

HB3021



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3021

by Rep. Robert Martwick

SYNOPSIS AS INTRODUCED:

105 ILCS 5/21B-20

Amends the Educator Licensure Article of the School Code. Provides that beginning on January 1, 2018, the State Board of Education shall implement a program and adopt rules to allow temporary staffing firms to contract with school districts to provide substitute teachers for elementary and secondary public schools. Sets forth requirements for substitute teachers from temporary staffing firms. Prohibits school districts from using temporary staffing firms to circumvent collective bargaining agreements or laws.

LRB100 10622 MLM 20844 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Section
5 21B-20 as follows:

6 (105 ILCS 5/21B-20)

7 Sec. 21B-20. Types of licenses. Before July 1, 2013, the
8 State Board of Education shall implement a system of educator
9 licensure, whereby individuals employed in school districts
10 who are required to be licensed must have one of the following
11 licenses: (i) a professional educator license; (ii) a
12 professional educator license with stipulations; or (iii) a
13 substitute teaching license. References in law regarding
14 individuals certified or certificated or required to be
15 certified or certificated under Article 21 of this Code shall
16 also include individuals licensed or required to be licensed
17 under this Article. The first year of all licenses ends on June
18 30 following one full year of the license being issued.

19 The State Board of Education, in consultation with the
20 State Educator Preparation and Licensure Board, may adopt such
21 rules as may be necessary to govern the requirements for
22 licenses and endorsements under this Section.

23 (1) Professional Educator License. Persons who (i)

1 have successfully completed an approved educator
2 preparation program and are recommended for licensure by
3 the Illinois institution offering the educator preparation
4 program, (ii) have successfully completed the required
5 testing under Section 21B-30 of this Code, (iii) have
6 successfully completed coursework on the psychology of,
7 the identification of, and the methods of instruction for
8 the exceptional child, including without limitation
9 children with learning disabilities, (iv) have
10 successfully completed coursework in methods of reading
11 and reading in the content area, and (v) have met all other
12 criteria established by rule of the State Board of
13 Education shall be issued a Professional Educator License.
14 All Professional Educator Licenses are valid until June 30
15 immediately following 5 years of the license being issued.
16 The Professional Educator License shall be endorsed with
17 specific areas and grade levels in which the individual is
18 eligible to practice.

19 Individuals can receive subsequent endorsements on the
20 Professional Educator License. Subsequent endorsements
21 shall require a minimum of 24 semester hours of coursework
22 in the endorsement area, unless otherwise specified by
23 rule, and passage of the applicable content area test.

24 (2) Educator License with Stipulations. An Educator
25 License with Stipulations shall be issued an endorsement
26 that limits the license holder to one particular position

1 or does not require completion of an approved educator
2 program or both.

3 An individual with an Educator License with
4 Stipulations must not be employed by a school district or
5 any other entity to replace any presently employed teacher
6 who otherwise would not be replaced for any reason.

7 An Educator License with Stipulations may be issued
8 with the following endorsements:

9 (A) Provisional educator. A provisional educator
10 endorsement in a specific content area or areas on an
11 Educator License with Stipulations may be issued to an
12 applicant who holds an educator license from another
13 state, U.S. territory, or foreign country and who, at
14 the time of applying for an Illinois license, does not
15 meet the minimum requirements under Section 21B-35 of
16 this Code, but does, at a minimum, meet the following
17 requirements:

18 (i) Holds the equivalent of a minimum of a
19 bachelor's degree, unless a master's degree is
20 required for the endorsement, from a regionally
21 accredited college or university or, for
22 individuals educated in a country other than the
23 United States, the equivalent of a minimum of a
24 bachelor's degree issued in the United States,
25 unless a master's degree is required for the
26 endorsement.

1 (ii) Has passed or passes a test of basic
2 skills and content area test prior to or within one
3 year after issuance of the provisional educator
4 endorsement on the Educator License with
5 Stipulations. If an individual who holds an
6 Educator License with Stipulations endorsed for
7 provisional educator has not passed a test of basic
8 skills and applicable content area test or tests
9 within one year after issuance of the endorsement,
10 the endorsement shall expire on June 30 following
11 one full year of the endorsement being issued. If
12 such an individual has passed the test of basic
13 skills and applicable content area test or tests
14 either prior to issuance of the endorsement or
15 within one year after issuance of the endorsement,
16 the endorsement is valid until June 30 immediately
17 following 2 years of the license being issued,
18 during which time any and all coursework
19 deficiencies must be met and any and all additional
20 testing deficiencies must be met.

