



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1952

Introduced 2/15/2019, by Sen. Andy Manar

SYNOPSIS AS INTRODUCED:

40 ILCS 5/15-155	from Ch. 108 1/2, par. 15-155
40 ILCS 5/16-158	from Ch. 108 1/2, par. 16-158
105 ILCS 5/21B-20	
105 ILCS 5/21B-30	
105 ILCS 5/21B-35	
105 ILCS 5/21B-50	
105 ILCS 5/21B-55	
105 ILCS 5/24-8.5 new	
105 ILCS 5/27A-10	

Amends the Downstate Teachers and State Universities Articles of the Illinois Pension Code. Requires an employer to make an additional employer contribution for a participant whose earnings for any academic year used to determine the final rate of earnings exceed the amount of his or her earnings with the same employer for the previous academic year by more than 6% (instead of 3%). Makes conforming changes. Amends the School Code. Allows each school district to provide a salary to a student teacher employed by the district and fix the amount of that salary. Removes the requirement of the passage of a test of basic skills for obtaining certain Professional Educator Licenses and Educator Licenses with Stipulations. Effective immediately.

LRB101 10858 AXK 55998 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
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 Illinois Pension Code is amended by changing
5 Sections 15-155 and 16-158 as follows:

6 (40 ILCS 5/15-155) (from Ch. 108 1/2, par. 15-155)

7 Sec. 15-155. Employer contributions.

8 (a) The State of Illinois shall make contributions by
9 appropriations of amounts which, together with the other
10 employer contributions from trust, federal, and other funds,
11 employee contributions, income from investments, and other
12 income of this System, will be sufficient to meet the cost of
13 maintaining and administering the System on a 90% funded basis
14 in accordance with actuarial recommendations.

15 The Board shall determine the amount of State contributions
16 required for each fiscal year on the basis of the actuarial
17 tables and other assumptions adopted by the Board and the
18 recommendations of the actuary, using the formula in subsection
19 (a-1).

20 (a-1) For State fiscal years 2012 through 2045, the minimum
21 contribution to the System to be made by the State for each
22 fiscal year shall be an amount determined by the System to be
23 sufficient to bring the total assets of the System up to 90% of

1 the total actuarial liabilities of the System by the end of
2 State fiscal year 2045. In making these determinations, the
3 required State contribution shall be calculated each year as a
4 level percentage of payroll over the years remaining to and
5 including fiscal year 2045 and shall be determined under the
6 projected unit credit actuarial cost method.

7 For each of State fiscal years 2018, 2019, and 2020, the
8 State shall make an additional contribution to the System equal
9 to 2% of the total payroll of each employee who is deemed to
10 have elected the benefits under Section 1-161 or who has made
11 the election under subsection (c) of Section 1-161.

12 A change in an actuarial or investment assumption that
13 increases or decreases the required State contribution and
14 first applies in State fiscal year 2018 or thereafter shall be
15 implemented in equal annual amounts over a 5-year period
16 beginning in the State fiscal year in which the actuarial
17 change first applies to the required State contribution.

18 A change in an actuarial or investment assumption that
19 increases or decreases the required State contribution and
20 first applied to the State contribution in fiscal year 2014,
21 2015, 2016, or 2017 shall be implemented:

22 (i) as already applied in State fiscal years before
23 2018; and

24 (ii) in the portion of the 5-year period beginning in
25 the State fiscal year in which the actuarial change first
26 applied that occurs in State fiscal year 2018 or

1 thereafter, by calculating the change in equal annual
2 amounts over that 5-year period and then implementing it at
3 the resulting annual rate in each of the remaining fiscal
4 years in that 5-year period.

5 For State fiscal years 1996 through 2005, the State
6 contribution to the System, as a percentage of the applicable
7 employee payroll, shall be increased in equal annual increments
8 so that by State fiscal year 2011, the State is contributing at
9 the rate required under this Section.

10 Notwithstanding any other provision of this Article, the
11 total required State contribution for State fiscal year 2006 is
12 \$166,641,900.

13 Notwithstanding any other provision of this Article, the
14 total required State contribution for State fiscal year 2007 is
15 \$252,064,100.

16 For each of State fiscal years 2008 through 2009, the State
17 contribution to the System, as a percentage of the applicable
18 employee payroll, shall be increased in equal annual increments
19 from the required State contribution for State fiscal year
20 2007, so that by State fiscal year 2011, the State is
21 contributing at the rate otherwise required under this Section.

22 Notwithstanding any other provision of this Article, the
23 total required State contribution for State fiscal year 2010 is
24 \$702,514,000 and shall be made from the State Pensions Fund and
25 proceeds of bonds sold in fiscal year 2010 pursuant to Section
26 7.2 of the General Obligation Bond Act, less (i) the pro rata

1 share of bond sale expenses determined by the System's share of
2 total bond proceeds, (ii) any amounts received from the General
3 Revenue Fund in fiscal year 2010, (iii) any reduction in bond
4 proceeds due to the issuance of discounted bonds, if
5 applicable.

6 Notwithstanding any other provision of this Article, the
7 total required State contribution for State fiscal year 2011 is
8 the amount recertified by the System on or before April 1, 2011
9 pursuant to Section 15-165 and shall be made from the State
10 Pensions Fund and proceeds of bonds sold in fiscal year 2011
11 pursuant to Section 7.2 of the General Obligation Bond Act,
12 less (i) the pro rata share of bond sale expenses determined by
13 the System's share of total bond proceeds, (ii) any amounts
14 received from the General Revenue Fund in fiscal year 2011, and
15 (iii) any reduction in bond proceeds due to the issuance of
16 discounted bonds, if applicable.

17 Beginning in State fiscal year 2046, the minimum State
18 contribution for each fiscal year shall be the amount needed to
19 maintain the total assets of the System at 90% of the total
20 actuarial liabilities of the System.

21 Amounts received by the System pursuant to Section 25 of
22 the Budget Stabilization Act or Section 8.12 of the State
23 Finance Act in any fiscal year do not reduce and do not
24 constitute payment of any portion of the minimum State
25 contribution required under this Article in that fiscal year.
26 Such amounts shall not reduce, and shall not be included in the

1 calculation of, the required State contributions under this
2 Article in any future year until the System has reached a
3 funding ratio of at least 90%. A reference in this Article to
4 the "required State contribution" or any substantially similar
5 term does not include or apply to any amounts payable to the
6 System under Section 25 of the Budget Stabilization Act.

7 Notwithstanding any other provision of this Section, the
8 required State contribution for State fiscal year 2005 and for
9 fiscal year 2008 and each fiscal year thereafter, as calculated
10 under this Section and certified under Section 15-165, shall
11 not exceed an amount equal to (i) the amount of the required
12 State contribution that would have been calculated under this
13 Section for that fiscal year if the System had not received any
14 payments under subsection (d) of Section 7.2 of the General
15 Obligation Bond Act, minus (ii) the portion of the State's
16 total debt service payments for that fiscal year on the bonds
17 issued in fiscal year 2003 for the purposes of that Section
18 7.2, as determined and certified by the Comptroller, that is
19 the same as the System's portion of the total moneys
20 distributed under subsection (d) of Section 7.2 of the General
21 Obligation Bond Act. In determining this maximum for State
22 fiscal years 2008 through 2010, however, the amount referred to
23 in item (i) shall be increased, as a percentage of the
24 applicable employee payroll, in equal increments calculated
25 from the sum of the required State contribution for State
26 fiscal year 2007 plus the applicable portion of the State's

1 total debt service payments for fiscal year 2007 on the bonds
2 issued in fiscal year 2003 for the purposes of Section 7.2 of
3 the General Obligation Bond Act, so that, by State fiscal year
4 2011, the State is contributing at the rate otherwise required
5 under this Section.

6 (a-2) Beginning in fiscal year 2018, each employer under
7 this Article shall pay to the System a required contribution
8 determined as a percentage of projected payroll and sufficient
9 to produce an annual amount equal to:

10 (i) for each of fiscal years 2018, 2019, and 2020, the
11 defined benefit normal cost of the defined benefit plan,
12 less the employee contribution, for each employee of that
13 employer who has elected or who is deemed to have elected
14 the benefits under Section 1-161 or who has made the
15 election under subsection (c) of Section 1-161; for fiscal
16 year 2021 and each fiscal year thereafter, the defined
17 benefit normal cost of the defined benefit plan, less the
18 employee contribution, plus 2%, for each employee of that
19 employer who has elected or who is deemed to have elected
20 the benefits under Section 1-161 or who has made the
21 election under subsection (c) of Section 1-161; plus

22 (ii) the amount required for that fiscal year to
23 amortize any unfunded actuarial accrued liability
24 associated with the present value of liabilities
25 attributable to the employer's account under Section
26 15-155.2, determined as a level percentage of payroll over

1 a 30-year rolling amortization period.

2 In determining contributions required under item (i) of
3 this subsection, the System shall determine an aggregate rate
4 for all employers, expressed as a percentage of projected
5 payroll.

6 In determining the contributions required under item (ii)
7 of this subsection, the amount shall be computed by the System
8 on the basis of the actuarial assumptions and tables used in
9 the most recent actuarial valuation of the System that is
10 available at the time of the computation.

11 The contributions required under this subsection (a-2)
12 shall be paid by an employer concurrently with that employer's
13 payroll payment period. The State, as the actual employer of an
14 employee, shall make the required contributions under this
15 subsection.

16 As used in this subsection, "academic year" means the
17 12-month period beginning September 1.

18 (b) If an employee is paid from trust or federal funds, the
19 employer shall pay to the Board contributions from those funds
20 which are sufficient to cover the accruing normal costs on
21 behalf of the employee. However, universities having employees
22 who are compensated out of local auxiliary funds, income funds,
23 or service enterprise funds are not required to pay such
24 contributions on behalf of those employees. The local auxiliary
25 funds, income funds, and service enterprise funds of
26 universities shall not be considered trust funds for the

1 purpose of this Article, but funds of alumni associations,
2 foundations, and athletic associations which are affiliated
3 with the universities included as employers under this Article
4 and other employers which do not receive State appropriations
5 are considered to be trust funds for the purpose of this
6 Article.

7 (b-1) The City of Urbana and the City of Champaign shall
8 each make employer contributions to this System for their
9 respective firefighter employees who participate in this
10 System pursuant to subsection (h) of Section 15-107. The rate
11 of contributions to be made by those municipalities shall be
12 determined annually by the Board on the basis of the actuarial
13 assumptions adopted by the Board and the recommendations of the
14 actuary, and shall be expressed as a percentage of salary for
15 each such employee. The Board shall certify the rate to the
16 affected municipalities as soon as may be practical. The
17 employer contributions required under this subsection shall be
18 remitted by the municipality to the System at the same time and
19 in the same manner as employee contributions.

20 (c) Through State fiscal year 1995: The total employer
21 contribution shall be apportioned among the various funds of
22 the State and other employers, whether trust, federal, or other
23 funds, in accordance with actuarial procedures approved by the
24 Board. State of Illinois contributions for employers receiving
25 State appropriations for personal services shall be payable
26 from appropriations made to the employers or to the System. The

1 contributions for Class I community colleges covering earnings
2 other than those paid from trust and federal funds, shall be
3 payable solely from appropriations to the Illinois Community
4 College Board or the System for employer contributions.

5 (d) Beginning in State fiscal year 1996, the required State
6 contributions to the System shall be appropriated directly to
7 the System and shall be payable through vouchers issued in
8 accordance with subsection (c) of Section 15-165, except as
9 provided in subsection (g).

10 (e) The State Comptroller shall draw warrants payable to
11 the System upon proper certification by the System or by the
12 employer in accordance with the appropriation laws and this
13 Code.

14 (f) Normal costs under this Section means liability for
15 pensions and other benefits which accrues to the System because
16 of the credits earned for service rendered by the participants
17 during the fiscal year and expenses of administering the
18 System, but shall not include the principal of or any
19 redemption premium or interest on any bonds issued by the Board
20 or any expenses incurred or deposits required in connection
21 therewith.

