

HB3037



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3037

Introduced 2/6/2025, by Rep. Janet Yang Rohr

SYNOPSIS AS INTRODUCED:

New Act
105 ILCS 5/27A-5

Creates the Right to Play Act. Provides that a student who is a member of a school athletic activity may participate in a nonschool athletic activity that is of the same sport as the school athletic activity during the season in which the student participates in the school athletic activity without losing eligibility to participate in the school athletic activity, provided that the student may not participate in both the nonschool athletic activity and a school athletic practice or competition for the same sport on the same day.

LRB104 12006 LNS 22101 b

A BILL FOR

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 1. Short title. This Act may be cited as the Right
5 to Play Act.

6 Section 5. Definitions. As used in this Act:

7 "Nonschool athletic activity" means an organized athletic
8 activity that is not sponsored by or associated with a school
9 and in which participants are:

10 (1) engaged in an athletic game or competition against
11 another team, club, or entity; or

12 (2) in practice or preparation for an athletic game or
13 competition against another team, club, or entity.

14 "Participate" means to:

15 (1) try out for an athletic activity;

16 (2) practice for an athletic activity;

17 (3) be a member of an athletic activity; or

18 (4) play for an athletic activity.

19 "School" means:

20 (1) a public school, charter school, or school
21 district; or

22 (2) a nonpublic school.

23 "School athletic activity" means an organized athletic

1 activity that is sponsored by or associated with a school and
2 in which participants are:

3 (1) engaged in an athletic game or competition against
4 another team, club, or entity; or

5 (2) in practice or preparation for an athletic game or
6 competition against another team, club, or activity.

7 "Season" means the official period of time during which a
8 school athletic activity is played, including a playoff game.

9 Section 10. Right to play. A student who is a member of a
10 school athletic activity may participate in a nonschool
11 athletic activity that is of the same sport as the school
12 athletic activity during the season in which the student
13 participates in the school athletic activity without losing
14 eligibility to participate in the school athletic activity.
15 However, the student may not participate in both the nonschool
16 athletic activity and a school athletic practice or
17 competition for the same sport on the same day.

18 Section 90. The School Code is amended by changing Section
19 27A-5 as follows:

20 (105 ILCS 5/27A-5)

21 (Text of Section before amendment by P.A. 102-466)

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

23 (a) A charter school shall be a public, nonsectarian,

1 nonreligious, non-home based, and non-profit school. A charter
2 school shall be organized and operated as a nonprofit
3 corporation or other discrete, legal, nonprofit entity
4 authorized under the laws of the State of Illinois.

5 (b) A charter school may be established under this Article
6 by creating a new school or by converting an existing public
7 school or attendance center to charter school status. In all
8 new applications to establish a charter school in a city
9 having a population exceeding 500,000, operation of the
10 charter school shall be limited to one campus. This limitation
11 does not apply to charter schools existing or approved on or
12 before April 16, 2003.

13 (b-5) (Blank).

14 (c) A charter school shall be administered and governed by
15 its board of directors or other governing body in the manner
16 provided in its charter. The governing body of a charter
17 school shall be subject to the Freedom of Information Act and
18 the Open Meetings Act. A charter school's board of directors
19 or other governing body must include at least one parent or
20 guardian of a pupil currently enrolled in the charter school
21 who may be selected through the charter school or a charter
22 network election, appointment by the charter school's board of
23 directors or other governing body, or by the charter school's
24 Parent Teacher Organization or its equivalent.

25 (c-5) No later than January 1, 2021 or within the first
26 year of his or her first term, every voting member of a charter

1 school's board of directors or other governing body shall
2 complete a minimum of 4 hours of professional development
3 leadership training to ensure that each member has sufficient
4 familiarity with the board's or governing body's role and
5 responsibilities, including financial oversight and
6 accountability of the school, evaluating the principal's and
7 school's performance, adherence to the Freedom of Information
8 Act and the Open Meetings Act, and compliance with education
9 and labor law. In each subsequent year of his or her term, a
10 voting member of a charter school's board of directors or
11 other governing body shall complete a minimum of 2 hours of
12 professional development training in these same areas. The
13 training under this subsection may be provided or certified by
14 a statewide charter school membership association or may be
15 provided or certified by other qualified providers approved by
16 the State Board.

