



FRANCZEK

2023 Legislative Update: Summary of Changes in School Law

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ADMINISTRATIVE

Constitution Day

[P.A. 103-0015](#)

Date Effective: 7/1/2023

This act commemorates September 17 as “Constitution Day.” While Constitution Day is a regular school day, school boards must include instruction relative to the holiday, when appropriate. ISBE will make instructional materials available to school boards.

Libraries

[P.A. 103-0100](#)

Date Effective: 1/1/2024

This act amends the Illinois Library System Act, requiring public libraries that wish to remain eligible for State grant funding, including school libraries to either (1) adopt the American Library Association’s Bill of Rights that indicates materials should not be proscribed or removed because of partisan or doctrinal approval; or (2) develop a written statement that prohibits book bans in the library.

Full Day Kindergarten

[P.A. 103-0410](#)

Date Effective: 8/2/2023

Beginning with the 2027-2028 school year, this public act requires every school board to provide a full-day kindergarten. A school district may apply for a 2-year extension of the full-day kindergarten implementation date with ISBE if the district does not have a full-day program as of October 2022 and if certain funding related conditions are met. The public act also creates the Full-Day Kindergarten Task Force. In addition to the required full-day kindergarten, school districts may also establish kindergarten with half-day attendance.

Racism-Free Schools Law

[P.A. 103-0472](#)

Date Effective: 8/1/2024

This act requires each school district, charter school, and nonpublic, nonsectarian school to create and implement a policy that prohibits discrimination based on race, color, and national origin, and prohibits retaliation. Schools must establish procedures for responding to complaints of discrimination. Schools are required to report all allegations of discrimination, harassment and retaliation against students based on sex, race, color, national origin, religion, and disability to ISBE during the reporting school year, defined as August 1 to July 31. The public act requires ISBE to establish a data collection system for information from schools and create an annual report on its findings. The act also makes sexual harassment, harassment by a school representative, and failing to disclose harassment civil rights violations that may be enforced under the Illinois Human Rights Act. In addition, the public act requires all that employees complete discrimination and harassment training.

Healthy School Meals for All Program

[P.A. 103-0532](#)

Date Effective: 8/11/2023

This public act creates a new section of the School Breakfast and Lunch Program Act, which states that ISBE will establish the Healthy School Meals for All Program to provide supplemental reimbursement beyond that provided by federal funds. Schools opting to participate in the program are required to offer free, eligible meals to all students enrolled in schools that participate in the National School Breakfast and National School Lunch Program. Provides that participating schools may receive reimbursement if they satisfy the reimbursement requirements under the Act. A school board who opts to participate in the program must notify ISBE annually and provide evidence of its participation.

Personally Identifiable Information and School Improvement Plans

[P.A. 103-0175](#)

Date Effective: 6/30/2023

This public act states that ISBE, as part of its data collection responsibilities in the Data Governance and Organization to Support Equity and Racial Justice Act, is not required to collect personally identifiable information and report statistical data on the categories of sex, sexual orientation, and gender identity, unless required for federal reporting. It also requires ISBE to make its reports of statistical data on sex, sexual orientation, and gender identity demographics through anonymous surveys or other age and developmentally appropriate methods via the ISBE website. The act also amends the School Code to replace schools designated as having “priority” status to a tiered status of “Targeted,” “Comprehensive” and “Intensive” for purposes of providing state supports and interventions, including school improvement plans.

Tuition Waiver Policy for Non-Resident Student

[P.A. 103-0111](#)

Date Effective: 6/29/2023

A school district may adopt a policy that waives tuition costs for a non-resident student if that student is the child of a school district employee. The public act defines “child” to mean a biological child, adopted child, foster child, stepchild, or child for whom the employee serves as legal guardian.

BOARD GOVERNANCE

Public Vote at School Board Meetings

[P.A. 103-0393](#)

Date Effective: 7/1/2024

This public act requires a public vote by the school board prior to approving a new contract for district-administered assessment. The public act defines “district-administered assessment” as standardized tests required by grade level. Notably, the definition does not include observational tools or evaluations that district educators develop for tracking progress within specific schools.

School Code Cash and Funds

[P.A. 103-0394](#)

Date Effective: 7/28/2023

Beginning in the 2024-2025 school year, school boards of districts that do not receive federal impact aid funding must determine the annual average expenditures of its operational funds from the prior three fiscal years. Defines “operational funds” and criteria for calculating expenditures. The calculated average expenditures for the three-year period must be presented annually in a written report to the board. Further, if a district's combined cash reserve balance of its operational funds surpasses 2.5 times the calculated three-year annual average, the school board is obligated to develop and submit to a reserve reduction plan to ISBE by December 31. Describes the required contents of the plan and requires ISBE to post the plans on its website.

