



Rep. Fred Crespo

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10100SB0010ham001

LRB101 06120 NHT 63907 a

1 AMENDMENT TO SENATE BILL 10

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 10 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections  
5 14-8.02a, 21B-20, 21B-30, and 27A-10 as follows:

6 (105 ILCS 5/14-8.02a)

7 Sec. 14-8.02a. Impartial due process hearing; civil  
8 action.

9 (a) This Section shall apply to all impartial due process  
10 hearings requested on or after July 1, 2005. Impartial due  
11 process hearings requested before July 1, 2005 shall be  
12 governed by the rules described in Public Act 89-652.

13 (a-5) For purposes of this Section and Section 14-8.02b of  
14 this Code, days shall be computed in accordance with Section  
15 1.11 of the Statute on Statutes.

16 (b) The State Board of Education shall establish an

1 impartial due process hearing system in accordance with this  
2 Section and may, with the advice and approval of the Advisory  
3 Council on Education of Children with Disabilities, promulgate  
4 rules and regulations consistent with this Section to establish  
5 the rules and procedures for due process hearings.

6 (c) (Blank).

7 (d) (Blank).

8 (e) (Blank).

9 (f) An impartial due process hearing shall be convened upon  
10 the request of a parent, student if at least 18 years of age or  
11 emancipated, or a school district. A school district shall make  
12 a request in writing to the State Board of Education and  
13 promptly mail a copy of the request to the parents or student  
14 (if at least 18 years of age or emancipated) at the parent's or  
15 student's last known address. A request made by the parent or  
16 student shall be made in writing to the superintendent of the  
17 school district where the student resides. The superintendent  
18 shall forward the request to the State Board of Education  
19 within 5 days after receipt of the request. The request shall  
20 be filed no more than 2 years following the date the person or  
21 school district knew or should have known of the event or  
22 events forming the basis for the request. However, if the  
23 request is in connection with an allegation that a school  
24 district organized under Article 34 delayed or denied special  
25 education or related services in the 2016-2017 or 2017-2018  
26 school year as a result of the adoption of policies and

1 procedures identified by the State Board of Education as  
2 unlawful, the request shall be filed on or before September 30,  
3 2021, and, no later than 30 days after the effective date of  
4 this amendatory Act of the 101st General Assembly, the school  
5 district must provide written notification of this filing  
6 deadline to (i) the parent or guardian of the student, (ii) a  
7 designated representative of the student, (iii) the student if  
8 he or she is an emancipated minor, or (iv) the student if he or  
9 she has reached the age of majority and does not have a  
10 designated representative. The request shall, at a minimum,  
11 contain all of the following:

12 (1) The name of the student, the address of the  
13 student's residence, and the name of the school the student  
14 is attending.

15 (2) In the case of homeless children (as defined under  
16 the federal McKinney-Vento Homeless Assistance Act (42  
17 U.S.C. 11434a(2))), available contact information for the  
18 student and the name of the school the student is  
19 attending.

20 (3) A description of the nature of the problem relating  
21 to the actual or proposed placement, identification,  
22 services, or evaluation of the student, including facts  
23 relating to the problem.

24 (4) A proposed resolution of the problem to the extent  
25 known and available to the party at the time.

26 (f-5) Within 3 days after receipt of the hearing request,

1 the State Board of Education shall appoint a due process  
2 hearing officer using a rotating appointment system and shall  
3 notify the hearing officer of his or her appointment.

4 For a school district other than a school district located  
5 in a municipality having a population exceeding 500,000, a  
6 hearing officer who is a current resident of the school  
7 district, special education cooperative, or other public  
8 entity involved in the hearing shall recuse himself or herself.  
9 A hearing officer who is a former employee of the school  
10 district, special education cooperative, or other public  
11 entity involved in the hearing shall immediately disclose the  
12 former employment to the parties and shall recuse himself or  
13 herself, unless the parties otherwise agree in writing. A  
14 hearing officer having a personal or professional interest that  
15 may conflict with his or her objectivity in the hearing shall  
16 disclose the conflict to the parties and shall recuse himself  
17 or herself unless the parties otherwise agree in writing. For  
18 purposes of this subsection an assigned hearing officer shall  
19 be considered to have a conflict of interest if, at any time  
20 prior to the issuance of his or her written decision, he or she  
21 knows or should know that he or she may receive remuneration  
22 from a party to the hearing within 3 years following the  
23 conclusion of the due process hearing.

24 A party to a due process hearing shall be permitted one  
25 substitution of hearing officer as a matter of right, in  
26 accordance with procedures established by the rules adopted by

1 the State Board of Education under this Section. The State  
2 Board of Education shall randomly select and appoint another  
3 hearing officer within 3 days after receiving notice that the  
4 appointed hearing officer is ineligible to serve or upon  
5 receiving a proper request for substitution of hearing officer.  
6 If a party withdraws its request for a due process hearing  
7 after a hearing officer has been appointed, that hearing  
8 officer shall retain jurisdiction over a subsequent hearing  
9 that involves the same parties and is requested within one year  
10 from the date of withdrawal of the previous request, unless  
11 that hearing officer is unavailable.

12 Any party may raise facts that constitute a conflict of  
13 interest for the hearing officer at any time before or during  
14 the hearing and may move for recusal.

15 (g) Impartial due process hearings shall be conducted  
16 pursuant to this Section and any rules and regulations  
17 promulgated by the State Board of Education consistent with  
18 this Section and other governing laws and regulations. The  
19 hearing shall address only those issues properly raised in the  
20 hearing request under subsection (f) of this Section or, if  
21 applicable, in the amended hearing request under subsection  
22 (g-15) of this Section. The hearing shall be closed to the  
23 public unless the parents request that the hearing be open to  
24 the public. The parents involved in the hearing shall have the  
25 right to have the student who is the subject of the hearing  
26 present. The hearing shall be held at a time and place which

1 are reasonably convenient to the parties involved. Upon the  
2 request of a party, the hearing officer shall hold the hearing  
3 at a location neutral to the parties if the hearing officer  
4 determines that there is no cost for securing the use of the  
5 neutral location. Once appointed, the impartial due process  
6 hearing officer shall not communicate with the State Board of  
7 Education or its employees concerning the hearing, except that,  
8 where circumstances require, communications for administrative  
9 purposes that do not deal with substantive or procedural  
10 matters or issues on the merits are authorized, provided that  
11 the hearing officer promptly notifies all parties of the  
12 substance of the communication as a matter of record.

