



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB1239

Introduced 2/7/2017, by Sen. Wm. Sam McCann

SYNOPSIS AS INTRODUCED:

105 ILCS 5/3-11	from Ch. 122, par. 3-11
105 ILCS 5/10-19	from Ch. 122, par. 10-19
105 ILCS 5/10-19.1	from Ch. 122, par. 10-19.1
105 ILCS 5/34-18	from Ch. 122, par. 34-18

Amends the School Code. Provides that teachers must be provided with and a teacher must annually complete 20 hours of inservice training, 10 hours of which a teacher may complete through online learning if the online learning requires proof of proficiency. With respect to the opening date of a school term, provides that student instruction may begin no earlier than the day after Labor Day. Requires the calendar for a school term to provide for a minimum of 880 instructional hours in no more than 176 days of actual pupil attendance and at least 45 professional development hours for teachers, to be scheduled as any collective bargaining agreement allows; makes related changes. Provides that as part of its calendar for the school term, a school board shall schedule 5 emergency closure days, and the school board shall adopt a contingency plan for when emergency closure days are used during a school year to make up for a minimum of 25 lost instructional hours. Effective July 1, 2017.

LRB100 09424 NHT 19587 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Sections
5 3-11, 10-19, 10-19.1, and 34-18 as follows:

6 (105 ILCS 5/3-11) (from Ch. 122, par. 3-11)

7 Sec. 3-11. Institutes or inservice training workshops. In
8 counties of less than 2,000,000 inhabitants, the regional
9 superintendent may arrange for or conduct district, regional,
10 or county institutes, or equivalent professional educational
11 experiences, not more than 4 days annually. Of those 4 days, 2
12 days may be used as a teacher's and educational support
13 personnel workshop, when approved by the regional
14 superintendent, up to 2 days may be used for conducting
15 parent-teacher conferences, or up to 2 days may be utilized as
16 parental institute days as provided in Section 10-22.18d.
17 Educational support personnel may be exempt from a workshop if
18 the workshop is not relevant to the work they do. A school
19 district may use one of its 4 institute days on the last day of
20 the school term. "Institute" or "Professional educational
21 experiences" means any educational gathering, demonstration of
22 methods of instruction, visitation of schools or other
23 institutions or facilities, sexual abuse and sexual assault

1 awareness seminar, or training in First Aid (which may include
2 cardiopulmonary resuscitation or defibrillator training) held
3 or approved by the regional superintendent and declared by him
4 to be an institute day, or parent-teacher conferences. With the
5 concurrence of the State Superintendent of Education, he or she
6 may employ such assistance as is necessary to conduct the
7 institute. Two or more adjoining counties may jointly hold an
8 institute. Institute instruction shall be free to holders of
9 licenses good in the county or counties holding the institute
10 and to those who have paid an examination fee and failed to
11 receive a license.

12 In counties of 2,000,000 or more inhabitants, the regional
13 superintendent may arrange for or conduct district, regional,
14 or county inservice training workshops, or equivalent
15 professional educational experiences, not more than 4 days
16 annually. Of those 4 days, 2 days may be used as a teacher's
17 and educational support personnel workshop, when approved by
18 the regional superintendent, up to 2 days may be used for
19 conducting parent-teacher conferences, or up to 2 days may be
20 utilized as parental institute days as provided in Section
21 10-22.18d. Educational support personnel may be exempt from a
22 workshop if the workshop is not relevant to the work they do. A
23 school district may use one of those 4 days on the last day of
24 the school term. "Inservice Training Workshops" or
25 "Professional educational experiences" means any educational
26 gathering, demonstration of methods of instruction, visitation

1 of schools or other institutions or facilities, sexual abuse
2 and sexual assault awareness seminar, or training in First Aid
3 (which may include cardiopulmonary resuscitation or
4 defibrillator training) held or approved by the regional
5 superintendent and declared by him to be an inservice training
6 workshop, or parent-teacher conferences. With the concurrence
7 of the State Superintendent of Education, he may employ such
8 assistance as is necessary to conduct the inservice training
9 workshop. With the approval of the regional superintendent, 2
10 or more adjoining districts may jointly hold an inservice
11 training workshop. In addition, with the approval of the
12 regional superintendent, one district may conduct its own
13 inservice training workshop with subject matter consultants
14 requested from the county, State or any State institution of
15 higher learning.

