

# SB3777



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB3777

Introduced 2/9/2024, by Sen. Kimberly A. Lightford

#### SYNOPSIS AS INTRODUCED:

See Index

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

LRB103 39527 KTG 69733 b

A BILL FOR

1 AN ACT concerning the Department of Early Childhood.

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

4 ARTICLE 1. GENERAL PROVISIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 "Department" means the Department of Early Childhood.

2 "Secretary" means the Secretary of Early Childhood.

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

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

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

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

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

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

1 responsibilities vested by law in the Department.

2 Section 1-30. General powers and duties.

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

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

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

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

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

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

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

23 Section 10-10. Legislative findings and policy.

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

13 (1) Developmental delays.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 (3) are provided under public supervision;

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

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

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

3 (B) cognitive development,

4 (C) communication development,

5 (D) social or emotional development, or

6 (E) adaptive development;

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

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

10 (A) family training,

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

13 (C) special instruction,

14 (D) speech, language pathology and audiology,

15 (E) occupational therapy,

16 (F) physical therapy,

17 (G) psychological services,

18 (H) service coordination services,

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

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

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

26 (L) vision services,

1 (M) transportation,  
2 (N) assistive technology devices and services,  
3 (O) nursing services,  
4 (P) nutrition services, and  
5 (Q) sign language and cued language services;

6 (8) are provided by qualified personnel, including but  
7 not limited to:

8 (A) child development specialists or special  
9 educators, including teachers of children with hearing  
10 impairments (including deafness) and teachers of  
11 children with vision impairments (including  
12 blindness),

13 (B) speech and language pathologists and  
14 audiologists,

15 (C) occupational therapists,

16 (D) physical therapists,

17 (E) social workers,

18 (F) nurses,

19 (G) dietitian nutritionists,

20 (H) vision specialists, including ophthalmologists  
21 and optometrists,

22 (I) psychologists, and

23 (J) physicians;

24 (9) are provided in conformity with an Individualized  
25 Family Service Plan;

26 (10) are provided throughout the year; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

22 (A) Department of Insurance; and

23 (B) Department of Healthcare and Family Services.

24 (2) Other members as follows:

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

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

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

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

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

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

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

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

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

26 (I) Members representing the following agencies or

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

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

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

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

7           (b) The Council shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

24 Local interagency councils shall:

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

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

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

5 (c) identify and resolve local access issues;

6 (d) conduct collaborative child find activities;

7 (e) coordinate public awareness initiatives;

8 (f) coordinate local planning and evaluation;

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

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

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

14 and

15 (j) report annually to the Council.

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

25 The statewide system shall include, at a minimum:

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

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

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

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

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

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

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

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

18 (h) a comprehensive system of personnel development;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

3 Section 10-65. Individualized Family Service Plans.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5 Section 10-75. Funding and fiscal responsibility.

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

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

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

25 Funds provided under Section 633 of the Individuals with



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

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

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

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

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

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

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

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

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

22 Section 10-80. Other programs.

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

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

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

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

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

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

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

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

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

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

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

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

20 Section 10-90. Billing of insurance carrier.

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

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

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

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



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

16 Section 10-95. Families with insurance coverage.

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

21 (b) Managed care plans.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 Section 10-100. Private insurance; exemption.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

22 Section 15-10. Home visiting program.

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

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

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

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

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

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

4 (c) Allowable uses of funding include:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 Section 15-25. Block grants.

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

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

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

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

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



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

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

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

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

10 (a) Preschool program.

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

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

1 any other source.

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

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

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

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

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

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

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

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

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

11 (C) service areas;

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

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

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

18 (G) technical assistance;

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

3 (a) In this Section:

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

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

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

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

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

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

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

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

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

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

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

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

17 (2) Childbirth and child care.

18 (3) Family structure, function and management.

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

21 (5) Prevention of child abuse.

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

25 (7) Parenting skill development.

26 The programs shall include activities that require

1 substantial participation and interaction between parent and  
2 child.

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

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

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

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

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

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

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

13 Section 15-50. Early childhood construction grants.

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

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

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

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

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

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

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

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

26 (1) the manner of applying for grants;

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

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

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

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

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

16           (a) Findings; policies.

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

6 Section 20-15. Day care services.

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

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

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

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

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

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

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

1 employees in other but related fields.

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

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

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

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

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

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

26 (2) Providing information and referrals for parents.



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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 Emphasis shall be given to support services that will help

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

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

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

21 Section 20-25. Licensing day care facilities.

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

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

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

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

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

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

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

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

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

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

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

21 Section 20-35. Great START program.

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

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

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

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

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

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

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

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

26 If appropriations permit, the Department may include

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

26 (F) all renovations and improvements undertaken

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

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

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

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

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



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

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

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

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

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

1 same manner to or upon the Department.

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

9 Section 80-10. Rules and standards.

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

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

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

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

11 Section 80-15. Savings provisions.

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

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

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

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

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

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

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

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



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

5 ARTICLE 90. AMENDATORY PROVISIONS

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

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

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

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

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

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

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

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

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

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

8 The following officers are hereby created:

9 Director of Aging, for the Department on Aging.

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

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

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

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

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

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

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

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

26 Secretary of Financial and Professional Regulation, for

1 the Department of Financial and Professional Regulation.

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

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

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

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

10 Director of Insurance, for the Department of Insurance.

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

13 Director of Labor, for the Department of Labor.

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

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

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

20 Director of Revenue, for the Department of Revenue.

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

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

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

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

2 (20 ILCS 5/5-126 new)

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

5 (20 ILCS 5/5-336 new)

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

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

16 (20 ILCS 505/5.15)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (2) Providing information and referrals for parents.

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

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

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



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

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

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

14 (3) (Blank).

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

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

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

1 business, and local governments.

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

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

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

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

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

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

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

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

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

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

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

1 (20 ILCS 505/5.20)

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

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

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

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

12 (a) Blank.

13 (b) Blank.

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

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

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

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

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

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

11 This Section is repealed on July 1, 2026.

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

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

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

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

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

25 (2) providing grants to convert and renovate existing

1 facilities.

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

23 The Department shall submit:

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

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

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

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

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

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

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

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

1 entertainment or perquisites;

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

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

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

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

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



1 Section;

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

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

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

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

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

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

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

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

10 (20 ILCS 1305/1-75)

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

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

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

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

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

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

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

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

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

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

10 (20 ILCS 1305/10-16)

11 Sec. 10-16. Home visiting program.

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

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

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

- 5 (1) improve maternal and newborn health;
- 6 (2) prevent child abuse and neglect;
- 7 (3) promote children's development and readiness to  
8 participate in school; and
- 9 (4) connect families to needed community resources and  
10 supports.

11 (b) Allowable uses of funding include:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 (20 ILCS 1305/10-22)

24 Sec. 10-22. Great START program.

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

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

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

20 (b) (Blank).

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



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

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

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

18 (d) (Blank).

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

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

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

23 (20 ILCS 3933/10)

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

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

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

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

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

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

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

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

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

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

19 (30 ILCS 500/1-10)

20 Sec. 1-10. Application.

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

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

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

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

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

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

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

24 (5) Collective bargaining contracts.

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

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

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

16 (8) (Blank).

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

19 (10) (Blank).

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

24 For purposes of this paragraph (19):

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 (f) (Blank).

7 (g) (Blank).

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

11 (105 ILCS 5/1C-2)

12 Sec. 1C-2. Block grants.

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

22 (b) (Blank).

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

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

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

2 (105 ILCS 5/1C-4)

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

15 This Section is repealed on July 1, 2026.

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

17 (105 ILCS 5/1D-1)

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (See Section 10 of P.A. 102-671 for effective date of P.A.  
25 102-209).)



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

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

3 (a) Preschool program.

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

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

1       received from any other source.

2           (2) (Blank).

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

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

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

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

26           (4) (Blank).

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

1 procedures shall be based on criteria established by the  
2 Department of Early Childhood. ~~Such screening procedures~~  
3 ~~shall be based on criteria established by the State Board~~  
4 ~~of Education.~~

5 Except as otherwise provided in this paragraph (4.5),  
6 grantees under the program must enter into a memorandum of  
7 understanding with the appropriate local Head Start  
8 agency. This memorandum must be entered into no later than  
9 3 months after the award of a grantee's grant under the  
10 program, except that, in the case of the 2009-2010 program  
11 year, the memorandum must be entered into no later than  
12 the deadline set by the State Board of Education for  
13 applications to participate in the program in fiscal year  
14 2011, and must address collaboration between the grantee's  
15 program and the local Head Start agency on certain issues,  
16 which shall include without limitation the following:

17 (A) educational activities, curricular objectives,  
18 and instruction;

19 (B) public information dissemination and access to  
20 programs for families contacting programs;

21 (C) service areas;

22 (D) selection priorities for eligible children to  
23 be served by programs;

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

26 (F) staff training, including opportunities for

- 1 joint staff training;
- 2 (G) technical assistance;
- 3 (H) communication and parent outreach for smooth  
4 transitions to kindergarten;
- 5 (I) provision and use of facilities,  
6 transportation, and other program elements;
- 7 (J) facilitating each program's fulfillment of its  
8 statutory and regulatory requirements;
- 9 (K) improving local planning and collaboration;  
10 and
- 11 (L) providing comprehensive services for the  
12 neediest Illinois children and families.

13 Through June 30, 2026, if ~~if~~ the appropriate local Head  
14 Start agency is unable or unwilling to enter into a  
15 memorandum of understanding as required under this  
16 paragraph (4.5), the memorandum of understanding  
17 requirement shall not apply and the grantee under the  
18 program must notify the State Board of Education in  
19 writing of the Head Start agency's inability or  
20 unwillingness. The State Board of Education shall compile  
21 all such written notices and make them available to the  
22 public. On and after July 1, 2026, if the appropriate  
23 local Head Start agency is unable or unwilling to enter  
24 into a memorandum of understanding as required under this  
25 paragraph (4.5), the memorandum of understanding  
26 requirement shall not apply and the grantee under the

1 program must notify the Department of Early Childhood in  
2 writing of the Head Start agency's inability or  
3 unwillingness. The Department of Early Childhood shall  
4 compile all such written notices and make them available  
5 to the public.

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

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

1 encourage local school districts and other eligible  
2 entities to evaluate the population of preschool children  
3 in their communities and provide preschool programs,  
4 pursuant to this subsection, where appropriate.

5 (6) Through June 30, 2026, the ~~The~~ State Board of  
6 Education shall report to the General Assembly by November  
7 1, 2018 and every 2 years thereafter on the results and  
8 progress of students who were enrolled in preschool  
9 educational programs, including an assessment of which  
10 programs have been most successful in promoting academic  
11 excellence and alleviating academic failure. Through June  
12 30, 2026, the ~~The~~ State Board of Education shall assess  
13 the academic progress of all students who have been  
14 enrolled in preschool educational programs.

15 Through fiscal year 2026, on ~~on~~ or before November 1  
16 of each fiscal year in which the General Assembly provides  
17 funding for new programs under paragraph (4.5) of this  
18 Section, the State Board of Education shall report to the  
19 General Assembly on what percentage of new funding was  
20 provided to programs serving primarily at-risk children,  
21 what percentage of new funding was provided to programs  
22 serving primarily children with a family income of less  
23 than 4 times the federal poverty level, and what  
24 percentage of new funding was provided to other programs.

25 (6.1) On and after July 1, 2026, the Department of  
26 Early Childhood shall report to the General Assembly by

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

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



1 (A) When persistent and serious challenging  
2 behaviors emerge, the early childhood program shall  
3 document steps taken to ensure that the child can  
4 participate safely in the program; including  
5 observations of initial and ongoing challenging  
6 behaviors, strategies for remediation and intervention  
7 plans to address the behaviors, and communication with  
8 the parent or legal guardian, including participation  
9 of the parent or legal guardian in planning and  
10 decision-making.

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

1 (C) If there is documented evidence that all  
2 available interventions and supports recommended by a  
3 qualified professional have been exhausted and the  
4 program determines in its professional judgment that  
5 transitioning a child to another program is necessary  
6 for the well-being of the child or his or her peers and  
7 staff, with parent or legal guardian permission, both  
8 the current and pending programs shall create a  
9 transition plan designed to ensure continuity of  
10 services and the comprehensive development of the  
11 child. Communication with families shall occur in a  
12 culturally and linguistically competent manner.

13 (D) Nothing in this paragraph (7) shall preclude a  
14 parent's or legal guardian's right to voluntarily  
15 withdraw his or her child from an early childhood  
16 program. Early childhood programs shall request and  
17 keep on file, when received, a written statement from  
18 the parent or legal guardian stating the reason for  
19 his or her decision to withdraw his or her child.

20 (E) In the case of the determination of a serious  
21 safety threat to a child or others or in the case of  
22 behaviors listed in subsection (d) of Section 10-22.6  
23 of this Code, the temporary removal of a child from  
24 attendance in group settings may be used. Temporary  
25 removal of a child from attendance in a group setting  
26 shall trigger the process detailed in subparagraphs

1 (A), (B), and (C) of this paragraph (7), with the child  
2 placed back in a group setting as quickly as possible.

3 (F) Early childhood programs may utilize and the  
4 Department of Early Childhood, State Board of  
5 Education, the Department of Human Services, and the  
6 Department of Children and Family Services shall  
7 recommend training, technical support, and  
8 professional development resources to improve the  
9 ability of teachers, administrators, program  
10 directors, and other staff to promote social-emotional  
11 development and behavioral health, to address  
12 challenging behaviors, and to understand trauma and  
13 trauma-informed care, cultural competence, family  
14 engagement with diverse populations, the impact of  
15 implicit bias on adult behavior, and the use of  
16 reflective practice techniques. Support shall include  
17 the availability of resources to contract with infant  
18 and early childhood mental health consultants.

19 (G) Through June 30, 2026 ~~Beginning on July 1,~~  
20 ~~2018~~, early childhood programs shall annually report  
21 to the State Board of Education, and, beginning in  
22 fiscal year 2020, the State Board of Education shall  
23 make available on a biennial basis, in an existing  
24 report, all of the following data for children from  
25 birth to age 5 who are served by the program:

26 (i) Total number served over the course of the

1 program year and the total number of children who  
2 left the program during the program year.

3 (ii) Number of planned transitions to another  
4 program due to children's behavior, by children's  
5 race, gender, disability, language, class/group  
6 size, teacher-child ratio, and length of program  
7 day.

8 (iii) Number of temporary removals of a child  
9 from attendance in group settings due to a serious  
10 safety threat under subparagraph (E) of this  
11 paragraph (7), by children's race, gender,  
12 disability, language, class/group size,  
13 teacher-child ratio, and length of program day.

14 (iv) Hours of infant and early childhood  
15 mental health consultant contact with program  
16 leaders, staff, and families over the program  
17 year.

18 (G-5) On and after July 1, 2026, early childhood  
19 programs shall annually report to the Department of  
20 Early Childhood, and beginning in fiscal year 2028,  
21 the Department of Early Childhood shall make available  
22 on a biennial basis, in a report, all of the following  
23 data for children from birth to age 5 who are served by  
24 the program:

25 (i) Total number served over the course of the  
26 program year and the total number of children who

1 left the program during the program year.

2 (ii) Number of planned transitions to another  
3 program due to children's behavior, by children's  
4 race, gender, disability, language, class/group  
5 size, teacher-child ratio, and length of program  
6 day.

7 (iii) Number of temporary removals of a child  
8 from attendance in group settings due to a serious  
9 safety threat under subparagraph (E) of this  
10 paragraph (7), by children's race, gender,  
11 disability, language, class/group size,  
12 teacher-child ratio, and length of program day.

