

AN ACT concerning education.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The School Code is amended by adding Sections 10-20.73, 22-90, and 34-21.9 and by changing Section 27A-5 as follows:

(105 ILCS 5/10-20.73 new)

Sec. 10-20.73. Modification of athletic or team uniform permitted.

(a) A school board must allow a student athlete to modify his or her athletic or team uniform for the purpose of modesty in clothing or attire that is in accordance with the requirements of his or her religion or his or her cultural values or modesty preferences. The modification of the athletic or team uniform may include, but is not limited to, the wearing of a hijab, an undershirt, or leggings. If a student chooses to modify his or her athletic or team uniform, the student is responsible for all costs associated with the modification of the uniform and the student shall not be required to receive prior approval from the school board for such modification. However, nothing in this Section prohibits a school from providing the modification to the student.

(b) At a minimum, any modification of the athletic or team

uniform must not interfere with the movement of the student or pose a safety hazard to the student or to other athletes or players. The modification of headgear is permitted if the headgear:

(1) is black, white, the predominate color of the uniform, or the same color for all players on the team;

(2) does not cover any part of the face;

(3) is not dangerous to the player or to the other players;

(4) has no opening or closing elements around the face and neck; and

(5) has no parts extruding from its surface.

(105 ILCS 5/22-90 new)

Sec. 22-90. Modification of athletic or team uniform; nonpublic schools.

(a) A nonpublic school recognized by the State Board of Education must allow a student athlete to modify his or her athletic or team uniform for the purpose of modesty in clothing or attire that is in accordance with the requirements of his or her religion or his or her cultural values or modesty preferences. The modification of the athletic or team uniform may include, but is not limited to, the wearing of a hijab, an undershirt, or leggings. If a student chooses to modify his or her athletic or team uniform the student is responsible for all costs associated with the modification of the uniform and

the student shall not be required to receive prior approval from the school for such modification. However, nothing in this Section prohibits a school from providing the modification to the student.

(b) At a minimum, any modification of the athletic or team uniform must not interfere with the movement of the student or pose a safety hazard to the student or to other athletes or players. The modification of headgear is permitted if the headgear:

(1) is black, white, the predominate color of the uniform, or the same color for all players on the team;

(2) does not cover any part of the face;

(3) is not dangerous to the player or to the other players;

(4) has no opening or closing elements around the face and neck; and

(5) has no parts extruding from its surface.

(105 ILCS 5/27A-5)

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

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

(b) A charter school may be established under this Article

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

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

From April 1, 2013 through December 31, 2016, there is a moratorium on the establishment of charter schools with virtual-schooling components in school districts other than a school district organized under Article 34 of this Code. This moratorium does not apply to a charter school with virtual-schooling components existing or approved prior to April 1, 2013 or to the renewal of the charter of a charter school with virtual-schooling components already approved prior to April 1, 2013.

(c) A charter school shall be administered and governed by its board of directors or other governing body in the manner provided in its charter. The governing body of a charter

school shall be subject to the Freedom of Information Act and the Open Meetings Act. No later than January 1, 2021 (one year after the effective date of Public Act 101-291) ~~this amendatory Act of the 101st General Assembly~~, a charter school's board of directors or other governing body must include at least one parent or guardian of a pupil currently enrolled in the charter school who may be selected through the charter school or a charter network election, appointment by the charter school's board of directors or other governing body, or by the charter school's Parent Teacher Organization or its equivalent.

(c-5) No later than January 1, 2021 (one year after the effective date of Public Act 101-291) ~~this amendatory Act of the 101st General Assembly~~ or within the first year of his or her first term, every voting member of a charter school's board of directors or other governing body shall complete a minimum of 4 hours of professional development leadership training to ensure that each member has sufficient familiarity with the board's or governing body's role and responsibilities, including financial oversight and accountability of the school, evaluating the principal's and school's performance, adherence to the Freedom of Information Act and the Open Meetings Act ~~Acts~~, and compliance with education and labor law. In each subsequent year of his or her term, a voting member of a charter school's board of directors or other governing body shall complete a minimum of 2 hours of

professional development training in these same areas. The training under this subsection may be provided or certified by a statewide charter school membership association or may be provided or certified by other qualified providers approved by the State Board of Education.

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

A charter school shall comply with all non-curricular health and safety requirements applicable to public schools under the laws of the State of Illinois. On or before September 1, 2015, the State Board shall promulgate and post on its Internet website a list of non-curricular health and safety requirements that a charter school must meet. The list shall be updated annually no later than September 1. Any charter contract between a charter school and its authorizer must contain a provision that requires the charter school to follow

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

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

(f) A charter school shall be responsible for the management and operation of its fiscal affairs including, but not limited to, the preparation of its budget. An audit of each charter school's finances shall be conducted annually by an outside, independent contractor retained by the charter school. To ensure financial accountability for the use of public funds, on or before December 1 of every year of operation, each charter school shall submit to its authorizer and the State Board a copy of its audit and a copy of the Form 990 the charter school filed that year with the federal Internal Revenue Service. In addition, if deemed necessary for proper financial oversight of the charter school, an authorizer may require quarterly financial statements from

each charter school.

