5) of
4 subsection (b) of this Section, the Capital Development Board
5 or any State agency it so designates shall recover the grant
6 pursuant to the procedures outlined in the Illinois Grant
7 Funds Recovery Act.

8 (c) On and after July 1, 2026, the Capital Development
9 Board, in consultation with the Department of Early Childhood,
10 shall establish standards for the determination of priority
11 needs concerning early childhood projects based on projects
12 located in communities in the State with the greatest
13 underserved population of young children, utilizing Census
14 data and other reliable local early childhood service data.

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

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

23 (a) Findings; policies.

24 (1) The General Assembly finds that social and
25 emotional development is a core, developmental domain in

1 young children and is codified in the Illinois Early
2 Learning Standards.

3 (2) Fostering social and emotional development in,
4 early childhood means both providing the supportive
5 settings and interactions to maximize healthy social and
6 emotional development for all children, as well as
7 providing communities, programs, and providers with
8 systems of tiered supports with training to respond to
9 more significant social and emotional challenges or where
10 experiences of trauma may be more prevalent.

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

1 challenging behaviors will create systems for serving
2 children that are informed in developmentally appropriate
3 and responsive supports.

4 (4) Studies have shown that the expulsion of infants,
5 toddlers, and young children in early care and education
6 settings is occurring at alarmingly high rates, more than
7 3 times that of students in K-12; further, expulsion
8 occurs more frequently for Black children and Latinx
9 children and more frequently for boys than for girls, with
10 Black boys being most frequently expelled; there is
11 evidence to show that the expulsion of Black girls is
12 occurring with increasing frequency.

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

26 (6) I/ECMHC is a critical component needed to align

1 social-emotional well-being with the public health model
2 of promotion, prevention, and intervention across early
3 care and education systems.

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

6 (1) the State to increase the availability of
7 Infant/Early Childhood Mental Health Consultations
8 (I/ECMHC) through increased funding in early childhood
9 programs and sustainable funding for coordination of
10 I/ECMHC and other social and emotional support at the
11 State level;

12 (2) the Department of Early Childhood, the Department
13 of Human Services, the Illinois State Board of Education,
14 and other 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 the Department of Early
24 Childhood, the Department of Human Services, the Illinois
25 State Board of Education, and other relevant State
26 agencies to coordinate efforts and develop strategies to

1 provide outreach to and support providers in underserved
2 communities and communities with fewer programmatic
3 resources; and

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

7 ARTICLE 20. POWERS AND DUTIES RELATING TO CHILD CARE AND DAY
8 CARE LICENSING

9 Section 20-5. Transition. Beginning July 1, 2024, the
10 Department of Early Childhood and the Department of Human
11 Services shall collaborate and plan for the transition of
12 child care services for children established in Section 5.15
13 of the Children and Family Services Act.

14 Section 20-10. Child care.

15 (a) The General Assembly recognizes that families with
16 children need child care in order to work. Child care is
17 expensive and families with limited access to economic
18 resources, including those who are transitioning from welfare
19 to work, often struggle to pay the costs of day care. The
20 General Assembly understands the importance of helping working
21 families with limited access to economic resources become and
22 remain self-sufficient. The General Assembly also believes
23 that it is the responsibility of families to share in the costs

1 of child care. It is also the preference of the General
2 Assembly that all working families with limited access to
3 economic resources should be treated equally, regardless of
4 their welfare status.

5 (b) On and after July 1, 2026, to the extent resources
6 permit, the Illinois Department of Early Childhood shall
7 provide child care services to parents or other relatives as
8 defined by rule who are working or participating in employment
9 or Department approved education or training programs as
10 prescribed in Section 9A-11 of the Illinois Public Aid Code.

11 (c) Smart Start Child Care Program. Through June 30, 2026,
12 subject to appropriation, the Department of Human Services
13 shall establish and administer the Smart Start Child Care
14 Program. On and after July 1, 2026, the Department of Early
15 Childhood shall administer the Smart Start Child Care Program.
16 The Smart Start Child Care Program shall focus on creating
17 affordable child care, as well as increasing access to child
18 care, for Illinois residents and may include, but is not
19 limited to, providing funding to increase preschool
20 availability, providing funding for childcare workforce
21 compensation or capital investments, and expanding funding for
22 Early Childhood Access Consortium for Equity Scholarships. The
23 Department with authority to administer the Smart Start Child
24 Care Program shall establish program eligibility criteria,
25 participation conditions, payment levels, and other program
26 requirements by rule. The Department with authority to

1 administer the Smart Start Child Care Program may consult with
2 the Capital Development Board, the Department of Commerce and
3 Economic Opportunity, the State Board of Education, and the
4 Illinois Housing Development Authority, and other state
5 agencies as determined by the Department in the management and
6 disbursement of funds for capital-related projects. The
7 Capital Development Board, the Department of Commerce and
8 Economic Opportunity, the State Board of Education, and the
9 Illinois Housing Development Authority, and other state
10 agencies as determined by the Department shall act in a
11 consulting role only for the evaluation of applicants, scoring
12 of applicants, or administration of the grant program.

13 Section 20-15. Day care services.

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

1 approval of the plan.

2 The plan shall include methods and procedures for the
3 development of additional day care resources for children to
4 meet the goal of reducing short-run and long-run dependency
5 and to provide necessary enrichment and stimulation to the
6 education of young children. Recommendations shall be made for
7 State policy on optimum use of private and public, local,
8 State and federal resources, including an estimate of the
9 resources needed for the licensing and regulation of day care
10 facilities.

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

18 (1) An assessment of the child care services, needs
19 and available resources throughout the State and an
20 assessment of the adequacy of existing child care
21 services, including, but not limited to, services assisted
22 under this Act and under any other program administered by
23 other State agencies.

24 (2) A survey of day care facilities to determine the
25 number of qualified caregivers, as defined by rule,
26 attracted to vacant positions and any problems encountered

1 by facilities in attracting and retaining capable
2 caregivers. The report shall include an assessment, based
3 on the survey, of improvements in employee benefits that
4 may attract capable caregivers.

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

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

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

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

16 (b) The Department of Early Childhood shall establish
17 policies and procedures for developing and implementing
18 interagency agreements with other agencies of the State
19 providing child care services or reimbursement for such
20 services. The plans shall be annually reviewed and modified
21 for the purpose of addressing issues of applicability and
22 service system barriers.

23 (c) In cooperation with other State agencies, the
24 Department of Early Childhood shall develop and implement, or
25 shall continue, a resource and referral system for the State
26 of Illinois either within the Department or by contract with

1 local or regional agencies. Funding for implementation of this
2 system may be provided through Department appropriations or
3 other interagency funding arrangements. The resource and
4 referral system shall provide at least the following services:

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

7 (2) Providing information and referrals for parents.

8 (3) Coordinating the development of new child care
9 resources.

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

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

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

16 (1) Development of voluntary day care resources
17 wherever possible, with the provision for grants-in-aid
18 only where demonstrated to be useful and necessary as
19 incentives or supports. The Department shall design a plan
20 to create more child care slots as well as goals and
21 timetables to improve quality and accessibility of child
22 care.

23 (2) Emphasis on service to children of recipients of
24 public assistance when such service will allow training or
25 employment of the parent toward achieving the goal of
26 independence.

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

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

6 (5) Location of centers in economically depressed
7 neighborhoods, preferably in multi-service centers with
8 cooperation of other agencies. The Department shall
9 coordinate the provision of grants, but only to the extent
10 funds are specifically appropriated for this purpose, to
11 encourage the creation and expansion of child care centers
12 in high need communities to be issued by the State,
13 business, and local governments.

14 (6) Use of existing facilities free of charge or for
15 reasonable rental whenever possible in lieu of
16 construction.

17 (7) Development of strategies for assuring a more
18 complete range of day care options, including provision of
19 day care services in homes, in schools, or in centers,
20 which will enable parents to complete a course of
21 education or obtain or maintain employment and the
22 creation of more child care options for swing shift,
23 evening, and weekend workers and for working women with
24 sick children. The Department shall encourage companies to
25 provide child care in their own offices or in the building
26 in which the corporation is located so that employees of

1 all the building's tenants can benefit from the facility.

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

4 (9) Continuation and expansion of service programs
5 that assist teen parents to continue and complete their
6 education.

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

11 (e) The Department of Early Childhood shall actively
12 stimulate the development of public and private resources at
13 the local level. It shall also seek the fullest utilization of
14 federal funds directly or indirectly available to the
15 Department. Where appropriate, existing non-governmental
16 agencies or associations shall be involved in planning by the
17 Department.

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

1 State, for the purpose of employment in agricultural
2 activities.

3 Section 20-25. Licensing day care facilities.

4 (a) Beginning July 1, 2024, the Department of Early
5 Childhood and the Department of Children and Family Services
6 shall collaborate and plan for the transition of
7 administrative responsibilities related to licensing day care
8 centers, day care homes, and group day care homes as
9 prescribed throughout the Child Care Act of 1969.

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

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

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

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

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

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 Department
10 of Early Childhood on and after July 1, 2026, any other workers
11 who, on account of their work schedule, need child care
12 outside of the hours when licensed child care facilities
13 typically operate.

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

1 program.

2 Section 20-35. Great START program.

3 (a) Through June 30, 2026, the Department of Human
4 Services shall, subject to a specific appropriation for this
5 purpose, operate a Great START (Strategy To Attract and Retain
6 Teachers) program. The goal of the program is to improve
7 children's developmental and educational outcomes in child
8 care by encouraging increased professional preparation by
9 staff and staff retention. The Great START program shall
10 coordinate with the TEACH professional development program.

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

23 (b) On and after July 1, 2026, the Department of Early
24 Childhood shall, subject to a specific appropriation for this
25 purpose, operate a Great START program. The goal of the

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

6 The program shall provide wage supplements and may include
7 other incentives to licensed child care center personnel,
8 including early childhood teachers, school-age workers, early
9 childhood assistants, school-age assistants, and directors, as
10 such positions are defined by administrative rule by the
11 Department pursuant to subsections (a) and this subsection.

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

1 particular wage supplement level.

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

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

10 Section 20-40. Programs to train low-income older persons
11 to be child care workers. On and after July 1, 2026, the
12 Department of Early Childhood may, in conjunction with
13 colleges or universities in this State, establish programs to
14 train low-income older persons to be child care workers. The
15 Department shall prescribe, by rule:

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

18 (b) standards for such programs to ensure that such
19 programs train participants to be skilled workers for the
20 child care industry.

21 Section 20-45. Home child care demonstration project;
22 conversion and renovation grants; Department of Early
23 Childhood.

24 (a) The General Assembly finds that the demand for quality

1 child care far outweighs the number of safe, quality spaces
2 for our children. The purpose of this Section is to increase
3 the number of child care providers by:

4 (1) developing a demonstration project to train
5 individuals to become home child care providers who are
6 able to establish and operate their own child care
7 facility; and

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

10 (b) On and after July 1, 2026, the Department of Early
11 Childhood may from appropriations from the Child Care
12 Development Block Grant establish a demonstration project to
13 train individuals to become home child care providers who are
14 able to establish and operate their own home-based child care
15 facilities. On and after July 1, 2026, the Department of Early
16 Childhood is authorized to use funds for this purpose from the
17 child care and development funds deposited into the DHS
18 Special Purposes Trust Fund as described in Section 12-10 of
19 the Illinois Public Aid Code or deposited into the Employment
20 and Training Fund as described in Section 12-10.3 of the
21 Illinois Public Aid Code. As an economic development program,
22 the project's focus is to foster individual self-sufficiency
23 through an entrepreneurial approach by the creation of new
24 jobs and opening of new small home-based child care
25 businesses. The demonstration project shall involve
26 coordination among State and county governments and the

1 private sector, including but not limited to: the community
2 college system, the Departments of Labor and Commerce and
3 Economic Opportunity, the State Board of Education, large and
4 small private businesses, non-profit programs, unions, and
5 child care providers in the State.

6 (c) On and after July 1, 2026, the Department of Early
7 Childhood may from appropriations from the Child Care
8 Development Block Grant provide grants to family child care
9 providers and center based programs to convert and renovate
10 existing facilities, to the extent permitted by federal law,
11 so additional family child care homes and child care centers
12 can be located in such facilities.

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

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

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

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

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

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

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

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

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

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

1 with the purpose of this 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
10 the 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 ARTICLE 80. TRANSITION PROVISIONS

6 Section 80-5. Transfer of functions. On and after July 1,
7 2026:

8 (a) The powers, duties, rights, and responsibilities
9 vested in the transferring agencies relating to early care and
10 education programs and services to children and families
11 transferred by this Act shall be vested in and shall be
12 exercised by the Department of Early Childhood.

13 (b) The personnel who are engaged in the performance of
14 functions transferred to the Department or who are engaged in
15 the administration of a law the administration of which is
16 transferred to the Department shall be employed by the
17 Department of Early Childhood and not the agency from which
18 the duties performed are transferred.

19 (c) All books, records, papers, documents, property (real
20 and personal), contracts, causes of action, and pending
21 business pertaining to the powers, duties, rights, and
22 responsibilities relating to functions transferred under this
23 Act to the Department of Early Childhood, including, but not
24 limited to, material in electronic or magnetic format and

1 necessary computer hardware and software, shall be transferred
2 to the Department.

3 (d) Whenever reports or notices are now required to be
4 made or given or papers or documents furnished or served by any
5 person in connection with any of the powers, duties, rights,
6 and responsibilities relating to functions transferred by this
7 Act, the same shall be made, given, furnished, or served in the
8 same manner to or upon the Department.

9 (e) This Act does not affect any act done, ratified, or
10 canceled or any right occurring or established or any action
11 or proceeding had or commenced in an administrative, civil, or
12 criminal cause by each transferring agency relating to
13 functions transferred by this Act before the transfer of
14 responsibilities; such actions or proceedings may be
15 prosecuted and continued by the Department.

16 Section 80-10. Rules and standards.

17 (a) The rules and standards of the Department's
18 predecessor agencies that are in effect on June 30, 2026 and
19 pertain to the rights, powers, duties, and functions
20 transferred to the Department under this Act shall become the
21 rules and standards of the Department of Early Childhood on
22 July 1, 2026 and shall continue in effect until amended or
23 repealed by the Department.

24 (b) Any rules pertaining to the rights, powers, duties,
25 and functions transferred to the Department under this Act

1 that have been proposed by a predecessor agency but have not
2 taken effect or been finally adopted by June 30, 2026 shall
3 become proposed rules of the Department of Early Childhood on
4 July 1, 2026, and any rulemaking procedures that have already
5 been completed by the predecessor agency for those proposed
6 rules need not be repeated.

7 (c) As soon as practical after July 1, 2026, the
8 Department of Early Childhood shall revise and clarify the
9 rules transferred to it under this Act to reflect the
10 reorganization of rights, powers, duties, and functions
11 effected by this Act using the procedures for recodification
12 of rules available under the Illinois Administrative Procedure
13 Act, except that existing Title, Part, and Section numbering
14 for the affected rules may be retained. The Department may
15 propose and adopt under the Illinois Administrative Procedure
16 Act such other rules as may be necessary to consolidate and
17 clarify the rules of the agencies reorganized by this Act.

18 Section 80-15. Savings provisions.

19 (a) The rights, powers, duties, and functions transferred
20 to the Department of Early Childhood by this Act shall be
21 vested in and exercised by the Department subject to the
22 provisions of this Act. An act done by the Department or an
23 officer, employee, or agent of the Department in the exercise
24 of the transferred rights, powers, duties, or functions shall
25 have the same legal effect as if done by the predecessor agency

1 or an officer, employee, or agent of the predecessor agency.

2 (b) The transfer of rights, powers, duties, and functions
3 to the Department of Early Childhood under this Act does not
4 invalidate any previous action taken by or in respect to any of
5 its predecessor agencies or their officers, employees, or
6 agents. References to those predecessor agencies or their
7 officers, employees or agents in any document, contract,
8 agreement, or law shall, in appropriate contexts, be deemed to
9 refer to the Department or its officers, employees, or agents.

10 (c) The transfer of rights, powers, duties, and functions
11 to the Department of Early Childhood under this Act does not
12 affect any person's rights, obligations, or duties, including
13 any civil or criminal penalties applicable thereto, arising
14 out of those transferred rights, powers, duties, and
15 functions.

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

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

24 (2) Beginning July 1, 2026, a document that was
25 previously required to be furnished or served by any
26 person to or upon a predecessor agency or any of its

1 officers, employees, or agents shall be furnished or
2 served in the same manner to or upon the Department or its
3 appropriate officer, employee, or agent.

4 (e) This Act does not affect any act done, ratified, or
5 canceled, any right occurring or established, or any action or
6 proceeding had or commenced in an administrative, civil, or
7 criminal cause before July 1, 2026. Any such action or
8 proceeding that pertains to a right, power, duty, or function
9 transferred to the Department of Early Childhood under this
10 Act and that is pending on that date may be prosecuted,
11 defended, or continued by the Department of Early Childhood.

12 ARTICLE 90. AMENDATORY PROVISIONS

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

16 (20 ILCS 5/5-10) (was 20 ILCS 5/2.1)

17 Sec. 5-10. "Director". As used in the Civil Administrative
18 Code of Illinois, unless the context clearly indicates
19 otherwise, the word "director" means the several directors of
20 the departments of State government as designated in Section
21 5-20 of this Law and includes the Secretary of Early
22 Childhood, the Secretary of Financial and Professional
23 Regulation, the Secretary of Innovation and Technology, the

1 Secretary of Human Services, and the Secretary of
2 Transportation.

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

4 (20 ILCS 5/5-15) (was 20 ILCS 5/3)

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

7 The Department on Aging.

8 The Department of Agriculture.

9 The Department of Central Management Services.

10 The Department of Children and Family Services.

11 The Department of Commerce and Economic Opportunity.

12 The Department of Corrections.

13 The Department of Early Childhood.

14 The Department of Employment Security.

15 The Illinois Emergency Management Agency.

16 The Department of Financial and Professional Regulation.

17 The Department of Healthcare and Family Services.

18 The Department of Human Rights.

19 The Department of Human Services.

20 The Department of Innovation and Technology.

21 The Department of Insurance.

22 The Department of Juvenile Justice.

23 The Department of Labor.

24 The Department of the Lottery.

25 The Department of Natural Resources.

1 The Department of Public Health.
2 The Department of Revenue.
3 The Illinois State Police.
4 The Department of Transportation.
5 The Department of Veterans' Affairs.
6 (Source: P.A. 102-538, eff. 8-20-21.)

7 (20 ILCS 5/5-20) (was 20 ILCS 5/4)

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

14 The following officers are hereby created:

15 Director of Aging, for the Department on Aging.

16 Director of Agriculture, for the Department of
17 Agriculture.

18 Director of Central Management Services, for the
19 Department of Central Management Services.

20 Director of Children and Family Services, for the
21 Department of Children and Family Services.

22 Director of Commerce and Economic Opportunity, for the
23 Department of Commerce and Economic Opportunity.

24 Director of Corrections, for the Department of
25 Corrections.

1 Director of the Illinois Emergency Management Agency, for
2 the Illinois Emergency Management Agency.

3 Secretary of Early Childhood, for the Department of Early
4 Childhood.

5 Director of Employment Security, for the Department of
6 Employment Security.

7 Secretary of Financial and Professional Regulation, for
8 the Department of Financial and Professional Regulation.

9 Director of Healthcare and Family Services, for the
10 Department of Healthcare and Family Services.

11 Director of Human Rights, for the Department of Human
12 Rights.

13 Secretary of Human Services, for the Department of Human
14 Services.

15 Secretary of Innovation and Technology, for the Department
16 of Innovation and Technology.

17 Director of Insurance, for the Department of Insurance.

18 Director of Juvenile Justice, for the Department of
19 Juvenile Justice.

20 Director of Labor, for the Department of Labor.

21 Director of the Lottery, for the Department of the
22 Lottery.

23 Director of Natural Resources, for the Department of
24 Natural Resources.

25 Director of Public Health, for the Department of Public
26 Health.

1 Director of Revenue, for the Department of Revenue.

2 Director of the Illinois State Police, for the Illinois
3 State Police.

4 Secretary of Transportation, for the Department of
5 Transportation.

6 Director of Veterans' Affairs, for the Department of
7 Veterans' Affairs.

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

9 (20 ILCS 5/5-126 new)

10 Sec. 5-126. In the Department of Early Childhood.
11 Secretary and Assistant Secretaries of Early Childhood.

12 (20 ILCS 5/5-336 new)

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

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

1 (20 ILCS 505/5.15)

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

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

16 The plan shall include methods and procedures for the
17 development of additional day care resources for children to
18 meet the goal of reducing short-run and long-run dependency
19 and to provide necessary enrichment and stimulation to the
20 education of young children. Recommendations shall be made for
21 State policy on optimum use of private and public, local,
22 State and federal resources, including an estimate of the
23 resources needed for the licensing and regulation of day care
24 facilities.

25 A written report shall be submitted to the Governor and
26 the General Assembly annually on April 15. The report shall

1 include an evaluation of developments over the preceding
2 fiscal year, including cost-benefit analyses of various
3 arrangements. Beginning with the report in 1990 submitted by
4 the Department's predecessor agency and every 2 years
5 thereafter, the report shall also include the following:

6 (1) An assessment of the child care services, needs
7 and available resources throughout the State and an
8 assessment of the adequacy of existing child care
9 services, including, but not limited to, services assisted
10 under this Act and under any other program administered by
11 other State agencies.

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

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

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

26 (5) Recommendations for increasing caregiver wages and

1 salaries to ensure quality care for children.

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

4 The requirement for reporting to the General Assembly
5 shall be satisfied by filing copies of the report as required
6 by Section 3.1 of the General Assembly Organization Act, and
7 filing such additional copies with the State Government Report
8 Distribution Center for the General Assembly as is required
9 under paragraph (t) of Section 7 of the State Library Act.

