



Sen. Kimberly A. Lightford

Filed: 5/6/2011

09700HB3022sam001

LRB097 00297 NHT 55185 a

1 AMENDMENT TO HOUSE BILL 3022

2 AMENDMENT NO. _____. Amend House Bill 3022 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections
5 2-3.7, 2-3.11c, 2-3.22, 2-3.25f, 2-3.25o, 2-3.27, 2-3.53a,
6 2-3.83, 2-3.137, 2-3.139, 10-21.4, 10-21.9, 10-22.31a, 14C-8,
7 18-6, 18-8.05, 18-12, 26-2a, 27A-7, 34-8, and 34-18.5 as
8 follows:

9 (105 ILCS 5/2-3.7) (from Ch. 122, par. 2-3.7)

10 Sec. 2-3.7. Legal adviser; opinions ~~of school officers~~
11 ~~opinions~~. To be the legal adviser of regional offices of
12 education ~~school officers~~, and, when requested ~~by any school~~
13 ~~officer~~, to give an opinion in writing upon any question
14 arising under the school laws of the State.

15 (Source: P.A. 81-1508.)

1 (105 ILCS 5/2-3.11c)

2 Sec. 2-3.11c. Teacher supply and demand report. Through
3 January 1, 2009, to report annually, on or before January 1, on
4 the relative supply and demand for education staff of the
5 public schools to the Governor, to the General Assembly, and to
6 institutions of higher education that prepare teachers,
7 administrators, school service personnel, other certificated
8 individuals, and other professionals employed by school
9 districts or joint agreements. After the report due on January
10 1, 2009 is submitted, future reports shall be submitted once
11 every 3 years, with the first report being submitted on or
12 before January 1, 2012 ~~2011~~. The report shall contain the
13 following information:

14 (1) the relative supply and demand for teachers,
15 administrators, and other certificated and
16 non-certificated personnel by field, content area, and
17 levels;

18 (2) State and regional analyses of fields, content
19 areas, and levels with an over-supply or under-supply of
20 educators; and

21 (3) projections of likely high demand and low demand
22 for educators, in a manner sufficient to advise the public,
23 individuals, and institutions regarding career
24 opportunities in education.

25 (Source: P.A. 96-734, eff. 8-25-09.)

1 (105 ILCS 5/2-3.22) (from Ch. 122, par. 2-3.22)

2 Sec. 2-3.22. Withholding school funds or compensation of
3 regional superintendent of schools. To require the State
4 Comptroller to withhold from the regional superintendent of
5 schools the amount due the regional superintendent of schools
6 for his compensation, until the reports, statements, books,
7 vouchers and other records provided for in Sections ~~2-3.17,~~
8 2-3.17a and 3-15.8 have been furnished.

9 (Source: P.A. 88-641, eff. 9-9-94.)

10 (105 ILCS 5/2-3.25f) (from Ch. 122, par. 2-3.25f)

11 Sec. 2-3.25f. State interventions.

12 (a) Subject to appropriation, the ~~The~~ State Board of
13 Education shall provide technical assistance to assist with the
14 development and implementation of School and District
15 Improvement Plans.

16 Schools or school districts that fail to make reasonable
17 efforts to implement an approved Improvement Plan may suffer
18 loss of State funds by school district, attendance center, or
19 program as the State Board of Education deems appropriate.

20 (b) In addition, if after 3 years following its placement
21 on academic watch status a school district or school remains on
22 academic watch status, the State Board of Education shall,
23 subject to appropriation, take one or more of the following
24 actions for the district or school:

25 (1) The State Board of Education may authorize the

1 State Superintendent of Education to direct the regional
2 superintendent of schools to remove school board members
3 pursuant to Section 3-14.28 of this Code. Prior to such
4 direction the State Board of Education shall permit members
5 of the local board of education to present written and oral
6 comments to the State Board of Education. The State Board
7 of Education may direct the State Superintendent of
8 Education to appoint an Independent Authority that shall
9 exercise such powers and duties as may be necessary to
10 operate a school or school district for purposes of
11 improving pupil performance and school improvement. The
12 State Superintendent of Education shall designate one
13 member of the Independent Authority to serve as chairman.
14 The Independent Authority shall serve for a period of time
15 specified by the State Board of Education upon the
16 recommendation of the State Superintendent of Education.

17 (2) The State Board of Education may (A) change the
18 recognition status of the school district or school to
19 nonrecognized, or (B) authorize the State Superintendent
20 of Education to direct the reassignment of pupils or direct
21 the reassignment or replacement of school district
22 personnel who are relevant to the failure to meet adequate
23 yearly progress criteria. If a school district is
24 nonrecognized in its entirety, it shall automatically be
25 dissolved on July 1 following that nonrecognition and its
26 territory realigned with another school district or

1 districts by the regional board of school trustees in
2 accordance with the procedures set forth in Section 7-11 of
3 the School Code. The effective date of the nonrecognition
4 of a school shall be July 1 following the nonrecognition.

5 (c) All federal requirements apply to schools and school
6 districts utilizing federal funds under Title I, Part A of the
7 federal Elementary and Secondary Education Act of 1965.

8 (Source: P.A. 93-470, eff. 8-8-03; 94-875, eff. 7-1-06.)

9 (105 ILCS 5/2-3.25o)

10 Sec. 2-3.25o. Registration and recognition of non-public
11 elementary and secondary schools.

12 (a) Findings. The General Assembly finds and declares (i)
13 that the Constitution of the State of Illinois provides that a
14 "fundamental goal of the People of the State is the educational
15 development of all persons to the limits of their capacities"
16 and (ii) that the educational development of every school
17 student serves the public purposes of the State. In order to
18 ensure that all Illinois students and teachers have the
19 opportunity to enroll and work in State-approved educational
20 institutions and programs, the State Board of Education shall
21 provide for the voluntary registration and recognition of
22 non-public elementary and secondary schools.

23 (b) Registration. All non-public elementary and secondary
24 schools in the State of Illinois may voluntarily register with
25 the State Board of Education on an annual basis. Registration

1 shall be completed in conformance with procedures prescribed by
2 the State Board of Education. Information required for
3 registration shall include assurances of compliance (i) with
4 federal and State laws regarding health examination and
5 immunization, attendance, length of term, and
6 nondiscrimination and (ii) with applicable fire and health
7 safety requirements.

