



## 95TH GENERAL ASSEMBLY

### State of Illinois

### 2007 and 2008

### SB2091

Introduced 2/14/2008, by Sen. William R. Haine

#### SYNOPSIS AS INTRODUCED:

55 ILCS 5/3-9005	from Ch. 34, par. 3-9005
105 ILCS 5/10-21.9	from Ch. 122, par. 10-21.9
105 ILCS 5/21-1	from Ch. 122, par. 21-1
105 ILCS 5/21-23	from Ch. 122, par. 21-23
105 ILCS 5/21-23a	from Ch. 122, par. 21-23a
105 ILCS 5/34-18.5	from Ch. 122, par. 34-18.5

Amends the School Code and the Counties Code. Provides that it is a State's Attorney's duty to notify the State Superintendent of Education upon the conviction of any individual known to possess a certificate issued under the School Code of any of certain offenses or any other felony conviction. In the criminal history records check provisions of the School Code, makes changes concerning the offenses for which a school board may not knowingly employ a person. Provides that no one may be certified to teach or supervise in the public schools who has been convicted of certain offenses (instead of providing that in determining good character, any felony conviction of an applicant may be taken into consideration, but such a conviction shall not operate as a bar to registration). In provisions concerning suspension or revocation of a certificate, provides that the State Superintendent of Education has the exclusive authority to initiate the suspension of up to 5 calendar years or revocation of any certificate (instead of providing that a certificate may be suspended for a period not to exceed one calendar year by the regional superintendent of schools or for a period not to exceed 5 calendar years by the State Superintendent). With respect to certificate suspension and revocation, makes changes concerning an investigation, notice, a hearing, an appeal, and the offenses that are grounds for suspension and revocation. Makes other changes.

LRB095 18099 NHT 44182 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 Counties Code is amended by changing Section  
5 3-9005 as follows:

6 (55 ILCS 5/3-9005) (from Ch. 34, par. 3-9005)  
7 Sec. 3-9005. Powers and duties of State's attorney.

8 (a) The duty of each State's attorney shall be:

9 (1) To commence and prosecute all actions, suits,  
10 indictments and prosecutions, civil and criminal, in the  
11 circuit court for his county, in which the people of the  
12 State or county may be concerned.

13 (2) To prosecute all forfeited bonds and  
14 recognizances, and all actions and proceedings for the  
15 recovery of debts, revenues, moneys, fines, penalties and  
16 forfeitures accruing to the State or his county, or to any  
17 school district or road district in his county; also, to  
18 prosecute all suits in his county against railroad or  
19 transportation companies, which may be prosecuted in the  
20 name of the People of the State of Illinois.

21 (3) To commence and prosecute all actions and  
22 proceedings brought by any county officer in his official  
23 capacity.

1           (4) To defend all actions and proceedings brought  
2 against his county, or against any county or State officer,  
3 in his official capacity, within his county.

4           (5) To attend the examination of all persons brought  
5 before any judge on habeas corpus, when the prosecution is  
6 in his county.

7           (6) To attend before judges and prosecute charges of  
8 felony or misdemeanor, for which the offender is required  
9 to be recognized to appear before the circuit court, when  
10 in his power so to do.

11           (7) To give his opinion, without fee or reward, to any  
12 county officer in his county, upon any question or law  
13 relating to any criminal or other matter, in which the  
14 people or the county may be concerned.

15           (8) To assist the attorney general whenever it may be  
16 necessary, and in cases of appeal from his county to the  
17 Supreme Court, to which it is the duty of the attorney  
18 general to attend, he shall furnish the attorney general at  
19 least 10 days before such is due to be filed, a manuscript  
20 of a proposed statement, brief and argument to be printed  
21 and filed on behalf of the people, prepared in accordance  
22 with the rules of the Supreme Court. However, if such  
23 brief, argument or other document is due to be filed by law  
24 or order of court within this 10 day period, then the  
25 State's attorney shall furnish such as soon as may be  
26 reasonable.

1           (9) To pay all moneys received by him in trust, without  
2 delay, to the officer who by law is entitled to the custody  
3 thereof.

4           (10) To notify, by first class mail, complaining  
5 witnesses of the ultimate disposition of the cases arising  
6 from an indictment or an information.

7           (11) To perform such other and further duties as may,  
8 from time to time, be enjoined on him by law.

9           (12) To appear in all proceedings by collectors of  
10 taxes against delinquent taxpayers for judgments to sell  
11 real estate, and see that all the necessary preliminary  
12 steps have been legally taken to make the judgment legal  
13 and binding.

14           (13) To notify, by first-class mail, the State  
15 Superintendent of Education upon the conviction of any  
16 individual known to possess a certificate issued pursuant  
17 to Article 21 of the School Code of any offense set forth  
18 in Section 21-23a of the School Code or any other felony  
19 conviction, providing the name of the certificate holder,  
20 the fact of the conviction, and the name and location of  
21 the court where the conviction occurred.

22           (b) The State's Attorney of each county shall have  
23 authority to appoint one or more special investigators to serve  
24 subpoenas, make return of process and conduct investigations  
25 which assist the State's Attorney in the performance of his  
26 duties. A special investigator shall not carry firearms except

1 with permission of the State's Attorney and only while carrying  
2 appropriate identification indicating his employment and in  
3 the performance of his assigned duties.

4 Subject to the qualifications set forth in this subsection,  
5 special investigators shall be peace officers and shall have  
6 all the powers possessed by investigators under the State's  
7 Attorneys Appellate Prosecutor's Act.

8 No special investigator employed by the State's Attorney  
9 shall have peace officer status or exercise police powers  
10 unless he or she successfully completes the basic police  
11 training course mandated and approved by the Illinois Law  
12 Enforcement Training Standards Board or such board waives the  
13 training requirement by reason of the special investigator's  
14 prior law enforcement experience or training or both. Any  
15 State's Attorney appointing a special investigator shall  
16 consult with all affected local police agencies, to the extent  
17 consistent with the public interest, if the special  
18 investigator is assigned to areas within that agency's  
19 jurisdiction.

20 Before a person is appointed as a special investigator, his  
21 fingerprints shall be taken and transmitted to the Department  
22 of State Police. The Department shall examine its records and  
23 submit to the State's Attorney of the county in which the  
24 investigator seeks appointment any conviction information  
25 concerning the person on file with the Department. No person  
26 shall be appointed as a special investigator if he has been

1 convicted of a felony or other offense involving moral  
2 turpitude. A special investigator shall be paid a salary and be  
3 reimbursed for actual expenses incurred in performing his  
4 assigned duties. The county board shall approve the salary and  
5 actual expenses and appropriate the salary and expenses in the  
6 manner prescribed by law or ordinance.