13 (g-5) Unless the school district has previously provided  
14 prior written notice to the parent or student (if at least 18  
15 years of age or emancipated) regarding the subject matter of  
16 the hearing request, the school district shall, within 10 days  
17 after receiving a hearing request initiated by a parent or  
18 student (if at least 18 years of age or emancipated), provide a  
19 written response to the request that shall include all of the  
20 following:

21 (1) An explanation of why the school district proposed  
22 or refused to take the action or actions described in the  
23 hearing request.

24 (2) A description of other options the IEP team  
25 considered and the reasons why those options were rejected.

26 (3) A description of each evaluation procedure,

1 assessment, record, report, or other evidence the school  
2 district used as the basis for the proposed or refused  
3 action or actions.

4 (4) A description of the factors that are or were  
5 relevant to the school district's proposed or refused  
6 action or actions.

7 (g-10) When the hearing request has been initiated by a  
8 school district, within 10 days after receiving the request,  
9 the parent or student (if at least 18 years of age or  
10 emancipated) shall provide the school district with a response  
11 that specifically addresses the issues raised in the school  
12 district's hearing request. The parent's or student's response  
13 shall be provided in writing, unless he or she is illiterate or  
14 has a disability that prevents him or her from providing a  
15 written response. The parent's or student's response may be  
16 provided in his or her native language, if other than English.  
17 In the event that illiteracy or another disabling condition  
18 prevents the parent or student from providing a written  
19 response, the school district shall assist the parent or  
20 student in providing the written response.

21 (g-15) Within 15 days after receiving notice of the hearing  
22 request, the non-requesting party may challenge the  
23 sufficiency of the request by submitting its challenge in  
24 writing to the hearing officer. Within 5 days after receiving  
25 the challenge to the sufficiency of the request, the hearing  
26 officer shall issue a determination of the challenge in writing

1 to the parties. In the event that the hearing officer upholds  
2 the challenge, the party who requested the hearing may, with  
3 the consent of the non-requesting party or hearing officer,  
4 file an amended request. Amendments are permissible for the  
5 purpose of raising issues beyond those in the initial hearing  
6 request. In addition, the party who requested the hearing may  
7 amend the request once as a matter of right by filing the  
8 amended request within 5 days after filing the initial request.  
9 An amended request, other than an amended request as a matter  
10 of right, shall be filed by the date determined by the hearing  
11 officer, but in no event any later than 5 days prior to the  
12 date of the hearing. If an amended request, other than an  
13 amended request as a matter of right, raises issues that were  
14 not part of the initial request, the applicable timeline for a  
15 hearing, including the timeline under subsection (g-20) of this  
16 Section, shall recommence.

17 (g-20) Within 15 days after receiving a request for a  
18 hearing from a parent or student (if at least 18 years of age  
19 or emancipated) or, in the event that the school district  
20 requests a hearing, within 15 days after initiating the  
21 request, the school district shall convene a resolution meeting  
22 with the parent and relevant members of the IEP team who have  
23 specific knowledge of the facts contained in the request for  
24 the purpose of resolving the problem that resulted in the  
25 request. The resolution meeting shall include a representative  
26 of the school district who has decision-making authority on



1 behalf of the school district. Unless the parent is accompanied  
2 by an attorney at the resolution meeting, the school district  
3 may not include an attorney representing the school district.

4 The resolution meeting may not be waived unless agreed to  
5 in writing by the school district and the parent or student (if  
6 at least 18 years of age or emancipated) or the parent or  
7 student (if at least 18 years of age or emancipated) and the  
8 school district agree in writing to utilize mediation in place  
9 of the resolution meeting. If either party fails to cooperate  
10 in the scheduling or convening of the resolution meeting, the  
11 hearing officer may order an extension of the timeline for  
12 completion of the resolution meeting or, upon the motion of a  
13 party and at least 7 days after ordering the non-cooperating  
14 party to cooperate, order the dismissal of the hearing request  
15 or the granting of all relief set forth in the request, as  
16 appropriate.

17 In the event that the school district and the parent or  
18 student (if at least 18 years of age or emancipated) agree to a  
19 resolution of the problem that resulted in the hearing request,  
20 the terms of the resolution shall be committed to writing and  
21 signed by the parent or student (if at least 18 years of age or  
22 emancipated) and the representative of the school district with  
23 decision-making authority. The agreement shall be legally  
24 binding and shall be enforceable in any State or federal court  
25 of competent jurisdiction. In the event that the parties  
26 utilize the resolution meeting process, the process shall

1 continue until no later than the 30th day following the receipt  
2 of the hearing request by the non-requesting party (or as  
3 properly extended by order of the hearing officer) to resolve  
4 the issues underlying the request, at which time the timeline  
5 for completion of the impartial due process hearing shall  
6 commence. The State Board of Education may, by rule, establish  
7 additional procedures for the conduct of resolution meetings.

8 (g-25) If mutually agreed to in writing, the parties to a  
9 hearing request may request State-sponsored mediation as a  
10 substitute for the resolution process described in subsection  
11 (g-20) of this Section or may utilize mediation at the close of  
12 the resolution process if all issues underlying the hearing  
13 request have not been resolved through the resolution process.

14 (g-30) If mutually agreed to in writing, the parties to a  
15 hearing request may waive the resolution process described in  
16 subsection (g-20) of this Section. Upon signing a written  
17 agreement to waive the resolution process, the parties shall be  
18 required to forward the written waiver to the hearing officer  
19 appointed to the case within 2 business days following the  
20 signing of the waiver by the parties. The timeline for the  
21 impartial due process hearing shall commence on the date of the  
22 signing of the waiver by the parties.

23 (g-35) The timeline for completing the impartial due  
24 process hearing, as set forth in subsection (h) of this  
25 Section, shall be initiated upon the occurrence of any one of  
26 the following events:

1           (1) The unsuccessful completion of the resolution  
2 process as described in subsection (g-20) of this Section.

3           (2) The mutual agreement of the parties to waive the  
4 resolution process as described in subsection (g-25) or  
5 (g-30) of this Section.