8 (c) Recognition. All non-public elementary and secondary
9 schools in the State of Illinois may voluntarily seek the
10 status of "Non-public School Recognition" from the State Board
11 of Education. This status may be obtained by compliance with
12 administrative guidelines and review procedures as prescribed
13 by the State Board of Education. The guidelines and procedures
14 must recognize that some of the aims and the financial bases of
15 non-public schools are different from public schools and will
16 not be identical to those for public schools, nor will they be
17 more burdensome. The guidelines and procedures must also
18 recognize the diversity of non-public schools and shall not
19 impinge upon the noneducational relationships between those
20 schools and their clientele.

21 (c-5) Prohibition against recognition. A non-public
22 elementary or secondary school may not obtain "Non-public
23 School Recognition" status unless the school requires all
24 certified and non-certified applicants for employment with the
25 school, after July 1, 2007, and student teachers to authorize a
26 fingerprint-based criminal history records check as a

1 condition of employment or student teaching to determine if
2 such applicants or student teachers have been convicted of any
3 of the enumerated criminal or drug offenses set forth in
4 Section 21-23a of this Code or have been convicted, within 7
5 years of the application for employment or student teaching, of
6 any other felony under the laws of this State or of any offense
7 committed or attempted in any other state or against the laws
8 of the United States that, if committed or attempted in this
9 State, would have been punishable as a felony under the laws of
10 this State.

11 Authorization for the check shall be furnished by the
12 applicant or student teacher to the school, except that if the
13 applicant is a substitute teacher seeking employment in more
14 than one non-public school, a teacher seeking concurrent
15 part-time employment positions with more than one non-public
16 school (as a reading specialist, special education teacher, or
17 otherwise), or an educational support personnel employee
18 seeking employment positions with more than one non-public
19 school, then only one of the non-public schools employing the
20 individual shall request the authorization. Upon receipt of
21 this authorization, the non-public school shall submit the
22 applicant's or student teacher's name, sex, race, date of
23 birth, social security number, fingerprint images, and other
24 identifiers, as prescribed by the Department of State Police,
25 to the Department of State Police.

26 The Department of State Police and Federal Bureau of

1 Investigation shall furnish, pursuant to a fingerprint-based
2 criminal history records check, records of convictions,
3 forever and hereafter, until expunged, to the president or
4 principal of the non-public school that requested the check.
5 The Department of State Police shall charge that school a fee
6 for conducting such check, which fee must be deposited into the
7 State Police Services Fund and must not exceed the cost of the
8 inquiry. Subject to appropriations for these purposes, the
9 State Superintendent of Education shall reimburse non-public
10 schools for fees paid to obtain criminal history records checks
11 under this Section.

12 A non-public school may not obtain recognition status
13 unless the school also performs a check of the Statewide Sex
14 Offender Database, as authorized by the Sex Offender Community
15 Notification Law, for each applicant for employment, after July
16 1, 2007, or student teacher to determine whether the applicant
17 or student teacher has been adjudicated a sex offender.

18 Any information concerning the record of convictions
19 obtained by a non-public school's president or principal under
20 this Section is confidential and may be disseminated only to
21 the governing body of the non-public school or any other person
22 necessary to the decision of hiring the applicant for
23 employment or assigning the student teacher to a classroom. A
24 copy of the record of convictions obtained from the Department
25 of State Police shall be provided to the applicant for
26 employment or student teacher. Upon a check of the Statewide

1 Sex Offender Database, the non-public school shall notify the
2 applicant or student teacher as to whether or not the applicant
3 or student teacher has been identified in the Sex Offender
4 Database as a sex offender. Any information concerning the
5 records of conviction obtained by the non-public school's
6 president or principal under this Section for a substitute
7 teacher seeking employment in more than one non-public school,
8 a teacher seeking concurrent part-time employment positions
9 with more than one non-public school (as a reading specialist,
10 special education teacher, or otherwise), or an educational
11 support personnel employee seeking employment positions with
12 more than one non-public school may be shared with another
13 non-public school's principal or president to which the
14 applicant seeks employment. Any person who releases any
15 criminal history record information concerning an applicant
16 for employment or student teacher is guilty of a Class A
17 misdemeanor and may be subject to prosecution under federal
18 law, unless the release of such information is authorized by
19 this Section.

20 No non-public school may obtain recognition status that
21 knowingly employs a person, hired after July 1, 2007, or
22 knowingly assigns a student teacher to a classroom for whom a
23 Department of State Police and Federal Bureau of Investigation
24 fingerprint-based criminal history records check and a
25 Statewide Sex Offender Database check has not been initiated or
26 who has been convicted of any offense enumerated in Section

1 21-23a of this Code or any offense committed or attempted in
2 any other state or against the laws of the United States that,
3 if committed or attempted in this State, would have been
4 punishable as one or more of those offenses. No non-public
5 school may obtain recognition status under this Section that
6 knowingly employs a person or knowingly assigns a student
7 teacher to a classroom who has been found to be the perpetrator
8 of sexual or physical abuse of a minor under 18 years of age
9 pursuant to proceedings under Article II of the Juvenile Court
10 Act of 1987.

11 In order to obtain recognition status under this Section, a
12 non-public school must require compliance with the provisions
13 of this subsection (c-5) from all employees of persons or firms
14 holding contracts with the school, including, but not limited
15 to, food service workers, school bus drivers, and other
16 transportation employees, who have direct, daily contact with
17 pupils. Any information concerning the records of conviction or
18 identification as a sex offender of any such employee obtained
19 by the non-public school principal or president must be
20 promptly reported to the school's governing body.

21 (d) Public purposes. The provisions of this Section are in
22 the public interest, for the public benefit, and serve secular
23 public purposes.

24 (e) Definition. For purposes of this Section, a non-public
25 school means any non-profit, non-home-based, and non-public
26 elementary or secondary school that is in compliance with Title

1 VI of the Civil Rights Act of 1964 and attendance at which
2 satisfies the requirements of Section 26-1 of this Code.

3 (Source: P.A. 95-351, eff. 8-23-07; 96-431, eff. 8-13-09.)

4 (105 ILCS 5/2-3.27) (from Ch. 122, par. 2-3.27)

5 Sec. 2-3.27. Budgets and accounting practices-Forms and
6 procedures.

7 To formulate and approve forms, procedure and regulations
8 for school district accounts and budgets required by this Act
9 reflecting the gross amount of income and expenses, receipts
10 and disbursements and extending a net surplus or deficit on
11 operating items, to advise and assist the officers of any
12 district in respect to budgets and accounting practices and in
13 the formulation and use of such books, records and accounts or
14 other forms as may be required to comply with the provisions of
15 this Act; to ~~publish and keep current~~ information pamphlets or
16 ~~manuals in looseleaf form~~ relating to budgetary and accounting
17 procedure or similar topics; to make all rules and regulations
18 as may be necessary to carry into effect the provisions of this
19 Act relating to budgetary procedure and accounting, such rules
20 and regulations to include but not to be limited to the
21 establishment of a decimal classification of accounts; to
22 confer with various district, county and State officials or
23 take such other action as may be reasonably required to carry
24 out the provisions of this Act relating to budgets and
25 accounting.

