



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB3028

Introduced 1/28/2026, by Sen. Mike Simmons

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.25d-5  
105 ILCS 5/2-3.64a-5  
105 ILCS 5/2-3.64a-15  
105 ILCS 5/2-3.209  
105 ILCS 5/10-17a  
105 ILCS 5/10-19.05  
105 ILCS 5/10-20.9a from Ch. 122, par. 10-20.9a  
105 ILCS 5/10-29  
105 ILCS 5/13A-11  
105 ILCS 5/13B-25.25  
105 ILCS 5/14A-32  
105 ILCS 5/24A-7 from Ch. 122, par. 24A-7  
105 ILCS 5/26A-10  
105 ILCS 5/27A-4  
105 ILCS 5/27A-6  
105 ILCS 5/34-8.14

Amends the School Code. Prohibits the State Board of Education from developing, purchasing, or requiring a school district to administer, develop, or purchase a standardized assessment for students enrolled or preparing to enroll in prekindergarten through grade 12 (rather than grade 2), other than for diagnostic purposes. Prohibits the State Board of Education from providing funding for any standardized assessment of students enrolled or preparing to enroll in prekindergarten through grade 12 (rather than grade 2). Makes related changes. Effective immediately.

LRB104 17918 LNS 31354 b

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 changing Sections  
5 2-3.25d-5, 2-3.64a-5, 2-3.64a-15, 10-17a, 10-19.05, 10-20.9a,  
6 10-29, 13A-11, 13B-25.25, 14A-32, 24A-7, 26A-10, 27A-4, 27A-6,  
7 and 34-8.14 and by renumbering and changing Section 2-3.206 as  
8 follows:

9 (105 ILCS 5/2-3.25d-5)

10 Sec. 2-3.25d-5. Targeted, Comprehensive, and Intensive  
11 schools.

12 (a) Beginning in 2018, a school designated as  
13 "Comprehensive" shall be defined as:

14 (1) a school that is among the lowest performing 5% of  
15 schools in this State based on the multi-measures  
16 accountability system defined in the State Plan, with  
17 respect to the performance of the "all students" group;

18 (2) any high school with a graduation rate of less  
19 than 67%;

20 (2.5) any school that has completed a full 4-year  
21 cycle of Targeted School Improvement but remains  
22 identified for Targeted Support for one or more of the  
23 same student groups originally identified for Targeted

1 Support; or

2 (3) (blank).

3 The State Board of Education shall work with districts  
4 with one or more schools in Comprehensive School Improvement  
5 Status to perform a needs assessment to determine the  
6 district's core functions that are areas of strength and  
7 weakness. The results from the needs assessment shall be used  
8 by the district and school to identify goals and objectives  
9 for improvement. The needs assessment shall include, at a  
10 minimum, a review of the following areas: ~~student performance~~  
11 ~~on State assessments;~~ student performance on local  
12 assessments; finances, including resource allocation reviews;  
13 governance, including effectiveness of school leadership;  
14 student engagement opportunities and access to those  
15 opportunities; instructional practices; standards-aligned  
16 curriculum; school climate and culture survey results; family  
17 and community engagement; reflective stakeholder engagement;  
18 continuous school improvement practices; educator and employee  
19 quality, including staff continuity and turnover rates; and  
20 alignment of professional development to continuous  
21 improvement efforts.

22 (b) Beginning in 2018, a school designated as "Targeted"  
23 shall be defined as a school in which one or more student  
24 groups is performing at or below the level of the "all  
25 students" group of schools designated Comprehensive, as  
26 defined in paragraph (1) of subsection (a) of this Section.

1 (c) Beginning in 2023, a school designated as "Intensive"  
2 shall be defined as a school that has completed a full 4-year  
3 cycle of Comprehensive School Improvement but does not meet  
4 the criteria to exit that status, as defined in the State Plan  
5 referenced in subsection (b) of Section 2-3.25a of this Code,  
6 at the end of the cycle.

7 (d) All schools in school improvement status, including  
8 Comprehensive, Targeted, and Intensive schools, must complete  
9 a school-level needs assessment and develop and implement a  
10 continuous improvement plan.

11 (Source: P.A. 103-175, eff. 6-30-23; 103-605, eff. 7-1-24.)

12 (105 ILCS 5/2-3.64a-5)

13 Sec. 2-3.64a-5. State goals and assessment.

14 (a) For the ~~assessment and~~ accountability purposes of this  
15 Section, "students" includes those students enrolled in a  
16 public or State-operated elementary school, secondary school,  
17 or cooperative or joint agreement with a governing body or  
18 board of control, a charter school operating in compliance  
19 with the Charter Schools Law, a school operated by a regional  
20 office of education under Section 13A-3 of this Code, or a  
21 public school administered by a local public agency or the  
22 Department of Human Services.

23 (b) The State Board of Education shall establish the  
24 academic standards that are to be applicable to students ~~who~~  
25 ~~are subject to State assessments under this Section.~~ The State

1 Board of Education shall not establish any such standards in  
2 final form without first providing opportunities for public  
3 participation and local input in the development of the final  
4 academic standards. Those opportunities shall include a  
5 well-publicized period of public comment and opportunities to  
6 file written comments.

7 (c) (Blank). ~~Beginning no later than the 2014-2015 school~~  
8 ~~year, the State Board of Education shall annually assess all~~  
9 ~~students enrolled in grades 3 through 8 in English language~~  
10 ~~arts and mathematics.~~

11 ~~Beginning no later than the 2017-2018 school year, the~~  
12 ~~State Board of Education shall annually assess all students in~~  
13 ~~science at one grade in grades 3 through 5, at one grade in~~  
14 ~~grades 6 through 8, and at one grade in grades 9 through 12.~~

15 ~~The State Board of Education shall annually assess schools~~  
16 ~~that operate a secondary education program, as defined in~~  
17 ~~Section 22-22 of this Code, in English language arts and~~  
18 ~~mathematics. The State Board of Education shall administer no~~  
19 ~~more than 3 assessments, per student, of English language arts~~  
20 ~~and mathematics for students in a secondary education program.~~  
21 ~~One of these assessments shall be recognized by this State's~~  
22 ~~public institutions of higher education, as defined in the~~  
23 ~~Board of Higher Education Act, for the purpose of student~~  
24 ~~application or admissions consideration. The assessment~~  
25 ~~administered by the State Board of Education for the purpose~~  
26 ~~of student application to or admissions consideration by~~

1 ~~institutions of higher education must be administered on a~~  
2 ~~school day during regular student attendance hours, and~~  
3 ~~student profile information collected by the assessment shall,~~  
4 ~~if available, be made available to the State's public~~  
5 ~~institutions of higher education in a timely manner.~~

6 ~~Students who do not take the State's final accountability~~  
7 ~~assessment or its approved alternate assessment may not~~  
8 ~~receive a regular high school diploma unless the student is~~  
9 ~~exempted from taking the State assessments under subsection~~  
10 ~~(d) of this Section because the student is enrolled in a~~  
11 ~~program of adult and continuing education, as defined in the~~  
12 ~~Adult Education Act, or the student is identified by the State~~  
13 ~~Board of Education, through rules, as being exempt from the~~  
14 ~~assessment.~~

15 ~~The State Board of Education shall not assess students~~  
16 ~~under this Section in subjects not required by this Section.~~

17 ~~Districts shall inform their students of the timelines and~~  
18 ~~procedures applicable to their participation in every yearly~~  
19 ~~administration of the State assessments. The State Board of~~  
20 ~~Education shall establish periods of time in each school year~~  
21 ~~during which State assessments shall occur to meet the~~  
22 ~~objectives of this Section.~~

23 ~~The requirements of this subsection do not apply if the~~  
24 ~~State Board of Education has received a waiver from the~~  
25 ~~administration of assessments from the U.S. Department of~~  
26 ~~Education.~~

1           (d) (Blank). ~~Every individualized educational program as~~  
2 ~~described in Article 14 shall identify if the State assessment~~  
3 ~~or components thereof require accommodation for the student.~~  
4 ~~The State Board of Education shall develop rules governing the~~  
5 ~~administration of an alternate assessment that may be~~  
6 ~~available to students for whom participation in this State's~~  
7 ~~regular assessments is not appropriate, even with~~  
8 ~~accommodations as allowed under this Section.~~

9           ~~Students receiving special education services whose~~  
10 ~~individualized educational programs identify them as eligible~~  
11 ~~for the alternative State assessments nevertheless shall have~~  
12 ~~the option of also taking this State's regular final~~  
13 ~~accountability assessment, which shall be administered in~~  
14 ~~accordance with the eligible accommodations appropriate for~~  
15 ~~meeting these students' respective needs.~~

16           ~~All students determined to be English learners shall~~  
17 ~~participate in the State assessments. The scores of those~~  
18 ~~students who have been enrolled in schools in the United~~  
19 ~~States for less than 12 months may not be used for the purposes~~  
20 ~~of accountability. Any student determined to be an English~~  
21 ~~learner shall receive appropriate assessment accommodations,~~  
22 ~~including language supports, which shall be established by~~  
23 ~~rule. Approved assessment accommodations must be provided~~  
24 ~~until the student's English language skills develop to the~~  
25 ~~extent that the student is no longer considered to be an~~  
26 ~~English learner, as demonstrated through a State identified~~

1 ~~English language proficiency assessment.~~

2 (e) (Blank). ~~The results or scores of each assessment~~  
3 ~~taken under this Section shall be made available to the~~  
4 ~~parents of each student.~~

5 ~~In each school year, the scores attained by a student on~~  
6 ~~the final accountability assessment must be placed in the~~  
7 ~~student's permanent record pursuant to rules that the State~~  
8 ~~Board of Education shall adopt for that purpose in accordance~~  
9 ~~with Section 3 of the Illinois School Student Records Act. In~~  
10 ~~each school year, the scores attained by a student on the State~~  
11 ~~assessments administered in grades 3 through 8 must be placed~~  
12 ~~in the student's temporary record.~~

13 (f) All schools shall administer the State's academic  
14 assessment of English language proficiency to all children  
15 determined to be English learners.

16 (g) All schools in this State that are part of the sample  
17 drawn by the National Center for Education Statistics, in  
18 collaboration with their school districts and the State Board  
19 of Education, shall administer the academic assessments under  
20 the National Assessment of Educational Progress carried out  
21 under Section 411(b)(2) of the federal National Education  
22 Statistics Act of 1994 (20 U.S.C. 9010) if the U.S. Secretary  
23 of Education pays the costs of administering the assessments.

24 (h) (Blank).

