

1 AN ACT concerning education.

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 Sections  
5 10-20.12 and 34-19 as follows:

6 (105 ILCS 5/10-20.12) (from Ch. 122, par. 10-20.12)

7 Sec. 10-20.12. School year - School age. To establish and  
8 keep in operation in each year during a school term of at least  
9 the minimum length required by Section 10-19, a sufficient  
10 number of free schools for the accommodation of all persons in  
11 the district who are 5 years of age or older but under 21 years  
12 of age, and to secure for all such persons the right and  
13 opportunity to an equal education in such schools; provided  
14 that (i) children who will attain the age of 5 years on or  
15 before September 1 of the year of the 1990-1991 school term and  
16 each school term thereafter may attend school upon the  
17 commencement of such term, (ii) children who have attended  
18 preschool and will attain the age of 5 years on or before  
19 December 31 of the year of the 2008-2009 school term and each  
20 school term thereafter may attend school upon commencement of  
21 such term, and (iii) children who have attended a  
22 State-certified, private preschool and continued their  
23 education at that school through kindergarten and who will

1 attain the age of 6 years on or before December 31 of the year  
2 of the 2008-2009 school term and each school term thereafter  
3 may attend first grade upon commencement of such term. Based  
4 upon an assessment of a child's readiness to attend school, a  
5 school district may permit a child to attend school prior to  
6 the dates contained in this Section. In any school district  
7 operating on a full year school basis children who will attain  
8 age 5 within 30 days after the commencement of a term may  
9 attend school upon the commencement of such term, children who  
10 have attended preschool and will attain age 5 within 4 months  
11 after the commencement of a term may attend school upon the  
12 commencement of such term, and children who have attended a  
13 State-certified, private preschool and continued their  
14 education at that school through kindergarten and will attain  
15 age 6 within 4 months after the commencement of a term may  
16 attend first grade upon the commencement of such term. The  
17 school district may, by resolution of its board, allow for a  
18 full year school plan.

19 (Source: P.A. 87-359.)

20 (105 ILCS 5/34-19) (from Ch. 122, par. 34-19)

21 Sec. 34-19. By-laws, rules and regulations; business  
22 transacted at regular meetings; voting; records. The board  
23 shall, subject to the limitations in this Article, establish  
24 by-laws, rules and regulations, which shall have the force of  
25 ordinances, for the proper maintenance of a uniform system of

1 discipline for both employees and pupils, and for the entire  
2 management of the schools, and may fix the school age of  
3 pupils, the minimum of which in kindergartens shall not be  
4 under 5 4 years, except that (i) those pupils who have attended  
5 preschool and will attain the age of 5 years on or before  
6 December 31 of the year of the 2008-2009 school term and each  
7 school term thereafter may attend school upon commencement of  
8 such term and (ii) children who have attended a  
9 State-certified, private preschool and continued their  
10 education at that school through kindergarten and who will  
11 attain the age of 6 years on or before December 31 of the year  
12 of the 2008-2009 school term and each school term thereafter  
13 may attend first grade upon commencement of such term, and in  
14 grade schools shall not be under 6 years. It may expel, suspend  
15 or, subject to the limitations of all policies established or  
16 adopted under Section 14-8.05, otherwise discipline any pupil  
17 found guilty of gross disobedience, misconduct or other  
18 violation of the by-laws, rules and regulations. The bylaws,  
19 rules and regulations of the board shall be enacted, money  
20 shall be appropriated or expended, salaries shall be fixed or  
21 changed, and textbooks and courses of instruction shall be  
22 adopted or changed only at the regular meetings of the board  
23 and by a vote of a majority of the full membership of the  
24 board; provided that notwithstanding any other provision of  
25 this Article or the School Code, neither the board or any local  
26 school council may purchase any textbook for use in any public

1 school of the district from any textbook publisher that fails  
2 to furnish any computer diskettes as required under Section  
3 28-21. The board shall be further encouraged to provide  
4 opportunities for public hearing and testimony before the  
5 adoption of bylaws, rules and regulations. Upon all  
6 propositions requiring for their adoption at least a majority  
7 of all the members of the board the yeas and nays shall be  
8 taken and reported. The by-laws, rules and regulations of the  
9 board shall not be repealed, amended or added to, except by a  
10 vote of 2/3 of the full membership of the board. The board  
11 shall keep a record of all its proceedings. Such records and  
12 all by-laws, rules and regulations, or parts thereof, may be  
13 proved by a copy thereof certified to be such by the secretary  
14 of the board, but if they are printed in book or pamphlet form  
15 which are purported to be published by authority of the board  
16 they need not be otherwise published and the book or pamphlet  
17 shall be received as evidence, without further proof, of the  
18 records, by-laws, rules and regulations, or any part thereof,  
19 as of the dates thereof as shown in such book or pamphlet, in  
20 all courts and places where judicial proceedings are had.

21 Notwithstanding any other provision in this Article or in  
22 the School Code, the board may delegate to the general  
23 superintendent or to the attorney the authorities granted to  
24 the board in the School Code, provided such delegation and  
25 appropriate oversight procedures are made pursuant to board  
26 by-laws, rules and regulations, adopted as herein provided,

1 except that the board may not delegate its authorities and  
2 responsibilities regarding (1) budget approval obligations;  
3 (2) rule-making functions; (3) desegregation obligations; (4)  
4 real estate acquisition, sale or lease in excess of 10 years as  
5 provided in Section 34-21; (5) the levy of taxes; or (6) any  
6 mandates imposed upon the board by "An Act in relation to  
7 school reform in cities over 500,000, amending Acts herein  
8 named", approved December 12, 1988 (P.A. 85-1418).  
9 (Source: P.A. 88-45; 89-15, eff. 5-30-95.)

10 Section 99. Effective date. This Act takes effect July 1,  
11 2008.