21 In addition, a provisional educator endorsement
22 for principals or superintendents may be issued if the
23 individual meets the requirements set forth in
24 subdivisions (1) and (3) of subsection (b-5) of Section
25 21B-35 of this Code. Applicants who have not been
26 entitled by an Illinois-approved educator preparation

1 program at an Illinois institution of higher education
2 shall not receive a provisional educator endorsement
3 if the person completed an alternative licensure
4 program in another state, unless the program has been
5 determined to be equivalent to Illinois program
6 requirements.

7 Notwithstanding any other requirements of this
8 Section, a service member or spouse of a service member
9 may obtain a Professional Educator License with
10 Stipulations, and a provisional educator endorsement
11 in a specific content area or areas, if he or she holds
12 a valid teaching certificate or license in good
13 standing from another state, meets the qualifications
14 of educators outlined in Section 21B-15 of this Code,
15 and has not engaged in any misconduct that would
16 prohibit an individual from obtaining a license
17 pursuant to Illinois law, including without limitation
18 any administrative rules of the State Board of
19 Education.

20 In this Section, "service member" means any person
21 who, at the time of application under this Section, is
22 an active duty member of the United States Armed Forces
23 or any reserve component of the United States Armed
24 Forces or the National Guard of any state,
25 commonwealth, or territory of the United States or the
26 District of Columbia.

1 A provisional educator endorsement is valid until
2 June 30 immediately following 2 years of the license
3 being issued, provided that any remaining testing and
4 coursework deficiencies are met as set forth in this
5 Section. Failure to satisfy all stated deficiencies
6 shall mean the individual, including any service
7 member or spouse who has obtained a Professional
8 Educator License with Stipulations and a provisional
9 educator endorsement in a specific content area or
10 areas, is ineligible to receive a Professional
11 Educator License at that time. An Educator License with
12 Stipulations endorsed for provisional educator shall
13 not be renewed for individuals who hold an Educator
14 License with Stipulations and who have held a position
15 in a public school or non-public school recognized by
16 the State Board of Education.

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

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

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

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

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

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

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

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

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

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

1 of this Code.

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

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

8 (D) Resident teacher endorsement. A resident
9 teacher endorsement on an Educator License with
10 Stipulations may be issued to an applicant who, at the
11 time of applying for the endorsement, has done all of
12 the following:

13 (i) Graduated from a regionally accredited
14 institution of higher education with a minimum of a
15 bachelor's degree.

16 (ii) Enrolled in an approved Illinois educator
17 preparation program.

18 (iii) Passed a test of basic skills and content
19 area test, as required under Section 21B-30 of this
20 Code.

21 The resident teacher endorsement on an Educator
22 License with Stipulations is valid for 4 years of
23 teaching and shall not be renewed.

24 A resident teacher may teach only under the
25 direction of a licensed teacher, who shall act as the
26 resident mentor teacher, and may not teach in place of

1 a licensed teacher. A resident teacher endorsement on
2 an Educator License with Stipulations shall no longer
3 be valid after June 30, 2017.

4 (E) Career and technical educator. A career and
5 technical educator endorsement on an Educator License
6 with Stipulations may be issued to an applicant who has
7 a minimum of 60 semester hours of coursework from a
8 regionally accredited institution of higher education
9 and has a minimum of 2,000 hours of experience outside
10 of education in each area to be taught.

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

21 (F) Part-time provisional career and technical
22 educator or provisional career and technical educator.
23 A part-time provisional career and technical educator
24 endorsement or a provisional career and technical
25 educator endorsement on an Educator License with
26 Stipulations may be issued to an applicant who has a

1 minimum of 8,000 hours of work experience in the skill
2 for which the applicant is seeking the endorsement. It
3 is the responsibility of each employing school board
4 and regional office of education to provide
5 verification, in writing, to the State Superintendent
6 of Education at the time the application is submitted
7 that no qualified teacher holding a Professional
8 Educator License or an Educator License with
9 Stipulations with a career and technical educator
10 endorsement is available and that actual circumstances
11 require such issuance.