1 (Source: Laws 1961, p. 31.)

2 (105 ILCS 5/2-3.53a)

3 Sec. 2-3.53a. New principal mentoring program.

4 (a) Beginning on July 1, 2007, and subject to an annual
5 appropriation by the General Assembly, to establish a new
6 principal mentoring program for new principals. Any individual
7 who is first hired as a principal on or after July 1, 2007
8 shall participate in a new principal mentoring program for the
9 duration of his or her first year as a principal and must
10 complete the program in accordance with the requirements
11 established by the State Board of Education by rule or, for a
12 school district created by Article 34 of this Code, in
13 accordance with the provisions of Section 34-18.33 ~~34-18.27~~ of
14 this Code. School districts created by Article 34 are not
15 subject to the requirements of subsection (b), (c), (d), (e),
16 (f), or (g) of this Section. Any individual who is first hired
17 as a principal on or after July 1, 2008 may participate in a
18 second year of mentoring if it is determined by the State
19 Superintendent of Education that sufficient funding exists for
20 such participation. The new principal mentoring program shall
21 match an experienced principal who meets the requirements of
22 subsection (b) of this Section with each new principal in order
23 to assist the new principal in the development of his or her
24 professional growth and to provide guidance.

25 (b) Any individual who has been a principal in Illinois for

1 3 or more years and who has demonstrated success as an
2 instructional leader, as determined by the State Board by rule,
3 is eligible to apply to be a mentor under a new principal
4 mentoring program. Mentors shall complete mentoring training
5 by entities approved by the State Board and meet any other
6 requirements set forth by the State Board and by the school
7 district employing the mentor.

8 (c) The State Board shall certify an entity or entities
9 approved to provide training of mentors.

10 (d) A mentor shall be assigned to a new principal based on
11 (i) similarity of grade level or type of school, (ii) learning
12 needs of the new principal, and (iii) geographical proximity of
13 the mentor to the new principal. The principal, in
14 collaboration with the mentor, shall identify areas for
15 improvement of the new principal's professional growth,
16 including, but not limited to, each of the following:

17 (1) Analyzing data and applying it to practice.

18 (2) Aligning professional development and
19 instructional programs.

20 (3) Building a professional learning community.

21 (4) Observing classroom practices and providing
22 feedback.

23 (5) Facilitating effective meetings.

24 (6) Developing distributive leadership practices.

25 (7) Facilitating organizational change.

26 The mentor shall not be required to provide an evaluation of

1 the new principal on the basis of the mentoring relationship.

2 (e) On or before July 1, 2008 and on or after July 1 of each
3 year thereafter, the State Board shall facilitate a review and
4 evaluate the mentoring training program in collaboration with
5 the approved providers. Each new principal and his or her
6 mentor must complete a verification form developed by the State
7 Board in order to certify their completion of a new principal
8 mentoring program.

9 (f) The requirements of this Section do not apply to any
10 individual who has previously served as an assistant principal
11 in Illinois acting under an administrative certificate for 5 or
12 more years and who is hired, on or after July 1, 2007, as a
13 principal by the school district in which the individual last
14 served as an assistant principal, although such an individual
15 may choose to participate in this program or shall be required
16 to participate by the school district.

17 (g) The State Board may adopt any rules necessary for the
18 implementation of this Section.

19 (h) On an annual basis, the State Superintendent of
20 Education shall determine whether appropriations are likely to
21 be sufficient to require operation of the mentoring program for
22 the coming year. In doing so, the State Superintendent of
23 Education shall first determine whether it is likely that funds
24 will be sufficient to require operation of the mentoring
25 program for individuals in their first year as principal and
26 shall then determine whether it is likely that funds will be

1 sufficient to require operation of the mentoring program for
2 individuals in their second year as principal.

3 (Source: P.A. 96-373, eff. 8-13-09.)

4 (105 ILCS 5/2-3.83) (from Ch. 122, par. 2-3.83)

5 Sec. 2-3.83. Individual transition plan model pilot
6 program.

7 (a) The General Assembly finds that transition services for
8 special education students in secondary schools are needed for
9 the increasing numbers of students exiting school programs.
10 Therefore, to ensure coordinated and timely delivery of
11 services, the State shall establish a model pilot program to
12 provide such services. Local school districts, using joint
13 agreements and regional service delivery systems for special
14 and vocational education selected by the Governor's Planning
15 Council on Developmental Disabilities, shall have the primary
16 responsibility to convene transition planning meetings for
17 these students who will require post-school adult services.

18 (b) For purposes of this Section:

19 (1) "Post-secondary Service Provider" means a provider
20 of services for adults who have any developmental
21 disability as defined in Section 1-106 of the Mental Health
22 and Developmental Disabilities Code or who are disabled as
23 defined in the Disabled Persons Rehabilitation Act.

24 (2) "Individual Education Plan" means a written
25 statement for an exceptional child that provides at least a

1 statement of: the child's present levels of educational
2 performance, annual goals and short-term instructional
3 objectives; specific special education and related
4 services; the extent of participation in the regular
5 education program; the projected dates for initiation of
6 services; anticipated duration of services; appropriate
7 objective criteria and evaluation procedures; and a
8 schedule for annual determination of short-term
9 objectives.

10 (3) "Individual Transition Plan" (ITP) means a
11 multi-agency informal assessment of a student's needs for
12 post-secondary adult services including but not limited to
13 employment, post-secondary education or training and
14 residential independent living.

15 (4) "Developmental Disability" means a disability
16 which is attributable to: (a) intellectual disabilities
17 ~~mental retardation~~, cerebral palsy, epilepsy or autism; or
18 to (b) any other condition which results in impairment
19 similar to that caused by intellectual disabilities ~~mental~~
20 ~~retardation~~ and which requires services similar to those
21 required by ~~mentally retarded~~ persons with an intellectual
22 disability. Such disability must originate before the age
23 of 18 years, be expected to continue indefinitely, and
24 constitute a substantial handicap.

