



Rep. Mary E. Flowers

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09500HB4441ham002

LRB095 14360 NHT 51302 a

1 AMENDMENT TO HOUSE BILL 4441

2 AMENDMENT NO. _____. Amend House Bill 4441, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The School Code is amended by changing Sections
6 10-20.12 and 34-19 as follows:

7 (105 ILCS 5/10-20.12) (from Ch. 122, par. 10-20.12)

8 Sec. 10-20.12. School year - School age. To establish and
9 keep in operation in each year during a school term of at least
10 the minimum length required by Section 10-19, a sufficient
11 number of free schools for the accommodation of all persons in
12 the district who are 5 years of age or older but under 21 years
13 of age, and to secure for all such persons the right and
14 opportunity to an equal education in such schools; provided
15 that (i) children who will attain the age of 5 years on or
16 before September 1 of the year of the 1990-1991 school term and

1 each school term thereafter may attend school upon the
2 commencement of such term, (ii) children who, for a full year,
3 have attended a pre-kindergarten program through a State Board
4 of Education early childhood education block grant or other
5 federal funds distributed by the State Board for
6 pre-kindergarten purposes or a pre-kindergarten program
7 accredited by the National Association for the Education of
8 Young Children and who will attain the age of 5 years on or
9 before December 31 of the year of the 2008-2009 school term and
10 each school term thereafter may attend school upon commencement
11 of such term, and (iii) children who have attended a full year
12 of a private prekindergarten program and continued their
13 education at that school through kindergarten and who will
14 attain the age of 6 years on or before December 31 of the year
15 of the 2008-2009 school term and each school term thereafter
16 may attend first grade upon commencement of such term. Based
17 upon an assessment of a child's readiness to attend school, a
18 school district may permit a child to attend school prior to
19 the dates contained in this Section. In any school district
20 operating on a full year school basis children who will attain
21 age 5 within 30 days after the commencement of a term may
22 attend school upon the commencement of such term. The school
23 district may, by resolution of its board, allow for a full year
24 school plan.

25 (Source: P.A. 87-359.)

1 (105 ILCS 5/34-19) (from Ch. 122, par. 34-19)

2 Sec. 34-19. By-laws, rules and regulations; business
3 transacted at regular meetings; voting; records. The board
4 shall, subject to the limitations in this Article, establish
5 by-laws, rules and regulations, which shall have the force of
6 ordinances, for the proper maintenance of a uniform system of
7 discipline for both employees and pupils, and for the entire
8 management of the schools, and may fix the school age of
9 pupils, the minimum of which in kindergartens shall not be
10 under 5 4 years, except that those pupils who, for a full year,
11 have attended a pre-kindergarten program through a State Board
12 of Education early childhood education block grant or other
13 federal funds distributed by the State Board for
14 pre-kindergarten purposes or a pre-kindergarten program
15 accredited by the National Association for the Education of
16 Young Children and who will attain the age of 5 years on or
17 before December 31 of the year of the 2008-2009 school term and
18 each school term thereafter may attend school upon commencement
19 of such term, and in grade schools shall not be under 6 years,
20 except that pupils who have attended a full year of a private
21 prekindergarten program and continued their education at that
22 school through kindergarten and who will attain the age of 6
23 years on or before December 31 of the year of the 2008-2009
24 school term and each school term thereafter may attend first
25 grade upon commencement of such term. It may expel, suspend or,
26 subject to the limitations of all policies established or

1 adopted under Section 14-8.05, otherwise discipline any pupil
2 found guilty of gross disobedience, misconduct or other
3 violation of the by-laws, rules and regulations. The bylaws,
4 rules and regulations of the board shall be enacted, money
5 shall be appropriated or expended, salaries shall be fixed or
6 changed, and textbooks and courses of instruction shall be
7 adopted or changed only at the regular meetings of the board
8 and by a vote of a majority of the full membership of the
9 board; provided that notwithstanding any other provision of
10 this Article or the School Code, neither the board or any local
11 school council may purchase any textbook for use in any public
12 school of the district from any textbook publisher that fails
13 to furnish any computer diskettes as required under Section
14 28-21. The board shall be further encouraged to provide
15 opportunities for public hearing and testimony before the
16 adoption of bylaws, rules and regulations. Upon all
17 propositions requiring for their adoption at least a majority
18 of all the members of the board the yeas and nays shall be
19 taken and reported. The by-laws, rules and regulations of the
20 board shall not be repealed, amended or added to, except by a
21 vote of 2/3 of the full membership of the board. The board
22 shall keep a record of all its proceedings. Such records and
23 all by-laws, rules and regulations, or parts thereof, may be
24 proved by a copy thereof certified to be such by the secretary
25 of the board, but if they are printed in book or pamphlet form
26 which are purported to be published by authority of the board

1 they need not be otherwise published and the book or pamphlet
2 shall be received as evidence, without further proof, of the
3 records, by-laws, rules and regulations, or any part thereof,
4 as of the dates thereof as shown in such book or pamphlet, in
5 all courts and places where judicial proceedings are had.

6 Notwithstanding any other provision in this Article or in
7 the School Code, the board may delegate to the general
8 superintendent or to the attorney the authorities granted to
9 the board in the School Code, provided such delegation and
10 appropriate oversight procedures are made pursuant to board
11 by-laws, rules and regulations, adopted as herein provided,
12 except that the board may not delegate its authorities and
13 responsibilities regarding (1) budget approval obligations;
14 (2) rule-making functions; (3) desegregation obligations; (4)
15 real estate acquisition, sale or lease in excess of 10 years as
16 provided in Section 34-21; (5) the levy of taxes; or (6) any
17 mandates imposed upon the board by "An Act in relation to
18 school reform in cities over 500,000, amending Acts herein
19 named", approved December 12, 1988 (P.A. 85-1418).
20 (Source: P.A. 88-45; 89-15, eff. 5-30-95.)

21 Section 99. Effective date. This Act takes effect July 1,
22 2008."