



Rep. Kathleen Willis

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10200HB1736ham003

LRB102 14083 CMG 24385 a

1 AMENDMENT TO HOUSE BILL 1736

2 AMENDMENT NO. _____. Amend House Bill 1736, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The School Code is amended by adding Section
6 27-9.1a and by changing Sections 27A-5 and 34-18.8 as follows:

7 (105 ILCS 5/27-9.1a new)

8 Sec. 27-9.1a. Responsible education for adolescent and
9 children's health (REACH).

10 (a) This Section may be referred to as the REACH Law.

11 (b) The General Assembly finds all of the following:

12 (1) Personal health and safety education can encourage
13 better sexual health outcomes, reduce stigmas, and prepare
14 young people to lead healthy and fulfilling lives.

15 (2) Students who receive personal health and safety
16 education that includes health-positive instruction on

1 sexual orientation, gender identity, and gender expression
2 report less bullying and harassment.

3 (3) The leading health and education organizations
4 support personal health and safety education that includes
5 information about both delaying sexual activity and the
6 effective use of contraception.

7 (4) Students often lack the education and support
8 needed to prevent unwanted or mistimed pregnancy, HIV, and
9 other sexually transmitted infections, to develop healthy
10 relationships, to plan for personal safety, and to develop
11 decision-making skills.

12 (5) Schools have a responsibility to address child
13 abuse, harassment, bullying, inter-personal violence, and
14 personal safety issues, which can have a significant
15 impact on a student's emotional and physical well-being
16 and academic success.

17 It is the intent of the General Assembly that
18 comprehensive personal health and safety education shall
19 promote awareness and healthy attitudes about growth and
20 development, body image, gender identity, gender expression,
21 sexuality, sexual health, sexual orientation, consent, dating,
22 relationships, and families; should be designed to promote
23 positive behaviors and reduce health-related risk behaviors;
24 and must be available to students in kindergarten through 12th
25 grade and provide students with the information, skills, and
26 support needed to acquire accurate information to make healthy

1 decisions throughout their lives.

2 (c) In this Section:

3 "Age and developmentally appropriate" means suitable for a
4 particular age or age group of children and adolescents, based
5 on the cognitive, emotional, and behavioral development
6 typical of that age or age group.

7 "Characteristics of effective programs" means the aspects
8 of evidence-based programs, including development, content,
9 and the implementation of programs that have been shown to be
10 effective in increasing knowledge, clarifying values and
11 attitudes, increasing skills, and impacting behavior and are
12 widely recognized by leading medical and public health
13 agencies to be effective in changing sexual behaviors that
14 lead to sexually transmitted infections, including HIV,
15 unwanted or mistimed pregnancy, dating violence, and sexual
16 violence among young people.

17 "Comprehensive personal health and safety education" means
18 instruction in a comprehensive school health education
19 approach that addresses the physical, mental, emotional, and
20 social dimensions of human sexuality and is designed to
21 motivate and assist students in maintaining and improving
22 sexual health, developing skills for engaging in healthy
23 relationships, preventing abuse, preventing sexual and
24 interpersonal violence, preventing infection, and reducing
25 sexual health-related risk behaviors and to enable and empower
26 students to develop and demonstrate developmentally and

1 culturally appropriate sexuality and sexual health-related
2 knowledge, attitudes, skills, and practices.

3 "Consent" means knowing, affirmative, conscious, and
4 voluntary agreement to engage in specific interpersonal,
5 physical, or sexual activity at a given time.

6 "Culturally appropriate" means materials and instruction
7 that are inclusive of the experiences and needs of communities
8 of color, communities of all ethnic and cultural backgrounds,
9 immigrant communities, families, people whose primary language
10 is not English, people of diverse sexual orientations, gender
11 identities, and gender expressions, people who are intersex,
12 people with disabilities, people who have experienced sexual
13 victimization, and people whose experiences have traditionally
14 been left out of sexual health education, programs, and
15 policies.

16 "Gender stereotype" means a generalized view or
17 preconception about what attributes, characteristics, or roles
18 are or ought to be taught, possessed by, or performed by people
19 based on their gender identity.

