



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4208

Introduced 1/5/2022, by Rep. Cyril Nichols

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-22.24b

105 ILCS 5/34-18

from Ch. 122, par. 34-18

Amends the School Code. Provides that a school district shall employ a ratio of no less than one school counselor to 150 students (rather than allowing a school district to employ a ratio of no less than one school counselor to 250 students). Requires school counselors to meet with their assigned students at least once each month.

LRB102 21217 CMG 30307 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Sections
5 10-22.24b and 34-18 as follows:

6 (105 ILCS 5/10-22.24b)

7 Sec. 10-22.24b. School counseling services. School
8 counseling services in public schools may be provided by
9 school counselors as defined in Section 10-22.24a of this Code
10 or by individuals who hold a Professional Educator License
11 with a school support personnel endorsement in the area of
12 school counseling under Section 21B-25 of this Code.

13 School counseling services may include, but are not
14 limited to:

15 (1) designing and delivering a comprehensive school
16 counseling program that promotes student achievement and
17 wellness;

18 (2) incorporating the common core language into the
19 school counselor's work and role;

20 (3) school counselors working as culturally skilled
21 professionals who act sensitively to promote social
22 justice and equity in a pluralistic society;

23 (4) providing individual and group counseling;

1 (5) providing a core counseling curriculum that serves
2 all students and addresses the knowledge and skills
3 appropriate to their developmental level through a
4 collaborative model of delivery involving the school
5 counselor, classroom teachers, and other appropriate
6 education professionals, and including prevention and
7 pre-referral activities;

8 (6) making referrals when necessary to appropriate
9 offices or outside agencies;

10 (7) providing college and career development
11 activities and counseling;

12 (8) developing individual career plans with students;

13 (9) assisting all students with a college or
14 post-secondary education plan, which must include a
15 discussion on all post-secondary education options,
16 including 4-year colleges or universities, community
17 colleges, and vocational schools;

18 (10) intentionally addressing the career and college
19 needs of first generation students;

20 (11) educating all students on scholarships, financial
21 aid, and preparation of the Federal Application for
22 Federal Student Aid;

23 (12) collaborating with institutions of higher
24 education and local community colleges so that students
25 understand post-secondary education options and are ready
26 to transition successfully;

1 (13) providing crisis intervention and contributing to
2 the development of a specific crisis plan within the
3 school setting in collaboration with multiple
4 stakeholders;

5 (14) educating students, teachers, and parents on
6 anxiety, depression, cutting, and suicide issues and
7 intervening with students who present with these issues;

8 (15) providing counseling and other resources to
9 students who are in crisis;

10 (16) providing resources for those students who do not
11 have access to mental health services;

12 (17) addressing bullying and conflict resolution with
13 all students;

14 (18) teaching communication skills and helping
15 students develop positive relationships;

16 (19) using culturally-sensitive skills in working with
17 all students to promote wellness;

18 (20) addressing the needs of undocumented students in
19 the school, as well as students who are legally in the
20 United States, but whose parents are undocumented;

21 (21) contributing to a student's functional behavioral
22 assessment, as well as assisting in the development of
23 non-aversive behavioral intervention strategies;

24 (22) (i) assisting students in need of special
25 education services by implementing the academic supports
26 and social-emotional and college or career development

1 counseling services or interventions per a student's
2 individualized education program (IEP); (ii) participating
3 in or contributing to a student's IEP and completing a
4 social-developmental history; or (iii) providing services
5 to a student with a disability under the student's IEP or
6 federal Section 504 plan, as recommended by the student's
7 IEP team or Section 504 plan team and in compliance with
8 federal and State laws and rules governing the provision
9 of educational and related services and school-based
10 accommodations to students with disabilities and the
11 qualifications of school personnel to provide such
12 services and accommodations;

13 (23) assisting in the development of a personal
14 educational plan with each student;

15 (24) educating students on dual credit and learning
16 opportunities on the Internet;

17 (25) providing information for all students in the
18 selection of courses that will lead to post-secondary
19 education opportunities toward a successful career;

