

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 Section  
5 2-3.204 and by changing Section 27A-5 as follows:

6 (105 ILCS 5/2-3.204 new)

7 Sec. 2-3.204. Type 1 diabetes informational materials.

8 (a) The State Board of Education, in coordination with the  
9 Department of Public Health, shall develop type 1 diabetes  
10 informational materials for the parents and guardians of  
11 students. The informational materials shall be made available  
12 to each school district and charter school on the State  
13 Board's Internet website. Each school district and charter  
14 school shall post the informational materials on the school  
15 district's or charter school's website, if any.

16 (b) Information developed pursuant to this Section may  
17 include, but is not limited to, all of the following:

18 (1) A description of type 1 diabetes.

19 (2) A description of the risk factors and warning  
20 signs associated with type 1 diabetes.

21 (3) A recommendation regarding a student displaying  
22 warning signs associated with type 1 diabetes that the  
23 parent or guardian of the student should immediately

1 consult with the student's primary care provider to  
2 determine if immediate screening for type 1 diabetes is  
3 appropriate.

4 (4) A description of the screening process for type 1  
5 diabetes and the implications of test results.

6 (5) A recommendation that, following a type 1 diabetes  
7 diagnosis, the parent or guardian should consult with the  
8 student's primary care provider to develop an appropriate  
9 treatment plan, which may include consultation with and  
10 examination by a specialty care provider, including, but  
11 not limited to, a properly qualified endocrinologist.

12 (105 ILCS 5/27A-5)

13 (Text of Section before amendment by P.A. 102-466 and  
14 103-472)

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

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

21 (b) A charter school may be established under this Article  
22 by creating a new school or by converting an existing public  
23 school or attendance center to charter school status. In all  
24 new applications to establish a charter school in a city  
25 having a population exceeding 500,000, operation of the

1 charter school shall be limited to one campus. This limitation  
2 does not apply to charter schools existing or approved on or  
3 before April 16, 2003.

4 (b-5) (Blank).

5 (c) A charter school shall be administered and governed by  
6 its board of directors or other governing body in the manner  
7 provided in its charter. The governing body of a charter  
8 school shall be subject to the Freedom of Information Act and  
9 the Open Meetings Act. A charter school's board of directors  
10 or other governing body must include at least one parent or  
11 guardian of a pupil currently enrolled in the charter school  
12 who may be selected through the charter school or a charter  
13 network election, appointment by the charter school's board of  
14 directors or other governing body, or by the charter school's  
15 Parent Teacher Organization or its equivalent.

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

1 voting member of a charter school's board of directors or  
2 other governing body shall complete a minimum of 2 hours of  
3 professional development training in these same areas. The  
4 training under this subsection may be provided or certified by  
5 a statewide charter school membership association or may be  
6 provided or certified by other qualified providers approved by  
7 the State Board.

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

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

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

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

16 (f) A charter school shall be responsible for the  
17 management and operation of its fiscal affairs, including, but  
18 not limited to, the preparation of its budget. An audit of each  
19 charter school's finances shall be conducted annually by an  
20 outside, independent contractor retained by the charter  
21 school. The contractor shall not be an employee of the charter  
22 school or affiliated with the charter school or its authorizer  
23 in any way, other than to audit the charter school's finances.  
24 To ensure financial accountability for the use of public  
25 funds, on or before December 1 of every year of operation, each  
26 charter school shall submit to its authorizer and the State

1 Board a copy of its audit and a copy of the Form 990 the  
2 charter school filed that year with the federal Internal  
3 Revenue Service. In addition, if deemed necessary for proper  
4 financial oversight of the charter school, an authorizer may  
5 require quarterly financial statements from each charter  
6 school.

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

15 (1) Sections 10-21.9 and 34-18.5 of this Code  
16 regarding criminal history records checks and checks of  
17 the Statewide Sex Offender Database and Statewide Murderer  
18 and Violent Offender Against Youth Database of applicants  
19 for employment;

20 (2) Sections 10-20.14, 10-22.6, 24-24, 34-19, and  
21 34-84a of this Code regarding discipline of students;

22 (3) the Local Governmental and Governmental Employees  
23 Tort Immunity Act;

24 (4) Section 108.75 of the General Not For Profit  
25 Corporation Act of 1986 regarding indemnification of  
26 officers, directors, employees, and agents;

