



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB5340

Introduced 01/26/06, by Rep. Keith P. Sommer

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/24-6

from Ch. 122, par. 24-6

30 ILCS 805/8.30 new

Amends the School Code. In school districts other than the Chicago school district, allows sick leave for birth, adoption or placement for adoption, or foster care of a child. Allows the school board to require a certificate from a physician or other health care provider as a basis for pay during this leave after an absence of 30 days. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB094 17512 NHT 52808 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

1 AN ACT concerning schools.

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

4 Section 5. The School Code is amended by changing Section  
5 24-6 as follows:

6 (105 ILCS 5/24-6) (from Ch. 122, par. 24-6)

7 Sec. 24-6. Sick leave. The school boards of all school  
8 districts, including special charter districts, but not  
9 including school districts in municipalities of 500,000 or  
10 more, shall grant their full-time teachers, and also shall  
11 grant such of their other employees as are eligible to  
12 participate in the Illinois Municipal Retirement Fund under the  
13 "600-Hour Standard" established, or under such other  
14 eligibility participation standard as may from time to time be  
15 established, by rules and regulations now or hereafter  
16 promulgated by the Board of that Fund under Section 7-198 of  
17 the Illinois Pension Code, as now or hereafter amended, sick  
18 leave provisions not less in amount than 10 days at full pay in  
19 each school year. If any such teacher or employee does not use  
20 the full amount of annual leave thus allowed, the unused amount  
21 shall be allowed to accumulate to a minimum available leave of  
22 180 days at full pay, including the leave of the current year.  
23 Sick leave shall be interpreted to mean personal illness,  
24 quarantine at home, ~~or~~ serious illness or death in the  
25 immediate family or household, or birth, adoption or placement  
26 for adoption, or foster care of a child. The school board may  
27 require a certificate from a physician licensed in Illinois to  
28 practice medicine and surgery in all its branches, an advanced  
29 practice nurse who has a written collaborative agreement with a  
30 collaborating physician that authorizes the advanced practice  
31 nurse to perform health examinations, or a physician assistant  
32 who has been delegated the authority to perform health

1 examinations by his or her supervising physician, or if the  
2 treatment is by prayer or spiritual means, that of a spiritual  
3 adviser or practitioner of such person's faith, as a basis for  
4 pay during leave after an absence of 3 days for personal  
5 illness or 30 days for birth, adoption or placement for  
6 adoption, or foster care of a child, or as it may deem  
7 necessary in other cases. If the school board does require a  
8 certificate as a basis for pay during leave of less than 3  
9 days, the school board shall pay, from school funds, the  
10 expenses incurred by the teachers or other employees in  
11 obtaining the certificate.

12 If, by reason of any change in the boundaries of school  
13 districts, or by reason of the creation of a new school  
14 district, the employment of a teacher is transferred to a new  
15 or different board, the accumulated sick leave of such teacher  
16 is not thereby lost, but is transferred to such new or  
17 different district.

18 For purposes of this Section, "immediate family" shall  
19 include parents, spouse, brothers, sisters, children,  
20 grandparents, grandchildren, parents-in-law, brothers-in-law,  
21 sisters-in-law, and legal guardians.

22 (Source: P.A. 94-350, eff. 7-28-05.)

23 Section 90. The State Mandates Act is amended by adding  
24 Section 8.30 as follows:

25 (30 ILCS 805/8.30 new)

26 Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8  
27 of this Act, no reimbursement by the State is required for the  
28 implementation of any mandate created by this amendatory Act of  
29 the 94th General Assembly.

30 Section 99. Effective date. This Act takes effect upon  
31 becoming law.