20 (26) interpreting achievement test results and guiding
21 students in appropriate directions;

22 (27) counseling with students, families, and teachers,
23 in compliance with federal and State laws;

24 (28) providing families with opportunities for
25 education and counseling as appropriate in relation to the
26 student's educational assessment;

1 (29) consulting and collaborating with teachers and
2 other school personnel regarding behavior management and
3 intervention plans and inclusion in support of students;

4 (30) teaming and partnering with staff, parents,
5 businesses, and community organizations to support student
6 achievement and social-emotional learning standards for
7 all students;

8 (31) developing and implementing school-based
9 prevention programs, including, but not limited to,
10 mediation and violence prevention, implementing social and
11 emotional education programs and services, and
12 establishing and implementing bullying prevention and
13 intervention programs;

14 (32) developing culturally-sensitive assessment
15 instruments for measuring school counseling prevention and
16 intervention effectiveness and collecting, analyzing, and
17 interpreting data;

18 (33) participating on school and district committees
19 to advocate for student programs and resources, as well as
20 establishing a school counseling advisory council that
21 includes representatives of key stakeholders selected to
22 review and advise on the implementation of the school
23 counseling program;

24 (34) acting as a liaison between the public schools
25 and community resources and building relationships with
26 important stakeholders, such as families, administrators,

1 teachers, and board members;

2 (35) maintaining organized, clear, and useful records
3 in a confidential manner consistent with Section 5 of the
4 Illinois School Student Records Act, the Family
5 Educational Rights and Privacy Act, and the Health
6 Insurance Portability and Accountability Act;

7 (36) presenting an annual agreement to the
8 administration, including a formal discussion of the
9 alignment of school and school counseling program missions
10 and goals and detailing specific school counselor
11 responsibilities;

12 (37) identifying and implementing
13 culturally-sensitive measures of success for student
14 competencies in each of the 3 domains of academic, social
15 and emotional, and college and career learning based on
16 planned and periodic assessment of the comprehensive
17 developmental school counseling program;

18 (38) collaborating as a team member in Response to
19 Intervention (RtI) and other school initiatives;

20 (39) conducting observations and participating in
21 recommendations or interventions regarding the placement
22 of children in educational programs or special education
23 classes;

24 (40) analyzing data and results of school counseling
25 program assessments, including curriculum, small-group,
26 and closing-the-gap results reports, and designing

1 strategies to continue to improve program effectiveness;

2 (41) analyzing data and results of school counselor
3 competency assessments;

4 (42) following American School Counselor Association
5 Ethical Standards for School Counselors to demonstrate
6 high standards of integrity, leadership, and
7 professionalism;

8 (43) knowing and embracing common core standards by
9 using common core language;

10 (44) practicing as a culturally-skilled school
11 counselor by infusing the multicultural competencies
12 within the role of the school counselor, including the
13 practice of culturally-sensitive attitudes and beliefs,
14 knowledge, and skills;

15 (45) infusing the Social-Emotional Standards, as
16 presented in the State Board of Education standards,
17 across the curriculum and in the counselor's role in ways
18 that empower and enable students to achieve academic
19 success across all grade levels;

20 (46) providing services only in areas in which the
21 school counselor has appropriate training or expertise, as
22 well as only providing counseling or consulting services
23 within his or her employment to any student in the
24 district or districts which employ such school counselor,
25 in accordance with professional ethics;

26 (47) having adequate training in supervision knowledge

1 and skills in order to supervise school counseling interns
2 enrolled in graduate school counselor preparation programs
3 that meet the standards established by the State Board of
4 Education;

5 (48) being involved with State and national
6 professional associations;