- 1 (5) the Abused and Neglected Child Reporting Act;
- 2 (5.5) subsection (b) of Section 10-23.12 and
- 3 subsection (b) of Section 34-18.6 of this Code;
- 4 (6) the Illinois School Student Records Act;
- 5 (7) Section 10-17a of this Code regarding school
- 6 report cards;
- 7 (8) the P-20 Longitudinal Education Data System Act;
- 8 (9) Section 27-23.7 of this Code regarding bullying
- 9 prevention;
- 10 (10) Section 2-3.162 of this Code regarding student
- 11 discipline reporting;
- 12 (11) Sections 22-80 and 27-8.1 of this Code;
- 13 (12) Sections 10-20.60 and 34-18.53 of this Code;
- 14 (13) Sections 10-20.63 and 34-18.56 of this Code;
- 15 (14) Sections 22-90 and 26-18 of this Code;
- 16 (15) Section 22-30 of this Code;
- 17 (16) Sections 24-12 and 34-85 of this Code;
- 18 (17) the Seizure Smart School Act;
- 19 (18) Section 2-3.64a-10 of this Code;
- 20 (19) Sections 10-20.73 and 34-21.9 of this Code;
- 21 (20) Section 10-22.25b of this Code;
- 22 (21) Section 27-9.1a of this Code;
- 23 (22) Section 27-9.1b of this Code;
- 24 (23) Section 34-18.8 of this Code;
- 25 (25) Section 2-3.188 of this Code;
- 26 (26) Section 22-85.5 of this Code;

1 (27) subsections (d-10), (d-15), and (d-20) of Section  
2 10-20.56 of this Code;

3 (28) Sections 10-20.83 and 34-18.78 of this Code;

4 (29) Section 10-20.13 of this Code;

5 (30) Section 28-19.2 of this Code;

6 (31) Section 34-21.6 of this Code; ~~and~~

7 (32) Section 22-85.10 of this Code; ~~and-~~

8 (37) Section 2-3.204 of this Code.

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

11 (h) A charter school may negotiate and contract with a  
12 school district, the governing body of a State college or  
13 university or public community college, or any other public or  
14 for-profit or nonprofit private entity for: (i) the use of a  
15 school building and grounds or any other real property or  
16 facilities that the charter school desires to use or convert  
17 for use as a charter school site, (ii) the operation and  
18 maintenance thereof, and (iii) the provision of any service,  
19 activity, or undertaking that the charter school is required  
20 to perform in order to carry out the terms of its charter.  
21 Except as provided in subsection (i) of this Section, a school  
22 district may charge a charter school reasonable rent for the  
23 use of the district's buildings, grounds, and facilities. Any  
24 services for which a charter school contracts with a school  
25 district shall be provided by the district at cost. Any  
26 services for which a charter school contracts with a local



1 school board or with the governing body of a State college or  
2 university or public community college shall be provided by  
3 the public entity at cost.

4 (i) In no event shall a charter school that is established  
5 by converting an existing school or attendance center to  
6 charter school status be required to pay rent for space that is  
7 deemed available, as negotiated and provided in the charter  
8 agreement, in school district facilities. However, all other  
9 costs for the operation and maintenance of school district  
10 facilities that are used by the charter school shall be  
11 subject to negotiation between the charter school and the  
12 local school board and shall be set forth in the charter.

13 (j) A charter school may limit student enrollment by age  
14 or grade level.

15 (k) If the charter school is authorized by the State  
16 Board, then the charter school is its own local education  
17 agency.

18 (Source: P.A. 102-51, eff. 7-9-21; 102-157, eff. 7-1-22;  
19 102-360, eff. 1-1-22; 102-445, eff. 8-20-21; 102-522, eff.  
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21 102-697, eff. 4-5-22; 102-702, eff. 7-1-23; 102-805, eff.  
22 1-1-23; 102-813, eff. 5-13-22; 103-154, eff. 6-30-23; 103-175,  
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24 (Text of Section after amendment by P.A. 103-472 but  
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16           (c) A charter school shall be administered and governed by  
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25 directors or other governing body, or by the charter school's  
26 Parent Teacher Organization or its equivalent.

1 (c-5) No later than January 1, 2021 or within the first  
2 year of his or her first term, every voting member of a charter  
3 school's board of directors or other governing body shall  
4 complete a minimum of 4 hours of professional development  
5 leadership training to ensure that each member has sufficient  
6 familiarity with the board's or governing body's role and  
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- 18 (32) Section 22-85.10 of this Code;
- 19 (33) Section 2-3.196 of this Code;
- 20 (34) Section 22-95 of this Code;
- 21 (35) Section 34-18.62 of this Code; ~~and~~
- 22 (36) the Illinois Human Rights Act; ~~and-~~
- 23 (37) Section 2-3.204 of this Code.

24 The change made by Public Act 96-104 to this subsection

25 (g) is declaratory of existing law.

