



Rep. Eddie Lee Jackson, Sr.

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LRB098 15500 OMW 58413 a

1 AMENDMENT TO HOUSE BILL 3939

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3939, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The School Code is amended by changing Sections  
6 10-20.12 and 27-8.1 as follows:

7 (105 ILCS 5/10-20.12) (from Ch. 122, par. 10-20.12)

8 Sec. 10-20.12. School year - School age. To establish and  
9 keep in operation in each year during a school term of at least  
10 the minimum length required by Section 10-19, a sufficient  
11 number of free schools for the accommodation of all persons in  
12 the district who are 5 years of age or older but under 21 years  
13 of age, and to secure for all such persons the right and  
14 opportunity to an equal education in such schools; provided  
15 that (i) children who will attain the age of 5 years on or  
16 before September 1 of the year of the 1990-1991 school term and

1 each school term thereafter may attend school upon the  
2 commencement of such term and (ii) based upon an assessment of  
3 the child's readiness, children who have attended a non-public  
4 preschool and continued their education at that school through  
5 kindergarten, were taught in kindergarten by an appropriately  
6 certified teacher, and will attain the age of 6 years on or  
7 before December 31 of the year of the 2009-2010 school term and  
8 each school term thereafter may attend first grade upon  
9 commencement of such term. However, Section 33 of the  
10 Educational Opportunity for Military Children Act shall apply  
11 to children of active duty military personnel. Based upon an  
12 assessment of a child's readiness to attend school, a school  
13 district may permit a child to attend school prior to the dates  
14 contained in this Section. In any school district operating on  
15 a full year school basis children who will attain age 5 within  
16 30 days after the commencement of a term may attend school upon  
17 the commencement of such term and, based upon an assessment of  
18 the child's readiness, children who have attended a non-public  
19 preschool and continued their education at that school through  
20 kindergarten, were taught in kindergarten by an appropriately  
21 certified teacher, and will attain age 6 within 4 months after  
22 the commencement of a term may attend first grade upon the  
23 commencement of such term. The school district may, by  
24 resolution of its board, allow for a full year school plan.

25 (Source: P.A. 96-864, eff. 1-21-10.)

1 (105 ILCS 5/27-8.1) (from Ch. 122, par. 27-8.1)

2 Sec. 27-8.1. Health examinations and immunizations.

3 (1) In compliance with rules and regulations which the  
4 Department of Public Health shall promulgate, and except as  
5 hereinafter provided, all children in Illinois shall have a  
6 health examination as follows: within one year prior to  
7 entering kindergarten or the first grade of any public,  
8 private, or parochial elementary school; upon entering the  
9 sixth and ninth grades of any public, private, or parochial  
10 school; prior to entrance into any public, private, or  
11 parochial nursery school; and, irrespective of grade,  
12 immediately prior to or upon entrance into any public, private,  
13 or parochial school or nursery school, each child shall present  
14 proof of having been examined in accordance with this Section  
15 and the rules and regulations promulgated hereunder. Any child  
16 who received a health examination within one year prior to  
17 entering the fifth grade for the 2007-2008 school year is not  
18 required to receive an additional health examination in order  
19 to comply with the provisions of Public Act 95-422 when he or  
20 she attends school for the 2008-2009 school year, unless the  
21 child is attending school for the first time as provided in  
22 this paragraph.

23 A tuberculosis skin test screening shall be included as a  
24 required part of each health examination included under this  
25 Section if the child resides in an area designated by the  
26 Department of Public Health as having a high incidence of

1 tuberculosis. Additional health examinations of pupils,  
2 including eye examinations, may be required when deemed  
3 necessary by school authorities. Parents are encouraged to have  
4 their children undergo eye examinations at the same points in  
5 time required for health examinations.

