

AN ACT concerning education.

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

Section 5. The School Code is amended by adding Section 10-22.18e and by changing Sections 10-20.19a and 10-22.18 as follows:

(105 ILCS 5/10-20.19a) (from Ch. 122, par. 10-20.19a)

Sec. 10-20.19a. Kindergartens. After July 1, 1970, to establish and maintain kindergartens for the instruction of children in accordance with rules and regulations prescribed by the State Board of Education. Such kindergartens may provide for either a 1/2 day or a full day of attendance for pupils enrolled therein.

This Section is repealed on July 1, 2023.

(Source: P.A. 84-18.)

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

Sec. 10-22.18. Kindergartens.

(a) To establish kindergartens for the instruction of children between the ages of 4 and 6 years, ~~if in their judgment the public interest requires it,~~ and to pay the necessary expenses thereof out of the school funds of the district. Until the 2027-2028 school year, upon ~~upon~~ petition

of at least 50 parents or guardians of children between the ages of 4 and 6, residing within any school district and within one mile of the public school where such kindergarten is proposed to be established, the board of directors shall, if funds are available, establish a kindergarten in connection with the public school designated in the petition and maintain it as long as the annual average daily attendance therein is not less than 15. Until the 2027-2028 school year, the ~~The~~ board may establish a kindergarten with half-day attendance or with full-day attendance; however, if. ~~If~~ the board establishes full-day kindergarten, it shall also establish half-day kindergarten. Beginning with the 2027-2028 school year, each school board must establish a kindergarten with full-day attendance and may establish a kindergarten with half-day attendance. Full-day and half-day kindergarten should be developmentally appropriate and provide opportunities for play-based learning. No one shall be employed to teach in a kindergarten who does not hold a license as provided by law.

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

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

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

(3) the school district meets a criterion set by the State Board of Education based on the Full-Day Kindergarten Task Force's recommendations under subsection (b) of Section 10-22.18e of this Code.

(Source: P.A. 102-894, eff. 5-20-22.)

(105 ILCS 5/10-22.18e new)

Sec. 10-22.18e. Full-Day Kindergarten Task Force.

(a) The Full-Day Kindergarten Task Force is created for the purpose of conducting a statewide audit to inform the planning and implementation of full-day kindergarten in the State and shall, at a minimum, collect, analyze, and report the following:

(1) the number of elementary and unit school districts in the State that are currently offering kindergarten, including the number offering full-day kindergarten, the number offering part-day kindergarten, and the number offering both part-day kindergarten and full-day kindergarten;

(2) the number of students currently enrolled in kindergarten in the State, including the number enrolled in full-day kindergarten, the number enrolled in part-day

kindergarten, the total number enrolled in either part-day kindergarten or full-day kindergarten, and the number of children on any waitlists for part-day or full-day kindergarten;

(3) for all elementary and unit school districts, an estimate of the number of students eligible for kindergarten;

(4) for all elementary and unit school districts that do not currently offer full-day kindergarten, an analysis of their space utilization rate and an assessment of district capacity to provide space for full-day kindergarten classrooms;

(5) for all elementary and unit school districts that do not currently offer full-day kindergarten and are found to have insufficient capacity to provide space for full-day kindergarten classrooms, an estimate of the costs associated with providing full-day kindergarten classrooms;

(6) recommendations on how available capital funds for full-day kindergarten might be disbursed to school districts to prioritize districts most in need of State resources; and

(7) other data or recommendations that would support the State or individual school districts in offering full-day kindergarten. Such recommendations may include an analysis of other start-up or categorical costs associated

with offering full-day kindergarten.

(b) Based on the findings reported under subsection (a) of this Section, the Task Force may recommend that the State Board of Education consider an additional criterion when granting a waiver under subsection (b) of Section 10-22.18 of this Code. The State Board of Education shall make a final determination regarding this additional factor and provide public notice of that determination by no later than July 1, 2025.

(c) Members of the Full-Day Kindergarten Task Force shall be appointed by no later than October 1, 2023 and shall possess the expertise needed to complete the report and recommendations. Members appointed to the Task Force must reflect the racial, ethnic, and geographic diversity of this State. Task Force members shall include all of the following:

(1) The State Superintendent of Education or the Superintendent's designee.

(2) Three members appointed by the State Board of Education with relevant expertise.

(3) One member who represents the Capital Development Board, appointed by the State Superintendent of Education.

(4) One member from an organization with expertise in school construction and facilities financing, appointed by the State Superintendent of Education.

(5) One member from an organization with expertise in local, State, and federal tax and budget related issues,

appointed by the State Superintendent of Education.

(6) One member of a statewide professional teachers' organization who is a kindergarten teacher, appointed by the State Superintendent of Education.

(7) One member of another statewide professional teachers' organization who is a kindergarten teacher, appointed by the State Superintendent of Education.

(8) One member who represents a statewide organization of school business officials and has experience overseeing schools with kindergarten programs, appointed by the State Superintendent of Education.

(9) One member who represents a statewide organization of principals and has experience overseeing schools with kindergarten programs, appointed by the State Superintendent of Education.

(10) One member who represents a statewide organization of school boards and has experience overseeing schools with kindergarten programs, appointed by the State Superintendent of Education.

(11) Three members who are parents of students, one of whom is from an urban elementary or unit school district, one of whom is from a rural elementary or unit school district, and one of whom is from a suburban elementary or unit school district, all appointed by the State Superintendent of Education.

(12) One member who represents a statewide

organization of school districts and has experience overseeing schools with kindergarten programs, appointed by the State Superintendent of Education.

(13) One member who represents an elementary or unit school district that is a Tier 3 or Tier 4 school district as defined by Section 18-8.15 of this Code and that does not currently offer full-day kindergarten, appointed by the State Superintendent of Education.

(14) One member who represents a school district serving a community with a population of 500,000 or more, appointed by the State Superintendent of Education.

(15) One member who represents a rural elementary or unit school district, appointed by the State Superintendent of Education.

(d) The Full-Day Kindergarten Task Force shall meet at the call of the State Superintendent of Education or the Superintendent's designee, who shall serve as the chairperson. The State Board of Education shall provide administrative and other support to the Task Force. Members of the Task Force shall serve without compensation.

(e) The Full-Day Kindergarten Task Force shall issue an interim report by June 30, 2024 and a final report to the General Assembly and Governor's Office no later than January 31, 2025.

(f) Upon issuing its final report, the Full-Day Kindergarten Task Force is dissolved.

Public Act 103-0410

HB2396 Enrolled

LRB103 30800 RJT 57293 b

Section 99. Effective date. This Act takes effect upon becoming law.