



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
SB2444

Introduced 2/3/2004, by James F. Clayborne Jr.

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-22.5a from Ch. 122, par. 10-22.5a
105 ILCS 5/34-18.30 new

Amends the School Code. Provides that if, at the time of enrollment, dependents of United States military personnel are housed in temporary housing located outside of a school district, but will be living within that school district within 60 days after the time of initial enrollment, the dependents shall be enrolled, upon a sufficient showing of proof, and shall not be charged non-resident tuition. Provides that non-resident dependents of United States military personnel attending school on a tuition-free basis may be counted for the purposes of determining the apportionment of State aid. Effective immediately.

LRB093 20504 RAS 46296 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning 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 Section
5 10-22.5a and adding Section 34-18.30 as follows:

6 (105 ILCS 5/10-22.5a) (from Ch. 122, par. 10-22.5a)

7 Sec. 10-22.5a. Attendance by dependents of United States
8 military personnel, foreign exchange students, and certain
9 nonresident pupils.

10 (a) To enter into written agreements with cultural exchange
11 organizations, or with nationally recognized eleemosynary
12 institutions that promote excellence in the arts, mathematics,
13 or science. The written agreements may provide for tuition free
14 attendance at the local district school by foreign exchange
15 students, or by nonresident pupils of eleemosynary
16 institutions. The local board of education, as part of the
17 agreement, may require that the cultural exchange program or
18 the eleemosynary institutions provide services to the district
19 in exchange for the waiver of nonresident tuition.

20 To enter into written agreements with adjacent school
21 districts to provide for tuition free attendance by a student
22 of the adjacent district when requested for the student's
23 health and safety by the student or parent and both districts
24 determine that the student's health or safety will be served by
25 such attendance. Districts shall not be required to enter into
26 such agreements nor be required to alter existing
27 transportation services due to the attendance of such
28 non-resident pupils.

29 (a-5) If, at the time of enrollment, a dependent of United
30 States military personnel is housed in temporary housing
31 located outside of a school district, but will be living within
32 the district within 60 days after the time of initial

1 enrollment, the dependent must be allowed to enroll, subject to
2 the requirements of this subsection (a-5), and must not be
3 charged tuition. Any United States military personnel
4 attempting to enroll a dependent under this subsection (a-5)
5 shall provide proof that the dependent will be living within
6 the district within 60 days after the time of initial
7 enrollment. Proof of residency may include, but is not limited
8 to, postmarked mail addressed to the military personnel and
9 sent to an address located within the district, a lease
10 agreement for occupancy of a residence located within the
11 district, or proof of ownership of a residence located within
12 the district.

13 (b) Nonresident pupils and foreign exchange students
14 attending school on a tuition free basis under such agreements
15 and nonresident dependents of United States military personnel
16 attending school on a tuition free basis may be counted for the
17 purposes of determining the apportionment of State aid provided
18 under Section 18-8.05 ~~18-8~~ of this Code, provided ~~Act. Provided~~
19 that any cultural exchange organization or eleemosynary
20 institutions wishing to participate in an agreement authorized
21 under this Section must be approved in writing by the State
22 Board of Education. The State Board of Education may establish
23 reasonable rules to determine the eligibility of cultural
24 exchange organizations or eleemosynary institutions wishing to
25 participate in agreements authorized under this Section. No
26 organization or institution participating in agreements
27 authorized under this Section may exclude any individual for
28 participation in its program on account of the person's race,
29 color, sex, religion or nationality.

30 (Source: P.A. 89-480, eff. 1-1-97; 89-622, eff. 8-9-96; 90-14,
31 eff. 7-1-97.)

32 (105 ILCS 5/34-18.30 new)

33 Sec. 34-18.30. Dependents of military personnel; no
34 tuition charge. If, at the time of enrollment, a dependent of
35 United States military personnel is housed in temporary housing

1 located outside of the school district, but will be living
2 within the district within 60 days after the time of initial
3 enrollment, the dependent must be allowed to enroll, subject to
4 the requirements of this Section, and must not be charged
5 tuition. Any United States military personnel attempting to
6 enroll a dependent under this Section shall provide proof that
7 the dependent will be living within the district within 60 days
8 after the time of initial enrollment. Proof of residency may
9 include, but is not limited to, postmarked mail addressed to
10 the military personnel and sent to an address located within
11 the district, a lease agreement for occupancy of a residence
12 located within the district, or proof of ownership of a
13 residence located within the district. Non-resident dependents
14 of United States military personnel attending school on a
15 tuition-free basis may be counted for the purposes of
16 determining the apportionment of State aid provided under
17 Section 18-8.05 of this Code.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.