

SB4001



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB4001

Introduced 2/6/2026, by Sen. Chapin Rose

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-21.9

from Ch. 122, par. 10-21.9

Amends the School Code. Creates the Substitute Teacher Background Check Task Force to research and identify paths through legislation, rules, and communication processes to expedite the background check process and provide reciprocity concerning background checks for licensed substitute teachers in the State to teach in school districts across Regional Offices of Education jurisdictions without having to complete multiple background checks. Sets forth meeting requirements, membership, administrative support, and compensation. Requires the Task Force to submit its findings in a report on or before October 31, 2026 to the State Board of Education and the General Assembly. Dissolves the Task Force upon submission of its report. Effective immediately.

LRB104 19616 LNS 33065 b

A BILL FOR

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 Section
5 10-21.9 as follows:

6 (105 ILCS 5/10-21.9) (from Ch. 122, par. 10-21.9)

7 Sec. 10-21.9. Criminal history records checks and checks
8 of the Statewide Sex Offender Database and Statewide Murderer
9 and Violent Offender Against Youth Database.

10 (a) Licensed and nonlicensed applicants for employment
11 with a school district, except school bus driver applicants,
12 are required as a condition of employment to authorize a
13 fingerprint-based criminal history records check to determine
14 if such applicants have been convicted of any disqualifying,
15 enumerated criminal or drug offenses in subsection (c) of this
16 Section or have been convicted, within 7 years of the
17 application for employment with the school district, of any
18 other felony under the laws of this State or of any offense
19 committed or attempted in any other state or against the laws
20 of the United States that, if committed or attempted in this
21 State, would have been punishable as a felony under the laws of
22 this State. Authorization for the check shall be furnished by
23 the applicant to the school district, except that if the

1 applicant is a substitute teacher seeking employment in more
2 than one school district, a teacher seeking concurrent
3 part-time employment positions with more than one school
4 district (as a reading specialist, special education teacher
5 or otherwise), or an educational support personnel employee
6 seeking employment positions with more than one district, any
7 such district may require the applicant to furnish
8 authorization for the check to the regional superintendent of
9 the educational service region in which are located the school
10 districts in which the applicant is seeking employment as a
11 substitute or concurrent part-time teacher or concurrent
12 educational support personnel employee. Upon receipt of this
13 authorization, the school district or the appropriate regional
14 superintendent, as the case may be, shall submit the
15 applicant's name, sex, race, date of birth, social security
16 number, fingerprint images, and other identifiers, as
17 prescribed by the Illinois State Police, to the Illinois State
18 Police. The regional superintendent submitting the requisite
19 information to the Illinois State Police shall promptly notify
20 the school districts in which the applicant is seeking
21 employment as a substitute or concurrent part-time teacher or
22 concurrent educational support personnel employee that the
23 check of the applicant has been requested. The Illinois State
24 Police and the Federal Bureau of Investigation shall furnish,
25 pursuant to a fingerprint-based criminal history records
26 check, records of convictions, forever and hereinafter, until

1 expunged, to the president of the school board for the school
2 district that requested the check, or to the regional
3 superintendent who requested the check. The Illinois State
4 Police shall charge the school district or the appropriate
5 regional superintendent a fee for conducting such check, which
6 fee shall be deposited in the State Police Services Fund and
7 shall not exceed the cost of the inquiry; and the applicant
8 shall not be charged a fee for such check by the school
9 district or by the regional superintendent, except that those
10 applicants seeking employment as a substitute teacher with a
11 school district may be charged a fee not to exceed the cost of
12 the inquiry. Subject to appropriations for these purposes, the
13 State Superintendent of Education shall reimburse school
14 districts and regional superintendents for fees paid to obtain
15 criminal history records checks under this Section.

16 (a-5) The school district or regional superintendent shall
17 further perform a check of the Statewide Sex Offender
18 Database, as authorized by the Sex Offender Community
19 Notification Law, for each applicant. The check of the
20 Statewide Sex Offender Database must be conducted by the
21 school district or regional superintendent once for every 5
22 years that an applicant remains employed by the school
23 district.

24 (a-6) The school district or regional superintendent shall
25 further perform a check of the Statewide Murderer and Violent
26 Offender Against Youth Database, as authorized by the Murderer

1 and Violent Offender Against Youth Community Notification Law,
2 for each applicant. The check of the Murderer and Violent
3 Offender Against Youth Database must be conducted by the
4 school district or regional superintendent once for every 5
5 years that an applicant remains employed by the school
6 district.