6 (1.5) In compliance with rules adopted by the Department of  
7 Public Health and except as otherwise provided in this Section,  
8 all children in kindergarten and the second and sixth grades of  
9 any public, private, or parochial school shall have a dental  
10 examination. Each of these children shall present proof of  
11 having been examined by a dentist in accordance with this  
12 Section and rules adopted under this Section before May 15th of  
13 the school year. If a child in the second or sixth grade fails  
14 to present proof by May 15th, the school may hold the child's  
15 report card until one of the following occurs: (i) the child  
16 presents proof of a completed dental examination or (ii) the  
17 child presents proof that a dental examination will take place  
18 within 60 days after May 15th. The Department of Public Health  
19 shall establish, by rule, a waiver for children who show an  
20 undue burden or a lack of access to a dentist. Each public,  
21 private, and parochial school must give notice of this dental  
22 examination requirement to the parents and guardians of  
23 students at least 60 days before May 15th of each school year.

24 (1.10) Except as otherwise provided in this Section, all  
25 children enrolling in kindergarten in a public, private, or  
26 parochial school on or after the effective date of this

1 amendatory Act of the 95th General Assembly and any student  
2 enrolling for the first time in a public, private, or parochial  
3 school on or after the effective date of this amendatory Act of  
4 the 95th General Assembly shall have an eye examination. Each  
5 of these children shall present proof of having been examined  
6 by a physician licensed to practice medicine in all of its  
7 branches or a licensed optometrist within the previous year, in  
8 accordance with this Section and rules adopted under this  
9 Section, before October 15th of the school year. If the child  
10 fails to present proof by October 15th, the school may hold the  
11 child's report card until one of the following occurs: (i) the  
12 child presents proof of a completed eye examination or (ii) the  
13 child presents proof that an eye examination will take place  
14 within 60 days after October 15th. The Department of Public  
15 Health shall establish, by rule, a waiver for children who show  
16 an undue burden or a lack of access to a physician licensed to  
17 practice medicine in all of its branches who provides eye  
18 examinations or to a licensed optometrist. Each public,  
19 private, and parochial school must give notice of this eye  
20 examination requirement to the parents and guardians of  
21 students in compliance with rules of the Department of Public  
22 Health. Nothing in this Section shall be construed to allow a  
23 school to exclude a child from attending because of a parent's  
24 or guardian's failure to obtain an eye examination for the  
25 child.

26 (2) The Department of Public Health shall promulgate rules

1 and regulations specifying the examinations and procedures  
2 that constitute a health examination, which shall include the  
3 collection of data relating to obesity (including at a minimum,  
4 date of birth, gender, height, weight, blood pressure, and date  
5 of exam), and a dental examination and may recommend by rule  
6 that certain additional examinations be performed. The rules  
7 and regulations of the Department of Public Health shall  
8 specify that a tuberculosis skin test screening shall be  
9 included as a required part of each health examination included  
10 under this Section if the child resides in an area designated  
11 by the Department of Public Health as having a high incidence  
12 of tuberculosis. The Department of Public Health shall specify  
13 that a diabetes screening as defined by rule shall be included  
14 as a required part of each health examination. Diabetes testing  
15 is not required.

16 Physicians licensed to practice medicine in all of its  
17 branches, advanced practice nurses who have a written  
18 collaborative agreement with a collaborating physician which  
19 authorizes them to perform health examinations, or physician  
20 assistants who have been delegated the performance of health  
21 examinations by their supervising physician shall be  
22 responsible for the performance of the health examinations,  
23 other than dental examinations, eye examinations, and vision  
24 and hearing screening, and shall sign all report forms required  
25 by subsection (4) of this Section that pertain to those  
26 portions of the health examination for which the physician,

1 advanced practice nurse, or physician assistant is  
2 responsible. If a registered nurse performs any part of a  
3 health examination, then a physician licensed to practice  
4 medicine in all of its branches must review and sign all  
5 required report forms. Licensed dentists shall perform all  
6 dental examinations and shall sign all report forms required by  
7 subsection (4) of this Section that pertain to the dental  
8 examinations. Physicians licensed to practice medicine in all  
9 its branches or licensed optometrists shall perform all eye  
10 examinations required by this Section and shall sign all report  
11 forms required by subsection (4) of this Section that pertain  
12 to the eye examination. For purposes of this Section, an eye  
13 examination shall at a minimum include history, visual acuity,  
14 subjective refraction to best visual acuity near and far,  
15 internal and external examination, and a glaucoma evaluation,  
16 as well as any other tests or observations that in the  
17 professional judgment of the doctor are necessary. Vision and  
18 hearing screening tests, which shall not be considered  
19 examinations as that term is used in this Section, shall be  
20 conducted in accordance with rules and regulations of the  
21 Department of Public Health, and by individuals whom the  
22 Department of Public Health has certified. In these rules and  
23 regulations, the Department of Public Health shall require that  
24 individuals conducting vision screening tests give a child's  
25 parent or guardian written notification, before the vision  
26 screening is conducted, that states, "Vision screening is not a