20 "Human trafficking" means the recruitment, harboring,
21 transportation, provision, obtaining, patronizing, or
22 soliciting of a person for the purpose of labor, involuntary
23 servitude, debt bondage, slavery, or a commercial sex act,
24 which is induced by force, fraud, or coercion or in which the
25 person induced has not attained 18 years of age.

26 "Inclusive" means a curriculum that ensures that students

1 from marginalized communities that include, but are not
2 limited to, communities of color, immigrant communities,
3 people of diverse sexual orientations, gender identities, and
4 gender expressions, people who are intersex, people with
5 disabilities, people who have experienced sexual
6 victimization, and others whose experiences have been
7 traditionally left out of personal health and safety education
8 or related programs and policies are included in classroom
9 materials and lessons.

10 "Medically accurate and complete" means that the
11 information provided through instruction is verified or
12 supported by research conducted in compliance with accepted
13 scientific methods and is published in peer-reviewed journals
14 by the federal Centers for Disease Control and Prevention, the
15 American Public Health Association, the American Academy of
16 Pediatrics, and the American College of Obstetricians and
17 Gynecologists, if applicable, or a program contains
18 information that leading professional public health or medical
19 organizations, government agencies, and scientific advisory
20 groups with relevant expertise in the field recognize as
21 accurate, objective, and complete and the program does not
22 withhold information about external anatomy involved in sexual
23 functioning or in the effectiveness and benefits of correct
24 and consistent use of condoms and other contraceptives.

25 "Sexting" means the act of sending, sharing, receiving, or
26 forwarding a sexually explicit or sexually suggestive image,

1 video, or text message by a digital or electronic device,
2 including, but not limited to, a mobile or cellular telephone
3 or a computer.

4 "Sexual violence" means an act of a sexual nature that is
5 committed or attempted by another person without the freely
6 given consent of the victim or against someone who is unable to
7 consent or refuse. "Sexual violence" includes acts of sexual
8 harassment, sexual abuse, and sexual assault.

9 "Trauma informed" means to address vital information about
10 sexuality and well-being that takes into consideration how
11 adverse life experiences may potentially influence a person's
12 well-being and decision making.

13 (d) Beginning no later than July 1, 2023, a school
14 district shall provide inclusive, medically accurate, and
15 complete, age and developmentally appropriate, and culturally
16 appropriate comprehensive personal health and safety education
17 in kindergarten through the 12th grade in all public schools.

18 (e) Comprehensive personal health and safety education
19 requirements for course materials and instruction under this
20 Section are as follows:

21 (1) Comprehensive personal health and safety education
22 shall do all of the following:

23 (A) Reflect the characteristics of effective
24 programs.

25 (B) Use and implement curricula that is trauma
26 informed.

1 (C) Use or adopt curricula, materials, and
2 instruction that are inclusive and address the
3 experiences and needs of all youth in the school.

4 (D) Be accessible to students with disabilities,
5 which may include the use of a modified curriculum,
6 materials, instruction in alternative formats,
7 assistive technology, and auxiliary aids.

8 (E) Allow instructors to answer questions
9 initiated by a student that are related to and
10 consistent with the material of the course.

11 (F) Include affirmative and health-positive
12 examples of diverse family structures, races,
13 ethnicities, genders, sexual orientations, gender
14 identities, gender expressions, disabilities, and
15 cultures.

16 (G) Create a safe, inclusive, and culturally
17 appropriate environment for all students to learn
18 about and discuss personal health and healthy
19 relationships.

20 (H) Help students develop self-advocacy skills for
21 effective communication with parents or guardians,
22 health and social service professionals, other trusted
23 adults, and peers about sexual health and
24 relationships.

25 (I) Provide information to help students develop
26 skills for preventing and dealing with interpersonal

1 violence, sexual violence, and human trafficking.

2 (J) Provide information about local resources
3 where students can obtain additional information and
4 confidential services related to bullying,
5 interpersonal and sexual violence, suicide prevention,
6 sexual and reproductive health, sexual orientation,
7 gender identity, gender expression, and other related
8 issues.