13 (iv) Hours of infant and early childhood  
14 mental health consultant contact with program  
15 leaders, staff, and families over the program  
16 year.

17 (H) Changes to services for children with an  
18 individualized education program or individual family  
19 service plan shall be construed in a manner consistent  
20 with the federal Individuals with Disabilities  
21 Education Act.

22 The Department of Early Childhood ~~State Board of~~  
23 ~~Education~~, in consultation with the ~~Governor's Office of~~  
24 ~~Early Childhood Development and the~~ Department of Children  
25 and Family Services, shall adopt rules to administer this  
26 paragraph (7).

1 (b) (Blank).

2 (c) Notwithstanding any other provisions of this Section,  
3 grantees may serve children ages 0 to 12 of essential workers  
4 if the Governor has declared a disaster due to a public health  
5 emergency pursuant to Section 7 of the Illinois Emergency  
6 Management Agency Act. For the purposes of this subsection,  
7 essential workers include those outlined in Executive Order  
8 20-8 and school employees. The State Board of Education shall  
9 adopt rules to administer this subsection.

10 (d) Paragraphs (a) (1), (a) (1.5), (a) (4.5), (a) (5),  
11 (a) (5.1), (a) (6), and (a) (7) and subsection (c) of this  
12 Section are inoperative on and after July 1, 2026.

13 (Source: P.A. 103-111, eff. 6-29-23.)

14 (105 ILCS 5/2-3.71a) (from Ch. 122, par. 2-3.71a)

15 Sec. 2-3.71a. Grants for early childhood parental training  
16 programs. The State Board of Education shall implement and  
17 administer a grant program consisting of grants to public  
18 school districts and other eligible entities, as defined by  
19 the State Board of Education, to conduct early childhood  
20 parental training programs for the parents of children in the  
21 period of life from birth to kindergarten. A public school  
22 district that receives grants under this Section may contract  
23 with other eligible entities to conduct an early childhood  
24 parental training program. These grants must be used to  
25 supplement, not supplant, funds received from any other

1 source. A school board or other eligible entity shall employ  
2 appropriately qualified personnel for its early childhood  
3 parental training program, including but not limited to  
4 certified teachers, counselors, psychiatrists, psychologists  
5 and social workers.

6 (a) As used in this Section, "parental training" means and  
7 includes instruction in the following:

8 (1) Child growth and development, including prenatal  
9 development.

10 (2) Childbirth and child care.

11 (3) Family structure, function and management.

12 (4) Prenatal and postnatal care for mothers and  
13 infants.

14 (5) Prevention of child abuse.

15 (6) The physical, mental, emotional, social, economic  
16 and psychological aspects of interpersonal and family  
17 relationships.

18 (7) Parenting skill development.

19 The programs shall include activities that require  
20 substantial participation and interaction between parent and  
21 child.

22 (b) The Board shall annually award funds through a grant  
23 approval process established by the State Board of Education,  
24 providing that an annual appropriation is made for this  
25 purpose from State, federal or private funds. Nothing in this  
26 Section shall preclude school districts from applying for or

1 accepting private funds to establish and implement programs.

2 (c) The State Board of Education shall assist those  
3 districts and other eligible entities offering early childhood  
4 parental training programs, upon request, in developing  
5 instructional materials, training teachers and staff, and  
6 establishing appropriate time allotments for each of the areas  
7 included in such instruction.

8 (d) School districts and other eligible entities may offer  
9 early childhood parental training courses during that period  
10 of the day which is not part of the regular school day.  
11 Residents of the community may enroll in such courses. The  
12 school board or other eligible entity may establish fees and  
13 collect such charges as may be necessary for attendance at  
14 such courses in an amount not to exceed the per capita cost of  
15 the operation thereof, except that the board or other eligible  
16 entity may waive all or part of such charges if it determines  
17 that the parent is indigent or that the educational needs of  
18 the parent require his or her attendance at such courses.

19 (e) Parents who participate in early childhood parental  
20 training programs under this Section may be eligible for  
21 reasonable reimbursement of any incidental transportation and  
22 child care expenses from the school district receiving funds  
23 pursuant to this Section.

24 (f) Districts and other eligible entities receiving grants  
25 pursuant to this Section shall coordinate programs created  
26 under this Section with other preschool educational programs,



1 including "at-risk" preschool programs, special and vocational  
2 education, and related services provided by other governmental  
3 agencies and not-for-profit agencies.

4 (g) The State Board of Education shall report to the  
5 General Assembly by July 1, 1991, on the results of the  
6 programs funded pursuant to this Section and whether a need  
7 continues for such programs.

8 (h) After July 1, 2006, any parental training services  
9 funded pursuant to this Section on the effective date of this  
10 amendatory Act of the 94th General Assembly shall continue to  
11 be funded pursuant to this Section, subject to appropriation  
12 and the meeting of program standards. Any additional parental  
13 training services must be funded, subject to appropriation,  
14 through preschool education grants pursuant to subdivision (4)  
15 of subsection (a) of Section 2-3.71 of this Code for families  
16 with children ages 3 to 5 and through prevention initiative  
17 grants pursuant to subsection (b) of Section 2-3.89 of this  
18 Code for expecting families and those with children from birth  
19 to 3 years of age.

20 (i) Early childhood programs under this Section are  
21 subject to the requirements under paragraph (7) of subsection  
22 (a) of Section 2-3.71 of this Code.

23 (j) This Section is repealed on July 1, 2026.

24 (Source: P.A. 100-105, eff. 1-1-18.)

25 (105 ILCS 5/2-3.79) (from Ch. 122, par. 2-3.79)

1           Sec. 2-3.79. Pilot programs and special education services  
2 for preschool children with disabilities from birth to age 3.  
3 The State Board of Education may enter into contracts with  
4 public or not-for-profit private organizations or agencies to  
5 establish model pilot programs which provide services to  
6 children with disabilities from birth up to the age of 3 years.  
7 Annual grants shall be awarded on a competitive basis pursuant  
8 to established criteria provided that there is an annual  
9 appropriation for this purpose. Public or not-for-profit  
10 private organizations or agencies that are providing services  
11 to children with disabilities up to the age of 3 years prior to  
12 September 22, 1985 are eligible to receive grants awarded  
13 pursuant to this Section.

14           Each pilot program shall include, but not be limited to: a  
15 process for identification of infants with disabilities in the  
16 region; community awareness of the project and the services  
17 provided; an intervention system; methods to assess and  
18 diagnose infants with disabilities; written individual  
19 treatment programs that include parental involvement; an  
20 interdisciplinary treatment approach to include other agencies  
21 and not-for-profit organizations; and a written evaluation  
22 submitted to the State Board of Education at the end of the  
23 grant period.

24           An Interagency Coordination Council shall be established  
25 consisting of a representative of the State Superintendent of  
26 Education who shall serve as chairman, and one representative

1 from the following departments appointed by the respective  
2 directors or secretary: Children and Family Services, Public  
3 Health, Human Services, Public Aid, and the Division of  
4 Specialized Care for Children of the University of Illinois.  
5 The council shall recommend criteria to the State Board of  
6 Education for the awarding of grants pursuant to this Section  
7 and shall assist in coordinating the services provided by  
8 agencies to the children with disabilities described in this  
9 Section.

10 A report containing recommendations concerning all of the  
11 pilot programs shall be submitted by the State Board of  
12 Education to the General Assembly by January of 1989. The  
13 report which shall analyze the results of the pilot programs  
14 funded under this Section and make recommendations concerning  
15 existing and proposed programs shall include, but not be  
16 limited to: recommendations for staff licensure and  
17 qualifications; the number of children and families eligible  
18 for services statewide; the cost of serving the children and  
19 their families; the types of services to be provided; and  
20 designs for the most effective delivery systems of these  
21 services.

22 This Section is repealed on July 1, 2026.

23 (Source: P.A. 89-397, eff. 8-20-95; 89-507, eff. 7-1-97.)

24 (105 ILCS 5/2-3.89) (from Ch. 122, par. 2-3.89)

25 Sec. 2-3.89. Programs concerning services to at-risk

1 children and their families.

2 (a) The State Board of Education may provide grants to  
3 eligible entities, as defined by the State Board of Education,  
4 to establish programs which offer coordinated services to  
5 at-risk infants and toddlers and their families. Each program  
6 shall include a parent education program relating to the  
7 development and nurturing of infants and toddlers and case  
8 management services to coordinate existing services available  
9 in the region served by the program. These services shall be  
10 provided through the implementation of an individual family  
11 service plan. Each program will have a community involvement  
12 component to provide coordination in the service system.

13 (b) The State Board of Education shall administer the  
14 programs through the grants to public school districts and  
15 other eligible entities. These grants must be used to  
16 supplement, not supplant, funds received from any other  
17 source. School districts and other eligible entities receiving  
18 grants pursuant to this Section shall conduct voluntary,  
19 intensive, research-based, and comprehensive prevention  
20 services, as defined by the State Board of Education, for  
21 expecting parents and families with children from birth to age  
22 3 who are at-risk of academic failure. A public school  
23 district that receives a grant under this Section may  
24 subcontract with other eligible entities.

25 (c) The State Board of Education shall report to the  
26 General Assembly by July 1, 2006 and every 2 years thereafter,

1 using the most current data available, on the status of  
2 programs funded under this Section, including without  
3 limitation characteristics of participants, services  
4 delivered, program models used, unmet needs, and results of  
5 the programs funded.

6 (Source: P.A. 96-734, eff. 8-25-09.)

7 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

8 (Text of Section before amendment by P.A. 102-466)

9 Sec. 10-22.6. Suspension or expulsion of pupils; school  
10 searches.

11 (a) To expel pupils guilty of gross disobedience or  
12 misconduct, including gross disobedience or misconduct  
13 perpetuated by electronic means, pursuant to subsection (b-20)  
14 of this Section, and no action shall lie against them for such  
15 expulsion. Expulsion shall take place only after the parents  
16 have been requested to appear at a meeting of the board, or  
17 with a hearing officer appointed by it, to discuss their  
18 child's behavior. Such request shall be made by registered or  
19 certified mail and shall state the time, place and purpose of  
20 the meeting. The board, or a hearing officer appointed by it,  
21 at such meeting shall state the reasons for dismissal and the  
22 date on which the expulsion is to become effective. If a  
23 hearing officer is appointed by the board, he shall report to  
24 the board a written summary of the evidence heard at the  
25 meeting and the board may take such action thereon as it finds

1 appropriate. If the board acts to expel a pupil, the written  
2 expulsion decision shall detail the specific reasons why  
3 removing the pupil from the learning environment is in the  
4 best interest of the school. The expulsion decision shall also  
5 include a rationale as to the specific duration of the  
6 expulsion. An expelled pupil may be immediately transferred to  
7 an alternative program in the manner provided in Article 13A  
8 or 13B of this Code. A pupil must not be denied transfer  
9 because of the expulsion, except in cases in which such  
10 transfer is deemed to cause a threat to the safety of students  
11 or staff in the alternative program.

12 (b) To suspend or by policy to authorize the  
13 superintendent of the district or the principal, assistant  
14 principal, or dean of students of any school to suspend pupils  
15 guilty of gross disobedience or misconduct, or to suspend  
16 pupils guilty of gross disobedience or misconduct on the  
17 school bus from riding the school bus, pursuant to subsections  
18 (b-15) and (b-20) of this Section, and no action shall lie  
19 against them for such suspension. The board may by policy  
20 authorize the superintendent of the district or the principal,  
21 assistant principal, or dean of students of any school to  
22 suspend pupils guilty of such acts for a period not to exceed  
23 10 school days. If a pupil is suspended due to gross  
24 disobedience or misconduct on a school bus, the board may  
25 suspend the pupil in excess of 10 school days for safety  
26 reasons.

1 Any suspension shall be reported immediately to the  
2 parents or guardian of a pupil along with a full statement of  
3 the reasons for such suspension and a notice of their right to  
4 a review. The school board must be given a summary of the  
5 notice, including the reason for the suspension and the  
6 suspension length. Upon request of the parents or guardian,  
7 the school board or a hearing officer appointed by it shall  
8 review such action of the superintendent or principal,  
9 assistant principal, or dean of students. At such review, the  
10 parents or guardian of the pupil may appear and discuss the  
11 suspension with the board or its hearing officer. If a hearing  
12 officer is appointed by the board, he shall report to the board  
13 a written summary of the evidence heard at the meeting. After  
14 its hearing or upon receipt of the written report of its  
15 hearing officer, the board may take such action as it finds  
16 appropriate. If a student is suspended pursuant to this  
17 subsection (b), the board shall, in the written suspension  
18 decision, detail the specific act of gross disobedience or  
19 misconduct resulting in the decision to suspend. The  
20 suspension decision shall also include a rationale as to the  
21 specific duration of the suspension. A pupil who is suspended  
22 in excess of 20 school days may be immediately transferred to  
23 an alternative program in the manner provided in Article 13A  
24 or 13B of this Code. A pupil must not be denied transfer  
25 because of the suspension, except in cases in which such  
26 transfer is deemed to cause a threat to the safety of students

1 or staff in the alternative program.

2 (b-5) Among the many possible disciplinary interventions  
3 and consequences available to school officials, school  
4 exclusions, such as out-of-school suspensions and expulsions,  
5 are the most serious. School officials shall limit the number  
6 and duration of expulsions and suspensions to the greatest  
7 extent practicable, and it is recommended that they use them  
8 only for legitimate educational purposes. To ensure that  
9 students are not excluded from school unnecessarily, it is  
10 recommended that school officials consider forms of  
11 non-exclusionary discipline prior to using out-of-school  
12 suspensions or expulsions.

13 (b-10) Unless otherwise required by federal law or this  
14 Code, school boards may not institute zero-tolerance policies  
15 by which school administrators are required to suspend or  
16 expel students for particular behaviors.

17 (b-15) Out-of-school suspensions of 3 days or less may be  
18 used only if the student's continuing presence in school would  
19 pose a threat to school safety or a disruption to other  
20 students' learning opportunities. For purposes of this  
21 subsection (b-15), "threat to school safety or a disruption to  
22 other students' learning opportunities" shall be determined on  
23 a case-by-case basis by the school board or its designee.  
24 School officials shall make all reasonable efforts to resolve  
25 such threats, address such disruptions, and minimize the  
26 length of suspensions to the greatest extent practicable.



1 (b-20) Unless otherwise required by this Code,  
2 out-of-school suspensions of longer than 3 days, expulsions,  
3 and disciplinary removals to alternative schools may be used  
4 only if other appropriate and available behavioral and  
5 disciplinary interventions have been exhausted and the  
6 student's continuing presence in school would either (i) pose  
7 a threat to the safety of other students, staff, or members of  
8 the school community or (ii) substantially disrupt, impede, or  
9 interfere with the operation of the school. For purposes of  
10 this subsection (b-20), "threat to the safety of other  
11 students, staff, or members of the school community" and  
12 "substantially disrupt, impede, or interfere with the  
13 operation of the school" shall be determined on a case-by-case  
14 basis by school officials. For purposes of this subsection  
15 (b-20), the determination of whether "appropriate and  
16 available behavioral and disciplinary interventions have been  
17 exhausted" shall be made by school officials. School officials  
18 shall make all reasonable efforts to resolve such threats,  
19 address such disruptions, and minimize the length of student  
20 exclusions to the greatest extent practicable. Within the  
21 suspension decision described in subsection (b) of this  
22 Section or the expulsion decision described in subsection (a)  
23 of this Section, it shall be documented whether other  
24 interventions were attempted or whether it was determined that  
25 there were no other appropriate and available interventions.

