



Sen. Miguel del Valle

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LRB093 05403 RAS 54221 a

1 AMENDMENT TO HOUSE BILL 757

2 AMENDMENT NO. _____. Amend House Bill 757, AS AMENDED, in
3 Section 5, in the introductory clause, by replacing "and 9-18"
4 with "9-18, 26-2, 26-8, and 26-16"; and

5 in Section 5, immediately below Sec. 14-16, by inserting the
6 following:

7 "(105 ILCS 5/26-2) (from Ch. 122, par. 26-2)
8 (Text of Section from P.A. 93-803)
9 Sec. 26-2. Enrolled pupils below 7 or over 17 ~~16~~.

10 (a) Any person having custody or control of a child who is
11 below the age of 7 years or is 17 years of age or above ~~the age~~
12 ~~of 16 years~~ and who is enrolled in any of grades 1 through 12,
13 in the public school shall cause him to attend the public
14 school in the district wherein he resides when it is in session
15 during the regular school term, unless he is excused under
16 paragraph paragraphs 2, 3, 4, or 5, or 6 of Section 26-1.

17 (b) A school district shall deny reenrollment in its
18 secondary schools to any child ~~above the age of~~ 19 years of age
19 or above who has dropped out of school and who could not,
20 because of age and lack of credits, attend classes during the
21 normal school year and graduate before his or her twenty-first
22 birthday. A district may, however, enroll the child in a
23 graduation incentives program under Section 26-16 of this Code
24 or an alternative learning opportunities program established

1 under Article 13B. No child shall be denied reenrollment for
2 the above reasons unless the school district first offers the
3 child due process as required in cases of expulsion under
4 Section 10-22.6. If a child is denied reenrollment after being
5 provided with due process, the school district must provide
6 counseling to that child and must direct that child to
7 alternative educational programs, including adult education
8 programs, that lead to graduation or receipt of a GED diploma.

9 (c) A school or school district may deny enrollment to a
10 student 17 ~~16~~ years of age or older for one semester for
11 failure to meet minimum academic standards if all of the
12 following conditions are met:

13 (1) The student achieved a grade point average of less
14 than "D" (or its equivalent) in the semester immediately
15 prior to the current semester.

16 (2) The student and the student's parent or guardian
17 are given written notice warning that the student is
18 failing academically and is subject to denial from
19 enrollment for one semester unless a "D" average (or its
20 equivalent) or better is attained in the current semester.

21 (3) The parent or guardian is provided with the right
22 to appeal the notice, as determined by the State Board of
23 Education in accordance with due process.

24 (4) The student is provided with an academic
25 improvement plan and academic remediation services.

26 (5) The student fails to achieve a "D" average (or its
27 equivalent) or better in the current semester.

28 A school or school district may deny enrollment to a
29 student 17 ~~16~~ years of age or older for one semester for
30 failure to meet minimum attendance standards if all of the
31 following conditions are met:

32 (1) The student was absent without valid cause for 20%
33 or more of the attendance days in the semester immediately
34 prior to the current semester.

1 (2) The student and the student's parent or guardian
2 are given written notice warning that the student is
3 subject to denial from enrollment for one semester unless
4 the student is absent without valid cause less than 20% of
5 the attendance days in the current semester.

6 (3) The student's parent or guardian is provided with
7 the right to appeal the notice, as determined by the State
8 Board of Education in accordance with due process.

9 (4) The student is provided with attendance
10 remediation services, including without limitation
11 assessment, counseling, and support services.

12 (5) The student is absent without valid cause for 20%
13 or more of the attendance days in the current semester.

14 A school or school district may not deny enrollment to a
15 student (or reenrollment to a dropout) who is at least 17 ~~16~~
16 years of age or older but below ~~not more than~~ 19 years for more
17 than one consecutive semester for failure to meet academic or
18 attendance standards.

19 (d) No child may be denied enrollment or reenrollment under
20 this Section in violation of the Individuals with Disabilities
21 Education Act or the Americans with Disabilities Act.

22 (e) In this subsection (e), "reenrolled student" means a
23 dropout who has reenrolled full-time in a public school. Each
24 school district shall identify, track, and report on the
25 educational progress and outcomes of reenrolled students as a
26 subset of the district's required reporting on all enrollments.
27 A reenrolled student who again drops out must not be counted
28 again against a district's dropout rate performance measure.
29 The State Board of Education shall set performance standards
30 for programs serving reenrolled students.