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

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

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

1 (2) Providing information and referrals for parents.

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

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

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

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

10 (1) Development of voluntary day care resources
11 wherever possible, with the provision for grants-in-aid
12 only where demonstrated to be useful and necessary as
13 incentives or supports. By January 1, 2002, the Department
14 shall design a plan to create more child care slots as well
15 as goals and timetables to improve quality and
16 accessibility of child care.

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

21 (3) (Blank).

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

25 (5) Expansion of family day care facilities wherever
26 possible.

1 (6) Location of centers in economically depressed
2 neighborhoods, preferably in multi-service centers with
3 cooperation of other agencies. The Department shall
4 coordinate the provision of grants, but only to the extent
5 funds are specifically appropriated for this purpose, to
6 encourage the creation and expansion of child care centers
7 in high need communities to be issued by the State,
8 business, and local governments.

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

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

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

25 (10) Continuation and expansion of service programs
26 that assist teen parents to continue and complete their

1 education.

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

6 (e) The Department of Human Services shall actively
7 stimulate the development of public and private resources at
8 the local level. It shall also seek the fullest utilization of
9 federal funds directly or indirectly available to the
10 Department.

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

13 (f) To better accommodate the child care needs of low
14 income working families, especially those who receive
15 Temporary Assistance for Needy Families (TANF) or who are
16 transitioning from TANF to work, or who are at risk of
17 depending on TANF in the absence of child care, the Department
18 shall complete a study using outcome-based assessment
19 measurements to analyze the various types of child care needs,
20 including but not limited to: child care homes; child care
21 facilities; before and after school care; and evening and
22 weekend care. Based upon the findings of the study, the
23 Department shall develop a plan by April 15, 1998, that
24 identifies the various types of child care needs within
25 various geographic locations. The plan shall include, but not
26 be limited to, the special needs of parents and guardians in

1 need of non-traditional child care services such as early
2 mornings, evenings, and weekends; the needs of very low income
3 families and children and how they might be better served; and
4 strategies to assist child care providers to meet the needs
5 and schedules of low income families.

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

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

8 (20 ILCS 505/5.20)

9 Sec. 5.20. Child care for former public aid recipients;
10 Department of Human Services. The Department of Human Services
11 may provide child care services to former recipients of
12 assistance under the Illinois Public Aid Code as authorized by
13 Section 9-6.3 of that Code. This Section is repealed on July 1,
14 2026.

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

16 (20 ILCS 505/22.1) (from Ch. 23, par. 5022.1)

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

19 (a) Blank.

20 (b) Blank.

21 (c) The Department of Human Services shall establish and
22 operate day care facilities for the children of migrant
23 workers in areas of the State where they are needed. The
24 Department may provide these day care services by contracting

1 with private centers if practicable. "Migrant worker" means
2 any person who moves seasonally from one place to another,
3 within or without the State, for the purpose of employment in
4 agricultural activities. This Section is repealed on July 1,
5 2026.

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

7 (20 ILCS 505/34.9) (from Ch. 23, par. 5034.9)

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

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

14 (b) standards for such programs to ensure that such
15 programs train participants to be skilled workers for the
16 child care industry.

17 This Section is repealed on July 1, 2026.

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

19 (20 ILCS 505/34.10) (from Ch. 23, par. 5034.10)

20 Sec. 34.10. Home child care demonstration project;
21 conversion and renovation grants; Department of Human
22 Services.

23 (a) The legislature finds that the demand for quality
24 child care far outweighs the number of safe, quality spaces

1 for our children. The purpose of this Section is to increase
2 the number of child care providers by:

3 (1) developing a demonstration project to train
4 individuals to become home child care providers who are
5 able to establish and operate their own child care
6 facility; and

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

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

1 Commerce and Economic Opportunity, the State Board of
2 Education, large and small private businesses, nonprofit
3 programs, unions, and child care providers in the State.

4 The Department shall submit:

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

8 (2) a final evaluation report on the demonstration
9 project, including findings and recommendations, to the
10 legislature by one year after the due date of the progress
11 report.

12 (c) The Department of Human Services may from
13 appropriations from the Child Care Development Block Grant
14 provide grants to family child care providers and center based
15 programs to convert and renovate existing facilities, to the
16 extent permitted by federal law, so additional family child
17 care homes and child care centers can be located in such
18 facilities.

19 (1) Applications for grants shall be made to the
20 Department and shall contain information as the Department
21 shall require by rule. Every applicant shall provide
22 assurance to the Department that:

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

26 (B) any family child care home or child care

1 center program located in a renovated or improved
2 facility shall be licensed by the Department;

3 (C) the program shall comply with applicable
4 federal and State laws prohibiting discrimination
5 against any person on the basis of race, color,
6 national origin, religion, creed, or sex;

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

9 (E) the applicant shall comply with any other
10 requirement the Department may prescribe to ensure
11 adherence to applicable federal, State, and county
12 laws;

13 (F) all renovations and improvements undertaken
14 with funds received under this Section shall comply
15 with all applicable State and county statutes and
16 ordinances including applicable building codes and
17 structural requirements of the Department; and

18 (G) the applicant shall indemnify and save
19 harmless the State and its officers, agents, and
20 employees from and against any and all claims arising
21 out of or resulting from the renovation and
22 improvements made with funds provided by this Section,
23 and, upon request of the Department, the applicant
24 shall procure sufficient insurance to provide that
25 indemnification.

26 (2) To receive a grant under this Section to convert

1 an existing facility into a family child care home or
2 child care center facility, the applicant shall:

3 (A) agree to make available to the Department of
4 Human Services all records it may have relating to the
5 operation of any family child care home and child care
6 center facility, and to allow State agencies to
7 monitor its compliance with the purpose of this
8 Section;

9 (B) agree that, if the facility is to be altered or
10 improved, or is to be used by other groups, moneys
11 appropriated by this Section shall be used for
12 renovating or improving the facility only to the
13 proportionate extent that the floor space will be used
14 by the child care program; and

15 (C) establish, to the satisfaction of the
16 Department that sufficient funds are available for the
17 effective use of the facility for the purpose for
18 which it is being renovated or improved.

19 (3) In selecting applicants for funding, the
20 Department shall make every effort to ensure that family
21 child care home or child care center facilities are
22 equitably distributed throughout the State according to
23 demographic need. The Department shall give priority
24 consideration to rural/Downstate areas of the State that
25 are currently experiencing a shortage of child care
26 services.

1 (4) In considering applications for grants to renovate
2 or improve an existing facility used for the operations of
3 a family child care home or child care center, the
4 Department shall give preference to applications to
5 renovate facilities most in need of repair to address
6 safety and habitability concerns. No grant shall be
7 disbursed unless an agreement is entered into between the
8 applicant and the State, by and through the Department.
9 The agreement shall include the assurances and conditions
10 required by this Section and any other terms which the
11 Department may require.

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

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

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

17 (20 ILCS 1305/1-75)

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

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

20 (1) Finding child care can be a challenge for
21 firefighters, paramedics, police officers, nurses, and
22 other third shift workers across the State who often work
23 non-typical work hours. This can impact home life, school,
24 bedtime routines, job safety, and the mental health of

1 some of our most critical front line workers and their
2 families.

3 (2) There is a need for increased options for
4 off-hours child care in the State. A majority of the
5 State's child care facilities do not provide care outside
6 of normal work hours, with just 3,251 day care homes and
7 435 group day care homes that provide night care.

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

13 (b) As used in this Section, "first responders" means
14 emergency medical services personnel as defined in the
15 Emergency Medical Services (EMS) Systems Act, firefighters,
16 law enforcement officers, and, as determined by the
17 Department, any other workers who, on account of their work
18 schedule, need child care outside of the hours when licensed
19 child care facilities typically operate.

20 (c) Subject to appropriation, the Department of Human
21 Services shall establish and administer an Off-Hours Child
22 Care Program to help first responders and other workers
23 identify and access off-hours, night, or sleep time child
24 care. Services funded under the program must address the child
25 care needs of first responders. Funding provided under the
26 program may also be used to cover any capital and operating

1 expenses related to the provision of off-hours, night, or
2 sleep time child care for first responders. Funding awarded
3 under this Section shall be funded through appropriations from
4 the Off-Hours Child Care Program Fund created under subsection
5 (d). The Department shall implement the program by July 1,
6 2023. The Department may adopt any rules necessary to
7 implement the program.

8 (d) The Off-Hours Child Care Program Fund is created as a
9 special fund in the State treasury. The Fund shall consist of
10 any moneys appropriated to the Department of Human Services
11 for the Off-Hours Child Care Program. Moneys in the Fund shall
12 be expended for the Off-Hours Child Care Program and for no
13 other purpose. All interest earned on moneys in the Fund shall
14 be deposited into the Fund.

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

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

17 (20 ILCS 1305/10-16)

18 Sec. 10-16. Home visiting program.

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

23 (b) The Department shall establish a home visiting program
24 to support communities in providing intensive home visiting
25 programs to pregnant persons and families with children from

1 birth up to elementary school enrollment. Services shall be
2 offered on a voluntary basis to families. In awarding grants
3 under the program, the Department shall prioritize populations
4 or communities in need of such services, as determined by the
5 Department, based on data including, but not limited to,
6 statewide home visiting needs assessments. Eligibility under
7 the program shall also take into consideration requirements of
8 the federal Maternal, Infant, and Early Childhood Home
9 Visiting Program and Head Start and Early Head Start to ensure
10 appropriate alignment. The overall goals for these services
11 are to:

12 (1) improve maternal and newborn health;

13 (2) prevent child abuse and neglect;

14 (3) promote children's development and readiness to
15 participate in school; and

16 (4) connect families to needed community resources and
17 supports.

18 (b) Allowable uses of funding include:

19 (1) Grants to community-based organizations to
20 implement home visiting and family support services with
21 fidelity to research-informed home visiting program
22 models, as defined by the Department. Services may
23 include, but are not limited to:

24 (A) personal visits with a child and the child's
25 parent or caregiver at a periodicity aligned with the
26 model being implemented;

1 (B) opportunities for connections with other
2 parents and caregivers in their community and other
3 social and community supports;

4 (C) enhancements to research-informed home
5 visiting program models based on community needs
6 including doula services, and other program
7 innovations as approved by the Department; and

8 (D) referrals to other resources needed by
9 families.

10 (2) Infrastructure supports for grantees, including,
11 but not limited to, professional development for the
12 workforce, technical assistance and capacity-building,
13 data system and supports, infant and early childhood
14 mental health consultation, trauma-informed practices,
15 research, universal newborn screening, and coordinated
16 intake.

17 (c) Subject to appropriation, the Department shall award
18 grants to community-based agencies in accordance with this
19 Section and any other rules that may be adopted by the
20 Department. Successful grantees under this program shall
21 comply with policies and procedures on program, data, and
22 expense reporting as developed by the Department.

23 (d) Funds received under this Section shall supplement,
24 not supplant, other existing or new federal, State, or local
25 sources of funding for these services. Any new federal funding
26 received shall supplement and not supplant funding for this

1 program.

2 (e) The Department shall collaborate with relevant
3 agencies to support the coordination and alignment of home
4 visiting services provided through other State and federal
5 funds, to the extent possible. The Department shall
6 collaborate with the State Board of Education, the Department
7 of Healthcare and Family Services, and Head Start and Early
8 Head Start in the implementation of these services to support
9 alignment with home visiting services provided through the
10 Early Childhood Block Grant and the State's Medical Assistance
11 Program, respectively, to the extent possible.

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

26 (g) The Department may adopt any rules necessary to

1 implement this Section.

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

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

4 (20 ILCS 1305/10-22)

5 Sec. 10-22. Great START program.

6 (a) The Department of Human Services shall, subject to a
7 specific appropriation for this purpose, operate a Great START
8 (Strategy To Attract and Retain Teachers) program. The goal of
9 the program is to improve children's developmental and
10 educational outcomes in child care by encouraging increased
11 professional preparation by staff and staff retention. The
12 Great START program shall coordinate with the TEACH
13 professional development program.

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

1 (b) (Blank).

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

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

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

25 (d) (Blank).

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

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

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

4 (20 ILCS 3933/10)

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

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

18 (2) The chief administrators of the following State
19 agencies: Department of Early Childhood, State Board of
20 Education; Department of Human Services; Department of
21 Children and Family Services; Department of Public Health;
22 Department of Healthcare and Family Services; Board of
23 Higher Education; and Illinois Community College Board.

24 (3) Local government stakeholders and nongovernment

1 stakeholders with an interest in early childhood care and
2 education, including representation from the following
3 private-sector fields and constituencies: early childhood
4 education and development; child care; child advocacy;
5 parenting support; local community collaborations among
6 early care and education programs and services; maternal
7 and child health; children with special needs; business;
8 labor; and law enforcement. The Governor shall designate
9 one of the members who is a nongovernment stakeholder to
10 serve as co-chairperson.

11 In addition, the Governor shall request that the Region V
12 office of the U.S. Department of Health and Human Services'
13 Administration for Children and Families appoint a member to
14 the Council to represent federal children's programs and
15 services.

16 Members appointed by General Assembly members and members
17 appointed by the Governor who are local government or
18 nongovernment stakeholders shall serve 3-year terms, except
19 that of the initial appointments, half of these members, as
20 determined by lot, shall be appointed to 2-year terms so that
21 terms are staggered. Members shall serve on a voluntary,
22 unpaid basis.

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

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

1 (30 ILCS 500/1-10)

2 Sec. 1-10. Application.

3 (a) This Code applies only to procurements for which
4 bidders, offerors, potential contractors, or contractors were
5 first solicited on or after July 1, 1998. This Code shall not
6 be construed to affect or impair any contract, or any
7 provision of a contract, entered into based on a solicitation
8 prior to the implementation date of this Code as described in
9 Article 99, including, but not limited to, any covenant
10 entered into with respect to any revenue bonds or similar
11 instruments. All procurements for which contracts are
12 solicited between the effective date of Articles 50 and 99 and
13 July 1, 1998 shall be substantially in accordance with this
14 Code and its intent.

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

18 (1) Contracts between the State and its political
19 subdivisions or other governments, or between State
20 governmental bodies, except as specifically provided in
21 this Code.

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

24 (3) Purchase of care, except as provided in Section
25 5-30.6 of the Illinois Public Aid Code and this Section.

1 (4) Hiring of an individual as an employee and not as
2 an independent contractor, whether pursuant to an
3 employment code or policy or by contract directly with
4 that individual.

5 (5) Collective bargaining contracts.

6 (6) Purchase of real estate, except that notice of
7 this type of contract with a value of more than \$25,000
8 must be published in the Procurement Bulletin within 10
9 calendar days after the deed is recorded in the county of
10 jurisdiction. The notice shall identify the real estate
11 purchased, the names of all parties to the contract, the
12 value of the contract, and the effective date of the
13 contract.

14 (7) Contracts necessary to prepare for anticipated
15 litigation, enforcement actions, or investigations,
16 provided that the chief legal counsel to the Governor
17 shall give his or her prior approval when the procuring
18 agency is one subject to the jurisdiction of the Governor,
19 and provided that the chief legal counsel of any other
20 procuring entity subject to this Code shall give his or
21 her prior approval when the procuring entity is not one
22 subject to the jurisdiction of the Governor.

23 (8) (Blank).

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

26 (10) (Blank).

1 (11) Public-private agreements entered into according
2 to the procurement requirements of Section 20 of the
3 Public-Private Partnerships for Transportation Act and
4 design-build agreements entered into according to the
5 procurement requirements of Section 25 of the
6 Public-Private Partnerships for Transportation Act.

7 (12) (A) Contracts for legal, financial, and other
8 professional and artistic services entered into by the
9 Illinois Finance Authority in which the State of Illinois
10 is not obligated. Such contracts shall be awarded through
11 a competitive process authorized by the members of the
12 Illinois Finance Authority and are subject to Sections
13 5-30, 20-160, 50-13, 50-20, 50-35, and 50-37 of this Code,
14 as well as the final approval by the members of the
15 Illinois Finance Authority of the terms of the contract.

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

26 (13) Contracts for services, commodities, and

1 equipment to support the delivery of timely forensic
2 science services in consultation with and subject to the
3 approval of the Chief Procurement Officer as provided in
4 subsection (d) of Section 5-4-3a of the Unified Code of
5 Corrections, except for the requirements of Sections
6 20-60, 20-65, 20-70, and 20-160 and Article 50 of this
7 Code; however, the Chief Procurement Officer may, in
8 writing with justification, waive any certification
9 required under Article 50 of this Code. For any contracts
10 for services which are currently provided by members of a
11 collective bargaining agreement, the applicable terms of
12 the collective bargaining agreement concerning
13 subcontracting shall be followed.

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

16 (14) Contracts for participation expenditures required
17 by a domestic or international trade show or exhibition of
18 an exhibitor, member, or sponsor.

19 (15) Contracts with a railroad or utility that
20 requires the State to reimburse the railroad or utilities
21 for the relocation of utilities for construction or other
22 public purpose. Contracts included within this paragraph
23 (15) shall include, but not be limited to, those
24 associated with: relocations, crossings, installations,
25 and maintenance. For the purposes of this paragraph (15),
26 "railroad" means any form of non-highway ground

1 transportation that runs on rails or electromagnetic
2 guideways and "utility" means: (1) public utilities as
3 defined in Section 3-105 of the Public Utilities Act, (2)
4 telecommunications carriers as defined in Section 13-202
5 of the Public Utilities Act, (3) electric cooperatives as
6 defined in Section 3.4 of the Electric Supplier Act, (4)
7 telephone or telecommunications cooperatives as defined in
8 Section 13-212 of the Public Utilities Act, (5) rural
9 water or waste water systems with 10,000 connections or
10 less, (6) a holder as defined in Section 21-201 of the
11 Public Utilities Act, and (7) municipalities owning or
12 operating utility systems consisting of public utilities
13 as that term is defined in Section 11-117-2 of the
14 Illinois Municipal Code.

15 (16) Procurement expenditures necessary for the
16 Department of Public Health to provide the delivery of
17 timely newborn screening services in accordance with the
18 Newborn Metabolic Screening Act.

19 (17) Procurement expenditures necessary for the
20 Department of Agriculture, the Department of Financial and
21 Professional Regulation, the Department of Human Services,
22 and the Department of Public Health to implement the
23 Compassionate Use of Medical Cannabis Program and Opioid
24 Alternative Pilot Program requirements and ensure access
25 to medical cannabis for patients with debilitating medical
26 conditions in accordance with the Compassionate Use of

1 Medical Cannabis Program Act.

2 (18) This Code does not apply to any procurements
3 necessary for the Department of Agriculture, the
4 Department of Financial and Professional Regulation, the
5 Department of Human Services, the Department of Commerce
6 and Economic Opportunity, and the Department of Public
7 Health to implement the Cannabis Regulation and Tax Act if
8 the applicable agency has made a good faith determination
9 that it is necessary and appropriate for the expenditure
10 to fall within this exemption and if the process is
11 conducted in a manner substantially in accordance with the
12 requirements of Sections 20-160, 25-60, 30-22, 50-5,
13 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,
14 50-36, 50-37, 50-38, and 50-50 of this Code; however, for
15 Section 50-35, compliance applies only to contracts or
16 subcontracts over \$100,000. Notice of each contract
17 entered into under this paragraph (18) that is related to
18 the procurement of goods and services identified in
19 paragraph (1) through (9) of this subsection shall be
20 published in the Procurement Bulletin within 14 calendar
21 days after contract execution. The Chief Procurement
22 Officer shall prescribe the form and content of the
23 notice. Each agency shall provide the Chief Procurement
24 Officer, on a monthly basis, in the form and content
25 prescribed by the Chief Procurement Officer, a report of
26 contracts that are related to the procurement of goods and

1 services identified in this subsection. At a minimum, this
2 report shall include the name of the contractor, a
3 description of the supply or service provided, the total
4 amount of the contract, the term of the contract, and the
5 exception to this Code utilized. A copy of any or all of
6 these contracts shall be made available to the Chief
7 Procurement Officer immediately upon request. The Chief
8 Procurement Officer shall submit a report to the Governor
9 and General Assembly no later than November 1 of each year
10 that includes, at a minimum, an annual summary of the
11 monthly information reported to the Chief Procurement
12 Officer. This exemption becomes inoperative 5 years after
13 June 25, 2019 (the effective date of Public Act 101-27).

14 (19) Acquisition of modifications or adjustments,
15 limited to assistive technology devices and assistive
16 technology services, adaptive equipment, repairs, and
17 replacement parts to provide reasonable accommodations (i)
18 that enable a qualified applicant with a disability to
19 complete the job application process and be considered for
20 the position such qualified applicant desires, (ii) that
21 modify or adjust the work environment to enable a
22 qualified current employee with a disability to perform
23 the essential functions of the position held by that
24 employee, (iii) to enable a qualified current employee
25 with a disability to enjoy equal benefits and privileges
26 of employment as are enjoyed by other similarly situated

1 employees without disabilities, and (iv) that allow a
2 customer, client, claimant, or member of the public
3 seeking State services full use and enjoyment of and
4 access to its programs, services, or benefits.

5 For purposes of this paragraph (19):

6 "Assistive technology devices" means any item, piece
7 of equipment, or product system, whether acquired
8 commercially off the shelf, modified, or customized, that
9 is used to increase, maintain, or improve functional
10 capabilities of individuals with disabilities.

11 "Assistive technology services" means any service that
12 directly assists an individual with a disability in
13 selection, acquisition, or use of an assistive technology
14 device.

15 "Qualified" has the same meaning and use as provided
16 under the federal Americans with Disabilities Act when
17 describing an individual with a disability.