16 Such teachers institutes as referred to in this Section may
17 be held on consecutive or separate days at the option of the
18 regional superintendent having jurisdiction thereof.

19 Whenever reference is made in this Act to "teachers
20 institute", it shall be construed to include the inservice
21 training workshops or equivalent professional educational
22 experiences provided for in this Section.

23 Any institute advisory committee existing on April 1, 1995,
24 is dissolved and the duties and responsibilities of the
25 institute advisory committee are assumed by the regional office
26 of education advisory board.

1 Districts providing inservice training programs shall
2 constitute inservice committees, 1/2 of which shall be
3 teachers, 1/4 school service personnel and 1/4 administrators
4 to establish program content and schedules.

5 The teachers institutes shall include teacher training
6 committed to (i) peer counseling programs and other
7 anti-violence and conflict resolution programs, including
8 without limitation programs for preventing at risk students
9 from committing violent acts, and (ii) educator ethics and
10 teacher-student conduct. Beginning with the 2009-2010 school
11 year, the teachers institutes shall include instruction on
12 prevalent student chronic health conditions. Beginning with
13 the 2016-2017 school year, the teachers institutes shall
14 include, at least once every 2 years, instruction on the
15 federal Americans with Disabilities Act as it pertains to the
16 school environment.

17 Teachers must be provided with and a teacher must annually
18 complete 20 hours of inservice training, 10 hours of which a
19 teacher may complete through online learning if the online
20 learning requires proof of proficiency.

21 (Source: P.A. 99-30, eff. 7-10-15; 99-616, eff. 7-22-16.)

22 (105 ILCS 5/10-19) (from Ch. 122, par. 10-19)

23 Sec. 10-19. Length of school term - experimental programs.
24 Each school board shall annually prepare a calendar for the
25 school term, specifying the opening and closing dates and

1 providing a minimum term of at least 185 days to insure 176
2 days of actual pupil attendance, computable under Section
3 18-8.05, except that for the 1980-1981 school year only 175
4 days of actual pupil attendance shall be required because of
5 the closing of schools pursuant to Section 24-2 on January 29,
6 1981 upon the appointment by the President of that day as a day
7 of thanksgiving for the freedom of the Americans who had been
8 held hostage in Iran. With respect to the opening date of a
9 school term, student instruction may begin no earlier than the
10 day after Labor Day. The calendar for the school term shall
11 provide for a minimum of 880 instructional hours in no more
12 than the 176 days of actual pupil attendance and at least 45
13 professional development hours for teachers, to be scheduled as
14 any collective bargaining agreement allows. Any days allowed by
15 law for teachers' institutes but not used as such or used as
16 parental institutes as provided in Section 10-22.18d shall
17 increase the minimum term by the school days not so used.
18 Except as provided in Section 10-19.1, the board may not extend
19 the school term beyond such closing date unless that extension
20 of term is necessary to provide the minimum number of
21 computable days. In case of such necessary extension school
22 employees shall be paid for such additional time on the basis
23 of their regular contracts. A school board may specify a
24 closing date earlier than that set on the annual calendar when
25 the schools of the district have provided the minimum number of
26 computable days under this Section. Nothing in this Section

1 prevents the board from employing superintendents of schools,
2 principals and other nonteaching personnel for a period of 12
3 months, or in the case of superintendents for a period in
4 accordance with Section 10-23.8, or prevents the board from
5 employing other personnel before or after the regular school
6 term with payment of salary proportionate to that received for
7 comparable work during the school term.

8 As part of its calendar for the school term, a school board
9 shall schedule 5 emergency closure days. The school board shall
10 adopt a contingency plan for when emergency closure days are
11 used during a school year to make up for a minimum of 25 lost
12 instructional hours, which may include offering a longer school
13 year and banking the additional hours so that lost days do not
14 have to be made up at a later date. The plan may also provide
15 for a longer school day with an earlier closing date if all of
16 the emergency closure days are not used.

