1 AN ACT concerning education.

## Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The School Code is amended by changing Sections
2-3.66b, 10-19, 10-20.56, 13B-45, 13B-50.5, 29-6.3, and 34-18
and by adding Section 10-19.05 as follows:

7 (105 ILCS 5/2-3.66b)

8 Sec. 2-3.66b. IHOPE Program.

9 (a) There is established the Illinois Hope and Opportunity 10 Pathways through Education (IHOPE) Program. The State Board of 11 Education shall implement and administer the IHOPE Program. The 12 goal of the IHOPE Program is to develop a comprehensive system 13 in this State to re-enroll significant numbers of high school 14 dropouts in programs that will enable them to earn their high 15 school diploma.

16 (b) The IHOPE Program shall award grants, subject to 17 appropriation for this purpose, to educational service regions and a school district organized under Article 34 of this Code 18 19 appropriated funds to assist in establishing from 20 instructional programs other services designed and to 21 re-enroll high school dropouts. From any funds appropriated for 22 the IHOPE Program, the State Board of Education may use up to 5% for administrative costs, including the performance of a 23

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1 program evaluation and the hiring of staff to implement and 2 administer the program.

3 The IHOPE Program shall provide incentive grant funds for 4 regional offices of education and a school district organized 5 under Article 34 of this Code to develop partnerships with 6 school districts, public community colleges, and community 7 groups to build comprehensive plans to re-enroll high school 8 dropouts in their regions or districts.

9 Programs funded through the IHOPE Program shall allow high 10 school dropouts, up to and including age 21 notwithstanding 11 Section 26-2 of this Code, to re-enroll in an educational 12 program in conformance with rules adopted by the State Board of 13 include without Education. Programs may limitation 14 comprehensive year-round programming, evening school, summer 15 school, community college courses, adult education, vocational training, work experience, programs to enhance self-concept, 16 17 and parenting courses. Any student in the IHOPE Program who high school diploma must 18 wishes to earn а meet the 19 prerequisites to receiving a high school diploma specified in Section 27-22 of this Code and any other graduation 20 requirements of the student's district of residence. Any 21 22 student who successfully completes the requirements for his or 23 her graduation shall receive a diploma identifying the student as graduating from his or her district of residence. 24

(c) In order to be eligible for funding under the IHOPEProgram, an interested regional office of education or a school

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district organized under Article 34 of this Code shall develop 1 2 an IHOPE Plan to be approved by the State Board of Education. The State Board of Education shall develop rules for the IHOPE 3 Program that shall set forth the requirements for the 4 5 development of the IHOPE Plan. Each Plan shall involve school districts, public community colleges, and key community 6 7 programs that work with high school dropouts located in an 8 educational service region or the City of Chicago before the 9 Plan is sent to the State Board for approval. No funds may be 10 distributed to a regional office of education or a school 11 district organized under Article 34 of this Code until the 12 State Board has approved the Plan.

13 (d) A regional office of education or a school district organized under Article 34 of this Code may operate its own 14 15 program funded by the IHOPE Program or enter into a contract 16 with other not-for-profit entities, including school 17 districts, public community colleges, and not-for-profit community-based organizations, to operate a program. 18

A regional office of education or a school district 19 20 organized under Article 34 of this Code that receives an IHOPE grant from the State Board of Education may provide funds under 21 22 a sub-grant, as specified in the IHOPE Plan, to other 23 not-for-profit entities to provide services according to the 24 IHOPE Plan that was developed. These other entities may include 25 school districts, public community colleges, or not-for-profit 26 community-based organizations or a cooperative partnership SB0028 Enrolled - 4 - LRB101 02854 AXK 47862 b

1 among these entities.

2 (e) In order to distribute funding based upon the need to 3 ensure delivery of programs that will have the greatest impact, IHOPE Program funding must be distributed based upon the 4 5 proportion of dropouts in the educational service region or school district, in the case of a school district organized 6 under Article 34 of this Code, to the total number of dropouts 7 8 in this State. This formula shall employ the dropout data 9 provided by school districts to the State Board of Education.

10 A regional office of education or a school district 11 organized under Article 34 of this Code may claim State aid 12 under Section 18-8.05 or 18-8.15 of this Code for students 13 enrolled in a program funded by the IHOPE Program, provided 14 that the State Board of Education has approved the IHOPE Plan 15 and that these students are receiving services that are meeting 16 the requirements of Section 27-22 of this Code for receipt of a 17 high school diploma and are otherwise eligible to be claimed for general State aid under Section 18-8.05 of this Code or 18 19 evidence-based funding under Section 18-8.15 of this Code, 20 including provisions related to the minimum number of days of pupil attendance pursuant to Section 10-19 of this Code and the 21 22 minimum number of daily hours of school work required under 23 Section 10-19.05 and any exceptions thereto as defined by the State Board of Education in rules. 24

25 (f) IHOPE categories of programming may include the 26 following:

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(1) Full-time programs that are comprehensive,
 year-round programs.

3 (2) Part-time programs combining work and study
4 scheduled at various times that are flexible to the needs
5 of students.

6 (3) Online programs and courses in which students take 7 courses and complete on-site, supervised tests that 8 measure the student's mastery of a specific course needed 9 for graduation. Students may take courses online and earn 10 credit or students may prepare to take supervised tests for 11 specific courses for credit leading to receipt of a high 12 school diploma.

13 (4) Dual enrollment in which students attend high 14 school classes in combination with community college 15 classes or students attend community college classes while 16 simultaneously earning high school credit and eventually a 17 high school diploma.

18 (g) In order to have successful comprehensive programs 19 re-enrolling and graduating low-skilled high school dropouts, 20 programs funded through the IHOPE Program shall include all of 21 the following components:

(1) Small programs (70 to 100 students) at a separate school site with a distinct identity. Programs may be larger with specific need and justification, keeping in mind that it is crucial to keep programs small to be effective.

