



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB1778

Introduced 2/17/2021, by Rep. Michelle Mussman

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-20.73 new
105 ILCS 5/27A-5
105 ILCS 5/34-18.67 new
110 ILCS 58/25

Amends the School Code and the Mental Health Early Action on Campus Act. Provides that if a school district issues an identification card to pupils in any of grades 7 through 12, the district shall provide contact information for the National Suicide Prevention Lifeline, the Crisis Text Line, and a local suicide prevention hotline on the identification card. Provides that if a public college or university issues an identification card to students, the public college or university must provide on the identification card (i) contact information for the National Suicide Prevention Lifeline, the Crisis Text Line, and a local suicide prevention hotline and (ii) the campus police or campus security telephone number or a local nonemergency telephone number. Effective July 1, 2022.

LRB102 11751 CMG 17086 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 adding Sections
5 10-20.73 and 34-18.67 and by changing Section 27A-5 as
6 follows:

7 (105 ILCS 5/10-20.73 new)

8 Sec. 10-20.73. Identification cards; suicide prevention
9 information. Each school district that serves pupils in any of
10 grades 7 through 12 and that issues an identification card to
11 pupils in any of grades 7 through 12 shall provide contact
12 information for the National Suicide Prevention Lifeline, the
13 Crisis Text Line, and a local suicide prevention hotline on
14 the identification card.

15 (105 ILCS 5/27A-5)

16 Sec. 27A-5. Charter school; legal entity; requirements.

17 (a) A charter school shall be a public, nonsectarian,
18 nonreligious, non-home based, and non-profit school. A charter
19 school shall be organized and operated as a nonprofit
20 corporation or other discrete, legal, nonprofit entity
21 authorized under the laws of the State of Illinois.

22 (b) A charter school may be established under this Article

1 by creating a new school or by converting an existing public
2 school or attendance center to charter school status.
3 Beginning on April 16, 2003 (the effective date of Public Act
4 93-3), in all new applications to establish a charter school
5 in a city having a population exceeding 500,000, operation of
6 the charter school shall be limited to one campus. The changes
7 made to this Section by Public Act 93-3 do not apply to charter
8 schools existing or approved on or before April 16, 2003 (the
9 effective date of Public Act 93-3).

10 (b-5) In this subsection (b-5), "virtual-schooling" means
11 a cyber school where students engage in online curriculum and
12 instruction via the Internet and electronic communication with
13 their teachers at remote locations and with students
14 participating at different times.

15 From April 1, 2013 through December 31, 2016, there is a
16 moratorium on the establishment of charter schools with
17 virtual-schooling components in school districts other than a
18 school district organized under Article 34 of this Code. This
19 moratorium does not apply to a charter school with
20 virtual-schooling components existing or approved prior to
21 April 1, 2013 or to the renewal of the charter of a charter
22 school with virtual-schooling components already approved
23 prior to April 1, 2013.

24 (c) A charter school shall be administered and governed by
25 its board of directors or other governing body in the manner
26 provided in its charter. The governing body of a charter

1 school shall be subject to the Freedom of Information Act and
2 the Open Meetings Act. No later than January 1, 2021 (one year
3 after the effective date of Public Act 101-291) ~~this~~
4 ~~amendatory Act of the 101st General Assembly~~, a charter
5 school's board of directors or other governing body must
6 include at least one parent or guardian of a pupil currently
7 enrolled in the charter school who may be selected through the
8 charter school or a charter network election, appointment by
9 the charter school's board of directors or other governing
10 body, or by the charter school's Parent Teacher Organization
11 or its equivalent.

12 (c-5) No later than January 1, 2021 (one year after the
13 effective date of Public Act 101-291) ~~this amendatory Act of~~
14 ~~the 101st General Assembly~~ or within the first year of his or
15 her first term, every voting member of a charter school's
16 board of directors or other governing body shall complete a
17 minimum of 4 hours of professional development leadership
18 training to ensure that each member has sufficient familiarity
19 with the board's or governing body's role and
20 responsibilities, including financial oversight and
21 accountability of the school, evaluating the principal's and
22 school's performance, adherence to the Freedom of Information
23 Act and the Open Meetings Act ~~Acts~~, and compliance with
24 education and labor law. In each subsequent year of his or her
25 term, a voting member of a charter school's board of directors
26 or other governing body shall complete a minimum of 2 hours of

1 professional development training in these same areas. The
2 training under this subsection may be provided or certified by
3 a statewide charter school membership association or may be
4 provided or certified by other qualified providers approved by
5 the State Board of Education.