31 (f) The State Board of Education shall adopt any rules
32 necessary to implement the changes to this Section made by
33 Public Act 93-803 ~~this amendatory Act of the 93rd General~~
34 ~~Assembly.~~

1 (Source: P.A. 92-42, eff. 1-1-02; 93-803, eff. 7-23-04.)

2 (Text of Section from P.A. 93-858)

3 Sec. 26-2. Enrolled pupils below 7 or over 17.

4 (a) Any person having custody or control of a child who is
5 below the age of 7 years or is 17 years of age or above and who
6 is enrolled in any of grades 1 through 12 in the public school
7 shall cause him to attend the public school in the district
8 wherein he resides when it is in session during the regular
9 school term, unless he is excused under paragraph 2, 3, 4, 5,
10 or 6 of Section 26-1.

11 (b) A school district shall deny reenrollment in its
12 secondary schools to any child 19 ~~17~~ years of age or above who
13 has dropped out of school and who could not, because of age and
14 lack of credits, attend classes during the normal school year
15 and graduate before his or her twenty-first birthday. A
16 district may, however, enroll the child in a graduation
17 incentives program under Section 26-16 of this Code or an
18 alternative learning opportunities program established under
19 Article 13B. No child shall be denied reenrollment for the
20 above reasons unless the school district first offers the child
21 due process as required in cases of expulsion under Section
22 10-22.6. If a child is denied reenrollment after being provided
23 with due process, the school district must provide counseling
24 to that child and must direct that child to alternative
25 educational programs, including adult education programs, that
26 lead to graduation or receipt of a GED diploma.

27 (c) A school or school district may deny enrollment to a
28 student 17 years of age or older for one semester for failure
29 to meet minimum academic standards if all of the following
30 conditions are met:

31 (1) The student achieved a grade point average of less
32 than "D" (or its equivalent) in the semester immediately
33 prior to the current semester.

1 (2) The student and the student's parent or guardian
2 are given written notice warning that the student is
3 failing academically and is subject to denial from
4 enrollment for one semester unless a "D" average (or its
5 equivalent) or better is attained in the current semester.

6 (3) The parent or guardian is provided with the right
7 to appeal the notice, as determined by the State Board of
8 Education in accordance with due process.

9 (4) The student is provided with an academic
10 improvement plan and academic remediation services.

11 (5) The student fails to achieve a "D" average (or its
12 equivalent) or better in the current semester.

13 A school or school district may deny enrollment to a
14 student 17 years of age or older for one semester for failure
15 to meet minimum attendance standards if all of the following
16 conditions are met:

17 (1) The student was absent without valid cause for 20%
18 or more of the attendance days in the semester immediately
19 prior to the current semester.

20 (2) The student and the student's parent or guardian
21 are given written notice warning that the student is
22 subject to denial from enrollment for one semester unless
23 the student is absent without valid cause less than 20% of
24 the attendance days in the current semester.

25 (3) The student's parent or guardian is provided with
26 the right to appeal the notice, as determined by the State
27 Board of Education in accordance with due process.

28 (4) The student is provided with attendance
29 remediation services, including without limitation
30 assessment, counseling, and support services.

31 (5) The student is absent without valid cause for 20%
32 or more of the attendance days in the current semester.

33 A school or school district may not deny enrollment to a
34 student (or reenrollment to a dropout) who is at least 17 years

1 of age or older but below 19 years for more than one
2 consecutive semester for failure to meet academic or attendance
3 standards.

4 (d) No child may be denied enrollment or reenrollment under
5 this Section in violation of the Individuals with Disabilities
6 Education Act or the Americans with Disabilities Act.

7 (e) In this subsection (e), "reenrolled student" means a
8 dropout who has reenrolled full-time in a public school. Each
9 school district shall identify, track, and report on the
10 educational progress and outcomes of reenrolled students as a
11 subset of the district's required reporting on all enrollments.
12 A reenrolled student who again drops out must not be counted
13 again against a district's dropout rate performance measure.
14 The State Board of Education shall set performance standards
15 for programs serving reenrolled students.

16 (f) The State Board of Education shall adopt any rules
17 necessary to implement the changes to this Section made by
18 Public Act 93-803.

19 (Source: P.A. 92-42, eff. 1-1-02; 93-858, eff. 1-1-05.)

