



Sen. Kimberly A. Lightford

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LRB100 20323 AXK 39423 a

1 AMENDMENT TO HOUSE BILL 5588

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5588 as follows:

3 on page 1, line 12, after "34-3.5,", by inserting "34-18,"; and

4 on page 5, line 8, by deleting "about the Committee"; and

5 on page 5, line 9, by replacing "lead" with "learning"; and

6 on page 5, line 10, by replacing "Committee's" with "learning

7 partners'"; and

8 on page 9, by replacing lines 13 and 14 with the following:

9 "Sec. 2-3.52A. Pilot programs. The ~~To improve the quality~~

10 ~~of teaching as a profession the~~ State Board of Education may,";

11 and

12 on page 9, line 16, by deleting "entrance"; and

1 on page 9, by replacing lines 17 through line 22 with the  
2 following:

3 "preparation pilot programs ~~for teachers~~"; and

4 by deleting line 8 on page 37 through line 13 on page 39; and

5 on page 39, immediately below line 13, by inserting the  
6 following:

7 "(105 ILCS 5/34-18) (from Ch. 122, par. 34-18)

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

12 1. To make suitable provision for the establishment and  
13 maintenance throughout the year or for such portion thereof  
14 as it may direct, not less than 9 months, of schools of all  
15 grades and kinds, including normal schools, high schools,  
16 night schools, schools for defectives and delinquents,  
17 parental and truant schools, schools for the blind, the  
18 deaf and persons with physical disabilities, schools or  
19 classes in manual training, constructural and vocational  
20 teaching, domestic arts and physical culture, vocation and  
21 extension schools and lecture courses, and all other  
22 educational courses and facilities, including

1 establishing, equipping, maintaining and operating  
2 playgrounds and recreational programs, when such programs  
3 are conducted in, adjacent to, or connected with any public  
4 school under the general supervision and jurisdiction of  
5 the board; provided that the calendar for the school term  
6 and any changes must be submitted to and approved by the  
7 State Board of Education before the calendar or changes may  
8 take effect, and provided that in allocating funds from  
9 year to year for the operation of all attendance centers  
10 within the district, the board shall ensure that  
11 supplemental general State aid or supplemental grant funds  
12 are allocated and applied in accordance with Section 18-8,  
13 18-8.05, or 18-8.15. To admit to such schools without  
14 charge foreign exchange students who are participants in an  
15 organized exchange student program which is authorized by  
16 the board. The board shall permit all students to enroll in  
17 apprenticeship programs in trade schools operated by the  
18 board, whether those programs are union-sponsored or not.  
19 No student shall be refused admission into or be excluded  
20 from any course of instruction offered in the common  
21 schools by reason of that student's sex. No student shall  
22 be denied equal access to physical education and  
23 interscholastic athletic programs supported from school  
24 district funds or denied participation in comparable  
25 physical education and athletic programs solely by reason  
26 of the student's sex. Equal access to programs supported

1 from school district funds and comparable programs will be  
2 defined in rules promulgated by the State Board of  
3 Education in consultation with the Illinois High School  
4 Association. Notwithstanding any other provision of this  
5 Article, neither the board of education nor any local  
6 school council or other school official shall recommend  
7 that children with disabilities be placed into regular  
8 education classrooms unless those children with  
9 disabilities are provided with supplementary services to  
10 assist them so that they benefit from the regular classroom  
11 instruction and are included on the teacher's regular  
12 education class register;

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

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

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

21 5. To employ dentists and prescribe their duties for  
22 the purpose of treating the pupils in the schools, but  
23 accepting such treatment shall be optional with parents or  
24 guardians;

25 6. To grant the use of assembly halls and classrooms  
26 when not otherwise needed, including light, heat, and

1 attendants, for free public lectures, concerts, and other  
2 educational and social interests, free of charge, under  
3 such provisions and control as the principal of the  
4 affected attendance center may prescribe;