22 (g) ~~If For academic years beginning on or after June 1,~~
23 ~~2005 and before July 1, 2018 and for earnings paid to a~~
24 ~~participant under a contract or collective bargaining~~
25 ~~agreement entered into, amended, or renewed before the~~
26 ~~effective date of this amendatory Act of the 100th General~~

1 ~~Assembly, if~~ the amount of a participant's earnings for any
2 academic year used to determine the final rate of earnings,
3 determined on a full-time equivalent basis, exceeds the amount
4 of his or her earnings with the same employer for the previous
5 academic year, determined on a full-time equivalent basis, by
6 more than 6%, the participant's employer shall pay to the
7 System, in addition to all other payments required under this
8 Section and in accordance with guidelines established by the
9 System, the present value of the increase in benefits resulting
10 from the portion of the increase in earnings that is in excess
11 of 6%. This present value shall be computed by the System on
12 the basis of the actuarial assumptions and tables used in the
13 most recent actuarial valuation of the System that is available
14 at the time of the computation. The System may require the
15 employer to provide any pertinent information or
16 documentation.

17 Whenever it determines that a payment is or may be required
18 under this subsection (g), the System shall calculate the
19 amount of the payment and bill the employer for that amount.
20 The bill shall specify the calculations used to determine the
21 amount due. If the employer disputes the amount of the bill, it
22 may, within 30 days after receipt of the bill, apply to the
23 System in writing for a recalculation. The application must
24 specify in detail the grounds of the dispute and, if the
25 employer asserts that the calculation is subject to subsection
26 (h) or (i) of this Section ~~or that subsection (g 1) applies,~~

1 must include an affidavit setting forth and attesting to all
2 facts within the employer's knowledge that are pertinent to the
3 applicability of that subsection. Upon receiving a timely
4 application for recalculation, the System shall review the
5 application and, if appropriate, recalculate the amount due.

6 The employer contributions required under this subsection
7 (g) may be paid in the form of a lump sum within 90 days after
8 receipt of the bill. If the employer contributions are not paid
9 within 90 days after receipt of the bill, then interest will be
10 charged at a rate equal to the System's annual actuarially
11 assumed rate of return on investment compounded annually from
12 the 91st day after receipt of the bill. Payments must be
13 concluded within 3 years after the employer's receipt of the
14 bill.

15 When assessing payment for any amount due under this
16 subsection (g), the System shall include earnings, to the
17 extent not established by a participant under Section 15-113.11
18 or 15-113.12, that would have been paid to the participant had
19 the participant not taken (i) periods of voluntary or
20 involuntary furlough occurring on or after July 1, 2015 and on
21 or before June 30, 2017 or (ii) periods of voluntary pay
22 reduction in lieu of furlough occurring on or after July 1,
23 2015 and on or before June 30, 2017. Determining earnings that
24 would have been paid to a participant had the participant not
25 taken periods of voluntary or involuntary furlough or periods
26 of voluntary pay reduction shall be the responsibility of the

1 employer, and shall be reported in a manner prescribed by the
2 System.

3 This subsection (g) does not apply to (1) Tier 2 hybrid
4 plan members and (2) Tier 2 defined benefit members who first
5 participate under this Article on or after the implementation
6 date of the Optional Hybrid Plan.

7 (g-1) (Blank). ~~For academic years beginning on or after~~
8 ~~July 1, 2018 and for earnings paid to a participant under a~~
9 ~~contract or collective bargaining agreement entered into,~~
10 ~~amended, or renewed on or after the effective date of this~~
11 ~~amendatory Act of the 100th General Assembly, if the amount of~~
12 ~~a participant's earnings for any academic year used to~~
13 ~~determine the final rate of earnings, determined on a full-time~~
14 ~~equivalent basis, exceeds the amount of his or her earnings~~
15 ~~with the same employer for the previous academic year,~~
16 ~~determined on a full-time equivalent basis, by more than 3%,~~
17 ~~then the participant's employer shall pay to the System, in~~
18 ~~addition to all other payments required under this Section and~~
19 ~~in accordance with guidelines established by the System, the~~
20 ~~present value of the increase in benefits resulting from the~~
21 ~~portion of the increase in earnings that is in excess of 3%.~~
22 ~~This present value shall be computed by the System on the basis~~
23 ~~of the actuarial assumptions and tables used in the most recent~~
24 ~~actuarial valuation of the System that is available at the time~~
25 ~~of the computation. The System may require the employer to~~
26 ~~provide any pertinent information or documentation.~~

1 ~~Whenever it determines that a payment is or may be required~~
2 ~~under this subsection (g-1), the System shall calculate the~~
3 ~~amount of the payment and bill the employer for that amount.~~
4 ~~The bill shall specify the calculations used to determine the~~
5 ~~amount due. If the employer disputes the amount of the bill, it~~
6 ~~may, within 30 days after receipt of the bill, apply to the~~
7 ~~System in writing for a recalculation. The application must~~
8 ~~specify in detail the grounds of the dispute and, if the~~
9 ~~employer asserts that subsection (g) of this Section applies,~~
10 ~~must include an affidavit setting forth and attesting to all~~
11 ~~facts within the employer's knowledge that are pertinent to the~~
12 ~~applicability of subsection (g). Upon receiving a timely~~
13 ~~application for recalculation, the System shall review the~~
14 ~~application and, if appropriate, recalculate the amount due.~~

15 ~~The employer contributions required under this subsection~~
16 ~~(g-1) may be paid in the form of a lump sum within 90 days after~~
17 ~~receipt of the bill. If the employer contributions are not paid~~
18 ~~within 90 days after receipt of the bill, then interest shall~~
19 ~~be charged at a rate equal to the System's annual actuarially~~
20 ~~assumed rate of return on investment compounded annually from~~
21 ~~the 91st day after receipt of the bill. Payments must be~~
22 ~~concluded within 3 years after the employer's receipt of the~~
23 ~~bill.~~

24 ~~This subsection (g-1) does not apply to (1) Tier 2 hybrid~~
25 ~~plan members and (2) Tier 2 defined benefit members who first~~
26 ~~participate under this Article on or after the implementation~~

1 ~~date of the Optional Hybrid Plan.~~

2 (h) This subsection (h) applies only to payments made or
3 salary increases given on or after June 1, 2005 but before July
4 1, 2011. The changes made by Public Act 94-1057 shall not
5 require the System to refund any payments received before July
6 31, 2006 (the effective date of Public Act 94-1057).

7 When assessing payment for any amount due under subsection
8 (g), the System shall exclude earnings increases paid to
9 participants under contracts or collective bargaining
10 agreements entered into, amended, or renewed before June 1,
11 2005.

12 When assessing payment for any amount due under subsection
13 (g), the System shall exclude earnings increases paid to a
14 participant at a time when the participant is 10 or more years
15 from retirement eligibility under Section 15-135.

16 When assessing payment for any amount due under subsection
17 (g), the System shall exclude earnings increases resulting from
18 overload work, including a contract for summer teaching, or
19 overtime when the employer has certified to the System, and the
20 System has approved the certification, that: (i) in the case of
21 overloads (A) the overload work is for the sole purpose of
22 academic instruction in excess of the standard number of
23 instruction hours for a full-time employee occurring during the
24 academic year that the overload is paid and (B) the earnings
25 increases are equal to or less than the rate of pay for
26 academic instruction computed using the participant's current

1 salary rate and work schedule; and (ii) in the case of
2 overtime, the overtime was necessary for the educational
3 mission.

4 When assessing payment for any amount due under subsection
5 (g), the System shall exclude any earnings increase resulting
6 from (i) a promotion for which the employee moves from one
7 classification to a higher classification under the State
8 Universities Civil Service System, (ii) a promotion in academic
9 rank for a tenured or tenure-track faculty position, or (iii) a
10 promotion that the Illinois Community College Board has
11 recommended in accordance with subsection (k) of this Section.
12 These earnings increases shall be excluded only if the
13 promotion is to a position that has existed and been filled by
14 a member for no less than one complete academic year and the
15 earnings increase as a result of the promotion is an increase
16 that results in an amount no greater than the average salary
17 paid for other similar positions.

18 (i) When assessing payment for any amount due under
19 subsection (g), the System shall exclude any salary increase
20 described in subsection (h) of this Section given on or after
21 July 1, 2011 but before July 1, 2014 under a contract or
22 collective bargaining agreement entered into, amended, or
23 renewed on or after June 1, 2005 but before July 1, 2011.
24 Notwithstanding any other provision of this Section, any
25 payments made or salary increases given after June 30, 2014
26 shall be used in assessing payment for any amount due under

1 subsection (g) of this Section.

2 (j) The System shall prepare a report and file copies of
3 the report with the Governor and the General Assembly by
4 January 1, 2007 that contains all of the following information:

5 (1) The number of recalculations required by the
6 changes made to this Section by Public Act 94-1057 for each
7 employer.

8 (2) The dollar amount by which each employer's
9 contribution to the System was changed due to
10 recalculations required by Public Act 94-1057.

11 (3) The total amount the System received from each
12 employer as a result of the changes made to this Section by
13 Public Act 94-4.

14 (4) The increase in the required State contribution
15 resulting from the changes made to this Section by Public
16 Act 94-1057.

17 (j-5) For State fiscal years beginning on or after July 1,
18 2017, if the amount of a participant's earnings for any State
19 fiscal year exceeds the amount of the salary set by law for the
20 Governor that is in effect on July 1 of that fiscal year, the
21 participant's employer shall pay to the System, in addition to
22 all other payments required under this Section and in
23 accordance with guidelines established by the System, an amount
24 determined by the System to be equal to the employer normal
25 cost, as established by the System and expressed as a total
26 percentage of payroll, multiplied by the amount of earnings in

1 excess of the amount of the salary set by law for the Governor.
2 This amount shall be computed by the System on the basis of the
3 actuarial assumptions and tables used in the most recent
4 actuarial valuation of the System that is available at the time
5 of the computation. The System may require the employer to
6 provide any pertinent information or documentation.

7 Whenever it determines that a payment is or may be required
8 under this subsection, the System shall calculate the amount of
9 the payment and bill the employer for that amount. The bill
10 shall specify the calculation used to determine the amount due.
11 If the employer disputes the amount of the bill, it may, within
12 30 days after receipt of the bill, apply to the System in
13 writing for a recalculation. The application must specify in
14 detail the grounds of the dispute. Upon receiving a timely
15 application for recalculation, the System shall review the
16 application and, if appropriate, recalculate the amount due.

17 The employer contributions required under this subsection
18 may be paid in the form of a lump sum within 90 days after
19 issuance of the bill. If the employer contributions are not
20 paid within 90 days after issuance of the bill, then interest
21 will be charged at a rate equal to the System's annual
22 actuarially assumed rate of return on investment compounded
23 annually from the 91st day after issuance of the bill. All
24 payments must be received within 3 years after issuance of the
25 bill. If the employer fails to make complete payment, including
26 applicable interest, within 3 years, then the System may, after

1 giving notice to the employer, certify the delinquent amount to
2 the State Comptroller, and the Comptroller shall thereupon
3 deduct the certified delinquent amount from State funds payable
4 to the employer and pay them instead to the System.

5 This subsection (j-5) does not apply to a participant's
6 earnings to the extent an employer pays the employer normal
7 cost of such earnings.

8 The changes made to this subsection (j-5) by Public Act
9 100-624 ~~this amendatory Act of the 100th General Assembly~~ are
10 intended to apply retroactively to July 6, 2017 (the effective
11 date of Public Act 100-23).

12 (k) The Illinois Community College Board shall adopt rules
13 for recommending lists of promotional positions submitted to
14 the Board by community colleges and for reviewing the
15 promotional lists on an annual basis. When recommending
16 promotional lists, the Board shall consider the similarity of
17 the positions submitted to those positions recognized for State
18 universities by the State Universities Civil Service System.
19 The Illinois Community College Board shall file a copy of its
20 findings with the System. The System shall consider the
21 findings of the Illinois Community College Board when making
22 determinations under this Section. The System shall not exclude
23 any earnings increases resulting from a promotion when the
24 promotion was not submitted by a community college. Nothing in
25 this subsection (k) shall require any community college to
26 submit any information to the Community College Board.