1 substitute for a complete eye and vision evaluation by an eye  
2 doctor. Your child is not required to undergo this vision  
3 screening if an optometrist or ophthalmologist has completed  
4 and signed a report form indicating that an examination has  
5 been administered within the previous 12 months."

6 (3) Every child shall, at or about the same time as he or  
7 she receives a health examination required by subsection (1) of  
8 this Section, present to the local school proof of having  
9 received such immunizations against preventable communicable  
10 diseases as the Department of Public Health shall require by  
11 rules and regulations promulgated pursuant to this Section and  
12 the Communicable Disease Prevention Act.

13 (4) The individuals conducting the health examination,  
14 dental examination, or eye examination shall record the fact of  
15 having conducted the examination, and such additional  
16 information as required, including for a health examination  
17 data relating to obesity (including at a minimum, date of  
18 birth, gender, height, weight, blood pressure, and date of  
19 exam), on uniform forms which the Department of Public Health  
20 and the State Board of Education shall prescribe for statewide  
21 use. The examiner shall summarize on the report form any  
22 condition that he or she suspects indicates a need for special  
23 services, including for a health examination factors relating  
24 to obesity. The individuals confirming the administration of  
25 required immunizations shall record as indicated on the form  
26 that the immunizations were administered.



1           (5) If a child does not submit proof of having had either  
2 the health examination or the immunization as required, then  
3 the child shall be examined or receive the immunization, as the  
4 case may be, and present proof by October 15 of the current  
5 school year, or by an earlier date of the current school year  
6 established by a school district. To establish a date before  
7 October 15 of the current school year for the health  
8 examination or immunization as required, a school district must  
9 give notice of the requirements of this Section 60 days prior  
10 to the earlier established date. If for medical reasons one or  
11 more of the required immunizations must be given after October  
12 15 of the current school year, or after an earlier established  
13 date of the current school year, then the child shall present,  
14 by October 15, or by the earlier established date, a schedule  
15 for the administration of the immunizations and a statement of  
16 the medical reasons causing the delay, both the schedule and  
17 the statement being issued by the physician, advanced practice  
18 nurse, physician assistant, registered nurse, or local health  
19 department that will be responsible for administration of the  
20 remaining required immunizations. If a child does not comply by  
21 October 15, or by the earlier established date of the current  
22 school year, with the requirements of this subsection, then the  
23 local school authority shall exclude that child from school  
24 until such time as the child presents proof of having had the  
25 health examination as required and presents proof of having  
26 received those required immunizations which are medically

1 possible to receive immediately. During a child's exclusion  
2 from school for noncompliance with this subsection, the child's  
3 parents or legal guardian shall be considered in violation of  
4 Section 26-1 and subject to any penalty imposed by Section  
5 26-10. This subsection (5) does not apply to dental  
6 examinations and eye examinations. ~~If Until June 30, 2015, if~~  
7 the student is an out-of-state transfer student and does not  
8 have the proof required under this subsection (5) before  
9 October 15 of the current year or whatever date is set by the  
10 school district, then he or she may only attend classes (i) if  
11 he or she has proof that an appointment for the required  
12 vaccinations has been scheduled with a party authorized to  
13 submit proof of the required vaccinations. If the proof of  
14 vaccination required under this subsection (5) is not submitted  
15 within 30 days after the student is permitted to attend  
16 classes, then the student is not to be permitted to attend  
17 classes until proof of the vaccinations has been properly  
18 submitted. No school district or employee of a school district  
19 shall be held liable for any injury or illness to another  
20 person that results from admitting an out-of-state transfer  
21 student to class that has an appointment scheduled pursuant to  
22 this subsection (5).

