

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 10-22.18 as follows:

6 (105 ILCS 5/10-22.18) (from Ch. 122, par. 10-22.18)

7 Sec. 10-22.18. Kindergartens.

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

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

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

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

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

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

1 date of the application; or
2 (3) the school district meets a criterion set by the
3 State Board of Education based on the Full-Day
4 Kindergarten Task Force's recommendations under subsection
5 (b) of Section 10-22.18e of this Code.
6 (Source: P.A. 102-894, eff. 5-20-22; 103-410, eff. 8-2-23.)