Open Meetings Act

[P.A. 103-0311](#)

Date Effective: 7/28/2023

As the public health emergency related to COVID-19 concluded on May 11, 2023, this public act amends the Open Meetings Act to state that fully remote meetings are no longer permissible. However, individual members are still permitted to attend meetings remotely if the requirements under Section 7 of the OMA have been met. In addition to the previously permissible reasons for remote attendance, this public act adds unforeseen childcare responsibilities to the list of valid reasons allowing a public body member to attend remotely. This public act also allows school boards to enter closed session to discuss evidence or testimony regarding denial of admission to school events or property, provided the board makes its written decision available for public inspection.

Freedom of Information Act

[P.A. 103-069](#)

Date Effective: 1/1/2024

This public act amends the Freedom of Information Act to require all records provided by a public body, including a school district, to the Public Access Counselor in response to a request for review to be exempt from disclosure pursuant to a FOIA request.

Elections

[P.A. 103-467](#)

Date Effective: 8/4/2023

This act makes November 5, 2024 (General Election Day) a state holiday. General Election Day is deemed a legal school holiday under the School Code.

CURRICULUM

Student Evaluation

[P.A. 103-0116](#)

Date Effective: 6/30/2023

This act requires that all school report cards after July 1, 2025 report the percentage of students who did not meet the requirements of high school graduation completion, and of those students, the percentage that are classified as students who fulfilled the requirements to obtain a certificate of completion under Section 14-16 of the School Code.

Dual Credit Courses

[P.A. 103-0181](#)

Date Effective: 6/30/2023

This act requires that in addition to the student, a school district must provide information about the school district's career and technical education opportunities and postsecondary CTE opportunities to the student's parent or guardian. The act further requires the district to provide information to the student and parent or guardian regarding dual credit courses offered. The information must include the courses offered by the school district for dual credit under Section 16 of the Dual Credit Quality Act and courses in which the student may enroll for high school credit only under Section 16.5 of the Dual Credit Quality Act, along with the criteria for entry into the dual credit course in which the student or parent or guardian of the student indicates interest. If a student is enrolled in a dual credit course, then the student's participation must also be included as part of the student's transition IEP activities.

Accelerated Placement

[P.A. 103-0263](#)

Date Effective: 6/30/2023

The act requires ISBE report cards to include information regarding accelerated placement learning programs. Regarding school district accelerated placement policies, the act authorizes school districts to include procedures that promote equity, such as evidence-based practices that provide enrichment opportunities to address achievement gaps, use of universal screening combined with local school-based norms for placement in accelerated and advanced learning programs, and providing professional learning in gifted education for teachers to identify and challenge students from diverse cultures and backgrounds who may benefit from accelerated placement or advanced academic programming.

Fentanyl Prevention

[P.A. 103-0365](#)

Date Effective: 1/1/2024

This act requires instruction, study and discussion on the dangers of fentanyl in every State-required health course from grades 9-12 beginning in the 2024-2025 school year. This instruction should include information on the drug itself, side effects and risks of using fentanyl, details about the process of lacing fentanyl in other drugs and how to detect fentanyl in drugs. Provides that students must be assessed on this topic.

Drug Overdose Prevention – Louie's Law

[P.A. 103-0399](#)

Date Effective: 7/28/2023

This act requires ISBE to develop and update substance use prevention and recovery resource materials for public elementary and secondary schools by July 1, 2024. A Substance Use Prevention and Recovery Instruction Resource Guide is also to be made available and sent to all school districts. The resource guide will provide guidance for school districts and educators regarding student instruction in the topics of substance use prevention and recovery.

Literacy Plan

[P.A. 103-0402](#)

Date Effective: 7/28/2023

This act requires the ISBE to create a rubric for school districts to evaluate curricula and select and implement evidence-based, culturally inclusive core reading instruction programs by July 1, 2024. The act also requires ISBE to develop a template to support districts when developing district-wide literacy plans, and to develop guidance on evidence-based practices for training and deploying literacy coaches.

ISBE is also required to develop and make available training opportunities for educators in teaching reading by January 1, 2025. ISBE must also develop a literacy plan for the State by January 31, 2024. The plan will, in part, provide guidance related to screening tools to identify students at risk of reading difficulties, and early literacy intervention for students in grades kindergarten through 2.