7 (c) The State's Attorney may request and receive from  
8 employers, labor unions, telephone companies, and utility  
9 companies location information concerning putative fathers and  
10 noncustodial parents for the purpose of establishing a child's  
11 paternity or establishing, enforcing, or modifying a child  
12 support obligation. In this subsection, "location information"  
13 means information about (i) the physical whereabouts of a  
14 putative father or noncustodial parent, (ii) the putative  
15 father or noncustodial parent's employer, or (iii) the salary,  
16 wages, and other compensation paid and the health insurance  
17 coverage provided to the putative father or noncustodial parent  
18 by the employer of the putative father or noncustodial parent  
19 or by a labor union of which the putative father or  
20 noncustodial parent is a member.

21 (d) For each State fiscal year, the State's Attorney of  
22 Cook County shall appear before the General Assembly and  
23 request appropriations to be made from the Capital Litigation  
24 Trust Fund to the State Treasurer for the purpose of providing  
25 assistance in the prosecution of capital cases in Cook County  
26 and for the purpose of providing assistance to the State in

1 post-conviction proceedings in capital cases under Article 122  
2 of the Code of Criminal Procedure of 1963 and in relation to  
3 petitions filed under Section 2-1401 of the Code of Civil  
4 Procedure in relation to capital cases. The State's Attorney  
5 may appear before the General Assembly at other times during  
6 the State's fiscal year to request supplemental appropriations  
7 from the Trust Fund to the State Treasurer.

8 (e) The State's Attorney shall have the authority to enter  
9 into a written agreement with the Department of Revenue for  
10 pursuit of civil liability under Section 17-1a of the Criminal  
11 Code of 1961 against persons who have issued to the Department  
12 checks or other orders in violation of the provisions of  
13 paragraph (d) of subsection (B) of Section 17-1 of the Criminal  
14 Code of 1961, with the Department to retain the amount owing  
15 upon the dishonored check or order along with the dishonored  
16 check fee imposed under the Uniform Penalty and Interest Act,  
17 with the balance of damages, fees, and costs collected under  
18 Section 17-1a of the Criminal Code of 1961 to be retained by  
19 the State's Attorney. The agreement shall not affect the  
20 allocation of fines and costs imposed in any criminal  
21 prosecution.

22 (Source: P.A. 92-492, eff. 1-1-02; 93-972, eff. 8-20-04.)

23 Section 10. The School Code is amended by changing Sections  
24 10-21.9, 21-1, 21-23, 21-23a, and 34-18.5 as follows:

1 (105 ILCS 5/10-21.9) (from Ch. 122, par. 10-21.9)

2 Sec. 10-21.9. Criminal history records checks and checks of  
3 the Statewide Sex Offender Database and Statewide Child  
4 Murderer and Violent Offender Against Youth Database.

5 (a) Certified and noncertified applicants for employment  
6 with a school district, except school bus driver applicants,  
7 are required as a condition of employment to authorize a  
8 fingerprint-based criminal history records check to determine  
9 if such applicants have been convicted of any of the enumerated  
10 criminal or drug offenses in subsection (c) of this Section or  
11 have been convicted, within 7 years of the application for  
12 employment with the school district, of any other felony under  
13 the laws of this State or of any offense committed or attempted  
14 in any other state or against the laws of the United States  
15 that, if committed or attempted in this State, would have been  
16 punishable as a felony under the laws of this State.  
17 Authorization for the check shall be furnished by the applicant  
18 to the school district, except that if the applicant is a  
19 substitute teacher seeking employment in more than one school  
20 district, a teacher seeking concurrent part-time employment  
21 positions with more than one school district (as a reading  
22 specialist, special education teacher or otherwise), or an  
23 educational support personnel employee seeking employment  
24 positions with more than one district, any such district may  
25 require the applicant to furnish authorization for the check to  
26 the regional superintendent of the educational service region



1 in which are located the school districts in which the  
2 applicant is seeking employment as a substitute or concurrent  
3 part-time teacher or concurrent educational support personnel  
4 employee. Upon receipt of this authorization, the school  
5 district or the appropriate regional superintendent, as the  
6 case may be, shall submit the applicant's name, sex, race, date  
7 of birth, social security number, fingerprint images, and other  
8 identifiers, as prescribed by the Department of State Police,  
9 to the Department. The regional superintendent submitting the  
10 requisite information to the Department of State Police shall  
11 promptly notify the school districts in which the applicant is  
12 seeking employment as a substitute or concurrent part-time  
13 teacher or concurrent educational support personnel employee  
14 that the check of the applicant has been requested. The  
15 Department of State Police and the Federal Bureau of  
16 Investigation shall furnish, pursuant to a fingerprint-based  
17 criminal history records check, records of convictions, until  
18 expunged, to the president of the school board for the school  
19 district that requested the check, or to the regional  
20 superintendent who requested the check. The Department shall  
21 charge the school district or the appropriate regional  
22 superintendent a fee for conducting such check, which fee shall  
23 be deposited in the State Police Services Fund and shall not  
24 exceed the cost of the inquiry; and the applicant shall not be  
25 charged a fee for such check by the school district or by the  
26 regional superintendent. Subject to appropriations for these

1 purposes, the State Superintendent of Education shall  
2 reimburse school districts and regional superintendents for  
3 fees paid to obtain criminal history records checks under this  
4 Section.

5 (a-5) The school district or regional superintendent shall  
6 further perform a check of the Statewide Sex Offender Database,  
7 as authorized by the Sex Offender Community Notification Law,  
8 for each applicant.

9 (a-6) The school district or regional superintendent shall  
10 further perform a check of the Statewide Child Murderer and  
11 Violent Offender Against Youth Database, as authorized by the  
12 Child Murderer and Violent Offender Against Youth Community  
13 Notification Law, for each applicant.