6           (g-40) The hearing officer shall convene a prehearing  
7 conference no later than 14 days before the scheduled date for  
8 the due process hearing for the general purpose of aiding in  
9 the fair, orderly, and expeditious conduct of the hearing. The  
10 hearing officer shall provide the parties with written notice  
11 of the prehearing conference at least 7 days in advance of the  
12 conference. The written notice shall require the parties to  
13 notify the hearing officer by a date certain whether they  
14 intend to participate in the prehearing conference. The hearing  
15 officer may conduct the prehearing conference in person or by  
16 telephone. Each party shall at the prehearing conference (1)  
17 disclose whether it is represented by legal counsel or intends  
18 to retain legal counsel; (2) clarify matters it believes to be  
19 in dispute in the case and the specific relief being sought;  
20 (3) disclose whether there are any additional evaluations for  
21 the student that it intends to introduce into the hearing  
22 record that have not been previously disclosed to the other  
23 parties; (4) disclose a list of all documents it intends to  
24 introduce into the hearing record, including the date and a  
25 brief description of each document; and (5) disclose the names  
26 of all witnesses it intends to call to testify at the hearing.

1 The hearing officer shall specify the order of presentation to  
2 be used at the hearing. If the prehearing conference is held by  
3 telephone, the parties shall transmit the information required  
4 in this paragraph in such a manner that it is available to all  
5 parties at the time of the prehearing conference. The State  
6 Board of Education may, by rule, establish additional  
7 procedures for the conduct of prehearing conferences.

8 (g-45) The impartial due process hearing officer shall not  
9 initiate or participate in any ex parte communications with the  
10 parties, except to arrange the date, time, and location of the  
11 prehearing conference, due process hearing, or other status  
12 conferences convened at the discretion of the hearing officer  
13 and to receive confirmation of whether a party intends to  
14 participate in the prehearing conference.

15 (g-50) The parties shall disclose and provide to each other  
16 any evidence which they intend to submit into the hearing  
17 record no later than 5 days before the hearing. Any party to a  
18 hearing has the right to prohibit the introduction of any  
19 evidence at the hearing that has not been disclosed to that  
20 party at least 5 days before the hearing. The party requesting  
21 a hearing shall not be permitted at the hearing to raise issues  
22 that were not raised in the party's initial or amended request,  
23 unless otherwise permitted in this Section.

24 (g-55) All reasonable efforts must be made by the parties  
25 to present their respective cases at the hearing within a  
26 cumulative period of 7 days. When scheduling hearing dates, the

1 hearing officer shall schedule the final day of the hearing no  
2 more than 30 calendar days after the first day of the hearing  
3 unless good cause is shown. This subsection (g-55) shall not be  
4 applied in a manner that (i) denies any party to the hearing a  
5 fair and reasonable allocation of time and opportunity to  
6 present its case in its entirety or (ii) deprives any party to  
7 the hearing of the safeguards accorded under the federal  
8 Individuals with Disabilities Education Improvement Act of  
9 2004 (Public Law 108-446), regulations promulgated under the  
10 Individuals with Disabilities Education Improvement Act of  
11 2004, or any other applicable law. The school district shall  
12 present evidence that the special education needs of the child  
13 have been appropriately identified and that the special  
14 education program and related services proposed to meet the  
15 needs of the child are adequate, appropriate, and available.  
16 Any party to the hearing shall have the right to (1) be  
17 represented by counsel and be accompanied and advised by  
18 individuals with special knowledge or training with respect to  
19 the problems of children with disabilities, at the party's own  
20 expense; (2) present evidence and confront and cross-examine  
21 witnesses; (3) move for the exclusion of witnesses from the  
22 hearing until they are called to testify, provided, however,  
23 that this provision may not be invoked to exclude the  
24 individual designated by a party to assist that party or its  
25 representative in the presentation of the case; (4) obtain a  
26 written or electronic verbatim record of the proceedings within

1 30 days of receipt of a written request from the parents by the  
2 school district; and (5) obtain a written decision, including  
3 findings of fact and conclusions of law, within 10 calendar  
4 days, excluding Saturday, Sunday, and any State holiday, after  
5 the conclusion of the hearing. If at issue, the school district  
6 shall present evidence that it has properly identified and  
7 evaluated the nature and severity of the student's suspected or  
8 identified disability and that, if the student has been or  
9 should have been determined eligible for special education and  
10 related services, that it is providing or has offered a free  
11 appropriate public education to the student in the least  
12 restrictive environment, consistent with procedural safeguards  
13 and in accordance with an individualized educational program.  
14 At any time prior to the conclusion of the hearing, the  
15 impartial due process hearing officer shall have the authority  
16 to require additional information and order independent  
17 evaluations for the student at the expense of the school  
18 district. The State Board of Education and the school district  
19 shall share equally the costs of providing a written or  
20 electronic verbatim record of the proceedings. Any party may  
21 request that the due process hearing officer issue a subpoena  
22 to compel the testimony of witnesses or the production of  
23 documents relevant to the resolution of the hearing. Whenever a  
24 person refuses to comply with any subpoena issued under this  
25 Section, the circuit court of the county in which that hearing  
26 is pending, on application of the impartial hearing officer or

1 the party requesting the issuance of the subpoena, may compel  
2 compliance through the contempt powers of the court in the same  
3 manner as if the requirements of a subpoena issued by the court  
4 had been disobeyed.

5 (h) The impartial hearing officer shall issue a written  
6 decision, including findings of fact and conclusions of law,  
7 within 10 calendar days, excluding Saturday, Sunday, and any  
8 State holiday, after the conclusion of the hearing and send by  
9 certified mail a copy of the decision to the parents or student  
10 (if the student requests the hearing), the school district, the  
11 director of special education, legal representatives of the  
12 parties, and the State Board of Education. Unless the hearing  
13 officer has granted specific extensions of time at the request  
14 of a party, a final decision, including the clarification of a  
15 decision requested under this subsection, shall be reached and  
16 mailed to the parties named above not later than 45 days after  
17 the initiation of the timeline for conducting the hearing, as  
18 described in subsection (g-35) of this Section. The decision  
19 shall specify the educational and related services that shall  
20 be provided to the student in accordance with the student's  
21 needs and the timeline for which the school district shall  
22 submit evidence to the State Board of Education to demonstrate  
23 compliance with the hearing officer's decision in the event  
24 that the decision orders the school district to undertake  
25 corrective action. The hearing officer shall retain  
26 jurisdiction for the sole purpose of considering a request for