18 (20) Procurement expenditures necessary for the
19 Illinois Commerce Commission to hire third-party
20 facilitators pursuant to Sections 16-105.17 and 16-108.18
21 of the Public Utilities Act or an ombudsman pursuant to
22 Section 16-107.5 of the Public Utilities Act, a
23 facilitator pursuant to Section 16-105.17 of the Public
24 Utilities Act, or a grid auditor pursuant to Section
25 16-105.10 of the Public Utilities Act.

26 (21) Procurement expenditures for the purchase,

1 renewal, and expansion of software, software licenses, or
2 software maintenance agreements that support the efforts
3 of the Illinois State Police to enforce, regulate, and
4 administer the Firearm Owners Identification Card Act, the
5 Firearm Concealed Carry Act, the Firearms Restraining
6 Order Act, the Firearm Dealer License Certification Act,
7 the Law Enforcement Agencies Data System (LEADS), the
8 Uniform Crime Reporting Act, the Criminal Identification
9 Act, the Illinois Uniform Conviction Information Act, and
10 the Gun Trafficking Information Act, or establish or
11 maintain record management systems necessary to conduct
12 human trafficking investigations or gun trafficking or
13 other stolen firearm investigations. This paragraph (21)
14 applies to contracts entered into on or after January 10,
15 2023 (the effective date of Public Act 102-1116) and the
16 renewal of contracts that are in effect on January 10,
17 2023 (the effective date of Public Act 102-1116).

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

1 effect on June 7, 2023 (the effective date of the changes
2 made to this Section by Public Act 103-8).

3 (23) Procurements necessary for the Department of
4 Insurance to implement the Illinois Health Benefits
5 Exchange Law if the Department of Insurance has made a
6 good faith determination that it is necessary and
7 appropriate for the expenditure to fall within this
8 exemption. The procurement process shall be conducted in a
9 manner substantially in accordance with the requirements
10 of Sections 20-160 and 25-60 and Article 50 of this Code. A
11 copy of these contracts shall be made available to the
12 Chief Procurement Officer immediately upon request. This
13 paragraph is inoperative 5 years after June 27, 2023 (the
14 effective date of Public Act 103-103).

15 (24) ~~(22)~~ Contracts for public education programming,
16 noncommercial sustaining announcements, public service
17 announcements, and public awareness and education
18 messaging with the nonprofit trade associations of the
19 providers of those services that inform the public on
20 immediate and ongoing health and safety risks and hazards.

21 (25) Contracts necessary for the creation of the
22 Department of Early Childhood and the implementation of
23 the Department's core mission are not subject to this
24 Code, provided that the process shall be conducted in a
25 manner substantially in accordance with the requirements
26 of the following sections of this Code: 20-160, 50-5,

1 50-10, 50-10.5, 50-12, 50-13, 50-15, 50-20, 50-21, 50-35,
2 50-36, 50-37, 50-38, and 50-50. This Section becomes
3 inoperative on July 1, 2027.

4 Notwithstanding any other provision of law, for contracts
5 with an annual value of more than \$100,000 entered into on or
6 after October 1, 2017 under an exemption provided in any
7 paragraph of this subsection (b), except paragraph (1), (2),
8 or (5), each State agency shall post to the appropriate
9 procurement bulletin the name of the contractor, a description
10 of the supply or service provided, the total amount of the
11 contract, the term of the contract, and the exception to the
12 Code utilized. The chief procurement officer shall submit a
13 report to the Governor and General Assembly no later than
14 November 1 of each year that shall include, at a minimum, an
15 annual summary of the monthly information reported to the
16 chief procurement officer.

17 (c) This Code does not apply to the electric power
18 procurement process provided for under Section 1-75 of the
19 Illinois Power Agency Act and Section 16-111.5 of the Public
20 Utilities Act. This Code does not apply to the procurement of
21 technical and policy experts pursuant to Section 1-129 of the
22 Illinois Power Agency Act.

23 (d) Except for Section 20-160 and Article 50 of this Code,
24 and as expressly required by Section 9.1 of the Illinois
25 Lottery Law, the provisions of this Code do not apply to the
26 procurement process provided for under Section 9.1 of the

1 Illinois Lottery Law.

2 (e) This Code does not apply to the process used by the
3 Capital Development Board to retain a person or entity to
4 assist the Capital Development Board with its duties related
5 to the determination of costs of a clean coal SNG brownfield
6 facility, as defined by Section 1-10 of the Illinois Power
7 Agency Act, as required in subsection (h-3) of Section 9-220
8 of the Public Utilities Act, including calculating the range
9 of capital costs, the range of operating and maintenance
10 costs, or the sequestration costs or monitoring the
11 construction of clean coal SNG brownfield facility for the
12 full duration of construction.

13 (f) (Blank).

14 (g) (Blank).

15 (h) This Code does not apply to the process to procure or
16 contracts entered into in accordance with Sections 11-5.2 and
17 11-5.3 of the Illinois Public Aid Code.

18 (i) Each chief procurement officer may access records
19 necessary to review whether a contract, purchase, or other
20 expenditure is or is not subject to the provisions of this
21 Code, unless such records would be subject to attorney-client
22 privilege.

23 (j) This Code does not apply to the process used by the
24 Capital Development Board to retain an artist or work or works
25 of art as required in Section 14 of the Capital Development
26 Board Act.

1 (k) This Code does not apply to the process to procure
2 contracts, or contracts entered into, by the State Board of
3 Elections or the State Electoral Board for hearing officers
4 appointed pursuant to the Election Code.

5 (l) This Code does not apply to the processes used by the
6 Illinois Student Assistance Commission to procure supplies and
7 services paid for from the private funds of the Illinois
8 Prepaid Tuition Fund. As used in this subsection (l), "private
9 funds" means funds derived from deposits paid into the
10 Illinois Prepaid Tuition Trust Fund and the earnings thereon.

11 (m) This Code shall apply regardless of the source of
12 funds with which contracts are paid, including federal
13 assistance moneys. Except as specifically provided in this
14 Code, this Code shall not apply to procurement expenditures
15 necessary for the Department of Public Health to conduct the
16 Healthy Illinois Survey in accordance with Section 2310-431 of
17 the Department of Public Health Powers and Duties Law of the
18 Civil Administrative Code of Illinois.

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

25 Section 90-30. The School Code is amended by changing

1 Sections 1A-4, 1C-2, 1C-4, 1D-1, 2-3.47, 2-3.64a-10, 2-3.71,
2 2-3.71a, 2-3.79, 2-3.89, 10-22.6, 21B-50, 22-45, and 26-19 as
3 follows:

4 (105 ILCS 5/1A-4) (from Ch. 122, par. 1A-4)

5 Sec. 1A-4. Powers and duties of the Board.

6 A. (Blank).

7 B. The Board shall determine the qualifications of and
8 appoint a chief education officer, to be known as the State
9 Superintendent of Education, who may be proposed by the
10 Governor and who shall serve at the pleasure of the Board and
11 pursuant to a performance-based contract linked to statewide
12 student performance and academic improvement within Illinois
13 schools. Upon expiration or buyout of the contract of the
14 State Superintendent of Education in office on the effective
15 date of this amendatory Act of the 93rd General Assembly, a
16 State Superintendent of Education shall be appointed by a
17 State Board of Education that includes the 7 new Board members
18 who were appointed to fill seats of members whose terms were
19 terminated on the effective date of this amendatory Act of the
20 93rd General Assembly. Thereafter, a State Superintendent of
21 Education must, at a minimum, be appointed at the beginning of
22 each term of a Governor after that Governor has made
23 appointments to the Board. A performance-based contract issued
24 for the employment of a State Superintendent of Education
25 entered into on or after the effective date of this amendatory

1 Act of the 93rd General Assembly must expire no later than
2 February 1, 2007, and subsequent contracts must expire no
3 later than February 1 each 4 years thereafter. No contract
4 shall be extended or renewed beyond February 1, 2007 and
5 February 1 each 4 years thereafter, but a State Superintendent
6 of Education shall serve until his or her successor is
7 appointed. Each contract entered into on or before January 8,
8 2007 with a State Superintendent of Education must provide
9 that the State Board of Education may terminate the contract
10 for cause, and the State Board of Education shall not
11 thereafter be liable for further payments under the contract.
12 With regard to this amendatory Act of the 93rd General
13 Assembly, it is the intent of the General Assembly that,
14 beginning with the Governor who takes office on the second
15 Monday of January, 2007, a State Superintendent of Education
16 be appointed at the beginning of each term of a Governor after
17 that Governor has made appointments to the Board. The State
18 Superintendent of Education shall not serve as a member of the
19 State Board of Education. The Board shall set the compensation
20 of the State Superintendent of Education who shall serve as
21 the Board's chief executive officer. The Board shall also
22 establish the duties, powers and responsibilities of the State
23 Superintendent, which shall be included in the State
24 Superintendent's performance-based contract along with the
25 goals and indicators of student performance and academic
26 improvement used to measure the performance and effectiveness

1 of the State Superintendent. The State Board of Education may
2 delegate to the State Superintendent of Education the
3 authority to act on the Board's behalf, provided such
4 delegation is made pursuant to adopted board policy or the
5 powers delegated are ministerial in nature. The State Board
6 may not delegate authority under this Section to the State
7 Superintendent to (1) nonrecognize school districts, (2)
8 withhold State payments as a penalty, or (3) make final
9 decisions under the contested case provisions of the Illinois
10 Administrative Procedure Act unless otherwise provided by law.

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

1 determine the appropriate relationship between the Board and
2 local boards of education and the various State agencies and
3 shall recommend desirable modifications in the laws which
4 affect schools.

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

1 under this Act. On the effective date of this amendatory Act of
2 the 95th General Assembly, the Joint Education Committee is
3 abolished.

4 E. Five members of the Board shall constitute a quorum. A
5 majority vote of the members appointed, confirmed and serving
6 on the Board is required to approve any action, except that the
7 new Board members who were appointed to fill seats of members
8 whose terms were terminated on the effective date of this
9 amendatory act of the 93rd General Assembly may vote to
10 approve actions when appointed and serving.

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

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

18 (105 ILCS 5/1C-2)

19 Sec. 1C-2. Block grants.

20 (a) For fiscal year 1999, and each fiscal year thereafter
21 through fiscal year 2026, the State Board of Education shall
22 award to school districts block grants as described in
23 subsection (c). The State Board of Education may adopt rules
24 and regulations necessary to implement this Section. In
25 accordance with Section 2-3.32, all state block grants are

1 subject to an audit. Therefore, block grant receipts and block
2 grant expenditures shall be recorded to the appropriate fund
3 code.

4 (b) (Blank).

5 (c) An Early Childhood Education Block Grant shall be
6 created by combining the following programs: Preschool
7 Education, Parental Training and Prevention Initiative. These
8 funds shall be distributed to school districts and other
9 entities on a competitive basis, except that the State Board
10 of Education shall award to a school district having a
11 population exceeding 500,000 inhabitants 37% of the funds in
12 each fiscal year. Not less than 14% of the Early Childhood
13 Education Block Grant allocation of funds shall be used to
14 fund programs for children ages 0-3. Beginning in Fiscal Year
15 2016, at least 25% of any additional Early Childhood Education
16 Block Grant funding over and above the previous fiscal year's
17 allocation shall be used to fund programs for children ages
18 0-3. Once the percentage of Early Childhood Education Block
19 Grant funding allocated to programs for children ages 0-3
20 reaches 20% of the overall Early Childhood Education Block
21 Grant allocation for a full fiscal year, thereafter in
22 subsequent fiscal years the percentage of Early Childhood
23 Education Block Grant funding allocated to programs for
24 children ages 0-3 each fiscal year shall remain at least 20% of
25 the overall Early Childhood Education Block Grant allocation.
26 However, if, in a given fiscal year, the amount appropriated

1 for the Early Childhood Education Block Grant is insufficient
2 to increase the percentage of the grant to fund programs for
3 children ages 0-3 without reducing the amount of the grant for
4 existing providers of preschool education programs, then the
5 percentage of the grant to fund programs for children ages 0-3
6 may be held steady instead of increased.This subsection (c) is
7 inoperative on and after July 1, 2026.

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

9 (105 ILCS 5/1C-4)

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

22 This Section is repealed on July 1, 2026.

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

24 (105 ILCS 5/1D-1)

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

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

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

16 (b) The general education block grant shall include the
17 following programs: REI Initiative, Summer Bridges, ~~Preschool~~
18 ~~Education~~, K-6 Comprehensive Arts, School Improvement Support,
19 Urban Education, Scientific Literacy, Substance Abuse
20 Prevention, Second Language Planning, Staff Development,
21 Outcomes and Assessment, K-6 Reading Improvement, 7-12
22 Continued Reading Improvement, Truants' Optional Education,
23 Hispanic Programs, Agriculture Education, ~~Parental Training~~,
24 ~~Prevention Initiative~~, Report Cards, and Criminal Background
25 Investigations. The general education block grant shall also
26 include Preschool Education, Parental Training, and Prevention

1 Initiative through June 30, 2026. Notwithstanding any other
2 provision of law, all amounts paid under the general education
3 block grant from State appropriations to a school district in
4 a city having a population exceeding 500,000 inhabitants shall
5 be appropriated and expended by the board of that district for
6 any of the programs included in the block grant or any of the
7 board's lawful purposes. Beginning in Fiscal Year 2018, at
8 least 25% of any additional Preschool Education, Parental
9 Training, and Prevention Initiative program funding over and
10 above the previous fiscal year's allocation shall be used to
11 fund programs for children ages 0-3. Beginning in Fiscal Year
12 2018, funding for Preschool Education, Parental Training, and
13 Prevention Initiative programs above the allocation for these
14 programs in Fiscal Year 2017 must be used solely as a
15 supplement for these programs and may not supplant funds
16 received from other sources.

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

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

1 funds received from other sources. (b-10).

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

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

1 provided or costs incurred in the prior fiscal year,
2 calculated in each case as provided in this Section.

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

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

26 (f) A school district to which this Section applies shall

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

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

24 Payments to the school district under this Section with
25 respect to each program for which payments to school districts
26 generally, as of the date of this amendatory Act of the 92nd

1 General Assembly, are on a reimbursement basis shall continue
2 to be made to the district on a reimbursement basis, pursuant
3 to the provisions of this Code governing those programs.

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

1 a copy of the resolution has not been sent to the State
2 Superintendent of Education in a timely manner. No
3 classification under this subsection (h) by a district shall
4 affect the total amount or timing of money the district is
5 entitled to receive under this Code. No classification under
6 this subsection (h) by a district shall in any way relieve the
7 district from or affect any requirements that otherwise would
8 apply with respect to the block grant as provided in this
9 Section, including any accounting of funds by source,
10 reporting expenditures by original source and purpose,
11 reporting requirements, or requirements of provision of
12 services.

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

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

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

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

1 Therefore, block grant receipts and block grant expenditures
2 shall be recorded to the appropriate fund code for the
3 designated block grant.

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

22 (b-5) Beginning in Fiscal Year 2027, the Department of
23 Early Childhood shall award a block grant for Preschool
24 Education, Parental Training, and Prevention Initiative to a
25 school district having a population exceeding 500,000
26 inhabitants. The grants are subject to audit. Therefore, block

1 grant receipts and block grant expenditures shall be recorded
2 to the appropriate fund code for the designated block grant.
3 Notwithstanding any other provision of law, all amounts paid
4 under the block grant from State appropriations to a school
5 district in a city having a population exceeding 500,000
6 inhabitants shall be appropriated and expended by the board of
7 that district for any of the programs included in the block
8 grant or any of the board's lawful purposes. The district is
9 not required to file any application or other claim in order to
10 receive the block grant to which it is entitled under this
11 Section. The Department of Early Childhood shall make payments
12 to the district of amounts due under the district's block
13 grant on a schedule determined by the Department. A school
14 district to which this Section applies shall report to the
15 Department of Early Childhood on its use of the block grant in
16 such form and detail as the Department may specify. In
17 addition, the report must include the following description
18 for the district, which must also be reported to the General
19 Assembly: block grant allocation and expenditures by program;
20 population and service levels by program; and administrative
21 expenditures by program. The Department shall ensure that the
22 reporting requirements for the district are the same as for
23 all other school districts in this State. Beginning in Fiscal
24 Year 2018, at least 25% of any additional Preschool Education,
25 Parental Training, and Prevention Initiative program funding
26 over and above the previous fiscal year's allocation shall be

1 used to fund programs for children ages 0-3. Beginning in
2 Fiscal Year 2018, funding for Preschool Education, Parental
3 Training, and Prevention Initiative programs above the
4 allocation for these programs in Fiscal Year 2017 must be used
5 solely as a supplement for these programs and may not supplant
6 funds received from other sources. (b-10).

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

22 The funding program included in the educational services
23 block grant for funding for children requiring special
24 education services in each fiscal year shall be treated in
25 that fiscal year as a payment to the school district in respect
26 of services provided or costs incurred in the prior fiscal

1 year, calculated in each case as provided in this Section.
2 Nothing in this Section shall change the nature of payments
3 for any program that, apart from this Section, would be or,
4 prior to adoption or amendment of this Section, was on the
5 basis of a payment in a fiscal year in respect of services
6 provided or costs incurred in the prior fiscal year,
7 calculated in each case as provided in this Section.

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

25 (e) The district is not required to file any application
26 or other claim in order to receive the block grants to which it

1 is entitled under this Section. The State Board of Education
2 shall make payments to the district of amounts due under the
3 district's block grants on a schedule determined by the State
4 Board of Education.

5 (f) A school district to which this Section applies shall
6 report to the State Board of Education on its use of the block
7 grants in such form and detail as the State Board of Education
8 may specify. In addition, the report must include the
9 following description for the district, which must also be
10 reported to the General Assembly: block grant allocation and
11 expenditures by program; population and service levels by
12 program; and administrative expenditures by program. The State
13 Board of Education shall ensure that the reporting
14 requirements for the district are the same as for all other
15 school districts in this State.

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

1 proportion which the appropriation for that program was of all
2 appropriations for such purposes now in that block grant, in
3 fiscal 1995.

4 Payments to the school district under this Section with
5 respect to each program for which payments to school districts
6 generally, as of the date of this amendatory Act of the 92nd
7 General Assembly, are on a reimbursement basis shall continue
8 to be made to the district on a reimbursement basis, pursuant
9 to the provisions of this Code governing those programs.

10 (h) Notwithstanding any other provision of law, any school
11 district receiving a block grant under this Section may
12 classify all or a portion of the funds that it receives in a
13 particular fiscal year from any block grant authorized under
14 this Code or from general State aid pursuant to Section
15 18-8.05 of this Code (other than supplemental general State
16 aid) as funds received in connection with any funding program
17 for which it is entitled to receive funds from the State in
18 that fiscal year (including, without limitation, any funding
19 program referred to in subsection (c) of this Section),
20 regardless of the source or timing of the receipt. The
21 district may not classify more funds as funds received in
22 connection with the funding program than the district is
23 entitled to receive in that fiscal year for that program. Any
24 classification by a district must be made by a resolution of
25 its board of education. The resolution must identify the
26 amount of any block grant or general State aid to be classified

1 under this subsection (h) and must specify the funding program
2 to which the funds are to be treated as received in connection
3 therewith. This resolution is controlling as to the
4 classification of funds referenced therein. A certified copy
5 of the resolution must be sent to the State Superintendent of
6 Education. The resolution shall still take effect even though
7 a copy of the resolution has not been sent to the State
8 Superintendent of Education in a timely manner. No
9 classification under this subsection (h) by a district shall
10 affect the total amount or timing of money the district is
11 entitled to receive under this Code. No classification under
12 this subsection (h) by a district shall in any way relieve the
13 district from or affect any requirements that otherwise would
14 apply with respect to the block grant as provided in this
15 Section, including any accounting of funds by source,
16 reporting expenditures by original source and purpose,
17 reporting requirements, or requirements of provision of
18 services.

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

20 (105 ILCS 5/2-3.47) (from Ch. 122, par. 2-3.47)

21 Sec. 2-3.47. The State Board of Education shall annually
22 submit a budget recommendation to the Governor and General
23 Assembly that contains recommendations for funding for
24 pre-school through grade 12 through Fiscal Year 2026. For
25 Fiscal Year 2027, and annually thereafter, the State Board of

1 Education shall submit a budget recommendation to the Governor
2 and General Assembly that contains recommendations for funding
3 for kindergarten through grade 12.

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

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

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

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

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

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

1 allocation.

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

4 The assessment results may not be used (i) to prevent a
5 child from enrolling in kindergarten or (ii) as the sole
6 measure used in determining the grade promotion or retention
7 of a student.

8 (d) On an annual basis, the State Board shall report
9 publicly, at a minimum, data from the assessment for the State
10 overall and for each school district. The State Board's report
11 must disaggregate data by race and ethnicity, household
12 income, students who are English learners, and students who
13 have an individualized education program.

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

25 The committee shall make periodic recommendations to the
26 State Superintendent of Education and the General Assembly

1 concerning the assessments.

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

4 (Source: P.A. 101-654, eff. 3-8-21; 102-635, eff. 11-30-21

5 (See Section 10 of P.A. 102-671 for effective date of P.A.
6 102-209).)

7 (105 ILCS 5/2-3.71) (from Ch. 122, par. 2-3.71)

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

9 (a) Preschool program.

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

23 (1.5) On and after July 1, 2026, the Department of
24 Early Childhood shall implement and administer a grant
25 program for school districts and other eligible entities,

1 as defined by the Department, to conduct voluntary
2 preschool educational programs for children ages 3 to 5
3 which include a parent education component. A public
4 school district which receives grants under this
5 subsection may subcontract with other entities that are
6 eligible to conduct a preschool educational program. These
7 grants must be used to supplement, not supplant, funds
8 received from any other source.

9 (2) (Blank).

10 (3) Except as otherwise provided under this subsection
11 (a), any teacher of preschool children in the program
12 authorized by this subsection shall hold a Professional
13 Educator License with an early childhood education
14 endorsement.