14 (b) Any information concerning the record of convictions  
15 obtained by the president of the school board or the regional  
16 superintendent shall be confidential and may only be  
17 transmitted to the superintendent of the school district or his  
18 designee, the appropriate regional superintendent if the check  
19 was requested by the school district, the presidents of the  
20 appropriate school boards if the check was requested from the  
21 Department of State Police by the regional superintendent, the  
22 State Superintendent of Education, the State Teacher  
23 Certification Board or any other person necessary to the  
24 decision of hiring the applicant for employment. A copy of the  
25 record of convictions obtained from the Department of State  
26 Police shall be provided to the applicant for employment. Upon

1 the check of the Statewide Sex Offender Database, the school  
2 district or regional superintendent shall notify an applicant  
3 as to whether or not the applicant has been identified in the  
4 Database as a sex offender. If a check of an applicant for  
5 employment as a substitute or concurrent part-time teacher or  
6 concurrent educational support personnel employee in more than  
7 one school district was requested by the regional  
8 superintendent, and the Department of State Police upon a check  
9 ascertains that the applicant has not been convicted of any of  
10 the enumerated criminal or drug offenses in subsection (c) or  
11 has not been convicted, within 7 years of the application for  
12 employment with the school district, of any other felony under  
13 the laws of this State or of any offense committed or attempted  
14 in any other state or against the laws of the United States  
15 that, if committed or attempted in this State, would have been  
16 punishable as a felony under the laws of this State and so  
17 notifies the regional superintendent and if the regional  
18 superintendent upon a check ascertains that the applicant has  
19 not been identified in the Sex Offender Database as a sex  
20 offender, then the regional superintendent shall issue to the  
21 applicant a certificate evidencing that as of the date  
22 specified by the Department of State Police the applicant has  
23 not been convicted of any of the enumerated criminal or drug  
24 offenses in subsection (c) or has not been convicted, within 7  
25 years of the application for employment with the school  
26 district, of any other felony under the laws of this State or

1 of any offense committed or attempted in any other state or  
2 against the laws of the United States that, if committed or  
3 attempted in this State, would have been punishable as a felony  
4 under the laws of this State and evidencing that as of the date  
5 that the regional superintendent conducted a check of the  
6 Statewide Sex Offender Database, the applicant has not been  
7 identified in the Database as a sex offender. The school board  
8 of any school district may rely on the certificate issued by  
9 any regional superintendent to that substitute teacher,  
10 concurrent part-time teacher, or concurrent educational  
11 support personnel employee or may initiate its own criminal  
12 history records check of the applicant through the Department  
13 of State Police and its own check of the Statewide Sex Offender  
14 Database as provided in subsection (a). Any person who releases  
15 any confidential information concerning any criminal  
16 convictions of an applicant for employment shall be guilty of a  
17 Class A misdemeanor, unless the release of such information is  
18 authorized by this Section.

19 (c) No school board shall knowingly employ a person who has  
20 been convicted of a sex offense or narcotics offense, first  
21 degree murder, attempted first degree murder, conspiracy to  
22 commit first degree murder, attempted conspiracy to commit  
23 first degree murder, or a Class X felony. The offenses of  
24 "first degree murder", "attempted first degree murder",  
25 "conspiracy to commit first degree murder", "attempted  
26 conspiracy to commit first degree murder", and "Class X felony"

1 referred to in this Section include any offense committed or  
2 attempted in another state or against the laws of the United  
3 States that, if committed or attempted in this State, would  
4 have been punishable as any one of these offenses. ~~for~~  
5 ~~committing attempted first degree murder or for committing or~~  
6 ~~attempting to commit first degree murder or a Class X felony or~~  
7 ~~any one or more of the following offenses: (i) those defined in~~  
8 ~~Sections 11-6, 11-9, 11-14, 11-15, 11-15.1, 11-16, 11-17,~~  
9 ~~11-18, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1, 11-21, 12-13,~~  
10 ~~12-14, 12-14.1, 12-15 and 12-16 of the Criminal Code of 1961;~~  
11 ~~(ii) those defined in the Cannabis Control Act except those~~  
12 ~~defined in Sections 4(a), 4(b) and 5(a) of that Act; (iii)~~  
13 ~~those defined in the Illinois Controlled Substances Act; (iv)~~  
14 ~~those defined in the Methamphetamine Control and Community~~  
15 ~~Protection Act; and (v) any offense committed or attempted in~~  
16 ~~any other state or against the laws of the United States, which~~  
17 ~~if committed or attempted in this State, would have been~~  
18 ~~punishable as one or more of the foregoing offenses.~~ Further,  
19 no school board shall knowingly employ a person who has been  
20 found to be the perpetrator of sexual or physical abuse of any  
21 minor under 18 years of age pursuant to proceedings under  
22 Article II of the Juvenile Court Act of 1987.

23 "Sex offense" as used in this Section means any one or more  
24 of the following offenses:

25 (1) Any offense under Sections 11-6, 11-9.1 through  
26 11-9.5, inclusive, 11-14 through 11-21, inclusive, 11-23

1 (if punished as a Class 3 felony), 11-24, 12-4.9, 12-13,  
2 12-14, 12-14.1, 12-15, 12-16, 12-32, and 12-33 of the  
3 Criminal Code of 1961.

4 (2) An attempt to commit any of the offenses set forth  
5 in subdivision (1) of this subsection (c).

6 (3) Any offense committed or attempted in another state  
7 or against the laws of the United States that, if committed  
8 or attempted in this State, would have been punishable as  
9 one or more of the offenses set forth in subdivisions (1)  
10 and (2) of this subsection (c).

11 "Narcotics offense" as used in this Section means any one  
12 or more of the following offenses:

13 (A) Any offense under the Cannabis Control Act, except  
14 an offense defined in subdivision (a) or (b) of Section 4  
15 or subdivision (a) of Section 5 of the Cannabis Control Act  
16 or an offense in which the person is placed on probation  
17 under Section 10 of the Cannabis Control Act and the person  
18 fulfills those terms and conditions of probation as may be  
19 required by the court.

20 (B) Any offense under the Illinois Controlled  
21 Substances Act, except an offense in which the person is  
22 placed on probation under Section 410 of the Illinois  
23 Controlled Substances Act and the person fulfills those  
24 terms and conditions of probation as may be required by the  
25 court.

26 (C) Any offense under the Methamphetamine Control and

1       Community Protection Act, except an offense in which the  
2       person is placed on probation under Section 70 of the  
3       Methamphetamine Control and Community Protection Act and  
4       the person fulfills those terms and conditions of probation  
5       as may be required by the court.

6           (D) An attempt to commit any of the offenses set forth  
7       in clauses (A), (B), and (C) of this subsection (c).