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

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

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

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

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

(5) the Abused and Neglected Child Reporting Act;

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

(6) the Illinois School Student Records Act;

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

report cards;

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

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

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

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

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

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

(14) Section 26-18 of this Code;

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

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

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

(18) Sections 10-20.73 and 34-21.9 of this Code.

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

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

However, a charter school that is established on or after April 16, 2003 (the effective date of Public Act 93-3) and that operates in a city having a population exceeding 500,000 may not contract with a for-profit entity to manage or operate the school during the period that commences on April 16, 2003 (the effective date of Public Act 93-3) and concludes at the end of the 2004-2005 school year. Except as provided in subsection (i) of this Section, a school district may charge a charter school reasonable rent for the use of the district's buildings, grounds, and facilities. Any services for which a charter school contracts with a school district shall be provided by the district at cost. Any services for which a charter school contracts with a local school board or with the governing body of a State college or university or public community college shall be provided by the public entity at cost.

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

(j) A charter school may limit student enrollment by age

or grade level.

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

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

(105 ILCS 5/34-21.9 new)

Sec. 34-21.9. Modification of athletic or team uniform permitted.

(a) The board must allow a student athlete to modify his or her athletic or team uniform due to the observance of modesty in clothing or attire in accordance with the requirements of his or her religion or his or her cultural values or modesty preferences. The modification of the athletic or team uniform may include, but is not limited to, the wearing of a hijab, an undershirt, or leggings. If a student chooses to modify his or her athletic or team uniform, the student is responsible for all costs associated with the modification of the uniform and the student shall not be required to receive prior approval from the board for such modification. However, nothing in this Section prohibits a school from providing the modification to the student.

(b) At a minimum, any modification of the athletic or team uniform must not interfere with the movement of the student or pose a safety hazard to the student or to other athletes or players. The modification of headgear is permitted if the headgear:

(1) is black, white, the predominate color of the uniform, or the same color for all players on the team;

(2) does not cover any part of the face;

(3) is not dangerous to the player or to the other players;

(4) has no opening or closing elements around the face and neck; and

(5) has no parts extruding from its surface.

Section 10. The University of Illinois Act is amended by adding Section 120 as follows:

(110 ILCS 305/120 new)

Sec. 120. Modification of athletic or team uniform permitted.

(a) The Board of Trustees must allow a student athlete to modify his or her athletic or team uniform due to the observance of modesty in clothing or attire in accordance with the requirements of his or her religion or his or her cultural values or modesty preferences. The modification of the athletic or team uniform may include, but is not limited to,

the wearing of a hijab, an undershirt, or leggings. If a student chooses to modify his or her athletic or team uniform, the student is responsible for all costs associated with the modification of the uniform and the student shall not be required to receive prior approval from the Board of Trustees for such modification. However, nothing in this Section prohibits the University from providing the modification to the student.

(b) At a minimum, any modification of the athletic or team uniform must not interfere with the movement of the student or pose a safety hazard to the student or to other athletes or players. The modification of headgear is permitted if the headgear:

(1) is black, white, the predominate color of the uniform, or the same color for all players on the team;

(2) does not cover any part of the face;

(3) is not dangerous to the player or to the other players;

(4) has no opening or closing elements around the face and neck; and

(5) has no parts extruding from its surface.

Section 15. The Southern Illinois University Management Act is amended by adding Section 100 as follows:

(110 ILCS 520/100 new)

Sec. 100. Modification of athletic or team uniform permitted.

(a) The Board must allow a student athlete to modify his or her athletic or team uniform due to the observance of modesty in clothing or attire in accordance with the requirements of his or her religion or his or her cultural values or modesty preferences. The modification of the athletic or team uniform may include, but is not limited to, the wearing of a hijab, an undershirt, or leggings. If a student chooses to modify his or her athletic or team uniform, the student is responsible for all costs associated with the modification of the uniform and the student shall not be required to receive prior approval from the Board for such modification. However, nothing in this Section prohibits the University from providing the modification to the student.

(b) At a minimum, any modification of the athletic or team uniform must not interfere with the movement of the student or pose a safety hazard to the student or to other athletes or players. The modification of headgear is permitted if the headgear:

(1) is black, white, the predominate color of the uniform, or the same color for all players on the team;

(2) does not cover any part of the face;

(3) is not dangerous to the player or to the other players;

(4) has no opening or closing elements around the face

and neck; and

(5) has no parts extruding from its surface.