15 (3.5) Beginning with the 2018-2019 school year and
16 until the 2028-2029 school year, an individual may teach
17 preschool children in an early childhood program under
18 this Section if he or she holds a Professional Educator
19 License with an early childhood education endorsement or
20 with short-term approval for early childhood education or
21 he or she pursues a Professional Educator License and
22 holds any of the following:

23 (A) An ECE Credential Level of 5 awarded by the
24 Department of Human Services under the Gateways to
25 Opportunity Program developed under Section 10-70 of
26 the Department of Human Services Act.

1 (B) An Educator License with Stipulations with a
2 transitional bilingual educator endorsement and he or
3 she has (i) passed an early childhood education
4 content test or (ii) completed no less than 9 semester
5 hours of postsecondary coursework in the area of early
6 childhood education.

7 (4) (Blank).

8 (4.5) Through June 30, 2026, the State Board of
9 Education shall provide the primary source of funding
10 through appropriations for the program. On and after July
11 1, 2026, the Department of Early Childhood shall provide
12 the primary source of funding through appropriations for
13 the program. ~~The State Board of Education shall provide~~
14 ~~the primary source of funding through appropriations for~~
15 ~~the program.~~ Such funds shall be distributed to achieve a
16 goal of "Preschool for All Children" for the benefit of
17 all children whose families choose to participate in the
18 program. Based on available appropriations, newly funded
19 programs shall be selected through a process giving first
20 priority to qualified programs serving primarily at-risk
21 children and second priority to qualified programs serving
22 primarily children with a family income of less than 4
23 times the poverty guidelines updated periodically in the
24 Federal Register by the U.S. Department of Health and
25 Human Services under the authority of 42 U.S.C. 9902(2).
26 For purposes of this paragraph (4.5), at-risk children are

1 those who because of their home and community environment
2 are subject to such language, cultural, economic and like
3 disadvantages to cause them to have been determined as a
4 result of screening procedures to be at risk of academic
5 failure. Through June 30, 2026, such screening procedures
6 shall be based on criteria established by the State Board
7 of Education. On and after July 1, 2026, such screening
8 procedures shall be based on criteria established by the
9 Department of Early Childhood. ~~Such screening procedures~~
10 ~~shall be based on criteria established by the State Board~~
11 ~~of Education.~~

12 Except as otherwise provided in this paragraph (4.5),
13 grantees under the program must enter into a memorandum of
14 understanding with the appropriate local Head Start
15 agency. This memorandum must be entered into no later than
16 3 months after the award of a grantee's grant under the
17 program, except that, in the case of the 2009-2010 program
18 year, the memorandum must be entered into no later than
19 the deadline set by the State Board of Education for
20 applications to participate in the program in fiscal year
21 2011, and must address collaboration between the grantee's
22 program and the local Head Start agency on certain issues,
23 which shall include without limitation the following:

24 (A) educational activities, curricular objectives,
25 and instruction;

26 (B) public information dissemination and access to

- 1 programs for families contacting programs;
- 2 (C) service areas;
- 3 (D) selection priorities for eligible children to
4 be served by programs;
- 5 (E) maximizing the impact of federal and State
6 funding to benefit young children;
- 7 (F) staff training, including opportunities for
8 joint staff training;
- 9 (G) technical assistance;
- 10 (H) communication and parent outreach for smooth
11 transitions to kindergarten;
- 12 (I) provision and use of facilities,
13 transportation, and other program elements;
- 14 (J) facilitating each program's fulfillment of its
15 statutory and regulatory requirements;
- 16 (K) improving local planning and collaboration;
17 and
- 18 (L) providing comprehensive services for the
19 neediest Illinois children and families.

20 Through June 30, 2026, if ~~if~~ the appropriate local Head
21 Start agency is unable or unwilling to enter into a
22 memorandum of understanding as required under this
23 paragraph (4.5), the memorandum of understanding
24 requirement shall not apply and the grantee under the
25 program must notify the State Board of Education in
26 writing of the Head Start agency's inability or

1 unwillingness. The State Board of Education shall compile
2 all such written notices and make them available to the
3 public. On and after July 1, 2026, if the appropriate
4 local Head Start agency is unable or unwilling to enter
5 into a memorandum of understanding as required under this
6 paragraph (4.5), the memorandum of understanding
7 requirement shall not apply and the grantee under the
8 program must notify the Department of Early Childhood in
9 writing of the Head Start agency's inability or
10 unwillingness. The Department of Early Childhood shall
11 compile all such written notices and make them available
12 to the public.

13 (5) Through June 30, 2026, the ~~The~~ State Board of
14 Education shall develop and provide evaluation tools,
15 including tests, that school districts and other eligible
16 entities may use to evaluate children for school readiness
17 prior to age 5. The State Board of Education shall require
18 school districts and other eligible entities to obtain
19 consent from the parents or guardians of children before
20 any evaluations are conducted. The State Board of
21 Education shall encourage local school districts and other
22 eligible entities to evaluate the population of preschool
23 children in their communities and provide preschool
24 programs, pursuant to this subsection, where appropriate.

25 (5.1) On and after July 1, 2026, the Department of
26 Early Childhood shall develop and provide evaluation

1 tools, including tests, that school districts and other
2 eligible entities may use to evaluate children for school
3 readiness prior to age 5. The Department of Early
4 Childhood shall require school districts and other
5 eligible entities to obtain consent from the parents or
6 guardians of children before any evaluations are
7 conducted. The Department of Early Childhood shall
8 encourage local school districts and other eligible
9 entities to evaluate the population of preschool children
10 in their communities and provide preschool programs,
11 pursuant to this subsection, where appropriate.

12 (6) Through June 30, 2026, the ~~The~~ State Board of
13 Education shall report to the General Assembly by November
14 1, 2018 and every 2 years thereafter on the results and
15 progress of students who were enrolled in preschool
16 educational programs, including an assessment of which
17 programs have been most successful in promoting academic
18 excellence and alleviating academic failure. Through June
19 30, 2026, the ~~The~~ State Board of Education shall assess
20 the academic progress of all students who have been
21 enrolled in preschool educational programs.

22 Through fiscal year 2026, on ~~on~~ or before November 1
23 of each fiscal year in which the General Assembly provides
24 funding for new programs under paragraph (4.5) of this
25 Section, the State Board of Education shall report to the
26 General Assembly on what percentage of new funding was

1 provided to programs serving primarily at-risk children,
2 what percentage of new funding was provided to programs
3 serving primarily children with a family income of less
4 than 4 times the federal poverty level, and what
5 percentage of new funding was provided to other programs.

6 (6.1) On and after July 1, 2026, the Department of
7 Early Childhood shall report to the General Assembly by
8 November 1, 2026 and every 2 years thereafter on the
9 results and progress of students who were enrolled in
10 preschool educational programs, including an assessment of
11 which programs have been most successful in promoting
12 academic excellence and alleviating academic failure. On
13 and after July 1, 2026, the Department of Early Childhood
14 shall assess the academic progress of all students who
15 have been enrolled in preschool educational programs.
16 Beginning in fiscal year 2027, on or before November 1 of
17 each fiscal year in which the General Assembly provides
18 funding for new programs under paragraph (4.5) of this
19 Section, the Department of Early Childhood shall report to
20 the General Assembly on what percentage of new funding was
21 provided to programs serving primarily at-risk children,
22 what percentage of new funding was provided to programs
23 serving primarily children with a family income of less
24 than 4 times the federal poverty level, and what
25 percentage of new funding was provided to other programs.

26 (7) Due to evidence that expulsion practices in the

1 preschool years are linked to poor child outcomes and are
2 employed inconsistently across racial and gender groups,
3 early childhood programs receiving State funds under this
4 subsection (a) shall prohibit expulsions. Planned
5 transitions to settings that are able to better meet a
6 child's needs are not considered expulsion under this
7 paragraph (7).

8 (A) When persistent and serious challenging
9 behaviors emerge, the early childhood program shall
10 document steps taken to ensure that the child can
11 participate safely in the program; including
12 observations of initial and ongoing challenging
13 behaviors, strategies for remediation and intervention
14 plans to address the behaviors, and communication with
15 the parent or legal guardian, including participation
16 of the parent or legal guardian in planning and
17 decision-making.

18 (B) The early childhood program shall, with
19 parental or legal guardian consent as required,
20 utilize a range of community resources, if available
21 and deemed necessary, including, but not limited to,
22 developmental screenings, referrals to programs and
23 services administered by a local educational agency or
24 early intervention agency under Parts B and C of the
25 federal Individual with Disabilities Education Act,
26 and consultation with infant and early childhood

1 mental health consultants and the child's health care
2 provider. The program shall document attempts to
3 engage these resources, including parent or legal
4 guardian participation and consent attempted and
5 obtained. Communication with the parent or legal
6 guardian shall take place in a culturally and
7 linguistically competent manner.

8 (C) If there is documented evidence that all
9 available interventions and supports recommended by a
10 qualified professional have been exhausted and the
11 program determines in its professional judgment that
12 transitioning a child to another program is necessary
13 for the well-being of the child or his or her peers and
14 staff, with parent or legal guardian permission, both
15 the current and pending programs shall create a
16 transition plan designed to ensure continuity of
17 services and the comprehensive development of the
18 child. Communication with families shall occur in a
19 culturally and linguistically competent manner.

20 (D) Nothing in this paragraph (7) shall preclude a
21 parent's or legal guardian's right to voluntarily
22 withdraw his or her child from an early childhood
23 program. Early childhood programs shall request and
24 keep on file, when received, a written statement from
25 the parent or legal guardian stating the reason for
26 his or her decision to withdraw his or her child.

1 (E) In the case of the determination of a serious
2 safety threat to a child or others or in the case of
3 behaviors listed in subsection (d) of Section 10-22.6
4 of this Code, the temporary removal of a child from
5 attendance in group settings may be used. Temporary
6 removal of a child from attendance in a group setting
7 shall trigger the process detailed in subparagraphs
8 (A), (B), and (C) of this paragraph (7), with the child
9 placed back in a group setting as quickly as possible.

10 (F) Early childhood programs may utilize and the
11 Department of Early Childhood, State Board of
12 Education, the Department of Human Services, and the
13 Department of Children and Family Services shall
14 recommend training, technical support, and
15 professional development resources to improve the
16 ability of teachers, administrators, program
17 directors, and other staff to promote social-emotional
18 development and behavioral health, to address
19 challenging behaviors, and to understand trauma and
20 trauma-informed care, cultural competence, family
21 engagement with diverse populations, the impact of
22 implicit bias on adult behavior, and the use of
23 reflective practice techniques. Support shall include
24 the availability of resources to contract with infant
25 and early childhood mental health consultants.

26 (G) Through June 30, 2026 ~~Beginning on July 1,~~

1 ~~2018~~, early childhood programs shall annually report
2 to the State Board of Education, and, beginning in
3 fiscal year 2020, the State Board of Education shall
4 make available on a biennial basis, in an existing
5 report, all of the following data for children from
6 birth to age 5 who are served by the program:

7 (i) Total number served over the course of the
8 program year and the total number of children who
9 left the program during the program year.

10 (ii) Number of planned transitions to another
11 program due to children's behavior, by children's
12 race, gender, disability, language, class/group
13 size, teacher-child ratio, and length of program
14 day.

15 (iii) Number of temporary removals of a child
16 from attendance in group settings due to a serious
17 safety threat under subparagraph (E) of this
18 paragraph (7), by children's race, gender,
19 disability, language, class/group size,
20 teacher-child ratio, and length of program day.

21 (iv) Hours of infant and early childhood
22 mental health consultant contact with program
23 leaders, staff, and families over the program
24 year.

25 (G-5) On and after July 1, 2026, early childhood
26 programs shall annually report to the Department of

1 Early Childhood, and beginning in fiscal year 2028,
2 the Department of Early Childhood shall make available
3 on a biennial basis, in a report, all of the following
4 data for children from birth to age 5 who are served by
5 the program:

6 (i) Total number served over the course of the
7 program year and the total number of children who
8 left the program during the program year.

9 (ii) Number of planned transitions to another
10 program due to children's behavior, by children's
11 race, gender, disability, language, class/group
12 size, teacher-child ratio, and length of program
13 day.

14 (iii) Number of temporary removals of a child
15 from attendance in group settings due to a serious
16 safety threat under subparagraph (E) of this
17 paragraph (7), by children's race, gender,
18 disability, language, class/group size,
19 teacher-child ratio, and length of program day.

20 (iv) Hours of infant and early childhood
21 mental health consultant contact with program
22 leaders, staff, and families over the program
23 year.

24 (H) Changes to services for children with an
25 individualized education program or individual family
26 service plan shall be construed in a manner consistent

1 with the federal Individuals with Disabilities
2 Education Act.

3 The Department of Early Childhood ~~State Board of~~
4 ~~Education~~, in consultation with the ~~Governor's Office of~~
5 ~~Early Childhood Development and the~~ Department of Children
6 and Family Services, shall adopt rules to administer this
7 paragraph (7).

8 (b) (Blank).

9 (c) Notwithstanding any other provisions of this Section,
10 grantees may serve children ages 0 to 12 of essential workers
11 if the Governor has declared a disaster due to a public health
12 emergency pursuant to Section 7 of the Illinois Emergency
13 Management Agency Act. For the purposes of this subsection,
14 essential workers include those outlined in Executive Order
15 20-8 and school employees. The State Board of Education shall
16 adopt rules to administer this subsection.

17 (d) Paragraphs (a) (1), (a) (1.5), (a) (4.5), (a) (5),
18 (a) (5.1), (a) (6), and (a) (7) and subsection (c) of this
19 Section are inoperative on and after July 1, 2026.

20 (Source: P.A. 103-111, eff. 6-29-23.)

21 (105 ILCS 5/2-3.71a) (from Ch. 122, par. 2-3.71a)

22 Sec. 2-3.71a. Grants for early childhood parental training
23 programs. The State Board of Education shall implement and
24 administer a grant program consisting of grants to public
25 school districts and other eligible entities, as defined by

1 the State Board of Education, to conduct early childhood
2 parental training programs for the parents of children in the
3 period of life from birth to kindergarten. A public school
4 district that receives grants under this Section may contract
5 with other eligible entities to conduct an early childhood
6 parental training program. These grants must be used to
7 supplement, not supplant, funds received from any other
8 source. A school board or other eligible entity shall employ
9 appropriately qualified personnel for its early childhood
10 parental training program, including but not limited to
11 certified teachers, counselors, psychiatrists, psychologists
12 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 Board shall annually award funds through a grant
4 approval process established by the State Board of Education,
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 State Board of Education shall assist those
10 districts and other eligible entities offering early childhood
11 parental training programs, upon request, in developing
12 instructional materials, training teachers and staff, and
13 establishing appropriate time allotments for each of the areas
14 included in such instruction.

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

26 (e) Parents who participate in early childhood parental

1 training programs under this Section may be eligible for
2 reasonable reimbursement of any incidental transportation and
3 child care expenses from the school district receiving funds
4 pursuant to this Section.

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

11 (g) The State Board of Education shall report to the
12 General Assembly by July 1, 1991, on the results of the
13 programs funded pursuant to this Section and whether a need
14 continues for such programs.

15 (h) After July 1, 2006, any parental training services
16 funded pursuant to this Section on the effective date of this
17 amendatory Act of the 94th General Assembly shall continue to
18 be funded pursuant to this Section, subject to appropriation
19 and the meeting of program standards. Any additional parental
20 training services must be funded, subject to appropriation,
21 through preschool education grants pursuant to subdivision (4)
22 of subsection (a) of Section 2-3.71 of this Code for families
23 with children ages 3 to 5 and through prevention initiative
24 grants pursuant to subsection (b) of Section 2-3.89 of this
25 Code for expecting families and those with children from birth
26 to 3 years of age.

1 (i) Early childhood programs under this Section are
2 subject to the requirements under paragraph (7) of subsection
3 (a) of Section 2-3.71 of this Code.

4 (j) This Section is repealed on July 1, 2026.

5 (Source: P.A. 100-105, eff. 1-1-18.)

6 (105 ILCS 5/2-3.79) (from Ch. 122, par. 2-3.79)

7 Sec. 2-3.79. Pilot programs and special education services
8 for preschool children with disabilities from birth to age 3.
9 The State Board of Education may enter into contracts with
10 public or not-for-profit private organizations or agencies to
11 establish model pilot programs which provide services to
12 children with disabilities from birth up to the age of 3 years.
13 Annual grants shall be awarded on a competitive basis pursuant
14 to established criteria provided that there is an annual
15 appropriation for this purpose. Public or not-for-profit
16 private organizations or agencies that are providing services
17 to children with disabilities up to the age of 3 years prior to
18 September 22, 1985 are eligible to receive grants awarded
19 pursuant to this Section.

20 Each pilot program shall include, but not be limited to: a
21 process for identification of infants with disabilities in the
22 region; community awareness of the project and the services
23 provided; an intervention system; methods to assess and
24 diagnose infants with disabilities; written individual
25 treatment programs that include parental involvement; an

1 interdisciplinary treatment approach to include other agencies
2 and not-for-profit organizations; and a written evaluation
3 submitted to the State Board of Education at the end of the
4 grant period.

5 An Interagency Coordination Council shall be established
6 consisting of a representative of the State Superintendent of
7 Education who shall serve as chairman, and one representative
8 from the following departments appointed by the respective
9 directors or secretary: Children and Family Services, Public
10 Health, Human Services, Public Aid, and the Division of
11 Specialized Care for Children of the University of Illinois.
12 The council shall recommend criteria to the State Board of
13 Education for the awarding of grants pursuant to this Section
14 and shall assist in coordinating the services provided by
15 agencies to the children with disabilities described in this
16 Section.

17 A report containing recommendations concerning all of the
18 pilot programs shall be submitted by the State Board of
19 Education to the General Assembly by January of 1989. The
20 report which shall analyze the results of the pilot programs
21 funded under this Section and make recommendations concerning
22 existing and proposed programs shall include, but not be
23 limited to: recommendations for staff licensure and
24 qualifications; the number of children and families eligible
25 for services statewide; the cost of serving the children and
26 their families; the types of services to be provided; and

1 designs for the most effective delivery systems of these
2 services.

3 This Section is repealed on July 1, 2026.

4 (Source: P.A. 89-397, eff. 8-20-95; 89-507, eff. 7-1-97.)

5 (105 ILCS 5/2-3.89) (from Ch. 122, par. 2-3.89)

6 Sec. 2-3.89. Programs concerning services to at-risk
7 children and their families.

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

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

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

6 (c) The State Board of Education shall report to the
7 General Assembly by July 1, 2006 and every 2 years thereafter,
8 using the most current data available, on the status of
9 programs funded under this Section, including without
10 limitation characteristics of participants, services
11 delivered, program models used, unmet needs, and results of
12 the programs funded.

13 (Source: P.A. 96-734, eff. 8-25-09.)

14 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

15 (Text of Section before amendment by P.A. 102-466)

16 Sec. 10-22.6. Suspension or expulsion of pupils; school
17 searches.

18 (a) To expel pupils guilty of gross disobedience or
19 misconduct, including gross disobedience or misconduct
20 perpetuated by electronic means, pursuant to subsection (b-20)
21 of this Section, and no action shall lie against them for such
22 expulsion. Expulsion shall take place only after the parents
23 have been requested to appear at a meeting of the board, or
24 with a hearing officer appointed by it, to discuss their
25 child's behavior. Such request shall be made by registered or

1 certified mail and shall state the time, place and purpose of
2 the meeting. The board, or a hearing officer appointed by it,
3 at such meeting shall state the reasons for dismissal and the
4 date on which the expulsion is to become effective. If a
5 hearing officer is appointed by the board, he shall report to
6 the board a written summary of the evidence heard at the
7 meeting and the board may take such action thereon as it finds
8 appropriate. If the board acts to expel a pupil, the written
9 expulsion decision shall detail the specific reasons why
10 removing the pupil from the learning environment is in the
11 best interest of the school. The expulsion decision shall also
12 include a rationale as to the specific duration of the
13 expulsion. An expelled pupil may be immediately transferred to
14 an alternative program in the manner provided in Article 13A
15 or 13B of this Code. A pupil must not be denied transfer
16 because of the expulsion, except in cases in which such
17 transfer is deemed to cause a threat to the safety of students
18 or staff in the alternative program.

19 (b) To suspend or by policy to authorize the
20 superintendent of the district or the principal, assistant
21 principal, or dean of students of any school to suspend pupils
22 guilty of gross disobedience or misconduct, or to suspend
23 pupils guilty of gross disobedience or misconduct on the
24 school bus from riding the school bus, pursuant to subsections
25 (b-15) and (b-20) of this Section, and no action shall lie
26 against them for such suspension. The board may by policy

1 authorize the superintendent of the district or the principal,
2 assistant principal, or dean of students of any school to
3 suspend pupils guilty of such acts for a period not to exceed
4 10 school days. If a pupil is suspended due to gross
5 disobedience or misconduct on a school bus, the board may
6 suspend the pupil in excess of 10 school days for safety
7 reasons.

8 Any suspension shall be reported immediately to the
9 parents or guardian of a pupil along with a full statement of
10 the reasons for such suspension and a notice of their right to
11 a review. The school board must be given a summary of the
12 notice, including the reason for the suspension and the
13 suspension length. Upon request of the parents or guardian,
14 the school board or a hearing officer appointed by it shall
15 review such action of the superintendent or principal,
16 assistant principal, or dean of students. At such review, the
17 parents or guardian of the pupil may appear and discuss the
18 suspension with the board or its hearing officer. If a hearing
19 officer is appointed by the board, he shall report to the board
20 a written summary of the evidence heard at the meeting. After
21 its hearing or upon receipt of the written report of its
22 hearing officer, the board may take such action as it finds
23 appropriate. If a student is suspended pursuant to this
24 subsection (b), the board shall, in the written suspension
25 decision, detail the specific act of gross disobedience or
26 misconduct resulting in the decision to suspend. The

1 suspension decision shall also include a rationale as to the
2 specific duration of the suspension. A pupil who is suspended
3 in excess of 20 school days may be immediately transferred to
4 an alternative program in the manner provided in Article 13A
5 or 13B of this Code. A pupil must not be denied transfer
6 because of the suspension, except in cases in which such
7 transfer is deemed to cause a threat to the safety of students
8 or staff in the alternative program.