8           (E) Any offense committed or attempted in another state  
9       or against the laws of the United States that, if committed  
10       or attempted in this State, would have been punishable as  
11       one or more of the offenses set forth in clauses (A), (B),  
12       (C), and (D) of this subsection (c).

13       (d) No school board shall knowingly employ a person for  
14       whom a criminal history records check and a Statewide Sex  
15       Offender Database check has not been initiated.

16       (e) Upon receipt of the record of a conviction of or a  
17       finding of child abuse by a holder of any certificate issued  
18       pursuant to Article 21 or Section 34-8.1 or 34-83 of the School  
19       Code, the ~~appropriate regional superintendent of schools or the~~  
20       State Superintendent of Education may ~~shall~~ initiate ~~the~~  
21       certificate suspension and revocation proceedings as  
22       authorized by law.

23       (f) After January 1, 1990 the provisions of this Section  
24       shall apply to all employees of persons or firms holding  
25       contracts with any school district including, but not limited  
26       to, food service workers, school bus drivers and other

1 transportation employees, who have direct, daily contact with  
2 the pupils of any school in such district. For purposes of  
3 criminal history records checks and checks of the Statewide Sex  
4 Offender Database on employees of persons or firms holding  
5 contracts with more than one school district and assigned to  
6 more than one school district, the regional superintendent of  
7 the educational service region in which the contracting school  
8 districts are located may, at the request of any such school  
9 district, be responsible for receiving the authorization for a  
10 criminal history records check prepared by each such employee  
11 and submitting the same to the Department of State Police and  
12 for conducting a check of the Statewide Sex Offender Database  
13 for each employee. Any information concerning the record of  
14 conviction and identification as a sex offender of any such  
15 employee obtained by the regional superintendent shall be  
16 promptly reported to the president of the appropriate school  
17 board or school boards.

18 (Source: P.A. 94-219, eff. 7-14-05; 94-556, eff. 9-11-05;  
19 94-875, eff. 7-1-06; 94-945, eff. 6-27-06; 95-331, eff.  
20 8-21-07.)

21 (105 ILCS 5/21-1) (from Ch. 122, par. 21-1)

22 Sec. 21-1. Qualification of teachers. No one may be  
23 certified to teach or supervise in the public schools of this  
24 State who is not of good character, of good health, a citizen  
25 of the United States or legally present and authorized for



1 employment, and at least 19 years of age. No one may be  
2 certified to teach or supervise in the public schools of this  
3 State who has been convicted of an offense set forth in Section  
4 21-23a of this Code. An applicant for a certificate who is not  
5 a citizen of the United States must sign and file with the  
6 State Board of Education a letter of intent indicating that  
7 either (i) within 10 years after the date that the letter is  
8 filed or (ii) at the earliest opportunity after the person  
9 becomes eligible to apply for U.S. citizenship, the person will  
10 apply for U.S. citizenship.

11 Citizenship is not required for the issuance of a temporary  
12 part-time certificate to participants in approved training  
13 programs for exchange students as described in Section 21-10.2.  
14 A certificate issued under this plan shall expire on June 30  
15 following the date of issue. One renewal for one year is  
16 authorized if the holder remains as an official participant in  
17 an approved exchange program.

18 ~~In determining good character under this Section, any~~  
19 ~~felony conviction of the applicant may be taken into~~  
20 ~~consideration, but such a conviction shall not operate as a bar~~  
21 ~~to registration.~~

22 No person otherwise qualified shall be denied the right to  
23 be certified, to receive training for the purpose of becoming a  
24 teacher or to engage in practice teaching in any school because  
25 of a physical disability including but not limited to visual  
26 and hearing disabilities; nor shall any school district refuse

1 to employ a teacher on such grounds, provided that the person  
2 is able to carry out the duties of the position for which he  
3 applies.

4 No person may be granted or continue to hold a teaching  
5 certificate who has knowingly altered or misrepresented his or  
6 her teaching qualifications in order to acquire the  
7 certificate. Any other certificate held by such person may be  
8 suspended or revoked by the State Teacher Certification Board,  
9 depending upon the severity of the alteration or  
10 misrepresentation.

11 No one may teach or supervise in the public schools nor  
12 receive for teaching or supervising any part of any public  
13 school fund, who does not hold a certificate of qualification  
14 granted by the State Board of Education or by the State Teacher  
15 Certification Board and a regional superintendent of schools as  
16 hereinafter provided, or by the board of education of a city  
17 having a population exceeding 500,000 inhabitants except as  
18 provided in Section 34-6 and in Section 10-22.34 or Section  
19 10-22.34b. However, the provisions of this Article do not apply  
20 to a member of the armed forces who is employed as a teacher of  
21 subjects in the Reserve Officer's Training Corps of any school.  
22 Sections 21-2 through 21-24 do not apply to cities having a  
23 population exceeding 500,000 inhabitants, until July 1, 1988.

24 Notwithstanding any other provision of this Act, the board  
25 of education of any school district may grant to a teacher of  
26 the district a leave of absence with full pay for a period of

1 not more than one year to permit such teacher to teach in a  
2 foreign state under the provisions of the Exchange Teacher  
3 Program established under Public Law 584, 79th Congress, and  
4 Public Law 402, 80th Congress, as amended. The school board  
5 granting such leave of absence may employ with or without pay a  
6 national of the foreign state wherein the teacher on leave of  
7 absence will teach, if the national is qualified to teach in  
8 that foreign state, and if that national will teach in a grade  
9 level similar to the one which was taught in such foreign  
10 state. The State Board of Education shall promulgate and  
11 enforce such reasonable rules as may be necessary to effectuate  
12 this paragraph.

13 (Source: P.A. 93-572, eff. 1-1-04.)