23 (6) Every school shall report to the State Board of  
24 Education by November 15, in the manner which that agency shall  
25 require, the number of children who have received the necessary  
26 immunizations and the health examination (other than a dental

1 examination or eye examination) as required, indicating, of  
2 those who have not received the immunizations and examination  
3 as required, the number of children who are exempt from health  
4 examination and immunization requirements on religious or  
5 medical grounds as provided in subsection (8). On or before  
6 December 1 of each year, every public school district and  
7 registered nonpublic school shall make publicly available the  
8 immunization data they are required to submit to the State  
9 Board of Education by November 15. The immunization data made  
10 publicly available must be identical to the data the school  
11 district or school has reported to the State Board of  
12 Education.

13 Every school shall report to the State Board of Education  
14 by June 30, in the manner that the State Board requires, the  
15 number of children who have received the required dental  
16 examination, indicating, of those who have not received the  
17 required dental examination, the number of children who are  
18 exempt from the dental examination on religious grounds as  
19 provided in subsection (8) of this Section and the number of  
20 children who have received a waiver under subsection (1.5) of  
21 this Section.

22 Every school shall report to the State Board of Education  
23 by June 30, in the manner that the State Board requires, the  
24 number of children who have received the required eye  
25 examination, indicating, of those who have not received the  
26 required eye examination, the number of children who are exempt

1 from the eye examination as provided in subsection (8) of this  
2 Section, the number of children who have received a waiver  
3 under subsection (1.10) of this Section, and the total number  
4 of children in noncompliance with the eye examination  
5 requirement.

6 The reported information under this subsection (6) shall be  
7 provided to the Department of Public Health by the State Board  
8 of Education.

9 (7) Upon determining that the number of pupils who are  
10 required to be in compliance with subsection (5) of this  
11 Section is below 90% of the number of pupils enrolled in the  
12 school district, 10% of each State aid payment made pursuant to  
13 Section 18-8.05 to the school district for such year may be  
14 withheld by the State Board of Education until the number of  
15 students in compliance with subsection (5) is the applicable  
16 specified percentage or higher.

17 (8) Parents or legal guardians who object to health,  
18 dental, or eye examinations or any part thereof, or to  
19 immunizations, on religious grounds shall not be required to  
20 submit their children or wards to the examinations or  
21 immunizations to which they so object if such parents or legal  
22 guardians present to the appropriate local school authority a  
23 signed statement of objection, detailing the grounds for the  
24 objection. If the physical condition of the child is such that  
25 any one or more of the immunizing agents should not be  
26 administered, the examining physician, advanced practice

1 nurse, or physician assistant responsible for the performance  
2 of the health examination shall endorse that fact upon the  
3 health examination form. Exempting a child from the health,  
4 dental, or eye examination does not exempt the child from  
5 participation in the program of physical education training  
6 provided in Sections 27-5 through 27-7 of this Code.

7 (9) For the purposes of this Section, "nursery schools"  
8 means those nursery schools operated by elementary school  
9 systems or secondary level school units or institutions of  
10 higher learning.

11 (Source: P.A. 96-953, eff. 6-28-10; 97-216, eff. 1-1-12;  
12 97-910, eff. 1-1-13.)

13 Section 10. The Illinois School Student Records Act is  
14 amended by changing Section 8.1 as follows:

15 (105 ILCS 10/8.1) (from Ch. 122, par. 50-8.1)

16 Sec. 8.1. (a) No school may refuse to admit or enroll a  
17 student because of that student's failure to present his  
18 student permanent or temporary record from a school previously  
19 attended.

20 (b) When a new student applies for admission to a school  
21 and does not present his school student record, such school may  
22 notify the school or school district last attended by such  
23 student, requesting that the student's school student record be  
24 copied and sent to it; such request shall be honored within 10

1 days after it is received. Within 10 days after receiving a  
2 request from the Department of Children and Family Services,  
3 the school district last attended by the student shall send the  
4 student's school student record to the receiving school  
5 district.