1 clarification of the final decision submitted in writing by a  
2 party to the impartial hearing officer within 5 days after  
3 receipt of the decision. A copy of the request for  
4 clarification shall specify the portions of the decision for  
5 which clarification is sought and shall be mailed to all  
6 parties of record and to the State Board of Education. The  
7 request shall operate to stay implementation of those portions  
8 of the decision for which clarification is sought, pending  
9 action on the request by the hearing officer, unless the  
10 parties otherwise agree. The hearing officer shall issue a  
11 clarification of the specified portion of the decision or issue  
12 a partial or full denial of the request in writing within 10  
13 days of receipt of the request and mail copies to all parties  
14 to whom the decision was mailed. This subsection does not  
15 permit a party to request, or authorize a hearing officer to  
16 entertain, reconsideration of the decision itself. The statute  
17 of limitations for seeking review of the decision shall be  
18 tolled from the date the request is submitted until the date  
19 the hearing officer acts upon the request. The hearing  
20 officer's decision shall be binding upon the school district  
21 and the parents unless a civil action is commenced.

22 (i) Any party to an impartial due process hearing aggrieved  
23 by the final written decision of the impartial due process  
24 hearing officer shall have the right to commence a civil action  
25 with respect to the issues presented in the impartial due  
26 process hearing. That civil action shall be brought in any



1 court of competent jurisdiction within 120 days after a copy of  
2 the decision of the impartial due process hearing officer is  
3 mailed to the party as provided in subsection (h). The civil  
4 action authorized by this subsection shall not be exclusive of  
5 any rights or causes of action otherwise available. The  
6 commencement of a civil action under this subsection shall  
7 operate as a supersedeas. In any action brought under this  
8 subsection the Court shall receive the records of the impartial  
9 due process hearing, shall hear additional evidence at the  
10 request of a party, and, basing its decision on the  
11 preponderance of the evidence, shall grant such relief as the  
12 court determines is appropriate. In any instance where a school  
13 district willfully disregards applicable regulations or  
14 statutes regarding a child covered by this Article, and which  
15 disregard has been detrimental to the child, the school  
16 district shall be liable for any reasonable attorney's fees  
17 incurred by the parent in connection with proceedings under  
18 this Section.

19 (j) During the pendency of any administrative or judicial  
20 proceeding conducted pursuant to this Section, including  
21 mediation (if the school district or other public entity  
22 voluntarily agrees to participate in mediation), unless the  
23 school district and the parents or student (if at least 18  
24 years of age or emancipated) otherwise agree, the student shall  
25 remain in his or her present educational placement and continue  
26 in his or her present eligibility status and special education

1 and related services, if any. If mediation fails to resolve the  
2 dispute between the parties, or if the parties do not agree to  
3 use mediation, the parent (or student if 18 years of age or  
4 older or emancipated) shall have 10 days after the mediation  
5 concludes, or after a party declines to use mediation, to file  
6 a request for a due process hearing in order to continue to  
7 invoke the "stay-put" provisions of this subsection (j). If  
8 applying for initial admission to the school district, the  
9 student shall, with the consent of the parents (if the student  
10 is not at least 18 years of age or emancipated), be placed in  
11 the school district program until all such proceedings have  
12 been completed. The costs for any special education and related  
13 services or placement incurred following 60 school days after  
14 the initial request for evaluation shall be borne by the school  
15 district if the services or placement is in accordance with the  
16 final determination as to the special education and related  
17 services or placement that must be provided to the child,  
18 provided that during that 60-day period there have been no  
19 delays caused by the child's parent. The requirements and  
20 procedures of this subsection (j) shall be included in the  
21 uniform notices developed by the State Superintendent under  
22 subsection (g) of Section 14-8.02 of this Code.

23 (k) Whenever the parents of a child of the type described  
24 in Section 14-1.02 are not known or are unavailable or the  
25 child is a youth in care as defined in Section 4d of the  
26 Children and Family Services Act, a person shall be assigned to

1 serve as surrogate parent for the child in matters relating to  
2 the identification, evaluation, and educational placement of  
3 the child and the provision of a free appropriate public  
4 education to the child. Persons shall be assigned as surrogate  
5 parents by the State Superintendent of Education. The State  
6 Board of Education shall promulgate rules and regulations  
7 establishing qualifications of those persons and their  
8 responsibilities and the procedures to be followed in making  
9 assignments of persons as surrogate parents. Surrogate parents  
10 shall not be employees of the school district, an agency  
11 created by joint agreement under Section 10-22.31, an agency  
12 involved in the education or care of the student, or the State  
13 Board of Education. Services of any person assigned as  
14 surrogate parent shall terminate if the parent becomes  
15 available unless otherwise requested by the parents. The  
16 assignment of a person as surrogate parent at no time  
17 supersedes, terminates, or suspends the parents' legal  
18 authority relative to the child. Any person participating in  
19 good faith as surrogate parent on behalf of the child before  
20 school officials or a hearing officer shall have immunity from  
21 civil or criminal liability that otherwise might result by  
22 reason of that participation, except in cases of willful and  
23 wanton misconduct.

24 (1) At all stages of the hearing, the hearing officer shall  
25 require that interpreters be made available by the school  
26 district for persons who are deaf or for persons whose normally

1 spoken language is other than English.

2 (m) If any provision of this Section or its application to  
3 any person or circumstance is held invalid, the invalidity of  
4 that provision or application does not affect other provisions  
5 or applications of the Section that can be given effect without  
6 the invalid application or provision, and to this end the  
7 provisions of this Section are severable, unless otherwise  
8 provided by this Section.

9 (Source: P.A. 100-122, eff. 8-18-17; 100-159, eff. 8-18-17;  
10 100-849, eff. 8-14-18; 100-863, eff. 8-14-18.)

11 (105 ILCS 5/21B-20)

12 Sec. 21B-20. Types of licenses. The State Board of  
13 Education shall implement a system of educator licensure,  
14 whereby individuals employed in school districts who are  
15 required to be licensed must have one of the following  
16 licenses: (i) a professional educator license; (ii) an educator  
17 license with stipulations; (iii) a substitute teaching  
18 license; or (iv) until June 30, 2023, a short-term substitute  
19 teaching license. References in law regarding individuals  
20 certified or certificated or required to be certified or  
21 certificated under Article 21 of this Code shall also include  
22 individuals licensed or required to be licensed under this  
23 Article. The first year of all licenses ends on June 30  
24 following one full year of the license being issued.