14 (105 ILCS 5/21-23) (from Ch. 122, par. 21-23)

15 Sec. 21-23. Suspension or revocation of certificate.

16 (a) The State Superintendent of Education has the exclusive  
17 authority, in accordance with this Section and any rules  
18 adopted by the State Board of Education, to initiate the  
19 suspension of up to 5 calendar years or revocation of any ~~Any~~  
20 certificate issued pursuant to this Article, including but not  
21 limited to any administrative certificate or endorsement, for  
22 ~~may be suspended for a period not to exceed one calendar year~~  
23 ~~by the regional superintendent or for a period not to exceed 5~~  
24 ~~calendar years by the State Superintendent of Education upon~~  
25 ~~evidence of~~ immorality, a condition of health detrimental to

1 the welfare of pupils, incompetency, unprofessional conduct  
2 (which includes the failure to disclose on an employment  
3 application any previous conviction for a sex offense, as  
4 defined in Section 21-23a of this Code, or any other offense  
5 committed in any other state or against the laws of the United  
6 States that, if committed in this State, would be punishable as  
7 a sex offense, as defined in Section 21-23a of this Code), the  
8 neglect of any professional duty, willful failure to report an  
9 instance of suspected child abuse or neglect as required by the  
10 Abused and Neglected Child Reporting Act, failure to establish  
11 satisfactory repayment on an educational loan guaranteed by the  
12 Illinois Student Assistance Commission, or other just cause.  
13 Unprofessional conduct shall include refusal to attend or  
14 participate in, institutes, teachers' meetings, professional  
15 readings, or to meet other reasonable requirements of the  
16 regional superintendent or State Superintendent of Education.  
17 Unprofessional conduct also includes conduct that violates the  
18 standards, ethics, or rules applicable to the security,  
19 administration, monitoring, or scoring of, or the reporting of  
20 scores from, any assessment test or the Prairie State  
21 Achievement Examination administered under Section 2-3.64 or  
22 that is known or intended to produce or report manipulated or  
23 artificial, rather than actual, assessment or achievement  
24 results or gains from the administration of those tests or  
25 examinations. It shall also include neglect or unnecessary  
26 delay in making of statistical and other reports required by

1 school officers.

2 (a-5) The ~~regional superintendent or~~ State Superintendent  
3 of Education shall, upon receipt of evidence of immorality, a  
4 condition of health detrimental to the welfare of pupils,  
5 incompetency, unprofessional conduct, the neglect of any  
6 professional duty or other just cause, further investigate and,  
7 if and as appropriate, serve written notice to the individual  
8 and afford the individual opportunity for a hearing prior to  
9 suspension or revocation. The fact that an individual has been  
10 named as a perpetrator in an indicated report filed pursuant to  
11 the Abused and Neglected Child Reporting Act may constitute  
12 sufficient evidence for the State Superintendent to initiate  
13 suspension or revocation of a certificate. If the State  
14 Superintendent of Education does not receive from an individual  
15 a request for a hearing within 10 days after the individual  
16 receives notice, the suspension or revocation shall  
17 immediately take effect in accordance with the notice. If a  
18 hearing is requested within 10 days of notice of opportunity  
19 for hearing it shall act as a stay of proceedings not to exceed  
20 30 days, unless the individual requests a delay. In such an  
21 instance, the stay of proceedings must be continued for another  
22 30 days. No certificate shall be suspended or revoked pursuant  
23 to this Section until the individual ~~teacher~~ has an opportunity  
24 for a hearing before the State Teacher Certification Board or a  
25 hearing officer appointed thereby and in accordance with rules  
26 adopted by the State Board of Education. The decision of the

1 State Teacher Certification Board is a final administrative  
2 decision and is subject to judicial review. ~~at the educational~~  
3 ~~service region. When a certificate is suspended, the right of~~  
4 ~~appeal shall lie to the State Teacher Certification Board. When~~  
5 ~~an appeal is taken within 10 days after notice of suspension it~~  
6 ~~shall act as a stay of proceedings not to exceed 120 days. If a~~  
7 ~~certificate is suspended for a period greater than one year,~~  
8 ~~the State Superintendent of Education shall review the~~  
9 ~~suspension prior to the expiration of that period to determine~~  
10 ~~whether the cause for the suspension has been remedied or~~  
11 ~~continues to exist. Upon determining that the cause for~~  
12 ~~suspension has not abated, the State Superintendent of~~  
13 ~~Education may order that the suspension be continued for an~~  
14 ~~appropriate period. Nothing in this Section prohibits the~~  
15 ~~continuance of such a suspension for an indefinite period if~~  
16 ~~the State Superintendent determines that the cause for the~~  
17 ~~suspension remains unabated. Any certificate may be revoked for~~  
18 ~~the same reasons as for suspension by the State Superintendent~~  
19 ~~of Education. No certificate shall be revoked until the teacher~~  
20 ~~has an opportunity for a hearing before the State Teacher~~  
21 ~~Certification Board, which hearing must be held within 120 days~~  
22 ~~from the date the appeal is taken, unless the State Teacher~~  
23 ~~Certification Board requests a delay. In such an instance, the~~  
24 ~~stay of the revocation proceedings must be continued until the~~  
25 ~~completion of the proceedings.~~

26 The State Board may refuse to issue or may suspend the

1 certificate of any person who fails to file a return, or to pay  
2 the tax, penalty or interest shown in a filed return, or to pay  
3 any final assessment of tax, penalty or interest, as required  
4 by any tax Act administered by the Illinois Department of  
5 Revenue, until such time as the requirements of any such tax  
6 Act are satisfied.

7 (b) (Blank). ~~Any certificate issued pursuant to this~~  
8 ~~Article may be suspended for an appropriate length of time as~~  
9 ~~determined by either the regional superintendent or State~~  
10 ~~Superintendent of Education upon evidence that the holder of~~  
11 ~~the certificate has been named as a perpetrator in an indicated~~  
12 ~~report filed pursuant to the Abused and Neglected Child~~  
13 ~~Reporting Act, approved June 26, 1975, as amended, and upon~~  
14 ~~proof by clear and convincing evidence that the licensee has~~  
15 ~~caused a child to be an abused child or neglected child as~~  
16 ~~defined in the Abused and Neglected Child Reporting Act.~~

17 ~~The regional superintendent or State Superintendent of~~  
18 ~~Education shall, upon receipt of evidence that the certificate~~  
19 ~~holder has been named a perpetrator in any indicated report,~~  
20 ~~serve written notice to the individual and afford the~~  
21 ~~individual opportunity for a hearing prior to suspension. If a~~  
22 ~~hearing is requested within 10 days of notice of opportunity~~  
23 ~~for hearing, it shall act as a stay of proceedings not to~~  
24 ~~exceed 30 days, unless the individual requests a delay. In such~~  
25 ~~an instance, the stay of proceedings must be continued for~~  
26 ~~another 30 days. No certificate shall be suspended until the~~