1 (2) Specific performance-based goals and outcomes and 2 measures of enrollment, attendance, skills, credits, 3 graduation, and the transition to college, training, and 4 employment.

5 (3) Strong, experienced leadership and teaching staff
 6 who are provided with ongoing professional development.

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(4) Voluntary enrollment.

8 (5) High standards for student learning, integrating 9 work experience, and education, including during the 10 school year and after school, and summer school programs 11 that link internships, work, and learning.

12 (6) Comprehensive programs providing extensive support13 services.

14 (7) Small teams of students supported by full-time paid
15 mentors who work to retain and help those students
16 graduate.

17 (8) A comprehensive technology learning center with
18 Internet access and broad-based curriculum focusing on
19 academic and career subject areas.

20 (9) Learning opportunities that incorporate action 21 into study.

(h) Programs funded through the IHOPE Program must report data to the State Board of Education as requested. This information shall include, but is not limited to, student enrollment figures, attendance information, course completion data, graduation information, and post-graduation information,

1 as available.

(i) Rules must be developed by the State Board of Education
to set forth the fund distribution process to regional offices
of education and a school district organized under Article 34
of this Code, the planning and the conditions upon which an
IHOPE Plan would be approved by State Board, and other rules to
develop the IHOPE Program.

8 (Source: P.A. 100-465, eff. 8-31-17.)

9 (105 ILCS 5/10-19) (from Ch. 122, par. 10-19)

Sec. 10-19. Length of school term - experimental programs. 10 11 Each school board shall annually prepare a calendar for the 12 school term, specifying the opening and closing dates and providing a minimum term of at least 185 days to insure 176 13 days of actual pupil attendance, computable under Section 14 10-19.05 18 8.05 or 18 8.15, except that for the 1980-1981 15 16 school year only 175 days of actual pupil attendance shall be required because of the closing of schools pursuant to Section 17 24-2 on January 29, 1981 upon the appointment by the President 18 of that day as a day of thanksgiving for the freedom of the 19 20 Americans who had been held hostage in Iran. Any days allowed 21 by law for teachers' institutes but not used as such or used as 22 parental institutes as provided in Section 10-22.18d shall 23 increase the minimum term by the school days not so used. Except as provided in Section 10-19.1, the board may not extend 24 25 the school term beyond such closing date unless that extension SB0028 Enrolled - 8 - LRB101 02854 AXK 47862 b

of term is necessary to provide the minimum number of 1 2 computable days. In case of such necessary extension school employees shall be paid for such additional time on the basis 3 of their regular contracts. A school board may specify a 4 5 closing date earlier than that set on the annual calendar when 6 the schools of the district have provided the minimum number of computable days under this Section. Nothing in this Section 7 8 prevents the board from employing superintendents of schools, 9 principals and other nonteaching personnel for a period of 12 10 months, or in the case of superintendents for a period in accordance with Section 10-23.8, or prevents the board from 11 12 employing other personnel before or after the regular school 13 term with payment of salary proportionate to that received for 14 comparable work during the school term.

A school board may make such changes in its calendar for the school term as may be required by any changes in the legal school holidays prescribed in Section 24-2. A school board may make changes in its calendar for the school term as may be necessary to reflect the utilization of teachers' institute days as parental institute days as provided in Section 10-22.18d.

The calendar for the school term and any changes must be submitted to and approved by the regional superintendent of schools before the calendar or changes may take effect.

25 With the prior approval of the State Board of Education and 26 subject to review by the State Board of Education every 3 SB0028 Enrolled - 9 - LRB101 02854 AXK 47862 b

years, any school board may, by resolution of its board and in 1 2 agreement with affected exclusive collective bargaining agents, establish experimental educational programs, including 3 4 but not limited to programs for e-learning days as authorized 5 under Section 10-20.56 of this Code, self-directed learning, or 6 outside of formal class periods, which programs when so 7 approved shall be considered to comply with the requirements of 8 this Section as respects numbers of days of actual pupil 9 attendance and with the other requirements of this Act as 10 respects courses of instruction.

11 (Source: P.A. 99-194, eff. 7-30-15; 100-465, eff. 8-31-17.)

12 (105 ILCS 5/10-19.05 new)

## 13 <u>Sec. 10-19.05. Daily pupil attendance calculation.</u>

14 (a) Except as otherwise provided in this Section, for a 15 pupil of legal school age and in kindergarten or any of grades 16 1 through 12, a day of attendance shall be counted only for sessions of not less than 5 clock hours of school work per day 17 18 under direct supervision of (i) teachers or (ii) non-teaching personnel or volunteer personnel when engaging in non-teaching 19 20 duties and supervising in those instances specified in 21 subsection (a) of Section 10-22.34 and paragraph 10 of Section 22 34-18. Days of attendance by pupils through verified 23 participation in an e-learning program adopted by a school 24 board and verified by the regional office of education or intermediate service center for the school district under 25

Section 10-20.56 of this Code shall be considered as full days
 of attendance under this Section.

3 (b) A pupil regularly enrolled in a public school for only a part of the school day may be counted on the basis of 4 5 one-sixth of a school day for every class hour of instruction of 40 minutes or more attended pursuant to such enrollment, 6 unless a pupil is enrolled in a block-schedule format of 80 7 minutes or more of instruction, in which case the pupil may be 8 9 counted on the basis of the proportion of minutes of school work completed each day to the minimum number of minutes that 10 11 school work is required to be held that day.

12 (c) A session of 4 or more clock hours may be counted as a 13 day of attendance upon certification by the regional 14 superintendent of schools and approval by the State 15 Superintendent of Education to the extent that the district has 16 been forced to use daily multiple sessions.