The act also requires, with regard to examinations for educator licenses, ISBE to develop a plan to transition the test of content area knowledge in the endorsement area of elementary education, grades one through 6, to a content area test that contains testing elements that cover bilingualism, biliteracy, oral language development, foundational literacy skills, and developmentally appropriate higher-order comprehension.

Native American History

[P.A. 103-0422](#)

Date Effective: 8/4/2023

This act requires that beginning with the 2024-2025 school year, all public elementary and high school social studies courses pertaining to American history or government must include a unit of instruction studying the events of Native American experience and history within the Midwest and Illinois. The act also authorizes the State Superintendent to prepare instructional materials and professional development opportunities as guidelines. Each school board must determine the minimum amount of instructional time that constitutes a unit of instruction. The act also requires the State Superintendent to develop instructional materials that include the addition of content related to the Native American genocide in North America by January 1, 2025.

Work Based Learning Experiences

[P.A. 103-0560](#)

Date Effective: 1/1/2024

The act expands the hours counted toward the calculation of clock hours of school per work day to include participation in work-based learning experiences, which may include, but are not limited to, scheduled events of State FFA associations, the National FFA Organization, and 4-H programs as part of organized competitions or exhibitions. The student and the student's parent or legal guardian are responsible for obtaining assignments missed assignments while the student was participating in the work-based learning experience.

Computer Based Science Programs

[P.A. 103-0264](#)

Date Effective 1/1/2024

This act establishes the Computer Science Equity Grant Program to support the development or enhancement of computer science programs in K-12 schools.

ISBE

Dual Language Programs

[P.A. 103-0362](#)

Date Effective: 1/1/2024


ISBE must create an advisory council that provides a report to the General Assembly addressing strategies to expand dual language programs and instruction, plan to scale the programs, engagement in public-private partnerships to expand these programs, potential funding mechanisms, and training teachers in dual language instruction.

Children's Adversity Index and Trauma-Informed Practices

[P.A. 103-0413](#)

Date Effective: 6/29/2023

This act requires ISBE to develop a Children's Adversity Index to measure community childhood trauma exposure across the population of children ages 3 to 18 by May 31, 2025. This information must be included on ISBE's school report cards. Starting with the 2024-2025 school year, teacher institutes shall provide instruction on trauma-informed practices.



The State Superintendent of Education shall establish a committee to make recommendations to ISBE to change professional educator licensure requirements and Professional Educator License renewal requirements for K-12 teachers to include proficiency in trauma-informed and restorative justice practices. The act also restores the Whole Child Task Force to evaluate the role of trauma in schools and make evaluative reports to the General Assembly.

Community College Enrollment Data

[P.A. 103-401](#)

Date Effective: 7/28/2023

Beginning January 1, 2024, community college boards must provide disaggregated data on the enrollment of students in community college remediation courses from the most recently completed academic year to a high school located within the community college's boundaries, upon request from the school district. The act also requires ISBE, in partnership with the Illinois Community College Board, to develop a model data sharing agreement for school district use.

Expanded High School Snapshot Report

[P.A. 103-503](#)

Date Effective: 1/1/2024

Requires ISBE to prepare a stand-alone report, called the Expanded High School Snapshot Report, for incorporation into the Illinois State Report Card by October 31, 2027. The act describes the requirements for the Report. It also requires school districts with high schools to link the Report on its website.

Artificial Intelligence Task Force

[P.A. 103-451](#)

Date Effective: 8/4/2023

This public act requires the Department of Innovation and Technology to create the Generative AI and Natural Language Processing Task Force. Establishes requirements for membership on the Task Force, including the State Superintendent of Education, two teachers recommended by a statewide teachers' association, and two principals recommended by a statewide principals' association. The public act also establishes the Task Force's responsibilities, including recommending model policies for schools to address the use of generative AI by students in the classroom.

Rural Education Advisory Council

[P.A. 103-497](#)

Date Effective: 1/1/2024

This public act creates Section 22-95 of the School Code and requires creation of the Rural Education Advisory Council for the purpose of exchanging dialogue concerning the needs, challenges, and opportunities of rural school districts and to provide policy recommendations to the State. It also establishes the requirements for membership on the Advisory Council and the Advisory Council's responsibilities.

LABOR & EMPLOYMENT

Retiring Teacher Evaluation

[P.A. 103-0085](#)

Date Effective: 6/9/2023

This act amends Sections 24A-5 and 34-84 regarding tenured teacher evaluations by adding language that allows teachers the opportunity, in their final year before retirement, to waive their evaluation and retain their most recent rating, unless the teacher was last rated as “needs improvement” or “unsatisfactory.” A school district may still evaluate the teacher but must provide the teacher with at least 14 days’ notice and a reason for evaluation.