25 (i) (Blank). ~~For the purposes of this subsection (i),~~  
26 ~~"academically based assessments" means assessments consisting~~

1 ~~of questions and answers that are measurable and quantifiable~~  
2 ~~to measure the knowledge, skills, and ability of students in~~  
3 ~~the subject matters covered by the assessments. All~~  
4 ~~assessments administered pursuant to this Section must be~~  
5 ~~academically based assessments. The scoring of academically~~  
6 ~~based assessments shall be reliable, valid, and fair and shall~~  
7 ~~meet the guidelines for assessment development and use~~  
8 ~~prescribed by the American Psychological Association, the~~  
9 ~~National Council on Measurement in Education, and the American~~  
10 ~~Educational Research Association.~~

11 ~~The State Board of Education shall review the use of all~~  
12 ~~assessment item types in order to ensure that they are valid~~  
13 ~~and reliable indicators of student performance aligned to the~~  
14 ~~learning standards being assessed and that the development,~~  
15 ~~administration, and scoring of these item types are~~  
16 ~~justifiable in terms of cost.~~

17 (j) (Blank). ~~The State Superintendent of Education shall~~  
18 ~~appoint a committee of no more than 21 members, consisting of~~  
19 ~~parents, teachers, school administrators, school board~~  
20 ~~members, assessment experts, regional superintendents of~~  
21 ~~schools, and citizens, to review the State assessments~~  
22 ~~administered by the State Board of Education. The Committee~~  
23 ~~shall select one of its members as its chairperson. The~~  
24 ~~Committee shall meet on an ongoing basis to review the content~~  
25 ~~and design of the assessments (including whether the~~  
26 ~~requirements of subsection (i) of this Section have been met),~~

1 ~~the time and money expended at the local and State levels to~~  
2 ~~prepare for and administer the assessments, the collective~~  
3 ~~results of the assessments as measured against the stated~~  
4 ~~purpose of assessing student performance, and other issues~~  
5 ~~involving the assessments identified by the Committee. The~~  
6 ~~Committee shall make periodic recommendations to the State~~  
7 ~~Superintendent of Education and the General Assembly~~  
8 ~~concerning the assessments.~~

9 (k) The State Board of Education may adopt rules to  
10 implement this Section.

11 (Source: P.A. 103-204, eff. 1-1-24; 104-15, eff. 6-30-25.)

12 (105 ILCS 5/2-3.64a-15)

13 Sec. 2-3.64a-15. Restrictions on prekindergarten through  
14 grade 12 ~~2~~ assessments.

15 (a) In this Section:

16 "Diagnostic and screening purposes" means for the purpose  
17 of determining if individual students need remedial  
18 instruction or to determine eligibility for special education,  
19 early intervention, bilingual education, dyslexia services,  
20 advanced academic programs as defined in Section 14A-17 of  
21 this Code, or other related educational services. Any  
22 assessment used to determine eligibility for special education  
23 or related services must be consistent with Section 614 of the  
24 federal Individuals with Disabilities Education Act.  
25 "Diagnostic and screening purposes" includes the

1 identification and evaluation of students with disabilities.  
2 "Diagnostic and screening purposes" does not include any  
3 assessment in which student scores are used to rate or rank a  
4 classroom, program, teacher, school, school district, or  
5 jurisdiction.

6 "Standardized assessment" means an assessment that  
7 requires all student test takers to answer the same questions,  
8 or a selection of questions from a common bank of questions, in  
9 the same manner or substantially the same questions in the  
10 same manner. "Standardized assessment" does not include an  
11 observational assessment tool used to satisfy the requirements  
12 of Section 2-3.64a-10.

13 (b) The State Board of Education may not develop,  
14 purchase, or require a school district to administer, develop,  
15 or purchase a standardized assessment for students enrolled or  
16 preparing to enroll in prekindergarten through grade 12 ~~2~~,  
17 other than for diagnostic and screening purposes.

18 (c) The State Board of Education may not provide funding  
19 for any standardized assessment of students enrolled or  
20 preparing to enroll in prekindergarten through grade 12 ~~2~~,  
21 other than for diagnostic and screening purposes.

22 (d) Nothing in this Section shall be construed to limit  
23 the ability of a classroom teacher or school district to  
24 develop, purchase, administer, or score an assessment for an  
25 individual classroom, grade level, or group of grade levels in  
26 any subject area in prekindergarten through the grade 12 ~~2~~.

1 (e) Nothing in this Section limits procedures used by a  
2 school or school district for child find under 34 CFR  
3 300.111(c) or evaluation under 34 CFR 300.304.

4 (f) Nothing in this Section restricts the use of an annual  
5 assessment of English proficiency of all English learners to  
6 comply with Section 1111(b)(2)(G) of the federal Elementary  
7 and Secondary Education Act of 1965.

8 (Source: P.A. 102-875, eff. 5-13-22; 103-946, eff. 8-9-24.)

9 (105 ILCS 5/2-3.209)

10 Sec. 2-3.209 ~~2-3.206~~. Assessment reporting transparency.

11 (a) On or before July 1, 2025 and each fiscal year  
12 thereafter, the State Board of Education shall report, for  
13 each assessment contract the State Board of Education enters  
14 into, all of the following:

15 (1) the effective date of the contract and the date  
16 the contract concludes;

17 (2) whether the contract includes any renewal options  
18 and, if so, the length and number of renewals;

19 (3) the total contract costs on a yearly basis; and

20 (4) the notice of communications with the vendor to  
21 exercise renewal options.

22 The State Board of Education may not enter into or renew  
23 any assessment contract that conflicts with Section 2-3.64a-15  
24 on or after the effective date of this amendatory Act of the  
25 104th General Assembly.

1 (b) The State Board of Education shall compile the  
2 information required under subsection (a) and make that  
3 information available to the public on its Internet website.

4 (c) To further enhance the transparency around  
5 assessments, the State Board of Education shall engage with  
6 stakeholder groups, such as ~~the committee appointed under~~  
7 ~~Section 2-3.64a-5~~ and the Balanced Accountability Measure  
8 Committee created in Section 2-3.25a, other State Board of  
9 Education established groups, such as the Technical Advisory  
10 Committee, and any other relevant entities established after  
11 August 15, 2025 (the effective date of Public Act 104-239)  
12 ~~this amendatory Act of the 104th General Assembly.~~

13 (d) The State Board of Education may adopt any rules  
14 necessary to carry out its responsibilities under this  
15 Section.

16 (Source: P.A. 104-239, eff. 8-15-25; revised 10-10-25.)

17 (105 ILCS 5/10-17a)

18 Sec. 10-17a. State, school district, and school report  
19 cards; Expanded High School Snapshot Report.

20 (1) By October 31, 2013 and October 31 of each subsequent  
21 school year, the State Board of Education, through the State  
22 Superintendent of Education, shall prepare a State report  
23 card, school district report cards, and school report cards,  
24 and shall by the most economical means provide to each school  
25 district in this State, including special charter districts

1 and districts subject to the provisions of Article 34, the  
2 report cards for the school district and each of its schools.  
3 Because of the impacts of the COVID-19 public health emergency  
4 during school year 2020-2021, the State Board of Education  
5 shall have until December 31, 2021 to prepare and provide the  
6 report cards that would otherwise be due by October 31, 2021.  
7 During a school year in which the Governor has declared a  
8 disaster due to a public health emergency pursuant to Section  
9 7 of the Illinois Emergency Management Agency Act, the report  
10 cards for the school districts and each of its schools shall be  
11 prepared by December 31.

12 (2) In addition to any information required by federal  
13 law, the State Superintendent shall determine the indicators  
14 and presentation of the school report card, which must  
15 include, at a minimum, the most current data collected and  
16 maintained by the State Board of Education related to the  
17 following:

18 (A) school characteristics and student demographics,  
19 including average class size, average teaching experience,  
20 student racial/ethnic breakdown, and the percentage of  
21 students classified as low-income; the percentage of  
22 students classified as English learners, the number of  
23 students who graduate from a bilingual or English learner  
24 program, and the number of students who graduate from,  
25 transfer from, or otherwise leave bilingual programs; the  
26 percentage of students who have individualized education

1 plans or 504 plans that provide for special education  
2 services; the number and the percentage of all students in  
3 grades kindergarten through 8, disaggregated by the  
4 student demographics described in this paragraph (A), in  
5 each of the following categories: (i) those who have been  
6 assessed for placement in a gifted education program or  
7 accelerated placement, (ii) those who have enrolled in a  
8 gifted education program or in accelerated placement, and  
9 (iii) for each of categories (i) and (ii), those who  
10 received direct instruction from a teacher who holds a  
11 gifted education endorsement; the number and the  
12 percentage of all students in grades 9 through 12,  
13 disaggregated by the student demographics described in  
14 this paragraph (A), who have been enrolled in an advanced  
15 academic program; ~~the percentage of students scoring at~~  
16 ~~the "exceeds expectations" level on the assessments~~  
17 ~~required under Section 2 3.64a 5 of this Code;~~ the  
18 percentage of students who annually transferred in or out  
19 of the school district; average daily attendance; the  
20 per-pupil operating expenditure of the school district;  
21 and the per-pupil State average operating expenditure for  
22 the district type (elementary, high school, or unit);

23 (B) curriculum information, including, where  
24 applicable, Advanced Placement, International  
25 Baccalaureate or equivalent courses, dual credit courses,  
26 foreign language classes, computer science courses, school

1 personnel resources (including Career Technical Education  
2 teachers), before and after school programs,  
3 extracurricular activities, subjects in which elective  
4 classes are offered, health and wellness initiatives  
5 (including the average number of days of Physical  
6 Education per week per student), approved programs of  
7 study, awards received, community partnerships, and  
8 special programs such as programming for the gifted and  
9 talented, students with disabilities, and work-study  
10 students;

11 (C) student outcomes, including, where applicable, the  
12 percentage of students deemed proficient on assessments of  
13 State standards, the percentage of students in the eighth  
14 grade who pass Algebra, the percentage of students who  
15 participated in workplace learning experiences, the  
16 percentage of students enrolled in post-secondary  
17 institutions (including colleges, universities, community  
18 colleges, trade/vocational schools, and training programs  
19 leading to career certification within 2 semesters of high  
20 school graduation), the percentage of students graduating  
21 from high school who are college and career ready, the  
22 percentage of graduates enrolled in community colleges,  
23 colleges, and universities who are in one or more courses  
24 that the community college, college, or university  
25 identifies as a developmental course, and the percentage  
26 of students with disabilities under the federal

1 Individuals with Disabilities Education Act and Article 14  
2 of this Code who have fulfilled the minimum State  
3 graduation requirements set forth in Section 27-605 of  
4 this Code and have been issued a regular high school  
5 diploma;

6 (D) student progress, including, where applicable, the  
7 percentage of students in the ninth grade who have earned  
8 5 credits or more without failing more than one core  
9 class, a measure of students entering kindergarten ready  
10 to learn, a measure of growth, and the percentage of  
11 students who enter high school on track for college and  
12 career readiness;

13 (E) the school environment, including, where  
14 applicable, high school dropout rate by grade level, the  
15 percentage of students with less than 10 absences in a  
16 school year, the percentage of teachers with less than 10  
17 absences in a school year for reasons other than  
18 professional development, leaves taken pursuant to the  
19 federal Family Medical Leave Act of 1993, long-term  
20 disability, or parental leaves, the 3-year average of the  
21 percentage of teachers returning to the school from the  
22 previous year, the number of different principals at the  
23 school in the last 6 years, the number of teachers who hold  
24 a gifted education endorsement, the process and criteria  
25 used by the district to determine whether a student is  
26 eligible for participation in a gifted education program

1 or advanced academic program and the manner in which  
2 parents and guardians are made aware of the process and  
3 criteria, the number of teachers who are National Board  
4 Certified Teachers, disaggregated by race and ethnicity, 2  
5 or more indicators from any school climate survey selected  
6 or approved by the State and administered pursuant to  
7 Section 2-3.153 of this Code, with the same or similar  
8 indicators included on school report cards for all surveys  
9 selected or approved by the State pursuant to Section  
10 2-3.153 of this Code, the combined percentage of teachers  
11 rated as proficient or excellent in their most recent  
12 evaluation, and, beginning with the 2022-2023 school year,  
13 data on the number of incidents of violence that occurred  
14 on school grounds or during school-related activities and  
15 that resulted in an out-of-school suspension, expulsion,  
16 or removal to an alternative setting, as reported pursuant  
17 to Section 2-3.162;

