



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB2259

Introduced 2/15/2013, by Sen. Wm. Sam McCann

SYNOPSIS AS INTRODUCED:

105 ILCS 5/3-11	from Ch. 122, par. 3-11
105 ILCS 5/10-19	from Ch. 122, par. 10-19
105 ILCS 5/10-19.1	from Ch. 122, par. 10-19.1
105 ILCS 5/34-18	from Ch. 122, par. 34-18

Amends the School Code. Provides that teachers must be provided with and a teacher must annually complete 20 hours of inservice training, 10 hours of which a teacher may complete through online learning if the online learning requires proof of proficiency. With respect to the opening date of a school term, provides that student instruction may begin no earlier than the day after Labor Day. Requires the calendar for a school term to provide for a minimum of 880 instructional hours in no more than 176 days of actual pupil attendance and at least 45 professional development hours for teachers, to be scheduled as any collective bargaining agreement allows; makes related changes. Provides that as part of its calendar for the school term, a school board shall schedule 5 emergency closure days, and the school board shall adopt a contingency plan for when emergency closure days are used during a school year to make up for a minimum of 25 lost instructional hours. Effective July 1, 2013.

LRB098 08499 NHT 38610 b

FISCAL 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 School Code is amended by changing Sections
5 3-11, 10-19, 10-19.1, and 34-18 as follows:

6 (105 ILCS 5/3-11) (from Ch. 122, par. 3-11)

7 Sec. 3-11. Institutes or inservice training workshops. In
8 counties of less than 2,000,000 inhabitants, the regional
9 superintendent may arrange for or conduct district, regional,
10 or county institutes, or equivalent professional educational
11 experiences, not more than 4 days annually. Of those 4 days, 2
12 days may be used as a teacher's and educational support
13 personnel workshop, when approved by the regional
14 superintendent, up to 2 days may be used for conducting
15 parent-teacher conferences, or up to 2 days may be utilized as
16 parental institute days as provided in Section 10-22.18d.
17 Educational support personnel may be exempt from a workshop if
18 the workshop is not relevant to the work they do. A school
19 district may use one of its 4 institute days on the last day of
20 the school term. "Institute" or "Professional educational
21 experiences" means any educational gathering, demonstration of
22 methods of instruction, visitation of schools or other
23 institutions or facilities, sexual abuse and sexual assault

1 awareness seminar, or training in First Aid (which may include
2 cardiopulmonary resuscitation or defibrillator training) held
3 or approved by the regional superintendent and declared by him
4 to be an institute day, or parent-teacher conferences. With the
5 concurrence of the State Superintendent of Education, he or she
6 may employ such assistance as is necessary to conduct the
7 institute. Two or more adjoining counties may jointly hold an
8 institute. Institute instruction shall be free to holders of
9 certificates good in the county or counties holding the
10 institute, and to those who have paid an examination fee and
11 failed to receive a certificate.

12 In counties of 2,000,000 or more inhabitants, the regional
13 superintendent may arrange for or conduct district, regional,
14 or county inservice training workshops, or equivalent
15 professional educational experiences, not more than 4 days
16 annually. Of those 4 days, 2 days may be used as a teacher's
17 and educational support personnel workshop, when approved by
18 the regional superintendent, up to 2 days may be used for
19 conducting parent-teacher conferences, or up to 2 days may be
20 utilized as parental institute days as provided in Section
21 10-22.18d. Educational support personnel may be exempt from a
22 workshop if the workshop is not relevant to the work they do. A
23 school district may use one of those 4 days on the last day of
24 the school term. "Inservice Training Workshops" or
25 "Professional educational experiences" means any educational
26 gathering, demonstration of methods of instruction, visitation

1 of schools or other institutions or facilities, sexual abuse
2 and sexual assault awareness seminar, or training in First Aid
3 (which may include cardiopulmonary resuscitation or
4 defibrillator training) held or approved by the regional
5 superintendent and declared by him to be an inservice training
6 workshop, or parent-teacher conferences. With the concurrence
7 of the State Superintendent of Education, he may employ such
8 assistance as is necessary to conduct the inservice training
9 workshop. With the approval of the regional superintendent, 2
10 or more adjoining districts may jointly hold an inservice
11 training workshop. In addition, with the approval of the
12 regional superintendent, one district may conduct its own
13 inservice training workshop with subject matter consultants
14 requested from the county, State or any State institution of
15 higher learning.

16 Such teachers institutes as referred to in this Section may
17 be held on consecutive or separate days at the option of the
18 regional superintendent having jurisdiction thereof.

19 Whenever reference is made in this Act to "teachers
20 institute", it shall be construed to include the inservice
21 training workshops or equivalent professional educational
22 experiences provided for in this Section.

23 Any institute advisory committee existing on April 1, 1995,
24 is dissolved and the duties and responsibilities of the
25 institute advisory committee are assumed by the regional office
26 of education advisory board.

1 Districts providing inservice training programs shall
2 constitute inservice committees, 1/2 of which shall be
3 teachers, 1/4 school service personnel and 1/4 administrators
4 to establish program content and schedules.

