

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 22-105 and by changing Section 27A-5 as follows:

6 (105 ILCS 5/22-105 new)

7 Sec. 22-105. Denial of free education prohibited.

8 (a) The purpose of this Section is to secure the right of
9 every child to equal access to a free public education and a
10 school that is safe from intimidation and fear, consistent
11 with the landmark United States Supreme Court decision in
12 Plyler v. Doe, 457 U.S. 202 (1982), as in effect on January 1,
13 2025, which held that it is unconstitutional for states to
14 deny children a free public education based on immigration
15 status. In their efforts to promote the right to educational
16 equality established in Plyler, schools must take steps to
17 protect the integrity of school learning environments for all
18 children, so that no parent is discouraged from sending and no
19 child is discouraged from attending school, including from the
20 threat of immigration enforcement or other law enforcement
21 activity on a school campus.

22 (b) As used in this Section:

23 "Citizenship or immigration status" means all matters

1 regarding citizenship of the United States or any other
2 country or the authority or lack thereof to reside in or
3 otherwise to be present in the United States, including an
4 individual's nationality and country of citizenship.

5 "Law enforcement agent" means an agent of federal, State,
6 or local law enforcement authorized with the power to arrest
7 or detain individuals or manage the custody of detained
8 individuals for a law enforcement purpose, including civil
9 immigration enforcement. "Law enforcement agent" does not
10 include a school resource officer as defined in Section
11 10-20.68 of this Code.

12 "Nonjudicial warrant" means a warrant issued by a federal,
13 State, or local agency authorized with the power to arrest or
14 detain individuals or manage the custody of detained
15 individuals for any law enforcement purpose, including civil
16 immigration enforcement. "Nonjudicial warrant" includes an
17 immigration detainer or civil immigration warrant as defined
18 in the Illinois TRUST Act. "Nonjudicial warrant" does not
19 include a criminal warrant issued upon a judicial
20 determination of probable cause, in compliance with the
21 requirements of the Fourth Amendment to the United States
22 Constitution and Section 6 of Article I of the Illinois
23 Constitution.

24 "Prevailing party" includes any party:

25 (1) who obtains some of his or her requested relief
26 through a judicial judgment in his or her favor;

1 (2) who obtains some of his or her requested relief
2 through a settlement agreement approved by the court; or

3 (3) whose pursuit of a non-frivolous claim was a
4 catalyst for a unilateral change in position by the
5 opposing party relative to the relief sought.

6 "School" means every public school, school district, and
7 governing body, including a special charter district or
8 charter school, organized under this Code, and its agents,
9 including a contracted party.

10 (c) No child may be denied a free public education through
11 secondary school while in this State based on the child's
12 perceived or actual immigration status or the child's parent's
13 or guardian's perceived or actual citizenship or immigration
14 status.

15 (1) A school must not exclude a child from
16 participation in or deny a child the benefits of any
17 program or activity on the grounds of that child's
18 perceived or actual immigration status or the child's
19 parent's or guardian's actual or perceived citizenship or
20 immigration status.

21 (2) A school must not use policies or procedures or
22 engage in practices that have the effect of excluding a
23 child from participation in or denying the benefits of any
24 program or activity or the effect of excluding
25 participation of the child's parent or guardian from
26 parental engagement activities or programs because of the

1 child's perceived or actual immigration status or the
2 child's parent's or guardian's actual or perceived
3 immigration status. These policies, procedures, and
4 practices include:

5 (A) requesting or collecting information or
6 documentation from a student or the student's parent
7 or guardian about citizenship or immigration status
8 unless required by State or federal law; and

9 (B) designating immigration status, citizenship,
10 place of birth, nationality, or national origin as
11 directory information, as that term is defined by
12 federal and State law.

13 (3) A school must not perform any of the following
14 actions:

15 (A) Threaten to disclose anything related to the
16 actual or perceived citizenship or immigration status
17 of a child or a person associated with the child to any
18 other person or entity or an immigration or law
19 enforcement agency.

20 (B) Disclose anything related to the perceived
21 citizenship or immigration status of a child or a
22 person associated with the child to any other person
23 or entity or an immigration or law enforcement agency
24 if the school does not have direct knowledge of the
25 child's or associated person's actual citizenship or
26 immigration status, subject to the requirements of

1 this paragraph (3).

2 (C) Disclose anything related to the actual
3 citizenship or immigration status of a child or a
4 person associated with the child to any other person
5 or nongovernmental entity if the school has direct
6 knowledge of the child's or associated person's actual
7 citizenship or immigration status, subject to the
8 requirements of this paragraph (3).

9 Nothing in subparagraphs (B) and (C) of this paragraph
10 (3) may be construed to permit the disclosure of student
11 records or information without complying with State and
12 federal requirements governing the disclosure of such
13 records or information. Subparagraphs (B) and (C) of this
14 paragraph (3) may not be construed to prohibit or restrict
15 an entity from sending to or receiving from the United
16 States Department of Homeland Security or any other
17 federal, State, or local governmental entity information
18 regarding the citizenship or immigration status of an
19 individual under Sections 1373 and 1644 of Title 8 of the
20 United States Code.