18 (F) a school district's and its individual schools'  
19 balanced accountability measure, in accordance with  
20 Section 2-3.25a of this Code;

21 (G) the total and per pupil normal cost amount the  
22 State contributed to the Teachers' Retirement System of  
23 the State of Illinois in the prior fiscal year for the  
24 school's employees, which shall be reported to the State  
25 Board of Education by the Teachers' Retirement System of  
26 the State of Illinois;

1           (H) for a school district organized under Article 34  
2 of this Code only, State contributions to the Public  
3 School Teachers' Pension and Retirement Fund of Chicago  
4 and State contributions for health care for employees of  
5 that school district;

6           (I) a school district's Final Percent of Adequacy, as  
7 defined in paragraph (4) of subsection (f) of Section  
8 18-8.15 of this Code;

9           (J) a school district's Local Capacity Target, as  
10 defined in paragraph (2) of subsection (c) of Section  
11 18-8.15 of this Code, displayed as a percentage amount;

12           (K) a school district's Real Receipts, as defined in  
13 paragraph (1) of subsection (d) of Section 18-8.15 of this  
14 Code, divided by a school district's Adequacy Target, as  
15 defined in paragraph (1) of subsection (b) of Section  
16 18-8.15 of this Code, displayed as a percentage amount;

17           (L) a school district's administrative costs;

18           (M) whether or not the school has participated in the  
19 Illinois Youth Survey. In this paragraph (M), "Illinois  
20 Youth Survey" means a self-report survey, administered in  
21 school settings every 2 years, designed to gather  
22 information about health and social indicators, including  
23 substance abuse patterns and the attitudes of students in  
24 grades 8, 10, and 12;

25           (N) whether the school offered its students career and  
26 technical education opportunities; and

1 (O) beginning with the October 2024 report card, the  
2 total number of school counselors, school social workers,  
3 school nurses, and school psychologists by school,  
4 district, and State, the average number of students per  
5 school counselor in the school, district, and State, the  
6 average number of students per school social worker in the  
7 school, district, and State, the average number of  
8 students per school nurse in the school, district, and  
9 State, and the average number of students per school  
10 psychologist in the school, district, and State.

11 The school report card shall also provide information that  
12 allows for comparing the current outcome, progress, and  
13 environment data to the State average, to the school data from  
14 the past 5 years, and to the outcomes, progress, and  
15 environment of similar schools based on the type of school and  
16 enrollment of low-income students, special education students,  
17 and English learners.

18 As used in this subsection (2):

19 "Accelerated placement" has the meaning ascribed to that  
20 term in Section 14A-17 of this Code.

21 "Administrative costs" means costs associated with  
22 executive, administrative, or managerial functions within the  
23 school district that involve planning, organizing, managing,  
24 or directing the school district.

25 "Advanced academic program" means a course of study,  
26 including, but not limited to, accelerated placement, advanced

1 placement coursework, International Baccalaureate coursework,  
2 dual credit, or any course designated as enriched or honors,  
3 that a student is enrolled in based on advanced cognitive  
4 ability or advanced academic achievement compared to local age  
5 peers and in which the curriculum is substantially  
6 differentiated from the general curriculum to provide  
7 appropriate challenge and pace.

8 "Computer science" means the study of computers and  
9 algorithms, including their principles, their hardware and  
10 software designs, their implementation, and their impact on  
11 society. "Computer science" does not include the study of  
12 everyday uses of computers and computer applications, such as  
13 keyboarding or accessing the Internet.

14 "Gifted education" means educational services, including  
15 differentiated curricula and instructional methods, designed  
16 to meet the needs of gifted children as defined in Article 14A  
17 of this Code.

18 For the purposes of paragraph (A) of this subsection (2),  
19 "average daily attendance" means the average of the actual  
20 number of attendance days during the previous school year for  
21 any enrolled student who is subject to compulsory attendance  
22 by Section 26-1 of this Code at each school and charter school.

23 (2.5) For any school report card prepared after July 1,  
24 2025, for all high school graduation completion rates that are  
25 reported on the school report card as required under this  
26 Section or by any other State or federal law, the State

1 Superintendent of Education shall also report the percentage  
2 of students who did not meet the requirements of high school  
3 graduation completion for any reason and, of those students,  
4 the percentage that are classified as students who fulfill the  
5 requirements of Section 14-16 of this Code.

6 The State Superintendent shall ensure that for the  
7 2023-2024 school year there is a specific code for districts  
8 to report students who fulfill the requirements of Section  
9 14-16 of this Code to ensure accurate reporting under this  
10 Section.

11 All reporting requirements under this subsection (2.5)  
12 shall be included on the school report card where high school  
13 graduation completion rates are reported, along with a brief  
14 explanation of how fulfilling the requirements of Section  
15 14-16 of this Code is different from receiving a regular high  
16 school diploma.

17 (3) At the discretion of the State Superintendent, the  
18 school district report card shall include a subset of the  
19 information identified in paragraphs (A) through (E) of  
20 subsection (2) of this Section, as well as information  
21 relating to the operating expense per pupil and other finances  
22 of the school district, and the State report card shall  
23 include a subset of the information identified in paragraphs  
24 (A) through (E) and paragraph (N) of subsection (2) of this  
25 Section. The school district report card shall include the  
26 average daily attendance, as that term is defined in

1 subsection (2) of this Section, of students who have  
2 individualized education programs and students who have 504  
3 plans that provide for special education services within the  
4 school district.

5 (4) Notwithstanding anything to the contrary in this  
6 Section, in consultation with key education stakeholders, the  
7 State Superintendent shall at any time have the discretion to  
8 amend or update any and all metrics on the school, district, or  
9 State report card.

10 (5) Annually, no more than 30 calendar days after receipt  
11 of the school district and school report cards from the State  
12 Superintendent of Education, each school district, including  
13 special charter districts and districts subject to the  
14 provisions of Article 34, shall present such report cards at a  
15 regular school board meeting subject to applicable notice  
16 requirements, post the report cards on the school district's  
17 Internet web site, if the district maintains an Internet web  
18 site, make the report cards available to a newspaper of  
19 general circulation serving the district, and, upon request,  
20 send the report cards home to a parent (unless the district  
21 does not maintain an Internet web site, in which case the  
22 report card shall be sent home to parents without request). If  
23 the district posts the report card on its Internet web site,  
24 the district shall send a written notice home to parents  
25 stating (i) that the report card is available on the web site,  
26 (ii) the address of the web site, (iii) that a printed copy of

1 the report card will be sent to parents upon request, and (iv)  
2 the telephone number that parents may call to request a  
3 printed copy of the report card.

4 (6) Nothing contained in Public Act 98-648 repeals,  
5 supersedes, invalidates, or nullifies final decisions in  
6 lawsuits pending on July 1, 2014 (the effective date of Public  
7 Act 98-648) in Illinois courts involving the interpretation of  
8 Public Act 97-8.

9 (7) As used in this subsection (7):

10 "Advanced coursework or programs" means any high school  
11 courses, sequence of courses, or class or grouping of students  
12 organized to provide more rigorous, enriched, advanced,  
13 accelerated, gifted, or above grade-level instruction. This  
14 may include, but is not limited to, Advanced Placement  
15 courses, International Baccalaureate courses, honors,  
16 weighted, advanced, or enriched courses, or gifted or  
17 accelerated programs, classrooms, or courses.

18 "Course" means any high school class or course offered by  
19 a school that is assigned a school course code by the State  
20 Board of Education.

21 "High school" means a school that maintains any of grades  
22 9 through 12.

23 "Standard coursework or programs" means any high school  
24 courses or classes other than advanced coursework or programs.

25 By December 31, 2027 and by December 31 of each subsequent  
26 year, the State Board of Education, through the State

1 Superintendent of Education, shall prepare a stand-alone  
2 report covering all public high schools in this State, to be  
3 referred to as the Expanded High School Coursework Snapshot  
4 Report. The State Board shall post the Report on the State  
5 Board's Internet website. Each school district with high  
6 school enrollment for the reporting year shall include on the  
7 school district's Internet website, if the district maintains  
8 an Internet website, a hyperlink to the Report on the State  
9 Board's Internet website titled "Expanded High School  
10 Coursework Snapshot Report". Hyperlinks under this subsection  
11 (7) shall be displayed in a manner that is easily accessible to  
12 the public.

13 The Expanded High School Coursework Snapshot Report shall  
14 include:

15 (A) a listing of all standard coursework or programs  
16 that have high school student enrollment;

17 (B) a listing of all advanced coursework or programs  
18 that have high school student enrollment;

19 (C) a listing of all coursework or programs that have  
20 high school student enrollment by English learners;

21 (D) a listing of all coursework or programs that have  
22 high school student enrollment by students with  
23 disabilities;

24 (E) data tables and graphs comparing advanced  
25 coursework or programs enrollment with standard coursework  
26 or programs enrollment according to the following

1 parameters:

2 (i) the average years of experience of all  
3 teachers in a high school who are assigned to teach  
4 advanced coursework or programs compared with the  
5 average years of experience of all teachers in the  
6 high school who are assigned to teach standard  
7 coursework or programs;

8 (ii) the average years of experience of all  
9 teachers in a high school who are assigned to teach  
10 coursework or programs that have high school  
11 enrollment by students with disabilities compared with  
12 the average years of experience of all teachers in the  
13 high school who are not assigned to teach coursework  
14 or programs that have high school student enrollment  
15 by students with disabilities;

16 (iii) the average years of experience of all  
17 teachers in a high school who are assigned to teach  
18 coursework or programs that have high school student  
19 enrollment by English learners compared with the  
20 average years of experience of all teachers in the  
21 high school who are not assigned to teach coursework  
22 or programs that have high school student enrollment  
23 by English learners;

24 (iv) the number of high school teachers who  
25 possess bachelor's degrees, master's degrees, or  
26 higher degrees and who are assigned to teach advanced

1 coursework or programs compared with the number of  
2 teachers who possess bachelor's degrees, master's  
3 degrees, or higher degrees and who are assigned to  
4 teach standard coursework or programs;

5 (v) the number of high school teachers who possess  
6 bachelor's degrees, master's degrees, or higher  
7 degrees and who are assigned to teach coursework or  
8 programs that have high school student enrollment by  
9 students with disabilities compared with the number of  
10 teachers who possess bachelor's degrees, master's  
11 degrees, or higher degrees and who are not assigned to  
12 teach coursework or programs that have high school  
13 student enrollment by students with disabilities;

14 (vi) the number of high school teachers who  
15 possess bachelor's degrees, master's degrees, or  
16 higher degrees and who are assigned to teach  
17 coursework or programs that have high school student  
18 enrollment by English learners compared with the  
19 number of teachers who possess bachelor's degrees,  
20 master's degrees, or higher degrees and who are not  
21 assigned to teach coursework or programs that have  
22 high school student enrollment by English learners;

23 (vii) the average student enrollment of advanced  
24 coursework or programs offered in a high school  
25 compared with the average student enrollment of  
26 standard coursework or programs;

1 (viii) the percentages of high school students, by  
2 race, gender, and program student group, who are  
3 enrolled in advanced coursework or programs;

4 (ix) (blank);

5 (x) (blank);

6 (xi) (blank);

7 (xii) (blank);

8 (xiii) (blank);

9 (xiv) the percentage of high school students, by  
10 race, gender, and program student group, who earn the  
11 equivalent of a C grade or higher on a grade A through  
12 F scale in one or more advanced coursework or programs  
13 compared with the percentage of high school students,  
14 by race, gender, and program student group, who earn  
15 the equivalent of a C grade or higher on a grade A  
16 through F scale in one or more standard coursework or  
17 programs;

18 (xv) (blank);

19 (xvi) (blank); and

20 (F) data tables and graphs for each race and ethnicity  
21 category and gender category describing:

22 (i) the total student number and student  
23 percentage for Advanced Placement courses taken by  
24 race and ethnicity category and gender category;

25 (ii) the total student number and student  
26 percentage for International Baccalaureate courses

1 taken by race and ethnicity category and gender  
2 category;

3 (iii) (blank);

4 (iv) (blank); and

5 (v) the total student number and student  
6 percentage of high school students who earn a score of  
7 3 or higher on the Advanced Placement exam associated  
8 with an Advanced Placement course.