5 The teachers institutes shall include teacher training
6 committed to (i) peer counseling programs and other
7 anti-violence and conflict resolution programs, including
8 without limitation programs for preventing at risk students
9 from committing violent acts, and (ii) educator ethics and
10 teacher-student conduct. Beginning with the 2009-2010 school
11 year, the teachers institutes shall include instruction on
12 prevalent student chronic health conditions.

13 Teachers must be provided with and a teacher must annually
14 complete 20 hours of inservice training, 10 hours of which a
15 teacher may complete through online learning if the online
16 learning requires proof of proficiency.

17 (Source: P.A. 96-431, eff. 8-13-09; 97-525, eff. 1-1-12.)

18 (105 ILCS 5/10-19) (from Ch. 122, par. 10-19)

19 Sec. 10-19. Length of school term - experimental programs.
20 Each school board shall annually prepare a calendar for the
21 school term, specifying the opening and closing dates and
22 providing a minimum term of at least 185 days to insure 176
23 days of actual pupil attendance, computable under Section
24 18-8.05, except that for the 1980-1981 school year only 175
25 days of actual pupil attendance shall be required because of

1 the closing of schools pursuant to Section 24-2 on January 29,
2 1981 upon the appointment by the President of that day as a day
3 of thanksgiving for the freedom of the Americans who had been
4 held hostage in Iran. With respect to the opening date of a
5 school term, student instruction may begin no earlier than the
6 day after Labor Day. The calendar for the school term shall
7 provide for a minimum of 880 instructional hours in no more
8 than the 176 days of actual pupil attendance and at least 45
9 professional development hours for teachers, to be scheduled as
10 any collective bargaining agreement allows. Any days allowed by
11 law for teachers' institutes but not used as such or used as
12 parental institutes as provided in Section 10-22.18d shall
13 increase the minimum term by the school days not so used.
14 Except as provided in Section 10-19.1, the board may not extend
15 the school term beyond such closing date unless that extension
16 of term is necessary to provide the minimum number of
17 computable days. In case of such necessary extension school
18 employees shall be paid for such additional time on the basis
19 of their regular contracts. A school board may specify a
20 closing date earlier than that set on the annual calendar when
21 the schools of the district have provided the minimum number of
22 computable days under this Section. Nothing in this Section
23 prevents the board from employing superintendents of schools,
24 principals and other nonteaching personnel for a period of 12
25 months, or in the case of superintendents for a period in
26 accordance with Section 10-23.8, or prevents the board from

1 employing other personnel before or after the regular school
2 term with payment of salary proportionate to that received for
3 comparable work during the school term.

4 As part of its calendar for the school term, a school board
5 shall schedule 5 emergency closure days. The school board shall
6 adopt a contingency plan for when emergency closure days are
7 used during a school year to make up for a minimum of 25 lost
8 instructional hours, which may include offering a longer school
9 year and banking the additional hours so that lost days do not
10 have to be made up at a later date. The plan may also provide
11 for a longer school day with an earlier closing date if all of
12 the emergency closure days are not used.

13 A school board may make such changes in its calendar for
14 the school term as may be required by any changes in the legal
15 school holidays prescribed in Section 24-2. A school board may
16 make changes in its calendar for the school term as may be
17 necessary to reflect the utilization of teachers' institute
18 days as parental institute days as provided in Section
19 10-22.18d.

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

23 With the prior approval of the State Board of Education and
24 subject to review by the State Board of Education every 3
25 years, any school board may, by resolution of its board and in
26 agreement with affected exclusive collective bargaining

1 agents, establish experimental educational programs, including
2 but not limited to programs for self-directed learning or
3 outside of formal class periods, which programs when so
4 approved shall be considered to comply with the requirements of
5 this Section as respects numbers of days of actual pupil
6 attendance and with the other requirements of this Act as
7 respects courses of instruction.

8 (Source: P.A. 93-1036, eff. 9-14-04.)

9 (105 ILCS 5/10-19.1) (from Ch. 122, par. 10-19.1)

10 Sec. 10-19.1. Full year school plan.

11 (a) Any school district may, by resolution of its board,
12 operate one or more schools within the district on a full year
13 school plan approved by the State Board of Education. Any board
14 which operates under this subsection (a) shall devise a plan so
15 that (i) a student's required attendance in school during a
16 12-month period shall be for not less than the a minimum number
17 of instructional hours and days term of 180 days of actual
18 pupil attendance required by Section 10-19 of this Code for the
19 school year during which that 12-month period commences, plus
20 including not more than 4 institute days, and (ii) the minimum
21 professional development hours for teachers required by
22 Section 10-19 of this Code are met, to be scheduled as any
23 collective bargaining agreement allows, during a 12 month
24 period, but shall not exceed 185 days. Under such plan, no
25 teacher shall be required to teach more than 185 days. A

1 calendar offering a greater number of instructional hours ~~of~~
2 ~~180 days~~ may be established with the approval of the State
3 Board of Education.