7 (49) participating, at least once every 2 years, in an
8 in-service training program for school counselors
9 conducted by persons with expertise in domestic and sexual
10 violence and the needs of expectant and parenting youth,
11 which shall include training concerning (i) communicating
12 with and listening to youth victims of domestic or sexual
13 violence and expectant and parenting youth, (ii)
14 connecting youth victims of domestic or sexual violence
15 and expectant and parenting youth to appropriate in-school
16 services and other agencies, programs, and services as
17 needed, and (iii) implementing the school district's
18 policies, procedures, and protocols with regard to such
19 youth, including confidentiality; at a minimum, school
20 personnel must be trained to understand, provide
21 information and referrals, and address issues pertaining
22 to youth who are parents, expectant parents, or victims of
23 domestic or sexual violence;

24 (50) participating, at least every 2 years, in an
25 in-service training program for school counselors
26 conducted by persons with expertise in anaphylactic

1 reactions and management;

2 (51) participating, at least once every 2 years, in an
3 in-service training on educator ethics, teacher-student
4 conduct, and school employee-student conduct for all
5 personnel;

6 (52) participating, in addition to other topics at
7 in-service training programs, in training to identify the
8 warning signs of mental illness and suicidal behavior in
9 adolescents and teenagers and learning appropriate
10 intervention and referral techniques;

11 (53) obtaining training to have a basic knowledge of
12 matters relating to acquired immunodeficiency syndrome
13 (AIDS), including the nature of the disease, its causes
14 and effects, the means of detecting it and preventing its
15 transmission, and the availability of appropriate sources
16 of counseling and referral and any other information that
17 may be appropriate considering the age and grade level of
18 the pupils; the school board shall supervise such training
19 and the State Board of Education and the Department of
20 Public Health shall jointly develop standards for such
21 training; and

22 (54) participating in mandates from the State Board of
23 Education for bullying education and social-emotional
24 literacy.

25 School districts shall ~~may~~ employ a sufficient number of
26 school counselors to maintain a ~~the national and State~~

1 ~~recommended~~ student-counselor ratio of 150 ~~250~~ to 1. School
2 districts may have school counselors spend at least 80% of his
3 or her work time in direct contact with students. School
4 districts shall require school counselors to meet with their
5 assigned students at least once each month.

6 Nothing in this Section prohibits other qualified
7 professionals, including other endorsed school support
8 personnel, from providing the services listed in this Section.
9 (Source: P.A. 101-290, eff. 8-9-19.)

10 (105 ILCS 5/34-18) (from Ch. 122, par. 34-18)

11 (Text of Section before amendment by P.A. 102-465)

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

16 1. To make suitable provision for the establishment
17 and maintenance throughout the year or for such portion
18 thereof as it may direct, not less than 9 months and in
19 compliance with Section 10-19.05, of schools of all grades
20 and kinds, including normal schools, high schools, night
21 schools, schools for defectives and delinquents, parental
22 and truant schools, schools for the blind, the deaf, and
23 persons with physical disabilities, schools or classes in
24 manual training, constructural and vocational teaching,
25 domestic arts, and physical culture, vocation and

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

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

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

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

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

24 5. To employ dentists and prescribe their duties for
25 the purpose of treating the pupils in the schools, but
26 accepting such treatment shall be optional with parents or

1 guardians;

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

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

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

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

24 9. Subject to the limitations in this Article, to
25 establish and approve system-wide curriculum objectives
26 and standards, including graduation standards, which

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

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

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

9 10.5. To utilize volunteer personnel from a regional
10 School Crisis Assistance Team (S.C.A.T.), created as part
11 of the Safe to Learn Program established pursuant to
12 Section 25 of the Illinois Violence Prevention Act of
13 1995, to provide assistance to schools in times of
14 violence or other traumatic incidents within a school
15 community by providing crisis intervention services to
16 lessen the effects of emotional trauma on individuals and
17 the community; the School Crisis Assistance Team Steering
18 Committee shall determine the qualifications for
19 volunteers;

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

1 one school radio transmitting station and provide programs
2 for educational purposes;

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (1) "Computer" means an internally programmed,
2 general purpose digital device capable of
3 automatically accepting data, processing data and
4 supplying the results of the operation.