6 (d) For purposes of this subsection (d), "non-curricular
7 health and safety requirement" means any health and safety
8 requirement created by statute or rule to provide, maintain,
9 preserve, or safeguard safe or healthful conditions for
10 students and school personnel or to eliminate, reduce, or
11 prevent threats to the health and safety of students and
12 school personnel. "Non-curricular health and safety
13 requirement" does not include any course of study or
14 specialized instructional requirement for which the State
15 Board has established goals and learning standards or which is
16 designed primarily to impart knowledge and skills for students
17 to master and apply as an outcome of their education.

18 A charter school shall comply with all non-curricular
19 health and safety requirements applicable to public schools
20 under the laws of the State of Illinois. On or before September
21 1, 2015, the State Board shall promulgate and post on its
22 Internet website a list of non-curricular health and safety
23 requirements that a charter school must meet. The list shall
24 be updated annually no later than September 1. Any charter
25 contract between a charter school and its authorizer must
26 contain a provision that requires the charter school to follow

1 the list of all non-curricular health and safety requirements
2 promulgated by the State Board and any non-curricular health
3 and safety requirements added by the State Board to such list
4 during the term of the charter. Nothing in this subsection (d)
5 precludes an authorizer from including non-curricular health
6 and safety requirements in a charter school contract that are
7 not contained in the list promulgated by the State Board,
8 including non-curricular health and safety requirements of the
9 authorizing local school board.

10 (e) Except as otherwise provided in the School Code, a
11 charter school shall not charge tuition; provided that a
12 charter school may charge reasonable fees for textbooks,
13 instructional materials, and student activities.

14 (f) A charter school shall be responsible for the
15 management and operation of its fiscal affairs including, but
16 not limited to, the preparation of its budget. An audit of each
17 charter school's finances shall be conducted annually by an
18 outside, independent contractor retained by the charter
19 school. To ensure financial accountability for the use of
20 public funds, on or before December 1 of every year of
21 operation, each charter school shall submit to its authorizer
22 and the State Board a copy of its audit and a copy of the Form
23 990 the charter school filed that year with the federal
24 Internal Revenue Service. In addition, if deemed necessary for
25 proper financial oversight of the charter school, an
26 authorizer may require quarterly financial statements from

1 each charter school.

2 (g) A charter school shall comply with all provisions of
3 this Article, the Illinois Educational Labor Relations Act,
4 all federal and State laws and rules applicable to public
5 schools that pertain to special education and the instruction
6 of English learners, and its charter. A charter school is
7 exempt from all other State laws and regulations in this Code
8 governing public schools and local school board policies;
9 however, a charter school is not exempt from the following:

10 (1) Sections 10-21.9 and 34-18.5 of this Code
11 regarding criminal history records checks and checks of
12 the Statewide Sex Offender Database and Statewide Murderer
13 and Violent Offender Against Youth Database of applicants
14 for employment;

15 (2) Sections 10-20.14, 10-22.6, 24-24, 34-19, and
16 34-84a of this Code regarding discipline of students;

17 (3) the Local Governmental and Governmental Employees
18 Tort Immunity Act;

19 (4) Section 108.75 of the General Not For Profit
20 Corporation Act of 1986 regarding indemnification of
21 officers, directors, employees, and agents;

22 (5) the Abused and Neglected Child Reporting Act;

23 (5.5) subsection (b) of Section 10-23.12 and
24 subsection (b) of Section 34-18.6 of this Code;

25 (6) the Illinois School Student Records Act;

26 (7) Section 10-17a of this Code regarding school

1 report cards;

2 (8) the P-20 Longitudinal Education Data System Act;

3 (9) Section 27-23.7 of this Code regarding bullying
4 prevention;

5 (10) Section 2-3.162 of this Code regarding student
6 discipline reporting;

7 (11) Sections 22-80 and 27-8.1 of this Code;

8 (12) Sections 10-20.60 and 34-18.53 of this Code;

9 (13) Sections 10-20.63 and 34-18.56 of this Code;

10 (14) Section 26-18 of this Code;

11 (15) Section 22-30 of this Code; ~~and~~

12 (16) Sections 24-12 and 34-85 of this Code; ~~and~~

13 (17) the (16) The Seizure Smart School Act; and

14 (18) Sections 10-20.73 and 34-18.67 of this Code.

15 The change made by Public Act 96-104 to this subsection
16 (g) is declaratory of existing law.

17 (h) A charter school may negotiate and contract with a
18 school district, the governing body of a State college or
19 university or public community college, or any other public or
20 for-profit or nonprofit private entity for: (i) the use of a
21 school building and grounds or any other real property or
22 facilities that the charter school desires to use or convert
23 for use as a charter school site, (ii) the operation and
24 maintenance thereof, and (iii) the provision of any service,
25 activity, or undertaking that the charter school is required
26 to perform in order to carry out the terms of its charter.

