

Illinois State Board of Education



Non-Curricular Health and Safety Requirements Applicable to Charter Schools

September 1, 2023

The Illinois State Board of Education (ISBE) promulgated and posted this list as required by [Public Act 99-0325](#). This document is available on the ISBE website at www.isbe.net.

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Effective August 10, 2015, [Public Act 99-0325](#) (the “Act”) modified Section 27A-5(d) of the School Code [[105 ILCS 5/27A-5\(d\)](#)] in several ways.

First, the Act amended the statutory provision regarding application of health and safety requirements to charter schools as follows:

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.

The Act defines “non-curricular health and safety requirement” as “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.” The Act explains that “[n]on-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.”

Second, the Act requires ISBE to “promulgate and post on its internet website a list of non-curricular health and safety requirements that a charter school must meet” on or before September 1, 2015, and annually by September 1 thereafter.

Finally, the Act provides that “[a]ny 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.”

The following list of requirements is the product of ISBE’s engagement with interested stakeholders over the past several years. It may be modified regularly, as permitted by statute. When modifications occur, charter schools and charter school authorizers will be notified.

ISBE advises charter schools and charter school authorizers to evaluate their charter agreements to determine if amendments must be made to come into full compliance with [Public Act 99-0325](#).

Further, please note that charter schools remain subject to all federal statutory and regulatory requirements applicable to public schools (e.g., the Occupational Safety and Health Act and its implementing regulations), as well as any section of the Illinois School Code and its implementing regulations made expressly applicable to charter schools by the Charter Schools Law (e.g., Article 14 of the School Code regarding special education and its implementing regulations).

Questions regarding this document or suggestions for modification should be submitted in writing electronically to charter@isbe.net or in hard copy to:

Illinois State Board of Education
Charter Schools
555 W. Monroe Street
Suite 900
Chicago, Illinois 60661

*Laws or rules that have been **amended** in some way, but were already cited in the September 1, 2022 Non-Curricular Health and Safety Requirements Notice.

Laws or rules that are **new since the September 1, 2022 Non-Curricular Health and Safety Requirements Notice. Citations marked “*et seq.*” in the “Non-School Code Requirements” section of this list may regulate actors other than schools and school personnel. These requirements are applicable to charter schools insofar as they regulate schools, districts, and/or school personnel.

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School Code Requirements	Citation
School building code; Health/Life Safety Code for Public Schools (for charter schools located outside the City of Chicago)	105 ILCS 5/2-3.12 23 Ill. Admin. Code 180.10 <i>et seq.</i>
School records; transferring students	105 ILCS 5/2-3.13a
Missing child program	105 ILCS 5/2-3.73
Requirements for the Use of Isolated Time Out and Physical Restraint	105 ILCS 5/2-3.130* ; 10-20.33; 34-18.20* 23 Ill. Admin. Code 1.285
School wellness policies; task force	105 ILCS 5/2-3.139
Anaphylactic policy for school districts	105 ILCS 5/2-3.190
Youth suicide awareness and prevention	105 ILCS 5/2-3.166; 10-20.81* ; 34-18.75*
Discrimination, harassment, and retaliation reporting; policy on discrimination, harassment, and retaliation; response procedures	Public Act 103-0472
School bus driver permits; Transportation; Training of School Bus Driver Instructors (for charter schools that provide busing)	105 ILCS 5/3-14.23 23 Ill. Admin. Code 1.510; 1.515
Tobacco prohibition	105 ILCS 5/10-20.5b; 34-18.11
Medications policy	105 ILCS 5/10-20.14b
Hazardous materials training	105 ILCS 5/10-20.17a
Psychotropic or psychostimulant medication; disciplinary action	105 ILCS 5/10-20.36* ; 34-18.25*
Radon testing	105 ILCS 5/10-20.48; 34-18.39
Compliance with Chemical Safety Acts	105 ILCS 5/10-20.49; 34-18.40
Breastfeeding accommodations for pupils	105 ILCS 5/10-20.60; 34-18.53
Availability of menstrual hygiene products	105 ILCS 5/10-20.63; 34-18.56
Traffic injury prevention policy	105 ILCS 5/27-23.11
Booking stations on school grounds	105 ILCS 5/10-20.64; 34-18.57
Attacks on school personnel	105 ILCS 5/10-21.7
Student discipline notice	105 ILCS 5/34-18.73
Criminal history record checks and checks of the Statewide Sex Offender, the Statewide Murderer, and the Violent Offender Against Youth Databases	105 ILCS 5/10-21.9; 34-18.5
Electronic paging devices on school property	105 ILCS 5/10-21.10; 34-18.9
Infectious disease policies and rules	105 ILCS 5/10-21.11; 34-18.13
Orders of protection	105 ILCS 5/10-22.3c; 34-18.6a
Instruction for pregnant pupils; Home and Hospital Instruction	105 ILCS 5/10-22.6a (P.A. 102-466 amendments go into effect 7/1/25) 105 ILCS 5/10-20.78; 34-18.76 23 Ill. Admin. Code 1.520
Administering medication	105 ILCS 5/10-22.21b; 34-18.61
*In-service training programs; warning signs of mental illness, trauma, and suicidal behavior in youth; AIDS training; domestic and sexual violence and the needs of expectant and parenting youth; anaphylactic reactions and management; educator ethics; * physical trauma (eff. June 30, 2023) ; * homelessness training (eff. Aug. 20, 2024)	105 ILCS 5/10-22.39* ; 34-18.7* (repealed eff. Jan. 1, 2024) ; 34-18.8* (repealed eff. Jan. 1, 2024) ; Public Act 103-0128 (trauma kits and training on physical trauma) ; Public Act 103-0041 (homelessness) ; Public Act 103-0542 (changes to in-service training programs) (eff. July 1, 2024)