(d) A session of 3 or more clock hours may be counted as a 17 day of attendance (1) when the remainder of the school day or 18 19 at least 2 hours in the evening of that day is utilized for an 20 in-service training program for teachers, up to a maximum of 10 days per school year, provided that a district conducts an 21 22 in-service training program for teachers in accordance with 23 Section 10-22.39 of this Code, or, in lieu of 4 such days, 2 24 full days may be used, in which event each such day may be 25 counted as a day required for a legal school calendar pursuant to Section 10-19 of this Code; (2) when, of the 5 days allowed 26

1	under item (1), a maximum of 4 days are used for parent-teacher
2	conferences, or, in lieu of 4 such days, 2 full days are used,
3	in which case each such day may be counted as a calendar day
4	required under Section 10-19 of this Code, provided that the
5	full-day, parent-teacher conference consists of (i) a minimum
6	of 5 clock hours of parent-teacher conferences, (ii) both a
7	minimum of 2 clock hours of parent-teacher conferences held in
8	the evening following a full day of student attendance and a
9	minimum of 3 clock hours of parent-teacher conferences held on
10	the day immediately following evening parent-teacher
11	conferences, or (iii) multiple parent-teacher conferences held
12	in the evenings following full days of student attendance in
13	which the time used for the parent-teacher conferences is
14	equivalent to a minimum of 5 clock hours; and (3) when days in
15	addition to those provided in items (1) and (2) are scheduled
16	by a school pursuant to its school improvement plan adopted
17	under Article 34 or its revised or amended school improvement
18	plan adopted under Article 2, provided that (i) such sessions
19	of 3 or more clock hours are scheduled to occur at regular
20	intervals, (ii) the remainder of the school days in which such
21	sessions occur are utilized for in-service training programs or
22	other staff development activities for teachers, and (iii) a
23	sufficient number of minutes of school work under the direct
24	supervision of teachers are added to the school days between
25	such regularly scheduled sessions to accumulate not less than
26	the number of minutes by which such sessions of 3 or more clock

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1 hours fall short of 5 clock hours. Days scheduled for 2 in-service training programs, staff development activities, or 3 parent-teacher conferences may be scheduled separately for 4 different grade levels and different attendance centers of the 5 district. 6 (e) A session of not less than one clock hour of teaching 7 hospitalized or homebound pupils on-site or by telephone to the 8 classroom may be counted as a half day of attendance; however, 9 these pupils must receive 4 or more clock hours of instruction 10 to be counted for a full day of attendance. 11 (f) A session of at least 4 clock hours may be counted as a 12 day of attendance for first grade pupils and pupils in full-day kindergartens, and a session of 2 or more hours may be counted 13 14 as a half day of attendance by pupils in kindergartens that 15 provide only half days of attendance. 16 (g) For children with disabilities who are below the age of 6 years and who cannot attend 2 or more clock hours because of 17 their disability or immaturity, a session of not less than one 18 19 clock hour may be counted as a half day of attendance; however, 20 for such children whose educational needs require a session of 4 or more clock hours, a session of at least 4 clock hours may 21 22 be counted as a full day of attendance. 23 (h) A recognized kindergarten that provides for only a half 24 day of attendance by each pupil shall not have more than one 25 half day of attendance counted in any one day. However,

26 kindergartens may count 2 and a half days of attendance in any

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5 consecutive school days. When a pupil attends such a 1 kindergarten for 2 half days on any one school day, the pupil 2 3 shall have the following day as a day absent from school, unless the school district obtains permission in writing from 4 5 the State Superintendent of Education. Attendance at kindergartens that provide for a full day of attendance by each 6 7 pupil shall be counted the same as attendance by first grade 8 pupils. Only the first year of attendance in one kindergarten 9 shall be counted, except in the case of children who entered the kindergarten in their fifth year whose educational 10 11 development requires a second year of kindergarten as 12 determined under rules of the State Board of Education.

13 (i) On the days when the State's final accountability 14 assessment is administered under subsection (c) of Section 15 2-3.64a-5 of this Code, the day of attendance for a pupil whose 16 school day must be shortened to accommodate required testing 17 procedures may be less than 5 clock hours and shall be counted toward the 176 days of actual pupil attendance required under 18 19 Section 10-19 of this Code, provided that a sufficient number 20 of minutes of school work in excess of 5 clock hours are first 21 completed on other school days to compensate for the loss of 22 school work on the examination days.

23 (j) Pupils enrolled in a remote educational program 24 established under Section 10-29 of this Code may be counted on 25 the basis of a one-fifth day of attendance for every clock hour 26 of instruction attended in the remote educational program, SB0028 Enrolled - 14 - LRB101 02854 AXK 47862 b

1	provided that, in any month, the school district may not claim
2	for a student enrolled in a remote educational program more
3	days of attendance than the maximum number of days of
4	attendance the district can claim (i) for students enrolled in
5	a building holding year-round classes if the student is
6	classified as participating in the remote educational program
7	<u>on a year-round schedule or (ii) for students enrolled in a</u>
8	building not holding year-round classes if the student is not
9	classified as participating in the remote educational program
10	on a year-round schedule.
11	(k) Pupil participation in any of the following activities
12	shall be counted toward the calculation of clock hours of
13	school work per day:
14	(1) Instruction in a college course in which a student
15	is dually enrolled for both high school credit and college
16	<u>credit.</u>
17	(2) Participation in a Supervised Career Development
18	Experience, as defined in Section 10 of the Postsecondary
19	and Workforce Readiness Act, in which student
20	participation and learning outcomes are supervised by an
21	educator licensed under Article 21B.
22	(3) Participation in a youth apprenticeship, as
23	jointly defined in rules of the State Board of Education
24	and Department of Commerce and Economic Opportunity, in
25	which student participation and outcomes are supervised by
26	an educator licensed under Article 21B.

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1 <u>(4) Participation in a blended learning program</u> 2 <u>approved by the school district in which course content,</u> 3 <u>student evaluation, and instructional methods are</u> 4 <u>supervised by an educator licensed under Article 21B.</u>

5 (105 ILCS 5/10-20.56)

6 Sec. 10-20.56. E-learning days.

The State Board of Education shall establish and 7 (a) 8 maintain, for implementation in selected school districts, a 9 program for use of electronic-learning (e-learning) days, as 10 described in this Section. The State Superintendent of 11 Education shall select up to 3 school districts for this program, at least one of which may be an elementary or unit 12 school district. On or before June 1, 2019, the State Board 13 14 shall report its recommendation for expansion, revision, or 15 discontinuation of the program to the Governor and General 16 Assembly.

