

1 AN ACT with regard to schools.

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

4 Section 5. The School Code is amended by changing
5 Section 26-2 as follows:

6 (105 ILCS 5/26-2) (from Ch. 122, par. 26-2)

7 Sec. 26-2. Enrolled pupils below 7 or over 16.

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

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

31 (c) A school or school district may deny enrollment to a

1 student 16 years of age or older for one semester for failure
2 to meet minimum academic standards if all of the following
3 conditions are met:

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

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

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

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

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

20 A school or school district may deny enrollment to a
21 student 16 years of age or older for one semester for failure
22 to meet minimum attendance standards if all of the following
23 conditions are met:

24 (1) The student was absent without valid cause for
25 20% or more of the attendance days in the semester
26 immediately prior to the current semester.

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

33 (3) The student's parent or guardian is provided
34 with the right to appeal the notice, as determined by the

1 State Board of Education in accordance with due process.

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

5 (5) The student is absent without valid cause for
6 20% or more of the attendance days in the current
7 semester.

8 A school or school district may not deny enrollment to a
9 student (or reenrollment to a dropout) who is at least 16
10 years of age or older but not more than 19 years for more
11 than one consecutive semester for failure to meet academic or
12 attendance standards.

13 (d) No child may be denied enrollment or reenrollment
14 under this Section in violation of the Individuals with
15 Disabilities Education Act or the Americans with Disabilities
16 Act.

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

27 (f) The State Board of Education shall adopt any rules
28 necessary to implement the changes to this Section made by
29 this amendatory Act of the 93rd General Assembly.

30 (Source: P.A. 92-42, eff. 1-1-02.)

31 Section 99. Effective date. This Act takes effect upon
32 becoming law.