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School Code Requirements (cont'd)	Citation
Physical Fitness and Professional Growth	105 ILCS 5/24-5
Children and Students Who Are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence (eff. July 1, 2025)	105 ILCS 5/Art. 26A
Firearms in schools; Reporting firearms in schools	105 ILCS 5/10-27.1A; 34-8.05
Reporting drug-related incidents in schools	105 ILCS 5/10-27.1B
Play Time in Elementary Schools	105 ILCS 5/27-6.3
Supervision—Personnel—Police control (for playgrounds, recreation grounds, and athletic fields)	105 ILCS 5/16-8
Insurance on athletes	105 ILCS 5/22-15
Sprinkler systems	105 ILCS 5/22-23 23 Ill. Admin. Code 180.250
Self-administration and self-carry of asthma medication and epinephrine auto-injectors; administration of undesignated epinephrine auto-injectors; administration of an opioid antagonist; asthma episode emergency response protocols	105 ILCS 5/10-22.21b; 22-30*; 34-18.61 23 Ill. Admin. Code 1.540
Student athletes; concussions and head injuries	105 ILCS 5/22-80 23 Ill. Admin. Code 1.530(b)
Parental notification of law enforcement detainment and questioning on school grounds	105 ILCS 5/22-88
Medical cannabis	105 ILCS 5/22-33
Maintenance of discipline; principals shall report incidents of intimidation	105 ILCS 5/24-24; 34-84a; 34-84a.1
Health examinations and immunizations; Health Services	105 ILCS 5/27-8.1 23 Ill. Admin. Code 1.530 Various provisions within Title 77 of the Illinois Administrative Code (Public Health), as applicable to schools and school districts
Bullying prevention	105 ILCS 5/27-23.7* 23 Ill. Admin Code 1.295
Transportation to and from specified interscholastic or school sponsored activities	105 ILCS 5/29-6.3
Remote and Blended Remote Learning	105 ILCS 5/10-30; 34-18.66
Policy on sexual harassment	105 ILCS 5/10-20.69; 34-18.62*
Policies addressing sexual abuse and grooming	105 ILCS 5/10-23.13
Employment history review	105 ILCS 5/22-94
Additional protections for student safety; sexual abuse prevention and investigations at schools	105 ILCS 5/10-20.71; 22-85; 34-18.64 105 ILCS 5/22-85.10
Door security locking means	105 ILCS 5/10-20.72; 34-18.65
State, school district, and school report cards (data on incidents of violence on school grounds or at school-related activities)	105 ILCS 5/10-17a(2)(E)
PUNS Database Information	105 ILCS 5/2-3.163(c)**