9 For data on teacher experience and education under this  
10 subsection (7), a teacher who teaches a combination of courses  
11 designated as advanced coursework or programs, courses or  
12 programs that have high school student enrollment by English  
13 learners, or standard coursework or programs shall be included  
14 in all relevant categories and the teacher's level of  
15 experience shall be added to the categories.

16 (Source: P.A. 103-116, eff. 6-30-23; 103-263, eff. 6-30-23;  
17 103-413, eff, 1-1-24; 103-503, eff. 1-1-24; 103-605, eff.  
18 7-1-24; 103-780, eff. 8-2-24; 104-391, eff. 8-15-25.)

19 (105 ILCS 5/10-19.05)

20 Sec. 10-19.05. Daily pupil attendance calculation.

21 (a) Except as otherwise provided in this Section, for a  
22 pupil of legal school age and in kindergarten or any of grades  
23 1 through 12, a day of attendance shall be counted only for  
24 sessions of not less than 5 clock hours of school work per day  
25 under direct supervision of (i) teachers or (ii) non-teaching

1 personnel or volunteer personnel when engaging in non-teaching  
2 duties and supervising in those instances specified in  
3 subsection (a) of Section 10-22.34 and paragraph 10 of Section  
4 34-18. Days of attendance by pupils through verified  
5 participation in an e-learning program adopted by a school  
6 board and verified by the regional office of education or  
7 intermediate service center for the school district under  
8 Section 10-20.56 of this Code shall be considered as full days  
9 of attendance under this Section.

10 (b) A pupil regularly enrolled in a public school for only  
11 a part of the school day may be counted on the basis of  
12 one-sixth of a school day for every class hour of instruction  
13 of 40 minutes or more attended pursuant to such enrollment,  
14 unless a pupil is enrolled in a block-schedule format of 80  
15 minutes or more of instruction, in which case the pupil may be  
16 counted on the basis of the proportion of minutes of school  
17 work completed each day to the minimum number of minutes that  
18 school work is required to be held that day.

19 (c) A session of 4 or more clock hours may be counted as a  
20 day of attendance upon certification by the regional  
21 superintendent of schools and approval by the State  
22 Superintendent of Education to the extent that the district  
23 has been forced to use daily multiple sessions.

24 (d) A session of 3 or more clock hours may be counted as a  
25 day of attendance (1) when the remainder of the school day or  
26 at least 2 hours in the evening of that day is utilized for an

1 in-service training program for teachers, up to a maximum of  
2 10 days per school year, provided that a district conducts an  
3 in-service training program for teachers in accordance with  
4 Section 10-22.39 of this Code, or, in lieu of 4 such days, 2  
5 full days may be used, in which event each such day may be  
6 counted as a day required for a legal school calendar pursuant  
7 to Section 10-19 of this Code; (2) when, of the 5 days allowed  
8 under item (1), a maximum of 4 days are used for parent-teacher  
9 conferences, or, in lieu of 4 such days, 2 full days are used,  
10 in which case each such day may be counted as a calendar day  
11 required under Section 10-19 of this Code, provided that the  
12 full-day, parent-teacher conference consists of (i) a minimum  
13 of 5 clock hours of parent-teacher conferences, (ii) both a  
14 minimum of 2 clock hours of parent-teacher conferences held in  
15 the evening following a full day of student attendance and a  
16 minimum of 3 clock hours of parent-teacher conferences held on  
17 the day immediately following evening parent-teacher  
18 conferences, or (iii) multiple parent-teacher conferences held  
19 in the evenings following full days of student attendance in  
20 which the time used for the parent-teacher conferences is  
21 equivalent to a minimum of 5 clock hours; and (3) when days in  
22 addition to those provided in items (1) and (2) are scheduled  
23 by a school pursuant to its school improvement plan adopted  
24 under Article 34 or its revised or amended school improvement  
25 plan adopted under Article 2, provided that (i) such sessions  
26 of 3 or more clock hours are scheduled to occur at regular

1 intervals, (ii) the remainder of the school days in which such  
2 sessions occur are utilized for in-service training programs  
3 or other staff development activities for teachers, and (iii)  
4 a sufficient number of minutes of school work under the direct  
5 supervision of teachers are added to the school days between  
6 such regularly scheduled sessions to accumulate not less than  
7 the number of minutes by which such sessions of 3 or more clock  
8 hours fall short of 5 clock hours. Days scheduled for  
9 in-service training programs, staff development activities, or  
10 parent-teacher conferences may be scheduled separately for  
11 different grade levels and different attendance centers of the  
12 district.

13 (e) A session of not less than one clock hour of teaching  
14 hospitalized or homebound pupils on-site or by telephone to  
15 the classroom may be counted as a half day of attendance;  
16 however, these pupils must receive 4 or more clock hours of  
17 instruction to be counted for a full day of attendance.

18 (f) A session of at least 4 clock hours may be counted as a  
19 day of attendance for first grade pupils and pupils in  
20 full-day kindergartens, and a session of 2 or more hours may be  
21 counted as a half day of attendance by pupils in kindergartens  
22 that provide only half days of attendance.

23 (g) For children with disabilities who are below the age  
24 of 6 years and who cannot attend 2 or more clock hours because  
25 of their disability or immaturity, a session of not less than  
26 one clock hour may be counted as a half day of attendance;

1 however, for such children whose educational needs require a  
2 session of 4 or more clock hours, a session of at least 4 clock  
3 hours may be counted as a full day of attendance.

4 (h) A recognized kindergarten that provides for only a  
5 half day of attendance by each pupil shall not have more than  
6 one half day of attendance counted in any one day. However,  
7 kindergartens may count 2 and a half days of attendance in any  
8 5 consecutive school days. When a pupil attends such a  
9 kindergarten for 2 half days on any one school day, the pupil  
10 shall have the following day as a day absent from school,  
11 unless the school district obtains permission in writing from  
12 the State Superintendent of Education. Attendance at  
13 kindergartens that provide for a full day of attendance by  
14 each pupil shall be counted the same as attendance by first  
15 grade pupils. Only the first year of attendance in one  
16 kindergarten shall be counted, except in the case of children  
17 who entered the kindergarten in their fifth year whose  
18 educational development requires a second year of kindergarten  
19 as determined under rules of the State Board of Education.

20 (i) (Blank). ~~On the days when the State's final~~  
21 ~~accountability assessment is administered under subsection (c)~~  
22 ~~of Section 2-3.64a-5 of this Code, the day of attendance for a~~  
23 ~~pupil whose school day must be shortened to accommodate~~  
24 ~~required testing procedures may be less than 5 clock hours and~~  
25 ~~shall be counted toward the 176 days of actual pupil~~  
26 ~~attendance required under Section 10-19 of this Code, provided~~

1 ~~that a sufficient number of minutes of school work in excess of~~  
2 ~~5 clock hours are first completed on other school days to~~  
3 ~~compensate for the loss of school work on the examination~~  
4 ~~days.~~

5 (j) Pupils enrolled in a remote educational program  
6 established under Section 10-29 of this Code may be counted on  
7 the basis of a one-fifth day of attendance for every clock hour  
8 of instruction attended in the remote educational program,  
9 provided that, in any month, the school district may not claim  
10 for a student enrolled in a remote educational program more  
11 days of attendance than the maximum number of days of  
12 attendance the district can claim (i) for students enrolled in  
13 a building holding year-round classes if the student is  
14 classified as participating in the remote educational program  
15 on a year-round schedule or (ii) for students enrolled in a  
16 building not holding year-round classes if the student is not  
17 classified as participating in the remote educational program  
18 on a year-round schedule.

19 (j-5) The clock hour requirements of subsections (a)  
20 through (j) of this Section do not apply if the Governor has  
21 declared a disaster due to a public health emergency pursuant  
22 to Section 7 of the Illinois Emergency Management Agency Act.  
23 The State Superintendent of Education may establish minimum  
24 clock hour requirements under Sections 10-30 and 34-18.66 if  
25 the Governor has declared a disaster due to a public health  
26 emergency pursuant to Section 7 of the Illinois Emergency

1 Management Agency Act.

2 (k) Pupil participation in any of the following activities  
3 shall be counted toward the calculation of clock hours of  
4 school work per day:

5 (1) Instruction in a college course in which a student  
6 is dually enrolled for both high school credit and college  
7 credit.

8 (2) Participation in a Supervised Career Development  
9 Experience, as defined in Section 10 of the Postsecondary  
10 and Workforce Readiness Act, in which student  
11 participation and learning outcomes are approved by an  
12 educator licensed under Article 21B for assessment of  
13 competencies. Participation may include, but is not  
14 limited to, scheduled events of local, State, and national  
15 youth organizations, career and technical education  
16 student organizations, FFA associations, and 4-H programs  
17 as part of organized competitions, exhibitions, or  
18 conferences.

19 (2.5) Participation in any work-based learning  
20 experience, including supervised agricultural  
21 experiences, in which student participation and learning  
22 outcomes are approved by an educator who holds an Educator  
23 License with Stipulations with a career and technical  
24 educator endorsement and a work-based learning  
25 designation, as required by rule.

26 (3) Participation in a youth apprenticeship, as

1 jointly defined in rules of the State Board of Education  
2 and Department of Commerce and Economic Opportunity, in  
3 which student participation and outcomes are approved by  
4 an educator licensed under Article 21B for assessment of  
5 competencies.

6 (4) Participation in a blended learning program  
7 approved by the school district in which course content,  
8 student evaluation, and instructional methods are  
9 supervised by an educator licensed under Article 21B.

10 A student and the student's parent or legal guardian are  
11 responsible for obtaining coursework that is missed while the  
12 student participates in an activity pursuant to this  
13 subsection (k) from the student's teacher.

14 School district attendance policies shall be updated,  
15 added to a district's student handbook, and publicly posted to  
16 reflect the activities allowed to be counted toward the  
17 calculation of clock hours of school work under this  
18 subsection (k) no later than the beginning of the 2026-2027  
19 school year. These policies shall include, at a minimum, an  
20 approval process for students to attend allowable activities  
21 under this subsection (k) and provisions for making up missed  
22 coursework that do not penalize a student.

23 (Source: P.A. 103-560, eff. 1-1-24; 104-250, eff. 1-1-26.)