17 A school board may make such changes in its calendar for
18 the school term as may be required by any changes in the legal
19 school holidays prescribed in Section 24-2. A school board may
20 make changes in its calendar for the school term as may be
21 necessary to reflect the utilization of teachers' institute
22 days as parental institute days as provided in Section
23 10-22.18d.

24 The calendar for the school term and any changes must be
25 submitted to and approved by the regional superintendent of
26 schools before the calendar or changes may take effect.

1 With the prior approval of the State Board of Education and
2 subject to review by the State Board of Education every 3
3 years, any school board may, by resolution of its board and in
4 agreement with affected exclusive collective bargaining
5 agents, establish experimental educational programs, including
6 but not limited to programs for e-learning days as authorized
7 under Section 10-20.56 of this Code, self-directed learning, or
8 outside of formal class periods, which programs when so
9 approved shall be considered to comply with the requirements of
10 this Section as respects numbers of days of actual pupil
11 attendance and with the other requirements of this Act as
12 respects courses of instruction.

13 (Source: P.A. 98-756, eff. 7-16-14; 99-194, eff. 7-30-15.)

14 (105 ILCS 5/10-19.1) (from Ch. 122, par. 10-19.1)

15 Sec. 10-19.1. Full year school plan.

16 (a) Any school district may, by resolution of its board,
17 operate one or more schools within the district on a full year
18 school plan approved by the State Board of Education. Any board
19 which operates under this subsection (a) shall devise a plan so
20 that (i) a student's required attendance in school during a
21 12-month period shall be for not less than the a minimum number
22 of instructional hours and days term of 180 days of actual
23 pupil attendance required by Section 10-19 of this Code for the
24 school year during which that 12-month period commences, plus
25 including not more than 4 institute days, and (ii) the minimum

1 professional development hours for teachers required by
2 Section 10-19 of this Code are met, to be scheduled as any
3 collective bargaining agreement allows, ~~during a 12 month~~
4 ~~period, but shall not exceed 185 days. Under such plan, no~~
5 ~~teacher shall be required to teach more than 185 days. A~~
6 calendar offering a greater number of instructional hours ~~of~~
7 ~~180 days~~ may be established with the approval of the State
8 Board of Education.

9 (b) Any school board that operates one or more schools
10 within the school district on a pilot full-year school plan
11 under subsection (a-5) of Section 2-3.25f of this Code shall
12 devise a plan so that a student's required attendance in school
13 shall be for a minimum term of 215 days of actual attendance,
14 including not more than 4 institute days, during a 12-month
15 period. A calendar of 215 days may be established with the
16 approval of the State Board of Education.

17 (Source: P.A. 97-370, eff. 1-1-12.)

18 (105 ILCS 5/34-18) (from Ch. 122, par. 34-18)

19 Sec. 34-18. Powers of the board. The board shall exercise
20 general supervision and jurisdiction over the public education
21 and the public school system of the city, and, except as
22 otherwise provided by this Article, shall have power:

23 1. To make suitable provision for the establishment and
24 maintenance throughout the year or for such portion thereof
25 as it may direct, but for not less than the minimum term

1 required by Section 10-19 of this Code in order to ensure
2 the minimum number of instructional hours and days of
3 actual pupil attendance as required by Section 10-19 of
4 this Code ~~9 months~~, of schools of all grades and kinds,
5 including normal schools, high schools, night schools,
6 schools for defectives and delinquents, parental and
7 truant schools, schools for the blind, the deaf and persons
8 with physical disabilities, schools or classes in manual
9 training, constructural and vocational teaching, domestic
10 arts and physical culture, vocation and extension schools
11 and lecture courses, and all other educational courses and
12 facilities, including establishing, equipping, maintaining
13 and operating playgrounds and recreational programs, when
14 such programs are conducted in, adjacent to, or connected
15 with any public school under the general supervision and
16 jurisdiction of the board; provided that (i) with respect
17 to the opening date of a school term, student instruction
18 may begin no earlier than the day after Labor Day, (ii) the
19 calendar for the school term shall provide for the minimum
20 professional development hours for teachers required by
21 Section 10-19 of this Code, to be scheduled as the
22 collective bargaining agreement allows, (iii) the calendar
23 for the school term and any changes must be submitted to
24 and approved by the State Board of Education before the
25 calendar or changes may take effect, and (iv) ~~provided that~~
26 in allocating funds from year to year for the operation of