17 (d) For purposes of this subsection (d), "non-curricular
18 health and safety requirement" means any health and safety
19 requirement created by statute or rule to provide, maintain,
20 preserve, or safeguard safe or healthful conditions for
21 students and school personnel or to eliminate, reduce, or
22 prevent threats to the health and safety of students and
23 school personnel. "Non-curricular health and safety
24 requirement" does not include any course of study or
25 specialized instructional requirement for which the State
26 Board has established goals and learning standards or which is

1 designed primarily to impart knowledge and skills for students
2 to master and apply as an outcome of their education.

3 A charter school shall comply with all non-curricular
4 health and safety requirements applicable to public schools
5 under the laws of the State of Illinois. The State Board shall
6 promulgate and post on its Internet website a list of
7 non-curricular health and safety requirements that a charter
8 school must meet. The list shall be updated annually no later
9 than September 1. Any charter contract between a charter
10 school and its authorizer must contain a provision that
11 requires the charter school to follow the list of all
12 non-curricular health and safety requirements promulgated by
13 the State Board and any non-curricular health and safety
14 requirements added by the State Board to such list during the
15 term of the charter. Nothing in this subsection (d) precludes
16 an authorizer from including non-curricular health and safety
17 requirements in a charter school contract that are not
18 contained in the list promulgated by the State Board,
19 including non-curricular health and safety requirements of the
20 authorizing local school board.

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

25 (f) A charter school shall be responsible for the
26 management and operation of its fiscal affairs, including, but

1 not limited to, the preparation of its budget. An audit of each
2 charter school's finances shall be conducted annually by an
3 outside, independent contractor retained by the charter
4 school. The contractor shall not be an employee of the charter
5 school or affiliated with the charter school or its authorizer
6 in any way, other than to audit the charter school's finances.
7 To ensure financial accountability for the use of public
8 funds, on or before December 1 of every year of operation, each
9 charter school shall submit to its authorizer and the State
10 Board a copy of its audit and a copy of the Form 990 the
11 charter school filed that year with the federal Internal
12 Revenue Service. In addition, if deemed necessary for proper
13 financial oversight of the charter school, an authorizer may
14 require quarterly financial statements from each charter
15 school.

16 (g) A charter school shall comply with all provisions of
17 this Article, the Illinois Educational Labor Relations Act,
18 all federal and State laws and rules applicable to public
19 schools that pertain to special education and the instruction
20 of English learners, and its charter. A charter school is
21 exempt from all other State laws and regulations in this Code
22 governing public schools and local school board policies;
23 however, a charter school is not exempt from the following:

24 (1) Sections 10-21.9 and 34-18.5 of this Code
25 regarding criminal history records checks and checks of
26 the Statewide Sex Offender Database and Statewide Murderer

1 and Violent Offender Against Youth Database of applicants
2 for employment;

3 (2) Sections 10-20.14, 10-22.6, 22-100, 24-24, 34-19,
4 and 34-84a of this Code regarding discipline of students;

5 (3) the Local Governmental and Governmental Employees
6 Tort Immunity Act;

7 (4) Section 108.75 of the General Not For Profit
8 Corporation Act of 1986 regarding indemnification of
9 officers, directors, employees, and agents;

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

11 (5.5) subsection (b) of Section 10-23.12 and
12 subsection (b) of Section 34-18.6 of this Code;

13 (6) the Illinois School Student Records Act;

14 (7) Section 10-17a of this Code regarding school
15 report cards;

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

17 (9) Section 27-23.7 of this Code regarding bullying
18 prevention;

19 (10) Section 2-3.162 of this Code regarding student
20 discipline reporting;

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

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

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

24 (14) Sections 22-90 and 26-18 of this Code;

25 (15) Section 22-30 of this Code;

