

HB5639



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5639

by Rep. Edgar Gonzalez, Jr.

SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.173

Amends the School Code. In a provision concerning substitute teacher recruiting firms, provides that an individual hired by a recruiting firm may teach no more than 5 consecutive days per licensed teacher who is under a collective bargaining agreement.

LRB101 18676 NHT 68131 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 2-3.173 as follows:

6 (105 ILCS 5/2-3.173)

7 Sec. 2-3.173. Substitute teachers; recruiting firms.

8 (a) In this Section, "recruiting firm" means a company with
9 expertise in finding qualified applicants for positions and
10 screening those potential workers for an employer.

11 (b) By January 1, 2019, the State Board of Education shall
12 implement a program and adopt rules to allow school districts
13 to supplement their substitute teacher recruitment for
14 elementary and secondary schools with the use of recruiting
15 firms, subject to the other provisions of this Section. To
16 qualify for the program, a school district shall demonstrate to
17 the State Board that, because of the severity of its substitute
18 teacher shortage, it is unable to find an adequate amount of
19 substitute or retired teachers and has exhausted all other
20 efforts. Substitute teachers provided by a recruiting firm must
21 adhere to all mandated State laws, rules, and screening
22 requirements for substitute teachers not provided by a
23 recruiting firm and must be paid on the same wage scale as

1 substitute teachers not provided by a recruiting firm. This
2 Section shall not be construed to require school districts to
3 use recruiting firms for substitute teachers. A school district
4 may not use a recruiting firm under this Section to circumvent
5 any collective bargaining agreements or State laws, rules, or
6 screening requirements for teachers. A school district may not
7 reduce the number of full-time staff members of a department as
8 a result of hiring a substitute teacher recruiting firm. In the
9 event of a teacher's strike, a school district may not use a
10 recruiting firm to hire a substitute teacher. An individual
11 hired by a recruiting firm may teach no more than 5 consecutive
12 days per licensed teacher who is under a collective bargaining
13 agreement.

14 (c) A school district organized under Article 34 of this
15 Code may contract with a substitute teacher recruiting firm
16 under this Section only if the district meets the following
17 requirements:

18 (1) certifies to the State Board of Education that it
19 has adequate funds to fill and pay for all substitute
20 teacher positions;

21 (2) prioritizes existing substitute teachers over
22 substitute teachers from recruiting firms;

23 (3) files copies of all substitute teacher contracts
24 with the State Board of Education; and

25 (4) requires that the substitute teacher recruiting
26 firm file an annual report with the school district that

1 would include the number of substitute teachers that were
2 placed in the district, the total cost of the contract to
3 the district, and the percentage of substitute teacher
4 openings that were filled.

5 (d) A substitute teacher recruiting firm may enter into an
6 agreement with a labor organization that has a collective
7 bargaining agreement with a school district.

8 (Source: P.A. 100-813, eff. 8-13-18; 101-81, eff. 7-12-19.)