1 all attendance centers within the district, the board shall
2 ensure that supplemental general State aid funds are
3 allocated and applied in accordance with Section 18-8 or
4 18-8.05. As part of its calendar for the school term, the
5 board shall schedule 5 emergency closure days. The board
6 shall adopt a contingency plan for when emergency closure
7 days are used during a school year to make up for a minimum
8 of 25 lost instructional hours, which may include offering
9 a longer school year and banking the additional hours so
10 that lost days do not have to be made up at a later date.
11 The plan may also provide for a longer school day with an
12 earlier closing date if all of the emergency closure days
13 are not used. To admit to such schools without charge
14 foreign exchange students who are participants in an
15 organized exchange student program which is authorized by
16 the board. The board shall permit all students to enroll in
17 apprenticeship programs in trade schools operated by the
18 board, whether those programs are union-sponsored or not.
19 No student shall be refused admission into or be excluded
20 from any course of instruction offered in the common
21 schools by reason of that student's sex. No student shall
22 be denied equal access to physical education and
23 interscholastic athletic programs supported from school
24 district funds or denied participation in comparable
25 physical education and athletic programs solely by reason
26 of the student's sex. Equal access to programs supported

1 from school district funds and comparable programs will be
2 defined in rules promulgated by the State Board of
3 Education in consultation with the Illinois High School
4 Association. Notwithstanding any other provision of this
5 Article, neither the board of education nor any local
6 school council or other school official shall recommend
7 that children with disabilities be placed into regular
8 education classrooms unless those children with
9 disabilities are provided with supplementary services to
10 assist them so that they benefit from the regular classroom
11 instruction and are included on the teacher's regular
12 education class register;

13 2. To furnish lunches to pupils, to make a reasonable
14 charge therefor, and to use school funds for the payment of
15 such expenses as the board may determine are necessary in
16 conducting the school lunch program;

17 3. To co-operate with the circuit court;

18 4. To make arrangements with the public or quasi-public
19 libraries and museums for the use of their facilities by
20 teachers and pupils of the public schools;

21 5. To employ dentists and prescribe their duties for
22 the purpose of treating the pupils in the schools, but
23 accepting such treatment shall be optional with parents or
24 guardians;

25 6. To grant the use of assembly halls and classrooms
26 when not otherwise needed, including light, heat, and

1 attendants, for free public lectures, concerts, and other
2 educational and social interests, free of charge, under
3 such provisions and control as the principal of the
4 affected attendance center may prescribe;

5 7. To apportion the pupils to the several schools;
6 provided that no pupil shall be excluded from or segregated
7 in any such school on account of his color, race, sex, or
8 nationality. The board shall take into consideration the
9 prevention of segregation and the elimination of
10 separation of children in public schools because of color,
11 race, sex, or nationality. Except that children may be
12 committed to or attend parental and social adjustment
13 schools established and maintained either for boys or girls
14 only. All records pertaining to the creation, alteration or
15 revision of attendance areas shall be open to the public.
16 Nothing herein shall limit the board's authority to
17 establish multi-area attendance centers or other student
18 assignment systems for desegregation purposes or
19 otherwise, and to apportion the pupils to the several
20 schools. Furthermore, beginning in school year 1994-95,
21 pursuant to a board plan adopted by October 1, 1993, the
22 board shall offer, commencing on a phased-in basis, the
23 opportunity for families within the school district to
24 apply for enrollment of their children in any attendance
25 center within the school district which does not have
26 selective admission requirements approved by the board.