Substitute Teachers

[P.A. 103-0193](#)

Date Effective: 6/30/2023

The amended law allows districts, in the event no licensed teacher is employed with the board because of an emergency situation, to extend a substitute teacher’s employ past the 30 calendar day period for the same vacant position to 90 days or until the end of the semester, in 30 calendar day intervals, if the district files a written request with the appropriate ROE prior to the expiration of the 30 calendar day period then current. The district may seek an extension with the ROE because the position remains vacant, the district continues to actively seek qualified candidates and the district provided the substitute teacher position-specific training including training on meeting the needs of student with disabilities and English learners, if applicable.

Trauma Training

[P.A. 103-0128](#)

Date Effective: 6/30/2023

This act amends the School Code by permitting school districts, including Article 34 schools, to maintain on-site trauma kits at each school for bleeding emergencies. This act additionally requires that all district employees receive trauma response training every two years. This training requirement may be satisfied by completing the online training available from the American College of Surgeons or any other similar organization. Absent willful and wanton misconduct, the act also immunizes district employees from civil liability when using trauma kits if the employee was trained to respond to trauma as explained above.

Teacher Pensions

[P.A. 103-0017](#)

Date Effective: 6/9/2023

This act amends the Illinois Pension Code to allow a TRS member until June 30, 2028, instead of June 30, 2023, to apply in writing to establish optional credit for up to 2 years of service as a teacher or administrator employed by a private school recognized by ISBE.

Pension Code Return to Service

[P.A.103-0088](#)

Date Effective: 6/9/23

This act extends the ability of a retiree to work for up to 120 paid days (not more than 100 days in the same classroom) in a teaching position through June 30, 2026.

Homelessness Training

[P.A. 103-0041](#)

Date Effective: 8/20/2024

This act amends the School Code to require school boards to conduct in-service training on homelessness for all school employees at least once every 2 years. The training must include:

1. the definition of homeless children and youth under Section 11434a of Title 42 of the United States Code;
2. the signs of homelessness and housing insecurity;
3. the rights of students experiencing homelessness under State and federal law;
4. the steps to take when a homeless or housing-insecure student is identified; and
5. the appropriate referral techniques, including the name and contact number of the school or school district homeless liaison.

The board may develop and provide its training in conjunction with a community-based organization specializing in working with homeless children and youth.

Hiring P.E., Music, and Visual Arts Educators

[P.A. 103-0046](#)

Date Effective: 1/1/2024

This act introduces a new section to the School Code that requires school districts to prioritize candidates with valid educators' licenses and endorsements in content area when hiring or assigning P.E., music, and visual arts educators. The act also requires educators to pass the licensure content area examination or complete at least 9 semester hours of coursework in their content area prior to employment start date. Further, in order to retain employment, educators are required to complete all remaining hours of coursework and apply for a license endorsement within 3 years of their employment start date. If the school district moves forward with a reduction in force, it can follow its employee contract language for filling positions.

National Board for Professional Teaching Standards Incentive

[P.A. 103-0122](#)

Date Effective: 6/30/2023

This act amends the Illinois Teaching Excellence Program section of the School Code. The act raises the annual incentive for educators holding a National Board for Professional Teaching Standards designation from \$1,500 to \$2,250, if there are adequate funds available. The act also raises the hours the educator must agree to provide for professional development, mentoring, or both, from 30 hours to 45 hours. The act allows appropriated funds to be used for professional development training provided by the National Board Resource Center.

Teacher Performance Assessment

[P.A. 103-0488](#)

Date Effective: 8/4/2023

This act removes the requirement to pass a teacher performance assessment for any candidate completing an Illinois teacher preparation program between August 4, 2023 and August 31, 2025. The act also creates the Teacher Performance Assessment Task Force to evaluate potential performance-based and objective teacher performance assessment systems for implementation across all educator preparation programs statewide and identifies the requirements for membership on the Task Force.

Teacher Tenure

[P.A. 103-0500](#)

Date Effective: 8/4/2023

This act amends Illinois School Code provisions regarding teacher tenure, particularly as it relates to the length of the probationary period, as well as non-renewal and honorable dismissal notice deadlines. The act allows teachers hired before July 1, 2023 to obtain “accelerated tenure” after three consecutive school terms of service, rather than four, if they receive two “Excellent” ratings in that three consecutive school term period. For teachers hired on or after July 1, 2023, the act shortens the probationary period to allow such teachers to acquire tenure in just three years so long as they have at least a “proficient” rating in each of their last two school terms. Teachers hired after July 1, 2023 who complete two consecutive terms of full-time service with two “Excellent” ratings are also now eligible for “accelerated tenure.” The public act clarifies that only teachers with a Professional Educator License are eligible for tenure.

