

1 AN ACT concerning local governments.

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

4 Section 5. The Counties Code is amended by adding
5 Section 3-14002.5 as follows:

6 (55 ILCS 5/3-14002.5 new)

7 Sec. 3-14002.5. Power to deduct wages for debts.

8 (a) Upon receipt of notice from the comptroller of a
9 municipality with a population of 500,000 or more, the Cook
10 County Forest Preserve District, the Chicago Park District,
11 the Metropolitan Water Reclamation District, the Chicago
12 Transit Authority, the Chicago Board of Education, or a
13 housing authority of a municipality with a population of
14 500,000 or more that a debt is due and owing the
15 municipality, the Cook County Forest Preserve District, the
16 Chicago Park District, the Metropolitan Water Reclamation
17 District, the Chicago Transit Authority, the Chicago Board of
18 Education, or the housing authority by an employee of a
19 county with a population of 3,000,000 or more, the county may
20 withhold, from the compensation of that employee, the amount
21 of the debt that is due and owing and pay the amount withheld
22 to the municipality, the Cook County Forest Preserve
23 District, the Chicago Park District, the Metropolitan Water
24 Reclamation District, the Chicago Transit Authority, the
25 Chicago Board of Education, or the housing authority;
26 provided, however, that the amount deducted from any one
27 salary or wage payment shall not exceed 25% of the net amount
28 of the payment.

29 (b) Before the county deducts any amount from any salary
30 or wage of an employee under this Section, the municipality,
31 the Cook County Forest Preserve District, the Chicago Park

1 District, the Metropolitan Water Reclamation District, the
 2 Chicago Transit Authority, the Chicago Board of Education, or
 3 the housing authority shall certify that (i) the employee has
 4 been afforded an opportunity for a hearing to dispute the
 5 debt that is due and owing the municipality, the Cook County
 6 Forest Preserve District, the Chicago Park District, the
 7 Metropolitan Water Reclamation District, the Chicago Transit
 8 Authority, the Chicago Board of Education, or the housing
 9 authority and (ii) the employee has received notice of a wage
 10 deduction order and has been afforded an opportunity for a
 11 hearing to object to the order.

12 (c) For purposes of this Section:

13 (1) "Net amount" means that part of the salary or
 14 wage payment remaining after the deduction of any amounts
 15 required by law to be deducted.

16 (2) "Debt due and owing" means (i) a specified sum
 17 of money owed to the municipality, the Cook County Forest
 18 Preserve District, the Chicago Park District, the
 19 Metropolitan Water Reclamation District, the Chicago
 20 Transit Authority, the Chicago Board of Education, or the
 21 housing authority for services, work, or goods, after the
 22 period granted for payment has expired, or (ii) a
 23 specified sum of money owed to the municipality, the Cook
 24 County Forest Preserve District, the Chicago Park
 25 District, the Metropolitan Water Reclamation District,
 26 the Chicago Transit Authority, the Chicago Board of
 27 Education, or the housing authority pursuant to a court
 28 order or order of an administrative hearing officer after
 29 the exhaustion of, or the failure to exhaust, judicial
 30 review.

31 (d) Nothing in this Section is intended to affect the
 32 power of a county to withhold the amount of any debt that is
 33 due and owing the county by any of its employees.

1 Section 10. The Illinois Municipal Code is amended by
2 adding Section 10-4-8 as follows:

3 (65 ILCS 5/10-4-8 new)

4 Sec. 10-4-8. Power to deduct wages for debts.

5 (a) Upon receipt of notice from the comptroller of a
6 county with a population of 3,000,000 or more, the Cook
7 County Forest Preserve District, the Chicago Park District,
8 the Metropolitan Water Reclamation District, the Chicago
9 Transit Authority, the Chicago Board of Education, or a
10 housing authority of a municipality with a population of
11 500,000 or more that a debt is due and owing the county, the
12 Cook County Forest Preserve District, the Chicago Park
13 District, the Metropolitan Water Reclamation District, the
14 Chicago Transit Authority, the Chicago Board of Education, or
15 the housing authority by an employee of a municipality with a
16 population of 500,000 or more, the municipality may withhold,
17 from the compensation of that employee, the amount of the
18 debt that is due and owing and pay the amount withheld to the
19 county, the Cook County Forest Preserve District, the Chicago
20 Park District, the Metropolitan Water Reclamation District,
21 the Chicago Transit Authority, the Chicago Board of
22 Education, or the housing authority; provided, however, that
23 the amount deducted from any one salary or wage payment shall
24 not exceed 25% of the net amount of the payment.

25 (b) Before the municipality deducts any amount from any
26 salary or wage of an employee under this Section, the county,
27 the Cook County Forest Preserve District, the Chicago Park
28 District, the Metropolitan Water Reclamation District, the
29 Chicago Transit Authority, the Chicago Board of Education, or
30 the housing authority shall certify that (i) the employee
31 has been afforded an opportunity for a hearing to dispute the
32 debt that is due and owing the county, the Cook County Forest
33 Preserve District, the Chicago Park District, the

1 Metropolitan Water Reclamation District, the Chicago Transit
 2 Authority, the Chicago Board of Education, or the housing
 3 authority and (ii) the employee has received notice of a wage
 4 deduction order and has been afforded an opportunity for a
 5 hearing to object to the order.

