

104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1419

Introduced 1/28/2025, by Rep. Jackie Haas

SYNOPSIS AS INTRODUCED:

325 ILCS 3/15-30

Amends the Department of Early Childhood Act. Provides that beginning on July 1, 2026, a preschool educational program funded by the Department of Early Childhood may admit children ages 3 to 5 who do not otherwise qualify for program services under the low income or at-risk criteria described under the Act if and only if open enrollment slots are available in the program after all reasonable efforts have been made to fill those slots with qualifying children. Provides that a preschool educational program that admits non-qualifying children must demonstrate, as prescribed by the Department, that it made all reasonable efforts to fill all enrollment slots with qualifying children. Provides that failure to demonstrate such efforts may result in a reduction in the grant amount awarded for the program. Effective July 1, 2026.

LRB104 02857 KTG 12867 b

1 AN ACT concerning children.

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

4 Section 5. The Department of Early Childhood Act is
5 amended by changing Section 15-30 as follows:

6 (325 ILCS 3/15-30)

7 Sec. 15-30. Grants for preschool educational programs.

8 (a) Preschool program.

9 (1) Through June 30, 2026, The State Board of
10 Education shall implement and administer a grant program
11 to conduct voluntary preschool educational programs for
12 children ages 3 to 5, which include a parent education
13 component, pursuant to Section 2-3.71 of the School Code.

14 (2) On and after July 1, 2026, the Department of Early
15 Childhood shall implement and administer a grant program
16 for school districts and other eligible entities, as
17 defined by the Department, to conduct voluntary preschool
18 educational programs for children ages 3 to 5 which
19 include a parent education component. A public school
20 district which receives grants under this subsection may
21 subcontract with other entities that are eligible to
22 conduct a preschool educational program. These grants must
23 be used to supplement, not supplant, funds received from

1 any other source.

2 (3) Except as otherwise provided under this subsection
3 (a), any teacher of preschool children in the program
4 authorized by this subsection shall hold a Professional
5 Educator License with an early childhood education
6 endorsement.

7 (3.5) Beginning with the 2018-2019 school year and
8 until the 2028-2029 school year, an individual may teach
9 preschool children in an early childhood program under
10 this Section if he or she holds a Professional Educator
11 License with an early childhood education endorsement or
12 with short-term approval for early childhood education or
13 he or she pursues a Professional Educator License and
14 holds any of the following:

15 (A) An ECE Credential Level of 5 awarded by the
16 Department of Human Services under the Gateways to
17 Opportunity Program developed under Section 10-70 of
18 the Department of Human Services Act.

19 (B) An Educator License with Stipulations with a
20 transitional bilingual educator endorsement and he or
21 she has (i) passed an early childhood education
22 content test or (ii) completed no less than 9 semester
23 hours of postsecondary coursework in the area of early
24 childhood education.

25 (4) Through June 30, 2026, the State Board of
26 Education shall provide the primary source of funding

1 through appropriations for the program. On and after July
2 1, 2026, the Department of Early Childhood shall provide
3 the primary source of funding through appropriations for
4 the program. Such funds shall be distributed to achieve a
5 goal of "Preschool for All Children" for the benefit of
6 all children whose families choose to participate in the
7 program. Based on available appropriations, newly funded
8 programs shall be selected through a process giving first
9 priority to qualified programs serving primarily at-risk
10 children and second priority to qualified programs serving
11 primarily children with a family income of less than 4
12 times the poverty guidelines updated periodically in the
13 Federal Register by the U.S. Department of Health and
14 Human Services under the authority of 42 U.S.C. 9902(2).
15 For purposes of this paragraph (4), at-risk children are
16 those who because of their home and community environment
17 are subject to such language, cultural, economic and like
18 disadvantages to cause them to have been determined as a
19 result of screening procedures to be at risk of academic
20 failure. Through June 30, 2026, such screening procedures
21 shall be based on criteria established by the State Board
22 of Education. On and after July 1, 2026, such screening
23 procedures shall be based on criteria established by the
24 Department of Early Childhood. Except as otherwise
25 provided in this paragraph (4), grantees under the program
26 must enter into a memorandum of understanding with the

1 appropriate local Head Start agency. This memorandum must
2 be entered into no later than 3 months after the award of a
3 grantee's grant under the program and must address
4 collaboration between the grantee's program and the local
5 Head Start agency on certain issues, which shall include
6 without limitation the following:

