



Sen. Jennifer Bertino-Tarrant

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1 AMENDMENT TO SENATE BILL 28

2 AMENDMENT NO. _____. Amend Senate Bill 28 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections
5 2-3.66b, 10-19, 10-20.56, 13B-45, 13B-50.5, 29-6.3, and 34-18
6 and by adding Section 10-19.05 as follows:

7 (105 ILCS 5/2-3.66b)

8 Sec. 2-3.66b. IHOPE Program.

9 (a) There is established the Illinois Hope and Opportunity
10 Pathways through Education (IHOPE) Program. The State Board of
11 Education shall implement and administer the IHOPE Program. The
12 goal of the IHOPE Program is to develop a comprehensive system
13 in this State to re-enroll significant numbers of high school
14 dropouts in programs that will enable them to earn their high
15 school diploma.

16 (b) The IHOPE Program shall award grants, subject to

1 appropriation for this purpose, to educational service regions
2 and a school district organized under Article 34 of this Code
3 from appropriated funds to assist in establishing
4 instructional programs and other services designed to
5 re-enroll high school dropouts. From any funds appropriated for
6 the IHOPE Program, the State Board of Education may use up to
7 5% for administrative costs, including the performance of a
8 program evaluation and the hiring of staff to implement and
9 administer the program.

10 The IHOPE Program shall provide incentive grant funds for
11 regional offices of education and a school district organized
12 under Article 34 of this Code to develop partnerships with
13 school districts, public community colleges, and community
14 groups to build comprehensive plans to re-enroll high school
15 dropouts in their regions or districts.

16 Programs funded through the IHOPE Program shall allow high
17 school dropouts, up to and including age 21 notwithstanding
18 Section 26-2 of this Code, to re-enroll in an educational
19 program in conformance with rules adopted by the State Board of
20 Education. Programs may include without limitation
21 comprehensive year-round programming, evening school, summer
22 school, community college courses, adult education, vocational
23 training, work experience, programs to enhance self-concept,
24 and parenting courses. Any student in the IHOPE Program who
25 wishes to earn a high school diploma must meet the
26 prerequisites to receiving a high school diploma specified in

1 Section 27-22 of this Code and any other graduation
2 requirements of the student's district of residence. Any
3 student who successfully completes the requirements for his or
4 her graduation shall receive a diploma identifying the student
5 as graduating from his or her district of residence.

6 (c) In order to be eligible for funding under the IHOPE
7 Program, an interested regional office of education or a school
8 district organized under Article 34 of this Code shall develop
9 an IHOPE Plan to be approved by the State Board of Education.
10 The State Board of Education shall develop rules for the IHOPE
11 Program that shall set forth the requirements for the
12 development of the IHOPE Plan. Each Plan shall involve school
13 districts, public community colleges, and key community
14 programs that work with high school dropouts located in an
15 educational service region or the City of Chicago before the
16 Plan is sent to the State Board for approval. No funds may be
17 distributed to a regional office of education or a school
18 district organized under Article 34 of this Code until the
19 State Board has approved the Plan.

20 (d) A regional office of education or a school district
21 organized under Article 34 of this Code may operate its own
22 program funded by the IHOPE Program or enter into a contract
23 with other not-for-profit entities, including school
24 districts, public community colleges, and not-for-profit
25 community-based organizations, to operate a program.

26 A regional office of education or a school district

1 organized under Article 34 of this Code that receives an IHOPE
2 grant from the State Board of Education may provide funds under
3 a sub-grant, as specified in the IHOPE Plan, to other
4 not-for-profit entities to provide services according to the
5 IHOPE Plan that was developed. These other entities may include
6 school districts, public community colleges, or not-for-profit
7 community-based organizations or a cooperative partnership
8 among these entities.

9 (e) In order to distribute funding based upon the need to
10 ensure delivery of programs that will have the greatest impact,
11 IHOPE Program funding must be distributed based upon the
12 proportion of dropouts in the educational service region or
13 school district, in the case of a school district organized
14 under Article 34 of this Code, to the total number of dropouts
15 in this State. This formula shall employ the dropout data
16 provided by school districts to the State Board of Education.

17 A regional office of education or a school district
18 organized under Article 34 of this Code may claim State aid
19 under Section 18-8.05 or 18-8.15 of this Code for students
20 enrolled in a program funded by the IHOPE Program, provided
21 that the State Board of Education has approved the IHOPE Plan
22 and that these students are receiving services that are meeting
23 the requirements of Section 27-22 of this Code for receipt of a
24 high school diploma and are otherwise eligible to be claimed
25 for general State aid under Section 18-8.05 of this Code or
26 evidence-based funding under Section 18-8.15 of this Code,

1 including provisions related to the minimum number of days of
2 pupil attendance pursuant to Section 10-19 of this Code and the
3 minimum number of daily hours of school work required under
4 Section 10-19.05 and any exceptions thereto as defined by the
5 State Board of Education in rules.