25 (5) "Exceptional Characteristic" means any disabling
26 or exceptional characteristic which interferes with a

1 student's education including, but not limited to, a
2 determination that the student is severely or profoundly
3 mentally disabled, trainably mentally disabled,
4 deaf-blind, or has some other health impairment.

5 (c) The model pilot program required by this Section shall
6 be established and administered by the Governor's Planning
7 Council on Developmental Disabilities in conjunction with the
8 case coordination pilot projects established by the Department
9 of Human Services pursuant to Section 4.1 of the Community
10 Services Act, as amended.

11 (d) The model pilot program shall include the following
12 features:

13 (1) Written notice shall be sent to the student and,
14 when appropriate, his or her parent or guardian giving the
15 opportunity to consent to having the student's name and
16 relevant information shared with the local case
17 coordination unit and other appropriate State or local
18 agencies for purposes of inviting participants to the
19 individual transition plan meeting.

20 (2) Meetings to develop and modify, as needed, an
21 Individual Transition Plan shall be conducted annually for
22 all students with a developmental disability in the pilot
23 program area who are age 16 or older and who are receiving
24 special education services for 50% or more of their public
25 school program. These meetings shall be convened by the
26 local school district and conducted in conjunction with any

1 other regularly scheduled meetings such as the student's
2 annual individual educational plan meeting. The Governor's
3 Planning Council on Developmental Disabilities shall
4 cooperate with and may enter into any necessary written
5 agreements with the Department of Human Services and the
6 State Board of Education to identify the target group of
7 students for transition planning and the appropriate case
8 coordination unit to serve these individuals.

9 (3) The ITP meetings shall be co-chaired by the
10 individual education plan coordinator and the case
11 coordinator. The ITP meeting shall include but not be
12 limited to discussion of the following: the student's
13 projected date of exit from the public schools; his
14 projected post-school goals in the areas of employment,
15 residential living arrangement and post-secondary
16 education or training; specific school or post-school
17 services needed during the following year to achieve the
18 student's goals, including but not limited to vocational
19 evaluation, vocational education, work experience or
20 vocational training, placement assistance, independent
21 living skills training, recreational or leisure training,
22 income support, medical needs and transportation; and
23 referrals and linkage to needed services, including a
24 proposed time frame for services and the responsible agency
25 or provider. The individual transition plan shall be signed
26 by participants in the ITP discussion, including but not

1 limited to the student's parents or guardian, the student
2 (where appropriate), multi-disciplinary team
3 representatives from the public schools, the case
4 coordinator and any other individuals who have
5 participated in the ITP meeting at the discretion of the
6 individual education plan coordinator, the developmental
7 disability case coordinator or the parents or guardian.

8 (4) At least 10 days prior to the ITP meeting, the
9 parents or guardian of the student shall be notified in
10 writing of the time and place of the meeting by the local
11 school district. The ITP discussion shall be documented by
12 the assigned case coordinator, and an individual student
13 file shall be maintained by each case coordination unit.
14 One year following a student's exit from public school the
15 case coordinator shall conduct a follow up interview with
16 the student.

17 (5) Determinations with respect to individual
18 transition plans made under this Section shall not be
19 subject to any due process requirements prescribed in
20 Section 14-8.02 of this Code.

21 (e) (Blank).

22 (Source: P.A. 91-96; eff. 7-9-99.)

23 (105 ILCS 5/2-3.137)

24 Sec. 2-3.137. Inspection and review of school facilities,
25 ~~task force.~~

1 (a) The State Board of Education shall adopt rules for the
2 documentation of school plan reviews and inspections of school
3 facilities, including the responsible individual's signature.
4 Such documents shall be kept on file by the regional
5 superintendent of schools. The State Board of Education shall
6 also adopt rules for the qualifications of persons performing
7 the reviews and inspections, which must be consistent with the
8 recommendations in the task force's report issued to the
9 Governor and the General Assembly under subsection (b) of this
10 Section. Those qualifications shall include requirements for
11 training, education, and at least 2 years of relevant
12 experience.

13 (a-5) Rules adopted by the State Board of Education in
14 accordance with subsection (a) of this Section shall require
15 fees to be collected for use in defraying costs associated with
16 the administration of these and other provisions contained in
17 the Health/Life Safety Code for Public Schools required by
18 Section 2-3.12 of this Code.

19 (b) (Blank). ~~The State Board of Education shall convene a~~
20 ~~task force for the purpose of reviewing the documents required~~
21 ~~under rules adopted under subsection (a) of this Section and~~
22 ~~making recommendations regarding training and accreditation of~~
23 ~~individuals performing reviews or inspections required under~~
24 ~~Section 2-3.12, 3-14.20, 3-14.21, or 3-14.22 of this Code,~~
25 ~~including regional superintendents of schools and others~~
26 ~~performing reviews or inspections under the authority of a~~

1 ~~regional superintendent (such as consultants, municipalities,~~
2 ~~and fire protection districts).~~

3 ~~The task force shall consist of all of the following~~
4 ~~members:~~

5 ~~(1) The Executive Director of the Capital Development~~
6 ~~Board or his or her designee and a staff representative of~~
7 ~~the Division of Building Codes and Regulations.~~

8 ~~(2) The State Superintendent of Education or his or her~~
9 ~~designee.~~

10 ~~(3) A person appointed by the State Board of Education.~~

11 ~~(4) A person appointed by an organization representing~~
12 ~~school administrators.~~

13 ~~(5) A person appointed by an organization representing~~
14 ~~suburban school administrators and school board members.~~

15 ~~(6) A person appointed by an organization representing~~
16 ~~architects.~~

17 ~~(7) A person appointed by an organization representing~~
18 ~~regional superintendents of schools.~~

19 ~~(8) A person appointed by an organization representing~~
20 ~~fire inspectors.~~

21 ~~(9) A person appointed by an organization representing~~
22 ~~Code administrators.~~

23 ~~(10) A person appointed by an organization~~
24 ~~representing plumbing inspectors.~~

25 ~~(11) A person appointed by an organization that~~
26 ~~represents both parents and teachers.~~

1 ~~(12) A person appointed by an organization~~
2 ~~representing municipal governments in the State.~~

3 ~~(13) A person appointed by the State Fire Marshal from~~
4 ~~his or her office.~~

5 ~~(14) A person appointed by an organization~~
6 ~~representing fire chiefs.~~

7 ~~(15) The Director of Public Health or his or her~~
8 ~~designee.~~

9 ~~(16) A person appointed by an organization~~
10 ~~representing structural engineers.~~

11 ~~(17) A person appointed by an organization~~
12 ~~representing professional engineers.~~

13 ~~The task force shall issue a report of its findings to the~~
14 ~~Governor and the General Assembly no later than January 1,~~
15 ~~2006.~~

16 (Source: P.A. 95-331, eff. 8-21-07; 96-734, eff. 8-25-09.)