1 (1) For purposes of determining the required State
2 contribution to the System, the value of the System's assets
3 shall be equal to the actuarial value of the System's assets,
4 which shall be calculated as follows:

5 As of June 30, 2008, the actuarial value of the System's
6 assets shall be equal to the market value of the assets as of
7 that date. In determining the actuarial value of the System's
8 assets for fiscal years after June 30, 2008, any actuarial
9 gains or losses from investment return incurred in a fiscal
10 year shall be recognized in equal annual amounts over the
11 5-year period following that fiscal year.

12 (m) For purposes of determining the required State
13 contribution to the system for a particular year, the actuarial
14 value of assets shall be assumed to earn a rate of return equal
15 to the system's actuarially assumed rate of return.

16 (Source: P.A. 99-897, eff. 1-1-17; 100-23, eff. 7-6-17;
17 100-587, eff. 6-4-18; 100-624, eff. 7-20-18; revised 7-30-18.)

18 (40 ILCS 5/16-158) (from Ch. 108 1/2, par. 16-158)

19 Sec. 16-158. Contributions by State and other employing
20 units.

21 (a) The State shall make contributions to the System by
22 means of appropriations from the Common School Fund and other
23 State funds of amounts which, together with other employer
24 contributions, employee contributions, investment income, and
25 other income, will be sufficient to meet the cost of

1 maintaining and administering the System on a 90% funded basis
2 in accordance with actuarial recommendations.

3 The Board shall determine the amount of State contributions
4 required for each fiscal year on the basis of the actuarial
5 tables and other assumptions adopted by the Board and the
6 recommendations of the actuary, using the formula in subsection
7 (b-3).

8 (a-1) Annually, on or before November 15 until November 15,
9 2011, the Board shall certify to the Governor the amount of the
10 required State contribution for the coming fiscal year. The
11 certification under this subsection (a-1) shall include a copy
12 of the actuarial recommendations upon which it is based and
13 shall specifically identify the System's projected State
14 normal cost for that fiscal year.

15 On or before May 1, 2004, the Board shall recalculate and
16 recertify to the Governor the amount of the required State
17 contribution to the System for State fiscal year 2005, taking
18 into account the amounts appropriated to and received by the
19 System under subsection (d) of Section 7.2 of the General
20 Obligation Bond Act.

21 On or before July 1, 2005, the Board shall recalculate and
22 recertify to the Governor the amount of the required State
23 contribution to the System for State fiscal year 2006, taking
24 into account the changes in required State contributions made
25 by Public Act 94-4.

26 On or before April 1, 2011, the Board shall recalculate and

1 recertify to the Governor the amount of the required State
2 contribution to the System for State fiscal year 2011, applying
3 the changes made by Public Act 96-889 to the System's assets
4 and liabilities as of June 30, 2009 as though Public Act 96-889
5 was approved on that date.

6 (a-5) On or before November 1 of each year, beginning
7 November 1, 2012, the Board shall submit to the State Actuary,
8 the Governor, and the General Assembly a proposed certification
9 of the amount of the required State contribution to the System
10 for the next fiscal year, along with all of the actuarial
11 assumptions, calculations, and data upon which that proposed
12 certification is based. On or before January 1 of each year,
13 beginning January 1, 2013, the State Actuary shall issue a
14 preliminary report concerning the proposed certification and
15 identifying, if necessary, recommended changes in actuarial
16 assumptions that the Board must consider before finalizing its
17 certification of the required State contributions. On or before
18 January 15, 2013 and each January 15 thereafter, the Board
19 shall certify to the Governor and the General Assembly the
20 amount of the required State contribution for the next fiscal
21 year. The Board's certification must note any deviations from
22 the State Actuary's recommended changes, the reason or reasons
23 for not following the State Actuary's recommended changes, and
24 the fiscal impact of not following the State Actuary's
25 recommended changes on the required State contribution.

26 (a-10) By November 1, 2017, the Board shall recalculate and

1 recertify to the State Actuary, the Governor, and the General
2 Assembly the amount of the State contribution to the System for
3 State fiscal year 2018, taking into account the changes in
4 required State contributions made by Public Act 100-23. The
5 State Actuary shall review the assumptions and valuations
6 underlying the Board's revised certification and issue a
7 preliminary report concerning the proposed recertification and
8 identifying, if necessary, recommended changes in actuarial
9 assumptions that the Board must consider before finalizing its
10 certification of the required State contributions. The Board's
11 final certification must note any deviations from the State
12 Actuary's recommended changes, the reason or reasons for not
13 following the State Actuary's recommended changes, and the
14 fiscal impact of not following the State Actuary's recommended
15 changes on the required State contribution.

16 (a-15) On or after June 15, 2019, but no later than June
17 30, 2019, the Board shall recalculate and recertify to the
18 Governor and the General Assembly the amount of the State
19 contribution to the System for State fiscal year 2019, taking
20 into account the changes in required State contributions made
21 by Public Act 100-587 ~~this amendatory Act of the 100th General~~
22 ~~Assembly~~. The recalculation shall be made using assumptions
23 adopted by the Board for the original fiscal year 2019
24 certification. The monthly voucher for the 12th month of fiscal
25 year 2019 shall be paid by the Comptroller after the
26 recertification required pursuant to this subsection is

1 submitted to the Governor, Comptroller, and General Assembly.
2 The recertification submitted to the General Assembly shall be
3 filed with the Clerk of the House of Representatives and the
4 Secretary of the Senate in electronic form only, in the manner
5 that the Clerk and the Secretary shall direct.

6 (b) Through State fiscal year 1995, the State contributions
7 shall be paid to the System in accordance with Section 18-7 of
8 the School Code.

9 (b-1) Beginning in State fiscal year 1996, on the 15th day
10 of each month, or as soon thereafter as may be practicable, the
11 Board shall submit vouchers for payment of State contributions
12 to the System, in a total monthly amount of one-twelfth of the
13 required annual State contribution certified under subsection
14 (a-1). From March 5, 2004 (the effective date of Public Act
15 93-665) through June 30, 2004, the Board shall not submit
16 vouchers for the remainder of fiscal year 2004 in excess of the
17 fiscal year 2004 certified contribution amount determined
18 under this Section after taking into consideration the transfer
19 to the System under subsection (a) of Section 6z-61 of the
20 State Finance Act. These vouchers shall be paid by the State
21 Comptroller and Treasurer by warrants drawn on the funds
22 appropriated to the System for that fiscal year.

23 If in any month the amount remaining unexpended from all
24 other appropriations to the System for the applicable fiscal
25 year (including the appropriations to the System under Section
26 8.12 of the State Finance Act and Section 1 of the State

1 Pension Funds Continuing Appropriation Act) is less than the
2 amount lawfully vouchered under this subsection, the
3 difference shall be paid from the Common School Fund under the
4 continuing appropriation authority provided in Section 1.1 of
5 the State Pension Funds Continuing Appropriation Act.

6 (b-2) Allocations from the Common School Fund apportioned
7 to school districts not coming under this System shall not be
8 diminished or affected by the provisions of this Article.

9 (b-3) For State fiscal years 2012 through 2045, the minimum
10 contribution to the System to be made by the State for each
11 fiscal year shall be an amount determined by the System to be
12 sufficient to bring the total assets of the System up to 90% of
13 the total actuarial liabilities of the System by the end of
14 State fiscal year 2045. In making these determinations, the
15 required State contribution shall be calculated each year as a
16 level percentage of payroll over the years remaining to and
17 including fiscal year 2045 and shall be determined under the
18 projected unit credit actuarial cost method.

19 For each of State fiscal years 2018, 2019, and 2020, the
20 State shall make an additional contribution to the System equal
21 to 2% of the total payroll of each employee who is deemed to
22 have elected the benefits under Section 1-161 or who has made
23 the election under subsection (c) of Section 1-161.

24 A change in an actuarial or investment assumption that
25 increases or decreases the required State contribution and
26 first applies in State fiscal year 2018 or thereafter shall be

1 implemented in equal annual amounts over a 5-year period
2 beginning in the State fiscal year in which the actuarial
3 change first applies to the required State contribution.

4 A change in an actuarial or investment assumption that
5 increases or decreases the required State contribution and
6 first applied to the State contribution in fiscal year 2014,
7 2015, 2016, or 2017 shall be implemented:

8 (i) as already applied in State fiscal years before
9 2018; and

10 (ii) in the portion of the 5-year period beginning in
11 the State fiscal year in which the actuarial change first
12 applied that occurs in State fiscal year 2018 or
13 thereafter, by calculating the change in equal annual
14 amounts over that 5-year period and then implementing it at
15 the resulting annual rate in each of the remaining fiscal
16 years in that 5-year period.

17 For State fiscal years 1996 through 2005, the State
18 contribution to the System, as a percentage of the applicable
19 employee payroll, shall be increased in equal annual increments
20 so that by State fiscal year 2011, the State is contributing at
21 the rate required under this Section; except that in the
22 following specified State fiscal years, the State contribution
23 to the System shall not be less than the following indicated
24 percentages of the applicable employee payroll, even if the
25 indicated percentage will produce a State contribution in
26 excess of the amount otherwise required under this subsection

1 and subsection (a), and notwithstanding any contrary
2 certification made under subsection (a-1) before May 27, 1998
3 (the effective date of Public Act 90-582): 10.02% in FY 1999;
4 10.77% in FY 2000; 11.47% in FY 2001; 12.16% in FY 2002; 12.86%
5 in FY 2003; and 13.56% in FY 2004.

6 Notwithstanding any other provision of this Article, the
7 total required State contribution for State fiscal year 2006 is
8 \$534,627,700.

9 Notwithstanding any other provision of this Article, the
10 total required State contribution for State fiscal year 2007 is
11 \$738,014,500.

12 For each of State fiscal years 2008 through 2009, the State
13 contribution to the System, as a percentage of the applicable
14 employee payroll, shall be increased in equal annual increments
15 from the required State contribution for State fiscal year
16 2007, so that by State fiscal year 2011, the State is
17 contributing at the rate otherwise required under this Section.

18 Notwithstanding any other provision of this Article, the
19 total required State contribution for State fiscal year 2010 is
20 \$2,089,268,000 and shall be made from the proceeds of bonds
21 sold in fiscal year 2010 pursuant to Section 7.2 of the General
22 Obligation Bond Act, less (i) the pro rata share of bond sale
23 expenses determined by the System's share of total bond
24 proceeds, (ii) any amounts received from the Common School Fund
25 in fiscal year 2010, and (iii) any reduction in bond proceeds
26 due to the issuance of discounted bonds, if applicable.

1 Notwithstanding any other provision of this Article, the
2 total required State contribution for State fiscal year 2011 is
3 the amount recertified by the System on or before April 1, 2011
4 pursuant to subsection (a-1) of this Section and shall be made
5 from the proceeds of bonds sold in fiscal year 2011 pursuant to
6 Section 7.2 of the General Obligation Bond Act, less (i) the
7 pro rata share of bond sale expenses determined by the System's
8 share of total bond proceeds, (ii) any amounts received from
9 the Common School Fund in fiscal year 2011, and (iii) any
10 reduction in bond proceeds due to the issuance of discounted
11 bonds, if applicable. This amount shall include, in addition to
12 the amount certified by the System, an amount necessary to meet
13 employer contributions required by the State as an employer
14 under paragraph (e) of this Section, which may also be used by
15 the System for contributions required by paragraph (a) of
16 Section 16-127.

17 Beginning in State fiscal year 2046, the minimum State
18 contribution for each fiscal year shall be the amount needed to
19 maintain the total assets of the System at 90% of the total
20 actuarial liabilities of the System.

21 Amounts received by the System pursuant to Section 25 of
22 the Budget Stabilization Act or Section 8.12 of the State
23 Finance Act in any fiscal year do not reduce and do not
24 constitute payment of any portion of the minimum State
25 contribution required under this Article in that fiscal year.
26 Such amounts shall not reduce, and shall not be included in the

1 calculation of, the required State contributions under this
2 Article in any future year until the System has reached a
3 funding ratio of at least 90%. A reference in this Article to
4 the "required State contribution" or any substantially similar
5 term does not include or apply to any amounts payable to the
6 System under Section 25 of the Budget Stabilization Act.