26 (b-25) Students who are suspended out-of-school for longer

1 than 4 school days shall be provided appropriate and available  
2 support services during the period of their suspension. For  
3 purposes of this subsection (b-25), "appropriate and available  
4 support services" shall be determined by school authorities.  
5 Within the suspension decision described in subsection (b) of  
6 this Section, it shall be documented whether such services are  
7 to be provided or whether it was determined that there are no  
8 such appropriate and available services.

9 A school district may refer students who are expelled to  
10 appropriate and available support services.

11 A school district shall create a policy to facilitate the  
12 re-engagement of students who are suspended out-of-school,  
13 expelled, or returning from an alternative school setting.

14 (b-30) A school district shall create a policy by which  
15 suspended pupils, including those pupils suspended from the  
16 school bus who do not have alternate transportation to school,  
17 shall have the opportunity to make up work for equivalent  
18 academic credit. It shall be the responsibility of a pupil's  
19 parent or guardian to notify school officials that a pupil  
20 suspended from the school bus does not have alternate  
21 transportation to school.

22 (c) A school board must invite a representative from a  
23 local mental health agency to consult with the board at the  
24 meeting whenever there is evidence that mental illness may be  
25 the cause of a student's expulsion or suspension.

26 (c-5) School districts shall make reasonable efforts to

1 provide ongoing professional development to teachers,  
2 administrators, school board members, school resource  
3 officers, and staff on the adverse consequences of school  
4 exclusion and justice-system involvement, effective classroom  
5 management strategies, culturally responsive discipline, the  
6 appropriate and available supportive services for the  
7 promotion of student attendance and engagement, and  
8 developmentally appropriate disciplinary methods that promote  
9 positive and healthy school climates.

10 (d) The board may expel a student for a definite period of  
11 time not to exceed 2 calendar years, as determined on a  
12 case-by-case basis. A student who is determined to have  
13 brought one of the following objects to school, any  
14 school-sponsored activity or event, or any activity or event  
15 that bears a reasonable relationship to school shall be  
16 expelled for a period of not less than one year:

17 (1) A firearm. For the purposes of this Section,  
18 "firearm" means any gun, rifle, shotgun, weapon as defined  
19 by Section 921 of Title 18 of the United States Code,  
20 firearm as defined in Section 1.1 of the Firearm Owners  
21 Identification Card Act, or firearm as defined in Section  
22 24-1 of the Criminal Code of 2012. The expulsion period  
23 under this subdivision (1) may be modified by the  
24 superintendent, and the superintendent's determination may  
25 be modified by the board on a case-by-case basis.

26 (2) A knife, brass knuckles or other knuckle weapon

1           regardless of its composition, a billy club, or any other  
2           object if used or attempted to be used to cause bodily  
3           harm, including "look alike" of any firearm as defined in  
4           subdivision (1) of this subsection (d). The expulsion  
5           requirement under this subdivision (2) may be modified by  
6           the superintendent, and the superintendent's determination  
7           may be modified by the board on a case-by-case basis.

8           Expulsion or suspension shall be construed in a manner  
9           consistent with the federal Individuals with Disabilities  
10          Education Act. A student who is subject to suspension or  
11          expulsion as provided in this Section may be eligible for a  
12          transfer to an alternative school program in accordance with  
13          Article 13A of the School Code.

14          (d-5) The board may suspend or by regulation authorize the  
15          superintendent of the district or the principal, assistant  
16          principal, or dean of students of any school to suspend a  
17          student for a period not to exceed 10 school days or may expel  
18          a student for a definite period of time not to exceed 2  
19          calendar years, as determined on a case-by-case basis, if (i)  
20          that student has been determined to have made an explicit  
21          threat on an Internet website against a school employee, a  
22          student, or any school-related personnel, (ii) the Internet  
23          website through which the threat was made is a site that was  
24          accessible within the school at the time the threat was made or  
25          was available to third parties who worked or studied within  
26          the school grounds at the time the threat was made, and (iii)

1 the threat could be reasonably interpreted as threatening to  
2 the safety and security of the threatened individual because  
3 of his or her duties or employment status or status as a  
4 student inside the school.

5 (e) To maintain order and security in the schools, school  
6 authorities may inspect and search places and areas such as  
7 lockers, desks, parking lots, and other school property and  
8 equipment owned or controlled by the school, as well as  
9 personal effects left in those places and areas by students,  
10 without notice to or the consent of the student, and without a  
11 search warrant. As a matter of public policy, the General  
12 Assembly finds that students have no reasonable expectation of  
13 privacy in these places and areas or in their personal effects  
14 left in these places and areas. School authorities may request  
15 the assistance of law enforcement officials for the purpose of  
16 conducting inspections and searches of lockers, desks, parking  
17 lots, and other school property and equipment owned or  
18 controlled by the school for illegal drugs, weapons, or other  
19 illegal or dangerous substances or materials, including  
20 searches conducted through the use of specially trained dogs.  
21 If a search conducted in accordance with this Section produces  
22 evidence that the student has violated or is violating either  
23 the law, local ordinance, or the school's policies or rules,  
24 such evidence may be seized by school authorities, and  
25 disciplinary action may be taken. School authorities may also  
26 turn over such evidence to law enforcement authorities.

1 (f) Suspension or expulsion may include suspension or  
2 expulsion from school and all school activities and a  
3 prohibition from being present on school grounds.

4 (g) A school district may adopt a policy providing that if  
5 a student is suspended or expelled for any reason from any  
6 public or private school in this or any other state, the  
7 student must complete the entire term of the suspension or  
8 expulsion in an alternative school program under Article 13A  
9 of this Code or an alternative learning opportunities program  
10 under Article 13B of this Code before being admitted into the  
11 school district if there is no threat to the safety of students  
12 or staff in the alternative program.

13 (h) School officials shall not advise or encourage  
14 students to drop out voluntarily due to behavioral or academic  
15 difficulties.

16 (i) A student may not be issued a monetary fine or fee as a  
17 disciplinary consequence, though this shall not preclude  
18 requiring a student to provide restitution for lost, stolen,  
19 or damaged property.

20 (j) Subsections (a) through (i) of this Section shall  
21 apply to elementary and secondary schools, charter schools,  
22 special charter districts, and school districts organized  
23 under Article 34 of this Code.

24 (k) The expulsion of children enrolled in programs funded  
25 under Section 1C-2 of this Code is subject to the requirements  
26 under paragraph (7) of subsection (a) of Section 2-3.71 of

1 this Code.

2 (1) Beginning with the 2018-2019 school year, an in-school  
3 suspension program provided by a school district for any  
4 students in kindergarten through grade 12 may focus on  
5 promoting non-violent conflict resolution and positive  
6 interaction with other students and school personnel. A school  
7 district may employ a school social worker or a licensed  
8 mental health professional to oversee an in-school suspension  
9 program in kindergarten through grade 12.

10 (Source: P.A. 101-81, eff. 7-12-19; 102-539, eff. 8-20-21;  
11 102-813, eff. 5-13-22.)

12 (Text of Section after amendment by P.A. 102-466)

13 Sec. 10-22.6. Suspension or expulsion of pupils; school  
14 searches.

15 (a) To expel pupils guilty of gross disobedience or  
16 misconduct, including gross disobedience or misconduct  
17 perpetuated by electronic means, pursuant to subsection (b-20)  
18 of this Section, and no action shall lie against them for such  
19 expulsion. Expulsion shall take place only after the parents  
20 or guardians have been requested to appear at a meeting of the  
21 board, or with a hearing officer appointed by it, to discuss  
22 their child's behavior. Such request shall be made by  
23 registered or certified mail and shall state the time, place  
24 and purpose of the meeting. The board, or a hearing officer  
25 appointed by it, at such meeting shall state the reasons for

1 dismissal and the date on which the expulsion is to become  
2 effective. If a hearing officer is appointed by the board, he  
3 shall report to the board a written summary of the evidence  
4 heard at the meeting and the board may take such action thereon  
5 as it finds appropriate. If the board acts to expel a pupil,  
6 the written expulsion decision shall detail the specific  
7 reasons why removing the pupil from the learning environment  
8 is in the best interest of the school. The expulsion decision  
9 shall also include a rationale as to the specific duration of  
10 the expulsion. An expelled pupil may be immediately  
11 transferred to an alternative program in the manner provided  
12 in Article 13A or 13B of this Code. A pupil must not be denied  
13 transfer because of the expulsion, except in cases in which  
14 such transfer is deemed to cause a threat to the safety of  
15 students or staff in the alternative program.

16 (b) To suspend or by policy to authorize the  
17 superintendent of the district or the principal, assistant  
18 principal, or dean of students of any school to suspend pupils  
19 guilty of gross disobedience or misconduct, or to suspend  
20 pupils guilty of gross disobedience or misconduct on the  
21 school bus from riding the school bus, pursuant to subsections  
22 (b-15) and (b-20) of this Section, and no action shall lie  
23 against them for such suspension. The board may by policy  
24 authorize the superintendent of the district or the principal,  
25 assistant principal, or dean of students of any school to  
26 suspend pupils guilty of such acts for a period not to exceed



1 10 school days. If a pupil is suspended due to gross  
2 disobedience or misconduct on a school bus, the board may  
3 suspend the pupil in excess of 10 school days for safety  
4 reasons.

5 Any suspension shall be reported immediately to the  
6 parents or guardians of a pupil along with a full statement of  
7 the reasons for such suspension and a notice of their right to  
8 a review. The school board must be given a summary of the  
9 notice, including the reason for the suspension and the  
10 suspension length. Upon request of the parents or guardians,  
11 the school board or a hearing officer appointed by it shall  
12 review such action of the superintendent or principal,  
13 assistant principal, or dean of students. At such review, the  
14 parents or guardians of the pupil may appear and discuss the  
15 suspension with the board or its hearing officer. If a hearing  
16 officer is appointed by the board, he shall report to the board  
17 a written summary of the evidence heard at the meeting. After  
18 its hearing or upon receipt of the written report of its  
19 hearing officer, the board may take such action as it finds  
20 appropriate. If a student is suspended pursuant to this  
21 subsection (b), the board shall, in the written suspension  
22 decision, detail the specific act of gross disobedience or  
23 misconduct resulting in the decision to suspend. The  
24 suspension decision shall also include a rationale as to the  
25 specific duration of the suspension. A pupil who is suspended  
26 in excess of 20 school days may be immediately transferred to

1 an alternative program in the manner provided in Article 13A  
2 or 13B of this Code. A pupil must not be denied transfer  
3 because of the suspension, except in cases in which such  
4 transfer is deemed to cause a threat to the safety of students  
5 or staff in the alternative program.

6 (b-5) Among the many possible disciplinary interventions  
7 and consequences available to school officials, school  
8 exclusions, such as out-of-school suspensions and expulsions,  
9 are the most serious. School officials shall limit the number  
10 and duration of expulsions and suspensions to the greatest  
11 extent practicable, and it is recommended that they use them  
12 only for legitimate educational purposes. To ensure that  
13 students are not excluded from school unnecessarily, it is  
14 recommended that school officials consider forms of  
15 non-exclusionary discipline prior to using out-of-school  
16 suspensions or expulsions.

17 (b-10) Unless otherwise required by federal law or this  
18 Code, school boards may not institute zero-tolerance policies  
19 by which school administrators are required to suspend or  
20 expel students for particular behaviors.

21 (b-15) Out-of-school suspensions of 3 days or less may be  
22 used only if the student's continuing presence in school would  
23 pose a threat to school safety or a disruption to other  
24 students' learning opportunities. For purposes of this  
25 subsection (b-15), "threat to school safety or a disruption to  
26 other students' learning opportunities" shall be determined on

1 a case-by-case basis by the school board or its designee.  
2 School officials shall make all reasonable efforts to resolve  
3 such threats, address such disruptions, and minimize the  
4 length of suspensions to the greatest extent practicable.

5 (b-20) Unless otherwise required by this Code,  
6 out-of-school suspensions of longer than 3 days, expulsions,  
7 and disciplinary removals to alternative schools may be used  
8 only if other appropriate and available behavioral and  
9 disciplinary interventions have been exhausted and the  
10 student's continuing presence in school would either (i) pose  
11 a threat to the safety of other students, staff, or members of  
12 the school community or (ii) substantially disrupt, impede, or  
13 interfere with the operation of the school. For purposes of  
14 this subsection (b-20), "threat to the safety of other  
15 students, staff, or members of the school community" and  
16 "substantially disrupt, impede, or interfere with the  
17 operation of the school" shall be determined on a case-by-case  
18 basis by school officials. For purposes of this subsection  
19 (b-20), the determination of whether "appropriate and  
20 available behavioral and disciplinary interventions have been  
21 exhausted" shall be made by school officials. School officials  
22 shall make all reasonable efforts to resolve such threats,  
23 address such disruptions, and minimize the length of student  
24 exclusions to the greatest extent practicable. Within the  
25 suspension decision described in subsection (b) of this  
26 Section or the expulsion decision described in subsection (a)

1 of this Section, it shall be documented whether other  
2 interventions were attempted or whether it was determined that  
3 there were no other appropriate and available interventions.

4 (b-25) Students who are suspended out-of-school for longer  
5 than 4 school days shall be provided appropriate and available  
6 support services during the period of their suspension. For  
7 purposes of this subsection (b-25), "appropriate and available  
8 support services" shall be determined by school authorities.  
9 Within the suspension decision described in subsection (b) of  
10 this Section, it shall be documented whether such services are  
11 to be provided or whether it was determined that there are no  
12 such appropriate and available services.

13 A school district may refer students who are expelled to  
14 appropriate and available support services.

15 A school district shall create a policy to facilitate the  
16 re-engagement of students who are suspended out-of-school,  
17 expelled, or returning from an alternative school setting.

18 (b-30) A school district shall create a policy by which  
19 suspended pupils, including those pupils suspended from the  
20 school bus who do not have alternate transportation to school,  
21 shall have the opportunity to make up work for equivalent  
22 academic credit. It shall be the responsibility of a pupil's  
23 parents or guardians to notify school officials that a pupil  
24 suspended from the school bus does not have alternate  
25 transportation to school.

26 (b-35) In all suspension review hearings conducted under

1 subsection (b) or expulsion hearings conducted under  
2 subsection (a), a student may disclose any factor to be  
3 considered in mitigation, including his or her status as a  
4 parent, expectant parent, or victim of domestic or sexual  
5 violence, as defined in Article 26A. A representative of the  
6 parent's or guardian's choice, or of the student's choice if  
7 emancipated, must be permitted to represent the student  
8 throughout the proceedings and to address the school board or  
9 its appointed hearing officer. With the approval of the  
10 student's parent or guardian, or of the student if  
11 emancipated, a support person must be permitted to accompany  
12 the student to any disciplinary hearings or proceedings. The  
13 representative or support person must comply with any rules of  
14 the school district's hearing process. If the representative  
15 or support person violates the rules or engages in behavior or  
16 advocacy that harasses, abuses, or intimidates either party, a  
17 witness, or anyone else in attendance at the hearing, the  
18 representative or support person may be prohibited from  
19 further participation in the hearing or proceeding. A  
20 suspension or expulsion proceeding under this subsection  
21 (b-35) must be conducted independently from any ongoing  
22 criminal investigation or proceeding, and an absence of  
23 pending or possible criminal charges, criminal investigations,  
24 or proceedings may not be a factor in school disciplinary  
25 decisions.

26 (b-40) During a suspension review hearing conducted under

1 subsection (b) or an expulsion hearing conducted under  
2 subsection (a) that involves allegations of sexual violence by  
3 the student who is subject to discipline, neither the student  
4 nor his or her representative shall directly question nor have  
5 direct contact with the alleged victim. The student who is  
6 subject to discipline or his or her representative may, at the  
7 discretion and direction of the school board or its appointed  
8 hearing officer, suggest questions to be posed by the school  
9 board or its appointed hearing officer to the alleged victim.

