

HB4567



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4567

by Rep. Kathleen Willis

SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.71

from Ch. 122, par. 2-3.71

Amends the School Code. Makes a technical change in a Section concerning grants for preschool educational programs.

LRB100 18766 AXK 34002 b

A BILL FOR

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 Section
5 2-3.71 as follows:

6 (105 ILCS 5/2-3.71) (from Ch. 122, par. 2-3.71)
7 Sec. 2-3.71. Grants for preschool educational programs.

8 (a) Preschool program.

9 (1) The ~~The~~ State Board of Education shall implement
10 and administer a grant program under the provisions of this
11 subsection which shall consist of grants to public school
12 districts and other eligible entities, as defined by the
13 State Board of Education, to conduct voluntary preschool
14 educational programs for children ages 3 to 5 which include
15 a parent education component. A public school district
16 which receives grants under this subsection may
17 subcontract with other entities that are eligible to
18 conduct a preschool educational program. These grants must
19 be used to supplement, not supplant, funds received from
20 any other source.

21 (2) (Blank).

22 (3) Any teacher of preschool children in the program
23 authorized by this subsection shall hold an early childhood

1 teaching certificate.

2 (4) (Blank).

3 (4.5) The State Board of Education shall provide the
4 primary source of funding through appropriations for the
5 program. Such funds shall be distributed to achieve a goal
6 of "Preschool for All Children" for the benefit of all
7 children whose families choose to participate in the
8 program. Based on available appropriations, newly funded
9 programs shall be selected through a process giving first
10 priority to qualified programs serving primarily at-risk
11 children and second priority to qualified programs serving
12 primarily children with a family income of less than 4
13 times the poverty guidelines updated periodically in the
14 Federal Register by the U.S. Department of Health and Human
15 Services under the authority of 42 U.S.C. 9902(2). For
16 purposes of this paragraph (4.5), at-risk children are
17 those who because of their home and community environment
18 are subject to such language, cultural, economic and like
19 disadvantages to cause them to have been determined as a
20 result of screening procedures to be at risk of academic
21 failure. Such screening procedures shall be based on
22 criteria established by the State Board of Education.

23 Except as otherwise provided in this paragraph (4.5),
24 grantees under the program must enter into a memorandum of
25 understanding with the appropriate local Head Start
26 agency. This memorandum must be entered into no later than

1 3 months after the award of a grantee's grant under the
2 program, except that, in the case of the 2009-2010 program
3 year, the memorandum must be entered into no later than the
4 deadline set by the State Board of Education for
5 applications to participate in the program in fiscal year
6 2011, and must address collaboration between the grantee's
7 program and the local Head Start agency on certain issues,
8 which shall include without limitation the following:

9 (A) educational activities, curricular objectives,
10 and instruction;

11 (B) public information dissemination and access to
12 programs for families contacting programs;

13 (C) service areas;

14 (D) selection priorities for eligible children to
15 be served by programs;

16 (E) maximizing the impact of federal and State
17 funding to benefit young children;

18 (F) staff training, including opportunities for
19 joint staff training;

20 (G) technical assistance;

21 (H) communication and parent outreach for smooth
22 transitions to kindergarten;

23 (I) provision and use of facilities,
24 transportation, and other program elements;

25 (J) facilitating each program's fulfillment of its
26 statutory and regulatory requirements;

1 (K) improving local planning and collaboration;

2 and

3 (L) providing comprehensive services for the
4 neediest Illinois children and families.

5 If the appropriate local Head Start agency is unable or
6 unwilling to enter into a memorandum of understanding as
7 required under this paragraph (4.5), the memorandum of
8 understanding requirement shall not apply and the grantee
9 under the program must notify the State Board of Education
10 in writing of the Head Start agency's inability or
11 unwillingness. The State Board of Education shall compile
12 all such written notices and make them available to the
13 public.

14 (5) The State Board of Education shall develop and
15 provide evaluation tools, including tests, that school
16 districts and other eligible entities may use to evaluate
17 children for school readiness prior to age 5. The State
18 Board of Education shall require school districts and other
19 eligible entities to obtain consent from the parents or
20 guardians of children before any evaluations are
21 conducted. The State Board of Education shall encourage
22 local school districts and other eligible entities to
23 evaluate the population of preschool children in their
24 communities and provide preschool programs, pursuant to
25 this subsection, where appropriate.

26 (6) The State Board of Education shall report to the

1 General Assembly by November 1, 2018 and every 2 years
2 thereafter on the results and progress of students who were
3 enrolled in preschool educational programs, including an
4 assessment of which programs have been most successful in
5 promoting academic excellence and alleviating academic
6 failure. The State Board of Education shall assess the
7 academic progress of all students who have been enrolled in
8 preschool educational programs.