26 (h) A charter school may negotiate and contract with a

1 school district, the governing body of a State college or  
2 university or public community college, or any other public or  
3 for-profit or nonprofit private entity for: (i) the use of a  
4 school building and grounds or any other real property or  
5 facilities that the charter school desires to use or convert  
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19 (2) Sections 10-20.14, 10-22.6, 24-24, 34-19, and  
20 34-84a of this Code regarding discipline of students;

21 (3) the Local Governmental and Governmental Employees  
22 Tort Immunity Act;

23 (4) Section 108.75 of the General Not For Profit  
24 Corporation Act of 1986 regarding indemnification of  
25 officers, directors, employees, and agents;

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

- 1 (5.5) subsection (b) of Section 10-23.12 and
- 2 subsection (b) of Section 34-18.6 of this Code;
- 3 (6) the Illinois School Student Records Act;
- 4 (7) Section 10-17a of this Code regarding school
- 5 report cards;
- 6 (8) the P-20 Longitudinal Education Data System Act;
- 7 (9) Section 27-23.7 of this Code regarding bullying
- 8 prevention;
- 9 (10) Section 2-3.162 of this Code regarding student
- 10 discipline reporting;
- 11 (11) Sections 22-80 and 27-8.1 of this Code;
- 12 (12) Sections 10-20.60 and 34-18.53 of this Code;
- 13 (13) Sections 10-20.63 and 34-18.56 of this Code;
- 14 (14) Sections 22-90 and 26-18 of this Code;
- 15 (15) Section 22-30 of this Code;
- 16 (16) Sections 24-12 and 34-85 of this Code;
- 17 (17) the Seizure Smart School Act;
- 18 (18) Section 2-3.64a-10 of this Code;
- 19 (19) Sections 10-20.73 and 34-21.9 of this Code;
- 20 (20) Section 10-22.25b of this Code;
- 21 (21) Section 27-9.1a of this Code;
- 22 (22) Section 27-9.1b of this Code;
- 23 (23) Section 34-18.8 of this Code;
- 24 (24) Article 26A of this Code;
- 25 (25) Section 2-3.188 of this Code;
- 26 (26) Section 22-85.5 of this Code;

1 (27) subsections (d-10), (d-15), and (d-20) of Section  
2 10-20.56 of this Code;

3 (28) Sections 10-20.83 and 34-18.78 of this Code;

4 (29) Section 10-20.13 of this Code;

5 (30) Section 28-19.2 of this Code;

6 (31) Section 34-21.6 of this Code; ~~and~~

7 (32) Section 22-85.10 of this Code;

8 (33) Section 2-3.196 of this Code;

9 (34) Section 22-95 of this Code;

10 (35) Section 34-18.62 of this Code; ~~and~~

11 (36) the Illinois Human Rights Act; ~~and~~

12 (37) Section 2-3.204 of this Code.

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

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

1 use of the district's buildings, grounds, and facilities. Any  
2 services for which a charter school contracts with a school  
3 district shall be provided by the district at cost. Any  
4 services for which a charter school contracts with a local  
5 school board or with the governing body of a State college or  
6 university or public community college shall be provided by  
7 the public entity at cost.

8 (i) In no event shall a charter school that is established  
9 by converting an existing school or attendance center to  
10 charter school status be required to pay rent for space that is  
11 deemed available, as negotiated and provided in the charter  
12 agreement, in school district facilities. However, all other  
13 costs for the operation and maintenance of school district  
14 facilities that are used by the charter school shall be  
15 subject to negotiation between the charter school and the  
16 local school board and shall be set forth in the charter.

17 (j) A charter school may limit student enrollment by age  
18 or grade level.

19 (k) If the charter school is authorized by the State  
20 Board, then the charter school is its own local education  
21 agency.

22 (Source: P.A. 102-51, eff. 7-9-21; 102-157, eff. 7-1-22;  
23 102-360, eff. 1-1-22; 102-445, eff. 8-20-21; 102-466, eff.  
24 7-1-25; 102-522, eff. 8-20-21; 102-558, eff. 8-20-21; 102-676,  
25 eff. 12-3-21; 102-697, eff. 4-5-22; 102-702, eff. 7-1-23;  
26 102-805, eff. 1-1-23; 102-813, eff. 5-13-22; 103-154, eff.



1 6-30-23; 103-175, eff. 6-30-23; 103-472, eff. 8-1-24; revised  
2 8-31-23.)

3 Section 95. No acceleration or delay. Where this Act makes  
4 changes in a statute that is represented in this Act by text  
5 that is not yet or no longer in effect (for example, a Section  
6 represented by multiple versions), the use of that text does  
7 not accelerate or delay the taking effect of (i) the changes  
8 made by this Act or (ii) provisions derived from any other  
9 Public Act.

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