10 (c) A school board must invite a representative from a  
11 local mental health agency to consult with the board at the  
12 meeting whenever there is evidence that mental illness may be  
13 the cause of a student's expulsion or suspension.

14 (c-5) School districts shall make reasonable efforts to  
15 provide ongoing professional development to teachers,  
16 administrators, school board members, school resource  
17 officers, and staff on the adverse consequences of school  
18 exclusion and justice-system involvement, effective classroom  
19 management strategies, culturally responsive discipline, the  
20 appropriate and available supportive services for the  
21 promotion of student attendance and engagement, and  
22 developmentally appropriate disciplinary methods that promote  
23 positive and healthy school climates.

24 (d) The board may expel a student for a definite period of  
25 time not to exceed 2 calendar years, as determined on a  
26 case-by-case basis. A student who is determined to have

1 brought one of the following objects to school, any  
2 school-sponsored activity or event, or any activity or event  
3 that bears a reasonable relationship to school shall be  
4 expelled for a period of not less than one year:

5 (1) A firearm. For the purposes of this Section,  
6 "firearm" means any gun, rifle, shotgun, weapon as defined  
7 by Section 921 of Title 18 of the United States Code,  
8 firearm as defined in Section 1.1 of the Firearm Owners  
9 Identification Card Act, or firearm as defined in Section  
10 24-1 of the Criminal Code of 2012. The expulsion period  
11 under this subdivision (1) may be modified by the  
12 superintendent, and the superintendent's determination may  
13 be modified by the board on a case-by-case basis.

14 (2) A knife, brass knuckles or other knuckle weapon  
15 regardless of its composition, a billy club, or any other  
16 object if used or attempted to be used to cause bodily  
17 harm, including "look alikes" of any firearm as defined in  
18 subdivision (1) of this subsection (d). The expulsion  
19 requirement under this subdivision (2) may be modified by  
20 the superintendent, and the superintendent's determination  
21 may be modified by the board on a case-by-case basis.

22 Expulsion or suspension shall be construed in a manner  
23 consistent with the federal Individuals with Disabilities  
24 Education Act. A student who is subject to suspension or  
25 expulsion as provided in this Section may be eligible for a  
26 transfer to an alternative school program in accordance with

1 Article 13A of the School Code.

2 (d-5) The board may suspend or by regulation authorize the  
3 superintendent of the district or the principal, assistant  
4 principal, or dean of students of any school to suspend a  
5 student for a period not to exceed 10 school days or may expel  
6 a student for a definite period of time not to exceed 2  
7 calendar years, as determined on a case-by-case basis, if (i)  
8 that student has been determined to have made an explicit  
9 threat on an Internet website against a school employee, a  
10 student, or any school-related personnel, (ii) the Internet  
11 website through which the threat was made is a site that was  
12 accessible within the school at the time the threat was made or  
13 was available to third parties who worked or studied within  
14 the school grounds at the time the threat was made, and (iii)  
15 the threat could be reasonably interpreted as threatening to  
16 the safety and security of the threatened individual because  
17 of his or her duties or employment status or status as a  
18 student inside the school.

19 (e) To maintain order and security in the schools, school  
20 authorities may inspect and search places and areas such as  
21 lockers, desks, parking lots, and other school property and  
22 equipment owned or controlled by the school, as well as  
23 personal effects left in those places and areas by students,  
24 without notice to or the consent of the student, and without a  
25 search warrant. As a matter of public policy, the General  
26 Assembly finds that students have no reasonable expectation of



1 privacy in these places and areas or in their personal effects  
2 left in these places and areas. School authorities may request  
3 the assistance of law enforcement officials for the purpose of  
4 conducting inspections and searches of lockers, desks, parking  
5 lots, and other school property and equipment owned or  
6 controlled by the school for illegal drugs, weapons, or other  
7 illegal or dangerous substances or materials, including  
8 searches conducted through the use of specially trained dogs.  
9 If a search conducted in accordance with this Section produces  
10 evidence that the student has violated or is violating either  
11 the law, local ordinance, or the school's policies or rules,  
12 such evidence may be seized by school authorities, and  
13 disciplinary action may be taken. School authorities may also  
14 turn over such evidence to law enforcement authorities.

15 (f) Suspension or expulsion may include suspension or  
16 expulsion from school and all school activities and a  
17 prohibition from being present on school grounds.

18 (g) A school district may adopt a policy providing that if  
19 a student is suspended or expelled for any reason from any  
20 public or private school in this or any other state, the  
21 student must complete the entire term of the suspension or  
22 expulsion in an alternative school program under Article 13A  
23 of this Code or an alternative learning opportunities program  
24 under Article 13B of this Code before being admitted into the  
25 school district if there is no threat to the safety of students  
26 or staff in the alternative program. A school district that

1 adopts a policy under this subsection (g) must include a  
2 provision allowing for consideration of any mitigating  
3 factors, including, but not limited to, a student's status as  
4 a parent, expectant parent, or victim of domestic or sexual  
5 violence, as defined in Article 26A.

6 (h) School officials shall not advise or encourage  
7 students to drop out voluntarily due to behavioral or academic  
8 difficulties.

9 (i) A student may not be issued a monetary fine or fee as a  
10 disciplinary consequence, though this shall not preclude  
11 requiring a student to provide restitution for lost, stolen,  
12 or damaged property.

13 (j) Subsections (a) through (i) of this Section shall  
14 apply to elementary and secondary schools, charter schools,  
15 special charter districts, and school districts organized  
16 under Article 34 of this Code.

17 (k) Through June 30, 2026, the ~~The~~ expulsion of children  
18 enrolled in programs funded under Section 1C-2 of this Code is  
19 subject to the requirements under paragraph (7) of subsection  
20 (a) of Section 2-3.71 of this Code.

21 (k-5) On and after July 1, 2026, the expulsion of children  
22 enrolled in programs funded under Section 15-25 is subject to  
23 the requirements of paragraph (7) of subsection (a) of Section  
24 15-30 of the Department of Early Childhood Act.

25 (l) Beginning with the 2018-2019 school year, an in-school  
26 suspension program provided by a school district for any

1 students in kindergarten through grade 12 may focus on  
2 promoting non-violent conflict resolution and positive  
3 interaction with other students and school personnel. A school  
4 district may employ a school social worker or a licensed  
5 mental health professional to oversee an in-school suspension  
6 program in kindergarten through grade 12.

7 (Source: P.A. 101-81, eff. 7-12-19; 102-466, eff. 7-1-25;  
8 102-539, eff. 8-20-21; 102-813, eff. 5-13-22.)

9 (105 ILCS 5/21B-50)

10 Sec. 21B-50. Alternative Educator Licensure Program for  
11 Teachers.

12 (a) There is established an alternative educator licensure  
13 program, to be known as the Alternative Educator Licensure  
14 Program for Teachers.

15 (b) The Alternative Educator Licensure Program for  
16 Teachers may be offered by a recognized institution approved  
17 to offer educator preparation programs by the State Board of  
18 Education, in consultation with the State Educator Preparation  
19 and Licensure Board.

20 The program shall be comprised of up to 3 phases:

21 (1) A course of study that at a minimum includes  
22 instructional planning; instructional strategies,  
23 including special education, reading, and English language  
24 learning; classroom management; and the assessment of  
25 students and use of data to drive instruction.

1           (2) A year of residency, which is a candidate's  
2 assignment to a full-time teaching position or as a  
3 co-teacher for one full school year. An individual must  
4 hold an Educator License with Stipulations with an  
5 alternative provisional educator endorsement in order to  
6 enter the residency. In residency, the candidate must~~+~~ be  
7 assigned an effective, fully licensed teacher by the  
8 principal or principal equivalent to act as a mentor and  
9 coach the candidate through residency, complete additional  
10 program requirements that address required State and  
11 national standards, pass the State Board's teacher  
12 performance assessment, if required under Section 21B-30,  
13 and be recommended by the principal or qualified  
14 equivalent of a principal, as required under subsection  
15 (d) of this Section, and the program coordinator to be  
16 recommended for full licensure or to continue with a  
17 second year of the residency.

18           (3) (Blank).

19           (4) A comprehensive assessment of the candidate's  
20 teaching effectiveness, as evaluated by the principal or  
21 qualified equivalent of a principal, as required under  
22 subsection (d) of this Section, and the program  
23 coordinator, at the end of either the first or the second  
24 year of residency. If there is disagreement between the 2  
25 evaluators about the candidate's teaching effectiveness at  
26 the end of the first year of residency, a second year of

1           residency shall be required. If there is disagreement  
2           between the 2 evaluators at the end of the second year of  
3           residency, the candidate may complete one additional year  
4           of residency teaching under a professional development  
5           plan developed by the principal or qualified equivalent  
6           and the preparation program. At the completion of the  
7           third year, a candidate must have positive evaluations and  
8           a recommendation for full licensure from both the  
9           principal or qualified equivalent and the program  
10          coordinator or no Professional Educator License shall be  
11          issued.

12          Successful completion of the program shall be deemed to  
13          satisfy any other practice or student teaching and content  
14          matter requirements established by law.

15          (c) An alternative provisional educator endorsement on an  
16          Educator License with Stipulations is valid for up to 2 years  
17          of teaching in the public schools, including without  
18          limitation a preschool educational program under Section  
19          2-3.71 of this Code or Section 15-30 of the Department of Early  
20          Childhood Act or charter school, or in a State-recognized  
21          nonpublic school in which the chief administrator is required  
22          to have the licensure necessary to be a principal in a public  
23          school in this State and in which a majority of the teachers  
24          are required to have the licensure necessary to be instructors  
25          in a public school in this State, but may be renewed for a  
26          third year if needed to complete the Alternative Educator

1 Licensure Program for Teachers. The endorsement shall be  
2 issued only once to an individual who meets all of the  
3 following requirements:

4 (1) Has graduated from a regionally accredited college  
5 or university with a bachelor's degree or higher.

6 (2) (Blank).

7 (3) Has completed a major in the content area if  
8 seeking a middle or secondary level endorsement or, if  
9 seeking an early childhood, elementary, or special  
10 education endorsement, has completed a major in the  
11 content area of early childhood reading, English/language  
12 arts, mathematics, or one of the sciences. If the  
13 individual does not have a major in a content area for any  
14 level of teaching, he or she must submit transcripts to  
15 the State Board of Education to be reviewed for  
16 equivalency.

17 (4) Has successfully completed phase (1) of subsection  
18 (b) of this Section.

19 (5) Has passed a content area test required for the  
20 specific endorsement for admission into the program, as  
21 required under Section 21B-30 of this Code.

22 A candidate possessing the alternative provisional  
23 educator endorsement may receive a salary, benefits, and any  
24 other terms of employment offered to teachers in the school  
25 who are members of an exclusive bargaining representative, if  
26 any, but a school is not required to provide these benefits

1 during the years of residency if the candidate is serving only  
2 as a co-teacher. If the candidate is serving as the teacher of  
3 record, the candidate must receive a salary, benefits, and any  
4 other terms of employment. Residency experiences must not be  
5 counted towards tenure.

6 (d) The recognized institution offering the Alternative  
7 Educator Licensure Program for Teachers must partner with a  
8 school district, including without limitation a preschool  
9 educational program under Section 2-3.71 of this Code or  
10 Section 15-30 of the Department of Early Childhood Act or  
11 charter school, or a State-recognized, nonpublic school in  
12 this State in which the chief administrator is required to  
13 have the licensure necessary to be a principal in a public  
14 school in this State and in which a majority of the teachers  
15 are required to have the licensure necessary to be instructors  
16 in a public school in this State. A recognized institution  
17 that partners with a public school district administering a  
18 preschool educational program under Section 2-3.71 of this  
19 Code or Section 15-30 of the Department of Early Childhood Act  
20 must require a principal to recommend or evaluate candidates  
21 in the program. A recognized institution that partners with an  
22 eligible entity administering a preschool educational program  
23 under Section 2-3.71 of this Code or Section 15-30 of the  
24 Department of Early Childhood Act and that is not a public  
25 school district must require a principal or qualified  
26 equivalent of a principal to recommend or evaluate candidates

1 in the program. The program presented for approval by the  
2 State Board of Education must demonstrate the supports that  
3 are to be provided to assist the provisional teacher during  
4 the one-year ~~1-year~~ or 2-year residency period and if the  
5 residency period is to be less than 2 years in length,  
6 assurances from the partner school districts to provide  
7 intensive mentoring and supports through at least the end of  
8 the second full year of teaching for educators who completed  
9 the Alternative Educator ~~Educators~~ Licensure Program for  
10 Teachers in less than 2 years. These supports must, at a  
11 minimum, provide additional contact hours with mentors during  
12 the first year of residency.

13 (e) Upon completion of phases under paragraphs (1), (2),  
14 (4), and, if needed, (3) in subsection (b) of this Section and  
15 all assessments required under Section 21B-30 of this Code, an  
16 individual shall receive a Professional Educator License.

17 (f) The State Board of Education, in consultation with the  
18 State Educator Preparation and Licensure Board, may adopt such  
19 rules as may be necessary to establish and implement the  
20 Alternative Educator Licensure Program for Teachers.

21 (Source: P.A. 103-111, eff. 6-29-23; 103-488, eff. 8-4-23;  
22 revised 9-1-23.)

23 (105 ILCS 5/22-45)

24 Sec. 22-45. Illinois P-20 Council.

25 (a) The General Assembly finds that preparing Illinoisans



1 for success in school and the workplace requires a continuum  
2 of quality education from preschool through graduate school.  
3 This State needs a framework to guide education policy and  
4 integrate education at every level. A statewide coordinating  
5 council to study and make recommendations concerning education  
6 at all levels can avoid fragmentation of policies, promote  
7 improved teaching and learning, and continue to cultivate and  
8 demonstrate strong accountability and efficiency. Establishing  
9 an Illinois P-20 Council will develop a statewide agenda that  
10 will move the State towards the common goals of improving  
11 academic achievement, increasing college access and success,  
12 improving use of existing data and measurements, developing  
13 improved accountability, fostering innovative approaches to  
14 education, promoting lifelong learning, easing the transition  
15 to college, and reducing remediation. A pre-kindergarten  
16 through grade 20 agenda will strengthen this State's economic  
17 competitiveness by producing a highly-skilled workforce. In  
18 addition, lifelong learning plans will enhance this State's  
19 ability to leverage funding.

20 (b) There is created the Illinois P-20 Council. The  
21 Illinois P-20 Council shall include all of the following  
22 members:

23 (1) The Governor or his or her designee, to serve as  
24 chairperson.

25 (2) Four members of the General Assembly, one  
26 appointed by the Speaker of the House of Representatives,

1 one appointed by the Minority Leader of the House of  
2 Representatives, one appointed by the President of the  
3 Senate, and one appointed by the Minority Leader of the  
4 Senate.

5 (3) Six at-large members appointed by the Governor as  
6 follows, with 2 members being from the City of Chicago, 2  
7 members being from Lake County, McHenry County, Kane  
8 County, DuPage County, Will County, or that part of Cook  
9 County outside of the City of Chicago, and 2 members being  
10 from the remainder of the State:

11 (A) one representative of civic leaders;

12 (B) one representative of local government;

13 (C) one representative of trade unions;

14 (D) one representative of nonprofit organizations  
15 or foundations;

16 (E) one representative of parents' organizations;

17 and

18 (F) one education research expert.

19 (4) Five members appointed by statewide business  
20 organizations and business trade associations.

21 (5) Six members appointed by statewide professional  
22 organizations and associations representing  
23 pre-kindergarten through grade 20 teachers, community  
24 college faculty, and public university faculty.

25 (6) Two members appointed by associations representing  
26 local school administrators and school board members. One

1 of these members must be a special education  
2 administrator.