6 (c) For purposes of this Section:

7 (1) "Net amount" means the part of the salary or
 8 wage payment remaining after the deduction of any amounts
 9 required by law to be deducted.

10 (2) "Debt due and owing" means (i) a specified sum
 11 of money owed to the county, the Cook County Forest
 12 Preserve District, the Chicago Park District, the
 13 Metropolitan Water Reclamation District, the Chicago
 14 Transit Authority, the Chicago Board of Education, or the
 15 housing authority for services, work, or goods, after the
 16 period granted for payment has expired, or (ii) a
 17 specified sum of money owed to the county, the Cook
 18 County Forest Preserve District, the Chicago Park
 19 District, the Metropolitan Water Reclamation District,
 20 the Chicago Transit Authority, the Chicago Board of
 21 Education, or the housing authority pursuant to a court
 22 order or order of an administrative hearing officer after
 23 the exhaustion of, or the failure to exhaust, judicial
 24 review.

25 (d) Nothing in this Section is intended to affect the
 26 power of a municipality to withhold the amount of any debt
 27 that is due and owing the municipality by any of its
 28 employees.

29 Section 15. The Cook County Forest Preserve District Act
 30 is amended by adding Section 17.5 as follows:

31 (70 ILCS 810/17.5 new)

32 Sec. 17.5. Power to deduct wages for debts.

1 (a) Upon receipt of notice from the comptroller of a
2 municipality with a population of 500,000 or more, a county
3 with a population of 3,000,000 or more, the Chicago Park
4 District, the Metropolitan Water Reclamation District, the
5 Chicago Transit Authority, the Chicago Board of Education, or
6 a housing authority of a municipality with a population of
7 500,000 or more that a debt is due and owing the
8 municipality, the county, the Chicago Park District, the
9 Metropolitan Water Reclamation District, the Chicago Transit
10 Authority, the Chicago Board of Education, or the housing
11 authority by an employee of the District, the District may
12 withhold, from the compensation of that employee, the amount
13 of the debt that is due and owing and pay the amount withheld
14 to the municipality, the county, the Chicago Park District,
15 the Metropolitan Water Reclamation District, the Chicago
16 Transit Authority, the Chicago Board of Education, or the
17 housing authority; provided, however, that the amount
18 deducted from any one salary or wage payment shall not exceed
19 25% of the net amount of the payment.

20 (b) Before the District deducts any amount from any
21 salary or wage of an employee under this Section, the
22 municipality, the county, the Chicago Park District, the
23 Metropolitan Water Reclamation District, the Chicago Transit
24 Authority, the Chicago Board of Education, or the housing
25 authority shall certify that (i) the employee has been
26 afforded an opportunity for a hearing to dispute the debt
27 that is due and owing the municipality, the county, the
28 Chicago Park District, the Metropolitan Water Reclamation
29 District, the Chicago Transit Authority, the Chicago Board of
30 Education, or the housing authority and (ii) the employee has
31 received notice of a wage deduction order and has been
32 afforded an opportunity for a hearing to object to the
33 order.

34 (c) For purposes of this Section:

1 (1) "Net amount" means that part of the salary or
 2 wage payment remaining after the deduction of any amounts
 3 required by law to be deducted.

4 (2) "Debt due and owing" means (i) a specified sum
 5 of money owed to the municipality, the county, the
 6 Chicago Park District, the Metropolitan Water Reclamation
 7 District, the Chicago Transit Authority, the Chicago
 8 Board of Education, or the housing authority for
 9 services, work, or goods, after the period granted for
 10 payment has expired, or (ii) a specified sum of money
 11 owed to the municipality, the county, the Chicago Park
 12 District, the Metropolitan Water Reclamation District,
 13 the Chicago Transit Authority, the Chicago Board of
 14 Education, or the housing authority pursuant to a court
 15 order or order of an administrative hearing officer after
 16 the exhaustion of, or the failure to exhaust, judicial
 17 review.

18 Section 17. The Chicago Park District Act is amended by
 19 changing Section 16b as follows:

20 (70 ILCS 1505/16b)

21 Sec. 16b. Power to deduct wages for ~~municipal~~ debts.
 22 Upon receipt of notice from the comptroller of a municipality
 23 with a population of 500,000 or more, a county with a
 24 population of 3,000,000 or more, the Cook County Forest
 25 Preserve District, the Metropolitan Water Reclamation
 26 District, the Chicago Transit Authority, the Chicago Board of
 27 Education, or a housing authority of a municipality with a
 28 population of 500,000 or more that a debt is due and owing
 29 the municipality, the county, the Cook County Forest Preserve
 30 District, the Metropolitan Water Reclamation District, the
 31 Chicago Transit Authority, the Chicago Board of Education, or
 32 the housing authority by an employee of the Chicago Park

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

1 authority pursuant to a court order or order of an
2 administrative hearing officer after the exhaustion of, or
3 the failure to exhaust, judicial review.