In addition, the act amends the notice requirement for non-renewal or honorable dismissal to require written notice to the employee on or before April 15, disposing of the prior 45-day notice period requirement. Additional analysis of the new tenure provisions can be found in our recent [alert](#).

Salary Adjustment

[P.A. 103-0515](#)

Date Effective: 8/11/2023

This act amends the Illinois School Code to require the minimum salary for teachers after the 2023-2024 school year to be equal to the minimum salary for the prior school year, increased by a percentage equal to the annualized percentage increase in the Consumer Price Index for All Urban Consumers for all items published by the United States Department of Labor for the 12-month period ending on June 30 of the school year that ended 12 months prior to the school year in which the adjusted salary is to be in effect. In addition, it requires the Commission on Government Forecasting and Accountability to certify and publish the minimum salary rate for teachers by September 30, 2023 for the 2024-2025 school year and July 20 for each school year after.

Teacher Evaluation Data Reporting

[P.A. 103-0452](#)

Date Effective: 1/1/2024

This act requires ISBE to report teacher evaluation data for tenured and non-tenured teachers from each school in the State, broken down by race, ethnicity, and eligibility status for free or reduced-price lunch of students in the school where the teachers work.

Credit for Part-Time Service

[P.A. 103-0525](#)

Date Effective: 8/11/2023

This act amends the Illinois Pension Code by extending the expiration date to June 30, 2026 for allowing a teacher receiving a retirement annuity to accept employment with a school district without impairing his or her retirement status if the employment does not exceed 120 paid days or 600 paid hours in each school year, but not more than 100 paid days in the same classroom. The amendment also allows an employee to earn optional service credit for periods of service as a student teacher for which the student teacher received a salary. The public act also establishes a new section of the Illinois Pension Code regarding credit for service as a part-time employee of the Board of Education of the City of Chicago.

Attendance for Federal Advocacy Work

[P.A. 103-0308](#)

Date Effective: 1/1/2024

This public act creates a new section of the School Code, allowing teachers who are members of a statewide association representing teachers and elected by the association's membership to represent them in federal advocacy, to spend up to 10 days engaged in federal advocacy work during the school year without affecting the employee's pay. The public act requires the relevant association to reimburse the school district for the cost of substitute teachers due to teacher absences for federal advocacy work.

Teacher Resignation

[P.A. 103-0549](#)

Date Effective: 8/11/2023

This public act prohibits teacher resignation during the school year to take another teaching assignment, unless the teacher receives board approval. To resign outside of the school year, the public act requires all teachers, regardless of tenure status, to submit a resignation in writing at least 30 days prior to the first day of student attendance for the following school year. The public act also includes updated requirements for school districts to report a teacher, who fails to resign in accordance with the law, to the State Superintendent of Education, including referral to the State Superintendent within 10 business days following denial of the teacher's resignation and notification to the teacher of the referral to the State Superintendent within 5 business days after submitting the referral.

Mandatory Training and Inservice Days

[P.A. 103-0542](#)

Date Effective: 1/1/2024

This public act allows administrators, in addition to the previous allowance for teachers and school support personnel, to use two of their four allotted inservice days for conducting parent-teacher conferences or for parental institute days. Removes the requirement that inservice training include training on identification and treatment of, in part, attention deficit disorder and attention deficit hyperactivity disorder. The public act also amends section 10-22.39 of the School Code regarding inservice training programs to list the required topics for inservice training programs and standards for each training topic, including, among others, social-emotional learning, developing cultural competency, protections and accommodations for students, educator ethics, and responding to child sexual abuse and grooming behavior.

Beginning July 1, 2024, teachers, administrators, and school support personnel will also be required to complete training in certain enumerated categories, including student health conditions, cultural competency, and domestic and sexual violence, within six months of employment and at least once every five years thereafter, instead of the previous annual training requirements. Also effective July 1, 2024, training regarding homelessness and life-threatening bleeding will be added as enumerated, required trainings. These trainings must be completed within six months of employment and renewed within two years. Beginning the 2027-2028 school year, these trainings will be required within six months of employment and renewed at least once every five years thereafter.

Honorable Dismissal

[P.A. 103-0398](#)

Date Effective: 1/1/2024

This public act amends the School Code to require that school districts include teachers' race or ethnicity, if provided by the teacher, in the sequence of honorable dismissal list.