6 (f) IHOPE categories of programming may include the
7 following:

8 (1) Full-time programs that are comprehensive,
9 year-round programs.

10 (2) Part-time programs combining work and study
11 scheduled at various times that are flexible to the needs
12 of students.

13 (3) Online programs and courses in which students take
14 courses and complete on-site, supervised tests that
15 measure the student's mastery of a specific course needed
16 for graduation. Students may take courses online and earn
17 credit or students may prepare to take supervised tests for
18 specific courses for credit leading to receipt of a high
19 school diploma.

20 (4) Dual enrollment in which students attend high
21 school classes in combination with community college
22 classes or students attend community college classes while
23 simultaneously earning high school credit and eventually a
24 high school diploma.

25 (g) In order to have successful comprehensive programs
26 re-enrolling and graduating low-skilled high school dropouts,

1 programs funded through the IHOPE Program shall include all of
2 the following components:

3 (1) Small programs (70 to 100 students) at a separate
4 school site with a distinct identity. Programs may be
5 larger with specific need and justification, keeping in
6 mind that it is crucial to keep programs small to be
7 effective.

8 (2) Specific performance-based goals and outcomes and
9 measures of enrollment, attendance, skills, credits,
10 graduation, and the transition to college, training, and
11 employment.

12 (3) Strong, experienced leadership and teaching staff
13 who are provided with ongoing professional development.

14 (4) Voluntary enrollment.

15 (5) High standards for student learning, integrating
16 work experience, and education, including during the
17 school year and after school, and summer school programs
18 that link internships, work, and learning.

19 (6) Comprehensive programs providing extensive support
20 services.

21 (7) Small teams of students supported by full-time paid
22 mentors who work to retain and help those students
23 graduate.

24 (8) A comprehensive technology learning center with
25 Internet access and broad-based curriculum focusing on
26 academic and career subject areas.

1 (9) Learning opportunities that incorporate action
2 into study.

3 (h) Programs funded through the IHOPE Program must report
4 data to the State Board of Education as requested. This
5 information shall include, but is not limited to, student
6 enrollment figures, attendance information, course completion
7 data, graduation information, and post-graduation information,
8 as available.

9 (i) Rules must be developed by the State Board of Education
10 to set forth the fund distribution process to regional offices
11 of education and a school district organized under Article 34
12 of this Code, the planning and the conditions upon which an
13 IHOPE Plan would be approved by State Board, and other rules to
14 develop the IHOPE Program.

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

16 (105 ILCS 5/10-19) (from Ch. 122, par. 10-19)

17 Sec. 10-19. Length of school term - experimental programs.
18 Each school board shall annually prepare a calendar for the
19 school term, specifying the opening and closing dates and
20 providing a minimum term of at least 185 days to insure 176
21 days of actual pupil attendance, computable under Section
22 10-19.05 ~~18-8.05~~ or ~~18-8.15~~, except that for the 1980-1981
23 school year only 175 days of actual pupil attendance shall be
24 required because of the closing of schools pursuant to Section
25 24-2 on January 29, 1981 upon the appointment by the President

1 of that day as a day of thanksgiving for the freedom of the
2 Americans who had been held hostage in Iran. Any days allowed
3 by law for teachers' institutes but not used as such or used as
4 parental institutes as provided in Section 10-22.18d shall
5 increase the minimum term by the school days not so used.
6 Except as provided in Section 10-19.1, the board may not extend
7 the school term beyond such closing date unless that extension
8 of term is necessary to provide the minimum number of
9 computable days. In case of such necessary extension school
10 employees shall be paid for such additional time on the basis
11 of their regular contracts. A school board may specify a
12 closing date earlier than that set on the annual calendar when
13 the schools of the district have provided the minimum number of
14 computable days under this Section. Nothing in this Section
15 prevents the board from employing superintendents of schools,
16 principals and other nonteaching personnel for a period of 12
17 months, or in the case of superintendents for a period in
18 accordance with Section 10-23.8, or prevents the board from
19 employing other personnel before or after the regular school
20 term with payment of salary proportionate to that received for
21 comparable work during the school term.

22 A school board may make such changes in its calendar for
23 the school term as may be required by any changes in the legal
24 school holidays prescribed in Section 24-2. A school board may
25 make changes in its calendar for the school term as may be
26 necessary to reflect the utilization of teachers' institute

1 days as parental institute days as provided in Section
2 10-22.18d.

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

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

18 (Source: P.A. 99-194, eff. 7-30-15; 100-465, eff. 8-31-17.)

19 (105 ILCS 5/10-19.05 new)

20 Sec. 10-19.05. Daily pupil attendance calculation.

21 (a) Except as otherwise provided in this Section, for a
22 pupil of legal school age and in kindergarten or any of grades
23 1 through 12, a day of attendance shall be counted only for
24 sessions of not less than 5 clock hours of school work per day
25 under direct supervision of (i) teachers or (ii) non-teaching

1 personnel or volunteer personnel when engaging in non-teaching
2 duties and supervising in those instances specified in
3 subsection (a) of Section 10-22.34 and paragraph 10 of Section
4 34-18. Days of attendance by pupils through verified
5 participation in an e-learning program adopted by a school
6 board and verified by the regional office of education or
7 intermediate service center for the school district under
8 Section 10-20.56 of this Code shall be considered as full days
9 of attendance under this Section.

