

AN ACT concerning education.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The School Code is amended by changing Section 10-22.18 as follows:

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

Sec. 10-22.18. Kindergartens.

(a) As used in this subsection (a), "play-based learning" means either teacher-initiated play or student-initiated play. In this definition, "teacher-initiated play" means intentional teacher-directed play with activities set up and led by a teacher that are aligned to learning goals or standards, and "student-initiated play" means child-selected opportunities to build, pretend, create, move, or explore in an environment intentionally curated by a teacher to align with learning goals or standards.

To establish kindergartens for the instruction of children between the ages of 4 and 6 years and to pay the necessary expenses thereof out of the school funds of the district. Until the 2027-2028 school year, upon petition of at least 50 parents or guardians of children between the ages of 4 and 6, residing within any school district and within one mile of the public school where such kindergarten is proposed to be

established, the board of directors shall, if funds are available, establish a kindergarten in connection with the public school designated in the petition and maintain it as long as the annual average daily attendance therein is not less than 15. Until the 2027-2028 school year, the board may establish a kindergarten with half-day attendance or with full-day attendance; however, if the board establishes full-day kindergarten, it shall also establish half-day kindergarten. Beginning with the 2027-2028 school year, each school board must establish a kindergarten with full-day attendance and may establish a kindergarten with half-day attendance. Full-day and half-day kindergarten should be developmentally appropriate and provide opportunities for play-based learning. No one shall be employed to teach in a kindergarten who does not hold a license as provided by law.

(b) An elementary or unit school district that does not offer full-day kindergarten as of October 1, 2022, may, by action of the State Board of Education, apply for an extension of the 2027-2028 school year implementation deadline for 2 additional years if one of the following criteria are met:

(1) the school district is funded below 76% of adequacy according to the Evidence-Based Funding formula under Section 18-8.15 of this Code in Fiscal Year 2023;

(2) the school district is ranked in the top 25% of capital funding need by the Full-Day Kindergarten Task Force, but has yet to receive capital funding as of the

date of the application; or

(3) the school district meets a criterion set by the State Board of Education based on the Full-Day Kindergarten Task Force's recommendations under subsection (b) of Section 10-22.18e of this Code.

(Source: P.A. 102-894, eff. 5-20-22; 103-410, eff. 8-2-23.)