4 (Source: P.A. 90-22, eff. 6-20-97.)

5 Section 20. The Metropolitan Water Reclamation District
6 Act is amended by adding Section 4.39 as follows:

7 (70 ILCS 2605/4.39 new)

8 Sec. 4.39. Power to deduct wages for debts.

9 (a) Upon receipt of notice from the comptroller of a
10 municipality with a population of 500,000 or more, a county
11 with a population of 3,000,000 or more, the Cook County
12 Forest Preserve District, the Chicago Park District, the
13 Chicago Transit Authority, the Chicago Board of Education, or
14 a housing authority of a municipality with a population of
15 500,000 or more that a debt is due and owing the
16 municipality, the county, the Cook County Forest Preserve
17 District, the Chicago Park District, the Chicago Transit
18 Authority, the Chicago Board of Education, or the housing
19 authority by an employee of the District, the District may
20 withhold, from the compensation of that employee, the amount
21 of the debt that is due and owing and pay the amount withheld
22 to the municipality, the county, the Cook County Forest
23 Preserve District, the Chicago Park District, the Chicago
24 Transit Authority, the Chicago Board of Education, or the
25 housing authority; provided, however, that the amount
26 deducted from any one salary or wage payment shall not exceed
27 25% of the net amount of the payment.

28 (b) Before the District deducts any amount from any
29 salary or wage of an employee under this Section, the
30 municipality, the county, the Cook County Forest Preserve
31 District, the Chicago Park District, the Chicago Transit
32 Authority, the Chicago Board of Education, or the housing

1 authority shall certify that (i) the employee has been
 2 afforded an opportunity for a hearing to dispute the debt
 3 that is due and owing the municipality, the county, the Cook
 4 County Forest Preserve District, the Chicago Park District,
 5 the Chicago Transit Authority, the Chicago Board of
 6 Education, or the housing authority and (ii) the employee has
 7 received notice of a wage deduction order and has been
 8 afforded an opportunity for a hearing to object to the
 9 order.

10 (c) For purposes of this Section:

11 (1) "Net amount" means that part of the salary or
 12 wage payment remaining after the deduction of any amounts
 13 required by law to be deducted.

14 (2) "Debt due and owing" means (i) a specified sum
 15 of money owed to the municipality, the county, the Cook
 16 County Forest Preserve District, the Chicago Park
 17 District, the Chicago Transit Authority, the Chicago
 18 Board of Education, or the housing authority for
 19 services, work, or goods, after the period granted for
 20 payment has expired, or (ii) a specified sum of money
 21 owed to the municipality, the county, the Cook County
 22 Forest Preserve District, the Chicago Park District, the
 23 Chicago Transit Authority, the Chicago Board of
 24 Education, or the housing authority pursuant to a court
 25 order or order of an administrative hearing officer after
 26 the exhaustion of, or the failure to exhaust, judicial
 27 review.

28 Section 22. The Metropolitan Transit Authority Act is
 29 amended by changing Section 28c as follows:

30 (70 ILCS 3605/28c)

31 Sec. 28c. Power to deduct wages for ~~municipal~~ debts.
 32 Upon receipt of notice from the comptroller of a municipality

1 with a population of 500,000 or more, a county with a
2 population of 3,000,000 or more, the Cook County Forest
3 Preserve District, the Chicago Park District, the
4 Metropolitan Water Reclamation District, the Chicago Board of
5 Education, or a housing authority of a municipality with a
6 population of 500,000 or more that a debt is due and owing
7 the municipality, the county, the Cook County Forest Preserve
8 District, the Chicago Park District, the Metropolitan Water
9 Reclamation District, the Chicago Board of Education, or the
10 housing authority by an employee of the Authority, the
11 Authority may withhold, from the compensation of that
12 employee, the amount of the debt that is due and owing and
13 pay the amount withheld to the municipality, the county, the
14 Cook County Forest Preserve District, the Chicago Park
15 District, the Metropolitan Water Reclamation District, the
16 Chicago Board of Education, or the housing authority;
17 provided, however, that the amount deducted from any one
18 salary or wage payment shall not exceed 25% of the net amount
19 of the payment. Before the Authority deducts any amount from
20 any salary or wage of an employee under this Section, the
21 municipality, the county, the Cook County Forest Preserve
22 District, the Chicago Park District, the Metropolitan Water
23 Reclamation District, the Chicago Board of Education, or the
24 housing authority shall certify that (i) the employee has
25 been afforded an opportunity for a hearing to dispute the
26 debt that is due and owing the municipality, the county, the
27 Cook County Forest Preserve District, the Chicago Park
28 District, the Metropolitan Water Reclamation District, the
29 Chicago Board of Education, or the housing authority and (ii)
30 the employee has received notice of a wage deduction order
31 and has been afforded an opportunity for a hearing to object
32 to the order. For purposes of this Section, "net amount"
33 means that part of the salary or wage payment remaining after
34 the deduction of any amounts required by law to be deducted