Holidays

[P.A. 103-395](#)

Date Effective: 1/1/2024

This public act amends Section 24-2 of the School Code to include educational support personnel with teachers as not being required to work on a holiday, other than those needed for an emergency or continued operation and maintenance of school facilities. In addition, it states that there may be no deduction in time or compensation of a school employee, including educational support personnel, on account of a legal or special holiday in which that employee would have otherwise been scheduled to work, but for the holiday.

SCHOOL BUSINESS

Design-Build Contracts

[P.A. 103-0491](#)

Date Effective: 1/1/2024

This act allows school districts to use the design-build delivery model, which significantly streamlines the contracting process for construction projects. The design-build model is a delivery system that provides responsibility within a single contract for architecture, engineering, land surveying, and related services, as well as the labor, materials, equipment, and other construction services for the project.

The Public Act establishes an extensive request for proposal (“RFP”) process for soliciting design-build contracts and requirements for the submission of proposals. It creates a two-phase procedure for the selection of a successful design-build contract, in which design-build entities are evaluated and shortlisted based on qualifications (Phase 1) and then undergo technical and cost evaluations (Phase 2).

The law sets forth various mandatory criteria that must minimally be included in the RFP for each phase. Notably, a licensed design professional must be employed or engaged by a school District to prepare technical criteria for the RFP and to evaluate the submitting entity’s ability to meet such criteria. Where the total overall project cost is less than \$12 million, the public act allows school districts to combine the two-phase selection procedure if certain enumerated requirements are met. Finally, the new law sets forth procedures and requirements for awarding design-build contracts and reporting and evaluating design-build contracts. The law mandates a weighted evaluation process which includes a hybrid approach to awarding contracts based on qualifications and price. Project price may only be 30% of the weighted criteria.

Transportation Contracts

[P.A. 103-0430](#)

Date Effective: 1/1/2024


This act allows school boards to enter transportation contracts for any amount of time not exceeding 10 years. Any contract for 5 years or greater that does not include the use of electric vehicles must have a termination option after the 5th year. A school board may sign a pupil transportation contract lasting up to 15 years if it involves a substantial use of electric vehicles and entails capital or infrastructure investments that aren't feasible for shorter-term contracts.

Employment Benefits

[P.A. 103-0481](#)

Date Effective: 8/4/2023

This amendment to the School Code particularly affects larger school districts with over 575 teachers using a 457 retirement plan. Such districts are now required to offer teachers multiple choices of financial institutions or investment companies for their retirement plans. Any institution wanting to offer services must have a separate, clear agreement with the school. This agreement ensures they provide transparent data about the retirement plan, including costs and



any associated fees, in a digital format. Furthermore, the institution should cover any administrative costs linked to the plan. Schools are given a one-year window to implement these changes. It's vital to note this new section doesn't alter other teacher retirement systems but aims to enhance the transparency and choices in the 457 plan.

School Trustee Bond

[P.A. 103-0049](#)

Date Effective: 6/9/2023

This act amends provisions concerning the bond obligations of school treasurers. Before taking up their roles, every school treasurer must now provide only one bond, with a recognized surety company in the state acting as the guarantor. For Class II county school units, this bond should be payable to the township trustees of schools. In contrast, for Class I county school units, it's directed to the respective school board. There's an exception: if a district in a Class II county school unit has distanced itself from the jurisdiction of a township treasurer or the role has been abolished, the bond is exclusively payable to the district's school board.

The bond's penalty will be set by the school board and should be no less than 10% of the treasurer's financial holdings as of the end of the most recent fiscal year. For approval, in Class II county school units, a majority of the township trustees must approve the bond. In instances where the district is no longer under the jurisdiction of a township treasurer, or for Class I units, the bond needs approval from a majority of the school board members. After approval, the bond should be submitted to the regional superintendent of schools. This official is responsible for providing an annual affidavit to the State Board of Education, listing which school treasurers have met the bond requirements.

Property Tax Payment Plan Task Force

[P.A. 103-0369](#)

Date Effective: 7/28/2023

This act creates the Property Tax Payment Plan Task Force which has been established with a mandate to explore and recommend the introduction of payment plan options in counties with a population of 3,000,000 or more. The primary goal is to prevent the sale of tax-delinquent properties, which are owner-occupied, during annual tax sales in these densely populated counties. While formulating recommendations, the Task Force will consider the implications of such payment plans on homeowners, taxpayers, local entities in charge of collecting property taxes, and local tax districts. The insights gained and the recommendations proposed by the Task Force might be used to draft legislation for the 103rd General Assembly or later assemblies.