17 (105 ILCS 5/2-3.139)

18 Sec. 2-3.139. School wellness policies; ~~taskforce.~~

19 (a) The State Board of Education shall establish a State
20 goal that all school districts have a wellness policy that is
21 consistent with recommendations of the Centers for Disease
22 Control and Prevention (CDC), which recommendations include
23 the following:

24 (1) nutrition guidelines for all foods sold on school
25 campus during the school day;

1 (2) setting school goals for nutrition education and
2 physical activity;

3 (3) establishing community participation in creating
4 local wellness policies; and

5 (4) creating a plan for measuring implementation of
6 these wellness policies.

7 The Department of Public Health, the Department of Human
8 Services, and the State Board of Education shall form an
9 interagency working group to publish model wellness policies
10 and recommendations. Sample policies shall be based on CDC
11 recommendations for nutrition and physical activity. The State
12 Board of Education shall distribute the model wellness policies
13 to all school districts before June 1, 2006.

14 (b) (Blank). ~~There is created the School Wellness Policy~~
15 ~~Taskforce, consisting of the following members:~~

16 ~~(1) One member representing the State Board of~~
17 ~~Education, appointed by the State Board of Education.~~

18 ~~(2) One member representing the Department of Public~~
19 ~~Health, appointed by the Director of Public Health.~~

20 ~~(3) One member representing the Department of Human~~
21 ~~Services, appointed by the Secretary of Human Services.~~

22 ~~(4) One member of an organization representing the~~
23 ~~interests of school nurses in this State, appointed by the~~
24 ~~interagency working group.~~

25 ~~(5) One member of an organization representing the~~
26 ~~interests of school administrators in this State,~~

1 ~~appointed by the interagency working group.~~

2 ~~(6) One member of an organization representing the~~
3 ~~interests of school boards in this State, appointed by the~~
4 ~~interagency working group.~~

5 ~~(7) One member of an organization representing the~~
6 ~~interests of regional superintendents of schools in this~~
7 ~~State, appointed by the interagency working group.~~

8 ~~(8) One member of an organization representing the~~
9 ~~interests of parent-teacher associations in this State,~~
10 ~~appointed by the interagency working group.~~

11 ~~(9) One member of an organization representing the~~
12 ~~interests of pediatricians in this State, appointed by the~~
13 ~~interagency working group.~~

14 ~~(10) One member of an organization representing the~~
15 ~~interests of dentists in this State, appointed by the~~
16 ~~interagency working group.~~

17 ~~(11) One member of an organization representing the~~
18 ~~interests of dieticians in this State, appointed by the~~
19 ~~interagency working group.~~

20 ~~(12) One member of an organization that has an interest~~
21 ~~and expertise in heart disease, appointed by the~~
22 ~~interagency working group.~~

23 ~~(13) One member of an organization that has an interest~~
24 ~~and expertise in cancer, appointed by the interagency~~
25 ~~working group.~~

26 ~~(14) One member of an organization that has an interest~~

1 ~~and expertise in childhood obesity, appointed by the~~
2 ~~interagency working group.~~

3 ~~(15) One member of an organization that has an interest~~
4 ~~and expertise in the importance of physical education and~~
5 ~~recreation in preventing disease, appointed by the~~
6 ~~interagency working group.~~

7 ~~(16) One member of an organization that has an interest~~
8 ~~and expertise in school food service, appointed by the~~
9 ~~interagency working group.~~

10 ~~(17) One member of an organization that has an interest~~
11 ~~and expertise in school health, appointed by the~~
12 ~~interagency working group.~~

13 ~~(18) One member of an organization that campaigns for~~
14 ~~programs and policies for healthier school environments,~~
15 ~~appointed by the interagency working group.~~

16 ~~(19) One at large member with a doctorate in nutrition,~~
17 ~~appointed by the State Board of Education.~~

18 ~~Members of the taskforce shall serve without compensation.~~
19 ~~The taskforce shall meet at the call of the State Board of~~
20 ~~Education. The taskforce shall report its identification of~~
21 ~~barriers to implementing school wellness policies and its~~
22 ~~recommendations to reduce those barriers to the General~~
23 ~~Assembly and the Governor on or before January 1, 2006. The~~
24 ~~taskforce shall report its recommendations on statewide school~~
25 ~~nutrition standards to the General Assembly and the Governor on~~
26 ~~or before January 1, 2007. The taskforce shall report its~~

1 ~~evaluation of the effectiveness of school wellness policies to~~
2 ~~the General Assembly and the Governor on or before January 1,~~
3 ~~2008. The evaluation shall review a sample size of 5 to 10~~
4 ~~school districts. Reports shall be made to the General Assembly~~
5 ~~by filing copies of each report as provided in Section 3.1 of~~
6 ~~the General Assembly Organization Act. Upon the filing of the~~
7 ~~last report, the taskforce is dissolved.~~

8 (c) The State Board of Education may adopt any rules
9 necessary to implement this Section.

10 (d) Nothing in this Section may be construed as a
11 curricular mandate on any school district.

12 (Source: P.A. 94-199, eff. 7-12-05; 95-331, eff. 8-21-07.)

13 (105 ILCS 5/10-21.4) (from Ch. 122, par. 10-21.4)

14 Sec. 10-21.4. Superintendent - Duties. Except in districts
15 in which there is only one school with less than four teachers,
16 to employ a superintendent who shall have charge of the
17 administration of the schools under the direction of the board
18 of education. In addition to the administrative duties, the
19 superintendent shall make recommendations to the board
20 concerning the budget, building plans, the locations of sites,
21 the selection, retention and dismissal of teachers and all
22 other employees, the selection of textbooks, instructional
23 material and courses of study. However, in districts under a
24 Financial Oversight Panel pursuant to Section 1A-8 for
25 violating a financial plan, the duties and responsibilities of

1 the superintendent in relation to the financial and business
2 operations of the district shall be approved by the Panel. In
3 the event the Board refuses or fails to follow a directive or
4 comply with an information request of the Panel, the
5 performance of those duties shall be subject to the direction
6 of the Panel. The superintendent shall also notify the State
7 Board of Education, the board and the chief administrative
8 official, other than the alleged perpetrator himself, in the
9 school where the alleged perpetrator serves, that any person
10 who is employed in a school or otherwise comes into frequent
11 contact with children in the school has been named as a
12 perpetrator in an indicated report filed pursuant to the Abused
13 and Neglected Child Reporting Act, approved June 26, 1975, as
14 amended. The superintendent shall keep or cause to be kept the
15 records and accounts as directed and required by the board, aid
16 in making reports required by the board, and perform such other
17 duties as the board may delegate to him.