12 The provisional career and technical educator
13 endorsement on an Educator License with Stipulations
14 is valid until June 30 immediately following 5 years of
15 the endorsement being issued and may be renewed only
16 one time for 5 years. For individuals who were issued
17 the provisional career and technical educator
18 endorsement on an Educator License with Stipulations
19 on or after January 1, 2015, the license may be renewed
20 one time if the individual passes a test of basic
21 skills or test of work proficiency, as required under
22 Section 21B-30 of this Code, and has completed a
23 minimum of 20 semester hours from a regionally
24 accredited institution.

25 A part-time provisional career and technical
26 educator endorsement on an Educator License with

1 Stipulations may be issued for teaching no more than 2
2 courses of study for grades 6 through 12. The part-time
3 provisional career and technical educator endorsement
4 on an Educator License with Stipulations is valid until
5 June 30 immediately following 5 years of the
6 endorsement being issued and may be renewed for 5 years
7 if the individual makes application for renewal.

8 (G) Transitional bilingual educator. A
9 transitional bilingual educator endorsement on an
10 Educator License with Stipulations may be issued for
11 the purpose of providing instruction in accordance
12 with Article 14C of this Code to an applicant who
13 provides satisfactory evidence that he or she meets all
14 of the following requirements:

15 (i) Possesses adequate speaking, reading, and
16 writing ability in the language other than English
17 in which transitional bilingual education is
18 offered.

19 (ii) Has the ability to successfully
20 communicate in English.

21 (iii) Either possessed, within 5 years
22 previous to his or her applying for a transitional
23 bilingual educator endorsement, a valid and
24 comparable teaching certificate or comparable
25 authorization issued by a foreign country or holds
26 a degree from an institution of higher learning in

1 a foreign country that the State Educator
2 Preparation and Licensure Board determines to be
3 the equivalent of a bachelor's degree from a
4 regionally accredited institution of higher
5 learning in the United States.

6 A transitional bilingual educator endorsement
7 shall be valid for prekindergarten through grade 12, is
8 valid until June 30 immediately following 5 years of
9 the endorsement being issued, and shall not be renewed.

10 Persons holding a transitional bilingual educator
11 endorsement shall not be employed to replace any
12 presently employed teacher who otherwise would not be
13 replaced for any reason.

14 (H) Language endorsement. In an effort to
15 alleviate the shortage of teachers speaking a language
16 other than English in the public schools, an individual
17 who holds an Educator License with Stipulations may
18 also apply for a language endorsement, provided that
19 the applicant provides satisfactory evidence that he
20 or she meets all of the following requirements:

21 (i) Holds a transitional bilingual
22 endorsement.

23 (ii) Has demonstrated proficiency in the
24 language for which the endorsement is to be issued
25 by passing the applicable language content test
26 required by the State Board of Education.

1 (iii) Holds a bachelor's degree or higher from
2 a regionally accredited institution of higher
3 education or, for individuals educated in a
4 country other than the United States, holds a
5 degree from an institution of higher learning in a
6 foreign country that the State Educator
7 Preparation and Licensure Board determines to be
8 the equivalent of a bachelor's degree from a
9 regionally accredited institution of higher
10 learning in the United States.

11 (iv) Has passed a test of basic skills, as
12 required under Section 21B-30 of this Code.

13 A language endorsement on an Educator License with
14 Stipulations is valid for prekindergarten through
15 grade 12 for the same validity period as the
16 individual's transitional bilingual educator
17 endorsement on the Educator License with Stipulations
18 and shall not be renewed.

19 (I) Visiting international educator. A visiting
20 international educator endorsement on an Educator
21 License with Stipulations may be issued to an
22 individual who is being recruited by a particular
23 school district that conducts formal recruitment
24 programs outside of the United States to secure the
25 services of qualified teachers and who meets all of the
26 following requirements:

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

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

5 (iii) Has adequate content knowledge in the
6 subject to be taught.

7 (iv) Has an adequate command of the English
8 language.

9 A holder of a visiting international educator
10 endorsement on an Educator License with Stipulations
11 shall be permitted to teach in bilingual education
12 programs in the language that was the medium of
13 instruction in his or her teacher preparation program,
14 provided that he or she passes the English Language
15 Proficiency Examination or another test of writing
16 skills in English identified by the State Board of
17 Education, in consultation with the State Educator
18 Preparation and Licensure Board.

19 A visiting international educator endorsement on
20 an Educator License with Stipulations is valid for 3
21 years and shall not be renewed.

