

SB0035



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB0035

Introduced 1/30/2009, by Sen. Susan Garrett

SYNOPSIS AS INTRODUCED:

105 ILCS 5/24-6

from Ch. 122, par. 24-6

Amends the School Code. With respect to sick leave for teachers (other than in the Chicago school district), provides that a school board may require a certificate from a physician, advanced practice nurse, physician assistant, or spiritual adviser or practitioner as a basis for pay during leave after an absence of 30 days for birth. Provides that for paid sick leave for adoption or placement for adoption, the school board may require that the teacher or other employee provide evidence that the formal adoption process is underway, and such leave is limited to 30 days unless a longer leave has been negotiated with the exclusive bargaining representative. Imposes conditions on any rulemaking authority. Effective immediately.

LRB096 03812 NHT 13844 b

FISCAL NOTE ACT
MAY APPLY

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 Section
5 24-6 as follows:

6 (105 ILCS 5/24-6) (from Ch. 122, par. 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 the
13 "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 amount
21 shall be allowed to accumulate to a minimum available leave of
22 180 days at full pay, including the leave of the current year.
23 Sick leave shall be interpreted to mean personal illness,

1 quarantine at home, serious illness or death in the immediate
2 family or household, or birth, adoption, or placement for
3 adoption. The school board may require a certificate from a
4 physician licensed in Illinois to practice medicine and surgery
5 in all its branches, an advanced practice nurse who has a
6 written collaborative agreement with a collaborating physician
7 that authorizes the advanced practice nurse to perform health
8 examinations, ~~or~~ a physician assistant who has been delegated
9 the authority to perform health examinations by his or her
10 supervising physician, or, if the treatment is by prayer or
11 spiritual means, ~~that of~~ a spiritual adviser or practitioner of
12 the teacher's or employee's such person's faith, as a basis for
13 pay during leave after an absence of 3 days for personal
14 illness or 30 days for birth, or as the school board ~~it~~ may
15 deem necessary in other cases. If the school board does require
16 a certificate as a basis for pay during leave of less than 3
17 days for personal illness, the school board shall pay, from
18 school funds, the expenses incurred by the teachers or other
19 employees in obtaining the certificate. For paid leave for
20 adoption or placement for adoption, the school board may
21 require that the teacher or other employee provide evidence
22 that the formal adoption process is underway, and such leave is
23 limited to 30 days unless a longer leave has been negotiated
24 with the exclusive bargaining representative. Rulemaking
25 authority to implement this amendatory Act of the 96th General
26 Assembly, if any, is conditioned on the rules being adopted in

1 accordance with all provisions of the Illinois Administrative
2 Procedure Act and all rules and procedures of the Joint
3 Committee on Administrative Rules; any purported rule not so
4 adopted, for whatever reason, is unauthorized.

5 If, by reason of any change in the boundaries of school
6 districts, or by reason of the creation of a new school
7 district, the employment of a teacher is transferred to a new
8 or different board, the accumulated sick leave of such teacher
9 is not thereby lost, but is transferred to such new or
10 different district.

11 For purposes of this Section, "immediate family" shall
12 include parents, spouse, brothers, sisters, children,
13 grandparents, grandchildren, parents-in-law, brothers-in-law,
14 sisters-in-law, and legal guardians.

15 (Source: P.A. 94-350, eff. 7-28-05; 95-151, eff. 8-14-07.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.