1 The appropriate geographical area in which such open
2 enrollment may be exercised shall be determined by the
3 board of education. Such children may be admitted to any
4 such attendance center on a space available basis after all
5 children residing within such attendance center's area
6 have been accommodated. If the number of applicants from
7 outside the attendance area exceed the space available,
8 then successful applicants shall be selected by lottery.
9 The board of education's open enrollment plan must include
10 provisions that allow low income students to have access to
11 transportation needed to exercise school choice. Open
12 enrollment shall be in compliance with the provisions of
13 the Consent Decree and Desegregation Plan cited in Section
14 34-1.01;

15 8. To approve programs and policies for providing
16 transportation services to students. Nothing herein shall
17 be construed to permit or empower the State Board of
18 Education to order, mandate, or require busing or other
19 transportation of pupils for the purpose of achieving
20 racial balance in any school;

21 9. Subject to the limitations in this Article, to
22 establish and approve system-wide curriculum objectives
23 and standards, including graduation standards, which
24 reflect the multi-cultural diversity in the city and are
25 consistent with State law, provided that for all purposes
26 of this Article courses or proficiency in American Sign

1 Language shall be deemed to constitute courses or
2 proficiency in a foreign language; and to employ principals
3 and teachers, appointed as provided in this Article, and
4 fix their compensation. The board shall prepare such
5 reports related to minimal competency testing as may be
6 requested by the State Board of Education, and in addition
7 shall monitor and approve special education and bilingual
8 education programs and policies within the district to
9 assure that appropriate services are provided in
10 accordance with applicable State and federal laws to
11 children requiring services and education in those areas;

12 10. To employ non-teaching personnel or utilize
13 volunteer personnel for: (i) non-teaching duties not
14 requiring instructional judgment or evaluation of pupils,
15 including library duties; and (ii) supervising study
16 halls, long distance teaching reception areas used
17 incident to instructional programs transmitted by
18 electronic media such as computers, video, and audio,
19 detention and discipline areas, and school-sponsored
20 extracurricular activities. The board may further utilize
21 volunteer non-certificated personnel or employ
22 non-certificated personnel to assist in the instruction of
23 pupils under the immediate supervision of a teacher holding
24 a valid certificate, directly engaged in teaching subject
25 matter or conducting activities; provided that the teacher
26 shall be continuously aware of the non-certificated

1 persons' activities and shall be able to control or modify
2 them. The general superintendent shall determine
3 qualifications of such personnel and shall prescribe rules
4 for determining the duties and activities to be assigned to
5 such personnel;

6 10.5. To utilize volunteer personnel from a regional
7 School Crisis Assistance Team (S.C.A.T.), created as part
8 of the Safe to Learn Program established pursuant to
9 Section 25 of the Illinois Violence Prevention Act of 1995,
10 to provide assistance to schools in times of violence or
11 other traumatic incidents within a school community by
12 providing crisis intervention services to lessen the
13 effects of emotional trauma on individuals and the
14 community; the School Crisis Assistance Team Steering
15 Committee shall determine the qualifications for
16 volunteers;

17 11. To provide television studio facilities in not to
18 exceed one school building and to provide programs for
19 educational purposes, provided, however, that the board
20 shall not construct, acquire, operate, or maintain a
21 television transmitter; to grant the use of its studio
22 facilities to a licensed television station located in the
23 school district; and to maintain and operate not to exceed
24 one school radio transmitting station and provide programs
25 for educational purposes;

26 12. To offer, if deemed appropriate, outdoor education

1 courses, including field trips within the State of
2 Illinois, or adjacent states, and to use school educational
3 funds for the expense of the said outdoor educational
4 programs, whether within the school district or not;

5 13. During that period of the calendar year not
6 embraced within the regular school term, to provide and
7 conduct courses in subject matters normally embraced in the
8 program of the schools during the regular school term and
9 to give regular school credit for satisfactory completion
10 by the student of such courses as may be approved for
11 credit by the State Board of Education;

12 14. To insure against any loss or liability of the
13 board, the former School Board Nominating Commission,
14 Local School Councils, the Chicago Schools Academic
15 Accountability Council, or the former Subdistrict Councils
16 or of any member, officer, agent or employee thereof,
17 resulting from alleged violations of civil rights arising
18 from incidents occurring on or after September 5, 1967 or
19 from the wrongful or negligent act or omission of any such
20 person whether occurring within or without the school
21 premises, provided the officer, agent or employee was, at
22 the time of the alleged violation of civil rights or
23 wrongful act or omission, acting within the scope of his
24 employment or under direction of the board, the former
25 School Board Nominating Commission, the Chicago Schools
26 Academic Accountability Council, Local School Councils, or