6 (c) In the case of a transfer between school districts of a  
7 student who is eligible for special education and related  
8 services, when the parent or guardian of the student presents a  
9 copy of the student's then current individualized education  
10 program (IEP) to the new school, the student shall be placed in  
11 a special education program in accordance with that described  
12 in the student's IEP.

13 (d) Out-of-state ~~Until June 30, 2015, out-of-state~~  
14 ~~transfer students, including children of military personnel~~  
15 ~~that transfer into this State,~~ may use unofficial transcripts  
16 for admission to a school until official transcripts are  
17 obtained from his or her last school district, including  
18 children of military personnel that transfer into this State,  
19 subject to Section 32 of the Educational Opportunity for  
20 Military Children Act.

21 (Source: P.A. 96-953, eff. 6-28-10; 97-216, eff. 1-1-12.)

22 Section 15. The Educational Opportunity for Military  
23 Children Act is amended by changing Sections 5, 10, 20, 25, 35,  
24 and 40 and by adding Sections 32 and 33 as follows:

1 (105 ILCS 70/5)

2 (Section scheduled to be repealed on June 30, 2015)

3 Sec. 5. Purpose. It is the purpose of this Act to remove  
4 barriers to educational success imposed on children of active  
5 duty military personnel ~~families~~ because of frequent moves and  
6 deployment of their parents by:

7 (1) facilitating the timely enrollment of children of  
8 active duty military personnel ~~families~~ and ensuring that  
9 they are not placed at a disadvantage due to difficulty in  
10 the transfer of educational records from the previous  
11 school district;

12 (2) facilitating the student placement process through  
13 which children of active duty military personnel ~~families~~  
14 are not disadvantaged by variations in attendance  
15 requirements, scheduling, sequencing, or assessment;

16 (3) facilitating the qualification and eligibility for  
17 enrollment and educational programs of children of active  
18 duty military personnel;

19 (4) facilitating the on-time graduation of children of  
20 active duty military personnel ~~families~~; and

21 (5) promoting flexibility and cooperation between the  
22 educational system, parents, and the student in order to  
23 achieve educational success for the student.

24 (Source: P.A. 96-953, eff. 6-28-10.)

25 (105 ILCS 70/10)

1 (Section scheduled to be repealed on June 30, 2015)

2 Sec. 10. Findings; authority to enter into compact. The  
3 General Assembly finds and declares that this State recognizes  
4 that there is created an Interstate Commission on Educational  
5 Opportunity for Military Children through the Council of State  
6 Governments, in cooperation with the U.S. Department of Defense  
7 Office of Personnel and Readiness, for addressing the needs of  
8 students in transition. The Interstate Commission on  
9 Educational Opportunity for Military Children is a group of  
10 member states who have joined to create laws easing the  
11 transition of children of active duty military personnel  
12 ~~families~~. The Governor of this State is authorized and directed  
13 to enter into a compact governed by this Act on behalf of this  
14 State with any of the United States legally joining therein.

15 (Source: P.A. 96-953, eff. 6-28-10.)

16 (105 ILCS 70/20)

17 (Section scheduled to be repealed on June 30, 2015)

18 Sec. 20. Definitions. For purposes of this Act:

19 "Active duty military personnel" means active duty members  
20 of the uniformed military services, including any of the  
21 following:

22 (1) Members of the National Guard and Reserve that are  
23 on active duty pursuant to 10 U.S.C. 1209 and 10 U.S.C.  
24 1211.

25 (2) Members or veterans of the uniformed services who



1 are severely injured and medically discharged or retired  
2 for a period of one year after medical discharge or  
3 retirement.

4 (3) Members of the uniformed services who die on active  
5 duty for a period of one year after death.

6 "Non-custodial parent" means a person who has temporary  
7 custody of the child of any active duty military personnel and  
8 who is responsible for making decisions for that child.

9 "State Council" means the Illinois P-20 Council and  
10 additional representatives appointed by the Illinois P-20  
11 Council as provided under Section 40 of this Act.

