



Rep. Justin Slaughter

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1 AMENDMENT TO HOUSE BILL 2272

2 AMENDMENT NO. _____. Amend House Bill 2272 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section
5 34-18 as follows:

6 (105 ILCS 5/34-18) (from Ch. 122, par. 34-18)

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

11 1. To make suitable provision for the establishment and
12 maintenance throughout the year or for such portion thereof
13 as it may direct, not less than 9 months, of schools of all
14 grades and kinds, including normal schools, high schools,
15 night schools, schools for defectives and delinquents,
16 parental and truant schools, schools for the blind, the

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

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

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

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

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

26 5. To employ dentists and prescribe their duties for

1 the purpose of treating the pupils in the schools, but
2 accepting such treatment shall be optional with parents or
3 guardians;

4 6. To grant the use of assembly halls and classrooms
5 when not otherwise needed, including light, heat, and
6 attendants, for free public lectures, concerts, and other
7 educational and social interests, free of charge, under
8 such provisions and control as the principal of the
9 affected attendance center may prescribe;

10 7. To apportion the pupils to the several schools;
11 provided that no pupil shall be excluded from or segregated
12 in any such school on account of his color, race, sex, or
13 nationality. The board shall take into consideration the
14 prevention of segregation and the elimination of
15 separation of children in public schools because of color,
16 race, sex, or nationality. Except that children may be
17 committed to or attend parental and social adjustment
18 schools established and maintained either for boys or girls
19 only. All records pertaining to the creation, alteration or
20 revision of attendance areas shall be open to the public.
21 Nothing herein shall limit the board's authority to
22 establish multi-area attendance centers or other student
23 assignment systems for desegregation purposes or
24 otherwise, and to apportion the pupils to the several
25 schools. Furthermore, beginning in school year 1994-95,
26 pursuant to a board plan adopted by October 1, 1993, the

1 board shall offer, commencing on a phased-in basis, the
2 opportunity for families within the school district to
3 apply for enrollment of their children in any attendance
4 center within the school district which does not have
5 selective admission requirements approved by the board.
6 The appropriate geographical area in which such open
7 enrollment may be exercised shall be determined by the
8 board of education. Such children may be admitted to any
9 such attendance center on a space available basis after all
10 children residing within such attendance center's area
11 have been accommodated. If the number of applicants from
12 outside the attendance area exceed the space available,
13 then successful applicants shall be selected by lottery.
14 The board of education's open enrollment plan must include
15 provisions that allow low income students to have access to
16 transportation needed to exercise school choice. Open
17 enrollment shall be in compliance with the provisions of
18 the Consent Decree and Desegregation Plan cited in Section
19 34-1.01;

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

26 9. Subject to the limitations in this Article, to

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

17 10. To employ non-teaching personnel or utilize
18 volunteer personnel for: (i) non-teaching duties not
19 requiring instructional judgment or evaluation of pupils,
20 including library duties; and (ii) supervising study
21 halls, long distance teaching reception areas used
22 incident to instructional programs transmitted by
23 electronic media such as computers, video, and audio,
24 detention and discipline areas, and school-sponsored
25 extracurricular activities. The board may further utilize
26 volunteer non-certificated personnel or employ

1 non-certificated personnel to assist in the instruction of
2 pupils under the immediate supervision of a teacher holding
3 a valid certificate, directly engaged in teaching subject
4 matter or conducting activities; provided that the teacher
5 shall be continuously aware of the non-certificated
6 persons' activities and shall be able to control or modify
7 them. The general superintendent shall determine
8 qualifications of such personnel and shall prescribe rules
9 for determining the duties and activities to be assigned to
10 such personnel;

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

22 11. To provide television studio facilities in not to
23 exceed one school building and to provide programs for
24 educational purposes, provided, however, that the board
25 shall not construct, acquire, operate, or maintain a
26 television transmitter; to grant the use of its studio

1 facilities to a licensed television station located in the
2 school district; and to maintain and operate not to exceed
3 one school radio transmitting station and provide programs
4 for educational purposes;

5 12. To offer, if deemed appropriate, outdoor education
6 courses, including field trips within the State of
7 Illinois, or adjacent states, and to use school educational
8 funds for the expense of the said outdoor educational
9 programs, whether within the school district or not;

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

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

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

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

24 16. (a) To provide, on an equal basis, access to a high
25 school campus and student directory information to the
26 official recruiting representatives of the armed forces of

1 Illinois and the United States for the purposes of
2 informing students of the educational and career
3 opportunities available in the military if the board has
4 provided such access to persons or groups whose purpose is
5 to acquaint students with educational or occupational
6 opportunities available to them. The board is not required
7 to give greater notice regarding the right of access to
8 recruiting representatives than is given to other persons
9 and groups. In this paragraph 16, "directory information"
10 means a high school student's name, address, and telephone
11 number.

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

24 (c) A high school may require official recruiting
25 representatives of the armed forces of Illinois and the
26 United States to pay a fee for copying and mailing a

1 student's directory information in an amount that is not
2 more than the actual costs incurred by the high school.