3 (7) One member representing community colleges,  
4 appointed by the Illinois Council of Community College  
5 Presidents.

6 (8) One member representing 4-year independent  
7 colleges and universities, appointed by a statewide  
8 organization representing private institutions of higher  
9 learning.

10 (9) One member representing public 4-year  
11 universities, appointed jointly by the university  
12 presidents and chancellors.

13 (10) Ex-officio members as follows:

14 (A) The State Superintendent of Education or his  
15 or her designee.

16 (A-5) The Secretary of Early Childhood or the  
17 Secretary's designee.

18 (B) The Executive Director of the Board of Higher  
19 Education or his or her designee.

20 (C) The Executive Director of the Illinois  
21 Community College Board or his or her designee.

22 (D) The Executive Director of the Illinois Student  
23 Assistance Commission or his or her designee.

24 (E) The Co-chairpersons of the Illinois Workforce  
25 Investment Board or their designee.

26 (F) The Director of Commerce and Economic

1 Opportunity or his or her designee.

2 (G) The Chairperson of the Illinois Early Learning  
3 Council or his or her designee.

4 (H) The President of the Illinois Mathematics and  
5 Science Academy or his or her designee.

6 (I) The president of an association representing  
7 educators of adult learners or his or her designee.

8 Ex-officio members shall have no vote on the Illinois P-20  
9 Council.

10 Appointed members shall serve for staggered terms expiring  
11 on July 1 of the first, second, or third calendar year  
12 following their appointments or until their successors are  
13 appointed and have qualified. Staggered terms shall be  
14 determined by lot at the organizing meeting of the Illinois  
15 P-20 Council.

16 Vacancies shall be filled in the same manner as original  
17 appointments, and any member so appointed shall serve during  
18 the remainder of the term for which the vacancy occurred.

19 (c) The Illinois P-20 Council shall be funded through  
20 State appropriations to support staff activities, research,  
21 data-collection, and dissemination. The Illinois P-20 Council  
22 shall be staffed by the Office of the Governor, in  
23 coordination with relevant State agencies, boards, and  
24 commissions. The Illinois Education Research Council shall  
25 provide research and coordinate research collection activities  
26 for the Illinois P-20 Council.

1           (d) The Illinois P-20 Council shall have all of the  
2 following duties:

3           (1) To make recommendations to do all of the  
4 following:

5           (A) Coordinate pre-kindergarten through grade 20  
6 (graduate school) education in this State through  
7 working at the intersections of educational systems to  
8 promote collaborative infrastructure.

9           (B) Coordinate and leverage strategies, actions,  
10 legislation, policies, and resources of all  
11 stakeholders to support fundamental and lasting  
12 improvement in this State's public schools, community  
13 colleges, and universities.

14           (C) Better align the high school curriculum with  
15 postsecondary expectations.

16           (D) Better align assessments across all levels of  
17 education.

18           (E) Reduce the need for students entering  
19 institutions of higher education to take remedial  
20 courses.

21           (F) Smooth the transition from high school to  
22 college.

23           (G) Improve high school and college graduation  
24 rates.

25           (H) Improve the rigor and relevance of academic  
26 standards for college and workforce readiness.

1 (I) Better align college and university teaching  
2 programs with the needs of Illinois schools.

3 (2) To advise the Governor, the General Assembly, the  
4 State's education and higher education agencies, and the  
5 State's workforce and economic development boards and  
6 agencies on policies related to lifelong learning for  
7 Illinois students and families.

8 (3) To articulate a framework for systemic educational  
9 improvement and innovation that will enable every student  
10 to meet or exceed Illinois learning standards and be  
11 well-prepared to succeed in the workforce and community.

12 (4) To provide an estimated fiscal impact for  
13 implementation of all Council recommendations.

14 (5) To make recommendations for short-term and  
15 long-term learning recovery actions for public school  
16 students in this State in the wake of the COVID-19  
17 pandemic. The Illinois P-20 Council shall submit a report  
18 with its recommendations for a multi-year recovery plan by  
19 December 31, 2021 to the Governor, the State Board of  
20 Education, the Board of Higher Education, the Illinois  
21 Community College Board, and the General Assembly that  
22 addresses all of the following:

23 (A) Closing the digital divide for all students,  
24 including access to devices, Internet connectivity,  
25 and ensuring that educators have the necessary support  
26 and training to provide high quality remote and

1 blended learning to students.

2 (B) Evaluating the academic growth and proficiency  
3 of students in order to understand the impact of  
4 school closures and remote and blended remote learning  
5 conditions on student academic outcomes, including  
6 disaggregating data by race, income, diverse learners,  
7 and English learners, in ways that balance the need to  
8 understand that impact with the need to support  
9 student well-being and also take into consideration  
10 the logistical constraints facing schools and  
11 districts.

12 (C) Establishing a system for the collection and  
13 review of student data at the State level, including  
14 data about prekindergarten through higher education  
15 student attendance, engagement and participation,  
16 discipline, and social-emotional and mental health  
17 inputs and outcomes, in order to better understand the  
18 full impact of disrupted learning.

19 (D) Providing students with resources and programs  
20 for academic support, such as enrichment  
21 opportunities, tutoring corps, summer bridge programs,  
22 youth leadership and development programs, youth and  
23 community-led restorative and transformative justice  
24 programs, and youth internship and apprenticeship  
25 programs.

26 (E) Providing students with resources and support

1 to ensure access to social-emotional learning, mental  
2 health services, and trauma responsive, restorative  
3 justice and anti-racist practices in order to support  
4 the growth of the whole child, such as investing in  
5 community schools and providing comprehensive  
6 year-round services and support for both students and  
7 their families.

8 (F) Ensuring more time for students' academic,  
9 social-emotional, and mental health needs by  
10 considering such strategies as: (i) extending planning  
11 time for teachers, (ii) extending the school day and  
12 school year, and (iii) transitioning to year-round  
13 schooling.

14 (G) Strengthening the transition from secondary  
15 education to postsecondary education in the wake of  
16 threats to alignment and affordability created by the  
17 pandemic and related conditions.

18 (e) The chairperson of the Illinois P-20 Council may  
19 authorize the creation of working groups focusing on areas of  
20 interest to Illinois educational and workforce development,  
21 including without limitation the following areas:

22 (1) Preparation, recruitment, and certification of  
23 highly qualified teachers.

24 (2) Mentoring and induction of highly qualified  
25 teachers.

26 (3) The diversity of highly qualified teachers.



1           (4) Funding for highly qualified teachers, including  
2           developing a strategic and collaborative plan to seek  
3           federal and private grants to support initiatives  
4           targeting teacher preparation and its impact on student  
5           achievement.

6           (5) Highly effective administrators.

7           (6) Illinois birth through age 3 education,  
8           pre-kindergarten, and early childhood education.

9           (7) The assessment, alignment, outreach, and network  
10          of college and workforce readiness efforts.

11          (8) Alternative routes to college access.

12          (9) Research data and accountability.

13          (10) Community schools, community participation, and  
14          other innovative approaches to education that foster  
15          community partnerships.

16          (11) Tuition, financial aid, and other issues related  
17          to keeping postsecondary education affordable for Illinois  
18          residents.

19          (12) Learning recovery in the wake of the COVID-19  
20          pandemic.

21          The chairperson of the Illinois P-20 Council may designate  
22          Council members to serve as working group chairpersons.  
23          Working groups may invite organizations and individuals  
24          representing pre-kindergarten through grade 20 interests to  
25          participate in discussions, data collection, and  
26          dissemination.

1 (Source: P.A. 101-654, eff. 3-8-21.)

2 (105 ILCS 5/26-19)

3 Sec. 26-19. Chronic absenteeism in preschool children.

4 (a) In this Section, "chronic absence" has the meaning  
5 ascribed to that term in Section 26-18 of this Code.

6 (b) The General Assembly makes all of the following  
7 findings:

8 (1) The early years are an extremely important period  
9 in a child's learning and development.

10 (2) Missed learning opportunities in the early years  
11 make it difficult for a child to enter kindergarten ready  
12 for success.

13 (3) Attendance patterns in the early years serve as  
14 predictors of chronic absenteeism and reduced educational  
15 outcomes in later school years. Therefore, it is crucial  
16 that the implications of chronic absence be understood and  
17 reviewed regularly under the Preschool for All Program and  
18 Preschool for All Expansion Program under Section 2-3.71  
19 of this Code.

20 (c) The Preschool for All Program and Preschool for All  
21 Expansion Program under Section 2-3.71 of this Code shall  
22 collect and review its chronic absence data and determine what  
23 support and resources are needed to positively engage  
24 chronically absent students and their families to encourage  
25 the habit of daily attendance and promote success.

1 (d) The Preschool for All Program and Preschool for All  
2 Expansion Program under Section 2-3.71 of this Code are  
3 encouraged to do all of the following:

4 (1) Provide support to students who are at risk of  
5 reaching or exceeding chronic absence levels.

6 (2) Make resources available to families, such as  
7 those available through the State Board of Education's  
8 Family Engagement Framework, to support and encourage  
9 families to ensure their children's daily program  
10 attendance.

11 (3) Include information about chronic absenteeism as  
12 part of their preschool to kindergarten transition  
13 resources.

14 (e) On or before July 1, 2020, and annually thereafter,  
15 the Preschool for All Program and Preschool for All Expansion  
16 Program shall report all data collected under subsection (c)  
17 of this Section to the State Board of Education, which shall  
18 make the report publicly available via the Illinois Early  
19 Childhood Asset Map Internet website and the Preschool for All  
20 Program or Preschool for All Expansion Program triennial  
21 report.

22 (f) This Section is repealed on July 1, 2026.

23 (Source: P.A. 102-539, eff. 8-20-21.)

24 Section 90-35. The School Construction Law is amended by  
25 changing Section 5-300 as follows:

1 (105 ILCS 230/5-300)

2 Sec. 5-300. Early childhood construction grants.

3 (a) The Capital Development Board is authorized to make  
4 grants to public school districts and not-for-profit entities  
5 for early childhood construction projects, except that in  
6 fiscal year 2024 those grants may be made only to public school  
7 districts. These grants shall be paid out of moneys  
8 appropriated for that purpose from the School Construction  
9 Fund, the Build Illinois Bond Fund, or the Rebuild Illinois  
10 Projects Fund. No grants may be awarded to entities providing  
11 services within private residences. A public school district  
12 or other eligible entity must provide local matching funds in  
13 the following manner:

14 (1) A public school district assigned to Tier 1 under  
15 Section 18-8.15 of the School Code or any other eligible  
16 entity in an area encompassed by that district must  
17 provide local matching funds in an amount equal to 3% of  
18 the grant awarded under this Section.

19 (2) A public school district assigned to Tier 2 under  
20 Section 18-8.15 of the School Code or any other eligible  
21 entity in an area encompassed by that district must  
22 provide local matching funds in an amount equal to 7.5% of  
23 the grant awarded under this Section.

24 (3) A public school district assigned to Tier 3 under  
25 Section 18-8.15 of the School Code or any other eligible

1           entity in an area encompassed by that district must  
2           provide local matching funds in an amount equal to 8.75%  
3           of the grant awarded under this Section.

4           (4) A public school district assigned to Tier 4 under  
5           Section 18-8.15 of the School Code or any other eligible  
6           entity in an area encompassed by that district must  
7           provide local matching funds in an amount equal to 10% of  
8           the grant awarded under this Section.

9           A public school district or other eligible entity has no  
10          entitlement to a grant under this Section.

11          (b) The Capital Development Board shall adopt rules to  
12          implement this Section. These rules need not be the same as the  
13          rules for school construction project grants or school  
14          maintenance project grants. The rules may specify:

15                 (1) the manner of applying for grants;

16                 (2) project eligibility requirements;

17                 (3) restrictions on the use of grant moneys;

18                 (4) the manner in which school districts and other  
19                 eligible entities must account for the use of grant  
20                 moneys;

21                 (5) requirements that new or improved facilities be  
22                 used for early childhood and other related programs for a  
23                 period of at least 10 years; and

24                 (6) any other provision that the Capital Development  
25                 Board determines to be necessary or useful for the  
26                 administration of this Section.

1           (b-5) When grants are made to non-profit corporations for  
2 the acquisition or construction of new facilities, the Capital  
3 Development Board or any State agency it so designates shall  
4 hold title to or place a lien on the facility for a period of  
5 10 years after the date of the grant award, after which title  
6 to the facility shall be transferred to the non-profit  
7 corporation or the lien shall be removed, provided that the  
8 non-profit corporation has complied with the terms of its  
9 grant agreement. When grants are made to non-profit  
10 corporations for the purpose of renovation or rehabilitation,  
11 if the non-profit corporation does not comply with item (5) of  
12 subsection (b) of this Section, the Capital Development Board  
13 or any State agency it so designates shall recover the grant  
14 pursuant to the procedures outlined in the Illinois Grant  
15 Funds Recovery Act.

16           (c) The Capital Development Board, in consultation with  
17 the State Board of Education, shall establish standards for  
18 the determination of priority needs concerning early childhood  
19 projects based on projects located in communities in the State  
20 with the greatest underserved population of young children,  
21 utilizing Census data and other reliable local early childhood  
22 service data.

23           (d) In each school year in which early childhood  
24 construction project grants are awarded, 20% of the total  
25 amount awarded shall be awarded to a school district with a  
26 population of more than 500,000, provided that the school

1 district complies with the requirements of this Section and  
2 the rules adopted under this Section.

3 (e) This Section is repealed on July 1, 2026.

4 (Source: P.A. 102-16, eff. 6-17-21; 103-8, eff. 6-7-23.)

5 Section 90-40. The Early Childhood Access Consortium for  
6 Equity Act is amended by changing Sections 25 and 35 as  
7 follows:

8 (110 ILCS 28/25)

9 Sec. 25. Advisory committee; membership.

10 (a) The Board of Higher Education, the Illinois Community  
11 College Board, the State Board of Education, the Department of  
12 Human Services, and the Department of Early Childhood  
13 ~~Governor's Office of Early Childhood Development~~ shall jointly  
14 convene a Consortium advisory committee to provide guidance on  
15 the operation of the Consortium.

16 (b) Membership on the advisory committee shall be  
17 comprised of employers and experts appointed by the Board of  
18 Higher Education, the Illinois Community College Board, the  
19 Department of Early Childhood, the Department of Human  
20 Services ~~Governor's Office of Early Childhood Development~~, and  
21 the State Board of Education. Membership shall also include  
22 all of the following members:

23 (1) An employer from a community-based child care  
24 provider, appointed by the Department of Human Services

1 ~~Governor's Office of Early Childhood Development.~~

2 (2) An employer from a for-profit child care provider,  
3 appointed by the Department of Human Services ~~Governor's~~  
4 ~~Office of Early Childhood Development.~~

5 (3) An employer from a nonprofit child care provider,  
6 appointed by the Department of Human Services ~~Governor's~~  
7 ~~Office of Early Childhood Development.~~

8 (4) A provider of family child care, appointed by the  
9 Department of Human Services ~~Governor's Office of Early~~  
10 ~~Childhood Development.~~

11 (5) An employer located in southern Illinois,  
12 appointed by the Department of Early Childhood ~~Governor's~~  
13 ~~Office of Early Childhood Development.~~

14 (6) An employer located in central Illinois, appointed  
15 by the Department of Early Childhood ~~Governor's Office of~~  
16 ~~Early Childhood Development.~~

17 (7) At least one member who represents an urban school  
18 district, appointed by the State Board of Education.

19 (8) At least one member who represents a suburban  
20 school district, appointed by the State Board of  
21 Education.

22 (9) At least one member who represents a rural school  
23 district, appointed by the State Board of Education.