12 (Source: P.A. 96-953, eff. 6-28-10.)

13 (105 ILCS 70/25)

14 (Section scheduled to be repealed on June 30, 2015)

15 Sec. 25. Tuition for children of active duty military  
16 personnel who are transfer students. ~~(a) For purposes of this~~  
17 ~~Section, "non custodial parent" means a person who has~~  
18 ~~temporary custody of the child of active duty military~~  
19 ~~personnel and who is responsible for making decisions for that~~  
20 ~~child.~~ ~~(b)~~ If a student who is a child of active duty military  
21 personnel is (i) placed with a non-custodial parent and (ii) as  
22 a result of placement, must attend a non-resident school  
23 district, then the student must not be charged the tuition of  
24 the school that the student attends as a result of placement  
25 with the non-custodial parent and the student must be counted

1 in the calculation of average daily attendance under Section  
2 18-8.05 of the School Code.

3 (Source: P.A. 96-953, eff. 6-28-10.)

4 (105 ILCS 70/32 new)

5 Sec. 32. Educational records for children of active duty  
6 military personnel.

7 (a) In the event that official educational records cannot  
8 be released to parents for the purpose of transfer, the  
9 custodian of the records in the sending state shall prepare and  
10 furnish to the parent a complete set of unofficial educational  
11 records to the extent feasible. Upon receipt of the unofficial  
12 educational records by a school in the receiving state, the  
13 school shall enroll and appropriately place the student based  
14 on the information provided in the unofficial records, pending  
15 validation by the official records as quickly as possible. This  
16 subsection (a) does not preclude the school in the receiving  
17 state from performing subsequent evaluations to ensure  
18 appropriate placement and continued enrollment of the student  
19 in a course or courses.

20 (b) Simultaneous with the enrollment and conditional  
21 placement of a student, the school in the receiving state shall  
22 request the student's official educational record from the  
23 school in the sending state. Upon receipt of this request, the  
24 school in the sending state shall process and furnish the  
25 official educational records to the receiving state within 15

1 days.

2 (105 ILCS 70/33 new)

3 Sec. 33. Enrollment and entrance age for children of active  
4 duty military personnel. Students must be allowed to continue  
5 their enrollment at grade level in the receiving state  
6 commensurate with their grade level (including kindergarten)  
7 at the school in the sending state at the time of transition. A  
8 student who has satisfactorily completed the requisite grade  
9 level in the school in the sending state is eligible for  
10 enrollment in the next highest grade level in the receiving  
11 state. A student transferring after the start of the school  
12 year in the receiving state shall enter the school in the  
13 receiving state at his or her validated grade level at an  
14 accredited school in the sending state. This Section does not  
15 preclude the school in the receiving state from performing  
16 subsequent evaluations to ensure appropriate placement of the  
17 student.

18 (105 ILCS 70/35)

19 (Section scheduled to be repealed on June 30, 2015)

20 Sec. 35. Course placement; program placement; placement  
21 flexibility; graduation; extracurricular activities; absences  
22 related to deployment activities for children of active duty  
23 military personnel ~~Required courses for transfer students;~~  
24 ~~pre-requisites; credit transfer; graduation.~~

1           (a) If a student transfers before or during the school  
2 year, the school in the receiving state shall initially honor  
3 placement of the student in educational courses based on the  
4 student's enrollment in the school in the sending state or  
5 educational assessments conducted at the school in the sending  
6 state if the courses are offered and space is available. Course  
7 placement includes, but is not limited to, honors,  
8 International Baccalaureate, Advanced Placement, vocational,  
9 and technical and career pathways courses. Continuing the  
10 student's academic program from the school in the sending state  
11 and promoting placement in academically and career-challenging  
12 courses must be paramount when considering placement. This  
13 subsection (a) does not preclude the school in the receiving  
14 state from performing subsequent evaluations to ensure  
15 appropriate placement and continued enrollment of the student  
16 in the course or courses. ~~A student that transfers to a new~~  
17 ~~school district may transfer into a comparable course to~~  
18 ~~continue credit work for a course from which the student~~  
19 ~~transferred out of only if the new school district offers the~~  
20 ~~course and space is available. This subsection (a) includes~~  
21 ~~courses offered for gifted and talented children pursuant to~~  
22 ~~Article 14A of the School Code and courses for English as a~~  
23 ~~Second Language program.~~