The Task Force is expected to submit a comprehensive report, encompassing their findings, conclusions, and suggestions, to the General Assembly by November 15, 2023.

SPECIAL EDUCATION

Student Accommodations

[P.A. 103-0197](#)

Date Effective: 1/1/2024

This act requires that school districts consider whether students eligible for IEPs or Section 504 plans require extra accommodations during emergencies, such as natural disasters and active shooter situations. If the student's IEP or Section 504 plan team determines extra accommodation is necessary, the accommodation should be added to the student's plan and implemented when appropriate. This act also requires school districts to include a student's IEP or Section 504 plan team in deciding whether to exempt that student from participating in a lockdown drill.

PUNS Database

[P.A. 103-0504](#)

Date Effective: 1/1/2024

This act requires that school districts to work in consultation with DHS and ISBE to ensure that all students with disabilities and the parents or guardians of those students are informed of the PUNS database, including where to register for the PUNS database and who they can contact for information about the database and registration process.

The Department of Human Services and the Illinois State Board of Education will develop an online training program for at least one designated employee in each school district to educate the designated employee(s) on the PUNS database and how to register students in the database. School districts will be required to post the names of the designated trained employees or employees on their public websites and include their names in the student handbook. While the Act is not intended to impose a responsibility on school districts to register students for the PUNS database, it is intended to ensure the parents/guardians of students with intellectual and developmental disabilities have access to the information to do so and that schools provide such information.

To that end, during a student's annual IEP meeting, if a student has an intellectual or developmental disability, the student's IEP team must determine the student's PUNS database registration status based on the information provided by the student's parents/guardians or the student. If the student is not in the database, then the student and the student's parents or guardians should be referred to the school district's designated employee who will provide the students with the necessary information the parents or guardians need to register the student in the PUNS database.

The Act also requires the State Board of Education to provide each parent or guardian of a student with an IEP (through school districts) with a copy of the latest version of the "Understanding PUNS: A Guide to the Prioritization for Urgency of Need for Services" document each year."

STUDENT HEALTH & SAFETY

Allergen Awareness

[P.A. 103-0212](#)

Date Effective: 1/1/2024

Beginning with the 2023-2024 school year, schools must include the instruction, study, and discussion on the dangers of allergies in their Comprehensive Health Education Programs for grades 9-12. Provides that instruction must include, at a minimum, (1) how to recognize the signs and symptoms of an allergic reaction, including anaphylaxis; (2) steps to take to prevent exposure to allergens; and (3) safe emergency epinephrine administration.

Mental Health Resources

[P.A. 103-0222](#)

Date Effective: 1/1/2024

This act amends the Mental Health and Developmental Disabilities Administrative Act by providing technical assistance for mental health resources in schools. Specifically, the act requires the Department of Human Services (“DHS”) to partner with the State Board of Education to provide technical assistance for the provision of mental health care during school days with the goal of increasing the availability and accessibility of mental health resources for students.

DHS shall report to the General Assembly on the implementation of this Section no later than July 1, 2025.

Suicide Hotline on Student ID Cards

[P.A. 103-0143](#)

Date Effective: 7/1/2023

This act amended School Code Sections 10-20.81 and 34-18.75. Previously, under both Sections, schools that served students in grades 6 through 12 were required to provide contact information for the National Suicide Prevention Lifeline, the Crisis Text Line, and either the Safe2Help Illinois helpline or a local suicide prevention hotline or both on the students’ identification cards. Now, under P.A. 103-0143, schools may not choose between the Safe2Help Illinois helpline or a different local suicide prevention hotline; schools must provide the contact information for Safe2Help Illinois on students’ identification cards, in addition to the National Suicide Prevention Lifeline and the Crisis Text Line.

Emergency and Crisis Response Plan

[P.A. 103-0194](#)

Date Effective 1/1/2024

This act amends the School Safety Drill Act by adding a provision on “Rapid Entry.” Specifically, P.A. 103-0194 requires each school to develop a plan, protocol, and procedure for local law enforcement to rapidly enter a school building during an emergency. This plan shall be outlined in the school’s emergency and crisis response protocol. This act applies to both public and nonpublic schools.

Undesignated Oxygen Tanks

[P.A. 103-0196](#)

Date Effective: 6/30/2023

This act allows school districts that provide special educational facilities for students with disabilities under School Code Section 14-4.01 to maintain a supply of undesignated oxygen tanks in any secure location that is accessible before, during, and after school where a person with developmental disabilities is most at risk, including, but not limited to, classrooms and lunchrooms. Any supply of oxygen tanks under P.A. 103-0196 shall be maintained in accordance with the manufacturer's instructions and with the local fire department's rules.