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Non-School Code Requirements	Citation
Teacher Institutes (Instruction on trauma-informed practices) (eff. beginning with the 2024-25 school year)	105 ILCS 5/3-11, as amended by Public Act 103-0413 (trauma-informed practices)
CPR training video	105 ILCS 25/1.10
Asbestos Abatement Act	105 ILCS 105/1 <i>et seq.</i>
Policy on teen dating violence	105 ILCS 110/3.10
Eye Protection in School Act	105 ILCS 115/1 <i>et seq.</i> 23 Ill. Admin. Code 1.420(s)
Hunger-Free Students' Bill of Rights Act	105 ILCS 123/1 <i>et seq.</i>
Farm Fresh Schools Program Act	105 ILCS 124/1 <i>et seq.</i>
School Breakfast and Lunch Program Act	105 ILCS 125/2.3 <i>et seq.</i>* P.A. 102-761 regarding plant-based school lunch option went into effect 8/1/23 P.A. 103-0532 regarding Healthy School Meals for All Program went into effect 8/11/23 (subject to appropriation)
Childhood Hunger Relief Act	105 ILCS 126/1 <i>et seq.</i>
School Reporting of Drug Violations Act	105 ILCS 127/1 <i>et seq.</i>
School Safety Drill Act	105 ILCS 128/1 <i>et seq.</i>* 29 Ill. Admin. Code 1500.10 <i>et seq.</i>
School Health Center Act (for charter schools with school health centers)	105 ILCS 129/1 <i>et seq.</i>
Toxic Art Supplies in Schools Act	105 ILCS 135/1 <i>et seq.</i>
Green Cleaning Schools Act	105 ILCS 140/1 <i>et seq.</i> 23 Ill. Admin. Code 2800.10 <i>et seq.</i>
Care of Students with Diabetes Act	105 ILCS 145/1 <i>et seq.</i>
Seizure Smart Schools Act	105 ILCS 150/1 <i>et seq.</i>
Physical Fitness Facility Medical Emergency Preparedness Act Automated External Defibrillator Act Physical Fitness Medical Emergency Preparedness Code	210 ILCS 74/1 <i>et seq.</i> 410 ILCS 4/1 <i>et seq.</i> 77 Ill. Admin. Code 527.100 <i>et seq.</i>
Swimming Facility Act	210 ILCS 125/1 <i>et seq.</i>
Structural Pest Control Act	225 ILCS 235/1 <i>et seq.</i>
Abused and Neglected Child Reporting Act	325 ILCS 5/1 <i>et seq.</i>
Children's Mental Health Act	405 ILCS 49/1 <i>et seq.</i>
Compassionate Use of Medical Cannabis Program Act	410 ILCS 130/1 <i>et seq.</i>
Consent of Minors to Health Care Services Act	410 ILCS 210/0.01 <i>et seq.</i>
Communicable Disease Prevention Act	410 ILCS 315/0.01 <i>et seq.</i>
Lawn Care Products Application and Notice Act	415 ILCS 65/1 <i>et seq.</i>
Firearm Concealed Carry Act (School Administrator Reporting of Mental Health Clear and Present Danger Determination Law) Mental Health and Developmental Disabilities Code (clear and present danger; notice)	430 ILCS 65/1.1; 65/8.1 430 ILCS 66/100 through 66/110 20 Ill. Admin. Code 1231.App. A 405 ILCS 5/6-103.3

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Non-School Code Requirements (cont'd)	Citation
Movable Soccer Goal Safety Act	430 ILCS 145/1 et seq.
Illinois Vehicle Code (Extracurricular activities; passengers)	625 ILCS 5/1-100 <i>et seq.</i> (625 ILCS 5/12-825)
Driver Education Personnel Requirements	23 Ill. Admin. Code 252.40
Personal Information Protection Act	815 ILCS 530/1 <i>et seq.</i>
Toxic Substances Disclosure to Employees Act; Toxic Materials Training	820 ILCS 255/1 <i>et seq.</i> 23 Ill. Admin. Code 1.330
Chicago local building, fire, and health codes (as applicable to public schools; only for charter schools located within the City of Chicago)	Various
Public Health Regulations (as applicable to public schools)	Various provisions within Title 77 of the Illinois Administrative Code
Illinois Human Rights Act	775 ILCS 5/Art. 1**

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