(b) The school board of a school district selected by the 17 18 State Superintendent of Education under subsection (a) of this 19 Section may, by resolution, adopt a research-based program or research-based programs for e-learning days district-wide that 20 21 shall permit student instruction to be received electronically 22 while students are not physically present in lieu of the district's scheduled emergency days as required by Section 23 24 10-19 of this Code. The research-based program or programs may 25 not exceed the minimum number of emergency days in the approved SB0028 Enrolled - 16 - LRB101 02854 AXK 47862 b

school calendar and must be verified by the regional office of 1 2 education or intermediate service center for the school district submitted to the State Superintendent for approval on 3 or before September 1st annually to ensure access for all 4 5 students. The regional office of education or intermediate service center State Superintendent shall approve programs 6 7 that ensure that the specific needs of all students are met, 8 including special education students and English learners, and 9 that mandates are still met using the all proposed 10 research-based program. The e-learning program may utilize the 11 Internet, telephones, texts, chat rooms, or other similar means 12 of electronic communication for instruction and interaction 13 between teachers and students that meet the needs of all 14 learners. The e-learning program shall address the school 15 district's responsibility to ensure that all teachers and staff 16 who may be involved in the provision of e-learning have access 17 to any and all hardware and software that may be required for the program. If a proposed program does not address this 18 19 responsibility, the school district must propose an alternate 20 program.

(c) Before its adoption by a school board, <u>the school board</u> <u>must hold a public hearing on</u> a school district's initial proposal for an e-learning program or for renewal of such a program <u>must be approved by the State Board of Education and</u> <u>shall follow a public hearing</u>, at a regular or special meeting of the school board, in which the terms of the proposal must be SB0028 Enrolled - 17 - LRB101 02854 AXK 47862 b

substantially presented and an opportunity for allowing public
 comments must be provided. Notice of such public hearing must
 be provided at least 10 days prior to the hearing by:

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(1) publication in a newspaper of general circulation in the school district;

6 (2) written or electronic notice designed to reach the 7 parents or guardians of all students enrolled in the school 8 district; and

9 (3) written or electronic notice designed to reach any 10 exclusive collective bargaining representatives of school 11 district employees and all those employees not in a 12 collective bargaining unit.

13 The regional office of education or intermediate (d) 14 service center for the school district must timely verify that 15 a A proposal for an e-learning program has met must be timely 16 approved by the State Board of Education if the requirements 17 specified in this Section and that have been met and if, in the view of the State Board of Education, the proposal contains 18 19 provisions designed to reasonably and practicably accomplish 20 the following:

(1) to ensure and verify at least 5 clock hours of instruction or school work, as required under Section 10-19.05, for each student participating in an e-learning day;

(2) to ensure access from home or other appropriate
 remote facility for all students participating, including

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computers, the Internet, and other forms of electronic communication that must be utilized in the proposed program;

4 (2.5) to ensure that non-electronic materials are made 5 available to students participating in the program who do 6 not have access to the required technology or to 7 participating teachers or students who are prevented from 8 accessing the required technology;

9 (3) to ensure appropriate learning opportunities for
10 students with special needs;

11 (4) to monitor and verify each student's electronic 12 participation;

13 (5) to address the extent to which student 14 participation is within the student's control as to the 15 time, pace, and means of learning;

16 (6) to provide effective notice to students and their 17 parents or guardians of the use of particular days for 18 e-learning;

19 (7) to provide staff and students with adequate20 training for e-learning days' participation;

(8) to ensure an opportunity for any collective bargaining negotiations with representatives of the school district's employees that would be legally required, including all classifications of school district employees who are represented by collective bargaining agreements and who would be affected in the event of an e-learning

1 <u>day; and</u>

2 (9) to review and revise the program as implemented to
3 address difficulties confronted; and -

4 (10) to ensure that the protocol regarding general
5 expectations and responsibilities of the program is
6 communicated to teachers, staff, and students at least 30
7 days prior to utilizing an e-learning day.

8 The <u>school board's</u> <del>State Board of Education's</del> approval of a 9 school district's initial e-learning program and renewal of the 10 e-learning program shall be for a term of 3 years.

(e) The State Board of Education may adopt rules governing its supervision and review of e-learning programs consistent with the provision of this Section. However, in the absence of such rules, school districts may submit proposals for State Board of Education consideration under the authority of this Section.

17 (Source: P.A. 99-194, eff. 7-30-15; 99-642, eff. 7-28-16;
18 100-760, eff. 8-10-18.)

19 (105 ILCS 5/13B-45)

Sec. 13B-45. Days and hours of attendance. An alternative learning opportunities program shall provide students with at least the minimum number of days of pupil attendance required under Section 10-19 of this Code and the minimum number of daily hours of school work required under Section <u>10-19.05</u> <del>18 8.05 or 18 8.15</del> of this Code, provided that the State Board SB0028 Enrolled - 20 - LRB101 02854 AXK 47862 b

1 may approve exceptions to these requirements if the program 2 meets all of the following conditions:

3 (1) The district plan submitted under Section
4 13B-25.15 of this Code establishes that a program providing
5 the required minimum number of days of attendance or daily
6 hours of school work would not serve the needs of the
7 program's students.

8 (2) Each day of attendance shall provide no fewer than 9 3 clock hours of school work, as defined under <del>paragraph</del> 10 <del>(1) of subsection (F) of</del> Section <u>10-19.05</u> <del>18 8.05</del> of this 11 Code.