1 and "debt due and owing" means (i) a specified sum of money
 2 owed to the municipality, the county, the Cook County Forest
 3 Preserve District, the Chicago Park District, the
 4 Metropolitan Water Reclamation District, the Chicago Board of
 5 Education, or the housing authority for city services, work,
 6 or goods, after the period granted for payment has expired,
 7 or (ii) a specified sum of money owed to the municipality,
 8 the county, the Cook County Forest Preserve District, the
 9 Chicago Park District, the Metropolitan Water Reclamation
 10 District, the Chicago Board of Education, or the housing
 11 authority pursuant to a court order or order of an
 12 administrative hearing officer after the exhaustion of, or
 13 the failure to exhaust, judicial review.

14 (Source: P.A. 90-22, eff. 6-20-97.)

15 Section 23. The School Code is amended by changing
 16 Section 34-18 as follows:

17 (105 ILCS 5/34-18) (from Ch. 122, par. 34-18)

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

- 23 1. To make suitable provision for the establishment
 24 and maintenance throughout the year or for such portion
 25 thereof as it may direct, not less than 9 months, of
 26 schools of all grades and kinds, including normal
 27 schools, high schools, night schools, schools for
 28 defectives and delinquents, parental and truant schools,
 29 schools for the blind, the deaf and the crippled, schools
 30 or classes in manual training, constructural and
 31 vocational teaching, domestic arts and physical culture,
 32 vocation and extension schools and lecture courses, and

1 all other educational courses and facilities, including
2 establishing, equipping, maintaining and operating
3 playgrounds and recreational programs, when such programs
4 are conducted in, adjacent to, or connected with any
5 public school under the general supervision and
6 jurisdiction of the board; provided, however, that in
7 allocating funds from year to year for the operation of
8 all attendance centers within the district, the board
9 shall ensure that supplemental general State aid funds
10 are allocated and applied in accordance with Section 18-8
11 or 18-8.05. To admit to such schools without charge
12 foreign exchange students who are participants in an
13 organized exchange student program which is authorized by
14 the board. The board shall permit all students to enroll
15 in apprenticeship programs in trade schools operated by
16 the board, whether those programs are union-sponsored or
17 not. No student shall be refused admission into or be
18 excluded from any course of instruction offered in the
19 common schools by reason of that student's sex. No
20 student shall be denied equal access to physical
21 education and interscholastic athletic programs supported
22 from school district funds or denied participation in
23 comparable physical education and athletic programs
24 solely by reason of the student's sex. Equal access to
25 programs supported from school district funds and
26 comparable programs will be defined in rules promulgated
27 by the State Board of Education in consultation with the
28 Illinois High School Association. Notwithstanding any
29 other provision of this Article, neither the board of
30 education nor any local school council or other school
31 official shall recommend that children with disabilities
32 be placed into regular education classrooms unless those
33 children with disabilities are provided with
34 supplementary services to assist them so that they

1 benefit from the regular classroom instruction and are
2 included on the teacher's regular education class
3 register;

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

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

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

12 5. To employ dentists and prescribe their duties
13 for the purpose of treating the pupils in the schools,
14 but accepting such treatment shall be optional with
15 parents or guardians;

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

23 7. To apportion the pupils to the several schools;
24 provided that no pupil shall be excluded from or
25 segregated in any such school on account of his color,
26 race, sex, or nationality. The board shall take into
27 consideration the prevention of segregation and the
28 elimination of separation of children in public schools
29 because of color, race, sex, or nationality. Except that
30 children may be committed to or attend parental and
31 social adjustment schools established and maintained
32 either for boys or girls only. All records pertaining to
33 the creation, alteration or revision of attendance areas
34 shall be open to the public. Nothing herein shall limit

1 the board's authority to establish multi-area attendance
2 centers or other student assignment systems for
3 desegregation purposes or otherwise, and to apportion the
4 pupils to the several schools. Furthermore, beginning in
5 school year 1994-95, pursuant to a board plan adopted by
6 October 1, 1993, the board shall offer, commencing on a
7 phased-in basis, the opportunity for families within the
8 school district to apply for enrollment of their children
9 in any attendance center within the school district which
10 does not have selective admission requirements approved
11 by the board. The appropriate geographical area in which
12 such open enrollment may be exercised shall be determined
13 by the board of education. Such children may be admitted
14 to any such attendance center on a space available basis
15 after all children residing within such attendance
16 center's area have been accommodated. If the number of
17 applicants from outside the attendance area exceed the
18 space available, then successful applicants shall be
19 selected by lottery. The board of education's open
20 enrollment plan must include provisions that allow low
21 income students to have access to transportation needed
22 to exercise school choice. Open enrollment shall be in
23 compliance with the provisions of the Consent Decree and
24 Desegregation Plan cited in Section 34-1.01;