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

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

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

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

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

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

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

23 20. The board shall ~~is encouraged to~~ employ a
24 sufficient number of licensed ~~certified~~ school counselors
25 to maintain a student/counselor ratio of 150 ~~250~~ to 1 ~~by~~
26 ~~July 1, 1990~~. Each counselor shall spend at least 75% of

1 the counselor's ~~his~~ work time in direct contact with
2 students and shall maintain a record of such time. Each
3 counselor shall meet with the counselor's assigned
4 students at least once each month;

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

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

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

25 (c) Black or African American (a person having origins
26 in any of the black racial groups of Africa). Terms such as

1 "Haitian" or "Negro" can be used in addition to "Black or
2 African American".

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

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

9 Counseling days shall not be in lieu of regular school
10 days;

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

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

24 24. To develop a policy, based on the current state of
25 existing school facilities, projected enrollment, and
26 efficient utilization of available resources, for capital

1 improvement of schools and school buildings within the
2 district, addressing in that policy both the relative
3 priority for major repairs, renovations, and additions to
4 school facilities and the advisability or necessity of
5 building new school facilities or closing existing schools
6 to meet current or projected demographic patterns within
7 the district;

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

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

17 27. To provide or contract out training programs for
18 administrative personnel and principals with revised or
19 expanded duties pursuant to this Code in order to ensure
20 they have the knowledge and skills to perform their
21 duties;

22 28. To establish a fund for the prioritized special
23 needs programs, and to allocate such funds and other lump
24 sum amounts to each attendance center in a manner
25 consistent with the provisions of part 4 of Section
26 34-2.3. Nothing in this paragraph shall be construed to

1 require any additional appropriations of State funds for
2 this purpose;

3 29. (Blank);

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

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

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

3 33. (Blank); and

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

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

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

21 (Source: P.A. 101-12, eff. 7-1-19; 101-88, eff. 1-1-20;
22 102-558, eff. 8-20-21.)

23 (Text of Section after amendment by P.A. 102-465)

24 Sec. 34-18. Powers of the board. The board shall exercise
25 general supervision and jurisdiction over the public education

1 and the public school system of the city, and, except as
2 otherwise provided by this Article, shall have power:

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

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

1 regular education class register;

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

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

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

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

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

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

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

1 needed to exercise school choice. Open enrollment shall be
2 in compliance with the provisions of the Consent Decree
3 and Desegregation Plan cited in Section 34-1.01;

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

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

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

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

1 community by providing crisis intervention services to
2 lessen the effects of emotional trauma on individuals and
3 the community; the School Crisis Assistance Team Steering
4 Committee shall determine the qualifications for
5 volunteers;

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

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

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

1 approved for credit by the State Board of Education;

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

1 healing, in accordance with the tenets and practice of a
2 recognized religious denomination;

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

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

23 (b) If a student or his or her parent or guardian
24 submits a signed, written request to the high school
25 before the end of the student's sophomore year (or if the
26 student is a transfer student, by another time set by the

1 high school) that indicates that the student or his or her
2 parent or guardian does not want the student's directory
3 information to be provided to official recruiting
4 representatives under subsection (a) of this Section, the
5 high school may not provide access to the student's
6 directory information to these recruiting representatives.
7 The high school shall notify its students and their
8 parents or guardians of the provisions of this subsection
9 (b).

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

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

22 17. (a) To sell or market any computer program
23 developed by an employee of the school district, provided
24 that such employee developed the computer program as a
25 direct result of his or her duties with the school
26 district or through the utilization of school district

1 resources or facilities. The employee who developed the
2 computer program shall be entitled to share in the
3 proceeds of such sale or marketing of the computer
4 program. The distribution of such proceeds between the
5 employee and the school district shall be as agreed upon
6 by the employee and the school district, except that
7 neither the employee nor the school district may receive
8 more than 90% of such proceeds. The negotiation for an
9 employee who is represented by an exclusive bargaining
10 representative may be conducted by such bargaining
11 representative at the employee's request.