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

- 1 (17) the Seizure Smart School Act;
- 2 (18) Section 2-3.64a-10 of this Code;
- 3 (19) Sections 10-20.73 and 34-21.9 of this Code;
- 4 (20) Section 10-22.25b of this Code;
- 5 (21) Section 27-9.1a of this Code;
- 6 (22) Section 27-9.1b of this Code;
- 7 (23) Section 34-18.8 of this Code;
- 8 (25) Section 2-3.188 of this Code;
- 9 (26) Section 22-85.5 of this Code;
- 10 (27) subsections (d-10), (d-15), and (d-20) of Section
- 11 10-20.56 of this Code;
- 12 (28) Sections 10-20.83 and 34-18.78 of this Code;
- 13 (29) Section 10-20.13 of this Code;
- 14 (30) Section 28-19.2 of this Code;
- 15 (31) Section 34-21.6 of this Code;
- 16 (32) Section 22-85.10 of this Code;
- 17 (33) Section 2-3.196 of this Code;
- 18 (34) Section 22-95 of this Code;
- 19 (35) Section 34-18.62 of this Code;
- 20 (36) the Illinois Human Rights Act; ~~and~~
- 21 (37) Section 2-3.204 of this Code ; and;
- 22 (38) the Right to Play Act.

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

24 (g) is declaratory of existing law.

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

26 school district, the governing body of a State college or

1 university or public community college, or any other public or
2 for-profit or nonprofit private entity for: (i) the use of a
3 school building and grounds or any other real property or
4 facilities that the charter school desires to use or convert
5 for use as a charter school site, (ii) the operation and
6 maintenance thereof, and (iii) the provision of any service,
7 activity, or undertaking that the charter school is required
8 to perform in order to carry out the terms of its charter.
9 Except as provided in subsection (i) of this Section, a school
10 district may charge a charter school reasonable rent for the
11 use of the district's buildings, grounds, and facilities. Any
12 services for which a charter school contracts with a school
13 district shall be provided by the district at cost. Any
14 services for which a charter school contracts with a local
15 school board or with the governing body of a State college or
16 university or public community college shall be provided by
17 the public entity at cost.

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

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

3 (k) If the charter school is authorized by the State
4 Board, then the charter school is its own local education
5 agency.

6 (Source: P.A. 102-51, eff. 7-9-21; 102-157, eff. 7-1-22;
7 102-360, eff. 1-1-22; 102-445, eff. 8-20-21; 102-522, eff.
8 8-20-21; 102-558, eff. 8-20-21; 102-676, eff. 12-3-21;
9 102-697, eff. 4-5-22; 102-702, eff. 7-1-23; 102-805, eff.
10 1-1-23; 102-813, eff. 5-13-22; 103-154, eff. 6-30-23; 103-175,
11 eff. 6-30-23; 103-472, eff. 8-1-24; 103-605, eff. 7-1-24;
12 103-641, eff. 7-1-24; 103-806, eff. 1-1-25; revised 10-9-24.)

13 (Text of Section after amendment by P.A. 102-466)

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22 school or attendance center to charter school status. In all
23 new applications to establish a charter school in a city
24 having a population exceeding 500,000, operation of the
25 charter school shall be limited to one campus. This limitation

1 does not apply to charter schools existing or approved on or
2 before April 16, 2003.

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

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

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- 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;

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2 10-20.56 of this Code;

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

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;

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

12 (37) Section 2-3.204 of this Code; ~~and-~~

13 (38) the Right to Play Act.

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

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

1 district may charge a charter school reasonable rent for the
2 use of the district's buildings, grounds, and facilities. Any
3 services for which a charter school contracts with a school
4 district shall be provided by the district at cost. Any
5 services for which a charter school contracts with a local
6 school board or with the governing body of a State college or
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17 local school board and shall be set forth in the charter.

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21 Board, then the charter school is its own local education
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24 102-360, eff. 1-1-22; 102-445, eff. 8-20-21; 102-466, eff.
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26 eff. 12-3-21; 102-697, eff. 4-5-22; 102-702, eff. 7-1-23;

1 102-805, eff. 1-1-23; 102-813, eff. 5-13-22; 103-154, eff.
2 6-30-23; 103-175, eff. 6-30-23; 103-472, eff. 8-1-24; 103-605,
3 eff. 7-1-24; 103-641, eff. 7-1-24; 103-806, eff. 1-1-25;
4 revised 11-26-24.)

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