Section 20. The Chicago State University Law is amended by adding Section 5-210 as follows:

(110 ILCS 660/5-210 new)

Sec. 5-210. Modification of athletic or team uniform permitted.

(a) The Board must allow a student athlete to modify his or her athletic or team uniform due to the observance of modesty in clothing or attire in accordance with the requirements of his or her religion or his or her cultural values or modesty preferences. The modification of the athletic or team uniform may include, but is not limited to, the wearing of a hijab, an undershirt, or leggings. If a student chooses to modify his or her athletic or team uniform, the student is responsible for all costs associated with the modification of the uniform and the student shall not be required to receive prior approval from the Board for such modification. However, nothing in this Section prohibits the University from providing the modification to the student.

(b) At a minimum, any modification of the athletic or team uniform must not interfere with the movement of the student or pose a safety hazard to the student or to other athletes or players. The modification of headgear is permitted if the

headgear:

(1) is black, white, the predominate color of the uniform, or the same color for all players on the team;

(2) does not cover any part of the face;

(3) is not dangerous to the player or to the other players;

(4) has no opening or closing elements around the face and neck; and

(5) has no parts extruding from its surface.

Section 25. The Eastern Illinois University Law is amended by adding Section 10-210 as follows:

(110 ILCS 665/10-210 new)

Sec. 10-210. Modification of athletic or team uniform permitted.

(a) The Board must allow a student athlete to modify his or her athletic or team uniform due to the observance of modesty in clothing or attire in accordance with the requirements of his or her religion or his or her cultural values or modesty preferences. The modification of the athletic or team uniform may include, but is not limited to, the wearing of a hijab, an undershirt, or leggings. If a student chooses to modify his or her athletic or team uniform, the student is responsible for all costs associated with the modification of the uniform and the student shall not be required to receive prior approval

from the Board for such modification. However, nothing in this Section prohibits the University from providing the modification to the student.

(b) At a minimum, any modification of the athletic or team uniform must not interfere with the movement of the student or pose a safety hazard to the student or to other athletes or players. The modification of headgear is permitted if the headgear:

(1) is black, white, the predominate color of the uniform, or the same color for all players on the team;

(2) does not cover any part of the face;

(3) is not dangerous to the player or to the other players;

(4) has no opening or closing elements around the face and neck; and

(5) has no parts extruding from its surface.

Section 30. The Governors State University Law is amended by adding Section 15-210 as follows:

(110 ILCS 670/15-210 new)

Sec. 15-210. Modification of athletic or team uniform permitted.

(a) The Board must allow a student athlete to modify his or her athletic or team uniform due to the observance of modesty in clothing or attire in accordance with the requirements of

his or her religion or his or her cultural values or modesty preferences. The modification of the athletic or team uniform may include, but is not limited to, the wearing of a hijab, an undershirt, or leggings. If a student chooses to modify his or her athletic or team uniform, the student is responsible for all costs associated with the modification of the uniform and the student shall not be required to receive prior approval from the Board for such modification. However, nothing in this Section prohibits the University from providing the modification to the student.

(b) At a minimum, any modification of the athletic or team uniform must not interfere with the movement of the student or pose a safety hazard to the student or to other athletes or players. The modification of headgear is permitted if the headgear:

(1) is black, white, the predominate color of the uniform, or the same color for all players on the team;

(2) does not cover any part of the face;

(3) is not dangerous to the player or to the other players;

(4) has no opening or closing elements around the face and neck; and

(5) has no parts extruding from its surface.

Section 35. The Illinois State University Law is amended by adding Section 20-215 as follows:

(110 ILCS 675/20-215 new)

Sec. 20-215. Modification of athletic or team uniform permitted.

(a) The Board must allow a student athlete to modify his or her athletic or team uniform due to the observance of modesty in clothing or attire in accordance with the requirements of his or her religion or his or her cultural values or modesty preferences. The modification of the athletic or team uniform may include, but is not limited to, the wearing of a hijab, an undershirt, or leggings. If a student chooses to modify his or her athletic or team uniform, the student is responsible for all costs associated with the modification of the uniform and the student shall not be required to receive prior approval from the Board for such modification. However, nothing in this Section prohibits the University from providing the modification to the student.

(b) At a minimum, any modification of the athletic or team uniform must not interfere with the movement of the student or pose a safety hazard to the student or to other athletes or players. The modification of headgear is permitted if the headgear:

(1) is black, white, the predominate color of the uniform, or the same color for all players on the team;

(2) does not cover any part of the face;

(3) is not dangerous to the player or to the other

players;

(4) has no opening or closing elements around the face and neck; and

(5) has no parts extruding from its surface.