3 (d) Information received by an official recruiting
4 representative under this Section may be used only to
5 provide information to students concerning educational and
6 career opportunities available in the military and may not
7 be released to a person who is not involved in recruiting
8 students for the armed forces of Illinois or the United
9 States;

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

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

26 (1) "Computer" means an internally programmed,

1 general purpose digital device capable of
2 automatically accepting data, processing data and
3 supplying the results of the operation.

4 (2) "Computer program" means a series of coded
5 instructions or statements in a form acceptable to a
6 computer, which causes the computer to process data in
7 order to achieve a certain result.

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

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

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

24 19a. Upon receipt of notice from the comptroller of a
25 municipality with a population of 500,000 or more, a county
26 with a population of 3,000,000 or more, the Cook County

1 Forest Preserve District, the Chicago Park District, the
2 Metropolitan Water Reclamation District, the Chicago
3 Transit Authority, or a housing authority of a municipality
4 with a population of 500,000 or more that a debt is due and
5 owing the municipality, the county, the Cook County Forest
6 Preserve District, the Chicago Park District, the
7 Metropolitan Water Reclamation District, the Chicago
8 Transit Authority, or the housing authority by an employee
9 of the Chicago Board of Education, to withhold, from the
10 compensation of that employee, the amount of the debt that
11 is due and owing and pay the amount withheld to the
12 municipality, the county, the Cook County Forest Preserve
13 District, the Chicago Park District, the Metropolitan
14 Water Reclamation District, the Chicago Transit Authority,
15 or the housing authority; provided, however, that the
16 amount deducted from any one salary or wage payment shall
17 not exceed 25% of the net amount of the payment. Before the
18 Board deducts any amount from any salary or wage of an
19 employee under this paragraph, the municipality, the
20 county, the Cook County Forest Preserve District, the
21 Chicago Park District, the Metropolitan Water Reclamation
22 District, the Chicago Transit Authority, or the housing
23 authority shall certify that (i) the employee has been
24 afforded an opportunity for a hearing to dispute the debt
25 that is due and owing the municipality, the county, the
26 Cook County Forest Preserve District, the Chicago Park

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

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

1 such time;

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

13 (a) American Indian or Alaska Native (a person having
14 origins in any of the original peoples of North and South
15 America, including Central America, and who maintains
16 tribal affiliation or community attachment).

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

22 (c) Black or African American (a person having origins
23 in any of the black racial groups of Africa). Terms such as
24 "Haitian" or "Negro" can be used in addition to "Black or
25 African American".

26 (d) Hispanic or Latino (a person of Cuban, Mexican,

1 Puerto Rican, South or Central American, or other Spanish
2 culture or origin, regardless of race).

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

6 Counseling days shall not be in lieu of regular school
7 days;

8 22. To report to the State Board of Education the
9 annual student dropout rate and number of students who
10 graduate from, transfer from or otherwise leave bilingual
11 programs;

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

21 24. To develop a policy, based on the current state of
22 existing school facilities, projected enrollment and
23 efficient utilization of available resources, for capital
24 improvement of schools and school buildings within the
25 district, addressing in that policy both the relative
26 priority for major repairs, renovations and additions to

1 school facilities, and the advisability or necessity of
2 building new school facilities or closing existing schools
3 to meet current or projected demographic patterns within
4 the district;

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

9 26. To encourage mid-career changes into the teaching
10 profession, whereby qualified professionals become
11 certified teachers, by allowing credit for professional
12 employment in related fields when determining point of
13 entry on teacher pay scale;

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

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

24 29. (Blank);

25 30. Notwithstanding any other provision of this Act or
26 any other law to the contrary, to contract with third

1 parties for services otherwise performed by employees,
2 including those in a bargaining unit, and to layoff those
3 employees upon 14 days written notice to the affected
4 employees. Those contracts may be for a period not to
5 exceed 5 years and may be awarded on a system-wide basis.
6 The board may not operate more than 30 contract schools,
7 provided that the board may operate an additional 5
8 contract turnaround schools pursuant to item (5.5) of
9 subsection (d) of Section 34-8.3 of this Code, and the
10 governing bodies of contract schools are subject to the
11 Freedom of Information Act and Open Meetings Act;

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

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

24 33. (Blank); and

25 34. To establish a Labor Management Council to the
26 board comprised of representatives of the board, the chief

1 executive officer, and those labor organizations that are
2 the exclusive representatives of employees of the board and
3 to promulgate policies and procedures for the operation of
4 the Council.

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

11 In addition to the powers herein granted and authorized to
12 be exercised by the board, it shall be the duty of the board to
13 review or to direct independent reviews of special education
14 expenditures and services. The board shall file a report of
15 such review with the General Assembly on or before May 1, 1990.

16 (Source: P.A. 99-143, eff. 7-27-15; 100-465, eff. 8-31-17;
17 100-1046, eff. 8-23-18.)".