10 (b) A pupil regularly enrolled in a public school for only
11 a part of the school day may be counted on the basis of
12 one-sixth of a school day for every class hour of instruction
13 of 40 minutes or more attended pursuant to such enrollment,
14 unless a pupil is enrolled in a block-schedule format of 80
15 minutes or more of instruction, in which case the pupil may be
16 counted on the basis of the proportion of minutes of school
17 work completed each day to the minimum number of minutes that
18 school work is required to be held that day.

19 (c) A session of 4 or more clock hours may be counted as a
20 day of attendance upon certification by the regional
21 superintendent of schools and approval by the State
22 Superintendent of Education to the extent that the district has
23 been forced to use daily multiple sessions.

24 (d) A session of 3 or more clock hours may be counted as a
25 day of attendance (1) when the remainder of the school day or
26 at least 2 hours in the evening of that day is utilized for an

1 in-service training program for teachers, up to a maximum of 10
2 days per school year, provided that a district conducts an
3 in-service training program for teachers in accordance with
4 Section 10-22.39 of this Code, or, in lieu of 4 such days, 2
5 full days may be used, in which event each such day may be
6 counted as a day required for a legal school calendar pursuant
7 to Section 10-19 of this Code; (2) when, of the 5 days allowed
8 under item (1), a maximum of 4 days are used for parent-teacher
9 conferences, or, in lieu of 4 such days, 2 full days are used,
10 in which case each such day may be counted as a calendar day
11 required under Section 10-19 of this Code, provided that the
12 full-day, parent-teacher conference consists of (i) a minimum
13 of 5 clock hours of parent-teacher conferences, (ii) both a
14 minimum of 2 clock hours of parent-teacher conferences held in
15 the evening following a full day of student attendance and a
16 minimum of 3 clock hours of parent-teacher conferences held on
17 the day immediately following evening parent-teacher
18 conferences, or (iii) multiple parent-teacher conferences held
19 in the evenings following full days of student attendance in
20 which the time used for the parent-teacher conferences is
21 equivalent to a minimum of 5 clock hours; and (3) when days in
22 addition to those provided in items (1) and (2) are scheduled
23 by a school pursuant to its school improvement plan adopted
24 under Article 34 or its revised or amended school improvement
25 plan adopted under Article 2, provided that (i) such sessions
26 of 3 or more clock hours are scheduled to occur at regular

1 intervals, (ii) the remainder of the school days in which such
2 sessions occur are utilized for in-service training programs or
3 other staff development activities for teachers, and (iii) a
4 sufficient number of minutes of school work under the direct
5 supervision of teachers are added to the school days between
6 such regularly scheduled sessions to accumulate not less than
7 the number of minutes by which such sessions of 3 or more clock
8 hours fall short of 5 clock hours. Days scheduled for
9 in-service training programs, staff development activities, or
10 parent-teacher conferences may be scheduled separately for
11 different grade levels and different attendance centers of the
12 district.

13 (e) A session of not less than one clock hour of teaching
14 hospitalized or homebound pupils on-site or by telephone to the
15 classroom may be counted as a half day of attendance; however,
16 these pupils must receive 4 or more clock hours of instruction
17 to be counted for a full day of attendance.

18 (f) A session of at least 4 clock hours may be counted as a
19 day of attendance for first grade pupils and pupils in full-day
20 kindergartens, and a session of 2 or more hours may be counted
21 as a half day of attendance by pupils in kindergartens that
22 provide only half days of attendance.

23 (g) For children with disabilities who are below the age of
24 6 years and who cannot attend 2 or more clock hours because of
25 their disability or immaturity, a session of not less than one
26 clock hour may be counted as a half day of attendance; however,

1 for such children whose educational needs require a session of
2 4 or more clock hours, a session of at least 4 clock hours may
3 be counted as a full day of attendance.

4 (h) A recognized kindergarten that provides for only a half
5 day of attendance by each pupil shall not have more than one
6 half day of attendance counted in any one day. However,
7 kindergartens may count 2 and a half days of attendance in any
8 5 consecutive school days. When a pupil attends such a
9 kindergarten for 2 half days on any one school day, the pupil
10 shall have the following day as a day absent from school,
11 unless the school district obtains permission in writing from
12 the State Superintendent of Education. Attendance at
13 kindergartens that provide for a full day of attendance by each
14 pupil shall be counted the same as attendance by first grade
15 pupils. Only the first year of attendance in one kindergarten
16 shall be counted, except in the case of children who entered
17 the kindergarten in their fifth year whose educational
18 development requires a second year of kindergarten as
19 determined under rules of the State Board of Education.