9 (b-5) Among the many possible disciplinary interventions
10 and consequences available to school officials, school
11 exclusions, such as out-of-school suspensions and expulsions,
12 are the most serious. School officials shall limit the number
13 and duration of expulsions and suspensions to the greatest
14 extent practicable, and it is recommended that they use them
15 only for legitimate educational purposes. To ensure that
16 students are not excluded from school unnecessarily, it is
17 recommended that school officials consider forms of
18 non-exclusionary discipline prior to using out-of-school
19 suspensions or expulsions.

20 (b-10) Unless otherwise required by federal law or this
21 Code, school boards may not institute zero-tolerance policies
22 by which school administrators are required to suspend or
23 expel students for particular behaviors.

24 (b-15) Out-of-school suspensions of 3 days or less may be
25 used only if the student's continuing presence in school would
26 pose a threat to school safety or a disruption to other

1 students' learning opportunities. For purposes of this
2 subsection (b-15), "threat to school safety or a disruption to
3 other students' learning opportunities" shall be determined on
4 a case-by-case basis by the school board or its designee.
5 School officials shall make all reasonable efforts to resolve
6 such threats, address such disruptions, and minimize the
7 length of suspensions to the greatest extent practicable.

8 (b-20) Unless otherwise required by this Code,
9 out-of-school suspensions of longer than 3 days, expulsions,
10 and disciplinary removals to alternative schools may be used
11 only if other appropriate and available behavioral and
12 disciplinary interventions have been exhausted and the
13 student's continuing presence in school would either (i) pose
14 a threat to the safety of other students, staff, or members of
15 the school community or (ii) substantially disrupt, impede, or
16 interfere with the operation of the school. For purposes of
17 this subsection (b-20), "threat to the safety of other
18 students, staff, or members of the school community" and
19 "substantially disrupt, impede, or interfere with the
20 operation of the school" shall be determined on a case-by-case
21 basis by school officials. For purposes of this subsection
22 (b-20), the determination of whether "appropriate and
23 available behavioral and disciplinary interventions have been
24 exhausted" shall be made by school officials. School officials
25 shall make all reasonable efforts to resolve such threats,
26 address such disruptions, and minimize the length of student

1 exclusions to the greatest extent practicable. Within the
2 suspension decision described in subsection (b) of this
3 Section or the expulsion decision described in subsection (a)
4 of this Section, it shall be documented whether other
5 interventions were attempted or whether it was determined that
6 there were no other appropriate and available interventions.

7 (b-25) Students who are suspended out-of-school for longer
8 than 4 school days shall be provided appropriate and available
9 support services during the period of their suspension. For
10 purposes of this subsection (b-25), "appropriate and available
11 support services" shall be determined by school authorities.
12 Within the suspension decision described in subsection (b) of
13 this Section, it shall be documented whether such services are
14 to be provided or whether it was determined that there are no
15 such appropriate and available services.

16 A school district may refer students who are expelled to
17 appropriate and available support services.

18 A school district shall create a policy to facilitate the
19 re-engagement of students who are suspended out-of-school,
20 expelled, or returning from an alternative school setting.

21 (b-30) A school district shall create a policy by which
22 suspended pupils, including those pupils suspended from the
23 school bus who do not have alternate transportation to school,
24 shall have the opportunity to make up work for equivalent
25 academic credit. It shall be the responsibility of a pupil's
26 parent or guardian to notify school officials that a pupil

1 suspended from the school bus does not have alternate
2 transportation to school.

3 (c) A school board must invite a representative from a
4 local mental health agency to consult with the board at the
5 meeting whenever there is evidence that mental illness may be
6 the cause of a student's expulsion or suspension.

7 (c-5) School districts shall make reasonable efforts to
8 provide ongoing professional development to teachers,
9 administrators, school board members, school resource
10 officers, and staff on the adverse consequences of school
11 exclusion and justice-system involvement, effective classroom
12 management strategies, culturally responsive discipline, the
13 appropriate and available supportive services for the
14 promotion of student attendance and engagement, and
15 developmentally appropriate disciplinary methods that promote
16 positive and healthy school climates.

17 (d) The board may expel a student for a definite period of
18 time not to exceed 2 calendar years, as determined on a
19 case-by-case basis. A student who is determined to have
20 brought one of the following objects to school, any
21 school-sponsored activity or event, or any activity or event
22 that bears a reasonable relationship to school shall be
23 expelled for a period of not less than one year:

24 (1) A firearm. For the purposes of this Section,
25 "firearm" means any gun, rifle, shotgun, weapon as defined
26 by Section 921 of Title 18 of the United States Code,

1 firearm as defined in Section 1.1 of the Firearm Owners
2 Identification Card Act, or firearm as defined in Section
3 24-1 of the Criminal Code of 2012. The expulsion period
4 under this subdivision (1) may be modified by the
5 superintendent, and the superintendent's determination may
6 be modified by the board on a case-by-case basis.

7 (2) A knife, brass knuckles or other knuckle weapon
8 regardless of its composition, a billy club, or any other
9 object if used or attempted to be used to cause bodily
10 harm, including "look alike" of any firearm as defined in
11 subdivision (1) of this subsection (d). The expulsion
12 requirement under this subdivision (2) may be modified by
13 the superintendent, and the superintendent's determination
14 may be modified by the board on a case-by-case basis.

15 Expulsion or suspension shall be construed in a manner
16 consistent with the federal Individuals with Disabilities
17 Education Act. A student who is subject to suspension or
18 expulsion as provided in this Section may be eligible for a
19 transfer to an alternative school program in accordance with
20 Article 13A of the School Code.

21 (d-5) The board may suspend or by regulation authorize the
22 superintendent of the district or the principal, assistant
23 principal, or dean of students of any school to suspend a
24 student for a period not to exceed 10 school days or may expel
25 a student for a definite period of time not to exceed 2
26 calendar years, as determined on a case-by-case basis, if (i)

1 that student has been determined to have made an explicit
2 threat on an Internet website against a school employee, a
3 student, or any school-related personnel, (ii) the Internet
4 website through which the threat was made is a site that was
5 accessible within the school at the time the threat was made or
6 was available to third parties who worked or studied within
7 the school grounds at the time the threat was made, and (iii)
8 the threat could be reasonably interpreted as threatening to
9 the safety and security of the threatened individual because
10 of his or her duties or employment status or status as a
11 student inside the school.

12 (e) To maintain order and security in the schools, school
13 authorities may inspect and search places and areas such as
14 lockers, desks, parking lots, and other school property and
15 equipment owned or controlled by the school, as well as
16 personal effects left in those places and areas by students,
17 without notice to or the consent of the student, and without a
18 search warrant. As a matter of public policy, the General
19 Assembly finds that students have no reasonable expectation of
20 privacy in these places and areas or in their personal effects
21 left in these places and areas. School authorities may request
22 the assistance of law enforcement officials for the purpose of
23 conducting inspections and searches of lockers, desks, parking
24 lots, and other school property and equipment owned or
25 controlled by the school for illegal drugs, weapons, or other
26 illegal or dangerous substances or materials, including

1 searches conducted through the use of specially trained dogs.
2 If a search conducted in accordance with this Section produces
3 evidence that the student has violated or is violating either
4 the law, local ordinance, or the school's policies or rules,
5 such evidence may be seized by school authorities, and
6 disciplinary action may be taken. School authorities may also
7 turn over such evidence to law enforcement authorities.

8 (f) Suspension or expulsion may include suspension or
9 expulsion from school and all school activities and a
10 prohibition from being present on school grounds.

11 (g) A school district may adopt a policy providing that if
12 a student is suspended or expelled for any reason from any
13 public or private school in this or any other state, the
14 student must complete the entire term of the suspension or
15 expulsion in an alternative school program under Article 13A
16 of this Code or an alternative learning opportunities program
17 under Article 13B of this Code before being admitted into the
18 school district if there is no threat to the safety of students
19 or staff in the alternative program.

20 (h) School officials shall not advise or encourage
21 students to drop out voluntarily due to behavioral or academic
22 difficulties.

23 (i) A student may not be issued a monetary fine or fee as a
24 disciplinary consequence, though this shall not preclude
25 requiring a student to provide restitution for lost, stolen,
26 or damaged property.

1 (j) Subsections (a) through (i) of this Section shall
2 apply to elementary and secondary schools, charter schools,
3 special charter districts, and school districts organized
4 under Article 34 of this Code.

5 (k) The expulsion of children enrolled in programs funded
6 under Section 1C-2 of this Code is subject to the requirements
7 under paragraph (7) of subsection (a) of Section 2-3.71 of
8 this Code.

9 (l) Beginning with the 2018-2019 school year, an in-school
10 suspension program provided by a school district for any
11 students in kindergarten through grade 12 may focus on
12 promoting non-violent conflict resolution and positive
13 interaction with other students and school personnel. A school
14 district may employ a school social worker or a licensed
15 mental health professional to oversee an in-school suspension
16 program in kindergarten through grade 12.

17 (Source: P.A. 101-81, eff. 7-12-19; 102-539, eff. 8-20-21;
18 102-813, eff. 5-13-22.)

19 (Text of Section after amendment by P.A. 102-466)

20 Sec. 10-22.6. Suspension or expulsion of pupils; school
21 searches.

22 (a) To expel pupils guilty of gross disobedience or
23 misconduct, including gross disobedience or misconduct
24 perpetuated by electronic means, pursuant to subsection (b-20)
25 of this Section, and no action shall lie against them for such

1 expulsion. Expulsion shall take place only after the parents
2 or guardians have been requested to appear at a meeting of the
3 board, or with a hearing officer appointed by it, to discuss
4 their child's behavior. Such request shall be made by
5 registered or certified mail and shall state the time, place
6 and purpose of the meeting. The board, or a hearing officer
7 appointed by it, at such meeting shall state the reasons for
8 dismissal and the date on which the expulsion is to become
9 effective. If a hearing officer is appointed by the board, he
10 shall report to the board a written summary of the evidence
11 heard at the meeting and the board may take such action thereon
12 as it finds appropriate. If the board acts to expel a pupil,
13 the written expulsion decision shall detail the specific
14 reasons why removing the pupil from the learning environment
15 is in the best interest of the school. The expulsion decision
16 shall also include a rationale as to the specific duration of
17 the expulsion. An expelled pupil may be immediately
18 transferred to an alternative program in the manner provided
19 in Article 13A or 13B of this Code. A pupil must not be denied
20 transfer because of the expulsion, except in cases in which
21 such transfer is deemed to cause a threat to the safety of
22 students or staff in the alternative program.

23 (b) To suspend or by policy to authorize the
24 superintendent of the district or the principal, assistant
25 principal, or dean of students of any school to suspend pupils
26 guilty of gross disobedience or misconduct, or to suspend

1 pupils guilty of gross disobedience or misconduct on the
2 school bus from riding the school bus, pursuant to subsections
3 (b-15) and (b-20) of this Section, and no action shall lie
4 against them for such suspension. The board may by policy
5 authorize the superintendent of the district or the principal,
6 assistant principal, or dean of students of any school to
7 suspend pupils guilty of such acts for a period not to exceed
8 10 school days. If a pupil is suspended due to gross
9 disobedience or misconduct on a school bus, the board may
10 suspend the pupil in excess of 10 school days for safety
11 reasons.

12 Any suspension shall be reported immediately to the
13 parents or guardians of a pupil along with a full statement of
14 the reasons for such suspension and a notice of their right to
15 a review. The school board must be given a summary of the
16 notice, including the reason for the suspension and the
17 suspension length. Upon request of the parents or guardians,
18 the school board or a hearing officer appointed by it shall
19 review such action of the superintendent or principal,
20 assistant principal, or dean of students. At such review, the
21 parents or guardians of the pupil may appear and discuss the
22 suspension with the board or its hearing officer. If a hearing
23 officer is appointed by the board, he shall report to the board
24 a written summary of the evidence heard at the meeting. After
25 its hearing or upon receipt of the written report of its
26 hearing officer, the board may take such action as it finds

1 appropriate. If a student is suspended pursuant to this
2 subsection (b), the board shall, in the written suspension
3 decision, detail the specific act of gross disobedience or
4 misconduct resulting in the decision to suspend. The
5 suspension decision shall also include a rationale as to the
6 specific duration of the suspension. A pupil who is suspended
7 in excess of 20 school days may be immediately transferred to
8 an alternative program in the manner provided in Article 13A
9 or 13B of this Code. A pupil must not be denied transfer
10 because of the suspension, except in cases in which such
11 transfer is deemed to cause a threat to the safety of students
12 or staff in the alternative program.

13 (b-5) Among the many possible disciplinary interventions
14 and consequences available to school officials, school
15 exclusions, such as out-of-school suspensions and expulsions,
16 are the most serious. School officials shall limit the number
17 and duration of expulsions and suspensions to the greatest
18 extent practicable, and it is recommended that they use them
19 only for legitimate educational purposes. To ensure that
20 students are not excluded from school unnecessarily, it is
21 recommended that school officials consider forms of
22 non-exclusionary discipline prior to using out-of-school
23 suspensions or expulsions.

24 (b-10) Unless otherwise required by federal law or this
25 Code, school boards may not institute zero-tolerance policies
26 by which school administrators are required to suspend or

1 expel students for particular behaviors.

2 (b-15) Out-of-school suspensions of 3 days or less may be
3 used only if the student's continuing presence in school would
4 pose a threat to school safety or a disruption to other
5 students' learning opportunities. For purposes of this
6 subsection (b-15), "threat to school safety or a disruption to
7 other students' learning opportunities" shall be determined on
8 a case-by-case basis by the school board or its designee.
9 School officials shall make all reasonable efforts to resolve
10 such threats, address such disruptions, and minimize the
11 length of suspensions to the greatest extent practicable.

12 (b-20) Unless otherwise required by this Code,
13 out-of-school suspensions of longer than 3 days, expulsions,
14 and disciplinary removals to alternative schools may be used
15 only if other appropriate and available behavioral and
16 disciplinary interventions have been exhausted and the
17 student's continuing presence in school would either (i) pose
18 a threat to the safety of other students, staff, or members of
19 the school community or (ii) substantially disrupt, impede, or
20 interfere with the operation of the school. For purposes of
21 this subsection (b-20), "threat to the safety of other
22 students, staff, or members of the school community" and
23 "substantially disrupt, impede, or interfere with the
24 operation of the school" shall be determined on a case-by-case
25 basis by school officials. For purposes of this subsection
26 (b-20), the determination of whether "appropriate and

1 available behavioral and disciplinary interventions have been
2 exhausted" shall be made by school officials. School officials
3 shall make all reasonable efforts to resolve such threats,
4 address such disruptions, and minimize the length of student
5 exclusions to the greatest extent practicable. Within the
6 suspension decision described in subsection (b) of this
7 Section or the expulsion decision described in subsection (a)
8 of this Section, it shall be documented whether other
9 interventions were attempted or whether it was determined that
10 there were no other appropriate and available interventions.

11 (b-25) Students who are suspended out-of-school for longer
12 than 4 school days shall be provided appropriate and available
13 support services during the period of their suspension. For
14 purposes of this subsection (b-25), "appropriate and available
15 support services" shall be determined by school authorities.
16 Within the suspension decision described in subsection (b) of
17 this Section, it shall be documented whether such services are
18 to be provided or whether it was determined that there are no
19 such appropriate and available services.

20 A school district may refer students who are expelled to
21 appropriate and available support services.

22 A school district shall create a policy to facilitate the
23 re-engagement of students who are suspended out-of-school,
24 expelled, or returning from an alternative school setting.

25 (b-30) A school district shall create a policy by which
26 suspended pupils, including those pupils suspended from the

1 school bus who do not have alternate transportation to school,
2 shall have the opportunity to make up work for equivalent
3 academic credit. It shall be the responsibility of a pupil's
4 parents or guardians to notify school officials that a pupil
5 suspended from the school bus does not have alternate
6 transportation to school.

7 (b-35) In all suspension review hearings conducted under
8 subsection (b) or expulsion hearings conducted under
9 subsection (a), a student may disclose any factor to be
10 considered in mitigation, including his or her status as a
11 parent, expectant parent, or victim of domestic or sexual
12 violence, as defined in Article 26A. A representative of the
13 parent's or guardian's choice, or of the student's choice if
14 emancipated, must be permitted to represent the student
15 throughout the proceedings and to address the school board or
16 its appointed hearing officer. With the approval of the
17 student's parent or guardian, or of the student if
18 emancipated, a support person must be permitted to accompany
19 the student to any disciplinary hearings or proceedings. The
20 representative or support person must comply with any rules of
21 the school district's hearing process. If the representative
22 or support person violates the rules or engages in behavior or
23 advocacy that harasses, abuses, or intimidates either party, a
24 witness, or anyone else in attendance at the hearing, the
25 representative or support person may be prohibited from
26 further participation in the hearing or proceeding. A

1 suspension or expulsion proceeding under this subsection
2 (b-35) must be conducted independently from any ongoing
3 criminal investigation or proceeding, and an absence of
4 pending or possible criminal charges, criminal investigations,
5 or proceedings may not be a factor in school disciplinary
6 decisions.

7 (b-40) During a suspension review hearing conducted under
8 subsection (b) or an expulsion hearing conducted under
9 subsection (a) that involves allegations of sexual violence by
10 the student who is subject to discipline, neither the student
11 nor his or her representative shall directly question nor have
12 direct contact with the alleged victim. The student who is
13 subject to discipline or his or her representative may, at the
14 discretion and direction of the school board or its appointed
15 hearing officer, suggest questions to be posed by the school
16 board or its appointed hearing officer to the alleged victim.

17 (c) A school board must invite a representative from a
18 local mental health agency to consult with the board at the
19 meeting whenever there is evidence that mental illness may be
20 the cause of a student's expulsion or suspension.

21 (c-5) School districts shall make reasonable efforts to
22 provide ongoing professional development to teachers,
23 administrators, school board members, school resource
24 officers, and staff on the adverse consequences of school
25 exclusion and justice-system involvement, effective classroom
26 management strategies, culturally responsive discipline, the

1 appropriate and available supportive services for the
2 promotion of student attendance and engagement, and
3 developmentally appropriate disciplinary methods that promote
4 positive and healthy school climates.

5 (d) The board may expel a student for a definite period of
6 time not to exceed 2 calendar years, as determined on a
7 case-by-case basis. A student who is determined to have
8 brought one of the following objects to school, any
9 school-sponsored activity or event, or any activity or event
10 that bears a reasonable relationship to school shall be
11 expelled for a period of not less than one year:

12 (1) A firearm. For the purposes of this Section,
13 "firearm" means any gun, rifle, shotgun, weapon as defined
14 by Section 921 of Title 18 of the United States Code,
15 firearm as defined in Section 1.1 of the Firearm Owners
16 Identification Card Act, or firearm as defined in Section
17 24-1 of the Criminal Code of 2012. The expulsion period
18 under this subdivision (1) may be modified by the
19 superintendent, and the superintendent's determination may
20 be modified by the board on a case-by-case basis.

21 (2) A knife, brass knuckles or other knuckle weapon
22 regardless of its composition, a billy club, or any other
23 object if used or attempted to be used to cause bodily
24 harm, including "look alike" of any firearm as defined in
25 subdivision (1) of this subsection (d). The expulsion
26 requirement under this subdivision (2) may be modified by

1 the superintendent, and the superintendent's determination
2 may be modified by the board on a case-by-case basis.
3 Expulsion or suspension shall be construed in a manner
4 consistent with the federal Individuals with Disabilities
5 Education Act. A student who is subject to suspension or
6 expulsion as provided in this Section may be eligible for a
7 transfer to an alternative school program in accordance with
8 Article 13A of the School Code.

9 (d-5) The board may suspend or by regulation authorize the
10 superintendent of the district or the principal, assistant
11 principal, or dean of students of any school to suspend a
12 student for a period not to exceed 10 school days or may expel
13 a student for a definite period of time not to exceed 2
14 calendar years, as determined on a case-by-case basis, if (i)
15 that student has been determined to have made an explicit
16 threat on an Internet website against a school employee, a
17 student, or any school-related personnel, (ii) the Internet
18 website through which the threat was made is a site that was
19 accessible within the school at the time the threat was made or
20 was available to third parties who worked or studied within
21 the school grounds at the time the threat was made, and (iii)
22 the threat could be reasonably interpreted as threatening to
23 the safety and security of the threatened individual because
24 of his or her duties or employment status or status as a
25 student inside the school.

26 (e) To maintain order and security in the schools, school

1 authorities may inspect and search places and areas such as
2 lockers, desks, parking lots, and other school property and
3 equipment owned or controlled by the school, as well as
4 personal effects left in those places and areas by students,
5 without notice to or the consent of the student, and without a
6 search warrant. As a matter of public policy, the General
7 Assembly finds that students have no reasonable expectation of
8 privacy in these places and areas or in their personal effects
9 left in these places and areas. School authorities may request
10 the assistance of law enforcement officials for the purpose of
11 conducting inspections and searches of lockers, desks, parking
12 lots, and other school property and equipment owned or
13 controlled by the school for illegal drugs, weapons, or other
14 illegal or dangerous substances or materials, including
15 searches conducted through the use of specially trained dogs.
16 If a search conducted in accordance with this Section produces
17 evidence that the student has violated or is violating either
18 the law, local ordinance, or the school's policies or rules,
19 such evidence may be seized by school authorities, and
20 disciplinary action may be taken. School authorities may also
21 turn over such evidence to law enforcement authorities.

