

1 AN ACT regarding schools.

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 26-2 as follows:

6 (105 ILCS 5/26-2) (from Ch. 122, par. 26-2)

7 Sec. 26-2. Enrolled pupils below 7 or over 17.

8 (a) Any person having custody or control of a child who is
9 below the age of 7 years or is 17 years of age or above and who
10 is enrolled in any of grades kindergarten ± through 12 in the
11 public school shall cause him to attend the public school in
12 the district wherein he resides when it is in session during
13 the regular school term, unless he is excused under paragraph
14 2, 3, 4, 5, or 6 of Section 26-1.

15 (b) A school district shall deny reenrollment in its
16 secondary schools to any child 19 years of age or above who has
17 dropped out of school and who could not, because of age and
18 lack of credits, attend classes during the normal school year
19 and graduate before his or her twenty-first birthday. A
20 district may, however, enroll the child in a graduation
21 incentives program under Section 26-16 of this Code or an
22 alternative learning opportunities program established under
23 Article 13B. No child shall be denied reenrollment for the

1 above reasons unless the school district first offers the child
2 due process as required in cases of expulsion under Section
3 10-22.6. If a child is denied reenrollment after being provided
4 with due process, the school district must provide counseling
5 to that child and must direct that child to alternative
6 educational programs, including adult education programs, that
7 lead to graduation or receipt of a GED diploma.

8 (c) A school or school district may deny enrollment to a
9 student 17 years of age or older for one semester for failure
10 to meet minimum academic standards if all of the following
11 conditions are met:

12 (1) The student achieved a grade point average of less
13 than "D" (or its equivalent) in the semester immediately
14 prior to the current semester.

15 (2) The student and the student's parent or guardian
16 are given written notice warning that the student is
17 failing academically and is subject to denial from
18 enrollment for one semester unless a "D" average (or its
19 equivalent) or better is attained in the current semester.

20 (3) The parent or guardian is provided with the right
21 to appeal the notice, as determined by the State Board of
22 Education in accordance with due process.

23 (4) The student is provided with an academic
24 improvement plan and academic remediation services.

25 (5) The student fails to achieve a "D" average (or its
26 equivalent) or better in the current semester.

1 A school or school district may deny enrollment to a
2 student 17 years of age or older for one semester for failure
3 to meet minimum attendance standards if all of the following
4 conditions are met:

5 (1) The student was absent without valid cause for 20%
6 or more of the attendance days in the semester immediately
7 prior to the current semester.

8 (2) The student and the student's parent or guardian
9 are given written notice warning that the student is
10 subject to denial from enrollment for one semester unless
11 the student is absent without valid cause less than 20% of
12 the attendance days in the current semester.

13 (3) The student's parent or guardian is provided with
14 the right to appeal the notice, as determined by the State
15 Board of Education in accordance with due process.

16 (4) The student is provided with attendance
17 remediation services, including without limitation
18 assessment, counseling, and support services.

19 (5) The student is absent without valid cause for 20%
20 or more of the attendance days in the current semester.

21 A school or school district may not deny enrollment to a
22 student (or reenrollment to a dropout) who is at least 17 years
23 of age or older but below 19 years for more than one
24 consecutive semester for failure to meet academic or attendance
25 standards.

26 (d) No child may be denied enrollment or reenrollment under

1 this Section in violation of the Individuals with Disabilities
2 Education Act or the Americans with Disabilities Act.

3 (e) In this subsection (e), "reenrolled student" means a
4 dropout who has reenrolled full-time in a public school. Each
5 school district shall identify, track, and report on the
6 educational progress and outcomes of reenrolled students as a
7 subset of the district's required reporting on all enrollments.
8 A reenrolled student who again drops out must not be counted
9 again against a district's dropout rate performance measure.
10 The State Board of Education shall set performance standards
11 for programs serving reenrolled students.

12 (f) The State Board of Education shall adopt any rules
13 necessary to implement the changes to this Section made by
14 Public Act 93-803.

15 (Source: P.A. 92-42, eff. 1-1-02; 93-803, eff. 7-23-04; 93-858,
16 eff. 1-1-05; 93-1079, eff. 1-21-05.)

17 Section 99. Effective date. This Act takes effect June 30,
18 2007.