25 The State Board of Education, in consultation with the

1 State Educator Preparation and Licensure Board, may adopt such  
2 rules as may be necessary to govern the requirements for  
3 licenses and endorsements under this Section.

4 (1) Professional Educator License. Persons who (i)  
5 have successfully completed an approved educator  
6 preparation program and are recommended for licensure by  
7 the Illinois institution offering the educator preparation  
8 program, (ii) have successfully completed the required  
9 testing under Section 21B-30 of this Code, (iii) have  
10 successfully completed coursework on the psychology of,  
11 the identification of, and the methods of instruction for  
12 the exceptional child, including without limitation  
13 children with learning disabilities, (iv) have  
14 successfully completed coursework in methods of reading  
15 and reading in the content area, and (v) have met all other  
16 criteria established by rule of the State Board of  
17 Education shall be issued a Professional Educator License.  
18 All Professional Educator Licenses are valid until June 30  
19 immediately following 5 years of the license being issued.  
20 The Professional Educator License shall be endorsed with  
21 specific areas and grade levels in which the individual is  
22 eligible to practice. For an early childhood education  
23 endorsement, an individual may satisfy the student  
24 teaching requirement of his or her early childhood teacher  
25 preparation program through placement in a setting with  
26 children from birth through grade 2, and the individual may

1 be paid and receive credit while student teaching. The  
2 student teaching experience must meet the requirements of  
3 and be approved by the individual's early childhood teacher  
4 preparation program.

5 Individuals can receive subsequent endorsements on the  
6 Professional Educator License. Subsequent endorsements  
7 shall require a minimum of 24 semester hours of coursework  
8 in the endorsement area and passage of the applicable  
9 content area test, unless otherwise specified by rule.

10 (2) Educator License with Stipulations. An Educator  
11 License with Stipulations shall be issued an endorsement  
12 that limits the license holder to one particular position  
13 or does not require completion of an approved educator  
14 program or both.

15 An individual with an Educator License with  
16 Stipulations must not be employed by a school district or  
17 any other entity to replace any presently employed teacher  
18 who otherwise would not be replaced for any reason.

19 An Educator License with Stipulations may be issued  
20 with the following endorsements:

21 (A) (Blank).

22 (B) Alternative provisional educator. An  
23 alternative provisional educator endorsement on an  
24 Educator License with Stipulations may be issued to an  
25 applicant who, at the time of applying for the  
26 endorsement, has done all of the following:

1 (i) Graduated from a regionally accredited  
2 college or university with a minimum of a  
3 bachelor's degree.

4 (ii) Successfully completed the first phase of  
5 the Alternative Educator Licensure Program for  
6 Teachers, as described in Section 21B-50 of this  
7 Code.

8 (iii) Passed a content area test, as required  
9 under Section 21B-30 of this Code.

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

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

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

25 (ii) Been employed for a period of at least 5  
26 years in a management level position in a field

1 other than education.

2 (iii) Successfully completed the first phase  
3 of an alternative route to superintendent  
4 endorsement program, as provided in Section 21B-55  
5 of this Code.

6 (iv) Passed a content area test required under  
7 Section 21B-30 of this Code.

8 The endorsement is valid for 2 fiscal years in  
9 order to complete one full year of serving as a  
10 superintendent or assistant superintendent.

11 (D) (Blank).

12 (E) Career and technical educator. A career and  
13 technical educator endorsement on an Educator License  
14 with Stipulations may be issued to an applicant who has  
15 a minimum of 60 semester hours of coursework from a  
16 regionally accredited institution of higher education  
17 or an accredited trade and technical institution and  
18 has a minimum of 2,000 hours of experience outside of  
19 education in each area to be taught.

20 The career and technical educator endorsement on  
21 an Educator License with Stipulations is valid until  
22 June 30 immediately following 5 years of the  
23 endorsement being issued and may be renewed. For  
24 individuals who were issued the career and technical  
25 educator endorsement on an Educator License with  
26 Stipulations on or after January 1, 2015, the license



1           may be renewed if the individual passes a test of work  
2           proficiency, as required under Section 21B-30 of this  
3           Code.

4           An individual who holds a valid career and  
5           technical educator endorsement on an Educator License  
6           with Stipulations but does not hold a bachelor's degree  
7           may substitute teach in career and technical education  
8           classrooms.

9           (F) Part-time provisional career and technical  
10          educator or provisional career and technical educator.  
11          A part-time provisional career and technical educator  
12          endorsement or a provisional career and technical  
13          educator endorsement on an Educator License with  
14          Stipulations may be issued to an applicant who has a  
15          minimum of 8,000 hours of work experience in the skill  
16          for which the applicant is seeking the endorsement. It  
17          is the responsibility of each employing school board  
18          and regional office of education to provide  
19          verification, in writing, to the State Superintendent  
20          of Education at the time the application is submitted  
21          that no qualified teacher holding a Professional  
22          Educator License or an Educator License with  
23          Stipulations with a career and technical educator  
24          endorsement is available and that actual circumstances  
25          require such issuance.

26          The provisional career and technical educator

1 endorsement on an Educator License with Stipulations  
2 is valid until June 30 immediately following 5 years of  
3 the endorsement being issued and may be renewed for 5  
4 years. For individuals who were issued the provisional  
5 career and technical educator endorsement on an  
6 Educator License with Stipulations on or after January  
7 1, 2015, the license may be renewed if the individual  
8 passes a test of work proficiency, as required under  
9 Section 21B-30 of this Code.

10 A part-time provisional career and technical  
11 educator endorsement on an Educator License with  
12 Stipulations may be issued for teaching no more than 2  
13 courses of study for grades 6 through 12. The part-time  
14 provisional career and technical educator endorsement  
15 on an Educator License with Stipulations is valid until  
16 June 30 immediately following 5 years of the  
17 endorsement being issued and may be renewed for 5 years  
18 if the individual makes application for renewal.