12 (3) Each day of attendance that provides fewer than 5 clock hours of school work shall also provide supplementary 13 14 services, including without limitation work-based 15 learning, student assistance programs, counseling, case 16 management, health and fitness programs, or life-skills or 17 conflict resolution training, in order to provide a total daily program to the student of 5 clock hours. A program 18 19 may claim general State aid or evidence-based funding for 20 up to 2 hours of the time each day that a student is 21 receiving supplementary services.

(4) Each program shall provide no fewer than 174 days
of actual pupil attendance during the school term; however,
approved evening programs that meet the requirements of
Section 13B-45 of this Code may offer less than 174 days of
actual pupil attendance during the school term.

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1 (Source: P.A. 100-465, eff. 8-31-17.)

2 (105 ILCS 5/13B-50.5)

3 Sec. 13B-50.5. Conditions of funding. If an alternative learning opportunities program provides less than the daily 5 4 5 clock hours of school work required under Section 10-19.05 6 daily, the program must meet guidelines established by the 7 State Board and must provide supplementary services, including without limitation work-based learning, student assistance 8 9 programs, counseling, case management, health and fitness 10 programs, life skills, conflict resolution, service or 11 learning, that are equal to the required attendance.

12 (Source: P.A. 92-42, eff. 1-1-02.)

13 (105 ILCS 5/29-6.3)

Sec. 29-6.3. Transportation to and from specified interscholastic or school-sponsored activities.

(a) Any school district transporting students in grade 12 16 17 or below for an interscholastic, interscholastic athletic, or 18 school-sponsored, noncurriculum-related activity that (i) does 19 not require student participation as part of the educational 20 services of the district and (ii) is not associated with the 21 students' regular class-for-credit schedule or required 5 22 clock hours of instruction under Section 10-19.05 shall transport the students only in a school bus, a vehicle 23 24 manufactured to transport not more than 10 persons, including SB0028 Enrolled - 22 - LRB101 02854 AXK 47862 b

1 the driver, or a multifunction school-activity bus 2 manufactured to transport not more than 15 persons, including 3 the driver.

4 (a-5) A student in any of grades 9 through 12 may be
5 transported in a multi-function school activity bus (MFSAB) as
6 defined in Section 1-148.3a-5 of the Illinois Vehicle Code for
7 any curriculum-related activity except for transportation on
8 regular bus routes from home to school or from school to home,
9 subject to the following conditions:

(i) A MFSAB may not be used to transport students under
this Section unless the driver holds a valid school bus
driver permit.

(ii) The use of a MFSAB under this Section is subject
to the requirements of Sections 6-106.11, 6-106.12,
12-707.01, 13-101, and 13-109 of the Illinois Vehicle Code.

(b) Any school district furnishing transportation for students under the authority of this Section shall insure against any loss or liability of the district resulting from the maintenance, operation, or use of the vehicle.

(c) Vehicles used to transport students under this Section
 may claim a depreciation allowance of 20% over 5 years as
 provided in Section 29-5 of this Code.

23 (Source: P.A. 96-410, eff. 7-1-10; 97-896, eff. 8-3-12.)

24 (105 ILCS 5/34-18) (from Ch. 122, par. 34-18)

25 Sec. 34-18. Powers of the board. The board shall exercise

general supervision and jurisdiction over the public education and the public school system of the city, and, except as otherwise provided by this Article, shall have power:

1. To make suitable provision for the establishment and 4 5 maintenance throughout the year or for such portion thereof 6 as it may direct, not less than 9 months and in compliance 7 with Section 10-19.05, of schools of all grades and kinds, including normal schools, high schools, night schools, 8 9 schools for defectives and delinquents, parental and 10 truant schools, schools for the blind, the deaf and persons 11 with physical disabilities, schools or classes in manual training, constructural and vocational teaching, domestic 12 13 arts and physical culture, vocation and extension schools 14 and lecture courses, and all other educational courses and 15 facilities, including establishing, equipping, maintaining 16 and operating playgrounds and recreational programs, when such programs are conducted in, adjacent to, or connected 17 with any public school under the general supervision and 18 19 jurisdiction of the board; provided that the calendar for 20 the school term and any changes must be submitted to and approved by the State Board of Education before the 21 22 calendar or changes may take effect, and provided that in 23 allocating funds from year to year for the operation of all 24 attendance centers within the district, the board shall 25 ensure that supplemental general State aid or supplemental 26 grant funds are allocated and applied in accordance with

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Section 18-8, 18-8.05, or 18-8.15. To admit to such schools 1 2 without charge foreign exchange students who are 3 participants in an organized exchange student program which is authorized by the board. The board shall permit 4 5 all students to enroll in apprenticeship programs in trade schools operated by the board, whether those programs are 6 7 union-sponsored or not. No student shall be refused 8 admission into or be excluded from any course of 9 instruction offered in the common schools by reason of that 10 student's sex. No student shall be denied equal access to 11 physical education and interscholastic athletic programs 12 from school district funds supported or denied 13 participation in comparable physical education and 14 athletic programs solely by reason of the student's sex. 15 Equal access to programs supported from school district 16 funds and comparable programs will be defined in rules 17 promulgated by the State Board of Education in consultation with the Illinois High School Association. Notwithstanding 18 19 any other provision of this Article, neither the board of 20 education nor any local school council or other school official shall recommend that children with disabilities 21 22 be placed into regular education classrooms unless those 23 children with disabilities are provided with supplementary 24 services to assist them so that they benefit from the 25 regular classroom instruction and are included on the 26 teacher's regular education class register;

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

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3. To co-operate with the circuit court;

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

9 5. To employ dentists and prescribe their duties for 10 the purpose of treating the pupils in the schools, but 11 accepting such treatment shall be optional with parents or 12 guardians;

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

19 7. To apportion the pupils to the several schools; 20 provided that no pupil shall be excluded from or segregated 21 in any such school on account of his color, race, sex, or 22 nationality. The board shall take into consideration the 23 prevention of segregation and the elimination of 24 separation of children in public schools because of color, race, sex, or nationality. Except that children may be 25 26 committed to or attend parental and social adjustment