25 8. To approve programs and policies for providing
26 transportation services to students. Nothing herein shall
27 be construed to permit or empower the State Board of
28 Education to order, mandate, or require busing or other
29 transportation of pupils for the purpose of achieving
30 racial balance in any school;

31 9. Subject to the limitations in this Article, to
32 establish and approve system-wide curriculum objectives
33 and standards, including graduation standards, which
34 reflect the multi-cultural diversity in the city and are

1 consistent with State law, provided that for all purposes
2 of this Article courses or proficiency in American Sign
3 Language shall be deemed to constitute courses or
4 proficiency in a foreign language; and to employ
5 principals and teachers, appointed as provided in this
6 Article, and fix their compensation. The board shall
7 prepare such reports related to minimal competency
8 testing as may be requested by the State Board of
9 Education, and in addition shall monitor and approve
10 special education and bilingual education programs and
11 policies within the district to assure that appropriate
12 services are provided in accordance with applicable State
13 and federal laws to children requiring services and
14 education in those areas;

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

1 11. To provide television studio facilities in not
2 to exceed one school building and to provide programs for
3 educational purposes, provided, however, that the board
4 shall not construct, acquire, operate, or maintain a
5 television transmitter; to grant the use of its studio
6 facilities to a licensed television station located in
7 the school district; and to maintain and operate not to
8 exceed one school radio transmitting station and provide
9 programs for educational purposes;

10 12. To offer, if deemed appropriate, outdoor
11 education courses, including field trips within the State
12 of Illinois, or adjacent states, and to use school
13 educational funds for the expense of the said outdoor
14 educational programs, whether within the school district
15 or not;

16 13. During that period of the calendar year not
17 embraced within the regular school term, to provide and
18 conduct courses in subject matters normally embraced in
19 the program of the schools during the regular school term
20 and to give regular school credit for satisfactory
21 completion by the student of such courses as may be
22 approved for credit by the State Board of Education;

23 14. To insure against any loss or liability of the
24 board, the former School Board Nominating Commission,
25 Local School Councils, the Chicago Schools Academic
26 Accountability Council, or the former Subdistrict
27 Councils or of any member, officer, agent or employee
28 thereof, resulting from alleged violations of civil
29 rights arising from incidents occurring on or after
30 September 5, 1967 or from the wrongful or negligent act
31 or omission of any such person whether occurring within
32 or without the school premises, provided the officer,
33 agent or employee was, at the time of the alleged
34 violation of civil rights or wrongful act or omission,

1 acting within the scope of his employment or under
2 direction of the board, the former School Board
3 Nominating Commission, the Chicago Schools Academic
4 Accountability Council, Local School Councils, or the
5 former Subdistrict Councils; and to provide for or
6 participate in insurance plans for its officers and
7 employees, including but not limited to retirement
8 annuities, medical, surgical and hospitalization benefits
9 in such types and amounts as may be determined by the
10 board; provided, however, that the board shall contract
11 for such insurance only with an insurance company
12 authorized to do business in this State. Such insurance
13 may include provision for employees who rely on treatment
14 by prayer or spiritual means alone for healing, in
15 accordance with the tenets and practice of a recognized
16 religious denomination;

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

24 16. To provide, on an equal basis, access to the
25 school campus to the official recruiting representatives
26 of the armed forces of Illinois and the United States for
27 the purposes of informing students of the educational and
28 career opportunities available in the military if the
29 board has provided such access to persons or groups whose
30 purpose is to acquaint students with educational or
31 occupational opportunities available to them. The board
32 is not required to give greater notice regarding the
33 right of access to recruiting representatives than is
34 given to other persons and groups;

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

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

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

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

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

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

32 19. Upon the written request of an employee, to
33 withhold from the compensation of that employee any dues,
34 payments or contributions payable by such employee to any

1 labor organization as defined in the Illinois Educational
 2 Labor Relations Act. Under such arrangement, an amount
 3 shall be withheld from each regular payroll period which
 4 is equal to the pro rata share of the annual dues plus
 5 any payments or contributions, and the board shall
 6 transmit such withholdings to the specified labor
 7 organization within 10 working days from the time of the
 8 withholding;

9 19a. Upon receipt of notice from the comptroller of
 10 a municipality with a population of 500,000 or more, a
 11 county with a population of 3,000,000 or more, the Cook
 12 County Forest Preserve District, the Chicago Park
 13 District, the Metropolitan Water Reclamation District,
 14 the Chicago Transit Authority, or a housing authority of
 15 a municipality with a population of 500,000 or more that
 16 a debt is due and owing the municipality, the county, the
 17 Cook County Forest Preserve District, the Chicago Park
 18 District, the Metropolitan Water Reclamation District,
 19 the Chicago Transit Authority, or the housing authority
 20 by an employee of the Chicago Board of Education School
 21 Reform--Board--of--Trustees, to withhold, from the
 22 compensation of that employee, the amount of the debt
 23 that is due and owing and pay the amount withheld to the
 24 municipality, the county, the Cook County Forest Preserve
 25 District, the Chicago Park District, the Metropolitan
 26 Water Reclamation District, the Chicago Transit
 27 Authority, or the housing authority; provided, however,
 28 that the amount deducted from any one salary or wage
 29 payment shall not exceed 25% of the net amount of the
 30 payment. Before the Board deducts any amount from any
 31 salary or wage of an employee under this paragraph, the
 32 municipality, the county, the Cook County Forest Preserve
 33 District, the Chicago Park District, the Metropolitan
 34 Water Reclamation District, the Chicago Transit