20 (i) On the days when the State's final accountability
21 assessment is administered under subsection (c) of Section
22 2-3.64a-5 of this Code, the day of attendance for a pupil whose
23 school day must be shortened to accommodate required testing
24 procedures may be less than 5 clock hours and shall be counted
25 toward the 176 days of actual pupil attendance required under
26 Section 10-19 of this Code, provided that a sufficient number

1 of minutes of school work in excess of 5 clock hours are first
2 completed on other school days to compensate for the loss of
3 school work on the examination days.

4 (j) Pupils enrolled in a remote educational program
5 established under Section 10-29 of this Code may be counted on
6 the basis of a one-fifth day of attendance for every clock hour
7 of instruction attended in the remote educational program,
8 provided that, in any month, the school district may not claim
9 for a student enrolled in a remote educational program more
10 days of attendance than the maximum number of days of
11 attendance the district can claim (i) for students enrolled in
12 a building holding year-round classes if the student is
13 classified as participating in the remote educational program
14 on a year-round schedule or (ii) for students enrolled in a
15 building not holding year-round classes if the student is not
16 classified as participating in the remote educational program
17 on a year-round schedule.

18 (k) Pupil participation in any of the following activities
19 shall be counted toward the calculation of clock hours of
20 school work per day:

21 (1) Instruction in a college course in which a student
22 is dually enrolled for both high school credit and college
23 credit.

24 (2) Participation in a Supervised Career Development
25 Experience, as defined in Section 10 of the Postsecondary
26 and Workforce Readiness Act, in which student

1 participation and learning outcomes are supervised by an
2 educator licensed under Article 21B.

3 (3) Participation in a youth apprenticeship, as
4 jointly defined in rules of the State Board of Education
5 and Department of Commerce and Economic Opportunity, in
6 which student participation and outcomes are supervised by
7 an educator licensed under Article 21B.

8 (4) Participation in a blended learning program
9 approved by the school district in which course content,
10 student evaluation, and instructional methods are
11 supervised by an educator licensed under Article 21B.

12 (105 ILCS 5/10-20.56)

13 Sec. 10-20.56. E-learning days.

14 (a) The State Board of Education shall establish and
15 maintain, for implementation in ~~selected~~ school districts, a
16 program for use of electronic-learning (e-learning) days, as
17 described in this Section. ~~The State Superintendent of~~
18 ~~Education shall select up to 3 school districts for this~~
19 ~~program, at least one of which may be an elementary or unit~~
20 ~~school district. On or before June 1, 2019, the State Board~~
21 ~~shall report its recommendation for expansion, revision, or~~
22 ~~discontinuation of the program to the Governor and General~~
23 ~~Assembly.~~

24 (b) The school board of a school district ~~selected by the~~
25 ~~State Superintendent of Education under subsection (a) of this~~

1 ~~Section~~ may, by resolution, adopt a research-based program or
2 research-based programs for e-learning days district-wide that
3 shall permit student instruction to be received electronically
4 while students are not physically present in lieu of the
5 district's scheduled emergency days as required by Section
6 10-19 of this Code. The research-based program or programs may
7 not exceed the minimum number of emergency days in the approved
8 school calendar and must be verified by the regional office of
9 education or intermediate service center for the school
10 district submitted to the State Superintendent for approval on
11 or before September 1st annually to ensure access for all
12 students. The regional office of education or intermediate
13 service center ~~State Superintendent~~ shall ~~approve programs~~
14 ~~that~~ ensure that the specific needs of all students are met,
15 including special education students and English learners, and
16 that all mandates are still met using the proposed
17 research-based program. The e-learning program may utilize the
18 Internet, telephones, texts, chat rooms, or other similar means
19 of electronic communication for instruction and interaction
20 between teachers and students that meet the needs of all
21 learners. The e-learning program shall address the school
22 district's responsibility to ensure that all teachers and staff
23 who may be involved in the provision of e-learning have access
24 to any and all hardware and software that may be required for
25 the program. If a proposed program does not address this
26 responsibility, the school district must propose an alternate

1 program.

2 (c) Before its adoption by a school board, the school board
3 must hold a public hearing on a school district's initial
4 proposal for an e-learning program or for renewal of such a
5 program ~~must be approved by the State Board of Education and~~
6 ~~shall follow a public hearing,~~ at a regular or special meeting
7 of the school board, in which the terms of the proposal must be
8 substantially presented and an opportunity for allowing public
9 comments must be provided. Notice of such public hearing must
10 be provided at least 10 days prior to the hearing by:

11 (1) publication in a newspaper of general circulation
12 in the school district;

13 (2) written or electronic notice designed to reach the
14 parents or guardians of all students enrolled in the school
15 district; and

16 (3) written or electronic notice designed to reach any
17 exclusive collective bargaining representatives of school
18 district employees and all those employees not in a
19 collective bargaining unit.