1 schools established and maintained either for boys or girls 2 only. All records pertaining to the creation, alteration or 3 revision of attendance areas shall be open to the public. Nothing herein shall limit the board's authority to 4 5 establish multi-area attendance centers or other student 6 assignment systems for desegregation purposes or 7 otherwise, and to apportion the pupils to the several 8 schools. Furthermore, beginning in school year 1994-95, 9 pursuant to a board plan adopted by October 1, 1993, the 10 board shall offer, commencing on a phased-in basis, the 11 opportunity for families within the school district to 12 apply for enrollment of their children in any attendance center within the school district which does not have 13 14 selective admission requirements approved by the board. 15 The appropriate geographical area in which such open 16 enrollment may be exercised shall be determined by the 17 board of education. Such children may be admitted to any 18 such attendance center on a space available basis after all 19 children residing within such attendance center's area 20 have been accommodated. If the number of applicants from 21 outside the attendance area exceed the space available, 22 then successful applicants shall be selected by lottery. 23 The board of education's open enrollment plan must include 24 provisions that allow low income students to have access to 25 transportation needed to exercise school choice. Open 26 enrollment shall be in compliance with the provisions of

1 the Consent Decree and Desegregation Plan cited in Section 2 34-1.01;

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

9 9. Subject to the limitations in this Article, to 10 establish and approve system-wide curriculum objectives 11 standards, including graduation standards, which and 12 reflect the multi-cultural diversity in the city and are consistent with State law, provided that for all purposes 13 14 of this Article courses or proficiency in American Sign 15 Language shall be deemed to constitute courses or 16 proficiency in a foreign language; and to employ principals 17 and teachers, appointed as provided in this Article, and fix their compensation. The board shall prepare such 18 19 reports related to minimal competency testing as may be 20 requested by the State Board of Education, and in addition 21 shall monitor and approve special education and bilingual 22 education programs and policies within the district to 23 appropriate services assure that are provided in 24 accordance with applicable State and federal laws to 25 children requiring services and education in those areas; 26 10. То employ non-teaching personnel or utilize

1 volunteer personnel for: (i) non-teaching duties not 2 requiring instructional judgment or evaluation of pupils, 3 including library duties; and (ii) supervising study distance teaching reception areas used 4 halls, long 5 incident to instructional programs transmitted bv 6 electronic media such as computers, video, and audio, 7 detention and discipline areas, and school-sponsored extracurricular activities. The board may further utilize 8 9 volunteer non-certificated personnel or employ 10 non-certificated personnel to assist in the instruction of 11 pupils under the immediate supervision of a teacher holding 12 a valid certificate, directly engaged in teaching subject matter or conducting activities; provided that the teacher 13 14 be continuously aware of the non-certificated shall 15 persons' activities and shall be able to control or modify 16 them. The general superintendent shall determine 17 qualifications of such personnel and shall prescribe rules for determining the duties and activities to be assigned to 18 19 such personnel;

20 10.5. To utilize volunteer personnel from a regional 21 School Crisis Assistance Team (S.C.A.T.), created as part 22 of the Safe to Learn Program established pursuant to 23 Section 25 of the Illinois Violence Prevention Act of 1995, 24 to provide assistance to schools in times of violence or 25 other traumatic incidents within a school community by 26 providing crisis intervention services to lessen the

1 effects of emotional trauma on individuals and the 2 community; the School Crisis Assistance Team Steering 3 Committee shall determine qualifications the for volunteers: 4

5 11. To provide television studio facilities in not to 6 exceed one school building and to provide programs for 7 educational purposes, provided, however, that the board 8 shall not construct, acquire, operate, or maintain a 9 television transmitter; to grant the use of its studio 10 facilities to a licensed television station located in the 11 school district; and to maintain and operate not to exceed 12 one school radio transmitting station and provide programs 13 for educational purposes;

14 12. To offer, if deemed appropriate, outdoor education 15 courses, including field trips within the State of 16 Illinois, or adjacent states, and to use school educational 17 funds for the expense of the said outdoor educational 18 programs, whether within the school district or not;

19 13. During that period of the calendar year not 20 embraced within the regular school term, to provide and 21 conduct courses in subject matters normally embraced in the 22 program of the schools during the regular school term and 23 to give regular school credit for satisfactory completion 24 by the student of such courses as may be approved for 25 credit by the State Board of Education;

26

14. To insure against any loss or liability of the

board, the former School Board Nominating Commission, 1 2 School Councils, the Chicago Schools Academic Local 3 Accountability Council, or the former Subdistrict Councils or of any member, officer, agent or employee thereof, 4 5 resulting from alleged violations of civil rights arising 6 from incidents occurring on or after September 5, 1967 or 7 from the wrongful or negligent act or omission of any such 8 person whether occurring within or without the school 9 premises, provided the officer, agent or employee was, at 10 the time of the alleged violation of civil rights or 11 wrongful act or omission, acting within the scope of his 12 employment or under direction of the board, the former 13 School Board Nominating Commission, the Chicago Schools 14 Academic Accountability Council, Local School Councils, or 15 the former Subdistrict Councils; and to provide for or 16 participate in insurance plans for its officers and 17 employees, including but not limited to retirement annuities, medical, surgical and hospitalization benefits 18 19 in such types and amounts as may be determined by the 20 board; provided, however, that the board shall contract for 21 such insurance only with an insurance company authorized to 22 do business in this State. Such insurance may include provision for employees who rely on treatment by prayer or 23 24 spiritual means alone for healing, in accordance with the 25 practice tenets and of a recognized religious 26 denomination;

1 15. To contract with the corporate authorities of any 2 municipality or the county board of any county, as the case 3 may be, to provide for the regulation of traffic in parking 4 areas of property used for school purposes, in such manner 5 as is provided by Section 11-209 of The Illinois Vehicle 6 Code, approved September 29, 1969, as amended;

7 16. (a) To provide, on an equal basis, access to a high school campus and student directory information to the 8 9 official recruiting representatives of the armed forces of 10 Illinois and the United States for the purposes of 11 informing students of the educational and career 12 opportunities available in the military if the board has 13 provided such access to persons or groups whose purpose is 14 to acquaint students with educational or occupational 15 opportunities available to them. The board is not required 16 to give greater notice regarding the right of access to recruiting representatives than is given to other persons 17 and groups. In this paragraph 16, "directory information" 18 19 means a high school student's name, address, and telephone 20 number.