18 In addition, each year at a time designated by the State
19 Superintendent of Education ~~in January of each year~~, each
20 superintendent shall report to the State Board of Education the
21 number of high school students in the district who are enrolled
22 in accredited courses (for which high school credit will be
23 awarded upon successful completion of the courses) at any
24 community college, together with the name and number of the
25 course or courses which each such student is taking.

26 The provisions of this section shall also apply to board of

1 director districts.

2 Notice of intent not to renew a contract must be given in
3 writing stating the specific reason therefor by April 1 of the
4 contract year unless the contract specifically provides
5 otherwise. Failure to do so will automatically extend the
6 contract for an additional year. Within 10 days after receipt
7 of notice of intent not to renew a contract, the superintendent
8 may request a closed session hearing on the dismissal. At the
9 hearing the superintendent has the privilege of presenting
10 evidence, witnesses and defenses on the grounds for dismissal.
11 The provisions of this paragraph shall not apply to a district
12 under a Financial Oversight Panel pursuant to Section 1A-8 for
13 violating a financial plan.

14 (Source: P.A. 95-496, eff. 8-28-07.)

15 (105 ILCS 5/10-21.9) (from Ch. 122, par. 10-21.9)

16 Sec. 10-21.9. Criminal history records checks and checks of
17 the Statewide Sex Offender Database and Statewide Child
18 Murderer and Violent Offender Against Youth Database.

19 (a) Certified and noncertified applicants for employment
20 with a school district, except school bus driver applicants,
21 are required as a condition of employment to authorize a
22 fingerprint-based criminal history records check to determine
23 if such applicants have been convicted of any of the enumerated
24 criminal or drug offenses in subsection (c) of this Section or
25 have been convicted, within 7 years of the application for

1 employment with the school district, of any other felony under
2 the laws of this State or of any offense committed or attempted
3 in any other state or against the laws of the United States
4 that, if committed or attempted in this State, would have been
5 punishable as a felony under the laws of this State.
6 Authorization for the check shall be furnished by the applicant
7 to the school district, except that if the applicant is a
8 substitute teacher seeking employment in more than one school
9 district, a teacher seeking concurrent part-time employment
10 positions with more than one school district (as a reading
11 specialist, special education teacher or otherwise), or an
12 educational support personnel employee seeking employment
13 positions with more than one district, any such district may
14 require the applicant to furnish authorization for the check to
15 the regional superintendent of the educational service region
16 in which are located the school districts in which the
17 applicant is seeking employment as a substitute or concurrent
18 part-time teacher or concurrent educational support personnel
19 employee. Upon receipt of this authorization, the school
20 district or the appropriate regional superintendent, as the
21 case may be, shall submit the applicant's name, sex, race, date
22 of birth, social security number, fingerprint images, and other
23 identifiers, as prescribed by the Department of State Police,
24 to the Department. The regional superintendent submitting the
25 requisite information to the Department of State Police shall
26 promptly notify the school districts in which the applicant is

1 seeking employment as a substitute or concurrent part-time
2 teacher or concurrent educational support personnel employee
3 that the check of the applicant has been requested. The
4 Department of State Police and the Federal Bureau of
5 Investigation shall furnish, pursuant to a fingerprint-based
6 criminal history records check, records of convictions, until
7 expunged, to the president of the school board for the school
8 district that requested the check, or to the regional
9 superintendent who requested the check. The Department shall
10 charge the school district or the appropriate regional
11 superintendent a fee for conducting such check, which fee shall
12 be deposited in the State Police Services Fund and shall not
13 exceed the cost of the inquiry; and the applicant shall not be
14 charged a fee for such check by the school district or by the
15 regional superintendent, except that those applicants seeking
16 employment as a substitute teacher with a school district may
17 be charged a fee not to exceed the cost of the inquiry. Subject
18 to appropriations for these purposes, the State Superintendent
19 of Education shall reimburse school districts and regional
20 superintendents for fees paid to obtain criminal history
21 records checks under this Section.

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

26 (a-6) The school district or regional superintendent shall

1 further perform a check of the Statewide Child Murderer and
2 Violent Offender Against Youth Database, as authorized by the
3 Child Murderer and Violent Offender Against Youth Community
4 Notification Law, for each applicant.

5 (b) Any information concerning the record of convictions
6 obtained by the president of the school board or the regional
7 superintendent shall be confidential and may only be
8 transmitted to the superintendent of the school district or his
9 designee, the appropriate regional superintendent if the check
10 was requested by the school district, the presidents of the
11 appropriate school boards if the check was requested from the
12 Department of State Police by the regional superintendent, the
13 State Superintendent of Education, the State Teacher
14 Certification Board, any other person necessary to the decision
15 of hiring the applicant for employment, or for clarification
16 purposes the Department of State Police or Statewide Sex
17 Offender Database, or both. A copy of the record of convictions
18 obtained from the Department of State Police shall be provided
19 to the applicant for employment. Upon the check of the
20 Statewide Sex Offender Database, the school district or
21 regional superintendent shall notify an applicant as to whether
22 or not the applicant has been identified in the Database as a
23 sex offender. If a check of an applicant for employment as a
24 substitute or concurrent part-time teacher or concurrent
25 educational support personnel employee in more than one school
26 district was requested by the regional superintendent, and the

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

1 of any school district may rely on the certificate issued by
2 any regional superintendent to that substitute teacher,
3 concurrent part-time teacher, or concurrent educational
4 support personnel employee or may initiate its own criminal
5 history records check of the applicant through the Department
6 of State Police and its own check of the Statewide Sex Offender
7 Database as provided in subsection (a). Any person who releases
8 any confidential information concerning any criminal
9 convictions of an applicant for employment shall be guilty of a
10 Class A misdemeanor, unless the release of such information is
11 authorized by this Section.

12 (c) No school board shall knowingly employ a person who has
13 been convicted of any offense that would subject him or her to
14 certification suspension or revocation pursuant to Section
15 21-23a of this Code. Further, no school board shall knowingly
16 employ a person who has been found to be the perpetrator of
17 sexual or physical abuse of any minor under 18 years of age
18 pursuant to proceedings under Article II of the Juvenile Court
19 Act of 1987.