9 (K) Comply with standards developed by the State
10 Board of Education.

11 (2) Comprehensive personal health and safety education
12 materials and instruction in shall not:

13 (A) use shame-based or stigmatizing language or
14 instructional tools;

15 (B) stigmatize parenting or sexually active youth;

16 (C) stigmatize or further victimize students
17 impacted by sexual violence;

18 (D) discriminate on the basis of sex, race,
19 ethnicity, national origin, disability, religion,
20 gender expression, gender identity, or sexual
21 orientation;

22 (E) exclude the health needs of individuals who
23 are intersex or individuals of diverse sexual
24 orientations, gender identities, or gender
25 expressions;

26 (F) employ gender stereotypes; or

1 (G) impose or promote any religious doctrine.

2 (3) Comprehensive personal health and safety education
3 in the 3rd and 5th grades shall include age and
4 developmentally appropriate instruction on consent and how
5 to give and receive consent, including a discussion that
6 includes, but is not limited to, all of the following:

7 (A) Setting appropriate physical boundaries with
8 others.

9 (B) Respecting the physical boundaries of others.

10 (C) The right to refuse to engage in behaviors or
11 activities that are uncomfortable or unsafe.

12 (D) Dealing with unwanted physical contact.

13 (E) Helping a peer deal with unwanted physical
14 contact.

15 (4) Comprehensive personal health and safety education
16 in the 6th through 12th grades shall include age and
17 developmentally appropriate instruction on consent and how
18 to give and receive consent, including a discussion that
19 includes, but is not limited to, all of the following:

20 (A) That consent is a freely given agreement to
21 sexual activity.

22 (B) That consent to one particular sexual activity
23 does not constitute consent to other types of sexual
24 activities.

25 (C) That a person's lack of verbal or physical
26 resistance or submission resulting from the use or

1 threat of force does not constitute consent.

2 (D) That a person's manner of dress does not
3 constitute consent.

4 (E) That a person's consent to past sexual
5 activity does not constitute consent to future sexual
6 activity.

7 (F) That a person's consent to engage in sexual
8 activity with one person does not constitute consent
9 to engage in sexual activity with another person.

10 (G) That a person can withdraw consent at any
11 time.

12 (H) That a person cannot consent to sexual
13 activity if that person is unable to understand the
14 nature of the activity or give knowing consent due to
15 certain circumstances that include, but are not
16 limited to:

17 (i) the person is incapacitated due to the use
18 or influence of alcohol or drugs;

19 (ii) the person is asleep or unconscious;

20 (iii) the person is a minor; or

21 (iv) the person is incapacitated due to a
22 mental disability.

23 (I) The legal age of consent in Illinois.

24 (5) Beginning no later than July 1, 2023,
25 comprehensive personal health and safety education
26 instruction and materials, including materials provided or

1 presented by outside organizations, resource persons, or
2 guest lecturers, may not conflict with the provisions of
3 this Section. A school may utilize guest lecturers or
4 resource persons to provide instruction or presentations
5 in accordance with Section 10-22.34b of this Code.

6 (f) By no later than March 31, 2023, the State Board of
7 Education shall post on its website comprehensive personal
8 health and safety education resources that are inclusive,
9 medically accurate and complete, age and developmentally
10 appropriate, and culturally appropriate for use in
11 pre-kindergarten through the 12th grade. Any comprehensive
12 personal health and safety education offered to
13 pre-kindergarten students shall be age and developmentally
14 appropriate.

15 (g) School disclosure, parental requests, and notice are
16 as follows:

17 (1) It is the intent of the General Assembly to:

18 (A) encourage pupils to communicate with their
19 parents or guardians about human sexuality and health
20 needs and to respect the rights of parents and
21 guardians to supervise their children's education on
22 these subjects;

23 (B) create a streamlined process to make it easier
24 for parents and guardians to review materials and
25 evaluation tools related to comprehensive personal
26 health and safety education; and

1 (C) recognize that although parents and guardians
2 overwhelmingly support medically accurate and
3 complete, age and developmentally appropriate, and
4 culturally appropriate comprehensive personal health
5 and safety education, parents and guardians have the
6 ultimate responsibility for imparting values regarding
7 human sexuality to their children.