7 (b) Any information concerning the record of convictions
8 obtained by the president of the school board or the regional
9 superintendent shall be confidential and may only be
10 transmitted to the superintendent of the school district or
11 his designee, the appropriate regional superintendent if the
12 check was requested by the school district, the presidents of
13 the appropriate school boards if the check was requested from
14 the Illinois State Police by the regional superintendent, the
15 State Board of Education and a school district as authorized
16 under subsection (b-5), the State Superintendent of Education,
17 the State Educator Preparation and Licensure Board, any other
18 person necessary to the decision of hiring the applicant for
19 employment, or for clarification purposes the Illinois State
20 Police or Statewide Sex Offender Database, or both. A copy of
21 the record of convictions obtained from the Illinois State
22 Police shall be provided to the applicant for employment. Upon
23 the check of the Statewide Sex Offender Database or Statewide
24 Murderer and Violent Offender Against Youth Database, the
25 school district or regional superintendent shall notify an
26 applicant as to whether or not the applicant has been

1 identified in the Database. If a check of an applicant for
2 employment as a substitute or concurrent part-time teacher or
3 concurrent educational support personnel employee in more than
4 one school district was requested by the regional
5 superintendent, and the Illinois State Police upon a check
6 ascertains that the applicant has not been convicted of any of
7 the enumerated criminal or drug offenses in subsection (c) of
8 this Section or has not been convicted, within 7 years of the
9 application for employment with the school district, of any
10 other felony under the laws of this State or of any offense
11 committed or attempted in any other state or against the laws
12 of the United States that, if committed or attempted in this
13 State, would have been punishable as a felony under the laws of
14 this State and so notifies the regional superintendent and if
15 the regional superintendent upon a check ascertains that the
16 applicant has not been identified in the Sex Offender Database
17 or Statewide Murderer and Violent Offender Against Youth
18 Database, then the regional superintendent shall issue to the
19 applicant a certificate evidencing that as of the date
20 specified by the Illinois State Police the applicant has not
21 been convicted of any of the enumerated criminal or drug
22 offenses in subsection (c) of this Section or has not been
23 convicted, within 7 years of the application for employment
24 with the school district, of any other felony under the laws of
25 this State or of any offense committed or attempted in any
26 other state or against the laws of the United States that, if

1 committed or attempted in this State, would have been
2 punishable as a felony under the laws of this State and
3 evidencing that as of the date that the regional
4 superintendent conducted a check of the Statewide Sex Offender
5 Database or Statewide Murderer and Violent Offender Against
6 Youth Database, the applicant has not been identified in the
7 Database. The school board of any school district may rely on
8 the certificate issued by any regional superintendent to that
9 substitute teacher, concurrent part-time teacher, or
10 concurrent educational support personnel employee or may
11 initiate its own criminal history records check of the
12 applicant through the Illinois State Police and its own check
13 of the Statewide Sex Offender Database or Statewide Murderer
14 and Violent Offender Against Youth Database as provided in
15 this Section. Any unauthorized release of confidential
16 information may be a violation of Section 7 of the Criminal
17 Identification Act.

18 (b-5) If a criminal history records check or check of the
19 Statewide Sex Offender Database or Statewide Murderer and
20 Violent Offender Against Youth Database is performed by a
21 regional superintendent for an applicant seeking employment as
22 a substitute teacher with a school district, the regional
23 superintendent may disclose to the State Board of Education
24 whether the applicant has been issued a certificate under
25 subsection (b) based on those checks. If the State Board
26 receives information on an applicant under this subsection,

1 then it must indicate in the Educator Licensure Information
2 System for a 90-day period that the applicant has been issued
3 or has not been issued a certificate.

4 (c) No school board shall knowingly employ a person who
5 has been convicted of any offense that would subject him or her
6 to license suspension or revocation pursuant to Section 21B-80
7 of this Code, except as provided under subsection (b) of
8 Section 21B-80. Further, no school board shall knowingly
9 employ a person who has been found to be the perpetrator of
10 sexual or physical abuse of any minor under 18 years of age
11 pursuant to proceedings under Article II of the Juvenile Court
12 Act of 1987. As a condition of employment, each school board
13 must consider the status of a person who has been issued an
14 indicated finding of abuse or neglect of a child by the
15 Department of Children and Family Services under the Abused
16 and Neglected Child Reporting Act or by a child welfare agency
17 of another jurisdiction.

18 (d) No school board shall knowingly employ a person for
19 whom a criminal history records check and a Statewide Sex
20 Offender Database check have not been initiated.

21 (e) Within 10 days after a superintendent, regional office
22 of education, or entity that provides background checks of
23 license holders to public schools receives information of a
24 pending criminal charge against a license holder for an
25 offense set forth in Section 21B-80 of this Code, the
26 superintendent, regional office of education, or entity must

1 notify the State Superintendent of Education of the pending
2 criminal charge.

