



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2348

Introduced 2/14/2023, by Rep. Kelly M. Cassidy

SYNOPSIS AS INTRODUCED:

35 ILCS 40/50

Amends the Invest in Kids Act. Provides that a qualified school that accepts scholarship students must comply with the provisions of federal and State laws and rules applicable to public schools pertaining to special education and instruction of English learners; the provisions of the School Code concerning charter schools; the provisions of the Illinois Humans Rights Act concerning public accommodations and educational institutions; and the provisions of the School Code concerning pregnancy and breastfeeding-related accommodations. Effective immediately.

LRB103 26418 HLH 52781 b

1 AN ACT concerning revenue.

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

4 Section 5. The Invest in Kids Act is amended by changing
5 Section 50 as follows:

6 (35 ILCS 40/50)

7 (Section scheduled to be repealed on January 1, 2025)

8 Sec. 50. Qualified school responsibilities. A qualified
9 school that accepts scholarship students must do all of the
10 following:

11 (1) provide to a scholarship granting organization,
12 upon request, all documentation required for the student's
13 participation, including the non-public school's cost and
14 student's fee schedules;

15 (2) be academically accountable to the custodian for
16 meeting the educational needs of the student by:

17 (A) at a minimum, annually providing to the
18 custodian a written explanation of the student's
19 progress; and

20 (B) annually administering assessments required by
21 subsection (a) of Section 45 of this Act in the same
22 manner in which they are administered at public
23 schools pursuant to Section 2-3.64a-5 of the School

1 Code; the Board shall bill participating qualified
2 schools for all costs associated with administering
3 assessments required by this paragraph; the
4 participating qualified schools shall ensure that all
5 test security and assessment administration procedures
6 are followed; participating qualified schools must
7 report individual student scores to the custodians of
8 the students; the independent research organization
9 described in subsection (b) of Section 45 of this Act
10 shall be provided all student score data in a secure
11 manner by the participating qualified school;:-

12 (3) comply with (i) all provisions of federal and
13 State laws and rules applicable to public schools
14 pertaining to special education and the instruction of
15 English learners and (ii) paragraphs (1) through (12) of
16 subsection (g) of Section 27A-5 of the School Code;

17 (4) comply with Articles 5 and 5A of the Illinois
18 Human Rights Act;

19 (5) comply with the breastfeeding accommodations for
20 pupils as provided by Section 10-20.60 of the School Code;
21 and

22 (6) comply with home instruction provisions for
23 pregnant pupils as provided by Section 10-22.6a of the
24 School Code.

25 The inability of a qualified school to meet the
26 requirements of this Section shall constitute a basis for the

1 ineligibility of the qualified school to participate in the
2 scholarship program as determined by the Board.

3 (Source: P.A. 100-465, eff. 8-31-17.)

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