19 An individual who holds a provisional or part-time  
20 provisional career and technical educator endorsement  
21 on an Educator License with Stipulations but does not  
22 hold a bachelor's degree may substitute teach in career  
23 and technical education classrooms.

24 (G) Transitional bilingual educator. A  
25 transitional bilingual educator endorsement on an  
26 Educator License with Stipulations may be issued for

1 the purpose of providing instruction in accordance  
2 with Article 14C of this Code to an applicant who  
3 provides satisfactory evidence that he or she meets all  
4 of the following requirements:

5 (i) Possesses adequate speaking, reading, and  
6 writing ability in the language other than English  
7 in which transitional bilingual education is  
8 offered.

9 (ii) Has the ability to successfully  
10 communicate in English.

11 (iii) Either possessed, within 5 years  
12 previous to his or her applying for a transitional  
13 bilingual educator endorsement, a valid and  
14 comparable teaching certificate or comparable  
15 authorization issued by a foreign country or holds  
16 a degree from an institution of higher learning in  
17 a foreign country that the State Educator  
18 Preparation and Licensure Board determines to be  
19 the equivalent of a bachelor's degree from a  
20 regionally accredited institution of higher  
21 learning in the United States.

22 A transitional bilingual educator endorsement  
23 shall be valid for prekindergarten through grade 12, is  
24 valid until June 30 immediately following 5 years of  
25 the endorsement being issued, and shall not be renewed.

26 Persons holding a transitional bilingual educator

1 endorsement shall not be employed to replace any  
2 presently employed teacher who otherwise would not be  
3 replaced for any reason.

4 (H) Language endorsement. In an effort to  
5 alleviate the shortage of teachers speaking a language  
6 other than English in the public schools, an individual  
7 who holds an Educator License with Stipulations may  
8 also apply for a language endorsement, provided that  
9 the applicant provides satisfactory evidence that he  
10 or she meets all of the following requirements:

11 (i) Holds a transitional bilingual  
12 endorsement.

13 (ii) Has demonstrated proficiency in the  
14 language for which the endorsement is to be issued  
15 by passing the applicable language content test  
16 required by the State Board of Education.

17 (iii) Holds a bachelor's degree or higher from  
18 a regionally accredited institution of higher  
19 education or, for individuals educated in a  
20 country other than the United States, holds a  
21 degree from an institution of higher learning in a  
22 foreign country that the State Educator  
23 Preparation and Licensure Board determines to be  
24 the equivalent of a bachelor's degree from a  
25 regionally accredited institution of higher  
26 learning in the United States.

1 (iv) (Blank).

2 A language endorsement on an Educator License with  
3 Stipulations is valid for prekindergarten through  
4 grade 12 for the same validity period as the  
5 individual's transitional bilingual educator  
6 endorsement on the Educator License with Stipulations  
7 and shall not be renewed.

8 (I) Visiting international educator. A visiting  
9 international educator endorsement on an Educator  
10 License with Stipulations may be issued to an  
11 individual who is being recruited by a particular  
12 school district that conducts formal recruitment  
13 programs outside of the United States to secure the  
14 services of qualified teachers and who meets all of the  
15 following requirements:

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

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

20 (iii) Has adequate content knowledge in the  
21 subject to be taught.

22 (iv) Has an adequate command of the English  
23 language.

24 A holder of a visiting international educator  
25 endorsement on an Educator License with Stipulations  
26 shall be permitted to teach in bilingual education

1 programs in the language that was the medium of  
2 instruction in his or her teacher preparation program,  
3 provided that he or she passes the English Language  
4 Proficiency Examination or another test of writing  
5 skills in English identified by the State Board of  
6 Education, in consultation with the State Educator  
7 Preparation and Licensure Board.

8 A visiting international educator endorsement on  
9 an Educator License with Stipulations is valid for 3  
10 years and shall not be renewed.

11 (J) Paraprofessional educator. A paraprofessional  
12 educator endorsement on an Educator License with  
13 Stipulations may be issued to an applicant who holds a  
14 high school diploma or its recognized equivalent and  
15 either holds an associate's degree or a minimum of 60  
16 semester hours of credit from a regionally accredited  
17 institution of higher education or has passed a  
18 paraprofessional competency test under subsection  
19 (c-5) of Section 21B-30. The paraprofessional educator  
20 endorsement is valid until June 30 immediately  
21 following 5 years of the endorsement being issued and  
22 may be renewed through application and payment of the  
23 appropriate fee, as required under Section 21B-40 of  
24 this Code. An individual who holds only a  
25 paraprofessional educator endorsement is not subject  
26 to additional requirements in order to renew the

1 endorsement.

2 (K) Chief school business official. A chief school  
3 business official endorsement on an Educator License  
4 with Stipulations may be issued to an applicant who  
5 qualifies by having a master's degree or higher, 2  
6 years of full-time administrative experience in school  
7 business management or 2 years of university-approved  
8 practical experience, and a minimum of 24 semester  
9 hours of graduate credit in a program approved by the  
10 State Board of Education for the preparation of school  
11 business administrators and by passage of the  
12 applicable State tests, including an applicable  
13 content area test.

14 The chief school business official endorsement may  
15 also be affixed to the Educator License with  
16 Stipulations of any holder who qualifies by having a  
17 master's degree in business administration, finance,  
18 accounting, or public administration and who completes  
19 an additional 6 semester hours of internship in school  
20 business management from a regionally accredited  
21 institution of higher education and passes the  
22 applicable State tests, including an applicable  
23 content area test. This endorsement shall be required  
24 for any individual employed as a chief school business  
25 official.

26 The chief school business official endorsement on

1 an Educator License with Stipulations is valid until  
2 June 30 immediately following 5 years of the  
3 endorsement being issued and may be renewed if the  
4 license holder completes renewal requirements as  
5 required for individuals who hold a Professional  
6 Educator License endorsed for chief school business  
7 official under Section 21B-45 of this Code and such  
8 rules as may be adopted by the State Board of  
9 Education.

10 The State Board of Education shall adopt any rules  
11 necessary to implement Public Act 100-288.

12 (L) Provisional in-state educator. A provisional  
13 in-state educator endorsement on an Educator License  
14 with Stipulations may be issued to a candidate who has  
15 completed an Illinois-approved educator preparation  
16 program at an Illinois institution of higher education  
17 and who has not successfully completed an  
18 evidence-based assessment of teacher effectiveness but  
19 who meets all of the following requirements:

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

21 (ii) Has completed an approved educator  
22 preparation program at an Illinois institution.