22 (J) Paraprofessional educator. A paraprofessional
23 educator endorsement on an Educator License with
24 Stipulations may be issued to an applicant who holds a
25 high school diploma or its recognized equivalent and
26 either holds an associate's degree or a minimum of 60

1 semester hours of credit from a regionally accredited
2 institution of higher education or has passed a test of
3 basic skills required under Section 21B-30 of this
4 Code. The paraprofessional educator endorsement is
5 valid until June 30 immediately following 5 years of
6 the endorsement being issued and may be renewed through
7 application and payment of the appropriate fee, as
8 required under Section 21B-40 of this Code. An
9 individual who holds only a paraprofessional educator
10 endorsement is not subject to additional requirements
11 in order to renew the endorsement.

12 (K) Chief school business official. A chief school
13 business official endorsement on an Educator License
14 with Stipulations may be issued to an applicant who
15 qualifies by having a master's degree or higher, 2
16 years of full-time administrative experience in school
17 business management or 2 years of university-approved
18 practical experience, and a minimum of 24 semester
19 hours of graduate credit in a program approved by the
20 State Board of Education for the preparation of school
21 business administrators and by passage of the
22 applicable State tests, including a test of basic
23 skills and applicable content area test.

24 The chief school business official endorsement may
25 also be affixed to the Educator License with
26 Stipulations of any holder who qualifies by having a

1 master's degree in business administration, finance,
2 or accounting and who completes an additional 6
3 semester hours of internship in school business
4 management from a regionally accredited institution of
5 higher education and passes the applicable State
6 tests, including a test of basic skills and applicable
7 content area test. This endorsement shall be required
8 for any individual employed as a chief school business
9 official.

10 The chief school business official endorsement on
11 an Educator License with Stipulations is valid until
12 June 30 immediately following 5 years of the
13 endorsement being issued and may be renewed if the
14 license holder completes renewal requirements as
15 required for individuals who hold a Professional
16 Educator License endorsed for chief school business
17 official under Section 21B-45 of this Code and such
18 rules as may be adopted by the State Board of
19 Education.

20 (L) Provisional in-state educator. A provisional
21 in-state educator endorsement on an Educator License
22 with Stipulations may be issued to a candidate who has
23 completed an Illinois-approved educator preparation
24 program at an Illinois institution of higher education
25 and who has not successfully completed an
26 evidence-based assessment of teacher effectiveness but

1 who meets all of the following requirements:

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

3 (ii) Has completed an approved educator
4 preparation program at an Illinois institution.

5 (iii) Has passed a test of basic skills and
6 applicable content area test, as required by
7 Section 21B-30 of this Code.

8 (iv) Has attempted an evidence-based
9 assessment of teacher effectiveness and received a
10 minimum score on that assessment, as established
11 by the State Board of Education in consultation
12 with the State Educator Preparation and Licensure
13 Board.

14 A provisional in-state educator endorsement on an
15 Educator License with Stipulations is valid for one
16 full fiscal year after the date of issuance and may not
17 be renewed.

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

26 Substitute Teaching Licenses are valid for 5 years.

1 Substitute Teaching Licenses are valid for substitute
2 teaching in every county of this State. If an individual
3 has had his or her Professional Educator License or
4 Educator License with Stipulations suspended or revoked or
5 has not met the renewal requirements for licensure, then
6 that individual is not eligible to obtain a Substitute
7 Teaching License.

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

23 There is no limit on the number of days that a
24 substitute teacher may teach in a single school district,
25 provided that no substitute teacher may teach for longer
26 than 90 school days for any one licensed teacher under

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

9 (4) Beginning on January 1, 2018, the State Board of
10 Education shall implement a program and adopt rules to
11 allow temporary staffing firms to contract with school
12 districts to provide substitute teachers for elementary
13 and secondary public schools. Substitute teachers provided
14 by staffing firms must adhere to all mandated State laws,
15 rules, and screening requirements for substitute teachers
16 not hired from a staffing firm and must be paid on the same
17 wage scale as substitute teachers not hired from a staffing
18 firm. This paragraph (4) shall not be construed to require
19 school districts to use staffing firms to hire substitute
20 teachers. School districts shall not contract with
21 temporary staffing firms to circumvent any collective
22 bargaining agreements or State laws, rules, and screening
23 requirements for teachers.

24 (Source: P.A. 98-28, eff. 7-1-13; 98-751, eff. 1-1-15; 99-35,
25 eff. 1-1-16; 99-58, eff. 7-16-15; 99-143, eff. 7-27-15; 99-642,
26 eff. 7-28-16; 99-920, eff. 1-6-17.)