A physician, a physician assistant who has prescriptive authority, or an advanced practice registered nurse may prescribe undesignated oxygen tanks to a school district that provides special educational facilities for children with disabilities to be maintained for use when necessary.

Opioid Antagonist

[P.A. 103-0348](#)

Date Effective: 1/1/2024

This act amends Section 22-30 of the School Code as it relates, in relevant part, to the administration of an opioid antagonist. Specifically, P.A. 103-0348 now requires, as opposed to permits, all schools (public, charter, or nonpublic) to maintain a supply of an opioid antagonist in any secure location where an individual may have an opioid overdose, unless there is a shortage of opioid antagonists, in which case the school shall make a reasonable effort to maintain a supply of an opioid antagonist.

P.A. 103-0348 additionally removes the previously stated requirements of: 1) annual training for individuals who will administer opioid antagonists; and 2) submittal by trained personnel proof of cardiopulmonary resuscitation and automated external defibrillator certification.

Pesticide Application at Schools Act

[P.A. 103-0496](#)

Date Effective: 8/4/2023

This act created the Pesticide Application at Schools Act. Specifically, beginning July 1, 2024, P.A. 103-0496 prohibits schools serving students grades kindergarten through 8th grade from scheduling pesticide applications on school grounds during the school day, including during a partial day, when students are in attendance at school for instructional purposes. Areas where children are not typically present are exempt from the prohibition on pesticide application. These areas include, but are not limited to, flower beds and lawns surrounding the school not used as playing fields.

School Bus Extended Arm

[P.A. 103-0404](#)

This act amends a portion of the Illinois Vehicle Code and requires all school buses to maintain a stop signal arm that is an octagon shaped semaphore. This public act also states that school buses may be equipped with up to two extensions of the required stop arm that partially obstructs the roadway to ensure passenger safety. Such extensions must be equipped with a system of flashing

red lights and conform to the requirements as set forth in the relevant provisions of the Illinois Vehicle Code.

STUDENT ISSUES

Bullying and Student Discipline

[P.A. 103-0047](#)

Date Effective: 6/9/2023

This Act amends Section 27 -23.7 of the School Code to broaden the definition of bullying to include bullying on the basis of physical appearance, socioeconomic status, academic status, pregnancy, parenting status, and homelessness. The amendment also requires schools to inform parents or guardians of any alleged incidents of bullying that their student may be involved in, or instances of self-harm determined to be the result of bullying, within 24 hours after the school administration is made aware of the students' involvement in the bullying incident or self-harm. The school must make diligent efforts to notify parents or guardians, including by utilizing all contact information the school has available or that can be reasonably obtained by the school within 24-hours.

The Act also clarifies that bullying procedures and policies must be posted on a publicly accessible page of the school's website.

Furthermore, schools are required to collect all bullying collect and submit non-identifiable data regarding all verified allegations of bullying and the whether the bullying was based on actual or perceived characteristics in an annual report to the State Board of Education by August 15 of each year starting with the 2024-2025 school year.

Alternative School Program Placements

[P.A. 103-0473](#)

Date Effective: 1/1/2024

This Act amends the requirements regarding alternative education plans and placement for students transferred to an alternative school pursuant to Article 13A of the School Code via an administrative transfer for disciplinary reasons. It requires the student's parent or guardian to be informed about the alternative school program prior to the transfer date. The information provided should include the specific nature of the curriculum, disciplinary policies, daily schedule, and extracurricular offerings.

The Act also requires the sending school and the alternative school personnel to meet following the student's transfer to develop an alternative educational plan. All alternative education plans must include the method and timeframe for the student transitioning back to the regular educational program, including a transition meeting between the school district, the alternative school, and the parent or guardian at least 30 days prior to the student's return date.

The school district may extend the student's return day upon written agreement by school district, the alternative school, and the parent or guardian. The return date cannot be extended if the parent or guardian does not consent.



Graduation Attire

[P.A. 103-0463](#)

Date Effective: 8/4/2023

This Act requires the Illinois State Board of Education to make available to school districts resource materials regarding a student wearing or accessorizing their graduation attire with items associated with cultural, ethnic, religious identity or any other characteristic or category protected by the Illinois Human Rights Act. ISBE is required to work with stakeholders to develop and post these materials to its website by July 1, 2024. The Act further provides that school districts cannot adopt dress code policies that prohibit students from wearing or accessorizing their graduation attire in the aforementioned manner.