1 Authority, or the housing authority shall certify that
2 (i) the employee has been afforded an opportunity for a
3 hearing to dispute the debt that is due and owing the
4 municipality, the county, the Cook County Forest Preserve
5 District, the Chicago Park District, the Metropolitan
6 Water Reclamation District, the Chicago Transit
7 Authority, or the housing authority and (ii) the employee
8 has received notice of a wage deduction order and has
9 been afforded an opportunity for a hearing to object to
10 the order. For purposes of this paragraph, "net amount"
11 means that part of the salary or wage payment remaining
12 after the deduction of any amounts required by law to be
13 deducted and "debt due and owing" means (i) a specified
14 sum of money owed to the municipality, the county, the
15 Cook County Forest Preserve District, the Chicago Park
16 District, the Metropolitan Water Reclamation District,
17 the Chicago Transit Authority, or the housing authority
18 for city services, work, or goods, after the period
19 granted for payment has expired, or (ii) a specified sum
20 of money owed to the municipality, the county, the Cook
21 County Forest Preserve District, the Chicago Park
22 District, the Metropolitan Water Reclamation District,
23 the Chicago Transit Authority, or the housing authority
24 pursuant to a court order or order of an administrative
25 hearing officer after the exhaustion of, or the failure
26 to exhaust, judicial review;

27 20. The board is encouraged to employ a sufficient
28 number of certified school counselors to maintain a
29 student/counselor ratio of 250 to 1 by July 1, 1990.
30 Each counselor shall spend at least 75% of his work time
31 in direct contact with students and shall maintain a
32 record of such time;

33 21. To make available to students vocational and
34 career counseling and to establish 5 special career

1 counseling days for students and parents. On these days
2 representatives of local businesses and industries shall
3 be invited to the school campus and shall inform students
4 of career opportunities available to them in the various
5 businesses and industries. Special consideration shall
6 be given to counseling minority students as to career
7 opportunities available to them in various fields. For
8 the purposes of this paragraph, minority student means a
9 person who is:

10 (a) Black (a person having origins in any of
11 the black racial groups in Africa);

12 (b) Hispanic (a person of Spanish or
13 Portuguese culture with origins in Mexico, South or
14 Central America, or the Caribbean islands,
15 regardless of race);

16 (c) Asian American (a person having origins in
17 any of the original peoples of the Far East,
18 Southeast Asia, the Indian Subcontinent or the
19 Pacific Islands); or

20 (d) American Indian or Alaskan Native (a
21 person having origins in any of the original peoples
22 of North America).

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

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

29 23. Except as otherwise provided in the Abused and
30 Neglected Child Reporting Act or other applicable State
31 or federal law, to permit school officials to withhold,
32 from any person, information on the whereabouts of any
33 child removed from school premises when the child has
34 been taken into protective custody as a victim of

1 suspected child abuse. School officials shall direct
2 such person to the Department of Children and Family
3 Services, or to the local law enforcement agency if
4 appropriate;

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

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

19 26. To encourage mid-career changes into the
20 teaching profession, whereby qualified professionals
21 become certified teachers, by allowing credit for
22 professional employment in related fields when
23 determining point of entry on teacher pay scale;

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

29 28. To establish a fund for the prioritized special
30 needs programs, and to allocate such funds and other lump
31 sum amounts to each attendance center in a manner
32 consistent with the provisions of part 4 of Section
33 34-2.3. Nothing in this paragraph shall be construed to
34 require any additional appropriations of State funds for

1 this purpose;

2 29. (Blank);

3 30. Notwithstanding any other provision of this Act
4 or any other law to the contrary, to contract with third
5 parties for services otherwise performed by employees,
6 including those in a bargaining unit, and to layoff those
7 employees upon 14 days written notice to the affected
8 employees. Those contracts may be for a period not to
9 exceed 5 years and may be awarded on a system-wide basis;

10 31. To promulgate rules establishing procedures
11 governing the layoff or reduction in force of employees
12 and the recall of such employees, including, but not
13 limited to, criteria for such layoffs, reductions in
14 force or recall rights of such employees and the weight
15 to be given to any particular criterion. Such criteria
16 shall take into account factors including, but not be
17 limited to, qualifications, certifications, experience,
18 performance ratings or evaluations, and any other factors
19 relating to an employee's job performance; and

20 32. To develop a policy to prevent nepotism in the
21 hiring of personnel or the selection of contractors.