24 (105 ILCS 5/10-20.9a) (from Ch. 122, par. 10-20.9a)

25 Sec. 10-20.9a. Final grade; promotion.

1 (a) Teachers shall administer the approved marking system  
2 or other approved means of evaluating pupil progress. The  
3 teacher shall maintain the responsibility and right to  
4 determine grades and other evaluations of students within the  
5 grading policies of the district based upon his or her  
6 professional judgment of available criteria pertinent to any  
7 given subject area or activity for which he or she is  
8 responsible. District policy shall provide the procedure and  
9 reasons by and for which a grade may be changed; provided that  
10 no grade or evaluation shall be changed without notification  
11 to the teacher concerning the nature and reasons for such  
12 change. If such a change is made, the person making the change  
13 shall assume such responsibility for determining the grade or  
14 evaluation, and shall initial such change.

15 (b) School districts shall not promote students to the  
16 next higher grade level based upon age or any other social  
17 reasons not related to the academic performance of the  
18 students. On or before September 1, 1998, school boards shall  
19 adopt and enforce a policy on promotion as they deem necessary  
20 to ensure that students meet local goals and objectives and  
21 can perform at the expected grade level prior to promotion.  
22 Decisions to promote or retain students in any classes shall  
23 be based on successful completion of the curriculum,  
24 attendance, performance based on ~~the assessments required~~  
25 ~~under Section 2-3.64a-5 of this Code,~~ the Iowa Test of Basic  
26 Skills, or other testing, or any other criteria established by

1 the school board. Students determined by the local district to  
2 not qualify for promotion to the next higher grade shall be  
3 provided remedial assistance, which may include, but shall not  
4 be limited to, a summer bridge program of no less than 90  
5 hours, tutorial sessions, increased or concentrated  
6 instructional time, modifications to instructional materials,  
7 and retention in grade.

8 (c) (Blank).

9 (d) (Blank).

10 (Source: P.A. 104-391, eff. 8-15-25.)

11 (105 ILCS 5/10-29)

12 Sec. 10-29. Remote educational programs.

13 (a) For purposes of this Section, "remote educational  
14 program" means an educational program delivered to students in  
15 the home or other location outside of a school building that  
16 meets all of the following criteria:

17 (1) A student may participate in the program only  
18 after the school district, pursuant to adopted school  
19 board policy, and a person authorized to enroll the  
20 student under Section 10-20.12b of this Code determine  
21 that a remote educational program will best serve the  
22 student's individual learning needs. The adopted school  
23 board policy shall include, but not be limited to, all of  
24 the following:

25 (A) Criteria for determining that a remote

1 educational program will best serve a student's  
2 individual learning needs. The criteria must include  
3 consideration of, at a minimum, a student's prior  
4 attendance, disciplinary record, and academic history.

5 (B) Any limitations on the number of students or  
6 grade levels that may participate in a remote  
7 educational program.

8 (C) A description of the process that the school  
9 district will use to approve participation in the  
10 remote educational program. The process must include  
11 without limitation a requirement that, for any student  
12 who qualifies to receive services pursuant to the  
13 federal Individuals with Disabilities Education  
14 Improvement Act of 2004, the student's participation  
15 in a remote educational program receive prior approval  
16 from the student's individualized education program  
17 team.

18 (D) A description of the process the school  
19 district will use to develop and approve a written  
20 remote educational plan that meets the requirements of  
21 subdivision (5) of this subsection (a).

22 (E) A description of the system the school  
23 district will establish to determine student  
24 participation in instruction in accordance with the  
25 remote educational program.

26 (F) A description of the process for renewing a

1 remote educational program at the expiration of its  
2 term.

3 (G) Such other terms and provisions as the school  
4 district deems necessary to provide for the  
5 establishment and delivery of a remote educational  
6 program.

7 (2) The school district has determined that the remote  
8 educational program's curriculum is aligned to State  
9 learning standards and that the program offers instruction  
10 and educational experiences consistent with those given to  
11 students at the same grade level in the district.

12 (3) The remote educational program is delivered by  
13 instructors that meet the following qualifications:

14 (A) they are licensed under Article 21B of this  
15 Code;

16 (B) (blank); and

17 (C) they have responsibility for all of the  
18 following elements of the program: planning  
19 instruction, diagnosing learning needs, prescribing  
20 content delivery through class activities, assessing  
21 learning, reporting outcomes to administrators and  
22 parents and guardians, and evaluating the effects of  
23 instruction.

24 (4) During the period of time from and including the  
25 opening date to the closing date of the regular school  
26 term of the school district established pursuant to

1 Section 10-19 of this Code, participation in a remote  
2 educational program may be claimed for evidence-based  
3 funding purposes under Section 18-8.15 of this Code on any  
4 calendar day, notwithstanding whether the day is a day of  
5 pupil attendance or institute day on the school district's  
6 calendar or any other provision of law restricting  
7 instruction on that day. If the district holds year-round  
8 classes in some buildings, the district shall classify  
9 each student's participation in a remote educational  
10 program as either on a year-round or a non-year-round  
11 schedule for purposes of claiming evidence-based funding.  
12 Outside of the regular school term of the district, the  
13 remote educational program may be offered as part of any  
14 summer school program authorized by this Code.

15 (5) Each student participating in a remote educational  
16 program must have a written remote educational plan that  
17 has been approved by the school district and a person  
18 authorized to enroll the student under Section 10-20.12b  
19 of this Code. The school district and a person authorized  
20 to enroll the student under Section 10-20.12b of this Code  
21 must approve any amendment to a remote educational plan.  
22 The remote educational plan must include, but is not  
23 limited to, all of the following:

24 (A) Specific achievement goals for the student  
25 aligned to State learning standards.

26 (B) A description of all assessments that will be

1 used to measure student progress, which description  
2 shall indicate the assessments that will be  
3 administered at an attendance center within the school  
4 district.

5 (C) A description of the progress reports that  
6 will be provided to the school district and the person  
7 or persons authorized to enroll the student under  
8 Section 10-20.12b of this Code.

9 (D) Expectations, processes, and schedules for  
10 interaction between a teacher and student.

11 (E) A description of the specific responsibilities  
12 of the student's family and the school district with  
13 respect to equipment, materials, phone and Internet  
14 service, and any other requirements applicable to the  
15 home or other location outside of a school building  
16 necessary for the delivery of the remote educational  
17 program.

18 (F) If applicable, a description of how the remote  
19 educational program will be delivered in a manner  
20 consistent with the student's individualized education  
21 program required by Section 614(d) of the federal  
22 Individuals with Disabilities Education Improvement  
23 Act of 2004 or plan to ensure compliance with Section  
24 504 of the federal Rehabilitation Act of 1973.

25 (G) A description of the procedures and  
26 opportunities for participation in academic and

1 extracurricular activities and programs within the  
2 school district.

3 (H) The identification of a parent, guardian, or  
4 other responsible adult who will provide direct  
5 supervision of the program. The plan must include an  
6 acknowledgment by the parent, guardian, or other  
7 responsible adult that he or she may engage only in  
8 non-teaching duties not requiring instructional  
9 judgment or the evaluation of a student. The plan  
10 shall designate the parent, guardian, or other  
11 responsible adult as non-teaching personnel or  
12 volunteer personnel under subsection (a) of Section  
13 10-22.34 of this Code.

14 (I) The identification of a school district  
15 administrator who will oversee the remote educational  
16 program on behalf of the school district and who may be  
17 contacted by the student's parents with respect to any  
18 issues or concerns with the program.

19 (J) The term of the student's participation in the  
20 remote educational program, which may not extend for  
21 longer than 12 months, unless the term is renewed by  
22 the district in accordance with subdivision (7) of  
23 this subsection (a).

24 (K) A description of the specific location or  
25 locations in which the program will be delivered. If  
26 the remote educational program is to be delivered to a

1 student in any location other than the student's home,  
2 the plan must include a written determination by the  
3 school district that the location will provide a  
4 learning environment appropriate for the delivery of  
5 the program. The location or locations in which the  
6 program will be delivered shall be deemed a long  
7 distance teaching reception area under subsection (a)  
8 of Section 10-22.34 of this Code.

9 (L) Certification by the school district that the  
10 plan meets all other requirements of this Section.

11 (6) Students participating in a remote educational  
12 program must be enrolled in a school district attendance  
13 center pursuant to the school district's enrollment policy  
14 or policies. ~~A student participating in a remote~~  
15 ~~educational program must be tested as part of all~~  
16 ~~assessments administered by the school district pursuant~~  
17 ~~to Section 2-3.64a 5 of this Code at the attendance center~~  
18 ~~in which the student is enrolled and in accordance with~~  
19 ~~the attendance center's assessment policies and schedule.~~  
20 The student must be included within all accountability  
21 determinations for the school district and attendance  
22 center under State and federal law.

23 (7) The term of a student's participation in a remote  
24 educational program may not extend for longer than 12  
25 months, unless the term is renewed by the school district.  
26 The district may only renew a student's participation in a

1 remote educational program following an evaluation of the  
2 student's progress in the program, a determination that  
3 the student's continuation in the program will best serve  
4 the student's individual learning needs, and an amendment  
5 to the student's written remote educational plan  
6 addressing any changes for the upcoming term of the  
7 program.

8 For purposes of this Section, a remote educational program  
9 does not include instruction delivered to students through an  
10 e-learning program approved under Section 10-20.56 of this  
11 Code.

12 (b) A school district may, by resolution of its school  
13 board, establish a remote educational program.

14 (c) (Blank).

15 (d) The impact of remote educational programs on wages,  
16 hours, and terms and conditions of employment of educational  
17 employees within the school district shall be subject to local  
18 collective bargaining agreements.

19 (e) The use of a home or other location outside of a school  
20 building for a remote educational program shall not cause the  
21 home or other location to be deemed a public school facility.

22 (f) A remote educational program may be used, but is not  
23 required, for instruction delivered to a student in the home  
24 or other location outside of a school building that is not  
25 claimed for evidence-based funding purposes under Section  
26 18-8.15 of this Code.

1 (g) School districts that, pursuant to this Section, adopt  
2 a policy for a remote educational program must submit to the  
3 State Board of Education a copy of the policy and any  
4 amendments thereto, as well as data on student participation  
5 in a format specified by the State Board of Education. The  
6 State Board of Education may perform or contract with an  
7 outside entity to perform an evaluation of remote educational  
8 programs in this State.

9 (h) The State Board of Education may adopt any rules  
10 necessary to ensure compliance by remote educational programs  
11 with the requirements of this Section and other applicable  
12 legal requirements.

13 (Source: P.A. 101-81, eff. 7-12-19; 102-894, eff. 5-20-22.)

14 (105 ILCS 5/13A-11)

15 Sec. 13A-11. Chicago public schools.

16 (a) The Chicago Board of Education may establish  
17 alternative schools within Chicago and may contract with third  
18 parties for services otherwise performed by employees,  
19 including those in a bargaining unit, in accordance with  
20 Sections 34-8.1, 34-18, and 34-49.