20 (d) The regional office of education or intermediate
21 service center for the school district must timely verify that
22 a ~~A~~ proposal for an e-learning program has met ~~must be timely~~
23 ~~approved by the State Board of Education if~~ the requirements
24 specified in this Section and that ~~have been met and if, in the~~
25 ~~view of the State Board of Education,~~ the proposal contains
26 provisions designed to reasonably and practicably accomplish

1 the following:

2 (1) to ensure and verify at least 5 clock hours of
3 instruction or school work, as required under Section
4 10-19.05, for each student participating in an e-learning
5 day;

6 (2) to ensure access from home or other appropriate
7 remote facility for all students participating, including
8 computers, the Internet, and other forms of electronic
9 communication that must be utilized in the proposed
10 program;

11 (2.5) to ensure that non-electronic materials are made
12 available to students participating in the program who do
13 not have access to the required technology or to
14 participating teachers or students who are prevented from
15 accessing the required technology;

16 (3) to ensure appropriate learning opportunities for
17 students with special needs;

18 (4) to monitor and verify each student's electronic
19 participation;

20 (5) to address the extent to which student
21 participation is within the student's control as to the
22 time, pace, and means of learning;

23 (6) to provide effective notice to students and their
24 parents or guardians of the use of particular days for
25 e-learning;

26 (7) to provide staff and students with adequate

1 training for e-learning days' participation;

2 (8) to ensure an opportunity for any collective
3 bargaining negotiations with representatives of the school
4 district's employees that would be legally required,
5 including all classifications of school district employees
6 who are represented by collective bargaining agreements
7 and who would be affected in the event of an e-learning
8 day; and

9 (9) to review and revise the program as implemented to
10 address difficulties confronted; and -

11 (10) to ensure that the protocol regarding general
12 expectations and responsibilities of the program is
13 communicated to teachers, staff, and students at least 30
14 days prior to utilizing an e-learning day.

15 The school board's ~~State Board of Education's~~ approval of a
16 school district's initial e-learning program and renewal of the
17 e-learning program shall be for a term of 3 years.

18 (e) The State Board of Education may adopt rules ~~governing~~
19 ~~its supervision and review of e-learning programs~~ consistent
20 with the provision of this Section. ~~However, in the absence of~~
21 ~~such rules, school districts may submit proposals for State~~
22 ~~Board of Education consideration under the authority of this~~
23 ~~Section.~~

24 (Source: P.A. 99-194, eff. 7-30-15; 99-642, eff. 7-28-16;
25 100-760, eff. 8-10-18.)

1 (105 ILCS 5/13B-45)

2 Sec. 13B-45. Days and hours of attendance. An alternative
3 learning opportunities program shall provide students with at
4 least the minimum number of days of pupil attendance required
5 under Section 10-19 of this Code and the minimum number of
6 daily hours of school work required under Section 10-19.05
7 ~~10-8.05 or 10-8.15~~ of this Code, provided that the State Board
8 may approve exceptions to these requirements if the program
9 meets all of the following conditions:

10 (1) The district plan submitted under Section
11 13B-25.15 of this Code establishes that a program providing
12 the required minimum number of days of attendance or daily
13 hours of school work would not serve the needs of the
14 program's students.

15 (2) Each day of attendance shall provide no fewer than
16 3 clock hours of school work, as defined under ~~paragraph~~
17 ~~(1) of subsection (F) of~~ Section 10-19.05 ~~10-8.05~~ of this
18 Code.

19 (3) Each day of attendance that provides fewer than 5
20 clock hours of school work shall also provide supplementary
21 services, including without limitation work-based
22 learning, student assistance programs, counseling, case
23 management, health and fitness programs, or life-skills or
24 conflict resolution training, in order to provide a total
25 daily program to the student of 5 clock hours. A program
26 may claim ~~general State aid or~~ evidence-based funding for

1 up to 2 hours of the time each day that a student is
2 receiving supplementary services.

3 (4) Each program shall provide no fewer than 174 days
4 of actual pupil attendance during the school term; however,
5 approved evening programs that meet the requirements of
6 Section 13B-45 of this Code may offer less than 174 days of
7 actual pupil attendance during the school term.

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

9 (105 ILCS 5/13B-50.5)

10 Sec. 13B-50.5. Conditions of funding. If an alternative
11 learning opportunities program provides less than the daily 5
12 clock hours of school work required under Section 10-19.05
13 ~~daily~~, the program must meet guidelines established by the
14 State Board and must provide supplementary services, including
15 without limitation work-based learning, student assistance
16 programs, counseling, case management, health and fitness
17 programs, life skills, conflict resolution, or service
18 learning, that are equal to the required attendance.

19 (Source: P.A. 92-42, eff. 1-1-02.)