24 (10) At least one member who represents a school  
25 district in a city with a population of 500,000 or more,  
26 appointed by the State Board of Education.



1           (11) Two early childhood advocates with statewide  
2 expertise in early childhood workforce issues, appointed  
3 by the Department of Early Childhood ~~Governor's Office of~~  
4 ~~Early Childhood Development~~.

5           (12) The Chairperson or Vice-Chairperson and the  
6 Minority Spokesperson or a designee of the Senate  
7 Committee on Higher Education.

8           (13) The Chairperson or Vice-Chairperson and the  
9 Minority Spokesperson or a designee of the House Committee  
10 on Higher Education.

11           (14) One member representing the Illinois Community  
12 College Board, who shall serve as co-chairperson,  
13 appointed by the Illinois Community College Board.

14           (15) One member representing the Board of Higher  
15 Education, who shall serve as co-chairperson, appointed by  
16 the Board of Higher Education.

17           (16) One member representing the Illinois Student  
18 Assistance Commission, appointed by the Board of Higher  
19 Education.

20           (17) One member representing the State Board of  
21 Education, who shall serve as co-chairperson, appointed by  
22 the State Board of Education.

23           (18) One member representing the Department of Early  
24 Childhood ~~Governor's Office of Early Childhood~~  
25 ~~Development~~, who shall serve as co-chairperson, appointed  
26 by the Department of Early Childhood ~~Governor's Office of~~

1 ~~Early Childhood Development.~~

2 (19) One member representing the Department of Human  
3 Services, who shall serve as co-chairperson, appointed by  
4 the Department of Human Services ~~Governor's Office of~~  
5 ~~Early Childhood Development.~~

6 (20) One member representing INCCRRA, appointed by the  
7 Department of Early Childhood ~~Governor's Office of Early~~  
8 ~~Childhood Development.~~

9 (21) One member representing the Department of  
10 Children and Family Services, appointed by the Department  
11 of Children and Family Services ~~Governor's Office of Early~~  
12 ~~Childhood Development.~~

13 (22) One member representing an organization that  
14 advocates on behalf of community college trustees,  
15 appointed by the Illinois Community College Board.

16 (23) One member of a union representing child care and  
17 early childhood providers, appointed by the Department of  
18 Human Services ~~Governor's Office of Early Childhood~~  
19 ~~Development.~~

20 (24) Two members of unions representing higher  
21 education faculty, appointed by the Board of Higher  
22 Education.

23 (25) A representative from the College of Education of  
24 an urban public university, appointed by the Board of  
25 Higher Education.

26 (26) A representative from the College of Education of

1 a suburban public university, appointed by the Board of  
2 Higher Education.

3 (27) A representative from the College of Education of  
4 a rural public university, appointed by the Board of  
5 Higher Education.

6 (28) A representative from the College of Education of  
7 a private university, appointed by the Board of Higher  
8 Education.

9 (29) A representative of an urban community college,  
10 appointed by the Illinois Community College Board.

11 (30) A representative of a suburban community college,  
12 appointed by the Illinois Community College Board.

13 (31) A representative of rural community college,  
14 appointed by the Illinois Community College Board.

15 (c) The advisory committee shall meet quarterly. The  
16 committee meetings shall be open to the public in accordance  
17 with the provisions of the Open Meetings Act.

18 (Source: P.A. 102-174, eff. 7-28-21.)

19 (110 ILCS 28/35)

20 Sec. 35. Goals and metrics.

21 (a) By July 1, 2021 or within 60 days after the effective  
22 date of this amendatory Act of the 102nd General Assembly, the  
23 Board of Higher Education's Strategic Plan Educator Workforce  
24 subgroup on the early childhood workforce must set goals for  
25 the Consortium for the enrollment, persistence, and completion

1 of members of the incumbent workforce in associate,  
2 bachelor's, and master's degree programs, Gateways Credentials  
3 in Level 2, 3, or 4, and Professional Educator Licensure by  
4 September 30, 2024. The goals set for the Consortium must be  
5 data informed and include targets for annual enrollment and  
6 persistence.

7 (b) Data from the Gateways Registry, March 2020, indicates  
8 that there are 7,670 individuals with an associate degree who  
9 would benefit from progressing to a baccalaureate degree and  
10 20,467 individuals with a high school diploma or some college  
11 who would benefit from progressing to an associate degree. If  
12 the goals cannot be set in accordance with subsection (a), the  
13 goal for the Consortium shall be that by September 30, 2024,  
14 20% of the individuals described in this subsection (b) who do  
15 not have a degree will have enrolled and be persisting toward  
16 or have attained a Gateways Credential in Level 2, 3, or 4 or  
17 an associate degree and, of the individuals who have an  
18 associate degree, will be enrolled and persisting toward or  
19 have attained a baccalaureate degree or will be persisting  
20 toward or have attained a Professional Educator License.

21 (c) Student financial aid, including incentives and  
22 stipends, data-sharing, and professional statewide engagement  
23 and marketing campaign and recruitment efforts are critical to  
24 the Consortium's ability to quickly attract and enroll  
25 students into these programs. Navigators, mentors, and  
26 advisors are critical for persistence and completion. If

1 federal funds are not appropriated for these purposes and the  
2 other purposes of this Section, the Board of Higher Education,  
3 the Illinois Community College Board, the State Board of  
4 Education, the Department of Human Services, and the  
5 Department of Early Childhood ~~Governor's Office of Early~~  
6 ~~Childhood Development~~, in consultation with the advisory  
7 committee, shall adjust the initial target metrics  
8 appropriately by adopting challenging goals that may be  
9 attainable with less public investment.

10 (d) The Board of Higher Education, the Illinois Community  
11 College Board, the State Board of Education, the Department of  
12 Human Services, and the Department of Early Childhood  
13 ~~Governor's Office of Early Childhood Development~~, in  
14 consultation with the advisory committee, shall determine new  
15 metrics and goals for the Consortium as they relate to the  
16 remaining and future early childhood workforce, to be  
17 instituted after the close of the 2024-2025 academic year and  
18 going forward. Metrics must take into consideration that the  
19 pipeline depends on sustained, increased student enrollment  
20 and completion rates at the associate degree level if this  
21 State aims to continue with sustained, increased student  
22 enrollment and completion at the bachelor's degree level.

23 (Source: P.A. 102-174, eff. 7-28-21.)

24 Section 90-45. The Illinois Public Aid Code is amended by  
25 changing Sections 2-12, 2-12.5, 9A-11, 9A-11.5, and 9A-17 as

1 follows:

2 (305 ILCS 5/2-12) (from Ch. 23, par. 2-12)

3 Sec. 2-12. "Illinois Department"; "Department". In this  
4 Code, "Illinois Department" or "Department", when a particular  
5 entity is not specified, means the following:

6 (1) In the case of a function performed before July 1, 1997  
7 (the effective date of the Department of Human Services Act),  
8 the term means the Department of Public Aid.

9 (2) Except as provided in paragraph (2.5), in ~~in~~ the case  
10 of a function to be performed on or after July 1, 1997 under  
11 Article III, IV, VI, IX, or IXA, the term means the Department  
12 of Human Services as successor to the Illinois Department of  
13 Public Aid.

14 (2.5) In the case of a function to be performed on or after  
15 July 1, 2026 under Sections 9A-11 and 9A-11-5, the term means  
16 the Department of Early Childhood.

17 (3) In the case of a function to be performed on or after  
18 July 1, 1997 under Article V, V-A, V-B, V-C, V-D, V-E, X, XIV,  
19 or XV, the term means the Department of Healthcare and Family  
20 Services (formerly Illinois Department of Public Aid).

21 (4) In the case of a function to be performed on or after  
22 July 1, 1997 under Article I, II, VIIIA, XI, XII, or XIII, the  
23 term means the Department of Human Services (acting as  
24 successor to the Illinois Department of Public Aid) or the  
25 Department of Healthcare and Family Services (formerly

1 Illinois Department of Public Aid) or both, according to  
2 whether that function, in the specific context, has been  
3 allocated to the Department of Human Services or the  
4 Department of Healthcare and Family Services (formerly  
5 Department of Public Aid) or both of those departments.

6 (Source: P.A. 95-331, eff. 8-21-07.)

7 (305 ILCS 5/2-12.5)

8 Sec. 2-12.5. "Director of the Illinois Department";  
9 "Director of the Department"; "Director". In this Code,  
10 "Director of the Illinois Department", "Director of the  
11 Department", or "Director", when a particular official is not  
12 specified, means the following:

13 (1) In the case of a function performed before July 1, 1997  
14 (the effective date of the Department of Human Services Act),  
15 the term means the Director of Public Aid.

16 (2) Except as provided in paragraph (2.5), in ~~the~~ the case  
17 of a function to be performed on or after July 1, 1997 under  
18 Article III, IV, VI, IX, or IXA, the term means the Secretary  
19 of Human Services.

20 (2.5) In the case of a function to be performed on or after  
21 July 1, 2026 under Sections 9A-11 and 9A-11-5, the term means  
22 the Secretary of Early Childhood.

23 (3) In the case of a function to be performed on or after  
24 July 1, 1997 under Article V, V-A, V-B, V-C, V-D, V-E, X, XIV,  
25 or XV, the term means the Director of Healthcare and Family

1 Services (formerly Director of Public Aid).

2 (4) In the case of a function to be performed on or after  
3 July 1, 1997 under Article I, II, VIIIA, XI, XII, or XIII, the  
4 term means the Secretary of Human Services or the Director of  
5 Healthcare and Family Services (formerly Director of Public  
6 Aid) or both, according to whether that function, in the  
7 specific context, has been allocated to the Department of  
8 Human Services or the Department of Healthcare and Family  
9 Services (formerly Department of Public Aid) or both of those  
10 departments.

11 (Source: P.A. 95-331, eff. 8-21-07.)

12 (305 ILCS 5/9A-11) (from Ch. 23, par. 9A-11)

13 Sec. 9A-11. Child care.

14 (a) The General Assembly recognizes that families with  
15 children need child care in order to work. Child care is  
16 expensive and families with limited access to economic  
17 resources, including those who are transitioning from welfare  
18 to work, often struggle to pay the costs of day care. The  
19 General Assembly understands the importance of helping working  
20 families with limited access to economic resources become and  
21 remain self-sufficient. The General Assembly also believes  
22 that it is the responsibility of families to share in the costs  
23 of child care. It is also the preference of the General  
24 Assembly that all working families with limited access to  
25 economic resources should be treated equally, regardless of



1 their welfare status.

2 (b) To the extent resources permit, the Illinois  
3 Department shall provide child care services to parents or  
4 other relatives as defined by rule who are working or  
5 participating in employment or Department approved education  
6 or training programs. At a minimum, the Illinois Department  
7 shall cover the following categories of families:

8 (1) recipients of TANF under Article IV participating  
9 in work and training activities as specified in the  
10 personal plan for employment and self-sufficiency;

11 (2) families transitioning from TANF to work;

12 (3) families at risk of becoming recipients of TANF;

13 (4) families with special needs as defined by rule;

14 (5) working families with very low incomes as defined  
15 by rule;

16 (6) families that are not recipients of TANF and that  
17 need child care assistance to participate in education and  
18 training activities;

19 (7) youth in care, as defined in Section 4d of the  
20 Children and Family Services Act, who are parents,  
21 regardless of income or whether they are working or  
22 participating in Department-approved employment or  
23 education or training programs. Any family that receives  
24 child care assistance in accordance with this paragraph  
25 shall receive one additional 12-month child care  
26 eligibility period after the parenting youth in care's

1 case with the Department of Children and Family Services  
2 is closed, regardless of income or whether the parenting  
3 youth in care is working or participating in  
4 Department-approved employment or education or training  
5 programs;

6 (8) families receiving Extended Family Support Program  
7 services from the Department of Children and Family  
8 Services, regardless of income or whether they are working  
9 or participating in Department-approved employment or  
10 education or training programs; and

11 (9) families with children under the age of 5 who have  
12 an open intact family services case with the Department of  
13 Children and Family Services. Any family that receives  
14 child care assistance in accordance with this paragraph  
15 shall remain eligible for child care assistance 6 months  
16 after the child's intact family services case is closed,  
17 regardless of whether the child's parents or other  
18 relatives as defined by rule are working or participating  
19 in Department approved employment or education or training  
20 programs. The Department of Early Childhood Human  
21 ~~Services~~, in consultation with the Department of Children  
22 and Family Services, shall adopt rules to protect the  
23 privacy of families who are the subject of an open intact  
24 family services case when such families enroll in child  
25 care services. Additional rules shall be adopted to offer  
26 children who have an open intact family services case the

1 opportunity to receive an Early Intervention screening and  
2 other services that their families may be eligible for as  
3 provided by the Department of Human Services.

4 Beginning October 1, 2027 ~~2023~~, and every October 1  
5 thereafter, the Department of Children and Family Services  
6 shall report to the General Assembly on the number of children  
7 who received child care via vouchers paid for by the  
8 Department of Early Childhood ~~Children and Family Services~~  
9 during the preceding fiscal year. The report shall include the  
10 ages of children who received child care, the type of child  
11 care they received, and the number of months they received  
12 child care.

13 The Department shall specify by rule the conditions of  
14 eligibility, the application process, and the types, amounts,  
15 and duration of services. Eligibility for child care benefits  
16 and the amount of child care provided may vary based on family  
17 size, income, and other factors as specified by rule.

18 The Department shall update the Child Care Assistance  
19 Program Eligibility Calculator posted on its website to  
20 include a question on whether a family is applying for child  
21 care assistance for the first time or is applying for a  
22 redetermination of eligibility.

23 A family's eligibility for child care services shall be  
24 redetermined no sooner than 12 months following the initial  
25 determination or most recent redetermination. During the  
26 12-month periods, the family shall remain eligible for child

1 care services regardless of (i) a change in family income,  
2 unless family income exceeds 85% of State median income, or  
3 (ii) a temporary change in the ongoing status of the parents or  
4 other relatives, as defined by rule, as working or attending a  
5 job training or educational program.

6 In determining income eligibility for child care benefits,  
7 the Department annually, at the beginning of each fiscal year,  
8 shall establish, by rule, one income threshold for each family  
9 size, in relation to percentage of State median income for a  
10 family of that size, that makes families with incomes below  
11 the specified threshold eligible for assistance and families  
12 with incomes above the specified threshold ineligible for  
13 assistance. Through and including fiscal year 2007, the  
14 specified threshold must be no less than 50% of the  
15 then-current State median income for each family size.  
16 Beginning in fiscal year 2008, the specified threshold must be  
17 no less than 185% of the then-current federal poverty level  
18 for each family size. Notwithstanding any other provision of  
19 law or administrative rule to the contrary, beginning in  
20 fiscal year 2019, the specified threshold for working families  
21 with very low incomes as defined by rule must be no less than  
22 185% of the then-current federal poverty level for each family  
23 size. Notwithstanding any other provision of law or  
24 administrative rule to the contrary, beginning in State fiscal  
25 year 2022 through State fiscal year 2023, the specified income  
26 threshold shall be no less than 200% of the then-current

1 federal poverty level for each family size. Beginning in State  
2 fiscal year 2024, the specified income threshold shall be no  
3 less than 225% of the then-current federal poverty level for  
4 each family size.

5 In determining eligibility for assistance, the Department  
6 shall not give preference to any category of recipients or  
7 give preference to individuals based on their receipt of  
8 benefits under this Code.

9 Nothing in this Section shall be construed as conferring  
10 entitlement status to eligible families.

11 The Illinois Department is authorized to lower income  
12 eligibility ceilings, raise parent co-payments, create waiting  
13 lists, or take such other actions during a fiscal year as are  
14 necessary to ensure that child care benefits paid under this  
15 Article do not exceed the amounts appropriated for those child  
16 care benefits. These changes may be accomplished by emergency  
17 rule under Section 5-45 of the Illinois Administrative  
18 Procedure Act, except that the limitation on the number of  
19 emergency rules that may be adopted in a 24-month period shall  
20 not apply.