23 (iii) Has passed an applicable content area  
24 test, as required by Section 21B-30 of this Code.

25 (iv) Has attempted an evidence-based  
26 assessment of teacher effectiveness and received a



1           minimum score on that assessment, as established  
2           by the State Board of Education in consultation  
3           with the State Educator Preparation and Licensure  
4           Board.

5           A provisional in-state educator endorsement on an  
6           Educator License with Stipulations is valid for one  
7           full fiscal year after the date of issuance and may not  
8           be renewed.

9           (M) School support personnel intern. A school  
10          support personnel intern endorsement on an Educator  
11          License with Stipulations may be issued as specified by  
12          rule.

13          (N) Special education area. A special education  
14          area endorsement on an Educator License with  
15          Stipulations may be issued as defined and specified by  
16          rule.

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

25          Substitute Teaching Licenses are valid for 5 years.

26          Substitute Teaching Licenses are valid for substitute

1 teaching in every county of this State. If an individual  
2 has had his or her Professional Educator License or  
3 Educator License with Stipulations suspended or revoked,  
4 then that individual is not eligible to obtain a Substitute  
5 Teaching License.

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

21 There is no limit on the number of days that a  
22 substitute teacher may teach in a single school district,  
23 provided that no substitute teacher may teach for longer  
24 than 90 school days for any one licensed teacher under  
25 contract in the same school year. A substitute teacher who  
26 holds a Professional Educator License or Educator License

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

7 A school district may not require an individual who  
8 holds a valid Professional Educator License or Educator  
9 License with Stipulations to seek or hold a Substitute  
10 Teaching License to teach as a substitute teacher.

11 (4) Short-Term Substitute Teaching License. Beginning  
12 on July 1, 2018 and until June 30, 2023, the State Board of  
13 Education may issue a Short-Term Substitute Teaching  
14 License. A Short-Term Substitute Teaching License may be  
15 issued to a qualified applicant for substitute teaching in  
16 all grades of the public schools, prekindergarten through  
17 grade 12. Short-Term Substitute Teaching Licenses are not  
18 eligible for endorsements. Applicants for a Short-Term  
19 Substitute Teaching License must hold an associate's  
20 degree or have completed at least 60 credit hours from a  
21 regionally accredited institution of higher education.

22 Short-Term Substitute Teaching Licenses are valid for  
23 substitute teaching in every county of this State. If an  
24 individual has had his or her Professional Educator License  
25 or Educator License with Stipulations suspended or  
26 revoked, then that individual is not eligible to obtain a

1 Short-Term Substitute Teaching License.

2 The provisions of Sections 10-21.9 and 34-18.5 of this  
3 Code apply to short-term substitute teachers.

4 An individual holding a Short-Term Substitute Teaching  
5 License may teach no more than 5 consecutive days per  
6 licensed teacher who is under contract. For teacher  
7 absences lasting 6 or more days per licensed teacher who is  
8 under contract, a school district may not hire an  
9 individual holding a Short-Term Substitute Teaching  
10 License. An individual holding a Short-Term Substitute  
11 Teaching License must complete the training program under  
12 Section 10-20.67 or 34-18.60 of this Code to be eligible to  
13 teach at a public school. This paragraph (4) is inoperative  
14 on and after July 1, 2023.

15 (Source: P.A. 100-8, eff. 7-1-17; 100-13, eff. 7-1-17; 100-288,  
16 eff. 8-24-17; 100-596, eff. 7-1-18; 100-821, eff. 9-3-18;  
17 100-863, eff. 8-14-18; 101-81, eff. 7-12-19; 101-220, eff.  
18 8-7-19.)

19 (105 ILCS 5/21B-30)

20 Sec. 21B-30. Educator testing.

21 (a) (Blank). ~~This Section applies beginning on July 1,~~  
22 ~~2012.~~

23 (b) The State Board of Education, in consultation with the  
24 State Educator Preparation and Licensure Board, shall design  
25 and implement a system of examinations, which shall be required

1 prior to the issuance of educator licenses. These examinations  
2 and indicators must be based on national and State professional  
3 teaching standards, as determined by the State Board of  
4 Education, in consultation with the State Educator Preparation  
5 and Licensure Board. The State Board of Education may adopt  
6 such rules as may be necessary to implement and administer this  
7 Section.

8 (c) (Blank).

9 (c-5) The State Board must adopt rules to implement a  
10 paraprofessional competency test. This test would allow an  
11 applicant seeking an Educator License with Stipulations with a  
12 paraprofessional educator endorsement to obtain the  
13 endorsement if he or she passes the test and meets the other  
14 requirements of subparagraph (J) of paragraph (2) of Section  
15 21B-20 other than the higher education requirements.

16 (d) All applicants seeking a State license shall be  
17 required to pass a test of content area knowledge for each area  
18 of endorsement for which there is an applicable test. There  
19 shall be no exception to this requirement. No candidate shall  
20 be allowed to student teach or serve as the teacher of record  
21 until he or she has passed the applicable content area test.

22 (e) (Blank).

23 (f) Except as otherwise provided in this Article, beginning  
24 on September 1, 2015, all candidates completing teacher  
25 preparation programs in this State and all candidates subject  
26 to Section 21B-35 of this Code are required to pass a teacher

1 performance assessment approved by the State Board of  
2 Education, in consultation with the State Educator Preparation  
3 and Licensure Board. Subject to appropriation, an individual  
4 who holds a Professional Educator License and is employed for a  
5 minimum of one school year by a school district designated as  
6 Tier 1 under Section 18-8.15 may, after application to the  
7 State Board, receive from the State Board a refund for any  
8 costs associated with completing the teacher performance  
9 assessment under this subsection.