1 the former Subdistrict Councils; and to provide for or
2 participate in insurance plans for its officers and
3 employees, including but not limited to retirement
4 annuities, medical, surgical and hospitalization benefits
5 in such types and amounts as may be determined by the
6 board; provided, however, that the board shall contract for
7 such insurance only with an insurance company authorized to
8 do business in this State. Such insurance may include
9 provision for employees who rely on treatment by prayer or
10 spiritual means alone for healing, in accordance with the
11 tenets and practice of a recognized religious
12 denomination;

13 15. To contract with the corporate authorities of any
14 municipality or the county board of any county, as the case
15 may be, to provide for the regulation of traffic in parking
16 areas of property used for school purposes, in such manner
17 as is provided by Section 11-209 of The Illinois Vehicle
18 Code, approved September 29, 1969, as amended;

19 16. (a) To provide, on an equal basis, access to a high
20 school campus and student directory information to the
21 official recruiting representatives of the armed forces of
22 Illinois and the United States for the purposes of
23 informing students of the educational and career
24 opportunities available in the military if the board has
25 provided such access to persons or groups whose purpose is
26 to acquaint students with educational or occupational

1 opportunities available to them. The board is not required
2 to give greater notice regarding the right of access to
3 recruiting representatives than is given to other persons
4 and groups. In this paragraph 16, "directory information"
5 means a high school student's name, address, and telephone
6 number.

7 (b) If a student or his or her parent or guardian
8 submits a signed, written request to the high school before
9 the end of the student's sophomore year (or if the student
10 is a transfer student, by another time set by the high
11 school) that indicates that the student or his or her
12 parent or guardian does not want the student's directory
13 information to be provided to official recruiting
14 representatives under subsection (a) of this Section, the
15 high school may not provide access to the student's
16 directory information to these recruiting representatives.
17 The high school shall notify its students and their parents
18 or guardians of the provisions of this subsection (b).

19 (c) A high school may require official recruiting
20 representatives of the armed forces of Illinois and the
21 United States to pay a fee for copying and mailing a
22 student's directory information in an amount that is not
23 more than the actual costs incurred by the high school.

24 (d) Information received by an official recruiting
25 representative under this Section may be used only to
26 provide information to students concerning educational and

1 career opportunities available in the military and may not
2 be released to a person who is not involved in recruiting
3 students for the armed forces of Illinois or the United
4 States;

5 17. (a) To sell or market any computer program
6 developed by an employee of the school district, provided
7 that such employee developed the computer program as a
8 direct result of his or her duties with the school district
9 or through the utilization of the school district resources
10 or facilities. The employee who developed the computer
11 program shall be entitled to share in the proceeds of such
12 sale or marketing of the computer program. The distribution
13 of such proceeds between the employee and the school
14 district shall be as agreed upon by the employee and the
15 school district, except that neither the employee nor the
16 school district may receive more than 90% of such proceeds.
17 The negotiation for an employee who is represented by an
18 exclusive bargaining representative may be conducted by
19 such bargaining representative at the employee's request.

20 (b) For the purpose of this paragraph 17:

21 (1) "Computer" means an internally programmed,
22 general purpose digital device capable of
23 automatically accepting data, processing data and
24 supplying the results of the operation.

25 (2) "Computer program" means a series of coded
26 instructions or statements in a form acceptable to a

1 computer, which causes the computer to process data in
2 order to achieve a certain result.

3 (3) "Proceeds" means profits derived from
4 marketing or sale of a product after deducting the
5 expenses of developing and marketing such product;

6 18. To delegate to the general superintendent of
7 schools, by resolution, the authority to approve contracts
8 and expenditures in amounts of \$10,000 or less;

9 19. Upon the written request of an employee, to
10 withhold from the compensation of that employee any dues,
11 payments or contributions payable by such employee to any
12 labor organization as defined in the Illinois Educational
13 Labor Relations Act. Under such arrangement, an amount
14 shall be withheld from each regular payroll period which is
15 equal to the pro rata share of the annual dues plus any
16 payments or contributions, and the board shall transmit
17 such withholdings to the specified labor organization
18 within 10 working days from the time of the withholding;