1 ~~teacher has an opportunity for a hearing at the educational~~  
2 ~~service region. When a certificate is suspended, the right of~~  
3 ~~appeal shall lie to the State Teacher Certification Board. When~~  
4 ~~an appeal is taken within 10 days after notice of suspension it~~  
5 ~~shall act as a stay of proceedings not to exceed 120 days. The~~  
6 ~~State Superintendent may revoke any certificate upon proof at~~  
7 ~~hearing by clear and convincing evidence that the certificate~~  
8 ~~holder has caused a child to be an abused child or neglected~~  
9 ~~child as defined in the Abused and Neglected Child Reporting~~  
10 ~~Act. No certificate shall be revoked until the teacher has an~~  
11 ~~opportunity for a hearing before the State Teacher~~  
12 ~~Certification Board, which hearing must be held within 120 days~~  
13 ~~from the date the appeal is taken, unless the teacher or the~~  
14 ~~hearing officer appointed by the State Teacher Certification~~  
15 ~~Board requests a delay. In such an instance, the stay of the~~  
16 ~~revocation proceedings must be continued until the completion~~  
17 ~~of the proceedings.~~

18 (b-5) The State Superintendent of Education or his or her  
19 designee may initiate and conduct such investigations as may be  
20 reasonably necessary to establish the existence of any alleged  
21 misconduct. At any stage of the investigation, the State  
22 Superintendent may issue a subpoena requiring the attendance  
23 and testimony of a witness, including the certificate holder,  
24 and the production of any evidence, including files, records,  
25 correspondence, or documents, relating to any matter in  
26 question in the investigation. The subpoena shall require a



1 witness to appear at the State Board of Education at a  
2 specified date and time and shall specify any evidence to be  
3 produced. The certificate holder is not entitled to be present,  
4 but the State Superintendent shall provide the certificate  
5 holder with a copy of any recorded testimony prior to a hearing  
6 under this Section. Failure of a certificate holder to comply  
7 with a duly-issued, investigatory subpoena is grounds for  
8 revocation, suspension, or denial of a certificate.

9 (c) The State Superintendent of Education or a person  
10 designated by him shall have the power to administer oaths to  
11 witnesses at any hearing conducted before the State Teacher  
12 Certification Board pursuant to this Section. The State  
13 Superintendent of Education or a person designated by him is  
14 authorized to subpoena and bring before the State Teacher  
15 Certification Board any person in this State and to take  
16 testimony either orally or by deposition or by exhibit, with  
17 the same fees and mileage and in the same manner as prescribed  
18 by law in judicial proceedings in the civil cases in circuit  
19 courts of this State.

20 (c-5) Any circuit court, upon the application of the State  
21 Superintendent of Education, may, by order duly entered,  
22 require the attendance of witnesses and the production of  
23 relevant books and papers as part of any investigation or at  
24 any hearing the State Teacher Certification Board ~~State~~  
25 ~~Superintendent of Education~~ is authorized to conduct pursuant  
26 to this Section, and the court may compel obedience to its

1 orders by proceedings for contempt.

2 (c-10) The State Board of Education shall receive an annual  
3 line item appropriation to cover fees associated with the  
4 investigation and prosecution of alleged educator misconduct  
5 and hearings related thereto.

6 (d) As used in this Section, "teacher" means any school  
7 district employee regularly required to be certified, as  
8 provided in this Article, in order to teach or supervise in the  
9 public schools.

10 (Source: P.A. 93-679, eff. 6-30-04; 94-991, eff. 1-1-07.)

11 (105 ILCS 5/21-23a) (from Ch. 122, par. 21-23a)

12 Sec. 21-23a. Conviction of certain offenses ~~sex or~~  
13 ~~narcotics offense, first degree murder, attempted first degree~~  
14 ~~murder, or Class X felony~~ as grounds for revocation of  
15 certificate.

16 (a) Whenever the holder of any certificate issued pursuant  
17 to this Article has been convicted of any sex offense or  
18 narcotics offense as defined in this Section, the ~~regional~~  
19 ~~superintendent or the~~ State Superintendent of Education shall  
20 forthwith suspend the certificate. If the conviction is  
21 reversed and the holder is acquitted of the offense in a new  
22 trial or the charges against him are dismissed, the suspending  
23 authority shall forthwith terminate the suspension of the  
24 certificate. When the conviction becomes final, the State  
25 Superintendent of Education shall forthwith revoke the

1 certificate. "Sex offense" as used in this Section means any  
2 one or more of the following offenses: (1) any offense defined  
3 in Sections 11-6 and 11-9.1 through 11-9.5, inclusive, 11-9 and  
4 Sections 11-14 through 11-21, inclusive, Sections 11-23 (if  
5 punished as a Class 3 felony) and 11-24, and Sections 12-4.9,  
6 12-13, 12-14, 12-14.1, 12-15, and 12-16, 12-32, and 12-33 of  
7 the Criminal Code of 1961; (2) any attempt to commit any of the  
8 foregoing offenses, and (3) any offense committed or attempted  
9 in any other state which, if committed or attempted in this  
10 State, would have been punishable as one or more of the  
11 foregoing offenses. "Narcotics offense" as used in this Section  
12 means any one or more of the following offenses: (1) any  
13 offense defined in the Cannabis Control Act except those  
14 defined in Sections 4(a), 4(b) and 5(a) of that Act and any  
15 offense for which the holder of any certificate is placed on  
16 probation under the provisions of Section 10 of that Act and  
17 fulfills the terms and conditions of probation as may be  
18 required by the court; (2) any offense defined in the Illinois  
19 Controlled Substances Act except any offense for which the  
20 holder of any certificate is placed on probation under the  
21 provisions of Section 410 of that Act and fulfills the terms  
22 and conditions of probation as may be required by the court;  
23 (3) any offense defined in the Methamphetamine Control and  
24 Community Protection Act except any offense for which the  
25 holder of any certificate is placed on probation under the  
26 provision of Section 70 of that Act and fulfills the terms and

1 conditions of probation as may be required by the court; (4)  
2 any attempt to commit any of the foregoing offenses; and (5)  
3 any offense committed or attempted in any other state or  
4 against the laws of the United States which, if committed or  
5 attempted in this State, would have been punishable as one or  
6 more of the foregoing offenses.