7 (A) educational activities, curricular objectives,
8 and instruction;

9 (B) public information dissemination and access to
10 programs for families contacting programs;

11 (C) service areas;

12 (D) selection priorities for eligible children to
13 be served by programs;

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

16 (F) staff training, including opportunities for
17 joint staff training;

18 (G) technical assistance;

19 (H) communication and parent outreach for smooth
20 transitions to kindergarten;

21 (I) provision and use of facilities,
22 transportation, and other program elements;

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

25 (K) improving local planning and collaboration;
26 and

1 (L) providing comprehensive services for the
2 neediest Illinois children and families. Through June
3 30, 2026, if the appropriate local Head Start agency
4 is unable or unwilling to enter into a memorandum of
5 understanding as required under this paragraph (4),
6 the memorandum of understanding requirement shall not
7 apply and the grantee under the program must notify
8 the State Board of Education in writing of the Head
9 Start agency's inability or unwillingness. Through
10 June 30, 2026, the State Board of Education shall
11 compile all such written notices and make them
12 available to the public. On and after July 1, 2026, if
13 the appropriate local Head Start agency is unable or
14 unwilling to enter into a memorandum of understanding
15 as required under this paragraph (4), the memorandum
16 of understanding requirement shall not apply and the
17 grantee under the program must notify the Department
18 of Early Childhood in writing of the Head Start
19 agency's inability or unwillingness. The Department of
20 Early Childhood shall compile all such written notices
21 and make them available to the public.

22 (4.5) Notwithstanding any other provision under this
23 Section, beginning on July 1, 2026, a preschool
24 educational program funded by the Department of Early
25 Childhood may admit children ages 3 to 5 who do not
26 otherwise qualify for program services under the low

income or at-risk criteria described in paragraph (4) if and only if open enrollment slots are available in the program after all reasonable efforts have been made to fill those slots with qualifying children. A preschool educational program that admits non-qualifying children must demonstrate, as prescribed by the Department, that it made all reasonable efforts to fill all enrollment slots with qualifying children. Failure to demonstrate such efforts may result in a reduction in the grant amount awarded for the program.

(5) Through June 30, 2026, the State Board of Education shall develop and provide evaluation tools, including tests, that school districts and other eligible entities may use to evaluate children for school readiness prior to age 5. The State Board of Education shall require school districts and other eligible entities to obtain consent from the parents or guardians of children before any evaluations are conducted. The State Board of Education shall encourage local school districts and other eligible entities to evaluate the population of preschool children in their communities and provide preschool programs, pursuant to this subsection, where appropriate.

(5.1) On and after July 1, 2026, the Department of Early Childhood shall develop and provide evaluation tools, including tests, that school districts and other eligible entities may use to evaluate children for school

1 readiness prior to age 5. The Department of Early
2 Childhood shall require school districts and other
3 eligible entities to obtain consent from the parents or
4 guardians of children before any evaluations are
5 conducted. The Department of Early Childhood shall
6 encourage local school districts and other eligible
7 entities to evaluate the population of preschool children
8 in their communities and provide preschool programs,
9 pursuant to this subsection, where appropriate.

10 (6) Through June 30, 2026, the State Board of
11 Education shall report to the General Assembly by November
12 1, 2018 and every 2 years thereafter on the results and
13 progress of students who were enrolled in preschool
14 educational programs, including an assessment of which
15 programs have been most successful in promoting academic
16 excellence and alleviating academic failure. Through June
17 30, 2026, the State Board of Education shall assess the
18 academic progress of all students who have been enrolled
19 in preschool educational programs. Through Fiscal Year
20 2026, on or before November 1 of each fiscal year in which
21 the General Assembly provides funding for new programs
22 under paragraph (4) of this Section, the State Board of
23 Education shall report to the General Assembly on what
24 percentage of new funding was provided to programs serving
25 primarily at-risk children, what percentage of new funding
26 was provided to programs serving primarily children with a

1 family income of less than 4 times the federal poverty
2 level, and what percentage of new funding was provided to
3 other programs.