1 However, a charter school that is established on or after
2 April 16, 2003 (the effective date of Public Act 93-3) and that
3 operates in a city having a population exceeding 500,000 may
4 not contract with a for-profit entity to manage or operate the
5 school during the period that commences on April 16, 2003 (the
6 effective date of Public Act 93-3) and concludes at the end of
7 the 2004-2005 school year. Except as provided in subsection
8 (i) of this Section, a school district may charge a charter
9 school reasonable rent for the use of the district's
10 buildings, grounds, and facilities. Any services for which a
11 charter school contracts with a school district shall be
12 provided by the district at cost. Any services for which a
13 charter school contracts with a local school board or with the
14 governing body of a State college or university or public
15 community college shall be provided by the public entity at
16 cost.

17 (i) In no event shall a charter school that is established
18 by converting an existing school or attendance center to
19 charter school status be required to pay rent for space that is
20 deemed available, as negotiated and provided in the charter
21 agreement, in school district facilities. However, all other
22 costs for the operation and maintenance of school district
23 facilities that are used by the charter school shall be
24 subject to negotiation between the charter school and the
25 local school board and shall be set forth in the charter.

26 (j) A charter school may limit student enrollment by age

1 or grade level.

2 (k) If the charter school is approved by the State Board or
3 Commission, then the charter school is its own local education
4 agency.

5 (Source: P.A. 100-29, eff. 1-1-18; 100-156, eff. 1-1-18;
6 100-163, eff. 1-1-18; 100-413, eff. 1-1-18; 100-468, eff.
7 6-1-18; 100-726, eff. 1-1-19; 100-863, eff. 8-14-18; 101-50,
8 eff. 7-1-20; 101-81, eff. 7-12-19; 101-291, eff. 1-1-20;
9 101-531, eff. 8-23-19; 101-543, eff. 8-23-19; revised 8-4-20.)

10 (105 ILCS 5/34-18.67 new)

11 Sec. 34-18.67. Identification cards; suicide prevention
12 information. If the school district issues an identification
13 card to pupils in any of grades 7 through 12, the district
14 shall provide contact information for the National Suicide
15 Prevention Lifeline, the Crisis Text Line, and a local suicide
16 prevention hotline on the identification card.

17 Section 10. The Mental Health Early Action on Campus Act
18 is amended by changing Section 25 as follows:

19 (110 ILCS 58/25)

20 Sec. 25. Awareness. To raise mental health awareness on
21 college campuses, each public college or university must do
22 all of the following:

23 (1) Develop and implement an annual student

1 orientation session aimed at raising awareness about
2 mental health conditions.

3 (2) Assess courses and seminars available to students
4 through their regular academic experiences and implement
5 mental health awareness curricula if opportunities for
6 integration exist.

7 (3) Create and feature a page on its website or mobile
8 application with information dedicated solely to the
9 mental health resources available to students at the
10 public college or university and in the surrounding
11 community.

12 (4) Distribute messages related to mental health
13 resources that encourage help-seeking behavior through the
14 online learning platform of the public college or
15 university during high stress periods of the academic
16 year, including, but not limited to, midterm or final
17 examinations. These stigma-reducing strategies must be
18 based on documented best practices.

19 (5) Three years after the effective date of this Act,
20 implement an online screening tool to raise awareness and
21 establish a mechanism to link or refer students of the
22 public college or university to services. Screenings and
23 resources must be available year round for students and,
24 at a minimum, must (i) include validated screening tools
25 for depression, an anxiety disorder, an eating disorder,
26 substance use, alcohol-use disorder, post-traumatic stress

1 disorder, and bipolar disorder, (ii) provide resources for
2 immediate connection to services, if indicated, including
3 emergency resources, (iii) provide general information
4 about all mental health-related resources available to
5 students of the public college or university, and (iv)
6 function anonymously.

7 (6) At least once per term and at times of high
8 academic stress, including midterm or final examinations,
9 provide students information regarding online screenings
10 and resources.

11 (7) If the public college or university issues an
12 identification card to students, provide on the
13 identification card (i) contact information for the
14 National Suicide Prevention Lifeline, the Crisis Text
15 Line, and a local suicide prevention hotline and (ii) the
16 campus police or campus security telephone number or a
17 local nonemergency telephone number.

18 (Source: P.A. 101-251, eff. 7-1-20.)

19 Section 99. Effective date. This Act takes effect July 1,
20 2022.