21 The Illinois Department may contract with other State  
22 agencies or child care organizations for the administration of  
23 child care services.

24 (c) Payment shall be made for child care that otherwise  
25 meets the requirements of this Section and applicable  
26 standards of State and local law and regulation, including any

1 requirements the Illinois Department promulgates by rule.  
2 Through June 30, 2026, the rules of this Section include  
3 licensure requirements adopted by the Department of Children  
4 and Family Services. On and after July 1, 2026, the rules of  
5 this Section include licensure requirements adopted by the  
6 Department of Early Childhood. In addition, the regulations of  
7 this Section include the ~~in addition to the licensure~~  
8 ~~requirements promulgated by the Department of Children and~~  
9 ~~Family Services and~~ Fire Prevention and Safety requirements  
10 promulgated by the Office of the State Fire Marshal, and is  
11 provided in any of the following:

12 (1) a child care center which is licensed or exempt  
13 from licensure pursuant to Section 2.09 of the Child Care  
14 Act of 1969;

15 (2) a licensed child care home or home exempt from  
16 licensing;

17 (3) a licensed group child care home;

18 (4) other types of child care, including child care  
19 provided by relatives or persons living in the same home  
20 as the child, as determined by the Illinois Department by  
21 rule.

22 (c-5) Solely for the purposes of coverage under the  
23 Illinois Public Labor Relations Act, child and day care home  
24 providers, including licensed and license exempt,  
25 participating in the Department's child care assistance  
26 program shall be considered to be public employees and the

1 State of Illinois shall be considered to be their employer as  
2 of January 1, 2006 (the effective date of Public Act 94-320),  
3 but not before. The State shall engage in collective  
4 bargaining with an exclusive representative of child and day  
5 care home providers participating in the child care assistance  
6 program concerning their terms and conditions of employment  
7 that are within the State's control. Nothing in this  
8 subsection shall be understood to limit the right of families  
9 receiving services defined in this Section to select child and  
10 day care home providers or supervise them within the limits of  
11 this Section. The State shall not be considered to be the  
12 employer of child and day care home providers for any purposes  
13 not specifically provided in Public Act 94-320, including, but  
14 not limited to, purposes of vicarious liability in tort and  
15 purposes of statutory retirement or health insurance benefits.  
16 Child and day care home providers shall not be covered by the  
17 State Employees Group Insurance Act of 1971.

18 In according child and day care home providers and their  
19 selected representative rights under the Illinois Public Labor  
20 Relations Act, the State intends that the State action  
21 exemption to application of federal and State antitrust laws  
22 be fully available to the extent that their activities are  
23 authorized by Public Act 94-320.

24 (d) The Illinois Department shall establish, by rule, a  
25 co-payment scale that provides for cost sharing by families  
26 that receive child care services, including parents whose only

1 income is from assistance under this Code. The co-payment  
2 shall be based on family income and family size and may be  
3 based on other factors as appropriate. Co-payments may be  
4 waived for families whose incomes are at or below the federal  
5 poverty level.

6 (d-5) The Illinois Department, in consultation with its  
7 Child Care and Development Advisory Council, shall develop a  
8 plan to revise the child care assistance program's co-payment  
9 scale. The plan shall be completed no later than February 1,  
10 2008, and shall include:

11 (1) findings as to the percentage of income that the  
12 average American family spends on child care and the  
13 relative amounts that low-income families and the average  
14 American family spend on other necessities of life;

15 (2) recommendations for revising the child care  
16 co-payment scale to assure that families receiving child  
17 care services from the Department are paying no more than  
18 they can reasonably afford;

19 (3) recommendations for revising the child care  
20 co-payment scale to provide at-risk children with complete  
21 access to Preschool for All and Head Start; and

22 (4) recommendations for changes in child care program  
23 policies that affect the affordability of child care.

24 (e) (Blank).

25 (f) The Illinois Department shall, by rule, set rates to  
26 be paid for the various types of child care. Child care may be



1 provided through one of the following methods:

2 (1) arranging the child care through eligible  
3 providers by use of purchase of service contracts or  
4 vouchers;

5 (2) arranging with other agencies and community  
6 volunteer groups for non-reimbursed child care;

7 (3) (blank); or

8 (4) adopting such other arrangements as the Department  
9 determines appropriate.

10 (f-1) Within 30 days after June 4, 2018 (the effective  
11 date of Public Act 100-587), the Department of Human Services  
12 shall establish rates for child care providers that are no  
13 less than the rates in effect on January 1, 2018 increased by  
14 4.26%.

15 (f-5) (Blank).

16 (g) Families eligible for assistance under this Section  
17 shall be given the following options:

18 (1) receiving a child care certificate issued by the  
19 Department or a subcontractor of the Department that may  
20 be used by the parents as payment for child care and  
21 development services only; or

22 (2) if space is available, enrolling the child with a  
23 child care provider that has a purchase of service  
24 contract with the Department or a subcontractor of the  
25 Department for the provision of child care and development  
26 services. The Department may identify particular priority

1 populations for whom they may request special  
2 consideration by a provider with purchase of service  
3 contracts, provided that the providers shall be permitted  
4 to maintain a balance of clients in terms of household  
5 incomes and families and children with special needs, as  
6 defined by rule.

7 (Source: P.A. 102-491, eff. 8-20-21; 102-813, eff. 5-13-22;  
8 102-926, eff. 5-27-22; 103-8, eff. 6-7-23.)

9 (305 ILCS 5/9A-11.5)

10 Sec. 9A-11.5. Investigate child care providers.

11 (a) Through June 30, 2026, any ~~Any~~ child care provider  
12 receiving funds from the child care assistance program under  
13 this Code who is not required to be licensed under the Child  
14 Care Act of 1969 shall, as a condition of eligibility to  
15 participate in the child care assistance program under this  
16 Code, authorize in writing on a form prescribed by the  
17 Department of Children and Family Services, periodic  
18 investigations of the Central Register, as defined in the  
19 Abused and Neglected Child Reporting Act, to ascertain if the  
20 child care provider has been determined to be a perpetrator in  
21 an indicated report of child abuse or neglect. The Department  
22 of Children and Family Services shall conduct an investigation  
23 of the Central Register at the request of the Department of  
24 Human Services.

25 (a-5) On and after July 1, 2026, any child care provider

1 receiving funds from the child care assistance program under  
2 this Code who is not required to be licensed under the Child  
3 Care Act of 1969 shall, as a condition of eligibility to  
4 participate in the child care assistance program under this  
5 Code, authorize in writing on a form prescribed by the  
6 Department of Early Childhood, periodic investigations of the  
7 Central Register, as defined in the Abused and Neglected Child  
8 Reporting Act, to ascertain if the child care provider has  
9 been determined to be a perpetrator in an indicated report of  
10 child abuse or neglect.

11 (b) Any child care provider, other than a relative of the  
12 child, receiving funds from the child care assistance program  
13 under this Code who is not required to be licensed under the  
14 Child Care Act of 1969 shall, as a condition of eligibility to  
15 participate in the child care assistance program under this  
16 Code, authorize in writing a State and Federal Bureau of  
17 Investigation fingerprint-based criminal history record check  
18 to determine if the child care provider has ever been  
19 convicted of a crime with respect to which the conviction has  
20 not been overturned and the criminal records have not been  
21 sealed or expunged. Upon this authorization, the Department  
22 shall request and receive information and assistance from any  
23 federal or State governmental agency as part of the authorized  
24 criminal history record check. The Illinois State Police shall  
25 provide information concerning any conviction that has not  
26 been overturned and with respect to which the criminal records

1 have not been sealed or expunged, whether the conviction  
2 occurred before or on or after the effective date of this  
3 amendatory Act of the 96th General Assembly, of a child care  
4 provider upon the request of the Department when the request  
5 is made in the form and manner required by the Illinois State  
6 Police. The Illinois State Police shall charge a fee not to  
7 exceed the cost of processing the criminal history record  
8 check. The fee is to be deposited into the State Police  
9 Services Fund. Any information concerning convictions that  
10 have not been overturned and with respect to which the  
11 criminal records have not been sealed or expunged obtained by  
12 the Department is confidential and may not be transmitted (i)  
13 outside the Department except as required in this Section or  
14 (ii) to anyone within the Department except as needed for the  
15 purposes of determining participation in the child care  
16 assistance program. A copy of the criminal history record  
17 check obtained from the Illinois State Police shall be  
18 provided to the unlicensed child care provider.

19 (c) The Department shall by rule set standards for  
20 determining when to disqualify an unlicensed child care  
21 provider for payment because (i) there is an indicated finding  
22 against the provider based on the results of the Central  
23 Register search or (ii) there is a disqualifying criminal  
24 charge pending against the provider or the provider has a  
25 disqualifying criminal conviction that has not been overturned  
26 and with respect to which the criminal records have not been

1 expunged or sealed based on the results of the  
2 fingerprint-based Illinois State Police and Federal Bureau of  
3 Investigation criminal history record check. In determining  
4 whether to disqualify an unlicensed child care provider for  
5 payment under this subsection, the Department shall consider  
6 the nature and gravity of any offense or offenses; the time  
7 that has passed since the offense or offenses or the  
8 completion of the criminal sentence or both; and the  
9 relationship of the offense or offenses to the  
10 responsibilities of the child care provider.

11 (Source: P.A. 102-538, eff. 8-20-21.)

12 (305 ILCS 5/9A-17)

13 Sec. 9A-17. Smart Start Child Care Program. Subject to  
14 appropriation, the Department of Human Services shall  
15 establish the Smart Start Child Care Program. The Smart Start  
16 Child Care Program shall focus on creating affordable child  
17 care, as well as increasing access to child care, for Illinois  
18 residents and may include, but is not limited to, providing  
19 funding to increase preschool availability, providing funding  
20 for childcare workforce compensation or capital investments,  
21 and expanding funding for Early Childhood Access Consortium  
22 for Equity Scholarships. The Department shall establish  
23 program eligibility criteria, participation conditions,  
24 payment levels, and other program requirements by rule. The  
25 Department of Human Services may consult with the Capital

1 Development Board, the Department of Commerce and Economic  
2 Opportunity, and the Illinois Housing Development Authority in  
3 the management and disbursement of funds for capital-related  
4 projects. The Capital Development Board, the Department of  
5 Commerce and Economic Opportunity, and the Illinois Housing  
6 Development Authority shall act in a consulting role only for  
7 the evaluation of applicants, scoring of applicants, or  
8 administration of the grant program.

9 This Section is repealed on July 1, 2026.

10 (Source: P.A. 103-8, eff. 6-7-23.)

11 Section 90-50. The Early Intervention Services System Act  
12 is amended by adding Section 20.1 as follows:

13 (325 ILCS 20/20.1 new)

14 Sec. 20.1. Repeal. This Act is repealed on July 1, 2026.

15 Section 90-55. The Infant/Early Childhood Mental Health  
16 Consultations Act is amended by changing Section 35-5 as  
17 follows:

18 (405 ILCS 47/35-5)

19 Sec. 35-5. Findings; policies.

20 (a) The General Assembly finds the following:

21 (1) Social and emotional development is a core  
22 developmental domain in young children and is codified in

1 the Illinois Early Learning Standards.

2 (2) Fostering social and emotional development in  
3 early childhood means both providing the supportive  
4 settings and interactions to maximize healthy social and  
5 emotional development for all children, as well as  
6 providing communities, programs, and providers with  
7 systems of tiered supports with training to respond to  
8 more significant social and emotional challenges or where  
9 experiences of trauma may be more prevalent.

10 (3) Early care and education programs and providers,  
11 across a range of settings, have an important role to play  
12 in supporting young children and families, especially  
13 those who face greater challenges, such as trauma  
14 exposure, social isolation, pervasive poverty, and toxic  
15 stress; if programs, teaching staff, caregivers, and  
16 providers are not provided with the support, services, and  
17 training needed to accomplish these goals, it can lead to  
18 children and families being asked to leave programs,  
19 particularly without connection to more appropriate  
20 services, thereby creating a disruption in learning and  
21 social-emotional development; investments in reflective  
22 supervision, professional development specific to  
23 diversity, equity and inclusion practice, culturally  
24 responsive training, implicit bias training, and how  
25 trauma experienced during the early years can manifest in  
26 challenging behaviors will create systems for serving

1 children that are informed in developmentally appropriate  
2 and responsive supports.

3 (4) Studies have shown that the expulsion of infants,  
4 toddlers, and young children in early care and education  
5 settings is occurring at alarmingly high rates, more than  
6 3 times that of students in K-12; further, expulsion  
7 occurs more frequently for Black children and Latinx  
8 children and more frequently for boys than for girls, with  
9 Black boys being most frequently expelled; there is  
10 evidence to show that the expulsion of Black girls is  
11 occurring with increasing frequency.

12 (5) Illinois took its first steps toward addressing  
13 this disparity through Public Act 100-105 to prohibit  
14 expulsion due to child behavior in early care and  
15 education settings, but further work is needed to  
16 implement this law, including strengthening provider  
17 understanding of a successful transition and beginning to  
18 identify strategies to reduce "soft expulsions" and to  
19 ensure more young children and their teachers, providers,  
20 and caregivers, in a range of early care and education  
21 settings, can benefit from services, such as Infant/Early  
22 Childhood Mental Health Consultations (I/ECMHC) and  
23 positive behavior interventions and supports such as the  
24 Pyramid Model.

25 (6) I/ECMHC is a critical component needed to align  
26 social-emotional well-being with the public health model



1 of promotion, prevention, and intervention across early  
2 care and education systems.

3 (b) The General Assembly encourages that all of the  
4 following actions be taken by:

5 (1) the State to increase the availability of  
6 Infant/Early Childhood Mental Health Consultations  
7 (I/ECMHC) through increased funding in early childhood  
8 programs and sustainable funding for coordination of  
9 I/ECMHC and other social and emotional support at the  
10 State level;

11 (2) the Department of Human Services (IDHS), the  
12 Illinois State Board of Education (ISBE), the Governor's  
13 Office of Early Childhood Development (GOECD), and other  
14 relevant agencies to develop and promote  
15 provider-accessible and parent-accessible materials,  
16 including native language, on the role and value of  
17 I/ECMHC, including targeted promotion in underserved  
18 communities, and promote the use of existing I/ECMHCs, the  
19 I/ECMHC consultant database, or other existing services;

20 (3) the State to increase funding to promote and  
21 provide training and implementation support for systems of  
22 tiered support, such as the Pyramid Model, across early  
23 childhood settings and urge DHS, ISBE, GOECD, and other  
24 relevant State agencies to coordinate efforts and develop  
25 strategies to provide outreach to and support providers in  
26 underserved communities and communities with fewer

1 programmatic resources; and

2 (4) ISBE and DCFS to provide the data required by  
3 Public Act 100-105, even if the data is incomplete at the  
4 time due to data system challenges.

5 (c) This Section is repealed on July 1, 2026.

6 (Source: P.A. 101-654, eff. 3-8-21.)