7 Notwithstanding any other provision of this Section, the
8 required State contribution for State fiscal year 2005 and for
9 fiscal year 2008 and each fiscal year thereafter, as calculated
10 under this Section and certified under subsection (a-1), shall
11 not exceed an amount equal to (i) the amount of the required
12 State contribution that would have been calculated under this
13 Section for that fiscal year if the System had not received any
14 payments under subsection (d) of Section 7.2 of the General
15 Obligation Bond Act, minus (ii) the portion of the State's
16 total debt service payments for that fiscal year on the bonds
17 issued in fiscal year 2003 for the purposes of that Section
18 7.2, as determined and certified by the Comptroller, that is
19 the same as the System's portion of the total moneys
20 distributed under subsection (d) of Section 7.2 of the General
21 Obligation Bond Act. In determining this maximum for State
22 fiscal years 2008 through 2010, however, the amount referred to
23 in item (i) shall be increased, as a percentage of the
24 applicable employee payroll, in equal increments calculated
25 from the sum of the required State contribution for State
26 fiscal year 2007 plus the applicable portion of the State's

1 total debt service payments for fiscal year 2007 on the bonds
2 issued in fiscal year 2003 for the purposes of Section 7.2 of
3 the General Obligation Bond Act, so that, by State fiscal year
4 2011, the State is contributing at the rate otherwise required
5 under this Section.

6 (b-4) Beginning in fiscal year 2018, each employer under
7 this Article shall pay to the System a required contribution
8 determined as a percentage of projected payroll and sufficient
9 to produce an annual amount equal to:

10 (i) for each of fiscal years 2018, 2019, and 2020, the
11 defined benefit normal cost of the defined benefit plan,
12 less the employee contribution, for each employee of that
13 employer who has elected or who is deemed to have elected
14 the benefits under Section 1-161 or who has made the
15 election under subsection (b) of Section 1-161; for fiscal
16 year 2021 and each fiscal year thereafter, the defined
17 benefit normal cost of the defined benefit plan, less the
18 employee contribution, plus 2%, for each employee of that
19 employer who has elected or who is deemed to have elected
20 the benefits under Section 1-161 or who has made the
21 election under subsection (b) of Section 1-161; plus

22 (ii) the amount required for that fiscal year to
23 amortize any unfunded actuarial accrued liability
24 associated with the present value of liabilities
25 attributable to the employer's account under Section
26 16-158.3, determined as a level percentage of payroll over

1 a 30-year rolling amortization period.

2 In determining contributions required under item (i) of
3 this subsection, the System shall determine an aggregate rate
4 for all employers, expressed as a percentage of projected
5 payroll.

6 In determining the contributions required under item (ii)
7 of this subsection, the amount shall be computed by the System
8 on the basis of the actuarial assumptions and tables used in
9 the most recent actuarial valuation of the System that is
10 available at the time of the computation.

11 The contributions required under this subsection (b-4)
12 shall be paid by an employer concurrently with that employer's
13 payroll payment period. The State, as the actual employer of an
14 employee, shall make the required contributions under this
15 subsection.

16 (c) Payment of the required State contributions and of all
17 pensions, retirement annuities, death benefits, refunds, and
18 other benefits granted under or assumed by this System, and all
19 expenses in connection with the administration and operation
20 thereof, are obligations of the State.

21 If members are paid from special trust or federal funds
22 which are administered by the employing unit, whether school
23 district or other unit, the employing unit shall pay to the
24 System from such funds the full accruing retirement costs based
25 upon that service, which, beginning July 1, 2017, shall be at a
26 rate, expressed as a percentage of salary, equal to the total

1 employer's normal cost, expressed as a percentage of payroll,
2 as determined by the System. Employer contributions, based on
3 salary paid to members from federal funds, may be forwarded by
4 the distributing agency of the State of Illinois to the System
5 prior to allocation, in an amount determined in accordance with
6 guidelines established by such agency and the System. Any
7 contribution for fiscal year 2015 collected as a result of the
8 change made by Public Act 98-674 shall be considered a State
9 contribution under subsection (b-3) of this Section.

10 (d) Effective July 1, 1986, any employer of a teacher as
11 defined in paragraph (8) of Section 16-106 shall pay the
12 employer's normal cost of benefits based upon the teacher's
13 service, in addition to employee contributions, as determined
14 by the System. Such employer contributions shall be forwarded
15 monthly in accordance with guidelines established by the
16 System.

17 However, with respect to benefits granted under Section
18 16-133.4 or 16-133.5 to a teacher as defined in paragraph (8)
19 of Section 16-106, the employer's contribution shall be 12%
20 (rather than 20%) of the member's highest annual salary rate
21 for each year of creditable service granted, and the employer
22 shall also pay the required employee contribution on behalf of
23 the teacher. For the purposes of Sections 16-133.4 and
24 16-133.5, a teacher as defined in paragraph (8) of Section
25 16-106 who is serving in that capacity while on leave of
26 absence from another employer under this Article shall not be

1 considered an employee of the employer from which the teacher
2 is on leave.

3 (e) Beginning July 1, 1998, every employer of a teacher
4 shall pay to the System an employer contribution computed as
5 follows:

6 (1) Beginning July 1, 1998 through June 30, 1999, the
7 employer contribution shall be equal to 0.3% of each
8 teacher's salary.

9 (2) Beginning July 1, 1999 and thereafter, the employer
10 contribution shall be equal to 0.58% of each teacher's
11 salary.

12 The school district or other employing unit may pay these
13 employer contributions out of any source of funding available
14 for that purpose and shall forward the contributions to the
15 System on the schedule established for the payment of member
16 contributions.

17 These employer contributions are intended to offset a
18 portion of the cost to the System of the increases in
19 retirement benefits resulting from Public Act 90-582.

20 Each employer of teachers is entitled to a credit against
21 the contributions required under this subsection (e) with
22 respect to salaries paid to teachers for the period January 1,
23 2002 through June 30, 2003, equal to the amount paid by that
24 employer under subsection (a-5) of Section 6.6 of the State
25 Employees Group Insurance Act of 1971 with respect to salaries
26 paid to teachers for that period.

1 The additional 1% employee contribution required under
2 Section 16-152 by Public Act 90-582 is the responsibility of
3 the teacher and not the teacher's employer, unless the employer
4 agrees, through collective bargaining or otherwise, to make the
5 contribution on behalf of the teacher.

6 If an employer is required by a contract in effect on May
7 1, 1998 between the employer and an employee organization to
8 pay, on behalf of all its full-time employees covered by this
9 Article, all mandatory employee contributions required under
10 this Article, then the employer shall be excused from paying
11 the employer contribution required under this subsection (e)
12 for the balance of the term of that contract. The employer and
13 the employee organization shall jointly certify to the System
14 the existence of the contractual requirement, in such form as
15 the System may prescribe. This exclusion shall cease upon the
16 termination, extension, or renewal of the contract at any time
17 after May 1, 1998.

18 (f) ~~If For school years beginning on or after June 1, 2005~~
19 ~~and before July 1, 2018 and for salary paid to a teacher under~~
20 ~~a contract or collective bargaining agreement entered into,~~
21 ~~amended, or renewed before the effective date of this amendatory~~
22 ~~Act of the 100th General Assembly, if~~ the amount of a teacher's
23 salary for any school year used to determine final average
24 salary exceeds the member's annual full-time salary rate with
25 the same employer for the previous school year by more than 6%,
26 the teacher's employer shall pay to the System, in addition to

1 all other payments required under this Section and in
2 accordance with guidelines established by the System, the
3 present value of the increase in benefits resulting from the
4 portion of the increase in salary that is in excess of 6%. This
5 present value shall be computed by the System on the basis of
6 the actuarial assumptions and tables used in the most recent
7 actuarial valuation of the System that is available at the time
8 of the computation. If a teacher's salary for the 2005-2006
9 school year is used to determine final average salary under
10 this subsection (f), then the changes made to this subsection
11 (f) by Public Act 94-1057 shall apply in calculating whether
12 the increase in his or her salary is in excess of 6%. For the
13 purposes of this Section, change in employment under Section
14 10-21.12 of the School Code on or after June 1, 2005 shall
15 constitute a change in employer. The System may require the
16 employer to provide any pertinent information or
17 documentation. The changes made to this subsection (f) by
18 Public Act 94-1111 apply without regard to whether the teacher
19 was in service on or after its effective date.

20 Whenever it determines that a payment is or may be required
21 under this subsection, the System shall calculate the amount of
22 the payment and bill the employer for that amount. The bill
23 shall specify the calculations used to determine the amount
24 due. If the employer disputes the amount of the bill, it may,
25 within 30 days after receipt of the bill, apply to the System
26 in writing for a recalculation. The application must specify in

1 detail the grounds of the dispute and, if the employer asserts
2 that the calculation is subject to subsection (g) or (h) of
3 this Section ~~or that subsection (f-1) of this Section applies,~~
4 must include an affidavit setting forth and attesting to all
5 facts within the employer's knowledge that are pertinent to the
6 applicability of that subsection. Upon receiving a timely
7 application for recalculation, the System shall review the
8 application and, if appropriate, recalculate the amount due.

9 The employer contributions required under this subsection
10 (f) may be paid in the form of a lump sum within 90 days after
11 receipt of the bill. If the employer contributions are not paid
12 within 90 days after receipt of the bill, then interest will be
13 charged at a rate equal to the System's annual actuarially
14 assumed rate of return on investment compounded annually from
15 the 91st day after receipt of the bill. Payments must be
16 concluded within 3 years after the employer's receipt of the
17 bill.

18 (f-1) (Blank). ~~For school years beginning on or after July~~
19 ~~1, 2018 and for salary paid to a teacher under a contract or~~
20 ~~collective bargaining agreement entered into, amended, or~~
21 ~~renewed on or after the effective date of this amendatory Act~~
22 ~~of the 100th General Assembly, if the amount of a teacher's~~
23 ~~salary for any school year used to determine final average~~
24 ~~salary exceeds the member's annual full-time salary rate with~~
25 ~~the same employer for the previous school year by more than 3%,~~
26 ~~then the teacher's employer shall pay to the System, in~~

1 ~~addition to all other payments required under this Section and~~
2 ~~in accordance with guidelines established by the System, the~~
3 ~~present value of the increase in benefits resulting from the~~
4 ~~portion of the increase in salary that is in excess of 3%. This~~
5 ~~present value shall be computed by the System on the basis of~~
6 ~~the actuarial assumptions and tables used in the most recent~~
7 ~~actuarial valuation of the System that is available at the time~~
8 ~~of the computation. The System may require the employer to~~
9 ~~provide any pertinent information or documentation.~~

10 ~~Whenever it determines that a payment is or may be required~~
11 ~~under this subsection (f-1), the System shall calculate the~~
12 ~~amount of the payment and bill the employer for that amount.~~
13 ~~The bill shall specify the calculations used to determine the~~
14 ~~amount due. If the employer disputes the amount of the bill, it~~
15 ~~shall, within 30 days after receipt of the bill, apply to the~~
16 ~~System in writing for a recalculation. The application must~~
17 ~~specify in detail the grounds of the dispute and, if the~~
18 ~~employer asserts that subsection (f) of this Section applies,~~
19 ~~must include an affidavit setting forth and attesting to all~~
20 ~~facts within the employer's knowledge that are pertinent to the~~
21 ~~applicability of subsection (f). Upon receiving a timely~~
22 ~~application for recalculation, the System shall review the~~
23 ~~application and, if appropriate, recalculate the amount due.~~

24 ~~The employer contributions required under this subsection~~
25 ~~(f-1) may be paid in the form of a lump sum within 90 days after~~
26 ~~receipt of the bill. If the employer contributions are not paid~~

1 ~~within 90 days after receipt of the bill, then interest shall~~
2 ~~be charged at a rate equal to the System's annual actuarially~~
3 ~~assumed rate of return on investment compounded annually from~~
4 ~~the 91st day after receipt of the bill. Payments must be~~
5 ~~concluded within 3 years after the employer's receipt of the~~
6 ~~bill.~~

7 (g) This subsection (g) applies only to payments made or
8 salary increases given on or after June 1, 2005 but before July
9 1, 2011. The changes made by Public Act 94-1057 shall not
10 require the System to refund any payments received before July
11 31, 2006 (the effective date of Public Act 94-1057).