3 If permissible by federal or State law, no later than 15
4 business days after receipt of a record of conviction or of
5 checking the Statewide Murderer and Violent Offender Against
6 Youth Database or the Statewide Sex Offender Database and
7 finding a registration, the superintendent of the employing
8 school board or the applicable regional superintendent shall,
9 in writing, notify the State Superintendent of Education of
10 any license holder who has been convicted of a crime set forth
11 in Section 21B-80 of this Code. Upon receipt of the record of a
12 conviction of or a finding of child abuse by a holder of any
13 license issued pursuant to Article 21B or Section 34-8.1 of
14 this Code, the State Superintendent of Education may initiate
15 licensure suspension and revocation proceedings as authorized
16 by law. If the receipt of the record of conviction or finding
17 of child abuse is received within 6 months after the initial
18 grant of or renewal of a license, the State Superintendent of
19 Education may rescind the license holder's license.

20 (e-5) The superintendent of the employing school board
21 shall, in writing, notify the State Superintendent of
22 Education and the applicable regional superintendent of
23 schools of any license holder whom he or she has reasonable
24 cause to believe has committed (i) an intentional act of abuse
25 or neglect with the result of making a child an abused child or
26 a neglected child, as defined in Section 3 of the Abused and

1 Neglected Child Reporting Act, or (ii) an act of sexual
2 misconduct, as defined in Section 22-85.5 of this Code, and
3 that act resulted in the license holder's dismissal or
4 resignation from the school district. This notification must
5 be submitted within 30 days after the dismissal or resignation
6 and must include the Illinois Educator Identification Number
7 (IEIN) of the license holder and a brief description of the
8 misconduct alleged. The license holder must also be
9 contemporaneously sent a copy of the notice by the
10 superintendent. All correspondence, documentation, and other
11 information so received by the regional superintendent of
12 schools, the State Superintendent of Education, the State
13 Board of Education, or the State Educator Preparation and
14 Licensure Board under this subsection (e-5) is confidential
15 and must not be disclosed to third parties, except (i) as
16 necessary for the State Superintendent of Education or his or
17 her designee to investigate and prosecute pursuant to Article
18 21B of this Code, (ii) pursuant to a court order, (iii) for
19 disclosure to the license holder or his or her representative,
20 or (iv) as otherwise provided in this Article and provided
21 that any such information admitted into evidence in a hearing
22 is exempt from this confidentiality and non-disclosure
23 requirement. Except for an act of willful or wanton
24 misconduct, any superintendent who provides notification as
25 required in this subsection (e-5) shall have immunity from any
26 liability, whether civil or criminal or that otherwise might

1 result by reason of such action.

2 (f) After January 1, 1990 the provisions of this Section
3 shall apply to all employees of persons or firms holding
4 contracts with any school district including, but not limited
5 to, food service workers, school bus drivers and other
6 transportation employees, who have direct, daily contact with
7 the pupils of any school in such district. For purposes of
8 criminal history records checks and checks of the Statewide
9 Sex Offender Database on employees of persons or firms holding
10 contracts with more than one school district and assigned to
11 more than one school district, the regional superintendent of
12 the educational service region in which the contracting school
13 districts are located may, at the request of any such school
14 district, be responsible for receiving the authorization for a
15 criminal history records check prepared by each such employee
16 and submitting the same to the Illinois State Police and for
17 conducting a check of the Statewide Sex Offender Database for
18 each employee. Any information concerning the record of
19 conviction and identification as a sex offender of any such
20 employee obtained by the regional superintendent shall be
21 promptly reported to the president of the appropriate school
22 board or school boards.

23 (f-5) Upon request of a school or school district, any
24 information obtained by a school district pursuant to
25 subsection (f) of this Section within the last year must be
26 made available to the requesting school or school district.

1 (g) Prior to the commencement of any student teaching
2 experience or required internship (which is referred to as
3 student teaching in this Section) in the public schools, a
4 student teacher is required to authorize a fingerprint-based
5 criminal history records check. Authorization for and payment
6 of the costs of the check must be furnished by the student
7 teacher to the school district where the student teaching is
8 to be completed. Upon receipt of this authorization and
9 payment, the school district shall submit the student
10 teacher's name, sex, race, date of birth, social security
11 number, fingerprint images, and other identifiers, as
12 prescribed by the Illinois State Police, to the Illinois State
13 Police. The Illinois State Police and the Federal Bureau of
14 Investigation shall furnish, pursuant to a fingerprint-based
15 criminal history records check, records of convictions,
16 forever and hereinafter, until expunged, to the president of
17 the school board for the school district that requested the
18 check. The Illinois State Police shall charge the school
19 district a fee for conducting the check, which fee must not
20 exceed the cost of the inquiry and must be deposited into the
21 State Police Services Fund. The school district shall further
22 perform a check of the Statewide Sex Offender Database, as
23 authorized by the Sex Offender Community Notification Law, and
24 of the Statewide Murderer and Violent Offender Against Youth
25 Database, as authorized by the Murderer and Violent Offender
26 Against Youth Registration Act, for each student teacher. No

1 school board may knowingly allow a person to student teach for
2 whom a criminal history records check, a Statewide Sex
3 Offender Database check, and a Statewide Murderer and Violent
4 Offender Against Youth Database check have not been completed
5 and reviewed by the district.