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

29 In addition to the powers herein granted and authorized
30 to be exercised by the board, it shall be the duty of the
31 board to review or to direct independent reviews of special
32 education expenditures and services. The board shall file a
33 report of such review with the General Assembly on or before
34 May 1, 1990.

1 (Source: P.A. 89-15, eff. 5-30-95; 89-397, eff. 8-20-95;
2 89-626, eff. 8-9-96; 90-22, eff. 6-20-97; 90-548, eff.
3 1-1-98.)

4 Section 25. The Housing Authorities Act is amended by
5 adding Section 6.1 as follows:

6 (310 ILCS 10/6.1 new)

7 Sec. 6.1. Power to deduct wages for debts.

8 (a) Upon receipt of notice from the comptroller of a
9 municipality with a population of 500,000 or more, a county
10 with a population of 3,000,000 or more, the Cook County
11 Forest Preserve District, the Chicago Park District, the
12 Metropolitan Water Reclamation District, the Chicago Transit
13 Authority, or the Chicago Board of Education that a debt is
14 due and owing the municipality, the county, the Cook County
15 Forest Preserve District, the Chicago Park District, the
16 Metropolitan Water Reclamation District, the Chicago Transit
17 Authority, or the Chicago Board of Education by an employee
18 of the housing authority of a municipality with a population
19 of 500,000 or more, that authority may withhold, from the
20 compensation of that employee, the amount of the debt that is
21 due and owing and pay the amount withheld to the
22 municipality, the county, the Cook County Forest Preserve
23 District, the Chicago Park District, the Metropolitan Water
24 Reclamation District, the Chicago Transit Authority, or the
25 Chicago Board of Education; provided, however, that the
26 amount deducted from any one salary or wage payment shall not
27 exceed 25% of the net amount of the payment.

28 (b) Before the housing authority of a municipality with
29 a population of 500,000 or more deducts any amount from any
30 salary or wage of an employee under this Section, the
31 municipality, the county, the Cook County Forest Preserve
32 District, the Chicago Park District, the Metropolitan Water

1 Reclamation District, the Chicago Transit Authority, or the
 2 Chicago Board of Education shall certify that (i) the
 3 employee has been afforded an opportunity for a hearing to
 4 dispute the debt that is due and owing the municipality, the
 5 county, the Cook County Forest Preserve District, the Chicago
 6 Park District, the Metropolitan Water Reclamation District,
 7 the Chicago Transit Authority, or the Chicago Board of
 8 Education and (ii) the employee has received notice of a wage
 9 deduction order and has been afforded an opportunity for a
 10 hearing to object to the order.

11 (c) For purposes of this Section:

12 (1) "Net amount" means that part of the salary or
 13 wage payment remaining after the deduction of any amounts
 14 required by law to be deducted.

15 (2) "Debt due and owing" means (i) a specified sum
 16 of money owed to the municipality, the county, the Cook
 17 County Forest Preserve District, the Chicago Park
 18 District, the Metropolitan Water Reclamation District,
 19 the Chicago Transit Authority, or the Chicago Board of
 20 Education for services, work, or goods, after the period
 21 granted for payment has expired, or (ii) a specified sum
 22 of money owed to the municipality, the county, the Cook
 23 County Forest Preserve District, the Chicago Park
 24 District, the Metropolitan Water Reclamation District,
 25 the Chicago Transit Authority, or the Chicago Board of
 26 Education pursuant to a court order or order of an
 27 administrative hearing officer after the exhaustion of,
 28 or the failure to exhaust, judicial review.

29 Section 30. The Illinois Wage Payment and Collection Act
 30 is amended by changing Section 9 as follows:

31 (820 ILCS 115/9) (from Ch. 48, par. 39m-9)

32 Sec. 9. Except as hereinafter provided, deductions by

1 employers from wages or final compensation are prohibited
2 unless such deductions are (1) required by law; (2) to the
3 benefit of the employee; (3) in response to a valid wage
4 assignment or wage deduction order; (4) made with the express
5 written consent of the employee, given freely at the time the
6 deduction is made; (5) made by a municipality with a
7 population of 500,000 or more, a county with a population of
8 3,000,000 or more, a community college district in a city
9 with a population of 500,000 or more, a housing authority in
10 a municipality with a population of 500,000 or more, the
11 Chicago Park District, the Metropolitan Transit Authority, ~~or~~
12 the Chicago School-Reform Board of Education, the Cook County
13 Forest Preserve District, or the Metropolitan Water
14 Reclamation District ~~of-Trustees~~ to pay a debt owed by the
15 employee to a municipality with a population of 500,000 or
16 more, a county with a population of 3,000,000 or more, the
17 Cook County Forest Preserve, the Chicago Park District, the
18 Metropolitan Water Reclamation District, the Chicago Transit
19 Authority, the Chicago Board of Education, or a housing
20 authority of a municipality with a population of 500,000 or
21 more; provided, however, that the amount deducted from any
22 one salary or wage payment shall not exceed 25% of the net
23 amount of the payment; or (6) made by a housing authority in
24 a municipality with a population of 500,000 or more or a
25 municipality with a population of 500,000 or more to pay a
26 debt owed by the employee to a housing authority in a
27 municipality with a population of 500,000 or more; provided,
28 however, that the amount deducted from any one salary or wage
29 payment shall not exceed 25% of the net amount of the
30 payment. Before the municipality with a population of 500,000
31 or more, the community college district in a city with a
32 population of 500,000 or more, the Chicago Park District, the
33 Metropolitan Transit Authority, a housing authority in a
34 municipality with a population of 500,000 or more, ~~or~~ the