12 When assessing payment for any amount due under subsection
13 (f), the System shall exclude salary increases paid to teachers
14 under contracts or collective bargaining agreements entered
15 into, amended, or renewed before June 1, 2005.

16 When assessing payment for any amount due under subsection
17 (f), the System shall exclude salary increases paid to a
18 teacher at a time when the teacher is 10 or more years from
19 retirement eligibility under Section 16-132 or 16-133.2.

20 When assessing payment for any amount due under subsection
21 (f), the System shall exclude salary increases resulting from
22 overload work, including summer school, when the school
23 district has certified to the System, and the System has
24 approved the certification, that (i) the overload work is for
25 the sole purpose of classroom instruction in excess of the
26 standard number of classes for a full-time teacher in a school

1 district during a school year and (ii) the salary increases are
2 equal to or less than the rate of pay for classroom instruction
3 computed on the teacher's current salary and work schedule.

4 When assessing payment for any amount due under subsection
5 (f), the System shall exclude a salary increase resulting from
6 a promotion (i) for which the employee is required to hold a
7 certificate or supervisory endorsement issued by the State
8 Teacher Certification Board that is a different certification
9 or supervisory endorsement than is required for the teacher's
10 previous position and (ii) to a position that has existed and
11 been filled by a member for no less than one complete academic
12 year and the salary increase from the promotion is an increase
13 that results in an amount no greater than the lesser of the
14 average salary paid for other similar positions in the district
15 requiring the same certification or the amount stipulated in
16 the collective bargaining agreement for a similar position
17 requiring the same certification.

18 When assessing payment for any amount due under subsection
19 (f), the System shall exclude any payment to the teacher from
20 the State of Illinois or the State Board of Education over
21 which the employer does not have discretion, notwithstanding
22 that the payment is included in the computation of final
23 average salary.

24 (h) When assessing payment for any amount due under
25 subsection (f), the System shall exclude any salary increase
26 described in subsection (g) of this Section given on or after

1 July 1, 2011 but before July 1, 2014 under a contract or
2 collective bargaining agreement entered into, amended, or
3 renewed on or after June 1, 2005 but before July 1, 2011.
4 Notwithstanding any other provision of this Section, any
5 payments made or salary increases given after June 30, 2014
6 shall be used in assessing payment for any amount due under
7 subsection (f) of this Section.

8 (i) The System shall prepare a report and file copies of
9 the report with the Governor and the General Assembly by
10 January 1, 2007 that contains all of the following information:

11 (1) The number of recalculations required by the
12 changes made to this Section by Public Act 94-1057 for each
13 employer.

14 (2) The dollar amount by which each employer's
15 contribution to the System was changed due to
16 recalculations required by Public Act 94-1057.

17 (3) The total amount the System received from each
18 employer as a result of the changes made to this Section by
19 Public Act 94-4.

20 (4) The increase in the required State contribution
21 resulting from the changes made to this Section by Public
22 Act 94-1057.

23 (i-5) For school years beginning on or after July 1, 2017,
24 if the amount of a participant's salary for any school year
25 exceeds the amount of the salary set for the Governor, the
26 participant's employer shall pay to the System, in addition to

1 all other payments required under this Section and in
2 accordance with guidelines established by the System, an amount
3 determined by the System to be equal to the employer normal
4 cost, as established by the System and expressed as a total
5 percentage of payroll, multiplied by the amount of salary in
6 excess of the amount of the salary set for the Governor. This
7 amount shall be computed by the System on the basis of the
8 actuarial assumptions and tables used in the most recent
9 actuarial valuation of the System that is available at the time
10 of the computation. The System may require the employer to
11 provide any pertinent information or documentation.

12 Whenever it determines that a payment is or may be required
13 under this subsection, the System shall calculate the amount of
14 the payment and bill the employer for that amount. The bill
15 shall specify the calculations used to determine the amount
16 due. If the employer disputes the amount of the bill, it may,
17 within 30 days after receipt of the bill, apply to the System
18 in writing for a recalculation. The application must specify in
19 detail the grounds of the dispute. Upon receiving a timely
20 application for recalculation, the System shall review the
21 application and, if appropriate, recalculate the amount due.

22 The employer contributions required under this subsection
23 may be paid in the form of a lump sum within 90 days after
24 receipt of the bill. If the employer contributions are not paid
25 within 90 days after receipt of the bill, then interest will be
26 charged at a rate equal to the System's annual actuarially

1 assumed rate of return on investment compounded annually from
2 the 91st day after receipt of the bill. Payments must be
3 concluded within 3 years after the employer's receipt of the
4 bill.

5 (j) For purposes of determining the required State
6 contribution to the System, the value of the System's assets
7 shall be equal to the actuarial value of the System's assets,
8 which shall be calculated as follows:

9 As of June 30, 2008, the actuarial value of the System's
10 assets shall be equal to the market value of the assets as of
11 that date. In determining the actuarial value of the System's
12 assets for fiscal years after June 30, 2008, any actuarial
13 gains or losses from investment return incurred in a fiscal
14 year shall be recognized in equal annual amounts over the
15 5-year period following that fiscal year.

16 (k) For purposes of determining the required State
17 contribution to the system for a particular year, the actuarial
18 value of assets shall be assumed to earn a rate of return equal
19 to the system's actuarially assumed rate of return.

20 (Source: P.A. 100-23, eff. 7-6-17; 100-340, eff. 8-25-17;
21 100-587, eff. 6-4-18; 100-624, eff. 7-20-18; 100-863, eff.
22 8-14-18; revised 10-4-18.)

23 Section 10. The School Code is amended by changing Sections
24 21B-20, 21B-30, 21B-35, 21B-50, 21B-55, and 27A-10 and by
25 adding Section 24-8.5 as follows:

1 (105 ILCS 5/21B-20)

2 Sec. 21B-20. Types of licenses. The State Board of
3 Education shall implement a system of educator licensure,
4 whereby individuals employed in school districts who are
5 required to be licensed must have one of the following
6 licenses: (i) a professional educator license; (ii) an educator
7 license with stipulations; (iii) a substitute teaching
8 license; or (iv) until June 30, 2023, a short-term substitute
9 teaching license. References in law regarding individuals
10 certified or certificated or required to be certified or
11 certificated under Article 21 of this Code shall also include
12 individuals licensed or required to be licensed under this
13 Article. The first year of all licenses ends on June 30
14 following one full year of the license being issued.

15 The State Board of Education, in consultation with the
16 State Educator Preparation and Licensure Board, may adopt such
17 rules as may be necessary to govern the requirements for
18 licenses and endorsements under this Section.

19 (1) Professional Educator License. Persons who (i)
20 have successfully completed an approved educator
21 preparation program and are recommended for licensure by
22 the Illinois institution offering the educator preparation
23 program, (ii) have successfully completed the required
24 testing under Section 21B-30 of this Code, (iii) have
25 successfully completed coursework on the psychology of,

1 the identification of, and the methods of instruction for
2 the exceptional child, including without limitation
3 children with learning disabilities, (iv) have
4 successfully completed coursework in methods of reading
5 and reading in the content area, and (v) have met all other
6 criteria established by rule of the State Board of
7 Education shall be issued a Professional Educator License.
8 All Professional Educator Licenses are valid until June 30
9 immediately following 5 years of the license being issued.
10 The Professional Educator License shall be endorsed with
11 specific areas and grade levels in which the individual is
12 eligible to practice.

13 Individuals can receive subsequent endorsements on the
14 Professional Educator License. Subsequent endorsements
15 shall require a minimum of 24 semester hours of coursework
16 in the endorsement area and passage of the applicable
17 content area test, unless otherwise specified by rule.

18 (2) Educator License with Stipulations. An Educator
19 License with Stipulations shall be issued an endorsement
20 that limits the license holder to one particular position
21 or does not require completion of an approved educator
22 program or both.

23 An individual with an Educator License with
24 Stipulations must not be employed by a school district or
25 any other entity to replace any presently employed teacher
26 who otherwise would not be replaced for any reason.

1 An Educator License with Stipulations may be issued
2 with the following endorsements:

3 (A) (Blank). ~~A A provisional educator endorsement~~
4 ~~for a service member or a spouse of a service member is~~
5 ~~valid until June 30 immediately following 3 years of~~
6 ~~the license being issued, provided that any remaining~~
7 ~~testing and coursework deficiencies are met under this~~
8 ~~Section. In this Section, "spouse of a service member"~~
9 ~~means any person who, at the time of application under~~
10 ~~this Section, is the spouse of an active duty member of~~
11 ~~the United States Armed Forces or any reserve component~~
12 ~~of the United States Armed Forces or the National Guard~~
13 ~~of any state, commonwealth, or territory of the United~~
14 ~~States or the District of Columbia.~~

15 ~~Except as otherwise provided under this~~
16 ~~subparagraph, a~~

17 (B) Alternative provisional educator. An
18 alternative provisional educator endorsement on an
19 Educator License with Stipulations may be issued to an
20 applicant who, at the time of applying for the
21 endorsement, has done all of the following:

22 (i) Graduated from a regionally accredited
23 college or university with a minimum of a
24 bachelor's degree.

25 (ii) Successfully completed the first phase of
26 the Alternative Educator Licensure Program for

1 Teachers, as described in Section 21B-50 of this
2 Code.

3 (iii) Passed a ~~test of basic skills and~~ content
4 area test, as required under Section 21B-30 of this
5 Code.

6 The alternative provisional educator endorsement is
7 valid for 2 years of teaching and may be renewed for a
8 third year by an individual meeting the requirements set
9 forth in Section 21B-50 of this Code.

10 (C) Alternative provisional superintendent. An
11 alternative provisional superintendent endorsement on
12 an Educator License with Stipulations entitles the
13 holder to serve only as a superintendent or assistant
14 superintendent in a school district's central office.
15 This endorsement may only be issued to an applicant
16 who, at the time of applying for the endorsement, has
17 done all of the following:

18 (i) Graduated from a regionally accredited
19 college or university with a minimum of a master's
20 degree in a management field other than education.

21 (ii) Been employed for a period of at least 5
22 years in a management level position in a field
23 other than education.

24 (iii) Successfully completed the first phase
25 of an alternative route to superintendent
26 endorsement program, as provided in Section 21B-55

1 of this Code.

2 (iv) Passed a ~~test of basic skills and~~ content
3 area test ~~tests~~ required under Section 21B-30 of
4 this Code.

5 The endorsement is valid for 2 fiscal years in
6 order to complete one full year of serving as a
7 superintendent or assistant superintendent.

8 (D) (Blank).

9 (E) Career and technical educator. A career and
10 technical educator endorsement on an Educator License
11 with Stipulations may be issued to an applicant who has
12 a minimum of 60 semester hours of coursework from a
13 regionally accredited institution of higher education
14 or an accredited trade and technical institution and
15 has a minimum of 2,000 hours of experience outside of
16 education in each area to be taught.

17 The career and technical educator endorsement on
18 an Educator License with Stipulations is valid until
19 June 30 immediately following 5 years of the
20 endorsement being issued and may be renewed. For
21 individuals who were issued the career and technical
22 educator endorsement on an Educator License with
23 Stipulations on or after January 1, 2015, the license
24 may be renewed if the individual passes a ~~test of basic~~
25 ~~skills or~~ test of work proficiency, as required under
26 Section 21B-30 of this Code.

1 An individual who holds a valid career and
2 technical educator endorsement on an Educator License
3 with Stipulations but does not hold a bachelor's degree
4 may substitute teach in career and technical education
5 classrooms.

6 (F) Part-time provisional career and technical
7 educator or provisional career and technical educator.
8 A part-time provisional career and technical educator
9 endorsement or a provisional career and technical
10 educator endorsement on an Educator License with
11 Stipulations may be issued to an applicant who has a
12 minimum of 8,000 hours of work experience in the skill
13 for which the applicant is seeking the endorsement. It
14 is the responsibility of each employing school board
15 and regional office of education to provide
16 verification, in writing, to the State Superintendent
17 of Education at the time the application is submitted
18 that no qualified teacher holding a Professional
19 Educator License or an Educator License with
20 Stipulations with a career and technical educator
21 endorsement is available and that actual circumstances
22 require such issuance.