19 19a. Upon receipt of notice from the comptroller of a
20 municipality with a population of 500,000 or more, a county
21 with a population of 3,000,000 or more, the Cook County
22 Forest Preserve District, the Chicago Park District, the
23 Metropolitan Water Reclamation District, the Chicago
24 Transit Authority, or a housing authority of a municipality
25 with a population of 500,000 or more that a debt is due and
26 owing the municipality, the county, the Cook County Forest

1 Preserve District, the Chicago Park District, the
2 Metropolitan Water Reclamation District, the Chicago
3 Transit Authority, or the housing authority by an employee
4 of the Chicago Board of Education, to withhold, from the
5 compensation of that employee, the amount of the debt that
6 is due and owing and pay the amount withheld to the
7 municipality, the county, the Cook County Forest Preserve
8 District, the Chicago Park District, the Metropolitan
9 Water Reclamation District, the Chicago Transit Authority,
10 or the housing authority; provided, however, that the
11 amount deducted from any one salary or wage payment shall
12 not exceed 25% of the net amount of the payment. Before the
13 Board deducts any amount from any salary or wage of an
14 employee under this paragraph, the municipality, the
15 county, the Cook County Forest Preserve District, the
16 Chicago Park District, the Metropolitan Water Reclamation
17 District, the Chicago Transit Authority, or the housing
18 authority shall certify that (i) the employee has been
19 afforded an opportunity for a hearing to dispute the debt
20 that is due and owing the municipality, the county, the
21 Cook County Forest Preserve District, the Chicago Park
22 District, the Metropolitan Water Reclamation District, the
23 Chicago Transit Authority, or the housing authority and
24 (ii) the employee has received notice of a wage deduction
25 order and has been afforded an opportunity for a hearing to
26 object to the order. For purposes of this paragraph, "net

1 amount" means that part of the salary or wage payment
2 remaining after the deduction of any amounts required by
3 law to be deducted and "debt due and owing" means (i) a
4 specified sum of money owed to the municipality, the
5 county, the Cook County Forest Preserve District, the
6 Chicago Park District, the Metropolitan Water Reclamation
7 District, the Chicago Transit Authority, or the housing
8 authority for services, work, or goods, after the period
9 granted for payment has expired, or (ii) a specified sum of
10 money owed to the municipality, the county, the Cook County
11 Forest Preserve District, the Chicago Park District, the
12 Metropolitan Water Reclamation District, the Chicago
13 Transit Authority, or the housing authority pursuant to a
14 court order or order of an administrative hearing officer
15 after the exhaustion of, or the failure to exhaust,
16 judicial review;

17 20. The board is encouraged to employ a sufficient
18 number of certified school counselors to maintain a
19 student/counselor ratio of 250 to 1 by July 1, 1990. Each
20 counselor shall spend at least 75% of his work time in
21 direct contact with students and shall maintain a record of
22 such time;

23 21. To make available to students vocational and career
24 counseling and to establish 5 special career counseling
25 days for students and parents. On these days
26 representatives of local businesses and industries shall

1 be invited to the school campus and shall inform students
2 of career opportunities available to them in the various
3 businesses and industries. Special consideration shall be
4 given to counseling minority students as to career
5 opportunities available to them in various fields. For the
6 purposes of this paragraph, minority student means a person
7 who is any of the following:

8 (a) American Indian or Alaska Native (a person having
9 origins in any of the original peoples of North and South
10 America, including Central America, and who maintains
11 tribal affiliation or community attachment).

12 (b) Asian (a person having origins in any of the
13 original peoples of the Far East, Southeast Asia, or the
14 Indian subcontinent, including, but not limited to,
15 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
16 the Philippine Islands, Thailand, and Vietnam).

17 (c) Black or African American (a person having origins
18 in any of the black racial groups of Africa). Terms such as
19 "Haitian" or "Negro" can be used in addition to "Black or
20 African American".

21 (d) Hispanic or Latino (a person of Cuban, Mexican,
22 Puerto Rican, South or Central American, or other Spanish
23 culture or origin, regardless of race).

24 (e) Native Hawaiian or Other Pacific Islander (a person
25 having origins in any of the original peoples of Hawaii,
26 Guam, Samoa, or other Pacific Islands).