(b) If a student or his or her parent or guardian submits a signed, written request to the high school before the end of the student's sophomore year (or if the student is a transfer student, by another time set by the high school) that indicates that the student or his or her parent or guardian does not want the student's directory SB0028 Enrolled - 32 - LRB101 02854 AXK 47862 b

1 information to be provided to official recruiting 2 representatives under subsection (a) of this Section, the 3 high school may not provide access to the student's directory information to these recruiting representatives. 4 5 The high school shall notify its students and their parents or quardians of the provisions of this subsection (b). 6

7 (c) A high school may require official recruiting 8 representatives of the armed forces of Illinois and the 9 United States to pay a fee for copying and mailing a 10 student's directory information in an amount that is not 11 more than the actual costs incurred by the high school.

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

19 17. (a) То sell or market any computer program 20 developed by an employee of the school district, provided 21 that such employee developed the computer program as a 22 direct result of his or her duties with the school district 23 or through the utilization of the school district resources 24 or facilities. The employee who developed the computer 25 program shall be entitled to share in the proceeds of such 26 sale or marketing of the computer program. The distribution SB0028 Enrolled - 33 - LRB101 02854 AXK 47862 b

of such proceeds between the employee and the school district shall be as agreed upon by the employee and the school district, except that neither the employee nor the school district may receive more than 90% of such proceeds. The negotiation for an employee who is represented by an exclusive bargaining representative may be conducted by such bargaining representative at the employee's request.

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(b) For the purpose of this paragraph 17:

9 (1) "Computer" means an internally programmed, 10 general purpose digital device capable of 11 automatically accepting data, processing data and 12 supplying the results of the operation.

13 (2) "Computer program" means a series of coded
14 instructions or statements in a form acceptable to a
15 computer, which causes the computer to process data in
16 order to achieve a certain result.

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

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

19. Upon the written request of an employee, to
withhold from the compensation of that employee any dues,
payments or contributions payable by such employee to any
labor organization as defined in the Illinois Educational

Labor Relations Act. Under such arrangement, an amount shall be withheld from each regular payroll period which is equal to the pro rata share of the annual dues plus any payments or contributions, and the board shall transmit such withholdings to the specified labor organization within 10 working days from the time of the withholding;

7 19a. Upon receipt of notice from the comptroller of a 8 municipality with a population of 500,000 or more, a county 9 with a population of 3,000,000 or more, the Cook County 10 Forest Preserve District, the Chicago Park District, the 11 Metropolitan Water Reclamation District, the Chicago 12 Transit Authority, or a housing authority of a municipality with a population of 500,000 or more that a debt is due and 13 14 owing the municipality, the county, the Cook County Forest 15 Preserve District, the Chicago Park District, the 16 Metropolitan Water Reclamation District, the Chicago Transit Authority, or the housing authority by an employee 17 of the Chicago Board of Education, to withhold, from the 18 19 compensation of that employee, the amount of the debt that 20 is due and owing and pay the amount withheld to the 21 municipality, the county, the Cook County Forest Preserve 22 District, the Chicago Park District, the Metropolitan 23 Water Reclamation District, the Chicago Transit Authority, 24 or the housing authority; provided, however, that the 25 amount deducted from any one salary or wage payment shall 26 not exceed 25% of the net amount of the payment. Before the

1 Board deducts any amount from any salary or wage of an 2 employee under this paragraph, the municipality, the 3 county, the Cook County Forest Preserve District, the Chicago Park District, the Metropolitan Water Reclamation 4 5 District, the Chicago Transit Authority, or the housing 6 authority shall certify that (i) the employee has been 7 afforded an opportunity for a hearing to dispute the debt 8 that is due and owing the municipality, the county, the 9 Cook County Forest Preserve District, the Chicago Park 10 District, the Metropolitan Water Reclamation District, the 11 Chicago Transit Authority, or the housing authority and 12 (ii) the employee has received notice of a wage deduction order and has been afforded an opportunity for a hearing to 13 14 object to the order. For purposes of this paragraph, "net 15 amount" means that part of the salary or wage payment 16 remaining after the deduction of any amounts required by 17 law to be deducted and "debt due and owing" means (i) a specified sum of money owed to the municipality, the 18 19 county, the Cook County Forest Preserve District, the 20 Chicago Park District, the Metropolitan Water Reclamation 21 District, the Chicago Transit Authority, or the housing 22 authority for services, work, or goods, after the period 23 granted for payment has expired, or (ii) a specified sum of 24 money owed to the municipality, the county, the Cook County 25 Forest Preserve District, the Chicago Park District, the 26 Metropolitan Water Reclamation District, the Chicago

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1 Transit Authority, or the housing authority pursuant to a 2 court order or order of an administrative hearing officer 3 after the exhaustion of, or the failure to exhaust, 4 judicial review;

5 20. The board is encouraged to employ a sufficient 6 number of certified school counselors to maintain a 7 student/counselor ratio of 250 to 1 by July 1, 1990. Each 8 counselor shall spend at least 75% of his work time in 9 direct contact with students and shall maintain a record of 10 such time;

11 21. To make available to students vocational and career 12 counseling and to establish 5 special career counseling 13 davs for students and parents. On these days 14 representatives of local businesses and industries shall 15 be invited to the school campus and shall inform students 16 of career opportunities available to them in the various 17 businesses and industries. Special consideration shall be given to counseling minority students as 18 to career 19 opportunities available to them in various fields. For the 20 purposes of this paragraph, minority student means a person 21 who is any of the following:

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

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(b) Asian (a person having origins in any of the

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original peoples of the Far East, Southeast Asia, or the
 Indian subcontinent, including, but not limited to,
 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,
 the Philippine Islands, Thailand, and Vietnam).