23 The provisional career and technical educator
24 endorsement on an Educator License with Stipulations
25 is valid until June 30 immediately following 5 years of
26 the endorsement being issued and may be renewed for 5

1 years. For individuals who were issued the provisional
2 career and technical educator endorsement on an
3 Educator License with Stipulations on or after January
4 1, 2015, the license may be renewed if the individual
5 passes a ~~test of basic skills or~~ test of work
6 proficiency, as required under Section 21B-30 of this
7 Code.

8 A part-time provisional career and technical
9 educator endorsement on an Educator License with
10 Stipulations may be issued for teaching no more than 2
11 courses of study for grades 6 through 12. The part-time
12 provisional career and technical educator endorsement
13 on an Educator License with Stipulations is valid until
14 June 30 immediately following 5 years of the
15 endorsement being issued and may be renewed for 5 years
16 if the individual makes application for renewal.

17 An individual who holds a provisional or part-time
18 provisional career and technical educator endorsement
19 on an Educator License with Stipulations but does not
20 hold a bachelor's degree may substitute teach in career
21 and technical education classrooms.

22 (G) Transitional bilingual educator. A
23 transitional bilingual educator endorsement on an
24 Educator License with Stipulations may be issued for
25 the purpose of providing instruction in accordance
26 with Article 14C of this Code to an applicant who

1 provides satisfactory evidence that he or she meets all
2 of the following requirements:

3 (i) Possesses adequate speaking, reading, and
4 writing ability in the language other than English
5 in which transitional bilingual education is
6 offered.

7 (ii) Has the ability to successfully
8 communicate in English.

9 (iii) Either possessed, within 5 years
10 previous to his or her applying for a transitional
11 bilingual educator endorsement, a valid and
12 comparable teaching certificate or comparable
13 authorization issued by a foreign country or holds
14 a degree from an institution of higher learning in
15 a foreign country that the State Educator
16 Preparation and Licensure Board determines to be
17 the equivalent of a bachelor's degree from a
18 regionally accredited institution of higher
19 learning in the United States.

20 A transitional bilingual educator endorsement
21 shall be valid for prekindergarten through grade 12, is
22 valid until June 30 immediately following 5 years of
23 the endorsement being issued, and shall not be renewed.

24 Persons holding a transitional bilingual educator
25 endorsement shall not be employed to replace any
26 presently employed teacher who otherwise would not be

1 replaced for any reason.

2 (H) Language endorsement. In an effort to
3 alleviate the shortage of teachers speaking a language
4 other than English in the public schools, an individual
5 who holds an Educator License with Stipulations may
6 also apply for a language endorsement, provided that
7 the applicant provides satisfactory evidence that he
8 or she meets all of the following requirements:

9 (i) Holds a transitional bilingual
10 endorsement.

11 (ii) Has demonstrated proficiency in the
12 language for which the endorsement is to be issued
13 by passing the applicable language content test
14 required by the State Board of Education.

15 (iii) Holds a bachelor's degree or higher from
16 a regionally accredited institution of higher
17 education or, for individuals educated in a
18 country other than the United States, holds a
19 degree from an institution of higher learning in a
20 foreign country that the State Educator
21 Preparation and Licensure Board determines to be
22 the equivalent of a bachelor's degree from a
23 regionally accredited institution of higher
24 learning in the United States.

25 (iv) (Blank). ~~Has passed a test of basic~~
26 ~~skills, as required under Section 21B 30 of this~~

1 ~~Code.~~

2 A language endorsement on an Educator License with
3 Stipulations is valid for prekindergarten through
4 grade 12 for the same validity period as the
5 individual's transitional bilingual educator
6 endorsement on the Educator License with Stipulations
7 and shall not be renewed.

8 (I) Visiting international educator. A visiting
9 international educator endorsement on an Educator
10 License with Stipulations may be issued to an
11 individual who is being recruited by a particular
12 school district that conducts formal recruitment
13 programs outside of the United States to secure the
14 services of qualified teachers and who meets all of the
15 following requirements:

16 (i) Holds the equivalent of a minimum of a
17 bachelor's degree issued in the United States.

18 (ii) Has been prepared as a teacher at the
19 grade level for which he or she will be employed.

20 (iii) Has adequate content knowledge in the
21 subject to be taught.

22 (iv) Has an adequate command of the English
23 language.

24 A holder of a visiting international educator
25 endorsement on an Educator License with Stipulations
26 shall be permitted to teach in bilingual education

1 programs in the language that was the medium of
2 instruction in his or her teacher preparation program,
3 provided that he or she passes the English Language
4 Proficiency Examination or another test of writing
5 skills in English identified by the State Board of
6 Education, in consultation with the State Educator
7 Preparation and Licensure Board.

8 A visiting international educator endorsement on
9 an Educator License with Stipulations is valid for 3
10 years and shall not be renewed.

11 (J) Paraprofessional educator. A paraprofessional
12 educator endorsement on an Educator License with
13 Stipulations may be issued to an applicant who holds a
14 high school diploma or its recognized equivalent and
15 either holds an associate's degree or a minimum of 60
16 semester hours of credit from a regionally accredited
17 institution of higher education ~~or has passed a test of~~
18 ~~basic skills required under Section 21B-30 of this~~
19 ~~Code~~. The paraprofessional educator endorsement is
20 valid until June 30 immediately following 5 years of
21 the endorsement being issued and may be renewed through
22 application and payment of the appropriate fee, as
23 required under Section 21B-40 of this Code. An
24 individual who holds only a paraprofessional educator
25 endorsement is not subject to additional requirements
26 in order to renew the endorsement.

1 (K) Chief school business official. A chief school
2 business official endorsement on an Educator License
3 with Stipulations may be issued to an applicant who
4 qualifies by having a master's degree or higher, 2
5 years of full-time administrative experience in school
6 business management or 2 years of university-approved
7 practical experience, and a minimum of 24 semester
8 hours of graduate credit in a program approved by the
9 State Board of Education for the preparation of school
10 business administrators and by passage of the
11 applicable State tests, including an ~~a test of basic~~
12 ~~skills and~~ applicable content area test.

13 The chief school business official endorsement may
14 also be affixed to the Educator License with
15 Stipulations of any holder who qualifies by having a
16 master's degree in business administration, finance,
17 accounting, or public administration and who completes
18 an additional 6 semester hours of internship in school
19 business management from a regionally accredited
20 institution of higher education and passes the
21 applicable State tests, including an ~~a test of basic~~
22 ~~skills and~~ applicable content area test. This
23 endorsement shall be required for any individual
24 employed as a chief school business official.

25 The chief school business official endorsement on
26 an Educator License with Stipulations is valid until

1 June 30 immediately following 5 years of the
2 endorsement being issued and may be renewed if the
3 license holder completes renewal requirements as
4 required for individuals who hold a Professional
5 Educator License endorsed for chief school business
6 official under Section 21B-45 of this Code and such
7 rules as may be adopted by the State Board of
8 Education.

9 The State Board of Education shall adopt any rules
10 necessary to implement Public Act 100-288.

11 (L) Provisional in-state educator. A provisional
12 in-state educator endorsement on an Educator License
13 with Stipulations may be issued to a candidate who has
14 completed an Illinois-approved educator preparation
15 program at an Illinois institution of higher education
16 and who has not successfully completed an
17 evidence-based assessment of teacher effectiveness but
18 who meets all of the following requirements:

19 (i) Holds at least a bachelor's degree.

20 (ii) Has completed an approved educator
21 preparation program at an Illinois institution.

22 (iii) Has passed ~~an a test of basic skills and~~
23 applicable content area test, as required by
24 Section 21B-30 of this Code.

25 (iv) Has attempted an evidence-based
26 assessment of teacher effectiveness and received a

1 minimum score on that assessment, as established
2 by the State Board of Education in consultation
3 with the State Educator Preparation and Licensure
4 Board.

5 A provisional in-state educator endorsement on an
6 Educator License with Stipulations is valid for one
7 full fiscal year after the date of issuance and may not
8 be renewed.

9 (M) School support personnel intern. A school
10 support personnel intern endorsement on an Educator
11 License with Stipulations may be issued as specified by
12 rule.

13 (N) Special education area. A special education
14 area endorsement on an Educator License with
15 Stipulations may be issued as defined and specified by
16 rule.

17 (3) Substitute Teaching License. A Substitute Teaching
18 License may be issued to qualified applicants for
19 substitute teaching in all grades of the public schools,
20 prekindergarten through grade 12. Substitute Teaching
21 Licenses are not eligible for endorsements. Applicants for
22 a Substitute Teaching License must hold a bachelor's degree
23 or higher from a regionally accredited institution of
24 higher education.

25 Substitute Teaching Licenses are valid for 5 years.

26 Substitute Teaching Licenses are valid for substitute

1 teaching in every county of this State. If an individual
2 has had his or her Professional Educator License or
3 Educator License with Stipulations suspended or revoked,
4 then that individual is not eligible to obtain a Substitute
5 Teaching License.

6 A substitute teacher may only teach in the place of a
7 licensed teacher who is under contract with the employing
8 board. If, however, there is no licensed teacher under
9 contract because of an emergency situation, then a district
10 may employ a substitute teacher for no longer than 30
11 calendar days per each vacant position in the district if
12 the district notifies the appropriate regional office of
13 education within 5 business days after the employment of
14 the substitute teacher in the emergency situation. An
15 emergency situation is one in which an unforeseen vacancy
16 has occurred and (i) a teacher is unable to fulfill his or
17 her contractual duties or (ii) teacher capacity needs of
18 the district exceed previous indications, and the district
19 is actively engaged in advertising to hire a fully licensed
20 teacher for the vacant position.

21 There is no limit on the number of days that a
22 substitute teacher may teach in a single school district,
23 provided that no substitute teacher may teach for longer
24 than 90 school days for any one licensed teacher under
25 contract in the same school year. A substitute teacher who
26 holds a Professional Educator License or Educator License

1 with Stipulations shall not teach for more than 120 school
2 days for any one licensed teacher under contract in the
3 same school year. The limitations in this paragraph (3) on
4 the number of days a substitute teacher may be employed do
5 not apply to any school district operating under Article 34
6 of this Code.

7 A school district may not require an individual who
8 holds a valid Professional Educator License or Educator
9 License with Stipulations to seek or hold a Substitute
10 Teaching License to teach as a substitute teacher.

11 (4) Short-Term Substitute Teaching License. Beginning
12 on July 1, 2018 and until June 30, 2023, the State Board of
13 Education may issue a Short-Term Substitute Teaching
14 License. A Short-Term Substitute Teaching License may be
15 issued to a qualified applicant for substitute teaching in
16 all grades of the public schools, prekindergarten through
17 grade 12. Short-Term Substitute Teaching Licenses are not
18 eligible for endorsements. Applicants for a Short-Term
19 Substitute Teaching License must hold an associate's
20 degree or have completed at least 60 credit hours from a
21 regionally accredited institution of higher education.

22 Short-Term Substitute Teaching Licenses are valid for
23 substitute teaching in every county of this State. If an
24 individual has had his or her Professional Educator License
25 or Educator License with Stipulations suspended or
26 revoked, then that individual is not eligible to obtain a

1 Short-Term Substitute Teaching License.

2 The provisions of Sections 10-21.9 and 34-18.5 of this
3 Code apply to short-term substitute teachers.

4 An individual holding a Short-Term Substitute Teaching
5 License may teach no more than 5 consecutive days per
6 licensed teacher who is under contract. For teacher
7 absences lasting 6 or more days per licensed teacher who is
8 under contract, a school district may not hire an
9 individual holding a Short-Term Substitute Teaching
10 License. An individual holding a Short-Term Substitute
11 Teaching License must complete the training program under
12 Section 10-20.67 or 34-18.60 of this Code to be eligible to
13 teach at a public school. This paragraph (4) is inoperative
14 on and after July 1, 2023.

15 (Source: P.A. 99-35, eff. 1-1-16; 99-58, eff. 7-16-15; 99-143,
16 eff. 7-27-15; 99-642, eff. 7-28-16; 99-920, eff. 1-6-17; 100-8,
17 eff. 7-1-17; 100-13, eff. 7-1-17; 100-288, eff. 8-24-17;
18 100-596, eff. 7-1-18; 100-821, eff. 9-3-18; 100-863, eff.
19 8-14-18; revised 10-1-18.)