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

13 (1) "Computer" means an internally programmed,
14 general purpose digital device capable of
15 automatically accepting data, processing data and
16 supplying the results of the operation.

17 (2) "Computer program" means a series of coded
18 instructions or statements in a form acceptable to a
19 computer, which causes the computer to process data in
20 order to achieve a certain result.

21 (3) "Proceeds" means profits derived from the
22 marketing or sale of a product after deducting the
23 expenses of developing and marketing such product;

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

1 19. Upon the written request of an employee, to
2 withhold from the compensation of that employee any dues,
3 payments, or contributions payable by such employee to any
4 labor organization as defined in the Illinois Educational
5 Labor Relations Act. Under such arrangement, an amount
6 shall be withheld from each regular payroll period which
7 is equal to the pro rata share of the annual dues plus any
8 payments or contributions, and the board shall transmit
9 such withholdings to the specified labor organization
10 within 10 working days from the time of the withholding;

11 19a. Upon receipt of notice from the comptroller of a
12 municipality with a population of 500,000 or more, a
13 county with a population of 3,000,000 or more, the Cook
14 County Forest Preserve District, the Chicago Park
15 District, the Metropolitan Water Reclamation District, the
16 Chicago Transit Authority, or a housing authority of a
17 municipality with a population of 500,000 or more that a
18 debt is due and owing the municipality, the county, the
19 Cook County Forest Preserve District, the Chicago Park
20 District, the Metropolitan Water Reclamation District, the
21 Chicago Transit Authority, or the housing authority by an
22 employee of the Chicago Board of Education, to withhold,
23 from the compensation of that employee, the amount of the
24 debt that is due and owing and pay the amount withheld to
25 the municipality, the county, the Cook County Forest
26 Preserve District, the Chicago Park District, the

1 Metropolitan Water Reclamation District, the Chicago
2 Transit Authority, or the housing authority; provided,
3 however, that the amount deducted from any one salary or
4 wage payment shall not exceed 25% of the net amount of the
5 payment. Before the Board deducts any amount from any
6 salary or wage of an employee under this paragraph, the
7 municipality, the county, the Cook County Forest Preserve
8 District, the Chicago Park District, the Metropolitan
9 Water Reclamation District, the Chicago Transit Authority,
10 or the housing authority shall certify that (i) the
11 employee has been afforded an opportunity for a hearing to
12 dispute the debt that is due and owing the municipality,
13 the county, the Cook County Forest Preserve District, the
14 Chicago Park District, the Metropolitan Water Reclamation
15 District, the Chicago Transit Authority, or the housing
16 authority and (ii) the employee has received notice of a
17 wage deduction order and has been afforded an opportunity
18 for a hearing to object to the order. For purposes of this
19 paragraph, "net amount" means that part of the salary or
20 wage payment remaining after the deduction of any amounts
21 required by law to be deducted and "debt due and owing"
22 means (i) a specified sum of money owed to the
23 municipality, the county, the Cook County Forest Preserve
24 District, the Chicago Park District, the Metropolitan
25 Water Reclamation District, the Chicago Transit Authority,
26 or the housing authority for services, work, or goods,

1 after the period granted for payment has expired, or (ii)
2 a specified sum of money owed to the municipality, the
3 county, the Cook County Forest Preserve District, the
4 Chicago Park District, the Metropolitan Water Reclamation
5 District, the Chicago Transit Authority, or the housing
6 authority pursuant to a court order or order of an
7 administrative hearing officer after the exhaustion of, or
8 the failure to exhaust, judicial review;

9 20. The board shall ~~is encouraged to~~ employ a
10 sufficient number of licensed ~~certified~~ school counselors
11 to maintain a student/counselor ratio of 150 ~~250~~ to 1 ~~by~~
12 ~~July 1, 1990~~. Each counselor shall spend at least 75% of
13 the counselor's ~~his~~ work time in direct contact with
14 students and shall maintain a record of such time. Each
15 counselor shall meet with the counselor's assigned
16 students at least once each month;

17 21. To make available to students vocational and
18 career counseling and to establish 5 special career
19 counseling days for students and parents. On these days
20 representatives of local businesses and industries shall
21 be invited to the school campus and shall inform students
22 of career opportunities available to them in the various
23 businesses and industries. Special consideration shall be
24 given to counseling minority students as to career
25 opportunities available to them in various fields. For the
26 purposes of this paragraph, minority student means a

1 person who is any of the following:

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

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

11 (c) Black or African American (a person having origins
12 in any of the black racial groups of Africa).