22 (f) Suspension or expulsion may include suspension or
23 expulsion from school and all school activities and a
24 prohibition from being present on school grounds.

25 (g) A school district may adopt a policy providing that if
26 a student is suspended or expelled for any reason from any

1 public or private school in this or any other state, the
2 student must complete the entire term of the suspension or
3 expulsion in an alternative school program under Article 13A
4 of this Code or an alternative learning opportunities program
5 under Article 13B of this Code before being admitted into the
6 school district if there is no threat to the safety of students
7 or staff in the alternative program. A school district that
8 adopts a policy under this subsection (g) must include a
9 provision allowing for consideration of any mitigating
10 factors, including, but not limited to, a student's status as
11 a parent, expectant parent, or victim of domestic or sexual
12 violence, as defined in Article 26A.

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) Through June 30, 2026, the ~~The~~ expulsion of children
25 enrolled in programs funded under Section 1C-2 of this Code is
26 subject to the requirements under paragraph (7) of subsection

1 (a) of Section 2-3.71 of this Code.

2 (k-5) On and after July 1, 2026, the expulsion of children
3 enrolled in programs funded under Section 15-25 is subject to
4 the requirements of paragraph (7) of subsection (a) of Section
5 15-30 of the Department of Early Childhood Act.

6 (l) Beginning with the 2018-2019 school year, an in-school
7 suspension program provided by a school district for any
8 students in kindergarten through grade 12 may focus on
9 promoting non-violent conflict resolution and positive
10 interaction with other students and school personnel. A school
11 district may employ a school social worker or a licensed
12 mental health professional to oversee an in-school suspension
13 program in kindergarten through grade 12.

14 (Source: P.A. 101-81, eff. 7-12-19; 102-466, eff. 7-1-25;
15 102-539, eff. 8-20-21; 102-813, eff. 5-13-22.)

16 (105 ILCS 5/21B-50)

17 Sec. 21B-50. Alternative Educator Licensure Program for
18 Teachers.

19 (a) There is established an alternative educator licensure
20 program, to be known as the Alternative Educator Licensure
21 Program for Teachers.

22 (b) The Alternative Educator Licensure Program for
23 Teachers may be offered by a recognized institution approved
24 to offer educator preparation programs by the State Board of
25 Education, in consultation with the State Educator Preparation

1 and Licensure Board.

2 The program shall be comprised of up to 3 phases:

3 (1) A course of study that at a minimum includes
4 instructional planning; instructional strategies,
5 including special education, reading, and English language
6 learning; classroom management; and the assessment of
7 students and use of data to drive instruction.

8 (2) A year of residency, which is a candidate's
9 assignment to a full-time teaching position or as a
10 co-teacher for one full school year. An individual must
11 hold an Educator License with Stipulations with an
12 alternative provisional educator endorsement in order to
13 enter the residency. In residency, the candidate must+ be
14 assigned an effective, fully licensed teacher by the
15 principal or principal equivalent to act as a mentor and
16 coach the candidate through residency, complete additional
17 program requirements that address required State and
18 national standards, pass the State Board's teacher
19 performance assessment, if required under Section 21B-30,
20 and be recommended by the principal or qualified
21 equivalent of a principal, as required under subsection
22 (d) of this Section, and the program coordinator to be
23 recommended for full licensure or to continue with a
24 second year of the residency.

25 (3) (Blank).

26 (4) A comprehensive assessment of the candidate's

1 teaching effectiveness, as evaluated by the principal or
2 qualified equivalent of a principal, as required under
3 subsection (d) of this Section, and the program
4 coordinator, at the end of either the first or the second
5 year of residency. If there is disagreement between the 2
6 evaluators about the candidate's teaching effectiveness at
7 the end of the first year of residency, a second year of
8 residency shall be required. If there is disagreement
9 between the 2 evaluators at the end of the second year of
10 residency, the candidate may complete one additional year
11 of residency teaching under a professional development
12 plan developed by the principal or qualified equivalent
13 and the preparation program. At the completion of the
14 third year, a candidate must have positive evaluations and
15 a recommendation for full licensure from both the
16 principal or qualified equivalent and the program
17 coordinator or no Professional Educator License shall be
18 issued.

19 Successful completion of the program shall be deemed to
20 satisfy any other practice or student teaching and content
21 matter requirements established by law.

22 (c) An alternative provisional educator endorsement on an
23 Educator License with Stipulations is valid for up to 2 years
24 of teaching in the public schools, including without
25 limitation a preschool educational program under Section
26 2-3.71 of this Code or Section 15-30 of the Department of Early

1 Childhood Act or charter school, or in a State-recognized
2 nonpublic school in which the chief administrator is required
3 to have the licensure necessary to be a principal in a public
4 school in this State and in which a majority of the teachers
5 are required to have the licensure necessary to be instructors
6 in a public school in this State, but may be renewed for a
7 third year if needed to complete the Alternative Educator
8 Licensure Program for Teachers. The endorsement shall be
9 issued only once to an individual who meets all of the
10 following requirements:

11 (1) Has graduated from a regionally accredited college
12 or university with a bachelor's degree or higher.

13 (2) (Blank).

14 (3) Has completed a major in the content area if
15 seeking a middle or secondary level endorsement or, if
16 seeking an early childhood, elementary, or special
17 education endorsement, has completed a major in the
18 content area of early childhood reading, English/language
19 arts, mathematics, or one of the sciences. If the
20 individual does not have a major in a content area for any
21 level of teaching, he or she must submit transcripts to
22 the State Board of Education to be reviewed for
23 equivalency.

24 (4) Has successfully completed phase (1) of subsection
25 (b) of this Section.

26 (5) Has passed a content area test required for the

1 specific endorsement for admission into the program, as
2 required under Section 21B-30 of this Code.

3 A candidate possessing the alternative provisional
4 educator endorsement may receive a salary, benefits, and any
5 other terms of employment offered to teachers in the school
6 who are members of an exclusive bargaining representative, if
7 any, but a school is not required to provide these benefits
8 during the years of residency if the candidate is serving only
9 as a co-teacher. If the candidate is serving as the teacher of
10 record, the candidate must receive a salary, benefits, and any
11 other terms of employment. Residency experiences must not be
12 counted towards tenure.

13 (d) The recognized institution offering the Alternative
14 Educator Licensure Program for Teachers must partner with a
15 school district, including without limitation a preschool
16 educational program under Section 2-3.71 of this Code or
17 Section 15-30 of the Department of Early Childhood Act or
18 charter school, or a State-recognized, nonpublic school in
19 this State in which the chief administrator is required to
20 have the licensure necessary to be a principal in a public
21 school in this State and in which a majority of the teachers
22 are required to have the licensure necessary to be instructors
23 in a public school in this State. A recognized institution
24 that partners with a public school district administering a
25 preschool educational program under Section 2-3.71 of this
26 Code or Section 15-30 of the Department of Early Childhood Act

1 must require a principal to recommend or evaluate candidates
2 in the program. A recognized institution that partners with an
3 eligible entity administering a preschool educational program
4 under Section 2-3.71 of this Code or Section 15-30 of the
5 Department of Early Childhood Act and that is not a public
6 school district must require a principal or qualified
7 equivalent of a principal to recommend or evaluate candidates
8 in the program. The program presented for approval by the
9 State Board of Education must demonstrate the supports that
10 are to be provided to assist the provisional teacher during
11 the one-year ~~1-year~~ or 2-year residency period and if the
12 residency period is to be less than 2 years in length,
13 assurances from the partner school districts to provide
14 intensive mentoring and supports through at least the end of
15 the second full year of teaching for educators who completed
16 the Alternative Educator ~~Educators~~ Licensure Program for
17 Teachers in less than 2 years. These supports must, at a
18 minimum, provide additional contact hours with mentors during
19 the first year of residency.

20 (e) Upon completion of phases under paragraphs (1), (2),
21 (4), and, if needed, (3) in subsection (b) of this Section and
22 all assessments required under Section 21B-30 of this Code, an
23 individual shall receive a Professional Educator License.

24 (f) The State Board of Education, in consultation with the
25 State Educator Preparation and Licensure Board, may adopt such
26 rules as may be necessary to establish and implement the

1 Alternative Educator Licensure Program for Teachers.

2 (Source: P.A. 103-111, eff. 6-29-23; 103-488, eff. 8-4-23;
3 revised 9-1-23.)

4 (105 ILCS 5/22-45)

5 Sec. 22-45. Illinois P-20 Council.

6 (a) The General Assembly finds that preparing Illinoisans
7 for success in school and the workplace requires a continuum
8 of quality education from preschool through graduate school.
9 This State needs a framework to guide education policy and
10 integrate education at every level. A statewide coordinating
11 council to study and make recommendations concerning education
12 at all levels can avoid fragmentation of policies, promote
13 improved teaching and learning, and continue to cultivate and
14 demonstrate strong accountability and efficiency. Establishing
15 an Illinois P-20 Council will develop a statewide agenda that
16 will move the State towards the common goals of improving
17 academic achievement, increasing college access and success,
18 improving use of existing data and measurements, developing
19 improved accountability, fostering innovative approaches to
20 education, promoting lifelong learning, easing the transition
21 to college, and reducing remediation. A pre-kindergarten
22 through grade 20 agenda will strengthen this State's economic
23 competitiveness by producing a highly-skilled workforce. In
24 addition, lifelong learning plans will enhance this State's
25 ability to leverage funding.

1 (b) There is created the Illinois P-20 Council. The
2 Illinois P-20 Council shall include all of the following
3 members:

4 (1) The Governor or his or her designee, to serve as
5 chairperson.

6 (2) Four members of the General Assembly, one
7 appointed by the Speaker of the House of Representatives,
8 one appointed by the Minority Leader of the House of
9 Representatives, one appointed by the President of the
10 Senate, and one appointed by the Minority Leader of the
11 Senate.

12 (3) Six at-large members appointed by the Governor as
13 follows, with 2 members being from the City of Chicago, 2
14 members being from Lake County, McHenry County, Kane
15 County, DuPage County, Will County, or that part of Cook
16 County outside of the City of Chicago, and 2 members being
17 from the remainder of the State:

18 (A) one representative of civic leaders;

19 (B) one representative of local government;

20 (C) one representative of trade unions;

21 (D) one representative of nonprofit organizations
22 or foundations;

23 (E) one representative of parents' organizations;

24 and

25 (F) one education research expert.

26 (4) Five members appointed by statewide business

1 organizations and business trade associations.

2 (5) Six members appointed by statewide professional
3 organizations and associations representing
4 pre-kindergarten through grade 20 teachers, community
5 college faculty, and public university faculty.

6 (6) Two members appointed by associations representing
7 local school administrators and school board members. One
8 of these members must be a special education
9 administrator.

10 (7) One member representing community colleges,
11 appointed by the Illinois Council of Community College
12 Presidents.

13 (8) One member representing 4-year independent
14 colleges and universities, appointed by a statewide
15 organization representing private institutions of higher
16 learning.

17 (9) One member representing public 4-year
18 universities, appointed jointly by the university
19 presidents and chancellors.

20 (10) Ex-officio members as follows:

21 (A) The State Superintendent of Education or his
22 or her designee.

23 (A-5) The Secretary of Early Childhood or the
24 Secretary's designee.

25 (B) The Executive Director of the Board of Higher
26 Education or his or her designee.

1 (C) The Executive Director of the Illinois
2 Community College Board or his or her designee.

3 (D) The Executive Director of the Illinois Student
4 Assistance Commission or his or her designee.

5 (E) The Co-chairpersons of the Illinois Workforce
6 Investment Board or their designee.

7 (F) The Director of Commerce and Economic
8 Opportunity or his or her designee.

9 (G) The Chairperson of the Illinois Early Learning
10 Council or his or her designee.

11 (H) The President of the Illinois Mathematics and
12 Science Academy or his or her designee.

13 (I) The president of an association representing
14 educators of adult learners or his or her designee.

15 Ex-officio members shall have no vote on the Illinois P-20
16 Council.

17 Appointed members shall serve for staggered terms expiring
18 on July 1 of the first, second, or third calendar year
19 following their appointments or until their successors are
20 appointed and have qualified. Staggered terms shall be
21 determined by lot at the organizing meeting of the Illinois
22 P-20 Council.

23 Vacancies shall be filled in the same manner as original
24 appointments, and any member so appointed shall serve during
25 the remainder of the term for which the vacancy occurred.

26 (c) The Illinois P-20 Council shall be funded through

1 State appropriations to support staff activities, research,
2 data-collection, and dissemination. The Illinois P-20 Council
3 shall be staffed by the Office of the Governor, in
4 coordination with relevant State agencies, boards, and
5 commissions. The Illinois Education Research Council shall
6 provide research and coordinate research collection activities
7 for the Illinois P-20 Council.

8 (d) The Illinois P-20 Council shall have all of the
9 following duties:

10 (1) To make recommendations to do all of the
11 following:

12 (A) Coordinate pre-kindergarten through grade 20
13 (graduate school) education in this State through
14 working at the intersections of educational systems to
15 promote collaborative infrastructure.

16 (B) Coordinate and leverage strategies, actions,
17 legislation, policies, and resources of all
18 stakeholders to support fundamental and lasting
19 improvement in this State's public schools, community
20 colleges, and universities.

21 (C) Better align the high school curriculum with
22 postsecondary expectations.

23 (D) Better align assessments across all levels of
24 education.

25 (E) Reduce the need for students entering
26 institutions of higher education to take remedial

1 courses.

2 (F) Smooth the transition from high school to
3 college.

4 (G) Improve high school and college graduation
5 rates.

6 (H) Improve the rigor and relevance of academic
7 standards for college and workforce readiness.

8 (I) Better align college and university teaching
9 programs with the needs of Illinois schools.

10 (2) To advise the Governor, the General Assembly, the
11 State's education and higher education agencies, and the
12 State's workforce and economic development boards and
13 agencies on policies related to lifelong learning for
14 Illinois students and families.

15 (3) To articulate a framework for systemic educational
16 improvement and innovation that will enable every student
17 to meet or exceed Illinois learning standards and be
18 well-prepared to succeed in the workforce and community.

19 (4) To provide an estimated fiscal impact for
20 implementation of all Council recommendations.

21 (5) To make recommendations for short-term and
22 long-term learning recovery actions for public school
23 students in this State in the wake of the COVID-19
24 pandemic. The Illinois P-20 Council shall submit a report
25 with its recommendations for a multi-year recovery plan by
26 December 31, 2021 to the Governor, the State Board of

1 Education, the Board of Higher Education, the Illinois
2 Community College Board, and the General Assembly that
3 addresses all of the following:

4 (A) Closing the digital divide for all students,
5 including access to devices, Internet connectivity,
6 and ensuring that educators have the necessary support
7 and training to provide high quality remote and
8 blended learning to students.

9 (B) Evaluating the academic growth and proficiency
10 of students in order to understand the impact of
11 school closures and remote and blended remote learning
12 conditions on student academic outcomes, including
13 disaggregating data by race, income, diverse learners,
14 and English learners, in ways that balance the need to
15 understand that impact with the need to support
16 student well-being and also take into consideration
17 the logistical constraints facing schools and
18 districts.

19 (C) Establishing a system for the collection and
20 review of student data at the State level, including
21 data about prekindergarten through higher education
22 student attendance, engagement and participation,
23 discipline, and social-emotional and mental health
24 inputs and outcomes, in order to better understand the
25 full impact of disrupted learning.

26 (D) Providing students with resources and programs

1 for academic support, such as enrichment
2 opportunities, tutoring corps, summer bridge programs,
3 youth leadership and development programs, youth and
4 community-led restorative and transformative justice
5 programs, and youth internship and apprenticeship
6 programs.

7 (E) Providing students with resources and support
8 to ensure access to social-emotional learning, mental
9 health services, and trauma responsive, restorative
10 justice and anti-racist practices in order to support
11 the growth of the whole child, such as investing in
12 community schools and providing comprehensive
13 year-round services and support for both students and
14 their families.

15 (F) Ensuring more time for students' academic,
16 social-emotional, and mental health needs by
17 considering such strategies as: (i) extending planning
18 time for teachers, (ii) extending the school day and
19 school year, and (iii) transitioning to year-round
20 schooling.

21 (G) Strengthening the transition from secondary
22 education to postsecondary education in the wake of
23 threats to alignment and affordability created by the
24 pandemic and related conditions.

25 (e) The chairperson of the Illinois P-20 Council may
26 authorize the creation of working groups focusing on areas of

1 interest to Illinois educational and workforce development,
2 including without limitation the following areas:

3 (1) Preparation, recruitment, and certification of
4 highly qualified teachers.

5 (2) Mentoring and induction of highly qualified
6 teachers.

7 (3) The diversity of highly qualified teachers.

8 (4) Funding for highly qualified teachers, including
9 developing a strategic and collaborative plan to seek
10 federal and private grants to support initiatives
11 targeting teacher preparation and its impact on student
12 achievement.

13 (5) Highly effective administrators.

14 (6) Illinois birth through age 3 education,
15 pre-kindergarten, and early childhood education.

16 (7) The assessment, alignment, outreach, and network
17 of college and workforce readiness efforts.

18 (8) Alternative routes to college access.

19 (9) Research data and accountability.

20 (10) Community schools, community participation, and
21 other innovative approaches to education that foster
22 community partnerships.

23 (11) Tuition, financial aid, and other issues related
24 to keeping postsecondary education affordable for Illinois
25 residents.

26 (12) Learning recovery in the wake of the COVID-19

1 pandemic.

2 The chairperson of the Illinois P-20 Council may designate
3 Council members to serve as working group chairpersons.
4 Working groups may invite organizations and individuals
5 representing pre-kindergarten through grade 20 interests to
6 participate in discussions, data collection, and
7 dissemination.

8 (Source: P.A. 101-654, eff. 3-8-21.)

9 (105 ILCS 5/26-19)

10 Sec. 26-19. Chronic absenteeism in preschool children.

11 (a) In this Section, "chronic absence" has the meaning
12 ascribed to that term in Section 26-18 of this Code.

13 (b) The General Assembly makes all of the following
14 findings:

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

17 (2) Missed learning opportunities in the early years
18 make it difficult for a child to enter kindergarten ready
19 for success.

20 (3) Attendance patterns in the early years serve as
21 predictors of chronic absenteeism and reduced educational
22 outcomes in later school years. Therefore, it is crucial
23 that the implications of chronic absence be understood and
24 reviewed regularly under the Preschool for All Program and
25 Preschool for All Expansion Program under Section 2-3.71

1 of this Code.

2 (c) The Preschool for All Program and Preschool for All
3 Expansion Program under Section 2-3.71 of this Code shall
4 collect and review its chronic absence data and determine what
5 support and resources are needed to positively engage
6 chronically absent students and their families to encourage
7 the habit of daily attendance and promote success.

8 (d) The Preschool for All Program and Preschool for All
9 Expansion Program under Section 2-3.71 of this Code are
10 encouraged to do all of the following:

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

13 (2) Make resources available to families, such as
14 those available through the State Board of Education's
15 Family Engagement Framework, to support and encourage
16 families to ensure their children's daily program
17 attendance.

18 (3) Include information about chronic absenteeism as
19 part of their preschool to kindergarten transition
20 resources.

21 (e) On or before July 1, 2020, and annually thereafter,
22 the Preschool for All Program and Preschool for All Expansion
23 Program shall report all data collected under subsection (c)
24 of this Section to the State Board of Education, which shall
25 make the report publicly available via the Illinois Early
26 Childhood Asset Map Internet website and the Preschool for All

1 Program or Preschool for All Expansion Program triennial
2 report.

3 (f) This Section is repealed on July 1, 2026.

4 (Source: P.A. 102-539, eff. 8-20-21.)

5 Section 90-35. The School Construction Law is amended by
6 changing Section 5-300 as follows:

7 (105 ILCS 230/5-300)

8 Sec. 5-300. Early childhood construction grants.

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

20 (1) A public school district assigned to Tier 1 under
21 Section 18-8.15 of the School Code or any other eligible
22 entity in an area encompassed by that district must
23 provide local matching funds in an amount equal to 3% of
24 the grant awarded under this Section.

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

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

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

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

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

22 (1) the manner of applying for grants;

23 (2) project eligibility requirements;

24 (3) restrictions on the use of grant moneys;

25 (4) the manner in which school districts and other
26 eligible entities must account for the use of grant

1 moneys;

2 (5) requirements that new or improved facilities be
3 used for early childhood and other related programs for a
4 period of at least 10 years; and

5 (6) any other provision that the Capital Development
6 Board determines to be necessary or useful for the
7 administration of this Section.

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

23 (c) The Capital Development Board, in consultation with
24 the State Board of Education, shall establish standards for
25 the determination of priority needs concerning early childhood
26 projects based on projects located in communities in the State

1 with the greatest underserved population of young children,
2 utilizing Census data and other reliable local early childhood
3 service data.

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

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

11 (Source: P.A. 102-16, eff. 6-17-21; 103-8, eff. 6-7-23.)

12 Section 90-40. The Early Childhood Access Consortium for
13 Equity Act is amended by changing Sections 25 and 35 as
14 follows:

15 (110 ILCS 28/25)

16 Sec. 25. Advisory committee; membership.

17 (a) The Board of Higher Education, the Illinois Community
18 College Board, the State Board of Education, the Department of
19 Human Services, and the Department of Early Childhood
20 ~~Governor's Office of Early Childhood Development~~ shall jointly
21 convene a Consortium advisory committee to provide guidance on
22 the operation of the Consortium.

23 (b) Membership on the advisory committee shall be
24 comprised of employers and experts appointed by the Board of

1 Higher Education, the Illinois Community College Board, the
2 Department of Early Childhood, the Department of Human
3 Services Governor's Office of Early Childhood Development, and
4 the State Board of Education. Membership shall also include
5 all of the following members:

6 (1) An employer from a community-based child care
7 provider, appointed by the Department of Human Services
8 ~~Governor's Office of Early Childhood Development~~.