20 (105 ILCS 5/29-6.3)

21 Sec. 29-6.3. Transportation to and from specified
22 interscholastic or school-sponsored activities.

23 (a) Any school district transporting students in grade 12
24 or below for an interscholastic, interscholastic athletic, or

1 school-sponsored, noncurriculum-related activity that (i) does
2 not require student participation as part of the educational
3 services of the district and (ii) is not associated with the
4 students' regular class-for-credit schedule or required 5
5 clock hours of instruction under Section 10-19.05 shall
6 transport the students only in a school bus, a vehicle
7 manufactured to transport not more than 10 persons, including
8 the driver, or a multifunction school-activity bus
9 manufactured to transport not more than 15 persons, including
10 the driver.

11 (a-5) A student in any of grades 9 through 12 may be
12 transported in a multi-function school activity bus (MFSAB) as
13 defined in Section 1-148.3a-5 of the Illinois Vehicle Code for
14 any curriculum-related activity except for transportation on
15 regular bus routes from home to school or from school to home,
16 subject to the following conditions:

17 (i) A MFSAB may not be used to transport students under
18 this Section unless the driver holds a valid school bus
19 driver permit.

20 (ii) The use of a MFSAB under this Section is subject
21 to the requirements of Sections 6-106.11, 6-106.12,
22 12-707.01, 13-101, and 13-109 of the Illinois Vehicle Code.

23 (b) Any school district furnishing transportation for
24 students under the authority of this Section shall insure
25 against any loss or liability of the district resulting from
26 the maintenance, operation, or use of the vehicle.

1 (c) Vehicles used to transport students under this Section
2 may claim a depreciation allowance of 20% over 5 years as
3 provided in Section 29-5 of this Code.

4 (Source: P.A. 96-410, eff. 7-1-10; 97-896, eff. 8-3-12.)

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

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

10 1. To make suitable provision for the establishment and
11 maintenance throughout the year or for such portion thereof
12 as it may direct, not less than 9 months and in compliance
13 with Section 10-19.05, of schools of all grades and kinds,
14 including normal schools, high schools, night schools,
15 schools for defectives and delinquents, parental and
16 truant schools, schools for the blind, the deaf and persons
17 with physical disabilities, schools or classes in manual
18 training, constructural and vocational teaching, domestic
19 arts and physical culture, vocation and extension schools
20 and lecture courses, and all other educational courses and
21 facilities, including establishing, equipping, maintaining
22 and operating playgrounds and recreational programs, when
23 such programs are conducted in, adjacent to, or connected
24 with any public school under the general supervision and
25 jurisdiction of the board; provided that the calendar for

1 the school term and any changes must be submitted to and
2 approved by the State Board of Education before the
3 calendar or changes may take effect, and provided that in
4 allocating funds from year to year for the operation of all
5 attendance centers within the district, the board shall
6 ensure that supplemental general State aid or supplemental
7 grant funds are allocated and applied in accordance with
8 Section 18-8, 18-8.05, or 18-8.15. To admit to such schools
9 without charge foreign exchange students who are
10 participants in an organized exchange student program
11 which is authorized by the board. The board shall permit
12 all students to enroll in apprenticeship programs in trade
13 schools operated by the board, whether those programs are
14 union-sponsored or not. No student shall be refused
15 admission into or be excluded from any course of
16 instruction offered in the common schools by reason of that
17 student's sex. No student shall be denied equal access to
18 physical education and interscholastic athletic programs
19 supported from school district funds or denied
20 participation in comparable physical education and
21 athletic programs solely by reason of the student's sex.
22 Equal access to programs supported from school district
23 funds and comparable programs will be defined in rules
24 promulgated by the State Board of Education in consultation
25 with the Illinois High School Association. Notwithstanding
26 any other provision of this Article, neither the board of

1 education nor any local school council or other school
2 official shall recommend that children with disabilities
3 be placed into regular education classrooms unless those
4 children with disabilities are provided with supplementary
5 services to assist them so that they benefit from the
6 regular classroom instruction and are included on the
7 teacher's regular education class register;

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

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

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

16 5. To employ dentists and prescribe their duties for
17 the purpose of treating the pupils in the schools, but
18 accepting such treatment shall be optional with parents or
19 guardians;

20 6. To grant the use of assembly halls and classrooms
21 when not otherwise needed, including light, heat, and
22 attendants, for free public lectures, concerts, and other
23 educational and social interests, free of charge, under
24 such provisions and control as the principal of the
25 affected attendance center may prescribe;

26 7. To apportion the pupils to the several schools;

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

1 have been accommodated. If the number of applicants from
2 outside the attendance area exceed the space available,
3 then successful applicants shall be selected by lottery.
4 The board of education's open enrollment plan must include
5 provisions that allow low income students to have access to
6 transportation needed to exercise school choice. Open
7 enrollment shall be in compliance with the provisions of
8 the Consent Decree and Desegregation Plan cited in Section
9 34-1.01;

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

16 9. Subject to the limitations in this Article, to
17 establish and approve system-wide curriculum objectives
18 and standards, including graduation standards, which
19 reflect the multi-cultural diversity in the city and are
20 consistent with State law, provided that for all purposes
21 of this Article courses or proficiency in American Sign
22 Language shall be deemed to constitute courses or
23 proficiency in a foreign language; and to employ principals
24 and teachers, appointed as provided in this Article, and
25 fix their compensation. The board shall prepare such
26 reports related to minimal competency testing as may be