1 Counseling days shall not be in lieu of regular school
2 days;

3 22. To report to the State Board of Education the
4 annual student dropout rate and number of students who
5 graduate from, transfer from or otherwise leave bilingual
6 programs;

7 23. Except as otherwise provided in the Abused and
8 Neglected Child Reporting Act or other applicable State or
9 federal law, to permit school officials to withhold, from
10 any person, information on the whereabouts of any child
11 removed from school premises when the child has been taken
12 into protective custody as a victim of suspected child
13 abuse. School officials shall direct such person to the
14 Department of Children and Family Services, or to the local
15 law enforcement agency if appropriate;

16 24. To develop a policy, based on the current state of
17 existing school facilities, projected enrollment and
18 efficient utilization of available resources, for capital
19 improvement of schools and school buildings within the
20 district, addressing in that policy both the relative
21 priority for major repairs, renovations and additions to
22 school facilities, and the advisability or necessity of
23 building new school facilities or closing existing schools
24 to meet current or projected demographic patterns within
25 the district;

26 25. To make available to the students in every high

1 school attendance center the ability to take all courses
2 necessary to comply with the Board of Higher Education's
3 college entrance criteria effective in 1993;

4 26. To encourage mid-career changes into the teaching
5 profession, whereby qualified professionals become
6 certified teachers, by allowing credit for professional
7 employment in related fields when determining point of
8 entry on teacher pay scale;

9 27. To provide or contract out training programs for
10 administrative personnel and principals with revised or
11 expanded duties pursuant to this Act in order to assure
12 they have the knowledge and skills to perform their duties;

13 28. To establish a fund for the prioritized special
14 needs programs, and to allocate such funds and other lump
15 sum amounts to each attendance center in a manner
16 consistent with the provisions of part 4 of Section 34-2.3.
17 Nothing in this paragraph shall be construed to require any
18 additional appropriations of State funds for this purpose;

19 29. (Blank);

20 30. Notwithstanding any other provision of this Act or
21 any other law to the contrary, to contract with third
22 parties for services otherwise performed by employees,
23 including those in a bargaining unit, and to layoff those
24 employees upon 14 days written notice to the affected
25 employees. Those contracts may be for a period not to
26 exceed 5 years and may be awarded on a system-wide basis.

1 The board may not operate more than 30 contract schools,
2 provided that the board may operate an additional 5
3 contract turnaround schools pursuant to item (5.5) of
4 subsection (d) of Section 34-8.3 of this Code;

5 31. To promulgate rules establishing procedures
6 governing the layoff or reduction in force of employees and
7 the recall of such employees, including, but not limited
8 to, criteria for such layoffs, reductions in force or
9 recall rights of such employees and the weight to be given
10 to any particular criterion. Such criteria shall take into
11 account factors including, but not be limited to,
12 qualifications, certifications, experience, performance
13 ratings or evaluations, and any other factors relating to
14 an employee's job performance;

15 32. To develop a policy to prevent nepotism in the
16 hiring of personnel or the selection of contractors;

17 33. To enter into a partnership agreement, as required
18 by Section 34-3.5 of this Code, and, notwithstanding any
19 other provision of law to the contrary, to promulgate
20 policies, enter into contracts, and take any other action
21 necessary to accomplish the objectives and implement the
22 requirements of that agreement; and

23 34. To establish a Labor Management Council to the
24 board comprised of representatives of the board, the chief
25 executive officer, and those labor organizations that are
26 the exclusive representatives of employees of the board and

1 to promulgate policies and procedures for the operation of
2 the Council.

3 The specifications of the powers herein granted are not to
4 be construed as exclusive but the board shall also exercise all
5 other powers that they may be requisite or proper for the
6 maintenance and the development of a public school system, not
7 inconsistent with the other provisions of this Article or
8 provisions of this Code which apply to all school districts.

9 In addition to the powers herein granted and authorized to
10 be exercised by the board, it shall be the duty of the board to
11 review or to direct independent reviews of special education
12 expenditures and services. The board shall file a report of
13 such review with the General Assembly on or before May 1, 1990.
14 (Source: P.A. 99-143, eff. 7-27-15.)

15 Section 99. Effective date. This Act takes effect July 1,
16 2017.