24           (b) The receiving school shall initially honor the  
25 placement of the student in educational programs based on  
26 current educational assessments conducted at the school in the

1 sending state or participation or placement in like programs in  
2 the school in the sending state. Such programs include, but are  
3 not limited to, gifted and talented programs and English as a  
4 Second Language (ESL). This subsection (b) does not preclude  
5 the school in the receiving state from performing subsequent  
6 evaluations to ensure appropriate placement of the student. The  
7 ~~school district of a school may determine if courses taken by a~~  
8 ~~transfer student at his or her old school satisfy the~~  
9 ~~pre-requisite course requirements for any courses that the~~  
10 ~~transfer student wishes to take at his or her current school.~~  
11 ~~The school district may determine a current and future schedule~~  
12 ~~that is appropriate for the student that satisfies any~~  
13 ~~pre-requisite course requirements in order for that student to~~  
14 ~~take any courses that he or she wishes to attend.~~

15 (c) The school district of a school shall have flexibility  
16 in waiving course or program prerequisites or other  
17 preconditions for placement in offered courses or programs. The  
18 school district of a school shall ~~may~~ work with a transfer  
19 student to determine an appropriate schedule that ensures that  
20 a student will graduate, provided that the student has met the  
21 district's minimal graduation requirements, which may be  
22 modified provided that the modifications are a result of  
23 scheduling issues and not a result of the student's academic  
24 failure.

25 (d) If a student transfers to a new school district during  
26 his or her senior year and the receiving school district cannot

1 make reasonable adjustments under this Section to ensure  
2 graduation, then the school district shall make every  
3 reasonable effort to ensure that the school district from where  
4 the student transfers issues the student a diploma.

5 (e) Schools shall facilitate the opportunity for  
6 transitioning military children's inclusion in extracurricular  
7 activities, to the extent the children are otherwise qualified  
8 and space is available as determined by the school principal.

9 (f) A student whose parent or legal guardian is an active  
10 duty member of the uniformed services and has been called to  
11 duty for, is on leave from, or has immediately returned from  
12 deployment to a combat zone or combat-support posting must be  
13 granted additional absences, at the discretion of the school  
14 district's superintendent, to visit with his or her parent or  
15 legal guardian relative to such leave or deployment of the  
16 parent or guardian.

17 (Source: P.A. 96-953, eff. 6-28-10.)

18 (105 ILCS 70/40)

19 (Section scheduled to be repealed on June 30, 2015)

20 Sec. 40. State coordination.

21 (a) Each member state of the Interstate Commission on  
22 Educational Opportunity for Military Children shall, through  
23 the creation of a State Council or use of an existing body or  
24 board, provide for the coordination among its agencies of  
25 government, local education agencies, and military

1 installations concerning the State's participation in and  
2 compliance with the compact and Interstate Commission  
3 activities. The State Council shall be comprised of the  
4 Illinois P-20 Council, a representative from each school  
5 district associated with each of this State's 3 major, active  
6 duty military installations having the highest percentage of  
7 students who are children of active duty military personnel, a  
8 representative from the school district with the highest  
9 percentage of students who are children of active duty military  
10 personnel not already represented in the State Council,  
11 ~~representatives appointed by the Illinois P-20 Council from the~~  
12 ~~3 school districts in this State with the highest percentage of~~  
13 ~~children from military families,~~ and a ~~one~~ non-voting  
14 representative appointed by each active-duty military  
15 installation commander in this State.

16 (b) The compact commissioner responsible for the  
17 administration and management of the State's participation in  
18 the compact shall be appointed by the State Council.

19 (Source: P.A. 96-953, eff. 6-28-10; 97-216, eff. 1-1-12.)

20 (105 ILCS 70/995 rep.)

21 Section 20. The Educational Opportunity for Military  
22 Children Act is amended by repealing Section 995.

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law."