21 (b) Alternative schools operated by third parties within  
22 Chicago shall be exempt from all provisions of this Code,  
23 except provisions concerning:

24 (1) student civil rights;

25 (2) staff civil rights;

- 1 (3) health and safety;
- 2 (4) performance and financial audits;
- 3 (5) (blank); ~~the assessments required under Section~~  
4 ~~2-3.64a-5 of this Code;~~
- 5 (6) Chicago learning outcomes;
- 6 (7) Sections 2-3.25a through 2-3.25j of this Code;
- 7 (8) the Inspector General;
- 8 (9) Section 34-2.4b of this Code; and
- 9 (10) Article 26A and any other provision of this Code  
10 concerning students who are parents, expectant parents, or  
11 victims of domestic or sexual violence, as defined in  
12 Article 26A.

13 (Source: P.A. 102-466, eff. 7-1-25.)

14 (105 ILCS 5/13B-25.25)

15 Sec. 13B-25.25. Testing and assessment. A district plan  
16 for an alternative learning opportunities program operated  
17 through a cooperative or intergovernmental agreement must  
18 provide procedures for ensuring that students are included in  
19 the administration of statewide testing programs. ~~Students~~  
20 ~~enrolled in an alternative learning opportunities program~~  
21 ~~shall participate in State assessments under Section 2-3.64a-5~~  
22 ~~of this Code.~~

23 (Source: P.A. 98-972, eff. 8-15-14.)

24 (105 ILCS 5/14A-32)

1           Sec. 14A-32. Accelerated placement; school district  
2 responsibilities.

3           (a) Each school district shall have a policy that allows  
4 for accelerated placement that includes or incorporates by  
5 reference the following components:

6                 (1) a provision that provides that participation in  
7 accelerated placement is not limited to those children who  
8 have been identified as gifted and talented, but rather is  
9 open to all children who demonstrate high ability and who  
10 may benefit from accelerated placement;

11                (2) a fair and equitable decision-making process that  
12 involves multiple persons and includes a student's parents  
13 or guardians;

14                (3) procedures for notifying parents or guardians of a  
15 child of a decision affecting that child's participation  
16 in an accelerated placement program; and

17                (4) an assessment process that includes multiple  
18 valid, reliable indicators.

19           (a-5) By no later than the beginning of the 2023-2024  
20 school year, a school district's accelerated placement policy  
21 shall allow for the automatic enrollment, in the following  
22 school term, of a student into the next most rigorous level of  
23 advanced coursework offered by the high school if the student  
24 exceeds State standards in English language arts, mathematics,  
25 or science ~~on a State assessment administered under Section~~  
26 ~~2-3.64a-5~~ as follows:

1           (1) A student who exceeds State standards in English  
2 language arts shall be automatically enrolled into the  
3 next most rigorous level of advanced coursework in  
4 English, social studies, humanities, or related subjects.

5           (2) A student who exceeds State standards in  
6 mathematics shall be automatically enrolled into the next  
7 most rigorous level of advanced coursework in mathematics.

8           (3) A student who exceeds State standards in science  
9 shall be automatically enrolled into the next most  
10 rigorous level of advanced coursework in science.

11          (a-10) By no later than the beginning of the 2027-2028  
12 school year, a school district's accelerated placement policy  
13 shall allow for automatic eligibility, in the following school  
14 term, for a student to enroll in the next most rigorous level  
15 of advanced coursework offered by the high school if the  
16 student meets State standards in English language arts,  
17 mathematics, or science ~~on a State assessment administered~~  
18 ~~under Section 2-3.64a-5~~ as follows:

19           (1) A student who meets State standards in English  
20 language arts shall be automatically eligible to enroll in  
21 the next most rigorous level of advanced coursework in  
22 English, social studies, humanities, or related subjects.

23           (2) A student who meets State standards in mathematics  
24 shall be automatically eligible to enroll in the next most  
25 rigorous level of advanced coursework in mathematics.

26           (3) A student who meets State standards in science

1 shall be automatically eligible to enroll in the next most  
2 rigorous level of advanced coursework in science.

3 (a-15) For a student entering grade 12, the next most  
4 rigorous level of advanced coursework in English language arts  
5 or mathematics shall be a dual credit course, as defined in the  
6 Dual Credit Quality Act, an Advanced Placement course, as  
7 defined in Section 10 of the College and Career Success for All  
8 Students Act, or an International Baccalaureate course;  
9 otherwise, the next most rigorous level of advanced coursework  
10 under this subsection (a-15) may include a dual credit course,  
11 as defined in the Dual Credit Quality Act, an Advanced  
12 Placement course, as defined in Section 10 of the College and  
13 Career Success for All Students Act, an International  
14 Baccalaureate course, an honors class, an enrichment  
15 opportunity, a gifted program, or another program offered by  
16 the district.

17 A school district may use the student's most recent State  
18 assessment results to determine whether a student meets or  
19 exceeds State standards. For a student entering grade 9,  
20 results from the State assessment taken in grades 6 through 8  
21 may be used. For other high school grades, the results from a  
22 locally selected, nationally normed assessment may be used  
23 instead of the State assessment if those results are the most  
24 recent.

25 (a-20) A school district's accelerated placement policy  
26 may allow for the waiver of a course or unit of instruction

1 completion requirement if (i) completion of the course or unit  
2 of instruction is required by this Code or rules adopted by the  
3 State Board of Education as a prerequisite to receiving a high  
4 school diploma and (ii) the school district has determined  
5 that the student has demonstrated mastery of or competency in  
6 the content of the course or unit of instruction. The school  
7 district shall maintain documentation of this determination of  
8 mastery or competency for each student, that shall include  
9 identification of the learning standards or competencies  
10 reviewed, the methods of measurement used, student  
11 performance, the date of the determination, and identification  
12 of the district personnel involved in the determination  
13 process.

14 (a-25) A school district's accelerated placement policy  
15 must include a process through which the parent or guardian of  
16 each student who meets State standards is provided  
17 notification in writing of the student's eligibility for  
18 enrollment in accelerated courses. This notification must  
19 provide details on the procedures for the parent or guardian  
20 to enroll or not enroll the student in accelerated courses, in  
21 writing, on forms the school district makes available. If no  
22 course selection is made by the parent or guardian in  
23 accordance with procedures set forth by the school district,  
24 the student shall be automatically enrolled in the next most  
25 rigorous level of coursework. A school district must provide  
26 the parent or guardian of a student eligible for enrollment

1 under subsection (a-5) or (a-10) with the option to instead  
2 have the student enroll in alternative coursework that better  
3 aligns with the student's postsecondary education or career  
4 goals. If applicable, a school district must provide  
5 notification to a student's parent or guardian that the  
6 student will receive a waiver of a course or unit of  
7 instruction completion requirement under subsection (a-5) or  
8 (a-10).

9 Nothing in subsection (a-5) or (a-10) may be interpreted  
10 to preclude other students from enrolling in advanced  
11 coursework per the policy of a school district.

12 (a-30) Nothing in this Section shall prohibit the  
13 implementation of policies that allow for automatic enrollment  
14 of students who meet standards on State assessments into the  
15 next most rigorous level of advanced coursework offered by a  
16 high school.

17 (b) Further, a school district's accelerated placement  
18 policy may include or incorporate by reference, but need not  
19 be limited to, the following components:

20 (1) procedures for annually informing the community  
21 at-large, including parents or guardians, community-based  
22 organizations, and providers of out-of-school programs,  
23 about the accelerated placement program and the methods  
24 used for the identification of children eligible for  
25 accelerated placement, including strategies to reach  
26 groups of students and families who have been historically

1 underrepresented in accelerated placement programs and  
2 advanced coursework;

3 (2) a process for referral that allows for multiple  
4 referrers, including a child's parents or guardians; other  
5 referrers may include licensed education professionals,  
6 the child, with the written consent of a parent or  
7 guardian, a peer, through a licensed education  
8 professional who has knowledge of the referred child's  
9 abilities, or, in case of possible early entrance, a  
10 preschool educator, pediatrician, or psychologist who  
11 knows the child;

12 (3) a provision that provides that children  
13 participating in an accelerated placement program and  
14 their parents or guardians will be provided a written plan  
15 detailing the type of acceleration the child will receive  
16 and strategies to support the child;

17 (4) procedures to provide support and promote success  
18 for students who are newly enrolled in an accelerated  
19 placement program;

20 (5) a process for the school district to review and  
21 utilize disaggregated data on participation in an  
22 accelerated placement program to address gaps among  
23 demographic groups in accelerated placement opportunities;  
24 and

25 (6) procedures to promote equity, which may  
26 incorporate one or more of the following evidence-based

1 practices:

2 (A) the use of multiple tools to assess  
3 exceptional potential and provide several pathways  
4 into advanced academic programs when assessing student  
5 need for advanced academic or accelerated programming;

6 (B) providing enrichment opportunities starting in  
7 the early grades to address achievement gaps that  
8 occur at school entry and provide students with  
9 opportunities to demonstrate their advanced potential;

10 (C) the use of universal screening combined with  
11 local school-based norms for placement in accelerated  
12 and advanced learning programs;

13 (D) developing a continuum of services to identify  
14 and develop talent in all learners ranging from  
15 enriched learning experiences, such as problem-based  
16 learning, performance tasks, critical thinking, and  
17 career exploration, to accelerated placement and  
18 advanced academic programming; and

19 (E) providing professional learning in gifted  
20 education for teachers and other appropriate school  
21 personnel to appropriately identify and challenge  
22 students from diverse cultures and backgrounds who may  
23 benefit from accelerated placement or advanced  
24 academic programming.

25 (c) The State Board of Education shall adopt rules to  
26 determine data to be collected and disaggregated by

1 demographic group regarding accelerated placement, including  
2 the rates of students who participate in and successfully  
3 complete advanced coursework, and a method of making the  
4 information available to the public.

5 (d) On or before November 1, 2022, following a review of  
6 disaggregated data on the participation and successful  
7 completion rates of students enrolled in an accelerated  
8 placement program, each school district shall develop a plan  
9 to expand access to its accelerated placement program and to  
10 ensure the teaching capacity necessary to meet the increased  
11 demand.

12 (Source: P.A. 103-263, eff. 6-30-23; 103-743, eff. 8-2-24;  
13 104-261, eff. 1-1-26; 104-417, eff. 8-15-25.)

14 (105 ILCS 5/24A-7) (from Ch. 122, par. 24A-7)  
15 Sec. 24A-7. Rules.

16 (a) The State Board of Education is authorized to adopt  
17 such rules as are deemed necessary to implement and accomplish  
18 the purposes and provisions of this Article, including, but  
19 not limited to, rules:

20 (1) relating to the methods for measuring student  
21 growth (including, but not limited to, limitations on the  
22 age of usable data ~~and~~ the amount of data needed to  
23 reliably and validly measure growth for the purpose of  
24 teacher and principal evaluations; ~~and whether and at what~~  
25 ~~time annual State assessments may be used as one of~~

1 ~~multiple measures of student growth);~~

2 (2) (blank);

3 (3) controlling for such factors as student  
4 characteristics (including, but not limited to, students  
5 receiving special education and English Learner services),  
6 student attendance, and student mobility to best measure  
7 the impact that a teacher, principal, school and school  
8 district has on students' academic achievement;

9 (4) establishing minimum requirements for district  
10 teacher and principal evaluation instruments and  
11 procedures; and

12 (5) (blank).

13 ~~A a school district may use an annual State assessment as a~~  
14 ~~measure of student growth for purposes of teacher or principal~~  
15 ~~evaluations.~~

16 (b) (Blank).