8 (2) A parent or guardian of a student has the right to
9 excuse his or her child from all or a part of comprehensive
10 personal health and safety education and assessments
11 related to that education through a passive consent
12 process. A school district may not require active parental
13 consent for comprehensive personal health and safety
14 education.

15 (3) A school district shall annually post information
16 on its Internet website about any curricula used to
17 provide comprehensive personal health and safety
18 education, including:

19 (A) whether the instruction during the prior
20 school year was provided by a teacher in the school, an
21 outside organization, or a guest lecturer or resource
22 person;

23 (B) the number of students who received the
24 instruction during the prior school year;

25 (C) the number of students excused from
26 instruction pursuant to this subsection (g) during the

1 prior school year;

2 (D) the duration of instruction, including the
3 number of hours of instruction per grade level during
4 the prior school year; and

5 (E) the name and contact information, including an
6 email address, of school personnel who can respond to
7 inquiries and comments about the instruction and
8 materials.

9 If any instruction is provided by an outside
10 organization or guest lecturer or resource person, the
11 school district shall specify the name of the outside
12 organization or the guest lecturer or resource person and
13 identify any organizations with which the guest lecturer
14 or resource person may be affiliated.

15 If an Internet website is not available, the
16 information must be provided in another format to school
17 administrators, school board members, school personnel,
18 parents, guardians, students, and the public.

19 (4) At the beginning of each school year or at the time
20 of a student's enrollment, a school district shall notify
21 the parent or guardian of each student about the
22 instruction planned for the coming school year about
23 comprehensive personal health and safety education and
24 research on student health, behaviors, and risks. The
25 notice shall do all of the following:

26 (A) Advise the parent or guardian that written and

1 audiovisual educational materials used in
2 comprehensive personal health and safety education,
3 including materials used by an outside organization,
4 guest lecturer, or resource person, are available for
5 inspection both to the parent or guardian and to the
6 public.

7 (B) Advise the parent or guardian whether the
8 comprehensive personal health and safety education
9 will be taught by school district personnel or by an
10 outside organization, guest lecturer, or resource
11 person. If comprehensive personal health and safety
12 education is to be taught by an outside organization,
13 guest lecturer, or resource person, the notice shall
14 include the date of the instruction, the name of the
15 organization or the affiliation of each guest speaker
16 or resource person, and information stating the right
17 of the parent or guardian to request a copy of the
18 educational materials to be used. If arrangements for
19 this instruction are made after the beginning of the
20 school year, the notice shall be made by mail or
21 another commonly used method of notification no fewer
22 than 14 days before the instruction is delivered.

23 (C) Include information explaining the parent's or
24 guardian's right to request a copy of this Section.

25 (D) Advise the parent or guardian that the parent
26 or guardian has the right to excuse the student from

1 comprehensive personal health and safety education and
2 that, in order to excuse the student, the parent or
3 guardian must submit his or her request in writing to
4 the school district.

5 (E) State that a student will not be subject to
6 disciplinary action, an academic penalty, or any other
7 sanction if the student's parent or guardian requests
8 the student not receive the instruction provided under
9 this Section. If a student's parent or guardian
10 requests that the student not receive the instruction
11 provided under this Section, the school is encouraged
12 to provide alternative assignments.

13 (F) Identify the name and contact information,
14 including an email address, of school personnel who
15 can respond to inquiries and comments about the course
16 instruction and materials.

17 (h) A school district may collaborate with a local public
18 health department to identify and designate a qualified
19 employee of the local public health department as the school
20 district's point of contact for the purposes of responding to
21 inquiries and comments about course instruction and materials
22 under this Section.