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

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

1 certificate suspension and revocation proceedings as
2 authorized by law.

3 (e-5) The superintendent of the employing school board
4 shall, in writing, notify the State Superintendent of Education
5 and the applicable regional superintendent of schools of any
6 certificate holder whom he or she has reasonable cause to
7 believe has committed an intentional act of abuse or neglect
8 with the result of making a child an abused child or a
9 neglected child, as defined in Section 3 of the Abused and
10 Neglected Child Reporting Act, and that act resulted in the
11 certificate holder's dismissal or resignation from the school
12 district. This notification must be submitted within 30 days
13 after the dismissal or resignation. The certificate holder must
14 also be contemporaneously sent a copy of the notice by the
15 superintendent. All correspondence, documentation, and other
16 information so received by the regional superintendent of
17 schools, the State Superintendent of Education, the State Board
18 of Education, or the State Teacher Certification Board under
19 this subsection (e-5) is confidential and must not be disclosed
20 to third parties, except (i) as necessary for the State
21 Superintendent of Education or his or her designee to
22 investigate and prosecute pursuant to Article 21 of this Code,
23 (ii) pursuant to a court order, (iii) for disclosure to the
24 certificate holder or his or her representative, or (iv) as
25 otherwise provided in this Article and provided that any such
26 information admitted into evidence in a hearing is exempt from

1 this confidentiality and non-disclosure requirement. Except
2 for an act of willful or wanton misconduct, any superintendent
3 who provides notification as required in this subsection (e-5)
4 shall have immunity from any liability, whether civil or
5 criminal or that otherwise might result by reason of such
6 action.

7 (f) After January 1, 1990 the provisions of this Section
8 shall apply to all employees of persons or firms holding
9 contracts with any school district including, but not limited
10 to, food service workers, school bus drivers and other
11 transportation employees, who have direct, daily contact with
12 the pupils of any school in such district. For purposes of
13 criminal history records checks and checks of the Statewide Sex
14 Offender Database on employees of persons or firms holding
15 contracts with more than one school district and assigned to
16 more than one school district, the regional superintendent of
17 the educational service region in which the contracting school
18 districts are located may, at the request of any such school
19 district, be responsible for receiving the authorization for a
20 criminal history records check prepared by each such employee
21 and submitting the same to the Department of State Police and
22 for conducting a check of the Statewide Sex Offender Database
23 and the Statewide Child Murderer and Violent Offender Against
24 Youth Database for each employee. Any information concerning
25 the record of conviction and identification as a sex offender
26 of any such employee obtained by the regional superintendent

1 shall be promptly reported to the president of the appropriate
2 school board or school boards.

3 (g) Beginning on January 1, 2012, the provisions of this
4 Section shall apply to all student teachers, as defined by
5 State Board of Education rule, assigned to public schools.
6 Student teachers must undergo a Department of State Police and
7 Federal Bureau of Investigation fingerprint-based criminal
8 history records check. Authorization to conduct the criminal
9 history records check must be furnished by the student teacher
10 to the school to which the student teacher is assigned. The
11 Department of State Police and the Federal Bureau of
12 Investigation shall furnish, pursuant to a fingerprint-based
13 criminal history records check, records of convictions, until
14 expunged, to the president of the school board for the school
15 district that requested the check. The Department of State
16 Police shall charge a fee for conducting the check, which fee
17 must be deposited into the State Police Services Fund and must
18 not exceed the cost of the inquiry. The student teacher shall
19 be required to pay all fees associated with conducting the
20 criminal history records check, as well as any other
21 application fees as established by rule including, but not
22 limited to, the fee established by the Department of State
23 Police and the Federal Bureau of Investigation to process
24 fingerprint-based criminal history records checks. Results of
25 the check must also be furnished by the school district to the
26 applicant and to the higher education institution where the

1 student teacher is enrolled. No one may begin student teaching
2 until the results of the criminal history records check have
3 been returned to the school district. ~~In order to student teach~~
4 ~~in the public schools, a person is required to authorize a~~
5 ~~fingerprint based criminal history records check and checks of~~
6 ~~the Statewide Sex Offender Database and Statewide Child~~
7 ~~Murderer and Violent Offender Against Youth Database prior to~~
8 ~~participating in any field experiences in the public schools.~~
9 ~~Authorization for and payment of the costs of the checks must~~
10 ~~be furnished by the student teacher. Results of the checks must~~
11 ~~be furnished to the higher education institution where the~~
12 ~~student teacher is enrolled and the superintendent of the~~
13 ~~school district where the student is assigned.~~

14 (Source: P.A. 95-331, eff. 8-21-07; 96-431, eff. 8-13-09;
15 96-1452, eff. 8-20-10; 96-1489, eff. 1-1-11; revised 1-4-11.)

16 (105 ILCS 5/10-22.31a) (from Ch. 122, par. 10-22.31a)

17 Sec. 10-22.31a. Joint educational programs. To enter into
18 joint agreements with other school boards or public
19 institutions of higher education to establish any type of
20 educational program which any district may establish
21 individually, to provide the needed educational facilities and
22 to employ a director and other professional workers for such
23 program. The director and other professional workers may be
24 employed by one district which shall be reimbursed on a
25 mutually agreed basis by other districts that are parties to

1 the joint agreement. Such agreements may provide that one
2 district may supply professional workers for a joint program
3 conducted in another district. Such agreement shall ~~be executed~~
4 ~~on forms provided by the State Board of Education and shall~~
5 include, but not be limited to, provisions for administration,
6 staff, programs, financing, housing, transportation and
7 advisory body and provide for the withdrawal of districts from
8 the joint agreement by petition to the regional board of school
9 trustees. Such petitions for withdrawal shall be made to the
10 regional board of school trustees of the region having
11 supervision and control over the administrative district and
12 shall be acted upon in the manner provided in Article 7 for the
13 detachment of territory from a school district.

14 To designate an administrative district to act as fiscal
15 and legal agent for the districts that are parties to such a
16 joint agreement.

17 (Source: P.A. 86-198; 86-1318.)