5 (c) Black or African American (a person having origins 6 in any of the black racial groups of Africa). Terms such as 7 "Haitian" or "Negro" can be used in addition to "Black or 8 African American".

9 (d) Hispanic or Latino (a person of Cuban, Mexican, 10 Puerto Rican, South or Central American, or other Spanish 11 culture or origin, regardless of race).

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

15 Counseling days shall not be in lieu of regular school 16 days;

17 22. To report to the State Board of Education the 18 annual student dropout rate and number of students who 19 graduate from, transfer from or otherwise leave bilingual 20 programs;

21 23. Except as otherwise provided in the Abused and 22 Neglected Child Reporting Act or other applicable State or 23 federal law, to permit school officials to withhold, from 24 any person, information on the whereabouts of any child 25 removed from school premises when the child has been taken 26 into protective custody as a victim of suspected child SB0028 Enrolled - 38 - LRB101 02854 AXK 47862 b

abuse. School officials shall direct such person to the
 Department of Children and Family Services, or to the local
 law enforcement agency if appropriate;

24. To develop a policy, based on the current state of 4 5 existing school facilities, projected enrollment and efficient utilization of available resources, for capital 6 7 improvement of schools and school buildings within the 8 district, addressing in that policy both the relative 9 priority for major repairs, renovations and additions to 10 school facilities, and the advisability or necessity of 11 building new school facilities or closing existing schools 12 to meet current or projected demographic patterns within 13 the district;

14 25. To make available to the students in every high 15 school attendance center the ability to take all courses 16 necessary to comply with the Board of Higher Education's 17 college entrance criteria effective in 1993;

18 26. To encourage mid-career changes into the teaching 19 profession, whereby qualified professionals become 20 certified teachers, by allowing credit for professional 21 employment in related fields when determining point of 22 entry on teacher pay scale;

27. To provide or contract out training programs for 24 administrative personnel and principals with revised or 25 expanded duties pursuant to this Act in order to assure 26 they have the knowledge and skills to perform their duties;

1 28. To establish a fund for the prioritized special 2 needs programs, and to allocate such funds and other lump 3 sum amounts to each attendance center in a manner 4 consistent with the provisions of part 4 of Section 34-2.3. 5 Nothing in this paragraph shall be construed to require any 6 additional appropriations of State funds for this purpose;

29. (Blank);

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8 30. Notwithstanding any other provision of this Act or 9 any other law to the contrary, to contract with third 10 parties for services otherwise performed by employees, 11 including those in a bargaining unit, and to layoff those 12 employees upon 14 days written notice to the affected employees. Those contracts may be for a period not to 13 14 exceed 5 years and may be awarded on a system-wide basis. 15 The board may not operate more than 30 contract schools, 16 provided that the board may operate an additional 5 17 contract turnaround schools pursuant to item (5.5) of subsection (d) of Section 34-8.3 of this Code; 18

19 31. promulgate rules establishing procedures То 20 governing the layoff or reduction in force of employees and the recall of such employees, including, but not limited 21 22 to, criteria for such layoffs, reductions in force or 23 recall rights of such employees and the weight to be given to any particular criterion. Such criteria shall take into 24 25 account factors including, but not be limited to, 26 qualifications, certifications, experience, performance

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1 2 ratings or evaluations, and any other factors relating to an employee's job performance;

3 4

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

33. (Blank); and

6 34. To establish a Labor Management Council to the 7 board comprised of representatives of the board, the chief 8 executive officer, and those labor organizations that are 9 the exclusive representatives of employees of the board and 10 to promulgate policies and procedures for the operation of 11 the Council.

12 The specifications of the powers herein granted are not to 13 be construed as exclusive but the board shall also exercise all 14 other powers that they may be requisite or proper for the 15 maintenance and the development of a public school system, not 16 inconsistent with the other provisions of this Article or 17 provisions of this Code which apply to all school districts.

In addition to the powers herein granted and authorized to be exercised by the board, it shall be the duty of the board to review or to direct independent reviews of special education expenditures and services. The board shall file a report of such review with the General Assembly on or before May 1, 1990. (Source: P.A. 99-143, eff. 7-27-15; 100-465, eff. 8-31-17; 100-1046, eff. 8-23-18.)

Section 10. The Vocational Academies Act is amended by

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1 changing Section 10 as follows:

(105 ILCS 433/10)

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3 Sec. 10. Establishment. A school district, in partnership 4 with community colleges, local employers, and community-based 5 organizations, may establish a vocational academy that is 6 eligible for a grant under this Act if the vocational academy 7 meets all of the following requirements:

8 (1) The vocational academy must have a minimum 9 5-clock-hour day, as required under Section 10-19.05 of the 10 <u>School Code</u>, and be under the direct supervision of 11 teachers.

12 (2) The vocational academy must be a 2-year school 13 within a school program for grades 10 through 12 that is 14 organized around a career theme and operated as a 15 business-education partnership.

16 (3) The vocational academy must be a career-oriented 17 program that uses the direct involvement of local employers 18 to provide students with an education and the skills needed 19 for employment.

20 (4) The vocational academy must be a standards-based 21 educational program that prepares students both 22 technically for academically and entrance into 23 postsecondary education or careers in a selected field.

(5) The curriculum of the vocational academy must be
 based on the Illinois Learning Standards, and work-site

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training must provide students with learning experiences for entry-level employment in the local job market and lifelong learning skills for higher education.

4 (Source: P.A. 94-220, eff. 7-14-05.)

5 Section 99. Effective date. This Act takes effect July 1,
6 2019.