23 (i) On or before December 31, 2022, the State Board of
24 Education, in consultation with youth, parents, sexual and
25 interpersonal violence prevention experts, health care
26 providers, social workers, and advocates and education

1 practitioners, including, but not limited to, administrators,
2 regional superintendents of schools, teachers, and school
3 support personnel, shall develop and adopt rigorous learning
4 standards in the area of comprehensive personal health and
5 safety education, including, but not limited to:

6 (1) national standards developed by Advocates for
7 Youth, Answer, and the Sexuality Information and Education
8 Council of the United States (SIECUS);

9 (2) standards for instruction on positive body image
10 and positive sexuality, including that there is a range of
11 healthy sexual behaviors that are affirming and
12 pleasurable;

13 (3) standards for instruction on the safe use of
14 social media, dating or relationship websites or
15 applications, and sexting;

16 (4) standards for instruction on the sex equity policy
17 of the school or education system, the process for making
18 a complaint, the grievance procedure, and the school
19 official who is designated as the school's Title IX
20 coordinator;

21 (5) standards for instruction pursuant to Section
22 10-23.13 of this Code; and

23 (6) standards for instruction on mandated reporting of
24 abused and neglected children as required by the Abused
25 and Neglected Child Reporting Act.

26 (j) The State Board of Education shall adopt rules to

1 implement, administer, and ensure compliance with this
2 Section.

3 (105 ILCS 5/27A-5)

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

5 (a) A charter school shall be a public, nonsectarian,
6 nonreligious, non-home based, and non-profit school. A charter
7 school shall be organized and operated as a nonprofit
8 corporation or other discrete, legal, nonprofit entity
9 authorized under the laws of the State of Illinois.

10 (b) A charter school may be established under this Article
11 by creating a new school or by converting an existing public
12 school or attendance center to charter school status.
13 Beginning on April 16, 2003 (the effective date of Public Act
14 93-3), in all new applications to establish a charter school
15 in a city having a population exceeding 500,000, operation of
16 the charter school shall be limited to one campus. The changes
17 made to this Section by Public Act 93-3 do not apply to charter
18 schools existing or approved on or before April 16, 2003 (the
19 effective date of Public Act 93-3).

20 (b-5) In this subsection (b-5), "virtual-schooling" means
21 a cyber school where students engage in online curriculum and
22 instruction via the Internet and electronic communication with
23 their teachers at remote locations and with students
24 participating at different times.

25 From April 1, 2013 through December 31, 2016, there is a

1 moratorium on the establishment of charter schools with
2 virtual-schooling components in school districts other than a
3 school district organized under Article 34 of this Code. This
4 moratorium does not apply to a charter school with
5 virtual-schooling components existing or approved prior to
6 April 1, 2013 or to the renewal of the charter of a charter
7 school with virtual-schooling components already approved
8 prior to April 1, 2013.

9 (c) A charter school shall be administered and governed by
10 its board of directors or other governing body in the manner
11 provided in its charter. The governing body of a charter
12 school shall be subject to the Freedom of Information Act and
13 the Open Meetings Act. No later than January 1, 2021 (one year
14 after the effective date of Public Act 101-291) ~~this~~
15 ~~amendatory Act of the 101st General Assembly~~, a charter
16 school's board of directors or other governing body must
17 include at least one parent or guardian of a pupil currently
18 enrolled in the charter school who may be selected through the
19 charter school or a charter network election, appointment by
20 the charter school's board of directors or other governing
21 body, or by the charter school's Parent Teacher Organization
22 or its equivalent.

23 (c-5) No later than January 1, 2021 (one year after the
24 effective date of Public Act 101-291) ~~this amendatory Act of~~
25 ~~the 101st General Assembly~~ or within the first year of his or
26 her first term, every voting member of a charter school's

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

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

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

3 A charter school shall comply with all non-curricular
4 health and safety requirements applicable to public schools
5 under the laws of the State of Illinois. On or before September
6 1, 2015, the State Board shall promulgate and post on its
7 Internet website a list of non-curricular health and safety
8 requirements that a charter school must meet. The list shall
9 be updated annually no later than September 1. Any charter
10 contract between a charter school and its authorizer must
11 contain a provision that requires the charter school to follow
12 the list of all non-curricular health and safety requirements
13 promulgated by the State Board and any non-curricular health
14 and safety requirements added by the State Board to such list
15 during the term of the charter. Nothing in this subsection (d)
16 precludes an authorizer from including non-curricular health
17 and safety requirements in a charter school contract that are
18 not contained in the list promulgated by the State Board,
19 including non-curricular health and safety requirements of the
20 authorizing local school board.