10 (g) The content area knowledge test and the teacher  
11 performance assessment shall be the tests that from time to  
12 time are designated by the State Board of Education, in  
13 consultation with the State Educator Preparation and Licensure  
14 Board, and may be tests prepared by an educational testing  
15 organization or tests designed by the State Board of Education,  
16 in consultation with the State Educator Preparation and  
17 Licensure Board. The test of content area knowledge shall  
18 assess content knowledge in a specific subject field. The tests  
19 must be designed to be racially neutral to ensure that no  
20 person taking the tests is discriminated against on the basis  
21 of race, color, national origin, or other factors unrelated to  
22 the person's ability to perform as a licensed employee. The  
23 score required to pass the tests shall be fixed by the State  
24 Board of Education, in consultation with the State Educator  
25 Preparation and Licensure Board. The tests shall be  
26 administered not fewer than 3 times a year at such time and

1 place as may be designated by the State Board of Education, in  
2 consultation with the State Educator Preparation and Licensure  
3 Board.

4 The State Board shall implement a test or tests to assess  
5 the speaking, reading, writing, and grammar skills of  
6 applicants for an endorsement or a license issued under  
7 subdivision (G) of paragraph (2) of Section 21B-20 of this Code  
8 in the English language and in the language of the transitional  
9 bilingual education program requested by the applicant.

10 (h) Except as provided in Section 34-6 of this Code, the  
11 provisions of this Section shall apply equally in any school  
12 district subject to Article 34 of this Code.

13 (i) The rules developed to implement and enforce the  
14 testing requirements under this Section shall include without  
15 limitation provisions governing test selection, test  
16 validation and determination of a passing score,  
17 administration of the tests, frequency of administration,  
18 applicant fees, frequency of applicants taking the tests, the  
19 years for which a score is valid, and appropriate special  
20 accommodations. The State Board of Education shall develop such  
21 rules as may be needed to ensure uniformity from year to year  
22 in the level of difficulty for each form of an assessment.

23 (Source: P.A. 100-596, eff. 7-1-18; 100-863, eff. 8-14-18;  
24 100-932, eff. 8-17-18; 101-81, eff. 7-12-19; 101-220, eff.  
25 8-7-19.)

1 (105 ILCS 5/27A-10)

2 Sec. 27A-10. Employees.

3 (a) A person shall be deemed to be employed by a charter  
4 school unless a collective bargaining agreement or the charter  
5 school contract otherwise provides.

6 (b) In all school districts, including special charter  
7 districts and districts located in cities having a population  
8 exceeding 500,000, the local school board shall determine by  
9 policy or by negotiated agreement, if one exists, the  
10 employment status of any school district employees who are  
11 employed by a charter school and who seek to return to  
12 employment in the public schools of the district. Each local  
13 school board shall grant, for a period of up to 5 years, a  
14 leave of absence to those of its teachers who accept employment  
15 with a charter school. At the end of the authorized leave of  
16 absence, the teacher must return to the school district or  
17 resign; ~~provided, however,~~ that if the teacher chooses to  
18 return to the school district, the teacher must be assigned to  
19 a position that ~~which~~ requires the teacher's licensure  
20 ~~certification~~ and legal qualifications. The contractual  
21 continued service status and retirement benefits of a teacher  
22 of the district who is granted a leave of absence to accept  
23 employment with a charter school shall not be affected by that  
24 leave of absence.

25 (c) Charter schools shall employ in instructional  
26 positions, as defined in the charter, individuals who are



1 ~~licensed~~ ~~certificated~~ under Article 21B 21 of this Code or who  
2 possess the following qualifications:

3 (i) graduated with a bachelor's degree from an  
4 accredited institution of higher learning;

5 (ii) been employed for a period of at least 5 years in  
6 an area requiring application of the individual's  
7 education;

8 (iii) passed a content area knowledge test required  
9 under Section 21B-30 of this Code ~~(blank)~~; and

10 (iv) demonstrate continuing evidence of professional  
11 growth, which shall include, but not be limited to,  
12 successful teaching experience, attendance at professional  
13 meetings, membership in professional organizations,  
14 additional credits earned at institutions of higher  
15 learning, travel specifically for educational purposes,  
16 and reading of professional books and periodicals.

17 (c-5) Charter schools employing individuals without  
18 licensure ~~certification~~ in instructional positions shall  
19 provide such mentoring, training, and staff development for  
20 those individuals as the charter schools determine necessary  
21 for satisfactory performance in the classroom.

22 At least 50% of the individuals employed in instructional  
23 positions by a charter school that is operating in a city  
24 having a population exceeding 500,000 and that is established  
25 on or after April 16, 2003 shall hold teaching licenses  
26 ~~certificates~~ issued under Article 21B 21 of this Code.

1           At least 75% of the individuals employed in instructional  
2 positions by a charter school that is operating in a city  
3 having a population exceeding 500,000 and that was established  
4 before April 16, 2003 shall hold teaching licenses ~~certificates~~  
5 issued under Article 21B 21 of this Code.

6           (c-10) Notwithstanding any provision in subsection (c-5)  
7 to the contrary, in any charter school established before, on,  
8 or after July 30, 2009 (the effective date of Public Act  
9 96-105) ~~this amendatory Act of the 96th General Assembly,~~ at  
10 least 75% of the individuals employed in instructional  
11 positions by the charter school shall hold teaching licenses  
12 ~~certificates~~ issued under Article 21B 21 of this Code ~~beginning~~  
13 ~~with the 2012-2013 school year. In any charter school~~  
14 ~~established after the effective date of this amendatory Act of~~  
15 ~~the 96th General Assembly, at least 75% of the individuals~~  
16 ~~employed in instructional positions by a charter school shall~~  
17 ~~hold teaching certificates issued under Article 21 of this Code~~  
18 ~~by the beginning of the fourth school year during which a~~  
19 ~~student is enrolled in the charter school.~~ Charter schools may  
20 employ non-licensed ~~non-certificated~~ staff in all other  
21 positions.

22           (c-15) Charter schools are exempt from any annual cap on  
23 new participants in an alternative educator licensure  
24 ~~certification~~ program. The second and third phases of the  
25 ~~alternative certification~~ program may be conducted and  
26 completed at the charter school, and the alternative

1 provisional educator endorsement ~~teaching certificate~~ is valid  
2 for 4 years or the length of the charter (or any extension of  
3 the charter), whichever is longer.

4 (d) A teacher at a charter school may resign his or her  
5 position only if the teacher gives notice of resignation to the  
6 charter school's governing body at least 60 days before the end  
7 of the school term, and the resignation must take effect  
8 immediately upon the end of the school term.

9 (Source: P.A. 101-220, eff. 8-7-19.)

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law."