20 (105 ILCS 5/26-8) (from Ch. 122, par. 26-8)

21 Sec. 26-8. Determination as to compliance - Complaint in
22 circuit court. A truant officer or, in a school district that
23 does not have a truant officer, the regional superintendent of
24 schools or his or her designee, after giving the notice
25 provided in Section 26-7, shall determine whether the notice
26 has been complied with. If 3 notices have been given and the
27 notices have not been complied with, and if the persons having
28 custody or control have knowingly and wilfully permitted the
29 truant behavior to continue, the regional superintendent of
30 schools, or his or her designee, of the school district where
31 the child resides shall conduct a truancy hearing. If the
32 regional superintendent determines as a result of the hearing
33 that the child is truant, the regional superintendent shall, if

1 age appropriate at the discretion of the regional
2 superintendent, require the student to complete 20 to 40 hours
3 of community service over a period of 90 days. If the truancy
4 persists, the regional superintendent shall (i) make complaint
5 against the persons having custody or control to the state's
6 attorney or in the circuit court in the county where such
7 person resides for failure to comply with the provisions of
8 this Article or (ii) conduct truancy mediation and encourage
9 the student to enroll in a graduation incentives program under
10 Section 26-16 of this Code. If, however, after giving the
11 notice provided in Section 26-7 the truant behavior has
12 continued, and the child is beyond the control of the parents,
13 guardians or custodians, a truancy petition shall be filed
14 under the provisions of Article III of the Juvenile Court Act
15 of 1987.

16 (Source: P.A. 93-858, eff. 1-1-05.)

17 (105 ILCS 5/26-16)

18 Sec. 26-16. Graduation incentives program.

19 (a) The General Assembly finds that it is critical to
20 provide options for children to succeed in school. The purpose
21 of this Section is to provide incentives for and encourage all
22 Illinois students who have experienced or are experiencing
23 difficulty in the traditional education system to enroll in
24 alternative programs.

25 (b) Any student who is below the age of 20 years ~~no more~~
26 ~~than 18 years of age~~ is eligible to enroll in a graduation
27 incentives program if he or she:

28 (1) is considered a dropout pursuant to Section 26-2a
29 of this Code;

30 (2) has been suspended or expelled pursuant to Section
31 10-22.6 or 34-19 of this Code;

32 (3) is pregnant or is a parent;

33 (4) has been assessed as chemically dependent; or

1 (5) is enrolled in a bilingual education or LEP
2 program.

3 (c) The following programs qualify as graduation
4 incentives programs for students meeting the criteria
5 established in this Section:

6 (1) Any public elementary or secondary education
7 graduation incentives program established by a school
8 district or by a regional office of education.

9 (2) Any alternative learning opportunities program
10 established pursuant to Article 13B of this Code.

11 (3) Vocational or job training courses approved by the
12 State Superintendent of Education that are available
13 through the Illinois public community college system.
14 Students may apply for reimbursement of 50% of tuition
15 costs for one course per semester or a maximum of 3 courses
16 per school year. Subject to available funds, students may
17 apply for reimbursement of up to 100% of tuition costs upon
18 a showing of employment within 6 months after completion of
19 a vocational or job training program. The qualifications
20 for reimbursement shall be established by the State
21 Superintendent of Education by rule.

22 (4) Job and career programs approved by the State
23 Superintendent of Education that are available through
24 Illinois-accredited private business and vocational
25 schools. Subject to available funds, pupils may apply for
26 reimbursement of up to 100% of tuition costs upon a showing
27 of employment within 6 months after completion of a job or
28 career program. The State Superintendent of Education
29 shall establish, by rule, the qualifications for
30 reimbursement, criteria for determining reimbursement
31 amounts, and limits on reimbursement.

32 (5) Adult education courses that offer preparation for
33 the General Educational Development Test.

34 (d) Graduation incentives programs established by school

1 districts are entitled to claim general State aid, subject to
2 Sections 13B-50, 13B-50.5, and 13B-50.10 of this Code.
3 Graduation incentives programs operated by regional offices of
4 education are entitled to receive general State aid at the
5 foundation level of support per pupil enrolled. A school
6 district must ensure that its graduation incentives program
7 receives supplemental general State aid, transportation
8 reimbursements, and special education resources, if
9 appropriate, for students enrolled in the program.

10 (Source: P.A. 93-858, eff. 1-1-05.); and

11 in Section 99, after "law", by inserting ", except that the
12 provisions changing Sections 26-2, 26-8, and 26-16 of the
13 School Code take effect January 1, 2005".