17 (c) On July 1, 2024, the State Superintendent of Education  
18 shall convene a Performance Evaluation Advisory Committee for  
19 the purpose of maintaining and improving the evaluator  
20 training and pre-qualification program in this State under  
21 Section 24A-3. The Committee shall be staffed by the State  
22 Board of Education. Members of the Committee shall include,  
23 without limitation, representatives from providers of the  
24 evaluator retraining and pre-qualification program in this  
25 State, which include teacher unions, school district  
26 management, including a school district organized under

1 Article 34, and a statewide organization representing regional  
2 offices of education. Members of the Committee shall be  
3 nominated by the providers and appointed by the State  
4 Superintendent.

5 The Committee shall meet initially at the call of the  
6 State Superintendent and shall select one member as  
7 chairperson at its initial meeting. The Committee shall meet  
8 at least quarterly and may also meet at the call of the  
9 chairperson of the Committee.

10 The Committee shall advise the State Board of Education on  
11 the continued implementation of the evaluator training and  
12 pre-qualification program in this State, which may include the  
13 development and delivery of the program's existing and new  
14 administrators' academies, gathering feedback from program  
15 instructors and participants, sharing best practices,  
16 consulting with the State Board on any proposed rule changes  
17 regarding evaluator training, and other subjects as determined  
18 by the chairperson of the Committee.

19 (d) Prior to the applicable implementation date, the rules  
20 shall not apply to teachers assigned to schools identified in  
21 an agreement entered into between the board of a school  
22 district operating under Article 34 of this Code and the  
23 exclusive representative of the district's teachers in  
24 accordance with Section 34-85c of this Code.

25 (Source: P.A. 103-617, eff. 7-1-24; 104-20, eff. 7-1-25.)

1 (105 ILCS 5/26A-10)

2 Sec. 26A-10. Definitions. In this Article:

3 "Confidential" means information or facts expected and  
4 intended to be kept private or protected by an existing  
5 privilege in the Code of Civil Procedure. Confidential  
6 information may be disclosed by a school or school district if  
7 such disclosure is required by State or federal law or is  
8 necessary to complete proceedings relevant to this Article.  
9 Designation of student information as confidential applies to  
10 the school and school district and does not limit a student's  
11 right to speak about the student's experiences.

12 "Consent" includes, at a minimum, a recognition that (i)  
13 consent is a freely given agreement to sexual activity, (ii)  
14 an individual's lack of verbal or physical resistance or  
15 submission resulting from the use of threat of force does not  
16 constitute consent, (iii) an individual's manner of dress does  
17 not constitute consent, (iv) an individual's consent to past  
18 sexual activity does not constitute consent to future sexual  
19 activity, (v) an individual's consent to engage in one type of  
20 sexual activity with one person does not constitute consent to  
21 engage in any other type of sexual activity or sexual activity  
22 with another person, (vi) an individual can withdraw consent  
23 at any time, and (vii) an individual cannot consent to sexual  
24 activity if that individual is unable to understand the nature  
25 of the activity or give knowing consent due to the  
26 circumstances that include, but are not limited to, all the

1 following:

2 (1) The individual is incapacitated due to the use or  
3 influence of alcohol or drugs.

4 (2) The individual is asleep or unconscious.

5 (3) The individual is under the age of consent.

6 (4) The individual is incapacitated due to a mental  
7 disability.

8 "Domestic or sexual violence" means domestic violence,  
9 gender-based harassment, sexual activity without consent,  
10 sexual assault, sexual violence, or stalking. Domestic or  
11 sexual violence may occur through electronic communication.  
12 Domestic or sexual violence exists regardless of when or where  
13 the violence occurred, whether or not the violence is the  
14 subject of a criminal investigation or the perpetrator has  
15 been criminally charged or convicted of a crime, whether or  
16 not an order of protection or a no-contact order is pending  
17 before or has been issued by a court, or whether or not any  
18 domestic or sexual violence took place on school grounds,  
19 during regular school hours, or during a school-sponsored  
20 event.

21 "Domestic or sexual violence organization" means a  
22 nonprofit, nongovernmental organization that provides  
23 assistance to victims of domestic or sexual violence or  
24 advocates for those victims, including an organization  
25 carrying out a domestic or sexual violence program, an  
26 organization operating a shelter or a rape crisis center or

1 providing counseling services, an accredited children's  
2 advocacy center, an organization that provides services to or  
3 advocates on behalf of children and students who are gay,  
4 lesbian, bisexual, transgender, or gender nonconforming, an  
5 organization that provides services to or advocates on behalf  
6 of children and students who are parents or expectant parents,  
7 or an organization seeking to eliminate domestic or sexual  
8 violence or to address the consequences of that violence for  
9 its victims through legislative advocacy or policy change,  
10 public education, or service collaboration.

11 "Domestic violence" means abuse, as defined in the  
12 Illinois Domestic Violence Act of 1986, by family or household  
13 members, as defined in the Illinois Domestic Violence Act of  
14 1986.

15 "Electronic communication" includes communications via  
16 telephone, mobile phone, computer, email, video recorder, fax  
17 machine, telex, pager, apps or applications, or any other  
18 electronic communication or cyberstalking under Section 12-7.5  
19 of the Criminal Code of 2012.

20 "Expectant parent" means a student who (i) is pregnant and  
21 (ii) has not yet received a diploma for completion of a  
22 secondary education, as defined in Section 22-22.

23 "Gender-based harassment" means any harassment or  
24 discrimination on the basis of an individual's actual or  
25 perceived sex or gender, including unwelcome sexual advances,  
26 requests for sexual favors, other verbal or physical conduct

1 of a sexual nature, or unwelcome conduct, including verbal,  
2 nonverbal, or physical conduct that is not sexual in nature  
3 but is related to a student's status as a parent, expectant  
4 parent, or victim of domestic or sexual violence.

5 "Harassment" means any unwelcome conduct on the basis of a  
6 student's actual or perceived race, gender, color, religion,  
7 national origin, ancestry, sex, marital status, order of  
8 protection status, disability, sexual orientation, gender  
9 identity, pregnancy, or citizenship status that has the  
10 purpose or effect of substantially interfering with the  
11 individual's academic performance or creating an intimidating,  
12 hostile, or offensive learning environment.

13 "Perpetrator" means an individual who commits or is  
14 alleged to have committed any act of domestic or sexual  
15 violence. The term "perpetrator" must be used with caution  
16 when applied to children, particularly young children.

17 "Poor academic performance" means a student who has (i)  
18 scored in the 50th percentile or below on a school  
19 district-administered standardized test, (ii) not met State  
20 ~~received a score on a State assessment that does not meet~~  
21 standards in one or more of the fundamental learning areas  
22 under Section 27-1, as applicable for the student's grade  
23 level, or (iii) not met grade-level expectations on a school  
24 district-designated assessment.

25 "Representative" means an adult who is authorized to act  
26 on behalf of a student during a proceeding, including an

1 attorney, parent, or guardian.

2 "School" means a school district or school governed by  
3 this Code, including a school operating under Article 13, 13A,  
4 13B, 27A, 32, 33, or 34, other than the Department of Juvenile  
5 Justice School District. "School" includes any other entity  
6 responsible for administering public schools, such as  
7 cooperatives, joint agreements, charter schools, special  
8 charter districts, regional offices of education, local  
9 agencies, or the Department of Human Services, and nonpublic  
10 schools recognized by the State Board of Education.

11 "Sexual activity" means any knowingly touching or fondling  
12 by one person, either directly or through clothing, of the sex  
13 organs, anus, mouth, or breast of another person for the  
14 purpose of sexual gratification or arousal.

15 "Sexual assault" or "sexual violence" means any conduct of  
16 an adult or minor child proscribed in Article 11 of the  
17 Criminal Code of 2012, except for Sections 11-35, 11-40, and  
18 11-45 of the Criminal Code of 2012, including conduct  
19 committed by a perpetrator who is a stranger to the victim and  
20 conduct by a perpetrator who is known or related by blood or  
21 marriage to the victim.

22 "Stalking" means any conduct proscribed in Section 12-7.3,  
23 12-7.4, or 12-7.5 of the Criminal Code of 2012, including  
24 stalking committed by a perpetrator who is a stranger to the  
25 victim and stalking committed by a perpetrator who is known or  
26 related by blood or marriage to the victim.

1 "Student" or "pupil" means any child who has not yet  
2 received a diploma for completion of a secondary education.

3 "Student" includes, but is not limited to, an unaccompanied  
4 minor not in the physical custody of a parent or guardian.

5 "Student at risk of academic failure" means a student who  
6 is at risk of failing to meet the Illinois Learning Standards  
7 or failing to graduate from elementary or high school and who  
8 demonstrates a need for educational support or social services  
9 beyond those provided by the regular school program.

10 "Student parent" means a student who is a custodial or  
11 noncustodial parent taking an active role in the care and  
12 supervision of a child and who has not yet received a diploma  
13 for completion of a secondary education.

14 "Support person" means any person whom the victim has  
15 chosen to include in proceedings for emotional support or  
16 safety. A support person does not participate in proceedings  
17 but is permitted to observe and support the victim with parent  
18 or guardian approval. "Support person" may include, but is not  
19 limited to, an advocate, clergy, a counselor, and a parent or  
20 guardian. If a student is age 18 years or older, the student  
21 has the right to choose a support person without parent or  
22 guardian approval.

23 "Survivor-centered" means a systematic focus on the needs  
24 and concerns of a survivor of sexual violence, domestic  
25 violence, dating violence, or stalking that (i) ensures the  
26 compassionate and sensitive delivery of services in a

1 nonjudgmental manner, (ii) ensures an understanding of how  
2 trauma affects survivor behavior, (iii) maintains survivor  
3 safety, privacy, and, if possible, confidentiality, and (iv)  
4 recognizes that a survivor is not responsible for the sexual  
5 violence, domestic violence, dating violence, or stalking.

6 "Trauma-informed response" means a response involving an  
7 understanding of the complexities of sexual violence, domestic  
8 violence, dating violence, or stalking through training  
9 centered on the neurobiological impact of trauma, the  
10 influence of societal myths and stereotypes surrounding sexual  
11 violence, domestic violence, dating violence, or stalking, and  
12 understanding the behavior of perpetrators.

13 "Victim" means an individual who has been subjected to one  
14 or more acts of domestic or sexual violence.

15 (Source: P.A. 102-466, eff. 7-1-25.)

16 (105 ILCS 5/27A-4)

17 Sec. 27A-4. General provisions.

18 (a) The General Assembly does not intend to alter or amend  
19 the provisions of any court-ordered desegregation plan in  
20 effect for any school district. A charter school shall be  
21 subject to all federal and State laws and constitutional  
22 provisions prohibiting discrimination on the basis of  
23 disability, race, creed, color, gender, national origin,  
24 religion, ancestry, marital status, or need for special  
25 education services.

1           (b) The total number of charter schools operating under  
2 this Article at any one time shall not exceed 120. Not more  
3 than 70 charter schools shall operate at any one time in any  
4 city having a population exceeding 500,000, with at least 5  
5 charter schools devoted exclusively to students from  
6 low-performing or overcrowded schools operating at any one  
7 time in that city; and not more than 45 charter schools shall  
8 operate at any one time in the remainder of the State, with not  
9 more than one charter school that has been initiated by a board  
10 of education, or by an intergovernmental agreement between or  
11 among boards of education, operating at any one time in the  
12 school district where the charter school is located. In  
13 addition to these charter schools, up to but no more than 5  
14 charter schools devoted exclusively to re-enrolled high school  
15 dropouts and/or students 16 or 15 years old at risk of dropping  
16 out may operate at any one time in any city having a population  
17 exceeding 500,000. Notwithstanding any provision to the  
18 contrary in subsection (b) of Section 27A-5 of this Code, each  
19 such dropout charter may operate up to 15 campuses within the  
20 city. Any of these dropout charters may have a maximum of 1,875  
21 enrollment seats, any one of the campuses of the dropout  
22 charter may have a maximum of 165 enrollment seats, and each  
23 campus of the dropout charter must be operated, through a  
24 contract or payroll, by the same legal entity as that for which  
25 the charter is approved and certified.