1 Chicago Board of Education, the county with a population of
2 3,000,000 or more, the Cook County Forest Preserve District,
3 or the Metropolitan Water Reclamation District School--Reform
4 Board--of-Trustees deducts any amount from any salary or wage
5 of an employee to pay a debt owed to a municipality with a
6 population of 500,000 or more, a county with a population of
7 3,000,000 or more, the Cook County Forest Preserve District,
8 the Chicago Park District, the Metropolitan Water Reclamation
9 District, the Chicago Transit Authority, the Chicago Board of
10 Education, or a housing authority of a municipality with a
11 population of 500,000 or more under this Section, the
12 municipality, the county, the Cook County Forest Preserve
13 District, the Chicago Park District, the Metropolitan Water
14 Reclamation District, the Chicago Transit Authority, the
15 Chicago Board of Education, or a housing authority of a
16 municipality with a population of 500,000 or more shall
17 certify that (i) the employee has been afforded an
18 opportunity for a hearing to dispute the debt that is due and
19 owing the municipality, the county, the Cook County Forest
20 Preserve District, the Chicago Park District, the
21 Metropolitan Water Reclamation District, the Chicago Transit
22 Authority, the Chicago Board of Education, or a housing
23 authority of a municipality with a population of 500,000 or
24 more and (ii) the employee has received notice of a wage
25 deduction order and has been afforded an opportunity for a
26 hearing to object to the order. Before a housing authority
27 in a municipality with a population of 500,000 or more or a
28 municipality with a population of 500,000 or more, a county
29 with a population of 3,000,000 or more, the Cook County
30 Forest Preserve District, the Chicago Park District, the
31 Metropolitan Water Reclamation District, the Chicago Transit
32 Authority, or the Chicago Board of Education deducts any
33 amount from any salary or wage of an employee to pay a debt
34 owed to a housing authority in a municipality with a

1 population of 500,000 or more under this Section, the housing
2 authority shall certify that (i) the employee has been
3 afforded an opportunity for a hearing to dispute the debt
4 that is due and owing the housing authority and (ii) the
5 employee has received notice of a wage deduction order and
6 has been afforded an opportunity for a hearing to object to
7 the order. For purposes of this Section, "net amount" means
8 that part of the salary or wage payment remaining after the
9 deduction of any amounts required by law to be deducted and
10 "debt due and owing" means (i) a specified sum of money owed
11 to the municipality, the county, the Cook County Forest
12 Preserve District, the Chicago Park District, the
13 Metropolitan Water Reclamation District, the Chicago Transit
14 Authority, the Chicago Board of Education, or housing
15 authority for services, work, or goods, after the period
16 granted for payment has expired, or (ii) a specified sum of
17 money owed to the municipality, the county, the Cook County
18 Forest Preserve District, the Chicago Park District, the
19 Metropolitan Water Reclamation District, the Chicago Transit
20 Authority, the Chicago Board of Education or housing
21 authority pursuant to a court order or order of an
22 administrative hearing officer after the exhaustion of, or
23 the failure to exhaust, judicial review. Where the
24 legitimacy of any deduction from wages is in dispute, the
25 amount in question may be withheld if the employer notifies
26 the Department of Labor on the date the payment is due in
27 writing of the amount that is being withheld and stating the
28 reasons for which the payment is withheld. Upon such
29 notification the Department of Labor shall conduct an
30 investigation and render a judgment as promptly as possible,
31 and shall complete such investigation within 30 days of
32 receipt of the notification by the employer that wages have
33 been withheld. The employer shall pay the wages due upon
34 order of the Department of Labor within 15 calendar days of

1 issuance of a judgment on the dispute.

2 The Department shall establish rules to protect the
3 interests of both parties in cases of disputed deductions
4 from wages. Such rules shall include reasonable limitations
5 on the amount of deductions beyond those required by law
6 which may be made during any pay period by any employer.

7 In case of a dispute over wages, the employer shall pay,
8 without condition and within the time set by this Act, all
9 wages or parts thereof, conceded by him to be due, leaving to
10 the employee all remedies to which he may otherwise be
11 entitled as to any balance claimed. The acceptance by an
12 employee of a disputed paycheck shall not constitute a
13 release as to the balance of his claim and any release or
14 restrictive endorsement required by an employer as a
15 condition to payment shall be a violation of this Act and
16 shall be void.

17 (Source: P.A. 90-22, eff. 6-20-97; 91-443, eff. 8-6-99.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.