



Elementary Secondary Education Committee

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09600HB6223ham001

LRB096 14624 MJR 38534 a

1 AMENDMENT TO HOUSE BILL 6223

2 AMENDMENT NO. _____. Amend House Bill 6223 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections
5 10-22.18, 26-1, and 26-2 as follows:

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

7 Sec. 10-22.18. Kindergartens. The ~~To~~ establish
8 ~~kindergartens for the instruction of children between the ages~~
9 ~~of 4 and 6 years, if in their judgment the public interest~~
10 ~~requires it, and to pay the necessary expenses thereof out of~~
11 ~~the school funds of the district. Upon petition of at least 50~~
12 ~~parents or guardians of children between the ages of 4 and 6,~~
13 ~~residing within any school district and within one mile of the~~
14 ~~public school where such kindergarten is proposed to be~~
15 ~~established, the~~ board of directors must ~~shall, if funds are~~
16 ~~available,~~ establish a kindergarten in connection with the

1 public school in the district ~~designated in the petition~~ and
2 maintain it ~~as long as the annual average daily attendance~~
3 ~~therein is not less than 15~~. The board must ~~may~~ establish a
4 kindergarten with half-day attendance or with full-day
5 attendance. If the board establishes full-day kindergarten, it
6 shall also establish half-day kindergarten. No one shall be
7 employed to teach in a kindergarten who does not hold a
8 certificate as provided by law.

9 (Source: P.A. 84-1308.)

10 (105 ILCS 5/26-1) (from Ch. 122, par. 26-1)

11 Sec. 26-1. Compulsory school age-Exemptions. Whoever has
12 custody or control of any child between the ages of 5 ~~7~~ and 17
13 years (unless the child has already graduated from high school)
14 shall cause such child to attend some public school in the
15 district wherein the child resides the entire time it is in
16 session during the regular school term, except as provided in
17 Section 10-19.1, and during a required summer school program
18 established under Section 10-22.33B; provided, that the
19 following children shall not be required to attend the public
20 schools:

21 1. Any child attending a private or a parochial school
22 where children are taught the branches of education taught
23 to children of corresponding age and grade in the public
24 schools, and where the instruction of the child in the
25 branches of education is in the English language;

1 2. Any child who is physically or mentally unable to
2 attend school, such disability being certified to the
3 county or district truant officer by a competent physician
4 licensed in Illinois to practice medicine and surgery in
5 all its branches, a chiropractic physician licensed under
6 the Medical Practice Act of 1987, an advanced practice
7 nurse who has a written collaborative agreement with a
8 collaborating physician that authorizes the advanced
9 practice nurse to perform health examinations, a physician
10 assistant who has been delegated the authority to perform
11 health examinations by his or her supervising physician, or
12 a Christian Science practitioner residing in this State and
13 listed in the Christian Science Journal; or who is excused
14 for temporary absence for cause by the principal or teacher
15 of the school which the child attends; the exemptions in
16 this paragraph (2) do not apply to any female who is
17 pregnant or the mother of one or more children, except
18 where a female is unable to attend school due to a
19 complication arising from her pregnancy and the existence
20 of such complication is certified to the county or district
21 truant officer by a competent physician;

22 3. Any child necessarily and lawfully employed
23 according to the provisions of the law regulating child
24 labor may be excused from attendance at school by the
25 county superintendent of schools or the superintendent of
26 the public school which the child should be attending, on

1 certification of the facts by and the recommendation of the
2 school board of the public school district in which the
3 child resides. In districts having part time continuation
4 schools, children so excused shall attend such schools at
5 least 8 hours each week;

6 4. Any child over 12 and under 14 years of age while in
7 attendance at confirmation classes;

8 5. Any child absent from a public school on a
9 particular day or days or at a particular time of day for
10 the reason that he is unable to attend classes or to
11 participate in any examination, study or work requirements
12 on a particular day or days or at a particular time of day,
13 because the tenets of his religion forbid secular activity
14 on a particular day or days or at a particular time of day.
15 Each school board shall prescribe rules and regulations
16 relative to absences for religious holidays including, but
17 not limited to, a list of religious holidays on which it
18 shall be mandatory to excuse a child; but nothing in this
19 paragraph 5 shall be construed to limit the right of any
20 school board, at its discretion, to excuse an absence on
21 any other day by reason of the observance of a religious
22 holiday. A school board may require the parent or guardian
23 of a child who is to be excused from attending school due
24 to the observance of a religious holiday to give notice,
25 not exceeding 5 days, of the child's absence to the school
26 principal or other school personnel. Any child excused from

1 attending school under this paragraph 5 shall not be
2 required to submit a written excuse for such absence after
3 returning to school; and

4 6. Any child 16 years of age or older who (i) submits
5 to a school district evidence of necessary and lawful
6 employment pursuant to paragraph 3 of this Section and (ii)
7 is enrolled in a graduation incentives program pursuant to
8 Section 26-16 of this Code or an alternative learning
9 opportunities program established pursuant to Article 13B
10 of this Code.

11 (Source: P.A. 96-367, eff. 8-13-09.)

12 (105 ILCS 5/26-2) (from Ch. 122, par. 26-2)

13 Sec. 26-2. Enrolled pupils below 5 7 or over 17.

14 (a) Any person having custody or control of a child who is
15 below the age of 5 7 years or is 17 years of age or above and
16 who is enrolled in any of grades kindergarten through 12 in the
17 public school shall cause him to attend the public school in
18 the district wherein he resides when it is in session during
19 the regular school term, unless he is excused under paragraph
20 2, 3, 4, 5, or 6 of Section 26-1.

21 (b) A school district shall deny reenrollment in its
22 secondary schools to any child 19 years of age or above who has
23 dropped out of school and who could not, because of age and
24 lack of credits, attend classes during the normal school year
25 and graduate before his or her twenty-first birthday. A

1 district may, however, enroll the child in a graduation
2 incentives program under Section 26-16 of this Code or an
3 alternative learning opportunities program established under
4 Article 13B. No child shall be denied reenrollment for the
5 above reasons unless the school district first offers the child
6 due process as required in cases of expulsion under Section
7 10-22.6. If a child is denied reenrollment after being provided
8 with due process, the school district must provide counseling
9 to that child and must direct that child to alternative
10 educational programs, including adult education programs, that
11 lead to graduation or receipt of a GED diploma.

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

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

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

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

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

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

5 A school or school district may deny enrollment to a
6 student 17 years of age or older for one semester for failure
7 to meet minimum attendance standards if all of the following
8 conditions are met:

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

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

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

20 (4) The student is provided with attendance
21 remediation services, including without limitation
22 assessment, counseling, and support services.

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

25 A school or school district may not deny enrollment to a
26 student (or reenrollment to a dropout) who is at least 17 years

1 of age or older but below 19 years for more than one
2 consecutive semester for failure to meet academic or attendance
3 standards.

4 A school or school district that refuses enrollment to a
5 student who is at least 17 years of age but below 19 years for
6 one semester for failure to meet minimum standards must offer
7 to transfer that student's records to an alternative school.

8 (d) No child may be denied enrollment or reenrollment under
9 this Section in violation of the Individuals with Disabilities
10 Education Act or the Americans with Disabilities Act.

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

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

23 (Source: P.A. 95-417, eff. 8-24-07.)

24 Section 99. Effective date. This Act takes effect August 1,
25 2015."