9 On or before November 1 of each fiscal year in which
10 the General Assembly provides funding for new programs
11 under paragraph (4.5) of this Section, the State Board of
12 Education shall report to the General Assembly on what
13 percentage of new funding was provided to programs serving
14 primarily at-risk children, what percentage of new funding
15 was provided to programs serving primarily children with a
16 family income of less than 4 times the federal poverty
17 level, and what percentage of new funding was provided to
18 other programs.

19 (7) Due to evidence that expulsion practices in the
20 preschool years are linked to poor child outcomes and are
21 employed inconsistently across racial and gender groups,
22 early childhood programs receiving State funds under this
23 subsection (a) shall prohibit expulsions. Planned
24 transitions to settings that are able to better meet a
25 child's needs are not considered expulsion under this
26 paragraph (7).

1 (A) When persistent and serious challenging
2 behaviors emerge, the early childhood program shall
3 document steps taken to ensure that the child can
4 participate safely in the program; including
5 observations of initial and ongoing challenging
6 behaviors, strategies for remediation and intervention
7 plans to address the behaviors, and communication with
8 the parent or legal guardian, including participation
9 of the parent or legal guardian in planning and
10 decision-making.

11 (B) The early childhood program shall, with
12 parental or legal guardian consent as required,
13 utilize a range of community resources, if available
14 and deemed necessary, including, but not limited to,
15 developmental screenings, referrals to programs and
16 services administered by a local educational agency or
17 early intervention agency under Parts B and C of the
18 federal Individual with Disabilities Education Act,
19 and consultation with infant and early childhood
20 mental health consultants and the child's health care
21 provider. The program shall document attempts to
22 engage these resources, including parent or legal
23 guardian participation and consent attempted and
24 obtained. Communication with the parent or legal
25 guardian shall take place in a culturally and
26 linguistically competent manner.

1 (C) If there is documented evidence that all
2 available interventions and supports recommended by a
3 qualified professional have been exhausted and the
4 program determines in its professional judgment that
5 transitioning a child to another program is necessary
6 for the well-being of the child or his or her peers and
7 staff, with parent or legal guardian permission, both
8 the current and pending programs shall create a
9 transition plan designed to ensure continuity of
10 services and the comprehensive development of the
11 child. Communication with families shall occur in a
12 culturally and linguistically competent manner.

13 (D) Nothing in this paragraph (7) shall preclude a
14 parent's or legal guardian's right to voluntarily
15 withdraw his or her child from an early childhood
16 program. Early childhood programs shall request and
17 keep on file, when received, a written statement from
18 the parent or legal guardian stating the reason for his
19 or her decision to withdraw his or her child.

20 (E) In the case of the determination of a serious
21 safety threat to a child or others or in the case of
22 behaviors listed in subsection (d) of Section 10-22.6
23 of this Code, the temporary removal of a child from
24 attendance in group settings may be used. Temporary
25 removal of a child from attendance in a group setting
26 shall trigger the process detailed in subparagraphs

1 (A), (B), and (C) of this paragraph (7), with the child
2 placed back in a group setting as quickly as possible.

3 (F) Early childhood programs may utilize and the
4 State Board of Education, the Department of Human
5 Services, and the Department of Children and Family
6 Services shall recommend training, technical support,
7 and professional development resources to improve the
8 ability of teachers, administrators, program
9 directors, and other staff to promote social-emotional
10 development and behavioral health, to address
11 challenging behaviors, and to understand trauma and
12 trauma-informed care, cultural competence, family
13 engagement with diverse populations, the impact of
14 implicit bias on adult behavior, and the use of
15 reflective practice techniques. Support shall include
16 the availability of resources to contract with infant
17 and early childhood mental health consultants.

18 (G) Beginning on July 1, 2018, early childhood
19 programs shall annually report to the State Board of
20 Education, and, beginning in fiscal year 2020, the
21 State Board of Education shall make available on a
22 biennial basis, in an existing report, all of the
23 following data for children from birth to age 5 who are
24 served by the program:

25 (i) Total number served over the course of the
26 program year and the total number of children who

1 left the program during the program year.

2 (ii) Number of planned transitions to another
3 program due to children's behavior, by children's
4 race, gender, disability, language, class/group
5 size, teacher-child ratio, and length of program
6 day.

7 (iii) Number of temporary removals of a child
8 from attendance in group settings due to a serious
9 safety threat under subparagraph (E) of this
10 paragraph (7), by children's race, gender,
11 disability, language, class/group size,
12 teacher-child ratio, and length of program day.

13 (iv) Hours of infant and early childhood
14 mental health consultant contact with program
15 leaders, staff, and families over the program
16 year.

17 (H) Changes to services for children with an
18 individualized education program or individual family
19 service plan shall be construed in a manner consistent
20 with the federal Individuals with Disabilities
21 Education Act.

22 The State Board of Education, in consultation with the
23 Governor's Office of Early Childhood Development and the
24 Department of Children and Family Services, shall adopt
25 rules to administer this paragraph (7).

26 (b) (Blank).

HB4567

- 10 -

LRB100 18766 AXK 34002 b

1 (Source: P.A. 100-105, eff. 1-1-18.)