7 (b) Whenever the holder of a certificate issued pursuant to  
8 this Article has been convicted of first degree murder,  
9 attempted first degree murder, conspiracy to commit first  
10 degree murder, attempted conspiracy to commit first degree  
11 murder, or a Class X felony or any offense committed or  
12 attempted in any other state or against the laws of the United  
13 States that, if committed or attempted in this State, would  
14 have been punishable as one or more of the foregoing offenses,  
15 the regional superintendent or the State Superintendent of  
16 Education shall forthwith suspend the certificate. If the  
17 conviction is reversed and the holder is acquitted of that  
18 offense in a new trial or the charges that he or she committed  
19 that offense are dismissed, the suspending authority shall  
20 forthwith terminate the suspension of the certificate. When the  
21 conviction becomes final, the State Superintendent of  
22 Education shall forthwith revoke the certificate. ~~The stated~~  
23 ~~offenses of "first degree murder", "attempted first degree~~  
24 ~~murder", and "Class X felony" referred to in this Section~~  
25 ~~include any offense committed in another state that, if~~  
26 ~~committed in this State, would have been punishable as any one~~

1 ~~of the stated offenses.~~

2 (Source: P.A. 94-556, eff. 9-11-05.)

3 (105 ILCS 5/34-18.5) (from Ch. 122, par. 34-18.5)

4 Sec. 34-18.5. Criminal history records checks and checks of  
5 the Statewide Sex Offender Database and Statewide Child  
6 Murderer and Violent Offender Against Youth Database.

7 (a) Certified and noncertified applicants for employment  
8 with the school district are required as a condition of  
9 employment to authorize a fingerprint-based criminal history  
10 records check to determine if such applicants have been  
11 convicted of any of the enumerated criminal or drug offenses in  
12 subsection (c) of this Section or have been convicted, within 7  
13 years of the application for employment with the school  
14 district, of any other felony under the laws of this State or  
15 of any offense committed or attempted in any other state or  
16 against the laws of the United States that, if committed or  
17 attempted in this State, would have been punishable as a felony  
18 under the laws of this State. Authorization for the check shall  
19 be furnished by the applicant to the school district, except  
20 that if the applicant is a substitute teacher seeking  
21 employment in more than one school district, or a teacher  
22 seeking concurrent part-time employment positions with more  
23 than one school district (as a reading specialist, special  
24 education teacher or otherwise), or an educational support  
25 personnel employee seeking employment positions with more than

1 one district, any such district may require the applicant to  
2 furnish authorization for the check to the regional  
3 superintendent of the educational service region in which are  
4 located the school districts in which the applicant is seeking  
5 employment as a substitute or concurrent part-time teacher or  
6 concurrent educational support personnel employee. Upon  
7 receipt of this authorization, the school district or the  
8 appropriate regional superintendent, as the case may be, shall  
9 submit the applicant's name, sex, race, date of birth, social  
10 security number, fingerprint images, and other identifiers, as  
11 prescribed by the Department of State Police, to the  
12 Department. The regional superintendent submitting the  
13 requisite information to the Department of State Police shall  
14 promptly notify the school districts in which the applicant is  
15 seeking employment as a substitute or concurrent part-time  
16 teacher or concurrent educational support personnel employee  
17 that the check of the applicant has been requested. The  
18 Department of State Police and the Federal Bureau of  
19 Investigation shall furnish, pursuant to a fingerprint-based  
20 criminal history records check, records of convictions, until  
21 expunged, to the president of the school board for the school  
22 district that requested the check, or to the regional  
23 superintendent who requested the check. The Department shall  
24 charge the school district or the appropriate regional  
25 superintendent a fee for conducting such check, which fee shall  
26 be deposited in the State Police Services Fund and shall not

1 exceed the cost of the inquiry; and the applicant shall not be  
2 charged a fee for such check by the school district or by the  
3 regional superintendent. Subject to appropriations for these  
4 purposes, the State Superintendent of Education shall  
5 reimburse the school district and regional superintendent for  
6 fees paid to obtain criminal history records checks under this  
7 Section.

8 (a-5) The school district or regional superintendent shall  
9 further perform a check of the Statewide Sex Offender Database,  
10 as authorized by the Sex Offender Community Notification Law,  
11 for each applicant.

12 (a-6) The school district or regional superintendent shall  
13 further perform a check of the Statewide Child Murderer and  
14 Violent Offender Against Youth Database, as authorized by the  
15 Child Murderer and Violent Offender Against Youth Community  
16 Notification Law, for each applicant.

17 (b) Any information concerning the record of convictions  
18 obtained by the president of the board of education or the  
19 regional superintendent shall be confidential and may only be  
20 transmitted to the general superintendent of the school  
21 district or his designee, the appropriate regional  
22 superintendent if the check was requested by the board of  
23 education for the school district, the presidents of the  
24 appropriate board of education or school boards if the check  
25 was requested from the Department of State Police by the  
26 regional superintendent, the State Superintendent of

1 Education, the State Teacher Certification Board or any other  
2 person necessary to the decision of hiring the applicant for  
3 employment. A copy of the record of convictions obtained from  
4 the Department of State Police shall be provided to the  
5 applicant for employment. Upon the check of the Statewide Sex  
6 Offender Database, the school district or regional  
7 superintendent shall notify an applicant as to whether or not  
8 the applicant has been identified in the Database as a sex  
9 offender. If a check of an applicant for employment as a  
10 substitute or concurrent part-time teacher or concurrent  
11 educational support personnel employee in more than one school  
12 district was requested by the regional superintendent, and the  
13 Department of State Police upon a check ascertains that the  
14 applicant has not been convicted of any of the enumerated  
15 criminal or drug offenses in subsection (c) or has not been  
16 convicted, within 7 years of the application for employment  
17 with the school district, of any other felony under the laws of  
18 this State or of any offense committed or attempted in any  
19 other state or against the laws of the United States that, if  
20 committed or attempted in this State, would have been  
21 punishable as a felony under the laws of this State and so  
22 notifies the regional superintendent and if the regional  
23 superintendent upon a check ascertains that the applicant has  
24 not been identified in the Sex Offender Database as a sex  
25 offender, then the regional superintendent shall issue to the  
26 applicant a certificate evidencing that as of the date



1 specified by the Department of State Police the applicant has  
2 not been convicted of any of the enumerated criminal or drug  
3 offenses in subsection (c) or has not been convicted, within 7  
4 years of the application for employment with the school  
5 district, of any other felony under the laws of this State or  
6 of any offense committed or attempted in any other state or  
7 against the laws of the United States that, if committed or  
8 attempted in this State, would have been punishable as a felony  
9 under the laws of this State and evidencing that as of the date  
10 that the regional superintendent conducted a check of the  
11 Statewide Sex Offender Database, the applicant has not been  
12 identified in the Database as a sex offender. The school board  
13 of any school district may rely on the certificate issued by  
14 any regional superintendent to that substitute teacher,  
15 concurrent part-time teacher, or concurrent educational  
16 support personnel employee or may initiate its own criminal  
17 history records check of the applicant through the Department  
18 of State Police and its own check of the Statewide Sex Offender  
19 Database as provided in subsection (a). Any person who releases  
20 any confidential information concerning any criminal  
21 convictions of an applicant for employment shall be guilty of a  
22 Class A misdemeanor, unless the release of such information is  
23 authorized by this Section.

