**Section 1100.10 Definitions**

a) The term "Act" shall mean the Illinois Educational Labor Relations Act [115 ILCS 5].

b) This Part incorporates the definitions contained in Section 2 of the Act.

c) The term "incumbent employee organization" or "incumbent exclusive representative" shall mean the existing exclusive representative of the employees in the bargaining unit.

d) The term "charging party" shall mean the person who files an unfair labor practice charge.

e) The term "respondent" shall mean the party named in an unfair labor practice charge or complaint as having allegedly committed the unfair labor practice.

f) The term "scheduled start of the forthcoming school year" shall mean the first date scheduled for student attendance for that year.

g) The term "professional instructional personnel" shall mean, in the case of a public school district, any employee whose position requires a certificate issued pursuant to Article 21 of the School Code [105 ILCS 5/Art.21].

h) The term "professional instructional personnel" shall mean in the case of an employer other than a public school district, any employee whose position includes or could include the provision of academic instruction to students.

i) The term "legal holiday" shall mean a "legal school holiday" as specified in Sec. 24-2 of the School Code (not to include "special holidays" or "commemorative holidays"), or a holiday observed by the Board.

j) The term "representation petition" shall include both a petition seeking recognition as exclusive representative through an election and a petition seeking recognition as exclusive representative through the Board's card check procedures (majority interest petition).

(Source: Amended at 28 Ill. Reg. 7932, effective May 28, 2004)