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

1 The appropriate geographical area in which such open  
2 enrollment may be exercised shall be determined by the  
3 board of education. Such children may be admitted to any  
4 such attendance center on a space available basis after all  
5 children residing within such attendance center's area  
6 have been accommodated. If the number of applicants from  
7 outside the attendance area exceed the space available,  
8 then successful applicants shall be selected by lottery.  
9 The board of education's open enrollment plan must include  
10 provisions that allow low income students to have access to  
11 transportation needed to exercise school choice. Open  
12 enrollment shall be in compliance with the provisions of  
13 the Consent Decree and Desegregation Plan cited in Section  
14 34-1.01;

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

21 9. Subject to the limitations in this Article, to  
22 establish and approve system-wide curriculum objectives  
23 and standards, including graduation standards, which  
24 reflect the multi-cultural diversity in the city and are  
25 consistent with State law, provided that for all purposes  
26 of this Article courses or proficiency in American Sign

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

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

1 persons' activities and shall be able to control or modify  
2 them. The general superintendent shall determine  
3 qualifications of such personnel and shall prescribe rules  
4 for determining the duties and activities to be assigned to  
5 such personnel;

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

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

26 12. To offer, if deemed appropriate, outdoor education



1 courses, including field trips within the State of  
2 Illinois, or adjacent states, and to use school educational  
3 funds for the expense of the said outdoor educational  
4 programs, whether within the school district or not;

5 13. During that period of the calendar year not  
6 embraced within the regular school term, to provide and  
7 conduct courses in subject matters normally embraced in the  
8 program of the schools during the regular school term and  
9 to give regular school credit for satisfactory completion  
10 by the student of such courses as may be approved for  
11 credit by the State Board of Education;

12 14. To insure against any loss or liability of the  
13 board, the former School Board Nominating Commission,  
14 Local School Councils, the Chicago Schools Academic  
15 Accountability Council, or the former Subdistrict Councils  
16 or of any member, officer, agent or employee thereof,  
17 resulting from alleged violations of civil rights arising  
18 from incidents occurring on or after September 5, 1967 or  
19 from the wrongful or negligent act or omission of any such  
20 person whether occurring within or without the school  
21 premises, provided the officer, agent or employee was, at  
22 the time of the alleged violation of civil rights or  
23 wrongful act or omission, acting within the scope of his  
24 employment or under direction of the board, the former  
25 School Board Nominating Commission, the Chicago Schools  
26 Academic Accountability Council, Local School Councils, or

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

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

19 16. (a) To provide, on an equal basis, access to a high  
20 school campus and student directory information to the  
21 official recruiting representatives of the armed forces of  
22 Illinois and the United States for the purposes of  
23 informing students of the educational and career  
24 opportunities available in the military if the board has  
25 provided such access to persons or groups whose purpose is  
26 to acquaint students with educational or occupational

1 opportunities available to them. The board is not required  
2 to give greater notice regarding the right of access to  
3 recruiting representatives than is given to other persons  
4 and groups. In this paragraph 16, "directory information"  
5 means a high school student's name, address, and telephone  
6 number.

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

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

24 (d) Information received by an official recruiting  
25 representative under this Section may be used only to  
26 provide information to students concerning educational and

1 career opportunities available in the military and may not  
2 be released to a person who is not involved in recruiting  
3 students for the armed forces of Illinois or the United  
4 States;

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

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

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

25 (2) "Computer program" means a series of coded  
26 instructions or statements in a form acceptable to a

1 computer, which causes the computer to process data in  
2 order to achieve a certain result.

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

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

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

19 19a. Upon receipt of notice from the comptroller of a  
20 municipality with a population of 500,000 or more, a county  
21 with a population of 3,000,000 or more, the Cook County  
22 Forest Preserve District, the Chicago Park District, the  
23 Metropolitan Water Reclamation District, the Chicago  
24 Transit Authority, or a housing authority of a municipality  
25 with a population of 500,000 or more that a debt is due and  
26 owing the municipality, the county, the Cook County Forest