21 (4) A school must develop procedures for reviewing and
22 authorizing requests from law enforcement agents
23 attempting to enter a school or school facility by July 1,
24 2026. The procedures must comply with the requirements of
25 paragraph (2) of this subsection (c), and, at a minimum,
26 include the following:

1 (A) procedures for reviewing and contacting a
2 designated authorized person at the school or school
3 facility and the district superintendent's office or
4 school administrative office, who may contact the
5 school's legal counsel, and procedures for that
6 authorized person or legal counsel to review requests
7 to enter a school or school facility, including
8 judicial warrants, nonjudicial warrants, and
9 subpoenas;

10 (B) procedures for monitoring or accompanying and
11 procedures for documenting all interactions with law
12 enforcement agents while on the school's premises; and

13 (C) procedures for notifying and seeking consent
14 from a student's parents or guardian or from the
15 student if the student is 18 years old or older or
16 emancipated if a law enforcement agent requests access
17 to a student for immigration enforcement purposes,
18 unless such access is in compliance with a judicial
19 warrant or subpoena that restricts the disclosure of
20 the information to the student's parent or guardian.

21 This paragraph (4) is subject to subsection (c) of
22 Section 22-88 of this Code.

23 (d) A school shall adopt a policy for complying with
24 paragraphs (1), (2), (3), and (4) of subsection (c) by July 1,
25 2026.

26 (e) Beginning July 1, 2026, any party aggrieved by conduct

1 that violates subsection (c) may bring a civil lawsuit. This
2 lawsuit must be brought no later than 2 years after the
3 violation of subsection (c). If the court finds that a willful
4 violation of paragraph (1), (2), or (3) of subsection (c) has
5 occurred, the court may award actual damages. The court, as it
6 deems appropriate, may grant, as relief, any permanent or
7 preliminary negative or mandatory injunction, temporary
8 restraining order, or other order.

9 (f) Nothing in this Section may be construed to require an
10 exhaustion of the administrative complaint process before
11 civil law remedies may be pursued.

12 (g) Upon a motion, a court shall award reasonable
13 attorney's fees and costs, including expert witness fees and
14 other litigation expenses, to a plaintiff who is a prevailing
15 party in any action brought under subsection (c). In awarding
16 reasonable attorney's fees, the court shall consider the
17 degree to which the relief obtained relates to the relief
18 sought.

19 (h) The General Assembly finds and declares that this
20 Section is a State law within the meaning of subsection (d) of
21 Section 1621 of Title 8 of the United States Code.

22 (105 ILCS 5/27A-5)

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

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

25 (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.

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

24 (h) A charter school may negotiate and contract with a
25 school district, the governing body of a State college or
26 university or public community college, or any other public or

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

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

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

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22 new applications to establish a charter school in a city
23 having a population exceeding 500,000, operation of the
24 charter school shall be limited to one campus. This limitation
25 does not apply to charter schools existing or approved on or

1 before April 16, 2003.

2 (b-5) (Blank).

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

14 (c-5) No later than January 1, 2021 or within the first
15 year of his or her first term, every voting member of a charter
16 school's board of directors or other governing body shall
17 complete a minimum of 4 hours of professional development
18 leadership training to ensure that each member has sufficient
19 familiarity 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, and compliance with education
24 and labor law. In each subsequent year of his or her term, a
25 voting member of a charter school's board of directors or
26 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.

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. The State Board shall
21 promulgate and post on its Internet website a list of
22 non-curricular health and safety requirements that a charter
23 school must meet. The list shall be updated annually no later
24 than September 1. Any charter contract between a charter
25 school and its authorizer must contain a provision that
26 requires the charter school to follow the list of all

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

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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. The contractor shall not be an employee of the charter
20 school or affiliated with the charter school or its authorizer
21 in any way, other than to audit the charter school's finances.
22 To ensure financial accountability for the use of public
23 funds, on or before December 1 of every year of operation, each
24 charter school shall submit to its authorizer and the State
25 Board a copy of its audit and a copy of the Form 990 the
26 charter school filed that year with the federal Internal

1 Revenue Service. In addition, if deemed necessary for proper
2 financial oversight of the charter school, an authorizer may
3 require quarterly financial statements from each charter
4 school.

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

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

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

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

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

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

26 (5.5) subsection (b) of Section 10-23.12 and

subsection (b) of Section 34-18.6 of this Code;

(6) the Illinois School Student Records Act;

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

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

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

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

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

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

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

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

(15) Section 22-30 of this Code;

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

(17) the Seizure Smart School Act;

(18) Section 2-3.64a-10 of this Code;

(19) Sections 10-20.73 and 34-21.9 of this Code;

(20) Section 10-22.25b of this Code;

(21) Section 27-9.1a of this Code;

(22) Section 27-9.1b of this Code;

(23) Section 34-18.8 of this Code;

(24) Article 26A of this Code;

(25) Section 2-3.188 of this Code;

(26) Section 22-85.5 of this Code;

(27) subsections (d-10), (d-15), and (d-20) of Section

1 10-20.56 of this Code;

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

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

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

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

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

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

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

9 (35) Section 34-18.62 of this Code;

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

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

12 (38) Section 22-105 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.

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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; 103-605,
2 eff. 7-1-24; 103-641, eff. 7-1-24; 103-806, eff. 1-1-25;
3 revised 11-26-24.)

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