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

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

19 Counseling days shall not be in lieu of regular school
20 days;

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

25 23. Except as otherwise provided in the Abused and
26 Neglected Child Reporting Act or other applicable State or

1 federal law, to permit school officials to withhold, from
2 any person, information on the whereabouts of any child
3 removed from school premises when the child has been taken
4 into protective custody as a victim of suspected child
5 abuse. School officials shall direct such person to the
6 Department of Children and Family Services or to the local
7 law enforcement agency, if appropriate;

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

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

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

1 27. To provide or contract out training programs for
2 administrative personnel and principals with revised or
3 expanded duties pursuant to this Code in order to ensure
4 they have the knowledge and skills to perform their
5 duties;

6 28. To establish a fund for the prioritized special
7 needs programs, and to allocate such funds and other lump
8 sum amounts to each attendance center in a manner
9 consistent with the provisions of part 4 of Section
10 34-2.3. Nothing in this paragraph shall be construed to
11 require any additional appropriations of State funds for
12 this purpose;

13 29. (Blank);

14 30. Notwithstanding any other provision of this Act or
15 any other law to the contrary, to contract with third
16 parties for services otherwise performed by employees,
17 including those in a bargaining unit, and to layoff those
18 employees upon 14 days written notice to the affected
19 employees. Those contracts may be for a period not to
20 exceed 5 years and may be awarded on a system-wide basis.
21 The board may not operate more than 30 contract schools,
22 provided that the board may operate an additional 5
23 contract turnaround schools pursuant to item (5.5) of
24 subsection (d) of Section 34-8.3 of this Code, and the
25 governing bodies of contract schools are subject to the
26 Freedom of Information Act and Open Meetings Act;

1 31. To promulgate rules establishing procedures
2 governing the layoff or reduction in force of employees
3 and the recall of such employees, including, but not
4 limited to, criteria for such layoffs, reductions in force
5 or recall rights of such employees and the weight to be
6 given to any particular criterion. Such criteria shall
7 take into account factors, including, but not limited to,
8 qualifications, certifications, experience, performance
9 ratings or evaluations, and any other factors relating to
10 an employee's job performance;

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

13 33. (Blank); and

14 34. To establish a Labor Management Council to the
15 board comprised of representatives of the board, the chief
16 executive officer, and those labor organizations that are
17 the exclusive representatives of employees of the board
18 and to promulgate policies and procedures for the
19 operation of the Council.

20 The specifications of the powers herein granted are not to
21 be construed as exclusive, but the board shall also exercise
22 all other powers that may be requisite or proper for the
23 maintenance and the development of a public school system, not
24 inconsistent with the other provisions of this Article or
25 provisions of this Code which apply to all school districts.

26 In addition to the powers herein granted and authorized to

1 be exercised by the board, it shall be the duty of the board to
2 review or to direct independent reviews of special education
3 expenditures and services. The board shall file a report of
4 such review with the General Assembly on or before May 1, 1990.
5 (Source: P.A. 101-12, eff. 7-1-19; 101-88, eff. 1-1-20;
6 102-465, eff. 1-1-22; 102-558, eff. 8-20-21.)

7 Section 95. No acceleration or delay. Where this Act makes
8 changes in a statute that is represented in this Act by text
9 that is not yet or no longer in effect (for example, a Section
10 represented by multiple versions), the use of that text does
11 not accelerate or delay the taking effect of (i) the changes
12 made by this Act or (ii) provisions derived from any other
13 Public Act.