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

1 amount" means that part of the salary or wage payment  
2 remaining after the deduction of any amounts required by  
3 law to be deducted and "debt due and owing" means (i) a  
4 specified sum of money owed to the municipality, the  
5 county, the Cook County Forest Preserve District, the  
6 Chicago Park District, the Metropolitan Water Reclamation  
7 District, the Chicago Transit Authority, or the housing  
8 authority for services, work, or goods, after the period  
9 granted for payment has expired, or (ii) a specified sum of  
10 money owed to the municipality, the county, the Cook County  
11 Forest Preserve District, the Chicago Park District, the  
12 Metropolitan Water Reclamation District, the Chicago  
13 Transit Authority, or the housing authority pursuant to a  
14 court order or order of an administrative hearing officer  
15 after the exhaustion of, or the failure to exhaust,  
16 judicial review;

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

23 21. To make available to students vocational and career  
24 counseling and to establish 5 special career counseling  
25 days for students and parents. On these days  
26 representatives of local businesses and industries shall

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

8 (a) American Indian or Alaska Native (a person having  
9 origins in any of the original peoples of North and South  
10 America, including Central America, and who maintains  
11 tribal affiliation or community attachment).

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

17 (c) Black or African American (a person having origins  
18 in any of the black racial groups of Africa). Terms such as  
19 "Haitian" or "Negro" can be used in addition to "Black or  
20 African American".

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

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



1           Counseling days shall not be in lieu of regular school  
2           days;

3           22. To report to the State Board of Education the  
4           annual student dropout rate and number of students who  
5           graduate from, transfer from or otherwise leave bilingual  
6           programs;

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

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

26          25. To make available to the students in every high

1 school attendance center the ability to take all courses  
2 necessary to comply with the Board of Higher Education's  
3 college entrance criteria effective in 1993;

4 26. To encourage mid-career changes into the teaching  
5 profession, whereby qualified professionals become  
6 certified teachers, by allowing credit for professional  
7 employment in related fields when determining point of  
8 entry on teacher pay scale;

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

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

19 29. (Blank);

20 30. Notwithstanding any other provision of this Act or  
21 any other law to the contrary, to contract with third  
22 parties for services otherwise performed by employees,  
23 including those in a bargaining unit, and to layoff those  
24 employees upon 14 days written notice to the affected  
25 employees. Those contracts may be for a period not to  
26 exceed 5 years and may be awarded on a system-wide basis.

1 The board may not operate more than 30 contract schools,  
2 provided that the board may operate an additional 5  
3 contract turnaround schools pursuant to item (5.5) of  
4 subsection (d) of Section 34-8.3 of this Code;

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

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

17 33. (Blank); and ~~To enter into a partnership agreement,~~  
18 ~~as required by Section 34-3.5 of this Code, and,~~  
19 ~~notwithstanding any other provision of law to the contrary,~~  
20 ~~to promulgate policies, enter into contracts, and take any~~  
21 ~~other action necessary to accomplish the objectives and~~  
22 ~~implement the requirements of that agreement; and~~

23 34. To establish a Labor Management Council to the  
24 board comprised of representatives of the board, the chief  
25 executive officer, and those labor organizations that are  
26 the exclusive representatives of employees of the board and

1 to promulgate policies and procedures for the operation of  
2 the Council.

3 The specifications of the powers herein granted are not to  
4 be construed as exclusive but the board shall also exercise all  
5 other powers that they may be requisite or proper for the  
6 maintenance and the development of a public school system, not  
7 inconsistent with the other provisions of this Article or  
8 provisions of this Code which apply to all school districts.

9 In addition to the powers herein granted and authorized to  
10 be exercised by the board, it shall be the duty of the board to  
11 review or to direct independent reviews of special education  
12 expenditures and services. The board shall file a report of  
13 such review with the General Assembly on or before May 1, 1990.  
14 (Source: P.A. 99-143, eff. 7-27-15; 100-465, eff. 8-31-17.);  
15 and

16 on page 41, immediately below line 22, by inserting the  
17 following:

18 "(105 ILCS 5/34-3.5 rep.)"; and

19 on page 41, line 25, after "21B-200,", by inserting "34-3.5,".