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

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

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

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

21 (1) Sections 10-21.9 and 34-18.5 of this Code
22 regarding criminal history records checks and checks of
23 the Statewide Sex Offender Database and Statewide Murderer
24 and Violent Offender Against Youth Database of applicants
25 for employment;

26 (2) Sections 10-20.14, 10-22.6, 24-24, 34-19, and

1 34-84a of this Code regarding discipline of students;

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

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

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

8 (5.5) subsection (b) of Section 10-23.12 and
9 subsection (b) of Section 34-18.6 of this Code;

10 (6) the Illinois School Student Records Act;

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

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

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

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

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

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

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

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

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

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

24 (17) the (16) The Seizure Smart School Act; ~~;~~

25 (18) Section 27-9.1a of this Code; and

26 (19) Section 34-18.8 of this Code.

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

3 (h) A charter school may negotiate and contract with a
4 school district, the governing body of a State college or
5 university or public community college, or any other public or
6 for-profit or nonprofit private entity for: (i) the use of a
7 school building and grounds or any other real property or
8 facilities that the charter school desires to use or convert
9 for use as a charter school site, (ii) the operation and
10 maintenance thereof, and (iii) the provision of any service,
11 activity, or undertaking that the charter school is required
12 to perform in order to carry out the terms of its charter.
13 However, a charter school that is established on or after
14 April 16, 2003 (the effective date of Public Act 93-3) and that
15 operates in a city having a population exceeding 500,000 may
16 not contract with a for-profit entity to manage or operate the
17 school during the period that commences on April 16, 2003 (the
18 effective date of Public Act 93-3) and concludes at the end of
19 the 2004-2005 school year. Except as provided in subsection
20 (i) of this Section, a school district may charge a charter
21 school reasonable rent for the use of the district's
22 buildings, grounds, and facilities. Any services for which a
23 charter school contracts with a school district shall be
24 provided by the district at cost. Any services for which a
25 charter school contracts with a local school board or with the
26 governing body of a State college or university or public

1 community college shall be provided by the public entity at
2 cost.

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

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

14 (k) If the charter school is approved by the State Board or
15 Commission, then the charter school is its own local education
16 agency.

17 (Source: P.A. 100-29, eff. 1-1-18; 100-156, eff. 1-1-18;
18 100-163, eff. 1-1-18; 100-413, eff. 1-1-18; 100-468, eff.
19 6-1-18; 100-726, eff. 1-1-19; 100-863, eff. 8-14-18; 101-50,
20 eff. 7-1-20; 101-81, eff. 7-12-19; 101-291, eff. 1-1-20;
21 101-531, eff. 8-23-19; 101-543, eff. 8-23-19; revised 8-4-20.)

22 (105 ILCS 5/34-18.8) (from Ch. 122, par. 34-18.8)

23 Sec. 34-18.8. HIV ~~AIDS~~ training. School guidance
24 counselors, nurses, teachers, school social workers, and other
25 school personnel who work with pupils shall ~~may~~ be trained to

1 have a basic knowledge of matters relating to human
2 immunodeficiency virus (HIV) ~~acquired immunodeficiency~~
3 ~~syndrome (AIDS)~~, including the nature of the infection
4 ~~disease~~, its causes and effects, the means of detecting it and
5 preventing its transmission, the availability of appropriate
6 sources of counseling and referral, and any other medically
7 accurate information that is age and developmentally
8 appropriate for ~~may be appropriate considering the age and~~
9 ~~grade level of~~ such pupils. The Board of Education shall
10 supervise such training. The State Board of Education and the
11 Department of Public Health shall jointly develop standards
12 for such training.

13 (Source: P.A. 86-900.)

14 (105 ILCS 5/27-9.1 rep.)

15 (105 ILCS 5/27-9.2 rep.)

16 (105 ILCS 5/27-11 rep.)

17 Section 10. The School Code is amended by repealing
18 Sections 27-9.1, 27-9.2, and 27-11.

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