



Sen. Kimberly A. Lightford

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1 AMENDMENT TO SENATE BILL 1307

2 AMENDMENT NO. _____. Amend Senate Bill 1307 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections
5 10-22.18, 26-1, and 26-2 and by adding Section 34-18.27a as
6 follows:

7 (105 ILCS 5/10-22.18) (from Ch. 122, par. 10-22.18)

8 Sec. 10-22.18. Kindergartens. To establish kindergartens
9 for the instruction of children between the ages of 4 and 6
10 years, if in their judgment the public interest requires it,
11 and to pay the necessary expenses thereof out of the school
12 funds of the district. Upon petition of at least 50 parents or
13 guardians of children between the ages of 4 and 6, residing
14 within any school district and within one mile of the public
15 school where such kindergarten is proposed to be established,
16 the board of directors shall, if funds are available, establish

1 a kindergarten in connection with the public school designated
2 in the petition and maintain it as long as the annual average
3 daily attendance therein is not less than 15. The board may
4 establish a kindergarten with half-day attendance or with
5 full-day attendance. If the board establishes full-day
6 kindergarten, it shall also establish half-day kindergarten.
7 No one shall be employed to teach in a kindergarten who does
8 not hold a certificate as provided by law.

9 Beginning with the 2013-2014 school year, each school
10 district must establish kindergarten for the instruction of
11 children who are 6 years of age on or before September 1.

12 (Source: P.A. 84-1308.)

13 (105 ILCS 5/26-1) (from Ch. 122, par. 26-1)

14 Sec. 26-1. Compulsory school age-Exemptions. Whoever has
15 custody or control of any child (i) between the ages of 7 and
16 17 years (unless the child has already graduated from high
17 school) for school years before the 2013-2014 school year or
18 (ii) between the ages of 6 (on or before September 1) and 17
19 years for school years after the 2012-2013 school year shall
20 cause such child to attend some public school in the district
21 wherein the child resides the entire time it is in session
22 during the regular school term, except as provided in Section
23 10-19.1, and during a required summer school program
24 established under Section 10-22.33B; provided, that the
25 following children shall not be required to attend the public

1 schools:

2 1. Any child attending a private or a parochial school
3 where children are taught the branches of education taught
4 to children of corresponding age and grade in the public
5 schools, and where the instruction of the child in the
6 branches of education is in the English language;

7 2. Any child who is physically or mentally unable to
8 attend school, such disability being certified to the
9 county or district truant officer by a competent physician
10 licensed in Illinois to practice medicine and surgery in
11 all its branches, a chiropractic physician licensed under
12 the Medical Practice Act of 1987, an advanced practice
13 nurse who has a written collaborative agreement with a
14 collaborating physician that authorizes the advanced
15 practice nurse to perform health examinations, a physician
16 assistant who has been delegated the authority to perform
17 health examinations by his or her supervising physician, or
18 a Christian Science practitioner residing in this State and
19 listed in the Christian Science Journal; or who is excused
20 for temporary absence for cause by the principal or teacher
21 of the school which the child attends; the exemptions in
22 this paragraph (2) do not apply to any female who is
23 pregnant or the mother of one or more children, except
24 where a female is unable to attend school due to a
25 complication arising from her pregnancy and the existence
26 of such complication is certified to the county or district

1 truuant officer by a competent physician;

2 3. Any child necessarily and lawfully employed
3 according to the provisions of the law regulating child
4 labor may be excused from attendance at school by the
5 county superintendent of schools or the superintendent of
6 the public school which the child should be attending, on
7 certification of the facts by and the recommendation of the
8 school board of the public school district in which the
9 child resides. In districts having part time continuation
10 schools, children so excused shall attend such schools at
11 least 8 hours each week;

12 4. Any child over 12 and under 14 years of age while in
13 attendance at confirmation classes;

14 5. Any child absent from a public school on a
15 particular day or days or at a particular time of day for
16 the reason that he is unable to attend classes or to
17 participate in any examination, study or work requirements
18 on a particular day or days or at a particular time of day,
19 because the tenets of his religion forbid secular activity
20 on a particular day or days or at a particular time of day.
21 Each school board shall prescribe rules and regulations
22 relative to absences for religious holidays including, but
23 not limited to, a list of religious holidays on which it
24 shall be mandatory to excuse a child; but nothing in this
25 paragraph 5 shall be construed to limit the right of any
26 school board, at its discretion, to excuse an absence on

1 any other day by reason of the observance of a religious
2 holiday. A school board may require the parent or guardian
3 of a child who is to be excused from attending school due
4 to the observance of a religious holiday to give notice,
5 not exceeding 5 days, of the child's absence to the school
6 principal or other school personnel. Any child excused from
7 attending school under this paragraph 5 shall not be
8 required to submit a written excuse for such absence after
9 returning to school; and

10 6. Any child 16 years of age or older who (i) submits
11 to a school district evidence of necessary and lawful
12 employment pursuant to paragraph 3 of this Section and (ii)
13 is enrolled in a graduation incentives program pursuant to
14 Section 26-16 of this Code or an alternative learning
15 opportunities program established pursuant to Article 13B
16 of this Code.

17 (Source: P.A. 96-367, eff. 8-13-09.)

18 (105 ILCS 5/26-2) (from Ch. 122, par. 26-2)

19 Sec. 26-2. Enrolled pupils not of compulsory school age
20 ~~below 7 or over 17.~~

21 (a) For school years before the 2013-2014 school year, any
22 ~~Any~~ person having custody or control of a child who is below
23 the age of 7 years or is 17 years of age or above and who is
24 enrolled in any of grades kindergarten through 12 in the public
25 school shall cause him to attend the public school in the

1 district wherein he resides when it is in session during the
2 regular school term, unless he is excused under paragraph 2, 3,
3 4, 5, or 6 of Section 26-1. For school years after the
4 2012-2013 school year, any person having custody or control of
5 a child who is below the age of 6 years or above the age of 17
6 years and who is enrolled in any of grades kindergarten through
7 12 in the public school shall cause the child to attend the
8 public school in the district wherein he or she resides when it
9 is in session during the regular school term unless the child
10 is excused under paragraphs 2, 3, 4, or 5 of Section 26-1 of
11 this Code.

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

1 lead to graduation or receipt of a GED diploma.

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

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

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

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

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

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

21 A school or school district may deny enrollment to a
22 student 17 years of age or older for one semester for failure
23 to meet minimum attendance standards if all of the following
24 conditions are met:

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

1 prior to the current semester.

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

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

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

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

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

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

23 (e) In this subsection (e), "reenrolled student" means a
24 dropout who has reenrolled full-time in a public school. Each
25 school district shall identify, track, and report on the
26 educational progress and outcomes of reenrolled students as a

1 subset of the district's required reporting on all enrollments.
2 A reenrolled student who again drops out must not be counted
3 again against a district's dropout rate performance measure.
4 The State Board of Education shall set performance standards
5 for programs serving reenrolled students.

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

9 (Source: P.A. 95-417, eff. 8-24-07.)

10 (105 ILCS 5/34-18.27a new)

11 Sec. 34-18.27a. Mandatory kindergarten. Beginning with the
12 2013-2014 school year, the board must establish kindergarten
13 for the instruction of children who are 6 years of age on or
14 before September 1. The board may elect to establish either
15 full-day or half-day attendance for kindergarten.

16 Section 99. Effective date. This Act takes effect July 1,
17 2014."