9 (2) An employer from a for-profit child care provider,
10 appointed by the Department of Human Services Governor's
11 ~~Office of Early Childhood Development~~.

12 (3) An employer from a nonprofit child care provider,
13 appointed by the Department of Human Services Governor's
14 ~~Office of Early Childhood Development~~.

15 (4) A provider of family child care, appointed by the
16 Department of Human Services Governor's Office of Early
17 ~~Childhood Development~~.

18 (5) An employer located in southern Illinois,
19 appointed by the Department of Early Childhood Governor's
20 ~~Office of Early Childhood Development~~.

21 (6) An employer located in central Illinois, appointed
22 by the Department of Early Childhood Governor's Office of
23 ~~Early Childhood Development~~.

24 (7) At least one member who represents an urban school
25 district, appointed by the State Board of Education.

26 (8) At least one member who represents a suburban

1 school district, appointed by the State Board of
2 Education.

3 (9) At least one member who represents a rural school
4 district, appointed by the State Board of Education.

5 (10) At least one member who represents a school
6 district in a city with a population of 500,000 or more,
7 appointed by the State Board of Education.

8 (11) Two early childhood advocates with statewide
9 expertise in early childhood workforce issues, appointed
10 by the Department of Early Childhood ~~Governor's Office of~~
11 ~~Early Childhood Development~~.

12 (12) The Chairperson or Vice-Chairperson and the
13 Minority Spokesperson or a designee of the Senate
14 Committee on Higher Education.

15 (13) The Chairperson or Vice-Chairperson and the
16 Minority Spokesperson or a designee of the House Committee
17 on Higher Education.

18 (14) One member representing the Illinois Community
19 College Board, who shall serve as co-chairperson,
20 appointed by the Illinois Community College Board.

21 (15) One member representing the Board of Higher
22 Education, who shall serve as co-chairperson, appointed by
23 the Board of Higher Education.

24 (16) One member representing the Illinois Student
25 Assistance Commission, appointed by the Board of Higher
26 Education.

1 (17) One member representing the State Board of
2 Education, who shall serve as co-chairperson, appointed by
3 the State Board of Education.

4 (18) One member representing the Department of Early
5 Childhood ~~Governor's Office of Early Childhood~~
6 ~~Development~~, who shall serve as co-chairperson, appointed
7 by the Department of Early Childhood ~~Governor's Office of~~
8 ~~Early Childhood Development~~.

9 (19) One member representing the Department of Human
10 Services, who shall serve as co-chairperson, appointed by
11 the Department of Human Services ~~Governor's Office of~~
12 ~~Early Childhood Development~~.

13 (20) One member representing INCCRRA, appointed by the
14 Department of Early Childhood ~~Governor's Office of Early~~
15 ~~Childhood Development~~.

16 (21) One member representing the Department of
17 Children and Family Services, appointed by the Department
18 of Children and Family Services ~~Governor's Office of Early~~
19 ~~Childhood Development~~.

20 (22) One member representing an organization that
21 advocates on behalf of community college trustees,
22 appointed by the Illinois Community College Board.

23 (23) One member of a union representing child care and
24 early childhood providers, appointed by the Department of
25 Human Services ~~Governor's Office of Early Childhood~~
26 ~~Development~~.

1 (24) Two members of unions representing higher
2 education faculty, appointed by the Board of Higher
3 Education.

4 (25) A representative from the College of Education of
5 an urban public university, appointed by the Board of
6 Higher Education.

7 (26) A representative from the College of Education of
8 a suburban public university, appointed by the Board of
9 Higher Education.

10 (27) A representative from the College of Education of
11 a rural public university, appointed by the Board of
12 Higher Education.

13 (28) A representative from the College of Education of
14 a private university, appointed by the Board of Higher
15 Education.

16 (29) A representative of an urban community college,
17 appointed by the Illinois Community College Board.

18 (30) A representative of a suburban community college,
19 appointed by the Illinois Community College Board.

20 (31) A representative of rural community college,
21 appointed by the Illinois Community College Board.

22 (c) The advisory committee shall meet quarterly. The
23 committee meetings shall be open to the public in accordance
24 with the provisions of the Open Meetings Act.

25 (Source: P.A. 102-174, eff. 7-28-21.)

1 (110 ILCS 28/35)

2 Sec. 35. Goals and metrics.

3 (a) By July 1, 2021 or within 60 days after the effective
4 date of this amendatory Act of the 102nd General Assembly, the
5 Board of Higher Education's Strategic Plan Educator Workforce
6 subgroup on the early childhood workforce must set goals for
7 the Consortium for the enrollment, persistence, and completion
8 of members of the incumbent workforce in associate,
9 bachelor's, and master's degree programs, Gateways Credentials
10 in Level 2, 3, or 4, and Professional Educator Licensure by
11 September 30, 2024. The goals set for the Consortium must be
12 data informed and include targets for annual enrollment and
13 persistence.

14 (b) Data from the Gateways Registry, March 2020, indicates
15 that there are 7,670 individuals with an associate degree who
16 would benefit from progressing to a baccalaureate degree and
17 20,467 individuals with a high school diploma or some college
18 who would benefit from progressing to an associate degree. If
19 the goals cannot be set in accordance with subsection (a), the
20 goal for the Consortium shall be that by September 30, 2024,
21 20% of the individuals described in this subsection (b) who do
22 not have a degree will have enrolled and be persisting toward
23 or have attained a Gateways Credential in Level 2, 3, or 4 or
24 an associate degree and, of the individuals who have an
25 associate degree, will be enrolled and persisting toward or
26 have attained a baccalaureate degree or will be persisting

1 toward or have attained a Professional Educator License.

2 (c) Student financial aid, including incentives and
3 stipends, data-sharing, and professional statewide engagement
4 and marketing campaign and recruitment efforts are critical to
5 the Consortium's ability to quickly attract and enroll
6 students into these programs. Navigators, mentors, and
7 advisors are critical for persistence and completion. If
8 federal funds are not appropriated for these purposes and the
9 other purposes of this Section, the Board of Higher Education,
10 the Illinois Community College Board, the State Board of
11 Education, the Department of Human Services, and the
12 Department of Early Childhood ~~Governor's Office of Early~~
13 ~~Childhood Development~~, in consultation with the advisory
14 committee, shall adjust the initial target metrics
15 appropriately by adopting challenging goals that may be
16 attainable with less public investment.

17 (d) The Board of Higher Education, the Illinois Community
18 College Board, the State Board of Education, the Department of
19 Human Services, and the Department of Early Childhood
20 ~~Governor's Office of Early Childhood Development~~, in
21 consultation with the advisory committee, shall determine new
22 metrics and goals for the Consortium as they relate to the
23 remaining and future early childhood workforce, to be
24 instituted after the close of the 2024-2025 academic year and
25 going forward. Metrics must take into consideration that the
26 pipeline depends on sustained, increased student enrollment

1 and completion rates at the associate degree level if this
2 State aims to continue with sustained, increased student
3 enrollment and completion at the bachelor's degree level.

4 (Source: P.A. 102-174, eff. 7-28-21.)

5 Section 90-45. The Illinois Public Aid Code is amended by
6 changing Sections 2-12, 2-12.5, 9A-11, 9A-11.5, and 9A-17 as
7 follows:

8 (305 ILCS 5/2-12) (from Ch. 23, par. 2-12)

9 Sec. 2-12. "Illinois Department"; "Department". In this
10 Code, "Illinois Department" or "Department", when a particular
11 entity is not specified, means the following:

12 (1) In the case of a function performed before July 1, 1997
13 (the effective date of the Department of Human Services Act),
14 the term means the Department of Public Aid.

15 (2) Except as provided in paragraph (2.5), in ~~in~~ the case
16 of a function to be performed on or after July 1, 1997 under
17 Article III, IV, VI, IX, or IXA, the term means the Department
18 of Human Services as successor to the Illinois Department of
19 Public Aid.

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 Department 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,

1 or XV, the term means the Department of Healthcare and Family
2 Services (formerly Illinois Department of Public Aid).

3 (4) In the case of a function to be performed on or after
4 July 1, 1997 under Article I, II, VIIIA, XI, XII, or XIII, the
5 term means the Department of Human Services (acting as
6 successor to the Illinois Department of Public Aid) or the
7 Department of Healthcare and Family Services (formerly
8 Illinois Department of Public Aid) or both, according to
9 whether that function, in the specific context, has been
10 allocated to the Department of Human Services or the
11 Department of Healthcare and Family Services (formerly
12 Department of Public Aid) or both of those departments.

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

14 (305 ILCS 5/2-12.5)

15 Sec. 2-12.5. "Director of the Illinois Department";
16 "Director of the Department"; "Director". In this Code,
17 "Director of the Illinois Department", "Director of the
18 Department", or "Director", when a particular official is not
19 specified, means the following:

20 (1) In the case of a function performed before July 1, 1997
21 (the effective date of the Department of Human Services Act),
22 the term means the Director of Public Aid.

23 (2) Except as provided in paragraph (2.5), in ~~in~~ the case
24 of a function to be performed on or after July 1, 1997 under
25 Article III, IV, VI, IX, or IXA, the term means the Secretary

1 of Human Services.

2 (2.5) In the case of a function to be performed on or after
3 July 1, 2026 under Sections 9A-11 and 9A-11-5, the term means
4 the Secretary of Early Childhood.

5 (3) In the case of a function to be performed on or after
6 July 1, 1997 under Article V, V-A, V-B, V-C, V-D, V-E, X, XIV,
7 or XV, the term means the Director of Healthcare and Family
8 Services (formerly Director of Public Aid).

9 (4) In the case of a function to be performed on or after
10 July 1, 1997 under Article I, II, VIIIA, XI, XII, or XIII, the
11 term means the Secretary of Human Services or the Director of
12 Healthcare and Family Services (formerly Director of Public
13 Aid) or both, according to whether that function, in the
14 specific context, has been allocated to the Department of
15 Human Services or the Department of Healthcare and Family
16 Services (formerly Department of Public Aid) or both of those
17 departments.

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

19 (305 ILCS 5/9A-11) (from Ch. 23, par. 9A-11)

20 Sec. 9A-11. Child care.

21 (a) The General Assembly recognizes that families with
22 children need child care in order to work. Child care is
23 expensive and families with limited access to economic
24 resources, including those who are transitioning from welfare
25 to work, often struggle to pay the costs of day care. The

1 General Assembly understands the importance of helping working
2 families with limited access to economic resources become and
3 remain self-sufficient. The General Assembly also believes
4 that it is the responsibility of families to share in the costs
5 of child care. It is also the preference of the General
6 Assembly that all working families with limited access to
7 economic resources should be treated equally, regardless of
8 their welfare status.

9 (b) To the extent resources permit, the Illinois
10 Department shall provide child care services to parents or
11 other relatives as defined by rule who are working or
12 participating in employment or Department approved education
13 or training programs. At a minimum, the Illinois Department
14 shall cover the following categories of families:

15 (1) recipients of TANF under Article IV participating
16 in work and training activities as specified in the
17 personal plan for employment and self-sufficiency;

18 (2) families transitioning from TANF to work;

19 (3) families at risk of becoming recipients of TANF;

20 (4) families with special needs as defined by rule;

21 (5) working families with very low incomes as defined
22 by rule;

23 (6) families that are not recipients of TANF and that
24 need child care assistance to participate in education and
25 training activities;

26 (7) youth in care, as defined in Section 4d of the

1 Children and Family Services Act, who are parents,
2 regardless of income or whether they are working or
3 participating in Department-approved employment or
4 education or training programs. Any family that receives
5 child care assistance in accordance with this paragraph
6 shall receive one additional 12-month child care
7 eligibility period after the parenting youth in care's
8 case with the Department of Children and Family Services
9 is closed, regardless of income or whether the parenting
10 youth in care is working or participating in
11 Department-approved employment or education or training
12 programs;

13 (8) families receiving Extended Family Support Program
14 services from the Department of Children and Family
15 Services, regardless of income or whether they are working
16 or participating in Department-approved employment or
17 education or training programs; and

18 (9) families with children under the age of 5 who have
19 an open intact family services case with the Department of
20 Children and Family Services. Any family that receives
21 child care assistance in accordance with this paragraph
22 shall remain eligible for child care assistance 6 months
23 after the child's intact family services case is closed,
24 regardless of whether the child's parents or other
25 relatives as defined by rule are working or participating
26 in Department approved employment or education or training

1 programs. The Department of Early Childhood ~~Human~~
2 ~~Services~~, in consultation with the Department of Children
3 and Family Services, shall adopt rules to protect the
4 privacy of families who are the subject of an open intact
5 family services case when such families enroll in child
6 care services. Additional rules shall be adopted to offer
7 children who have an open intact family services case the
8 opportunity to receive an Early Intervention screening and
9 other services that their families may be eligible for as
10 provided by the Department of Human Services.

11 Beginning October 1, 2027 ~~2023~~, and every October 1
12 thereafter, the Department of Children and Family Services
13 shall report to the General Assembly on the number of children
14 who received child care via vouchers paid for by the
15 Department of Early Childhood ~~Children and Family Services~~
16 during the preceding fiscal year. The report shall include the
17 ages of children who received child care, the type of child
18 care they received, and the number of months they received
19 child care.

20 The Department shall specify by rule the conditions of
21 eligibility, the application process, and the types, amounts,
22 and duration of services. Eligibility for child care benefits
23 and the amount of child care provided may vary based on family
24 size, income, and other factors as specified by rule.

25 The Department shall update the Child Care Assistance
26 Program Eligibility Calculator posted on its website to

1 include a question on whether a family is applying for child
2 care assistance for the first time or is applying for a
3 redetermination of eligibility.

4 A family's eligibility for child care services shall be
5 redetermined no sooner than 12 months following the initial
6 determination or most recent redetermination. During the
7 12-month periods, the family shall remain eligible for child
8 care services regardless of (i) a change in family income,
9 unless family income exceeds 85% of State median income, or
10 (ii) a temporary change in the ongoing status of the parents or
11 other relatives, as defined by rule, as working or attending a
12 job training or educational program.

13 In determining income eligibility for child care benefits,
14 the Department annually, at the beginning of each fiscal year,
15 shall establish, by rule, one income threshold for each family
16 size, in relation to percentage of State median income for a
17 family of that size, that makes families with incomes below
18 the specified threshold eligible for assistance and families
19 with incomes above the specified threshold ineligible for
20 assistance. Through and including fiscal year 2007, the
21 specified threshold must be no less than 50% of the
22 then-current State median income for each family size.
23 Beginning in fiscal year 2008, the specified threshold must be
24 no less than 185% of the then-current federal poverty level
25 for each family size. Notwithstanding any other provision of
26 law or administrative rule to the contrary, beginning in

1 fiscal year 2019, the specified threshold for working families
2 with very low incomes as defined by rule must be no less than
3 185% of the then-current federal poverty level for each family
4 size. Notwithstanding any other provision of law or
5 administrative rule to the contrary, beginning in State fiscal
6 year 2022 through State fiscal year 2023, the specified income
7 threshold shall be no less than 200% of the then-current
8 federal poverty level for each family size. Beginning in State
9 fiscal year 2024, the specified income threshold shall be no
10 less than 225% of the then-current federal poverty level for
11 each family size.

12 In determining eligibility for assistance, the Department
13 shall not give preference to any category of recipients or
14 give preference to individuals based on their receipt of
15 benefits under this Code.

16 Nothing in this Section shall be construed as conferring
17 entitlement status to eligible families.

18 The Illinois Department is authorized to lower income
19 eligibility ceilings, raise parent co-payments, create waiting
20 lists, or take such other actions during a fiscal year as are
21 necessary to ensure that child care benefits paid under this
22 Article do not exceed the amounts appropriated for those child
23 care benefits. These changes may be accomplished by emergency
24 rule under Section 5-45 of the Illinois Administrative
25 Procedure Act, except that the limitation on the number of
26 emergency rules that may be adopted in a 24-month period shall

1 not apply.

2 The Illinois Department may contract with other State
3 agencies or child care organizations for the administration of
4 child care services.

5 (c) Payment shall be made for child care that otherwise
6 meets the requirements of this Section and applicable
7 standards of State and local law and regulation, including any
8 requirements the Illinois Department promulgates by rule.
9 Through June 30, 2026, the rules of this Section include
10 licensure requirements adopted by the Department of Children
11 and Family Services. On and after July 1, 2026, the rules of
12 this Section include licensure requirements adopted by the
13 Department of Early Childhood. In addition, the regulations of
14 this Section include the ~~in addition to the licensure~~
15 ~~requirements promulgated by the Department of Children and~~
16 ~~Family Services and~~ Fire Prevention and Safety requirements
17 promulgated by the Office of the State Fire Marshal, and is
18 provided in any of the following:

19 (1) a child care center which is licensed or exempt
20 from licensure pursuant to Section 2.09 of the Child Care
21 Act of 1969;

22 (2) a licensed child care home or home exempt from
23 licensing;

24 (3) a licensed group child care home;

25 (4) other types of child care, including child care
26 provided by relatives or persons living in the same home

1 as the child, as determined by the Illinois Department by
2 rule.

3 (c-5) Solely for the purposes of coverage under the
4 Illinois Public Labor Relations Act, child and day care home
5 providers, including licensed and license exempt,
6 participating in the Department's child care assistance
7 program shall be considered to be public employees and the
8 State of Illinois shall be considered to be their employer as
9 of January 1, 2006 (the effective date of Public Act 94-320),
10 but not before. The State shall engage in collective
11 bargaining with an exclusive representative of child and day
12 care home providers participating in the child care assistance
13 program concerning their terms and conditions of employment
14 that are within the State's control. Nothing in this
15 subsection shall be understood to limit the right of families
16 receiving services defined in this Section to select child and
17 day care home providers or supervise them within the limits of
18 this Section. The State shall not be considered to be the
19 employer of child and day care home providers for any purposes
20 not specifically provided in Public Act 94-320, including, but
21 not limited to, purposes of vicarious liability in tort and
22 purposes of statutory retirement or health insurance benefits.
23 Child and day care home providers shall not be covered by the
24 State Employees Group Insurance Act of 1971.

25 In according child and day care home providers and their
26 selected representative rights under the Illinois Public Labor

1 Relations Act, the State intends that the State action
2 exemption to application of federal and State antitrust laws
3 be fully available to the extent that their activities are
4 authorized by Public Act 94-320.

5 (d) The Illinois Department shall establish, by rule, a
6 co-payment scale that provides for cost sharing by families
7 that receive child care services, including parents whose only
8 income is from assistance under this Code. The co-payment
9 shall be based on family income and family size and may be
10 based on other factors as appropriate. Co-payments may be
11 waived for families whose incomes are at or below the federal
12 poverty level.

13 (d-5) The Illinois Department, in consultation with its
14 Child Care and Development Advisory Council, shall develop a
15 plan to revise the child care assistance program's co-payment
16 scale. The plan shall be completed no later than February 1,
17 2008, and shall include:

18 (1) findings as to the percentage of income that the
19 average American family spends on child care and the
20 relative amounts that low-income families and the average
21 American family spend on other necessities of life;

22 (2) recommendations for revising the child care
23 co-payment scale to assure that families receiving child
24 care services from the Department are paying no more than
25 they can reasonably afford;

26 (3) recommendations for revising the child care

1 co-payment scale to provide at-risk children with complete
2 access to Preschool for All and Head Start; and

3 (4) recommendations for changes in child care program
4 policies that affect the affordability of child care.

5 (e) (Blank).

6 (f) The Illinois Department shall, by rule, set rates to
7 be paid for the various types of child care. Child care may be
8 provided through one of the following methods:

9 (1) arranging the child care through eligible
10 providers by use of purchase of service contracts or
11 vouchers;

12 (2) arranging with other agencies and community
13 volunteer groups for non-reimbursed child care;

14 (3) (blank); or

15 (4) adopting such other arrangements as the Department
16 determines appropriate.

17 (f-1) Within 30 days after June 4, 2018 (the effective
18 date of Public Act 100-587), the Department of Human Services
19 shall establish rates for child care providers that are no
20 less than the rates in effect on January 1, 2018 increased by
21 4.26%.

22 (f-5) (Blank).

23 (g) Families eligible for assistance under this Section
24 shall be given the following options:

25 (1) receiving a child care certificate issued by the
26 Department or a subcontractor of the Department that may

1 be used by the parents as payment for child care and
2 development services only; or

3 (2) if space is available, enrolling the child with a
4 child care provider that has a purchase of service
5 contract with the Department or a subcontractor of the
6 Department for the provision of child care and development
7 services. The Department may identify particular priority
8 populations for whom they may request special
9 consideration by a provider with purchase of service
10 contracts, provided that the providers shall be permitted
11 to maintain a balance of clients in terms of household
12 incomes and families and children with special needs, as
13 defined by rule.

14 (Source: P.A. 102-491, eff. 8-20-21; 102-813, eff. 5-13-22;
15 102-926, eff. 5-27-22; 103-8, eff. 6-7-23.)

16 (305 ILCS 5/9A-11.5)

17 Sec. 9A-11.5. Investigate child care providers.

18 (a) Through June 30, 2026, any ~~Any~~ child care provider
19 receiving funds from the child care assistance program under
20 this Code who is not required to be licensed under the Child
21 Care Act of 1969 shall, as a condition of eligibility to
22 participate in the child care assistance program under this
23 Code, authorize in writing on a form prescribed by the
24 Department of Children and Family Services, periodic
25 investigations of the Central Register, as defined in the

1 Abused and Neglected Child Reporting Act, to ascertain if the
2 child care provider has been determined to be a perpetrator in
3 an indicated report of child abuse or neglect. The Department
4 of Children and Family Services shall conduct an investigation
5 of the Central Register at the request of the Department of
6 Human Services.