Section 40. The Northeastern Illinois University Law is amended by adding Section 25-210 as follows:

(110 ILCS 680/25-210 new)

Sec. 25-210. Modification of athletic or team uniform permitted.

(a) The Board must allow a student athlete to modify his or her athletic or team uniform due to the observance of modesty in clothing or attire in accordance with the requirements of his or her religion or his or her cultural values or modesty preferences. The modification of the athletic or team uniform may include, but is not limited to, the wearing of a hijab, an undershirt, or leggings. If a student chooses to modify his or her athletic or team uniform, the student is responsible for all costs associated with the modification of the uniform and the student shall not be required to receive prior approval from the Board for such modification. However, nothing in this Section prohibits the University from providing the modification to the student.

(b) At a minimum, any modification of the athletic or team uniform must not interfere with the movement of the student or

pose a safety hazard to the student or to other athletes or players. The modification of headgear is permitted if the headgear:

(1) is black, white, the predominate color of the uniform, or the same color for all players on the team;

(2) does not cover any part of the face;

(3) is not dangerous to the player or to the other players;

(4) has no opening or closing elements around the face and neck; and

(5) has no parts extruding from its surface.

Section 45. The Northern Illinois University Law is amended by adding Section 30-220 as follows:

(110 ILCS 685/30-220 new)

Sec. 30-220. Modification of athletic or team uniform permitted.

(a) The Board must allow a student athlete to modify his or her athletic or team uniform due to the observance of modesty in clothing or attire in accordance with the requirements of his or her religion or his or her cultural values or modesty preferences. The modification of the athletic or team uniform may include, but is not limited to, the wearing of a hijab, an undershirt, or leggings. If a student chooses to modify his or her athletic or team uniform, the student is responsible for

all costs associated with the modification of the uniform and the student shall not be required to receive prior approval from the Board for such modification. However, nothing in this Section prohibits the University from providing the modification to the student.

(b) At a minimum, any modification of the athletic or team uniform must not interfere with the movement of the student or pose a safety hazard to the student or to other athletes or players. The modification of headgear is permitted if the headgear:

(1) is black, white, the predominate color of the uniform, or the same color for all players on the team;

(2) does not cover any part of the face;

(3) is not dangerous to the player or to the other players;

(4) has no opening or closing elements around the face and neck; and

(5) has no parts extruding from its surface.

Section 50. The Western Illinois University Law is amended by adding Section 35-215 as follows:

(110 ILCS 690/35-215 new)

Sec. 35-215. Modification of athletic or team uniform permitted.

(a) The Board must allow a student athlete to modify his or

her athletic or team uniform due to the observance of modesty in clothing or attire in accordance with the requirements of his or her religion or his or her cultural values or modesty preferences. The modification of the athletic or team uniform may include, but is not limited to, the wearing of a hijab, an undershirt, or leggings. If a student chooses to modify his or her athletic or team uniform, the student is responsible for all costs associated with the modification of the uniform and the student shall not be required to receive prior approval from the Board for such modification. However, nothing in this Section prohibits the University from providing the modification to the student.

(b) At a minimum, any modification of the athletic or team uniform must not interfere with the movement of the student or pose a safety hazard to the student or to other athletes or players. The modification of headgear is permitted if the headgear:

(1) is black, white, the predominate color of the uniform, or the same color for all players on the team;

(2) does not cover any part of the face;

(3) is not dangerous to the player or to the other players;

(4) has no opening or closing elements around the face and neck; and

(5) has no parts extruding from its surface.

Section 55. The Public Community College Act is amended by adding Section 3-29.14 as follows:

(110 ILCS 805/3-29.14 new)

Sec. 3-29.14. Modification of athletic or team uniform permitted.

(a) A board must allow a student athlete to modify his or her athletic or team uniform due to the observance of modesty in clothing or attire in accordance with the requirements of his or her religion or his or her cultural values or modesty preferences. The modification of the athletic or team uniform may include, but is not limited to, the wearing of a hijab, an undershirt, or leggings. If a student chooses to modify his or her athletic or team uniform, the student is responsible for all costs associated with the modification of the uniform and the student shall not be required to receive prior approval from the board for such modification. However, nothing in this Section prohibits the community college from providing the modification to the student.

(b) At a minimum, any modification of the athletic or team uniform must not interfere with the movement of the student or pose a safety hazard to the student or to other athletes or players. The modification of headgear is permitted if the headgear:

(1) is black, white, the predominate color of the uniform, or the same color for all players on the team;

(2) does not cover any part of the face;

(3) is not dangerous to the player or to the other
players;

(4) has no opening or closing elements around the face
and neck; and

(5) has no parts extruding from its surface.

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