1 requested by the State Board of Education, and in addition
2 shall monitor and approve special education and bilingual
3 education programs and policies within the district to
4 assure that appropriate services are provided in
5 accordance with applicable State and federal laws to
6 children requiring services and education in those areas;

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

1 10.5. To utilize volunteer personnel from a regional
2 School Crisis Assistance Team (S.C.A.T.), created as part
3 of the Safe to Learn Program established pursuant to
4 Section 25 of the Illinois Violence Prevention Act of 1995,
5 to provide assistance to schools in times of violence or
6 other traumatic incidents within a school community by
7 providing crisis intervention services to lessen the
8 effects of emotional trauma on individuals and the
9 community; the School Crisis Assistance Team Steering
10 Committee shall determine the qualifications for
11 volunteers;

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

21 12. To offer, if deemed appropriate, outdoor education
22 courses, including field trips within the State of
23 Illinois, or adjacent states, and to use school educational
24 funds for the expense of the said outdoor educational
25 programs, whether within the school district or not;

26 13. During that period of the calendar year not

1 embraced within the regular school term, to provide and
2 conduct courses in subject matters normally embraced in the
3 program of the schools during the regular school term and
4 to give regular school credit for satisfactory completion
5 by the student of such courses as may be approved for
6 credit by the State Board of Education;

7 14. To insure against any loss or liability of the
8 board, the former School Board Nominating Commission,
9 Local School Councils, the Chicago Schools Academic
10 Accountability Council, or the former Subdistrict Councils
11 or of any member, officer, agent or employee thereof,
12 resulting from alleged violations of civil rights arising
13 from incidents occurring on or after September 5, 1967 or
14 from the wrongful or negligent act or omission of any such
15 person whether occurring within or without the school
16 premises, provided the officer, agent or employee was, at
17 the time of the alleged violation of civil rights or
18 wrongful act or omission, acting within the scope of his
19 employment or under direction of the board, the former
20 School Board Nominating Commission, the Chicago Schools
21 Academic Accountability Council, Local School Councils, or
22 the former Subdistrict Councils; and to provide for or
23 participate in insurance plans for its officers and
24 employees, including but not limited to retirement
25 annuities, medical, surgical and hospitalization benefits
26 in such types and amounts as may be determined by the

1 board; provided, however, that the board shall contract for
2 such insurance only with an insurance company authorized to
3 do business in this State. Such insurance may include
4 provision for employees who rely on treatment by prayer or
5 spiritual means alone for healing, in accordance with the
6 tenets and practice of a recognized religious
7 denomination;

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

14 16. (a) To provide, on an equal basis, access to a high
15 school campus and student directory information to the
16 official recruiting representatives of the armed forces of
17 Illinois and the United States for the purposes of
18 informing students of the educational and career
19 opportunities available in the military if the board has
20 provided such access to persons or groups whose purpose is
21 to acquaint students with educational or occupational
22 opportunities available to them. The board is not required
23 to give greater notice regarding the right of access to
24 recruiting representatives than is given to other persons
25 and groups. In this paragraph 16, "directory information"
26 means a high school student's name, address, and telephone

1 number.

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

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

19 (d) Information received by an official recruiting
20 representative under this Section may be used only to
21 provide information to students concerning educational and
22 career opportunities available in the military and may not
23 be released to a person who is not involved in recruiting
24 students for the armed forces of Illinois or the United
25 States;

26 17. (a) To sell or market any computer program

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

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

16 (1) "Computer" means an internally programmed,
17 general purpose digital device capable of
18 automatically accepting data, processing data and
19 supplying the results of the operation.

20 (2) "Computer program" means a series of coded
21 instructions or statements in a form acceptable to a
22 computer, which causes the computer to process data in
23 order to achieve a certain result.

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

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

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

14 19a. Upon receipt of notice from the comptroller of a
15 municipality with a population of 500,000 or more, a county
16 with a population of 3,000,000 or more, the Cook County
17 Forest Preserve District, the Chicago Park District, the
18 Metropolitan Water Reclamation District, the Chicago
19 Transit Authority, or a housing authority of a municipality
20 with a population of 500,000 or more that a debt is due and
21 owing the municipality, the county, the Cook County Forest
22 Preserve District, the Chicago Park District, the
23 Metropolitan Water Reclamation District, the Chicago
24 Transit Authority, or the housing authority by an employee
25 of the Chicago Board of Education, to withhold, from the
26 compensation of that employee, the amount of the debt that

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

1 Chicago Park District, the Metropolitan Water Reclamation
2 District, the Chicago Transit Authority, or the housing
3 authority for services, work, or goods, after the period
4 granted for payment has expired, or (ii) a specified sum of
5 money owed to the municipality, the county, the Cook County
6 Forest Preserve District, the Chicago Park District, the
7 Metropolitan Water Reclamation District, the Chicago
8 Transit Authority, or the housing authority pursuant to a
9 court order or order of an administrative hearing officer
10 after the exhaustion of, or the failure to exhaust,
11 judicial review;