26           For purposes of implementing this Section, the State Board

1 shall assign a number to each charter submission it receives  
2 under Section 27A-6 for its review and certification, based on  
3 the chronological order in which the submission is received by  
4 it. The State Board shall promptly notify local school boards  
5 when the maximum numbers of certified charter schools  
6 authorized to operate have been reached.

7 (c) No charter shall be granted under this Article that  
8 would convert any existing private, parochial, or non-public  
9 school to a charter school.

10 (d) Enrollment in a charter school shall be open to any  
11 pupil who resides within the geographic boundaries of the area  
12 served by the local school board, provided that the board of  
13 education in a city having a population exceeding 500,000 may  
14 designate attendance boundaries for no more than one-third of  
15 the charter schools permitted in the city if the board of  
16 education determines that attendance boundaries are needed to  
17 relieve overcrowding or to better serve low-income and at-risk  
18 students. Students residing within an attendance boundary may  
19 be given priority for enrollment, but must not be required to  
20 attend the charter school.

21 (e) Nothing in this Article shall prevent 2 or more local  
22 school boards from jointly issuing a charter to a single  
23 shared charter school, provided that all of the provisions of  
24 this Article are met as to those local school boards.

25 (f) No local school board shall require any employee of  
26 the school district to be employed in a charter school.

1 (g) No local school board shall require any pupil residing  
2 within the geographic boundary of its district to enroll in a  
3 charter school.

4 (h) If there are more eligible applicants for enrollment  
5 in a charter school than there are spaces available,  
6 successful applicants shall be selected by lottery. However,  
7 priority shall be given to siblings of pupils enrolled in the  
8 charter school and to pupils who were enrolled in the charter  
9 school the previous school year, unless expelled for cause,  
10 and priority may be given to pupils residing within the  
11 charter school's attendance boundary, if a boundary has been  
12 designated by the board of education in a city having a  
13 population exceeding 500,000.

14 Any lottery required under this subsection (h) must be  
15 administered and videotaped by the charter school. The  
16 authorizer or its designee must be allowed to be present or  
17 view the lottery in real time. The charter school must  
18 maintain a videotaped record of the lottery, including a  
19 time/date stamp. The charter school shall transmit copies of  
20 the videotape and all records relating to the lottery to the  
21 authorizer on or before September 1 of each year.

22 Subject to the requirements for priority applicant groups  
23 set forth in paragraph (1) of this subsection (h), any lottery  
24 required under this subsection (h) must be administered in a  
25 way that provides each student an equal chance at admission.  
26 If an authorizer makes a determination that a charter school's

1 lottery is in violation of this subsection (h), it may  
2 administer the lottery directly. After a lottery, each student  
3 randomly selected for admission to the charter school must be  
4 notified. Charter schools may not create an admissions process  
5 subsequent to a lottery that may operate as a barrier to  
6 registration or enrollment.

7 Charter schools may undertake additional intake  
8 activities, including without limitation student essays,  
9 school-parent compacts, or open houses, but in no event may a  
10 charter school require participation in these activities as a  
11 condition of enrollment. A charter school must submit an  
12 updated waitlist to the authorizer on a quarterly basis. A  
13 waitlist must be submitted to the authorizer at the same time  
14 as quarterly financial statements, if quarterly financial  
15 statements are required by the authorizer.

16 Dual enrollment at both a charter school and a public  
17 school or non-public school shall not be allowed. A pupil who  
18 is suspended or expelled from a charter school shall be deemed  
19 to be suspended or expelled from the public schools of the  
20 school district in which the pupil resides. Notwithstanding  
21 anything to the contrary in this subsection (h):

22 (1) any charter school with a mission exclusive to  
23 educating high school dropouts may grant priority  
24 admission to students who are high school dropouts and/or  
25 students 16 or 15 years old at risk of dropping out and any  
26 charter school with a mission exclusive to educating

1 students from low-performing or overcrowded schools may  
2 restrict admission to students who are from low-performing  
3 or overcrowded schools; "priority admission" for charter  
4 schools exclusively devoted to re-enrolled dropouts or  
5 students at risk of dropping out means a minimum of 90% of  
6 students enrolled shall be high school dropouts; and

7 (2) any charter school located in a school district  
8 that contains all or part of a federal military base may  
9 set aside up to 33% of its current charter enrollment to  
10 students with parents assigned to the federal military  
11 base, with the remaining 67% subject to the general  
12 enrollment and lottery requirements of subsection (d) of  
13 this Section and this subsection (h); if a student with a  
14 parent assigned to the federal military base withdraws  
15 from the charter school during the course of a school year  
16 for reasons other than grade promotion, those students  
17 with parents assigned to the federal military base shall  
18 have preference in filling the vacancy.

19 (i) (Blank).

20 (j) Notwithstanding any other provision of law to the  
21 contrary, a school district in a city having a population  
22 exceeding 500,000 shall not have a duty to collectively  
23 bargain with an exclusive representative of its employees over  
24 decisions to grant or deny a charter school proposal under  
25 Section 27A-8 of this Code, decisions to renew or revoke a  
26 charter under Section 27A-9 of this Code, and the impact of

1 these decisions, provided that nothing in this Section shall  
2 have the effect of negating, abrogating, replacing, reducing,  
3 diminishing, or limiting in any way employee rights,  
4 guarantees, or privileges granted in Sections 2, 3, 7, 8, 10,  
5 14, and 15 of the Illinois Educational Labor Relations Act.

6 (k) In this Section:

7 "Low-performing school" means a public school in a school  
8 district organized under Article 34 of this Code that enrolls  
9 students in any of grades kindergarten through 8 and that is  
10 ranked within the lowest 10% of schools in that district in  
11 terms of the percentage of students meeting or exceeding State  
12 ~~standards on the assessments required under Section 2-3.64a-5~~  
13 ~~of this Code.~~

14 "Overcrowded school" means a public school in a school  
15 district organized under Article 34 of this Code that (i)  
16 enrolls students in any of grades kindergarten through 8, (ii)  
17 has a percentage of low-income students of 70% or more, as  
18 identified in the most recently available School Report Card  
19 published by the State Board, and (iii) is determined by the  
20 Chicago Board of Education to be in the most severely  
21 overcrowded 5% of schools in the district. On or before  
22 November 1 of each year, the Chicago Board of Education shall  
23 file a report with the State Board on which schools in the  
24 district meet the definition of "overcrowded school".  
25 "Students at risk of dropping out" means students 16 or 15  
26 years old in a public school in a district organized under

1 Article 34 of this Code that enrolls students in any grades  
2 9-12 who have been absent at least 90 school attendance days of  
3 the previous 180 school attendance days.

4 (1) For advertisements created after January 1, 2015, any  
5 advertisement, including a radio, television, print, Internet,  
6 social media, or billboard advertisement, purchased by a  
7 school district or public school, including a charter school,  
8 with public funds must include a disclaimer stating that the  
9 advertisement was paid for using public funds.

10 This disclaimer requirement does not extend to materials  
11 created by the charter school, including, but not limited to,  
12 a school website, informational pamphlets or leaflets, or  
13 clothing with affixed school logos.

14 (Source: P.A. 103-175, eff. 6-30-23.)

15 (105 ILCS 5/27A-6)

16 Sec. 27A-6. Contract contents; applicability of laws and  
17 regulations.

18 (a) A certified charter shall constitute a binding  
19 contract and agreement between the charter school and a local  
20 school board under the terms of which the local school board  
21 authorizes the governing body of the charter school to operate  
22 the charter school on the terms specified in the contract.

23 (b) Notwithstanding any other provision of this Article,  
24 the certified charter may not waive or release the charter  
25 school from the State goals and, standards, ~~and assessments~~

1 established pursuant to Section 2-3.64a-5 of this Code. The  
2 certified charter for a charter school operating in a city  
3 having a population exceeding 500,000 shall require the  
4 charter school to administer any other nationally recognized  
5 standardized tests to its students that the chartering entity  
6 administers to other students, and the results on such tests  
7 shall be included in the chartering entity's assessment  
8 reports.

9 (c) Subject to the provisions of subsection (e), a  
10 material revision to a previously certified contract or a  
11 renewal shall be made with the approval of both the local  
12 school board and the governing body of the charter school.

13 (c-5) The proposed contract shall include a provision on  
14 how both parties will address minor violations of the  
15 contract.

16 (c-10) After August 4, 2023 (the effective date of Public  
17 Act 103-416), any renewal of a certified charter must include  
18 a union neutrality clause.

19 (d) The proposed contract between the governing body of a  
20 proposed charter school and the local school board as  
21 described in Section 27A-7 must be submitted to and certified  
22 by the State Board before it can take effect. If the State  
23 Board recommends that the proposed contract be modified for  
24 consistency with this Article before it can be certified, the  
25 modifications must be consented to by both the governing body  
26 of the charter school and the local school board, and

1 resubmitted to the State Board for its certification. If the  
2 proposed contract is resubmitted in a form that is not  
3 consistent with this Article, the State Board may refuse to  
4 certify the charter.

5 The State Board shall assign a number to each submission  
6 or resubmission in chronological order of receipt, and shall  
7 determine whether the proposed contract is consistent with the  
8 provisions of this Article. If the proposed contract complies,  
9 the State Board shall so certify.

10 (e) No renewal of a previously certified contract is  
11 effective unless and until the State Board certifies that the  
12 renewal is consistent with the provisions of this Article. A  
13 material revision to a previously certified contract may go  
14 into effect immediately upon approval of both the local school  
15 board and the governing body of the charter school, unless  
16 either party requests in writing that the State Board certify  
17 that the material revision is consistent with the provisions  
18 of this Article. If such a request is made, the proposed  
19 material revision is not effective unless and until the State  
20 Board so certifies.

21 (Source: P.A. 103-175, eff. 6-30-23; 103-416, eff. 8-4-23;  
22 103-605, eff. 7-1-24.)

23 (105 ILCS 5/34-8.14)

24 Sec. 34-8.14. Non-waivable provisions. Notwithstanding  
25 anything in this Code to the contrary, statutes, regulations,

1 rules, and policy provisions concerning the following shall  
2 not be waivable:

3 (1) student civil rights;

4 (2) staff civil rights;

5 (3) health and safety;

6 (4) performance and financial audits;

7 (5) Local School Council provisions, including  
8 required statements of economic disclosure;

9 (6) the Open Meetings Act;

10 (7) the Freedom of Information Act;

11 (8) (blank); ~~the assessments required under Section~~  
12 ~~2-3.64a-5 of this Code;~~

13 (9) Chicago learning outcomes;

14 (10) Sections 2-3.25a through 2-3.25j of this Code;

15 and

16 (11) collective bargaining agreements.

17 (Source: P.A. 98-972, eff. 8-15-14.)

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