6 A copy of the record of convictions obtained from the
7 Illinois State Police must be provided to the student teacher.
8 Any information concerning the record of convictions obtained
9 by the president of the school board is confidential and may
10 only be transmitted to the superintendent of the school
11 district or his or her designee, the State Superintendent of
12 Education, the State Educator Preparation and Licensure Board,
13 or, for clarification purposes, the Illinois State Police or
14 the Statewide Sex Offender Database or Statewide Murderer and
15 Violent Offender Against Youth Database. Any unauthorized
16 release of confidential information may be a violation of
17 Section 7 of the Criminal Identification Act.

18 No school board shall knowingly allow a person to student
19 teach who has been convicted of any offense that would subject
20 him or her to license suspension or revocation pursuant to
21 subsection (c) of Section 21B-80 of this Code, except as
22 provided under subsection (b) of Section 21B-80. Further, no
23 school board shall allow a person to student teach if he or she
24 has been found to be the perpetrator of sexual or physical
25 abuse of a minor under 18 years of age pursuant to proceedings
26 under Article II of the Juvenile Court Act of 1987. Each school

1 board must consider the status of a person to student teach who
2 has been issued an indicated finding of abuse or neglect of a
3 child by the Department of Children and Family Services under
4 the Abused and Neglected Child Reporting Act or by a child
5 welfare agency of another jurisdiction.

6 (h) (Blank).

7 (i) The Substitute Teacher Background Check Task Force is
8 created to research and identify paths through legislation,
9 rules, and communication processes to expedite the background
10 check process and provide reciprocity concerning background
11 checks for licensed substitute teachers in the State to teach
12 in school districts across Regional Offices of Education
13 jurisdictions without having to complete multiple background
14 checks. The Task Force shall meet at the call of the State
15 Superintendent of Education with the first meeting taking
16 place on or before July 1, 2026. The State Superintendent of
17 Education or his or her designee shall serve as the
18 chairperson of the Task Force.

19 The Task Force shall consist of the following members,
20 appointed by the State Superintendent of Education:

21 (1) one executive director representing an
22 intermediate service center;

23 (2) one regional superintendent representing a
24 Regional Office of Education whose jurisdiction is
25 counties inside educational service area 1 but outside of
26 Cook County;

1 (3) one regional superintendent representing a
2 Regional Office of Education inside educational service
3 area 2;

4 (4) one regional superintendent representing a
5 Regional Office of Education inside educational service
6 area 3;

7 (5) one regional superintendent representing a
8 Regional Office of Education inside educational service
9 area 4;

10 (6) one regional superintendent representing a
11 Regional Office of Education inside educational service
12 area 5; and

13 (7) one regional superintendent representing a
14 Regional Office of Education inside educational service
15 area 6.

16 The State Board of Education shall provide administrative
17 and other support for the Task Force. Members of the Task Force
18 shall serve without compensation.

19 The Task Force shall submit its findings in a report that
20 shall include the following:

21 (1) a detailed summary of the current State and
22 federal laws, rules, and systems that are currently
23 followed and used when Regional Offices of Education are
24 completing background checks on licensed substitute
25 teachers in the State;

26 (2) potential changes in State law and rules that

1 could be considered to expedite the process of background
2 checks on licensed substitute teachers;

3 (3) potential changes in State law and rules that
4 could be considered to provide reciprocity for licensed
5 substitute teachers to teach in school districts across
6 Regional Offices of Education jurisdictions concerning
7 background checks;

8 (4) potential communication processes that could be
9 implemented through State law and rules for Regional
10 Offices of Education to share background check information
11 between each other; and

12 (5) potential barriers that current State and federal
13 law and rules impose on creating a more expedited system
14 for background checks on licensed substitute teachers and
15 on creating reciprocity for licensed substitute teachers
16 to work in school districts across Regional Offices of
17 Education jurisdictions concerning background checks.

18 On or before October 31, 2026, the Task Force shall submit
19 its report to the State Board of Education and the General
20 Assembly. The Task Force is dissolved upon submission of its
21 report.

22 This subsection is inoperative on and after November 1,
23 2026.

24 (Source: P.A. 102-538, eff. 8-20-21; 102-552, eff. 1-1-22;
25 102-702, eff. 7-1-23; 102-813, eff. 5-13-22; 102-894, eff.
26 5-20-22; 102-1071, eff. 6-10-22; 103-154, eff. 6-30-23.)

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