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

18 21. To make available to students vocational and career
19 counseling and to establish 5 special career counseling
20 days for students and parents. On these days
21 representatives of local businesses and industries shall
22 be invited to the school campus and shall inform students
23 of career opportunities available to them in the various
24 businesses and industries. Special consideration shall be
25 given to counseling minority students as to career
26 opportunities available to them in various fields. For the

1 purposes of this paragraph, minority student means a person
2 who is any of the following:

3 (a) American Indian or Alaska Native (a person having
4 origins in any of the original peoples of North and South
5 America, including Central America, and who maintains
6 tribal affiliation or community attachment).

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

12 (c) Black or African American (a person having origins
13 in any of the black racial groups of Africa). Terms such as
14 "Haitian" or "Negro" can be used in addition to "Black or
15 African American".

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

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

22 Counseling days shall not be in lieu of regular school
23 days;

24 22. To report to the State Board of Education the
25 annual student dropout rate and number of students who
26 graduate from, transfer from or otherwise leave bilingual

1 programs;

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

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

21 25. To make available to the students in every high
22 school attendance center the ability to take all courses
23 necessary to comply with the Board of Higher Education's
24 college entrance criteria effective in 1993;

25 26. To encourage mid-career changes into the teaching
26 profession, whereby qualified professionals become

1 certified teachers, by allowing credit for professional
2 employment in related fields when determining point of
3 entry on teacher pay scale;

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

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

14 29. (Blank);

15 30. Notwithstanding any other provision of this Act or
16 any other law to the contrary, to contract with third
17 parties for services otherwise performed by employees,
18 including those in a bargaining unit, and to layoff those
19 employees upon 14 days written notice to the affected
20 employees. Those contracts may be for a period not to
21 exceed 5 years and may be awarded on a system-wide basis.
22 The board may not operate more than 30 contract schools,
23 provided that the board may operate an additional 5
24 contract turnaround schools pursuant to item (5.5) of
25 subsection (d) of Section 34-8.3 of this Code;

26 31. To promulgate rules establishing procedures

1 governing the layoff or reduction in force of employees and
2 the recall of such employees, including, but not limited
3 to, criteria for such layoffs, reductions in force or
4 recall rights of such employees and the weight to be given
5 to any particular criterion. Such criteria shall take into
6 account factors including, but not be limited to,
7 qualifications, certifications, experience, performance
8 ratings or evaluations, and any other factors relating to
9 an employee's job performance;

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

12 33. (Blank); and

13 34. To establish a Labor Management Council to the
14 board comprised of representatives of the board, the chief
15 executive officer, and those labor organizations that are
16 the exclusive representatives of employees of the board and
17 to promulgate policies and procedures for the operation of
18 the Council.

19 The specifications of the powers herein granted are not to
20 be construed as exclusive but the board shall also exercise all
21 other powers that they may be requisite or proper for the
22 maintenance and the development of a public school system, not
23 inconsistent with the other provisions of this Article or
24 provisions of this Code which apply to all school districts.

25 In addition to the powers herein granted and authorized to
26 be exercised by the board, it shall be the duty of the board to

1 review or to direct independent reviews of special education
2 expenditures and services. The board shall file a report of
3 such review with the General Assembly on or before May 1, 1990.
4 (Source: P.A. 99-143, eff. 7-27-15; 100-465, eff. 8-31-17;
5 100-1046, eff. 8-23-18.)

6 Section 10. The Vocational Academies Act is amended by
7 changing Section 10 as follows:

8 (105 ILCS 433/10)

9 Sec. 10. Establishment. A school district, in partnership
10 with community colleges, local employers, and community-based
11 organizations, may establish a vocational academy that is
12 eligible for a grant under this Act if the vocational academy
13 meets all of the following requirements:

14 (1) The vocational academy must have a minimum
15 5-clock-hour day, as required under Section 10-19.05 of the
16 School Code, and be under the direct supervision of
17 teachers.

18 (2) The vocational academy must be a 2-year school
19 within a school program for grades 10 through 12 that is
20 organized around a career theme and operated as a
21 business-education partnership.

22 (3) The vocational academy must be a career-oriented
23 program that uses the direct involvement of local employers
24 to provide students with an education and the skills needed

1 for employment.

2 (4) The vocational academy must be a standards-based
3 educational program that prepares students both
4 academically and technically for entrance into
5 postsecondary education or careers in a selected field.

6 (5) The curriculum of the vocational academy must be
7 based on the Illinois Learning Standards, and work-site
8 training must provide students with learning experiences
9 for entry-level employment in the local job market and
10 lifelong learning skills for higher education.

11 (Source: P.A. 94-220, eff. 7-14-05.)

12 Section 99. Effective date. This Act takes effect July 1,
13 2019.".