4 (6.1) On and after July 1, 2026, the Department of
5 Early Childhood shall report to the General Assembly by
6 November 1, 2026 and every 2 years thereafter on the
7 results and progress of students who were enrolled in
8 preschool educational programs, including an assessment of
9 which programs have been most successful in promoting
10 academic excellence and alleviating academic failure. On
11 and after July 1, 2026, the Department of Early Childhood
12 shall assess the academic progress of all students who
13 have been enrolled in preschool educational programs.
14 Beginning in Fiscal Year 2027, on or before November 1 of
15 each fiscal year in which the General Assembly provides
16 funding for new programs under paragraph (4) of this
17 Section, the Department of Early Childhood shall report to
18 the General Assembly on what percentage of new funding was
19 provided to programs serving primarily at-risk children,
20 what percentage of new funding was provided to programs
21 serving primarily children with a family income of less
22 than 4 times the federal poverty level, and what
23 percentage of new funding was provided to other programs.

24 (7) Due to evidence that expulsion practices in the
25 preschool years are linked to poor child outcomes and are
26 employed inconsistently across racial and gender groups,

1 early childhood programs receiving State funds under this
2 subsection (a) shall prohibit expulsions. Planned
3 transitions to settings that are able to better meet a
4 child's needs are not considered expulsion under this
5 paragraph (7).

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

16 (B) The early childhood program shall, with
17 parental or legal guardian consent as required, use a
18 range of community resources, if available and deemed
19 necessary, including, but not limited to,
20 developmental screenings, referrals to programs and
21 services administered by a local educational agency or
22 early intervention agency under Parts B and C of the
23 federal Individual with Disabilities Education Act,
24 and consultation with infant and early childhood
25 mental health consultants and the child's health care
26 provider. The program shall document attempts to

1 engage these resources, including parent or legal
2 guardian participation and consent attempted and
3 obtained. Communication with the parent or legal
4 guardian shall take place in a culturally and
5 linguistically competent manner.

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

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

25 (E) In the case of the determination of a serious
26 safety threat to a child or others or in the case of

1 behaviors listed in subsection (d) of Section 10-22.6
2 of the School Code, the temporary removal of a child
3 from attendance in group settings may be used.
4 Temporary removal of a child from attendance in a
5 group setting shall trigger the process detailed in
6 subparagraphs (A), (B), and (C) of this paragraph (7),
7 with the child placed back in a group setting as
8 quickly as possible.

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

25 (G) Through June 30, 2026, early childhood
26 programs shall annually report to the State Board of

1 Education, and, beginning in Fiscal Year 2020, the
2 State Board of Education shall make available on a
3 biennial basis, in an existing report, all of the
4 following data for children from birth to age 5 who are
5 served by the program:

6 (i) Total number served over the course of the
7 program year and the total number of children who
8 left the program during the program year.

9 (ii) Number of planned transitions to another
10 program due to children's behavior, by children's
11 race, gender, disability, language, class/group
12 size, teacher-child ratio, and length of program
13 day.

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

20 (iv) Hours of infant and early childhood
21 mental health consultant contact with program
22 leaders, staff, and families over the program
23 year.

24 (G-5) On and after July 1, 2026, early childhood
25 programs shall annually report to the Department of
26 Early Childhood, and beginning in Fiscal Year 2028,

1 the Department of Early Childhood shall make available
2 on a biennial basis, in a report, all of the following
3 data for children from birth to age 5 who are served by
4 the program:

5 (i) Total number served over the course of the
6 program year and the total number of children who
7 left the program during the program year.

8 (ii) Number of planned transitions to another
9 program due to children's behavior, by children's
10 race, gender, disability, language, class/group
11 size, teacher-child ratio, and length of program
12 day.

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

19 (iv) Hours of infant and early childhood
20 mental health consultant contact with program
21 leaders, staff, and families over the program
22 year.

23 (H) Changes to services for children with an
24 individualized education program or individual family
25 service plan shall be construed in a manner consistent
26 with the federal Individuals with Disabilities

1 Education Act.

2 The Department of Early Childhood, in consultation
3 with the Department of Children and Family Services, shall
4 adopt rules to administer this paragraph (7).

5 (b) Notwithstanding any other provisions of this Section,
6 grantees may serve children ages 0 to 12 of essential workers
7 if the Governor has declared a disaster due to a public health
8 emergency pursuant to Section 7 of the Illinois Emergency
9 Management Agency Act. The Department of Early Childhood may
10 adopt rules to administer this subsection.

11 (Source: P.A. 103-594, eff. 6-25-24.)

12 Section 99. Effective date. This Act takes effect July 1,
13 2026.