20 (105 ILCS 5/21B-30)

21 Sec. 21B-30. Educator testing.

22 (a) This Section applies beginning on July 1, 2012.

23 (b) The State Board of Education, in consultation with the
24 State Educator Preparation and Licensure Board, shall design
25 and implement a system of examinations, which shall be required

1 prior to the issuance of educator licenses. These examinations
2 and indicators must be based on national and State professional
3 teaching standards, as determined by the State Board of
4 Education, in consultation with the State Educator Preparation
5 and Licensure Board. The State Board of Education may adopt
6 such rules as may be necessary to implement and administer this
7 Section.

8 (c) (Blank). ~~Except as otherwise provided in this Article,~~
9 ~~applicants seeking a Professional Educator License or an~~
10 ~~Educator License with Stipulations shall be required to pass a~~
11 ~~test of basic skills before the license is issued, unless the~~
12 ~~endorsement the individual is seeking does not require passage~~
13 ~~of the test. All applicants completing Illinois approved,~~
14 ~~teacher education or school service personnel preparation~~
15 ~~programs shall be required to pass the State Board of~~
16 ~~Education's recognized test of basic skills prior to starting~~
17 ~~their student teaching or starting the final semester of their~~
18 ~~internship. An institution of higher learning, as defined in~~
19 ~~the Higher Education Student Assistance Act, may not require an~~
20 ~~applicant to complete the State Board's recognized test of~~
21 ~~basic skills prior to the semester before student teaching or~~
22 ~~prior to the semester before starting the final semester of an~~
23 ~~internship. An individual who passes a test of basic skills~~
24 ~~does not need to do so again for subsequent endorsements or~~
25 ~~other educator licenses.~~

26 (d) All applicants seeking a State license shall be

1 required to pass a test of content area knowledge for each area
2 of endorsement for which there is an applicable test. There
3 shall be no exception to this requirement. No candidate shall
4 be allowed to student teach or serve as the teacher of record
5 until he or she has passed the applicable content area test.

6 (e) (Blank).

7 (f) Except as otherwise provided in this Article, beginning
8 on September 1, 2015, all candidates completing teacher
9 preparation programs in this State and all candidates subject
10 to Section 21B-35 of this Code are required to pass a teacher
11 performance assessment approved by the State Board of
12 Education, in consultation with the State Educator Preparation
13 and Licensure Board.

14 (g) ~~The Tests of basic skills and~~ content area knowledge
15 test and the teacher performance assessment shall be the tests
16 that from time to time are designated by the State Board of
17 Education, in consultation with the State Educator Preparation
18 and Licensure Board, and may be tests prepared by an
19 educational testing organization or tests designed by the State
20 Board of Education, in consultation with the State Educator
21 Preparation and Licensure Board. ~~The areas to be covered by a~~
22 ~~test of basic skills shall include reading, language arts, and~~
23 ~~mathematics.~~ The test of content area knowledge shall assess
24 content knowledge in a specific subject field. The tests must
25 be designed to be racially neutral to ensure that no person
26 taking the tests is discriminated against on the basis of race,

1 color, national origin, or other factors unrelated to the
2 person's ability to perform as a licensed employee. The score
3 required to pass the tests shall be fixed by the State Board of
4 Education, in consultation with the State Educator Preparation
5 and Licensure Board. The tests shall be administered not fewer
6 than 3 times a year at such time and place as may be designated
7 by the State Board of Education, in consultation with the State
8 Educator Preparation and Licensure Board.

9 The State Board shall implement a test or tests to assess
10 the speaking, reading, writing, and grammar skills of
11 applicants for an endorsement or a license issued under
12 subdivision (G) of paragraph (2) of Section 21B-20 of this Code
13 in the English language and in the language of the transitional
14 bilingual education program requested by the applicant.

15 (h) Except as provided in Section 34-6 of this Code, the
16 provisions of this Section shall apply equally in any school
17 district subject to Article 34 of this Code.

18 (i) The rules developed to implement and enforce the
19 testing requirements under this Section shall include without
20 limitation provisions governing test selection, test
21 validation and determination of a passing score,
22 administration of the tests, frequency of administration,
23 applicant fees, frequency of applicants taking the tests, the
24 years for which a score is valid, and appropriate special
25 accommodations. The State Board of Education shall develop such
26 rules as may be needed to ensure uniformity from year to year

1 in the level of difficulty for each form of an assessment.

2 (Source: P.A. 99-58, eff. 7-16-15; 99-657, eff. 7-28-16;
3 99-920, eff. 1-6-17; 100-596, eff. 7-1-18; 100-863, eff.
4 8-14-18; 100-932, eff. 8-17-18; revised 10-1-18.)

5 (105 ILCS 5/21B-35)

6 Sec. 21B-35. Minimum requirements for educators trained in
7 other states or countries.

8 (a) Any applicant who has not been entitled by an
9 Illinois-approved educator preparation program at an Illinois
10 institution of higher education applying for a Professional
11 Educator License endorsed in a teaching field or school support
12 personnel area must meet the following requirements:

13 (1) the applicant must:

14 (A) hold a comparable and valid educator license or
15 certificate, as defined by rule, with similar grade
16 level and content area credentials from another state,
17 with the State Board of Education having the authority
18 to determine what constitutes similar grade level and
19 content area credentials from another state; and

20 (B) have a bachelor's degree from a regionally
21 accredited institution of higher education; or

22 (2) the applicant must:

23 (A) have completed a state-approved program for
24 the licensure area sought, including coursework
25 concerning methods of instruction of the exceptional

1 child, methods of reading and reading in the content
2 area, and instructional strategies for English
3 learners;

4 (B) have a bachelor's degree from a regionally
5 accredited institution of higher education;

6 (C) have successfully met all Illinois examination
7 requirements, except that:

8 (i) (blank); ~~an applicant who has successfully~~
9 ~~completed a test of basic skills, as defined by~~
10 ~~rules, at the time of initial licensure in another~~
11 ~~state is not required to complete a test of basic~~
12 ~~skills;~~

13 (ii) an applicant who has successfully
14 completed a test of content, as defined by rules,
15 at the time of initial licensure in another state
16 is not required to complete a test of content; and

17 (iii) an applicant for a teaching endorsement
18 who has successfully completed an evidence-based
19 assessment of teacher effectiveness, as defined by
20 rules, at the time of initial licensure in another
21 state is not required to complete an
22 evidence-based assessment of teacher
23 effectiveness; and

24 (D) for an applicant for a teaching endorsement,
25 have completed student teaching or an equivalent
26 experience or, for an applicant for a school service

1 personnel endorsement, have completed an internship or
2 an equivalent experience.

3 (b) In order to receive a Professional Educator License
4 endorsed in a teaching field or school support personnel area,
5 applicants trained in another country must meet all of the
6 following requirements:

7 (1) Have completed a comparable education program in
8 another country.

9 (2) Have had transcripts evaluated by an evaluation
10 service approved by the State Superintendent of Education.

11 (3) Have a degree comparable to a degree from a
12 regionally accredited institution of higher education.

13 (4) Have completed coursework aligned to standards
14 concerning methods of instruction of the exceptional
15 child, methods of reading and reading in the content area,
16 and instructional strategies for English learners.

17 (5) (Blank).

18 (6) (Blank).

19 (7) Have successfully met all State licensure
20 examination requirements. ~~Applicants who have successfully~~
21 ~~completed a test of basic skills, as defined by rules, at~~
22 ~~the time of initial licensure in another country shall not~~
23 ~~be required to complete a test of basic skills.~~ Applicants
24 who have successfully completed a test of content, as
25 defined by rules, at the time of initial licensure in
26 another country shall not be required to complete a test of

1 content. Applicants for a teaching endorsement who have
2 successfully completed an evidence-based assessment of
3 teacher effectiveness, as defined by rules, at the time of
4 initial licensure in another country shall not be required
5 to complete an evidence-based assessment of teacher
6 effectiveness.

7 (8) Have completed student teaching or an equivalent
8 experience.

9 (b-5) All applicants who have not been entitled by an
10 Illinois-approved educator preparation program at an Illinois
11 institution of higher education and applicants trained in
12 another country applying for a Professional Educator License
13 endorsed for principal or superintendent must hold a master's
14 degree from a regionally accredited institution of higher
15 education and must hold a comparable and valid educator license
16 or certificate with similar grade level and subject matter
17 credentials, with the State Board of Education having the
18 authority to determine what constitutes similar grade level and
19 subject matter credentials from another state, or must meet all
20 of the following requirements:

21 (1) Have completed an educator preparation program
22 approved by another state or comparable educator program in
23 another country leading to the receipt of a license or
24 certificate for the Illinois endorsement sought.

25 (2) Have successfully met all State licensure
26 examination requirements, as required by Section 21B-30 of

1 this Code. ~~Applicants who have successfully completed a~~
2 ~~test of basic skills, as defined by rules, at the time of~~
3 ~~initial licensure in another state or country shall not be~~
4 ~~required to complete a test of basic skills.~~ Applicants who
5 have successfully completed a test of content, as defined
6 by rules, at the time of initial licensure in another state
7 or country shall not be required to complete a test of
8 content.

9 (2.5) Have completed an internship, as defined by rule.

10 (3) (Blank).

11 (4) Have completed coursework aligned to standards
12 concerning methods of instruction of the exceptional
13 child, methods of reading and reading in the content area,
14 and instructional strategies for English learners.

15 (5) Have completed a master's degree.

16 (6) Have successfully completed teaching, school
17 support, or administrative experience as defined by rule.

18 (b-7) All applicants who have not been entitled by an
19 Illinois-approved educator preparation program at an Illinois
20 institution of higher education applying for a Professional
21 Educator License endorsed for Director of Special Education
22 must hold a master's degree from a regionally accredited
23 institution of higher education and must hold a comparable and
24 valid educator license or certificate with similar grade level
25 and subject matter credentials, with the State Board of
26 Education having the authority to determine what constitutes

1 similar grade level and subject matter credentials from another
2 state, or must meet all of the following requirements:

3 (1) Have completed a master's degree.

4 (2) Have 2 years of full-time experience providing
5 special education services.

6 (3) Have successfully completed all examination
7 requirements, as required by Section 21B-30 of this Code.
8 Applicants who have successfully completed a test of
9 content, as identified by rules, at the time of initial
10 licensure in another state or country shall not be required
11 to complete a test of content.

12 (4) Have completed coursework aligned to standards
13 concerning methods of instruction of the exceptional
14 child, methods of reading and reading in the content area,
15 and instructional strategies for English learners.

16 (b-10) All applicants who have not been entitled by an
17 Illinois-approved educator preparation program at an Illinois
18 institution of higher education applying for a Professional
19 Educator License endorsed for chief school business official
20 must hold a master's degree from a regionally accredited
21 institution of higher education and must hold a comparable and
22 valid educator license or certificate with similar grade level
23 and subject matter credentials, with the State Board of
24 Education having the authority to determine what constitutes
25 similar grade level and subject matter credentials from another
26 state, or must meet all of the following requirements:

1 (1) Have completed a master's degree in school business
2 management, finance, or accounting.

3 (2) Have successfully completed an internship in
4 school business management or have 2 years of experience as
5 a school business administrator.

6 (3) Have successfully met all State examination
7 requirements, as required by Section 21B-30 of this Code.
8 Applicants who have successfully completed a test of
9 content, as identified by rules, at the time of initial
10 licensure in another state or country shall not be required
11 to complete a test of content.

12 (4) Have completed modules aligned to standards
13 concerning methods of instruction of the exceptional
14 child, methods of reading and reading in the content area,
15 and instructional strategies for English learners.

16 (c) The State Board of Education, in consultation with the
17 State Educator Preparation and Licensure Board, may adopt such
18 rules as may be necessary to implement this Section.

19 (Source: P.A. 99-58, eff. 7-16-15; 99-920, eff. 1-6-17; 100-13,
20 eff. 7-1-17; 100-584, eff. 4-6-18; 100-596, eff. 7-1-18.)