7 Section 90-60. The Children's Mental Health Act is amended  
8 by changing Section 5 as follows:

9 (405 ILCS 49/5)

10 Sec. 5. Children's Mental Health Partnership; Children's  
11 Mental Health Plan.

12 (a) The Children's Mental Health Partnership (hereafter  
13 referred to as "the Partnership") created under Public Act  
14 93-495 and continued under Public Act 102-899 shall advise  
15 State agencies on designing and implementing short-term and  
16 long-term strategies to provide comprehensive and coordinated  
17 services for children from birth to age 25 and their families  
18 with the goal of addressing children's mental health needs  
19 across a full continuum of care, including social determinants  
20 of health, prevention, early identification, and treatment.  
21 The recommended strategies shall build upon the  
22 recommendations in the Children's Mental Health Plan of 2022  
23 and may include, but are not limited to, recommendations  
24 regarding the following:

1           (1) Increasing public awareness on issues connected to  
2 children's mental health and wellness to decrease stigma,  
3 promote acceptance, and strengthen the ability of  
4 children, families, and communities to access supports.

5           (2) Coordination of programs, services, and policies  
6 across child-serving State agencies to best monitor and  
7 assess spending, as well as foster innovation of adaptive  
8 or new practices.

9           (3) Funding and resources for children's mental health  
10 prevention, early identification, and treatment across  
11 child-serving State agencies.

12           (4) Facilitation of research on best practices and  
13 model programs and dissemination of this information to  
14 State policymakers, practitioners, and the general public.

15           (5) Monitoring programs, services, and policies  
16 addressing children's mental health and wellness.

17           (6) Growing, retaining, diversifying, and supporting  
18 the child-serving workforce, with special emphasis on  
19 professional development around child and family mental  
20 health and wellness services.

21           (7) Supporting the design, implementation, and  
22 evaluation of a quality-driven children's mental health  
23 system of care across all child services that prevents  
24 mental health concerns and mitigates trauma.

25           (8) Improving the system to more effectively meet the  
26 emergency and residential placement needs for all children

1 with severe mental and behavioral challenges.

2 (b) The Partnership shall have the responsibility of  
3 developing and updating the Children's Mental Health Plan and  
4 advising the relevant State agencies on implementation of the  
5 Plan. The Children's Mental Health Partnership shall be  
6 comprised of the following members:

7 (1) The Governor or his or her designee.

8 (2) The Attorney General or his or her designee.

9 (3) The Secretary of the Department of Human Services  
10 or his or her designee.

11 (4) The State Superintendent of Education or his or  
12 her designee.

13 (5) The Director of the Department of Children and  
14 Family Services or his or her designee.

15 (6) The Director of the Department of Healthcare and  
16 Family Services or his or her designee.

17 (7) The Director of the Department of Public Health or  
18 his or her designee.

19 (8) The Director of the Department of Juvenile Justice  
20 or his or her designee.

21 (9) The Secretary of Early Childhood ~~Executive~~  
22 ~~Director of the Governor's Office of Early Childhood~~  
23 ~~Development~~ or his or her designee.

24 (10) The Director of the Criminal Justice Information  
25 Authority or his or her designee.

26 (11) One member of the General Assembly appointed by

1 the Speaker of the House.

2 (12) One member of the General Assembly appointed by  
3 the President of the Senate.

4 (13) One member of the General Assembly appointed by  
5 the Minority Leader of the Senate.

6 (14) One member of the General Assembly appointed by  
7 the Minority Leader of the House.

8 (15) Up to 25 representatives from the public  
9 reflecting a diversity of age, gender identity, race,  
10 ethnicity, socioeconomic status, and geographic location,  
11 to be appointed by the Governor. Those public members  
12 appointed under this paragraph must include, but are not  
13 limited to:

14 (A) a family member or individual with lived  
15 experience in the children's mental health system;

16 (B) a child advocate;

17 (C) a community mental health expert,  
18 practitioner, or provider;

19 (D) a representative of a statewide association  
20 representing a majority of hospitals in the State;

21 (E) an early childhood expert or practitioner;

22 (F) a representative from the K-12 school system;

23 (G) a representative from the healthcare sector;

24 (H) a substance use prevention expert or  
25 practitioner, or a representative of a statewide  
26 association representing community-based mental health

1 substance use disorder treatment providers in the  
2 State;

3 (I) a violence prevention expert or practitioner;

4 (J) a representative from the juvenile justice  
5 system;

6 (K) a school social worker; and

7 (L) a representative of a statewide organization  
8 representing pediatricians.

9 (16) Two co-chairs appointed by the Governor, one  
10 being a representative from the public and one being a  
11 representative from the State.

12 The members appointed by the Governor shall be appointed  
13 for 4 years with one opportunity for reappointment, except as  
14 otherwise provided for in this subsection. Members who were  
15 appointed by the Governor and are serving on January 1, 2023  
16 (the effective date of Public Act 102-899) shall maintain  
17 their appointment until the term of their appointment has  
18 expired. For new appointments made pursuant to Public Act  
19 102-899, members shall be appointed for one-year, 2-year, or  
20 4-year terms, as determined by the Governor, with no more than  
21 9 of the Governor's new or existing appointees serving the  
22 same term. Those new appointments serving a one-year or 2-year  
23 term may be appointed to 2 additional 4-year terms. If a  
24 vacancy occurs in the Partnership membership, the vacancy  
25 shall be filled in the same manner as the original appointment  
26 for the remainder of the term.

1           The Partnership shall be convened no later than January  
2 31, 2023 to discuss the changes in Public Act 102-899.

3           The members of the Partnership shall serve without  
4 compensation but may be entitled to reimbursement for all  
5 necessary expenses incurred in the performance of their  
6 official duties as members of the Partnership from funds  
7 appropriated for that purpose.

8           The Partnership may convene and appoint special committees  
9 or study groups to operate under the direction of the  
10 Partnership. Persons appointed to such special committees or  
11 study groups shall only receive reimbursement for reasonable  
12 expenses.

13           (b-5) The Partnership shall include an adjunct council  
14 comprised of no more than 6 youth aged 14 to 25 and 4  
15 representatives of 4 different community-based organizations  
16 that focus on youth mental health. Of the community-based  
17 organizations that focus on youth mental health, one of the  
18 community-based organizations shall be led by an  
19 LGBTQ-identified person, one of the community-based  
20 organizations shall be led by a person of color, and one of the  
21 community-based organizations shall be led by a woman. Of the  
22 representatives appointed to the council from the  
23 community-based organizations, at least one representative  
24 shall be LGBTQ-identified, at least one representative shall  
25 be a person of color, and at least one representative shall be  
26 a woman. The council members shall be appointed by the Chair of

1 the Partnership and shall reflect the racial, gender identity,  
2 sexual orientation, ability, socioeconomic, ethnic, and  
3 geographic diversity of the State, including rural, suburban,  
4 and urban appointees. The council shall make recommendations  
5 to the Partnership regarding youth mental health, including,  
6 but not limited to, identifying barriers to youth feeling  
7 supported by and empowered by the system of mental health and  
8 treatment providers, barriers perceived by youth in accessing  
9 mental health services, gaps in the mental health system,  
10 available resources in schools, including youth's perceptions  
11 and experiences with outreach personnel, agency websites, and  
12 informational materials, methods to destigmatize mental health  
13 services, and how to improve State policy concerning student  
14 mental health. The mental health system may include services  
15 for substance use disorders and addiction. The council shall  
16 meet at least 4 times annually.

17 (c) (Blank).

18 (d) The Illinois Children's Mental Health Partnership has  
19 the following powers and duties:

20 (1) Conducting research assessments to determine the  
21 needs and gaps of programs, services, and policies that  
22 touch children's mental health.

23 (2) Developing policy statements for interagency  
24 cooperation to cover all aspects of mental health  
25 delivery, including social determinants of health,  
26 prevention, early identification, and treatment.



1           (3) Recommending policies and providing information on  
2 effective programs for delivery of mental health services.

3           (4) Using funding from federal, State, or  
4 philanthropic partners, to fund pilot programs or research  
5 activities to resource innovative practices by  
6 organizational partners that will address children's  
7 mental health. However, the Partnership may not provide  
8 direct services.

9           (5) Submitting an annual report, on or before December  
10 30 of each year, to the Governor and the General Assembly  
11 on the progress of the Plan, any recommendations regarding  
12 State policies, laws, or rules necessary to fulfill the  
13 purposes of the Act, and any additional recommendations  
14 regarding mental or behavioral health that the Partnership  
15 deems necessary.

16           (6) Employing an Executive Director and setting the  
17 compensation of the Executive Director and other such  
18 employees and technical assistance as it deems necessary  
19 to carry out its duties under this Section.

20           The Partnership may designate a fiscal and administrative  
21 agent that can accept funds to carry out its duties as outlined  
22 in this Section.

23           The Department of Healthcare and Family Services shall  
24 provide technical and administrative support for the  
25 Partnership.

26           (e) The Partnership may accept monetary gifts or grants

1 from the federal government or any agency thereof, from any  
2 charitable foundation or professional association, or from any  
3 reputable source for implementation of any program necessary  
4 or desirable to carry out the powers and duties as defined  
5 under this Section.

6 (f) On or before January 1, 2027, the Partnership shall  
7 submit recommendations to the Governor and General Assembly  
8 that includes recommended updates to the Act to reflect the  
9 current mental health landscape in this State.

10 (Source: P.A. 102-16, eff. 6-17-21; 102-116, eff. 7-23-21;  
11 102-899, eff. 1-1-23; 102-1034, eff. 1-1-23; 103-154, eff.  
12 6-30-23.)

13 Section 90-65. The Advisory Board for the Maternal and  
14 Child Health Block Grant Programs Act is amended by changing  
15 Section 15 as follows:

16 (410 ILCS 221/15)

17 Sec. 15. Advisory Board for the Maternal and Child Health  
18 Block Grant Programs.

19 (a) The Advisory Board for the Maternal and Child Health  
20 Block Grant Programs is created within the Department to  
21 advise the Department on programs and activities related to  
22 maternal and child health in the State of Illinois.

23 The Board shall consist of the Director's designee  
24 responsible for maternal and child health programs, who shall

1 serve as the Chair of the Board; the Department's Title V  
2 administrator, if the Director's designee is not serving in  
3 the capacity of Title V Director at the Department; one  
4 representative each from the Department of Early Childhood,  
5 the Department of Children and Family Services, the Department  
6 of Human Services, and the Department of Healthcare and Family  
7 Services, appointed by the Director or Secretary of each  
8 Department; the Director of the University of Illinois at  
9 Chicago's Division of Specialized Care for Children; 4 members  
10 of the General Assembly, one each appointed by the President  
11 and Minority Leader of the Senate and the Speaker and Minority  
12 Leader of the House of Representatives; and 20 additional  
13 members appointed by the Director.

14 Of the members appointed by the Director:

15 (1) Two shall be physicians licensed to practice  
16 medicine in all of its branches who currently serve  
17 patients enrolled in maternal and child health programs  
18 funded by the State of Illinois, one of whom shall be an  
19 individual with a specialty in obstetrics and gynecology  
20 and one of whom shall be an individual with a specialty in  
21 pediatric medicine;

22 (2) Sixteen shall be persons with expertise in one or  
23 more of the following areas, with no more than 3 persons  
24 from each listed area of expertise and with preference  
25 given to the areas of need identified by the most recent  
26 State needs assessment: the health of women, infants,

1 young children, school-aged children, adolescents, and  
2 children with special health care needs; public health;  
3 epidemiology; behavioral health; nursing; social work;  
4 substance abuse prevention; juvenile justice; oral health;  
5 child development; chronic disease prevention; health  
6 promotion; and education; 5 of the 16 members shall  
7 represent organizations that provide maternal and child  
8 health services with funds from the Department; and

9 (3) either 2 consumers who have received services  
10 through a Department-funded maternal and child health  
11 program, 2 representatives from advocacy groups that  
12 advocate on behalf of such consumers, or one such consumer  
13 and one such representative of an advocacy group.

14 Members appointed by the Director shall be selected to  
15 represent the racial, ethnic, and geographic diversity of the  
16 State's population and shall include representatives of local  
17 health departments, other direct service providers, and  
18 faculty of the University of Illinois at Chicago School of  
19 Public Health Center of Excellence in Maternal and Child  
20 Health.

21 Legislative members shall serve during their term of  
22 office in the General Assembly. Members appointed by the  
23 Director shall serve a term of 4 years or until their  
24 successors are appointed.

25 Any member appointed to fill a vacancy occurring prior to  
26 the expiration of the term for which his or her predecessor was

1 appointed shall be appointed for the remainder of such term.  
2 Members of the Board shall serve without compensation but  
3 shall be reimbursed for necessary expenses incurred in the  
4 performance of their duties.

5 (b) The Board shall advise the Director on improving the  
6 well-being of mothers, fathers, infants, children, families,  
7 and adults, considering both physical and social determinants  
8 of health, and using a life-span approach to health promotion  
9 and disease prevention in the State of Illinois. In addition,  
10 the Board shall review and make recommendations to the  
11 Department and the Governor in regard to the system for  
12 maternal and child health programs, collaboration, and  
13 interrelation between and delivery of programs, both within  
14 the Department and with related programs in other departments.  
15 In performing its duties, the Board may hold hearings  
16 throughout the State and advise and receive advice from any  
17 local advisory bodies created to address maternal and child  
18 health.

19 (c) The Board may offer recommendations and feedback  
20 regarding the development of the State's annual Maternal and  
21 Child Health Services Block Grant application and report as  
22 well as the periodic needs assessment.

23 (Source: P.A. 99-901, eff. 8-26-16.)

24 ARTICLE 99. NONACCELERATION, SEVERABILITY,

25 AND

1

## EFFECTIVE DATE

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Section 99-1. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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Section 99-5. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

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Section 99-99. Effective date. This Act takes effect upon becoming law.

1	INDEX	
2	Statutes amended in order of appearance	
3	New Act	
4	20 ILCS 5/5-10	was 20 ILCS 5/2.1
5	20 ILCS 5/5-15	was 20 ILCS 5/3
6	20 ILCS 5/5-20	was 20 ILCS 5/4
7	20 ILCS 5/5-126 new	
8	20 ILCS 5/5-336 new	
9	20 ILCS 505/5.15	
10	20 ILCS 505/5.20	
11	20 ILCS 505/22.1	from Ch. 23, par. 5022.1
12	20 ILCS 505/34.9	from Ch. 23, par. 5034.9
13	20 ILCS 505/34.10	from Ch. 23, par. 5034.10
14	20 ILCS 1305/1-75	
15	20 ILCS 1305/10-16	
16	20 ILCS 1305/10-22	
17	20 ILCS 3933/10	
18	30 ILCS 500/1-10	
19	105 ILCS 5/1A-4	from Ch. 122, par. 1A-4
20	105 ILCS 5/1C-2	
21	105 ILCS 5/1C-4	
22	105 ILCS 5/1D-1	
23	105 ILCS 5/2-3.47	from Ch. 122, par. 2-3.47
24	105 ILCS 5/2-3.64a-10	
25	105 ILCS 5/2-3.71	from Ch. 122, par. 2-3.71

1	105 ILCS 5/2-3.71a	from Ch. 122, par. 2-3.71a
2	105 ILCS 5/2-3.79	from Ch. 122, par. 2-3.79
3	105 ILCS 5/2-3.89	from Ch. 122, par. 2-3.89
4	105 ILCS 5/10-22.6	from Ch. 122, par. 10-22.6
5	105 ILCS 5/21B-50	
6	105 ILCS 5/22-45	
7	105 ILCS 5/26-19	
8	105 ILCS 230/5-300	
9	110 ILCS 28/25	
10	110 ILCS 28/35	
11	305 ILCS 5/2-12	from Ch. 23, par. 2-12
12	305 ILCS 5/2-12.5	
13	305 ILCS 5/9A-11	from Ch. 23, par. 9A-11
14	305 ILCS 5/9A-11.5	
15	305 ILCS 5/9A-17	
16	325 ILCS 20/20.1 new	
17	405 ILCS 47/35-5	
18	405 ILCS 49/5	
19	410 ILCS 221/15	