

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Section
5 24-6 and by adding Section 34-18.78 as follows:

6 (105 ILCS 5/24-6)

7 Sec. 24-6. Sick leave. The school boards of all school
8 districts, including special charter districts, but not
9 including school districts in municipalities of 500,000 or
10 more, shall grant their full-time teachers, and also shall
11 grant such of their other employees as are eligible to
12 participate in the Illinois Municipal Retirement Fund under
13 the "600-Hour Standard" established, or under such other
14 eligibility participation standard as may from time to time be
15 established, by rules and regulations now or hereafter
16 promulgated by the Board of that Fund under Section 7-198 of
17 the Illinois Pension Code, as now or hereafter amended, sick
18 leave provisions not less in amount than 10 days at full pay in
19 each school year. If any such teacher or employee does not use
20 the full amount of annual leave thus allowed, the unused
21 amount shall be allowed to accumulate to a minimum available
22 leave of 180 days at full pay, including the leave of the
23 current year. Sick leave shall be interpreted to mean personal

1 illness, mental or behavioral health complications, quarantine
2 at home, or serious illness or death in the immediate family or
3 household. The school board may require a certificate from a
4 physician licensed in Illinois to practice medicine and
5 surgery in all its branches, a mental health professional
6 licensed in Illinois providing ongoing care or treatment to
7 the teacher or employee, a chiropractic physician licensed
8 under the Medical Practice Act of 1987, a licensed advanced
9 practice registered nurse, a licensed physician assistant, or,
10 if the treatment is by prayer or spiritual means, a spiritual
11 adviser or practitioner of the teacher's or employee's faith
12 as a basis for pay during leave after an absence of 3 days for
13 personal illness or as the school board may deem necessary in
14 other cases. If the school board does require a certificate as
15 a basis for pay during leave of less than 3 days for personal
16 illness, the school board shall pay, from school funds, the
17 expenses incurred by the teachers or other employees in
18 obtaining the certificate.

19 Sick leave shall also be interpreted to mean birth,
20 adoption, placement for adoption, and the acceptance of a
21 child in need of foster care. Teachers and other employees to
22 which this Section applies are entitled to use up to 30 days of
23 paid sick leave because of the birth of a child that is not
24 dependent on the need to recover from childbirth. Paid sick
25 leave because of the birth of a child may be used absent
26 medical certification for up to 30 working school days, which

1 days may be used at any time within the 12-month period
2 following the birth of the child. The use of up to 30 working
3 school days of paid sick leave because of the birth of a child
4 may not be diminished as a result of any intervening period of
5 nonworking days or school not being in session, such as for
6 summer, winter, or spring break or holidays, that may occur
7 during the use of the paid sick leave. For paid sick leave for
8 adoption, placement for adoption, or the acceptance of a child
9 in need of foster care, the school board may require that the
10 teacher or other employee to which this Section applies
11 provide evidence that the formal adoption process or the
12 formal foster care process is underway, and such sick leave is
13 limited to 30 days unless a longer leave has been negotiated
14 with the exclusive bargaining representative. Paid sick leave
15 for adoption, placement for adoption, or the acceptance of a
16 child in need of foster care need not be used consecutively
17 once the formal adoption process or the formal foster care
18 process is underway, and such sick leave may be used for
19 reasons related to the formal adoption process or the formal
20 foster care process prior to taking custody of the child or
21 accepting the child in need of foster care, in addition to
22 using such sick leave upon taking custody of the child or
23 accepting the child in need of foster care.

24 If, by reason of any change in the boundaries of school
25 districts, or by reason of the creation of a new school
26 district, the employment of a teacher is transferred to a new

1 or different board, the accumulated sick leave of such teacher
2 is not thereby lost, but is transferred to such new or
3 different district.

4 For purposes of this Section, "immediate family" shall
5 include parents, spouse, brothers, sisters, children,
6 grandparents, grandchildren, parents-in-law, brothers-in-law,
7 sisters-in-law, and legal guardians.

8 (Source: P.A. 102-275, eff. 8-6-21.)

9 (105 ILCS 5/34-18.78 new)

10 Sec. 34-18.78. Sick leave; mental or behavioral health
11 complications. In addition to any interpretation or definition
12 included in a collective bargaining agreement or board of
13 education or district policy, sick leave, or its equivalent,
14 to which a teacher or other eligible employee is entitled
15 shall be interpreted to include mental or behavioral health
16 complications. Unless contrary to a collective bargaining
17 agreement or board of education or district policy, the board
18 may require a certificate from a mental health professional
19 licensed in Illinois providing ongoing care or treatment to
20 the teacher or employee as a basis for pay during leave after
21 an absence of 3 days for mental or behavioral health
22 complications.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.