7 (a-5) On and after July 1, 2026, any child care provider
8 receiving funds from the child care assistance program under
9 this Code who is not required to be licensed under the Child
10 Care Act of 1969 shall, as a condition of eligibility to
11 participate in the child care assistance program under this
12 Code, authorize in writing on a form prescribed by the
13 Department of Early Childhood, periodic investigations of the
14 Central Register, as defined in the Abused and Neglected Child
15 Reporting Act, to ascertain if the child care provider has
16 been determined to be a perpetrator in an indicated report of
17 child abuse or neglect.

18 (b) Any child care provider, other than a relative of the
19 child, receiving funds from the child care assistance program
20 under this Code who is not required to be licensed under the
21 Child Care Act of 1969 shall, as a condition of eligibility to
22 participate in the child care assistance program under this
23 Code, authorize in writing a State and Federal Bureau of
24 Investigation fingerprint-based criminal history record check
25 to determine if the child care provider has ever been
26 convicted of a crime with respect to which the conviction has

1 not been overturned and the criminal records have not been
2 sealed or expunged. Upon this authorization, the Department
3 shall request and receive information and assistance from any
4 federal or State governmental agency as part of the authorized
5 criminal history record check. The Illinois State Police shall
6 provide information concerning any conviction that has not
7 been overturned and with respect to which the criminal records
8 have not been sealed or expunged, whether the conviction
9 occurred before or on or after the effective date of this
10 amendatory Act of the 96th General Assembly, of a child care
11 provider upon the request of the Department when the request
12 is made in the form and manner required by the Illinois State
13 Police. The Illinois State Police shall charge a fee not to
14 exceed the cost of processing the criminal history record
15 check. The fee is to be deposited into the State Police
16 Services Fund. Any information concerning convictions that
17 have not been overturned and with respect to which the
18 criminal records have not been sealed or expunged obtained by
19 the Department is confidential and may not be transmitted (i)
20 outside the Department except as required in this Section or
21 (ii) to anyone within the Department except as needed for the
22 purposes of determining participation in the child care
23 assistance program. A copy of the criminal history record
24 check obtained from the Illinois State Police shall be
25 provided to the unlicensed child care provider.

26 (c) The Department shall by rule set standards for

1 determining when to disqualify an unlicensed child care
2 provider for payment because (i) there is an indicated finding
3 against the provider based on the results of the Central
4 Register search or (ii) there is a disqualifying criminal
5 charge pending against the provider or the provider has a
6 disqualifying criminal conviction that has not been overturned
7 and with respect to which the criminal records have not been
8 expunged or sealed based on the results of the
9 fingerprint-based Illinois State Police and Federal Bureau of
10 Investigation criminal history record check. In determining
11 whether to disqualify an unlicensed child care provider for
12 payment under this subsection, the Department shall consider
13 the nature and gravity of any offense or offenses; the time
14 that has passed since the offense or offenses or the
15 completion of the criminal sentence or both; and the
16 relationship of the offense or offenses to the
17 responsibilities of the child care provider.

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

19 (305 ILCS 5/9A-17)

20 Sec. 9A-17. Smart Start Child Care Program. Subject to
21 appropriation, the Department of Human Services shall
22 establish the Smart Start Child Care Program. The Smart Start
23 Child Care Program shall focus on creating affordable child
24 care, as well as increasing access to child care, for Illinois
25 residents and may include, but is not limited to, providing

1 funding to increase preschool availability, providing funding
2 for childcare workforce compensation or capital investments,
3 and expanding funding for Early Childhood Access Consortium
4 for Equity Scholarships. The Department shall establish
5 program eligibility criteria, participation conditions,
6 payment levels, and other program requirements by rule. The
7 Department of Human Services may consult with the Capital
8 Development Board, the Department of Commerce and Economic
9 Opportunity, and the Illinois Housing Development Authority in
10 the management and disbursement of funds for capital-related
11 projects. The Capital Development Board, the Department of
12 Commerce and Economic Opportunity, and the Illinois Housing
13 Development Authority shall act in a consulting role only for
14 the evaluation of applicants, scoring of applicants, or
15 administration of the grant program.

16 This Section is repealed on July 1, 2026.

17 (Source: P.A. 103-8, eff. 6-7-23.)

18 Section 90-50. The Early Intervention Services System Act
19 is amended by adding Section 20.1 as follows:

20 (325 ILCS 20/20.1 new)

21 Sec. 20.1. Repeal. This Act is repealed on July 1, 2026.

22 Section 90-55. The Infant/Early Childhood Mental Health
23 Consultations Act is amended by changing Section 35-5 as

1 follows:

2 (405 ILCS 47/35-5)

3 Sec. 35-5. Findings; policies.

4 (a) The General Assembly finds the following:

5 (1) Social and emotional development is a core
6 developmental domain in young children and is codified in
7 the Illinois Early Learning Standards.

8 (2) Fostering social and emotional development in
9 early childhood means both providing the supportive
10 settings and interactions to maximize healthy social and
11 emotional development for all children, as well as
12 providing communities, programs, and providers with
13 systems of tiered supports with training to respond to
14 more significant social and emotional challenges or where
15 experiences of trauma may be more prevalent.

16 (3) Early care and education programs and providers,
17 across a range of settings, have an important role to play
18 in supporting young children and families, especially
19 those who face greater challenges, such as trauma
20 exposure, social isolation, pervasive poverty, and toxic
21 stress; if programs, teaching staff, caregivers, and
22 providers are not provided with the support, services, and
23 training needed to accomplish these goals, it can lead to
24 children and families being asked to leave programs,
25 particularly without connection to more appropriate

1 services, thereby creating a disruption in learning and
2 social-emotional development; investments in reflective
3 supervision, professional development specific to
4 diversity, equity and inclusion practice, culturally
5 responsive training, implicit bias training, and how
6 trauma experienced during the early years can manifest in
7 challenging behaviors will create systems for serving
8 children that are informed in developmentally appropriate
9 and responsive supports.

10 (4) Studies have shown that the expulsion of infants,
11 toddlers, and young children in early care and education
12 settings is occurring at alarmingly high rates, more than
13 3 times that of students in K-12; further, expulsion
14 occurs more frequently for Black children and Latinx
15 children and more frequently for boys than for girls, with
16 Black boys being most frequently expelled; there is
17 evidence to show that the expulsion of Black girls is
18 occurring with increasing frequency.

19 (5) Illinois took its first steps toward addressing
20 this disparity through Public Act 100-105 to prohibit
21 expulsion due to child behavior in early care and
22 education settings, but further work is needed to
23 implement this law, including strengthening provider
24 understanding of a successful transition and beginning to
25 identify strategies to reduce "soft expulsions" and to
26 ensure more young children and their teachers, providers,

1 and caregivers, in a range of early care and education
2 settings, can benefit from services, such as Infant/Early
3 Childhood Mental Health Consultations (I/ECMHC) and
4 positive behavior interventions and supports such as the
5 Pyramid Model.

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

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

12 (1) the State to increase the availability of
13 Infant/Early Childhood Mental Health Consultations
14 (I/ECMHC) through increased funding in early childhood
15 programs and sustainable funding for coordination of
16 I/ECMHC and other social and emotional support at the
17 State level;

18 (2) the Department of Human Services (IDHS), the
19 Illinois State Board of Education (ISBE), the Governor's
20 Office of Early Childhood Development (GOECD), and other
21 relevant agencies to develop and promote
22 provider-accessible and parent-accessible materials,
23 including native language, on the role and value of
24 I/ECMHC, including targeted promotion in underserved
25 communities, and promote the use of existing I/ECMHCs, the
26 I/ECMHC consultant database, or other existing services;

1 (3) the State to increase funding to promote and
2 provide training and implementation support for systems of
3 tiered support, such as the Pyramid Model, across early
4 childhood settings and urge DHS, ISBE, GOECD, and other
5 relevant State agencies to coordinate efforts and develop
6 strategies to provide outreach to and support providers in
7 underserved communities and communities with fewer
8 programmatic resources; and

9 (4) ISBE and DCFS to provide the data required by
10 Public Act 100-105, even if the data is incomplete at the
11 time due to data system challenges.

12 (c) This Section is repealed on July 1, 2026.

13 (Source: P.A. 101-654, eff. 3-8-21.)

14 Section 90-60. The Children's Mental Health Act is amended
15 by changing Section 5 as follows:

16 (405 ILCS 49/5)

17 Sec. 5. Children's Mental Health Partnership; Children's
18 Mental Health Plan.

19 (a) The Children's Mental Health Partnership (hereafter
20 referred to as "the Partnership") created under Public Act
21 93-495 and continued under Public Act 102-899 shall advise
22 State agencies on designing and implementing short-term and
23 long-term strategies to provide comprehensive and coordinated
24 services for children from birth to age 25 and their families

1 with the goal of addressing children's mental health needs
2 across a full continuum of care, including social determinants
3 of health, prevention, early identification, and treatment.
4 The recommended strategies shall build upon the
5 recommendations in the Children's Mental Health Plan of 2022
6 and may include, but are not limited to, recommendations
7 regarding the following:

8 (1) Increasing public awareness on issues connected to
9 children's mental health and wellness to decrease stigma,
10 promote acceptance, and strengthen the ability of
11 children, families, and communities to access supports.

12 (2) Coordination of programs, services, and policies
13 across child-serving State agencies to best monitor and
14 assess spending, as well as foster innovation of adaptive
15 or new practices.

16 (3) Funding and resources for children's mental health
17 prevention, early identification, and treatment across
18 child-serving State agencies.

19 (4) Facilitation of research on best practices and
20 model programs and dissemination of this information to
21 State policymakers, practitioners, and the general public.

22 (5) Monitoring programs, services, and policies
23 addressing children's mental health and wellness.

24 (6) Growing, retaining, diversifying, and supporting
25 the child-serving workforce, with special emphasis on
26 professional development around child and family mental

1 health and wellness services.

2 (7) Supporting the design, implementation, and
3 evaluation of a quality-driven children's mental health
4 system of care across all child services that prevents
5 mental health concerns and mitigates trauma.

6 (8) Improving the system to more effectively meet the
7 emergency and residential placement needs for all children
8 with severe mental and behavioral challenges.

9 (b) The Partnership shall have the responsibility of
10 developing and updating the Children's Mental Health Plan and
11 advising the relevant State agencies on implementation of the
12 Plan. The Children's Mental Health Partnership shall be
13 comprised of the following members:

14 (1) The Governor or his or her designee.

15 (2) The Attorney General or his or her designee.

16 (3) The Secretary of the Department of Human Services
17 or his or her designee.

18 (4) The State Superintendent of Education or his or
19 her designee.

20 (5) The Director of the Department of Children and
21 Family Services or his or her designee.

22 (6) The Director of the Department of Healthcare and
23 Family Services or his or her designee.

24 (7) The Director of the Department of Public Health or
25 his or her designee.

26 (8) The Director of the Department of Juvenile Justice

1 or his or her designee.

2 (9) The Secretary of Early Childhood ~~Executive~~
3 ~~Director of the Governor's Office of Early Childhood~~
4 ~~Development~~ or his or her designee.

5 (10) The Director of the Criminal Justice Information
6 Authority or his or her designee.

7 (11) One member of the General Assembly appointed by
8 the Speaker of the House.

9 (12) One member of the General Assembly appointed by
10 the President of the Senate.

11 (13) One member of the General Assembly appointed by
12 the Minority Leader of the Senate.

13 (14) One member of the General Assembly appointed by
14 the Minority Leader of the House.

15 (15) Up to 25 representatives from the public
16 reflecting a diversity of age, gender identity, race,
17 ethnicity, socioeconomic status, and geographic location,
18 to be appointed by the Governor. Those public members
19 appointed under this paragraph must include, but are not
20 limited to:

21 (A) a family member or individual with lived
22 experience in the children's mental health system;

23 (B) a child advocate;

24 (C) a community mental health expert,
25 practitioner, or provider;

26 (D) a representative of a statewide association

1 representing a majority of hospitals in the State;

2 (E) an early childhood expert or practitioner;

3 (F) a representative from the K-12 school system;

4 (G) a representative from the healthcare sector;

5 (H) a substance use prevention expert or
6 practitioner, or a representative of a statewide
7 association representing community-based mental health
8 substance use disorder treatment providers in the
9 State;

10 (I) a violence prevention expert or practitioner;

11 (J) a representative from the juvenile justice
12 system;

13 (K) a school social worker; and

14 (L) a representative of a statewide organization
15 representing pediatricians.

16 (16) Two co-chairs appointed by the Governor, one
17 being a representative from the public and one being a
18 representative from the State.

19 The members appointed by the Governor shall be appointed
20 for 4 years with one opportunity for reappointment, except as
21 otherwise provided for in this subsection. Members who were
22 appointed by the Governor and are serving on January 1, 2023
23 (the effective date of Public Act 102-899) shall maintain
24 their appointment until the term of their appointment has
25 expired. For new appointments made pursuant to Public Act
26 102-899, members shall be appointed for one-year, 2-year, or

1 4-year terms, as determined by the Governor, with no more than
2 9 of the Governor's new or existing appointees serving the
3 same term. Those new appointments serving a one-year or 2-year
4 term may be appointed to 2 additional 4-year terms. If a
5 vacancy occurs in the Partnership membership, the vacancy
6 shall be filled in the same manner as the original appointment
7 for the remainder of the term.

8 The Partnership shall be convened no later than January
9 31, 2023 to discuss the changes in Public Act 102-899.

10 The members of the Partnership shall serve without
11 compensation but may be entitled to reimbursement for all
12 necessary expenses incurred in the performance of their
13 official duties as members of the Partnership from funds
14 appropriated for that purpose.

15 The Partnership may convene and appoint special committees
16 or study groups to operate under the direction of the
17 Partnership. Persons appointed to such special committees or
18 study groups shall only receive reimbursement for reasonable
19 expenses.

20 (b-5) The Partnership shall include an adjunct council
21 comprised of no more than 6 youth aged 14 to 25 and 4
22 representatives of 4 different community-based organizations
23 that focus on youth mental health. Of the community-based
24 organizations that focus on youth mental health, one of the
25 community-based organizations shall be led by an
26 LGBTQ-identified person, one of the community-based

1 organizations shall be led by a person of color, and one of the
2 community-based organizations shall be led by a woman. Of the
3 representatives appointed to the council from the
4 community-based organizations, at least one representative
5 shall be LGBTQ-identified, at least one representative shall
6 be a person of color, and at least one representative shall be
7 a woman. The council members shall be appointed by the Chair of
8 the Partnership and shall reflect the racial, gender identity,
9 sexual orientation, ability, socioeconomic, ethnic, and
10 geographic diversity of the State, including rural, suburban,
11 and urban appointees. The council shall make recommendations
12 to the Partnership regarding youth mental health, including,
13 but not limited to, identifying barriers to youth feeling
14 supported by and empowered by the system of mental health and
15 treatment providers, barriers perceived by youth in accessing
16 mental health services, gaps in the mental health system,
17 available resources in schools, including youth's perceptions
18 and experiences with outreach personnel, agency websites, and
19 informational materials, methods to destigmatize mental health
20 services, and how to improve State policy concerning student
21 mental health. The mental health system may include services
22 for substance use disorders and addiction. The council shall
23 meet at least 4 times annually.

24 (c) (Blank).

25 (d) The Illinois Children's Mental Health Partnership has
26 the following powers and duties:

1 (1) Conducting research assessments to determine the
2 needs and gaps of programs, services, and policies that
3 touch children's mental health.

4 (2) Developing policy statements for interagency
5 cooperation to cover all aspects of mental health
6 delivery, including social determinants of health,
7 prevention, early identification, and treatment.

8 (3) Recommending policies and providing information on
9 effective programs for delivery of mental health services.

10 (4) Using funding from federal, State, or
11 philanthropic partners, to fund pilot programs or research
12 activities to resource innovative practices by
13 organizational partners that will address children's
14 mental health. However, the Partnership may not provide
15 direct services.

16 (5) Submitting an annual report, on or before December
17 30 of each year, to the Governor and the General Assembly
18 on the progress of the Plan, any recommendations regarding
19 State policies, laws, or rules necessary to fulfill the
20 purposes of the Act, and any additional recommendations
21 regarding mental or behavioral health that the Partnership
22 deems necessary.

23 (6) Employing an Executive Director and setting the
24 compensation of the Executive Director and other such
25 employees and technical assistance as it deems necessary
26 to carry out its duties under this Section.

1 The Partnership may designate a fiscal and administrative
2 agent that can accept funds to carry out its duties as outlined
3 in this Section.

4 The Department of Healthcare and Family Services shall
5 provide technical and administrative support for the
6 Partnership.

7 (e) The Partnership may accept monetary gifts or grants
8 from the federal government or any agency thereof, from any
9 charitable foundation or professional association, or from any
10 reputable source for implementation of any program necessary
11 or desirable to carry out the powers and duties as defined
12 under this Section.

13 (f) On or before January 1, 2027, the Partnership shall
14 submit recommendations to the Governor and General Assembly
15 that includes recommended updates to the Act to reflect the
16 current mental health landscape in this State.

17 (Source: P.A. 102-16, eff. 6-17-21; 102-116, eff. 7-23-21;
18 102-899, eff. 1-1-23; 102-1034, eff. 1-1-23; 103-154, eff.
19 6-30-23.)

20 Section 90-65. The Advisory Board for the Maternal and
21 Child Health Block Grant Programs Act is amended by changing
22 Section 15 as follows:

23 (410 ILCS 221/15)

24 Sec. 15. Advisory Board for the Maternal and Child Health

1 Block Grant Programs.

2 (a) The Advisory Board for the Maternal and Child Health
3 Block Grant Programs is created within the Department to
4 advise the Department on programs and activities related to
5 maternal and child health in the State of Illinois.

6 The Board shall consist of the Director's designee
7 responsible for maternal and child health programs, who shall
8 serve as the Chair of the Board; the Department's Title V
9 administrator, if the Director's designee is not serving in
10 the capacity of Title V Director at the Department; one
11 representative each from the Department of Early Childhood,
12 the Department of Children and Family Services, the Department
13 of Human Services, and the Department of Healthcare and Family
14 Services, appointed by the Director or Secretary of each
15 Department; the Director of the University of Illinois at
16 Chicago's Division of Specialized Care for Children; 4 members
17 of the General Assembly, one each appointed by the President
18 and Minority Leader of the Senate and the Speaker and Minority
19 Leader of the House of Representatives; and 20 additional
20 members appointed by the Director.

21 Of the members appointed by the Director:

22 (1) Two shall be physicians licensed to practice
23 medicine in all of its branches who currently serve
24 patients enrolled in maternal and child health programs
25 funded by the State of Illinois, one of whom shall be an
26 individual with a specialty in obstetrics and gynecology

1 and one of whom shall be an individual with a specialty in
2 pediatric medicine;

3 (2) Sixteen shall be persons with expertise in one or
4 more of the following areas, with no more than 3 persons
5 from each listed area of expertise and with preference
6 given to the areas of need identified by the most recent
7 State needs assessment: the health of women, infants,
8 young children, school-aged children, adolescents, and
9 children with special health care needs; public health;
10 epidemiology; behavioral health; nursing; social work;
11 substance abuse prevention; juvenile justice; oral health;
12 child development; chronic disease prevention; health
13 promotion; and education; 5 of the 16 members shall
14 represent organizations that provide maternal and child
15 health services with funds from the Department; and

16 (3) either 2 consumers who have received services
17 through a Department-funded maternal and child health
18 program, 2 representatives from advocacy groups that
19 advocate on behalf of such consumers, or one such consumer
20 and one such representative of an advocacy group.

21 Members appointed by the Director shall be selected to
22 represent the racial, ethnic, and geographic diversity of the
23 State's population and shall include representatives of local
24 health departments, other direct service providers, and
25 faculty of the University of Illinois at Chicago School of
26 Public Health Center of Excellence in Maternal and Child

1 Health.

2 Legislative members shall serve during their term of
3 office in the General Assembly. Members appointed by the
4 Director shall serve a term of 4 years or until their
5 successors are appointed.

6 Any member appointed to fill a vacancy occurring prior to
7 the expiration of the term for which his or her predecessor was
8 appointed shall be appointed for the remainder of such term.
9 Members of the Board shall serve without compensation but
10 shall be reimbursed for necessary expenses incurred in the
11 performance of their duties.

12 (b) The Board shall advise the Director on improving the
13 well-being of mothers, fathers, infants, children, families,
14 and adults, considering both physical and social determinants
15 of health, and using a life-span approach to health promotion
16 and disease prevention in the State of Illinois. In addition,
17 the Board shall review and make recommendations to the
18 Department and the Governor in regard to the system for
19 maternal and child health programs, collaboration, and
20 interrelation between and delivery of programs, both within
21 the Department and with related programs in other departments.
22 In performing its duties, the Board may hold hearings
23 throughout the State and advise and receive advice from any
24 local advisory bodies created to address maternal and child
25 health.

26 (c) The Board may offer recommendations and feedback

1 regarding the development of the State's annual Maternal and
2 Child Health Services Block Grant application and report as
3 well as the periodic needs assessment.
4 (Source: P.A. 99-901, eff. 8-26-16.)

5 ARTICLE 99. NONACCELERATION, SEVERABILITY,
6 AND
7 EFFECTIVE DATE

8 Section 99-1. No acceleration or delay. Where this Act
9 makes changes in a statute that is represented in this Act by
10 text that is not yet or no longer in effect (for example, a
11 Section represented by multiple versions), the use of that
12 text does not accelerate or delay the taking effect of (i) the
13 changes made by this Act or (ii) provisions derived from any
14 other Public Act.

15 Section 99-5. Severability. The provisions of this Act are
16 severable under Section 1.31 of the Statute on Statutes.

17 Section 99-99. Effective date. This Act takes effect upon
18 becoming law."