4 (b) Any school board that operates one or more schools
5 within the school district on a pilot full-year school plan
6 under subsection (a-5) of Section 2-3.25f of this Code shall
7 devise a plan so that a student's required attendance in school
8 shall be for a minimum term of 215 days of actual attendance,
9 including not more than 4 institute days, during a 12-month
10 period. A calendar of 215 days may be established with the
11 approval of the State Board of Education.

12 (Source: P.A. 97-370, eff. 1-1-12.)

13 (105 ILCS 5/34-18) (from Ch. 122, par. 34-18)

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

18 1. To make suitable provision for the establishment and
19 maintenance throughout the year or for such portion thereof
20 as it may direct, but for not less than the minimum term
21 required by Section 10-19 of this Code in order to ensure
22 the minimum number of instructional hours and days of
23 actual pupil attendance as required by Section 10-19 of
24 this Code ~~9 months~~, of schools of all grades and kinds,
25 including normal schools, high schools, night schools,

1 schools for defectives and delinquents, parental and
2 truant schools, schools for the blind, the deaf and the
3 physically disabled, schools or classes in manual
4 training, constructural and vocational teaching, domestic
5 arts and physical culture, vocation and extension schools
6 and lecture courses, and all other educational courses and
7 facilities, including establishing, equipping, maintaining
8 and operating playgrounds and recreational programs, when
9 such programs are conducted in, adjacent to, or connected
10 with any public school under the general supervision and
11 jurisdiction of the board; provided that (i) with respect
12 to the opening date of a school term, student instruction
13 may begin no earlier than the day after Labor Day, (ii) the
14 calendar for the school term shall provide for the minimum
15 professional development hours for teachers required by
16 Section 10-19 of this Code, to be scheduled as the
17 collective bargaining agreement allows, (iii) the calendar
18 for the school term and any changes must be submitted to
19 and approved by the State Board of Education before the
20 calendar or changes may take effect, and (iv) ~~provided that~~
21 in allocating funds from year to year for the operation of
22 all attendance centers within the district, the board shall
23 ensure that supplemental general State aid funds are
24 allocated and applied in accordance with Section 18-8 or
25 18-8.05. As part of its calendar for the school term, the
26 board shall schedule 5 emergency closure days. The board

1 shall adopt a contingency plan for when emergency closure
2 days are used during a school year to make up for a minimum
3 of 25 lost instructional hours, which may include offering
4 a longer school year and banking the additional hours so
5 that lost days do not have to be made up at a later date.
6 The plan may also provide for a longer school day with an
7 earlier closing date if all of the emergency closure days
8 are not used. To admit to such schools without charge
9 foreign exchange students who are participants in an
10 organized exchange student program which is authorized by
11 the board. The board shall permit all students to enroll in
12 apprenticeship programs in trade schools operated by the
13 board, whether those programs are union-sponsored or not.
14 No student shall be refused admission into or be excluded
15 from any course of instruction offered in the common
16 schools by reason of that student's sex. No student shall
17 be denied equal access to physical education and
18 interscholastic athletic programs supported from school
19 district funds or denied participation in comparable
20 physical education and athletic programs solely by reason
21 of the student's sex. Equal access to programs supported
22 from school district funds and comparable programs will be
23 defined in rules promulgated by the State Board of
24 Education in consultation with the Illinois High School
25 Association. Notwithstanding any other provision of this
26 Article, neither the board of education nor any local

1 school council or other school official shall recommend
2 that children with disabilities be placed into regular
3 education classrooms unless those children with
4 disabilities are provided with supplementary services to
5 assist them so that they benefit from the regular classroom
6 instruction and are included on the teacher's regular
7 education class register;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 13. During that period of the calendar year not

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

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

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

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

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

1 number.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 programs;

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

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

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

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

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

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

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

14 29. (Blank);

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

26 31. To promulgate rules establishing procedures

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

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

12 33. To enter into a partnership agreement, as required
13 by Section 34-3.5 of this Code, and, notwithstanding any
14 other provision of law to the contrary, to promulgate
15 policies, enter into contracts, and take any other action
16 necessary to accomplish the objectives and implement the
17 requirements of that agreement; and

18 34. To establish a Labor Management Council to the
19 board comprised of representatives of the board, the chief
20 executive officer, and those labor organizations that are
21 the exclusive representatives of employees of the board and
22 to promulgate policies and procedures for the operation of
23 the Council.

24 The specifications of the powers herein granted are not to
25 be construed as exclusive but the board shall also exercise all
26 other powers that they may be requisite or proper for the

1 maintenance and the development of a public school system, not
2 inconsistent with the other provisions of this Article or
3 provisions of this Code which apply to all school districts.

4 In addition to the powers herein granted and authorized to
5 be exercised by the board, it shall be the duty of the board to
6 review or to direct independent reviews of special education
7 expenditures and services. The board shall file a report of
8 such review with the General Assembly on or before May 1, 1990.
9 (Source: P.A. 96-105, eff. 7-30-09; 97-227, eff. 1-1-12;
10 97-396, eff. 1-1-12; 97-813, eff. 7-13-12.)

11 Section 99. Effective date. This Act takes effect July 1,
12 2013.