24 (c) The board of education shall not knowingly employ a  
25 person who has been convicted of a sex offense or narcotics  
26 offense, first degree murder, attempted first degree murder,

1 conspiracy to commit first degree murder, attempted conspiracy  
2 to commit first degree murder, or a Class X felony. The  
3 offenses of "first degree murder", "attempted first degree  
4 murder", "conspiracy to commit first degree murder",  
5 "attempted conspiracy to commit first degree murder", and  
6 "Class X felony" referred to in this Section include any  
7 offense committed or attempted in another state or against the  
8 laws of the United States that, if committed or attempted in  
9 this State, would have been punishable as any one of these  
10 offenses. ~~for committing attempted first degree murder or for~~  
11 ~~committing or attempting to commit first degree murder or a~~  
12 ~~Class X felony or any one or more of the following offenses:~~  
13 ~~(i) those defined in Sections 11-6, 11-9, 11-14, 11-15,~~  
14 ~~11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20,~~  
15 ~~11-20.1, 11-21, 12-13, 12-14, 12-14.1, 12-15 and 12-16 of the~~  
16 ~~Criminal Code of 1961; (ii) those defined in the Cannabis~~  
17 ~~Control Act, except those defined in Sections 4(a), 4(b) and~~  
18 ~~5(a) of that Act; (iii) those defined in the Illinois~~  
19 ~~Controlled Substances Act; (iv) those defined in the~~  
20 ~~Methamphetamine Control and Community Protection Act; and (v)~~  
21 ~~any offense committed or attempted in any other state or~~  
22 ~~against the laws of the United States, which if committed or~~  
23 ~~attempted in this State, would have been punishable as one or~~  
24 ~~more of the foregoing offenses.~~ Further, the board of education  
25 shall not knowingly employ a person who has been found to be  
26 the perpetrator of sexual or physical abuse of any minor under

1 18 years of age pursuant to proceedings under Article II of the  
2 Juvenile Court Act of 1987.

3 "Sex offense" as used in this Section means any one or more  
4 of the following offenses:

5 (1) Any offense under Sections 11-6, 11-9.1 through  
6 11-9.5, inclusive, 11-14 through 11-21, inclusive, 11-23  
7 (if punished as a Class 3 felony), 11-24, 12-4.9, 12-13,  
8 12-14, 12-14.1, 12-15, 12-16, 12-32, and 12-33 of the  
9 Criminal Code of 1961.

10 (2) An attempt to commit any of the offenses set forth  
11 in subdivision (1) of this subsection (c).

12 (3) Any offense committed or attempted in another state  
13 or against the laws of the United States that, if committed  
14 or attempted in this State, would have been punishable as  
15 one or more of the offenses set forth in subdivisions (1)  
16 and (2) of this subsection (c).

17 "Narcotics offense" as used in this Section means any one  
18 or more of the following offenses:

19 (A) Any offense under the Cannabis Control Act, except  
20 an offense defined in subdivision (a) or (b) of Section 4  
21 or subdivision (a) of Section 5 of the Cannabis Control Act  
22 or an offense in which the person is placed on probation  
23 under Section 10 of the Cannabis Control Act and the person  
24 fulfills those terms and conditions of probation as may be  
25 required by the court.

26 (B) Any offense under the Illinois Controlled

1 Substances Act, except an offense in which the person is  
2 placed on probation under Section 410 of the Illinois  
3 Controlled Substances Act and the person fulfills those  
4 terms and conditions of probation as may be required by the  
5 court.

6 (C) Any offense under the Methamphetamine Control and  
7 Community Protection Act, except an offense in which the  
8 person is placed on probation under Section 70 of the  
9 Methamphetamine Control and Community Protection Act and  
10 the person fulfills those terms and conditions of probation  
11 as may be required by the court.

12 (D) An attempt to commit any of the offenses set forth  
13 in clauses (A), (B), and (C) of this subsection (c).

14 (E) Any offense committed or attempted in another state  
15 or against the laws of the United States that, if committed  
16 or attempted in this State, would have been punishable as  
17 one or more of the offenses set forth in clauses (A), (B),  
18 (C), and (D) of this subsection (c).

19 (d) The board of education shall not knowingly employ a  
20 person for whom a criminal history records check and a  
21 Statewide Sex Offender Database check has not been initiated.

22 (e) Upon receipt of the record of a conviction of or a  
23 finding of child abuse by a holder of any certificate issued  
24 pursuant to Article 21 or Section 34-8.1 or 34-83 of the School  
25 Code, the ~~board of education or the~~ State Superintendent of  
26 Education ~~may shall~~ initiate ~~the~~ certificate suspension and

1 revocation proceedings as authorized by law.

2 (f) After March 19, 1990, the provisions of this Section  
3 shall apply to all employees of persons or firms holding  
4 contracts with any school district including, but not limited  
5 to, food service workers, school bus drivers and other  
6 transportation employees, who have direct, daily contact with  
7 the pupils of any school in such district. For purposes of  
8 criminal history records checks and checks of the Statewide Sex  
9 Offender Database on employees of persons or firms holding  
10 contracts with more than one school district and assigned to  
11 more than one school district, the regional superintendent of  
12 the educational service region in which the contracting school  
13 districts are located may, at the request of any such school  
14 district, be responsible for receiving the authorization for a  
15 criminal history records check prepared by each such employee  
16 and submitting the same to the Department of State Police and  
17 for conducting a check of the Statewide Sex Offender Database  
18 for each employee. Any information concerning the record of  
19 conviction and identification as a sex offender of any such  
20 employee obtained by the regional superintendent shall be  
21 promptly reported to the president of the appropriate school  
22 board or school boards.

23 (Source: P.A. 94-219, eff. 7-14-05; 94-556, eff. 9-11-05;  
24 94-875, eff. 7-1-06; 94-945, eff. 6-27-06; 95-331, eff.  
25 8-21-07.)