21 (105 ILCS 5/21B-50)

22 Sec. 21B-50. Alternative educator licensure program.

23 (a) There is established an alternative educator licensure
24 program, to be known as the Alternative Educator Licensure
25 Program for Teachers.

1 (b) The Alternative Educator Licensure Program for
2 Teachers may be offered by a recognized institution approved to
3 offer educator preparation programs by the State Board of
4 Education, in consultation with the State Educator Preparation
5 and Licensure Board.

6 The program shall be comprised of 4 phases:

7 (1) A course of study that at a minimum includes
8 instructional planning; instructional strategies,
9 including special education, reading, and English language
10 learning; classroom management; and the assessment of
11 students and use of data to drive instruction.

12 (2) A year of residency, which is a candidate's
13 assignment to a full-time teaching position or as a
14 co-teacher for one full school year. An individual must
15 hold an Educator License with Stipulations with an
16 alternative provisional educator endorsement in order to
17 enter the residency and must complete additional program
18 requirements that address required State and national
19 standards, pass the assessment of professional teaching
20 before entering the second residency year, as required
21 under phase (3) of this subsection (b), and be recommended
22 by the principal or qualified equivalent of a principal, as
23 required under subsection (d) of this Section, and the
24 program coordinator to continue with the second year of the
25 residency.

26 (3) A second year of residency, which shall include the

1 candidate's assignment to a full-time teaching position
2 for one school year. The candidate must be assigned an
3 experienced teacher to act as a mentor and coach the
4 candidate through the second year of residency.

5 (4) A comprehensive assessment of the candidate's
6 teaching effectiveness, as evaluated by the principal or
7 qualified equivalent of a principal, as required under
8 subsection (d) of this Section, and the program
9 coordinator, at the end of the second year of residency. If
10 there is disagreement between the 2 evaluators about the
11 candidate's teaching effectiveness, the candidate may
12 complete one additional year of residency teaching under a
13 professional development plan developed by the principal
14 or qualified equivalent and the preparation program. At the
15 completion of the third year, a candidate must have
16 positive evaluations and a recommendation for full
17 licensure from both the principal or qualified equivalent
18 and the program coordinator or no Professional Educator
19 License shall be issued.

20 Successful completion of the program shall be deemed to
21 satisfy any other practice or student teaching and content
22 matter requirements established by law.

23 (c) An alternative provisional educator endorsement on an
24 Educator License with Stipulations is valid for 2 years of
25 teaching in the public schools, including without limitation a
26 preschool educational program under Section 2-3.71 of this Code

1 or charter school, or in a State-recognized nonpublic school in
2 which the chief administrator is required to have the licensure
3 necessary to be a principal in a public school in this State
4 and in which a majority of the teachers are required to have
5 the licensure necessary to be instructors in a public school in
6 this State, but may be renewed for a third year if needed to
7 complete the Alternative Educator Licensure Program for
8 Teachers. The endorsement shall be issued only once to an
9 individual who meets all of the following requirements:

10 (1) Has graduated from a regionally accredited college
11 or university with a bachelor's degree or higher.

12 (2) Has a cumulative grade point average of 3.0 or
13 greater on a 4.0 scale or its equivalent on another scale.

14 (3) Has completed a major in the content area if
15 seeking a middle or secondary level endorsement or, if
16 seeking an early childhood, elementary, or special
17 education endorsement, has completed a major in the content
18 area of reading, English/language arts, mathematics, or
19 one of the sciences. If the individual does not have a
20 major in a content area for any level of teaching, he or
21 she must submit transcripts to the State Board of Education
22 to be reviewed for equivalency.

23 (4) Has successfully completed phase (1) of subsection
24 (b) of this Section.

25 (5) Has passed a ~~test of basic skills and~~ content area
26 test required for the specific endorsement for admission

1 into the program, as required under Section 21B-30 of this
2 Code.

3 A candidate possessing the alternative provisional
4 educator endorsement may receive a salary, benefits, and any
5 other terms of employment offered to teachers in the school who
6 are members of an exclusive bargaining representative, if any,
7 but a school is not required to provide these benefits during
8 the years of residency if the candidate is serving only as a
9 co-teacher. If the candidate is serving as the teacher of
10 record, the candidate must receive a salary, benefits, and any
11 other terms of employment. Residency experiences must not be
12 counted towards tenure.

13 (d) The recognized institution offering the Alternative
14 Educator Licensure Program for Teachers must partner with a
15 school district, including without limitation a preschool
16 educational program under Section 2-3.71 of this Code or
17 charter school, or a State-recognized, nonpublic school in this
18 State in which the chief administrator is required to have the
19 licensure necessary to be a principal in a public school in
20 this State and in which a majority of the teachers are required
21 to have the licensure necessary to be instructors in a public
22 school in this State. A recognized institution that partners
23 with a public school district administering a preschool
24 educational program under Section 2-3.71 of this Code must
25 require a principal to recommend or evaluate candidates in the
26 program. A recognized institution that partners with an

1 eligible entity administering a preschool educational program
2 under Section 2-3.71 of this Code and that is not a public
3 school district must require a principal or qualified
4 equivalent of a principal to recommend or evaluate candidates
5 in the program. The program presented for approval by the State
6 Board of Education must demonstrate the supports that are to be
7 provided to assist the provisional teacher during the 2-year
8 residency period. These supports must provide additional
9 contact hours with mentors during the first year of residency.

10 (e) Upon completion of the 4 phases outlined in subsection
11 (b) of this Section and all assessments required under Section
12 21B-30 of this Code, an individual shall receive a Professional
13 Educator License.

14 (f) The State Board of Education, in consultation with the
15 State Educator Preparation and Licensure Board, may adopt such
16 rules as may be necessary to establish and implement the
17 Alternative Educator Licensure Program for Teachers.

18 (Source: P.A. 99-58, eff. 7-16-15; 100-596, eff. 7-1-18;
19 100-822, eff. 1-1-19.)

20 (105 ILCS 5/21B-55)

21 Sec. 21B-55. Alternative route to superintendent
22 endorsement.

23 (a) The State Board of Education, in consultation with the
24 State Educator Preparation and Licensure Board, may approve
25 programs designed to provide an alternative route to

1 superintendent endorsement on a Professional Educator License.

2 (b) Entities offering an alternative route to
3 superintendent endorsement program must have the program
4 approved by the State Board of Education, in consultation with
5 the State Educator Preparation and Licensure Board.

6 (c) All programs approved under this Section shall be
7 comprised of the following 3 phases:

8 (1) A course of study offered on an intensive basis in
9 education management, governance, organization, and
10 instructional and district planning.

11 (2) The person's assignment to a full-time position for
12 one school year as a superintendent.

13 (3) A comprehensive assessment of the person's
14 performance by school officials and a recommendation to the
15 State Board of Education that the person be issued a
16 superintendent endorsement on a Professional Educator
17 License.

18 (d) In order to serve as a superintendent under phase (2)
19 of subsection (c) of this Section, an individual must be issued
20 an alternative provisional superintendent endorsement on an
21 Educator License with Stipulations, to be valid for only one
22 year of serving as a superintendent. In order to receive the
23 provisional alternative superintendent endorsement under this
24 Section, an individual must meet all of the following
25 requirements:

26 (1) Have graduated from a regionally accredited

1 college or university with a minimum of a master's degree
2 in a management field.

3 (2) Have been employed for a period of at least 5 years
4 in a management level position other than education.

5 (3) Have successfully completed phase (1) of
6 subsection (c) of this Section.

7 (4) Have passed ~~a test of basic skills~~ and a content
8 area test for admission into the program, as required by
9 Section 21B-30 of this Code.

10 (e) Successful completion of an alternative route to
11 superintendent endorsement program shall be deemed to satisfy
12 any other supervisory, administrative, or management
13 experience requirements established by law, and, once
14 completed, an individual shall be eligible for a superintendent
15 endorsement on a Professional Educator License.

16 (f) The State Board of Education, in consultation with the
17 State Educator Preparation and Licensure Board, may adopt such
18 rules as may be needed to establish and implement these
19 alternative route to superintendent endorsement programs.

20 (Source: P.A. 100-596, eff. 7-1-18.)

21 (105 ILCS 5/24-8.5 new)

22 Sec. 24-8.5. Student teacher; salary. Each school district
23 may provide a salary to a student teacher employed by the
24 district. A school district may fix the amount of salary to pay
25 a student teacher under this Section.

1 (105 ILCS 5/27A-10)

2 Sec. 27A-10. Employees.

3 (a) A person shall be deemed to be employed by a charter
4 school unless a collective bargaining agreement or the charter
5 school contract otherwise provides.

6 (b) In all school districts, including special charter
7 districts and districts located in cities having a population
8 exceeding 500,000, the local school board shall determine by
9 policy or by negotiated agreement, if one exists, the
10 employment status of any school district employees who are
11 employed by a charter school and who seek to return to
12 employment in the public schools of the district. Each local
13 school board shall grant, for a period of up to 5 years, a
14 leave of absence to those of its teachers who accept employment
15 with a charter school. At the end of the authorized leave of
16 absence, the teacher must return to the school district or
17 resign; provided, however, that if the teacher chooses to
18 return to the school district, the teacher must be assigned to
19 a position which requires the teacher's certification and legal
20 qualifications. The contractual continued service status and
21 retirement benefits of a teacher of the district who is granted
22 a leave of absence to accept employment with a charter school
23 shall not be affected by that leave of absence.

24 (c) Charter schools shall employ in instructional
25 positions, as defined in the charter, individuals who are

1 certificated under Article 21 of this Code or who possess the
2 following qualifications:

3 (i) graduated with a bachelor's degree from an
4 accredited institution of higher learning;

5 (ii) been employed for a period of at least 5 years in
6 an area requiring application of the individual's
7 education;

8 (iii) (blank); and ~~passed the tests of basic skills and~~
9 ~~subject matter knowledge required by Section 21-1a of the~~
10 ~~School Code; and~~

11 (iv) demonstrate continuing evidence of professional
12 growth which shall include, but not be limited to,
13 successful teaching experience, attendance at professional
14 meetings, membership in professional organizations,
15 additional credits earned at institutions of higher
16 learning, travel specifically for educational purposes,
17 and reading of professional books and periodicals.

18 (c-5) Charter schools employing individuals without
19 certification in instructional positions shall provide such
20 mentoring, training, and staff development for those
21 individuals as the charter schools determine necessary for
22 satisfactory performance in the classroom.

23 At least 50% of the individuals employed in instructional
24 positions by a charter school that is operating in a city
25 having a population exceeding 500,000 and that is established
26 on or after April 16, 2003 shall hold teaching certificates

1 issued under Article 21 of this Code.

2 At least 75% of the individuals employed in instructional
3 positions by a charter school that is operating in a city
4 having a population exceeding 500,000 and that was established
5 before April 16, 2003 shall hold teaching certificates issued
6 under Article 21 of this Code.

7 (c-10) Notwithstanding any provision in subsection (c-5)
8 to the contrary, in any charter school established before the
9 effective date of this amendatory Act of the 96th General
10 Assembly, at least 75% of the individuals employed in
11 instructional positions by the charter school shall hold
12 teaching certificates issued under Article 21 of this Code
13 beginning with the 2012-2013 school year. In any charter school
14 established after the effective date of this amendatory Act of
15 the 96th General Assembly, at least 75% of the individuals
16 employed in instructional positions by a charter school shall
17 hold teaching certificates issued under Article 21 of this Code
18 by the beginning of the fourth school year during which a
19 student is enrolled in the charter school. Charter schools may
20 employ non-certificated staff in all other positions.

21 (c-15) Charter schools are exempt from any annual cap on
22 new participants in an alternative certification program. The
23 second and third phases of the alternative certification
24 program may be conducted and completed at the charter school,
25 and the alternative teaching certificate is valid for 4 years
26 or the length of the charter (or any extension of the charter),

1 whichever is longer.

2 (d) A teacher at a charter school may resign his or her
3 position only if the teacher gives notice of resignation to the
4 charter school's governing body at least 60 days before the end
5 of the school term, and the resignation must take effect
6 immediately upon the end of the school term.

7 (Source: P.A. 96-105, eff. 7-30-09.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.