18 (105 ILCS 5/14C-8) (from Ch. 122, par. 14C-8)

19 Sec. 14C-8. Teacher certification - Qualifications -
20 Issuance of certificates. No person shall be eligible for
21 employment by a school district as a teacher of transitional
22 bilingual education without either (a) holding a valid teaching
23 certificate issued pursuant to Article 21 of this Code and
24 meeting such additional language and course requirements as
25 prescribed by the State Board of Education or (b) meeting the

1 requirements set forth in this Section. The Certification Board
2 shall issue certificates valid for teaching in all grades of
3 the common school in transitional bilingual education programs
4 to any person who presents it with satisfactory evidence that
5 he possesses an adequate speaking and reading ability in a
6 language other than English in which transitional bilingual
7 education is offered and communicative skills in English, and
8 possessed within 5 years previous to his or her applying for a
9 certificate under this Section a valid teaching certificate
10 issued by a foreign country, or by a State or possession or
11 territory of the United States, or other evidence of teaching
12 preparation as may be determined to be sufficient by the
13 Certification Board, or holds a degree from an institution of
14 higher learning in a foreign country which the Certification
15 Board determines to be the equivalent of a bachelor's degree
16 from a recognized institution of higher learning in the United
17 States; provided that any person seeking a certificate under
18 this Section must meet the following additional requirements:

19 (1) Such persons must be in good health;

20 (2) Such persons must be of sound moral character;

21 (3) Such persons must be legally present in the United
22 States and possess legal authorization for employment;

23 (4) Such persons must not be employed to replace any
24 presently employed teacher who otherwise would not be
25 replaced for any reason.

26 Certificates issuable pursuant to this Section shall be

1 issuable only during the 5 years immediately following the
2 effective date of this Act and thereafter for additional
3 periods of one year only upon a determination by the State
4 Board of Education that a school district lacks the number of
5 teachers necessary to comply with the mandatory requirements of
6 Section 14C-3 of this Article for the establishment and
7 maintenance of programs of transitional bilingual education
8 and said certificates issued by the Certification Board shall
9 be valid for a period of 6 years following their date of
10 issuance and shall not be renewed, except that one renewal for
11 a period of two years may be granted if necessary to permit the
12 holder of a certificate issued under this Section to acquire a
13 teaching certificate pursuant to Article 21 of this Code. Such
14 certificates and the persons to whom they are issued shall be
15 exempt from the provisions of Article 21 of this Code except
16 that Sections 21-12, 21-13, 21-16, 21-17, 21-21, 21-22, 21-23
17 and 21-24 shall continue to be applicable to all such
18 certificates.

19 ~~After the effective date of this amendatory Act of 1984, an~~
20 ~~additional renewal for a period to expire August 31, 1985, may~~
21 ~~be granted. The State Board of Education shall report to the~~
22 ~~General Assembly on or before January 31, 1985 its~~
23 ~~recommendations for the qualification of teachers of bilingual~~
24 ~~education and for the qualification of teachers of English as a~~
25 ~~second language. Said qualification program shall take effect~~
26 ~~no later than August 31, 1985.~~

1 Beginning July 1, 2001, the State Board of Education shall
2 implement a test or tests to assess the speaking, reading,
3 writing, and grammar skills of applicants for a certificate
4 issued under this Section in the English language and in the
5 language of the transitional bilingual education program
6 requested by the applicant and shall establish appropriate fees
7 for these tests. The State Board of Education, in consultation
8 with the Certification Board, shall promulgate rules to
9 implement the required tests, including specific provisions to
10 govern test selection, test validation, determination of a
11 passing score, administration of the test or tests, frequency
12 of administration, applicant fees, identification requirements
13 for test takers, frequency of applicants taking the tests, the
14 years for which a score is valid, waiving tests for individuals
15 who have satisfactorily passed other tests, and the
16 consequences of dishonest conduct in the application for or
17 taking of the tests.

18 If the qualifications of an applicant for a certificate
19 valid for teaching in transitional bilingual education
20 programs in all grades of the common schools do not meet the
21 requirements established for the issuance of that certificate,
22 the Certification Board nevertheless shall issue the applicant
23 a substitute teacher's certificate under Section 21-9 whenever
24 it appears from the face of the application submitted for
25 certification as a teacher of transitional bilingual education
26 and the evidence presented in support thereof that the

1 applicant's qualifications meet the requirements established
2 for the issuance of a certificate under Section 21-9; provided,
3 that if it does not appear from the face of such application
4 and supporting evidence that the applicant is qualified for
5 issuance of a certificate under Section 21-9 the Certification
6 Board shall evaluate the application with reference to the
7 requirements for issuance of certificates under Section 21-9
8 and shall inform the applicant, at the time it denies the
9 application submitted for certification as a teacher of
10 transitional bilingual education, of the additional
11 qualifications which the applicant must possess in order to
12 meet the requirements established for issuance of (i) a
13 certificate valid for teaching in transitional bilingual
14 education programs in all grades of the common schools and (ii)
15 a substitute teacher's certificate under Section 21-9.

16 (Source: P.A. 94-1105, eff. 6-1-07; 95-496, eff. 8-28-07;
17 95-876, eff. 8-21-08.)

18 (105 ILCS 5/18-6) (from Ch. 122, par. 18-6)

19 Sec. 18-6. Supervisory expenses. The State Board of
20 Education shall annually request an appropriation ~~from the~~
21 ~~common school fund~~ for regional office of education expenses,
22 aggregating \$1,000 per county per year for each educational
23 service region. The State Board of Education shall present
24 vouchers to the Comptroller as soon as may be after the first
25 day of August each year for each regional office of education.

1 Each regional office of education may draw upon these funds
2 ~~this fund~~ for the expenses necessarily incurred in providing
3 for supervisory services in the region.

4 (Source: P.A. 88-9; 89-397, eff. 8-20-95.)

5 (105 ILCS 5/18-8.05)

6 Sec. 18-8.05. Basis for apportionment of general State
7 financial aid and supplemental general State aid to the common
8 schools for the 1998-1999 and subsequent school years.

9 (A) General Provisions.

10 (1) The provisions of this Section apply to the 1998-1999
11 and subsequent school years. The system of general State
12 financial aid provided for in this Section is designed to
13 assure that, through a combination of State financial aid and
14 required local resources, the financial support provided each
15 pupil in Average Daily Attendance equals or exceeds a
16 prescribed per pupil Foundation Level. This formula approach
17 imputes a level of per pupil Available Local Resources and
18 provides for the basis to calculate a per pupil level of
19 general State financial aid that, when added to Available Local
20 Resources, equals or exceeds the Foundation Level. The amount
21 of per pupil general State financial aid for school districts,
22 in general, varies in inverse relation to Available Local
23 Resources. Per pupil amounts are based upon each school
24 district's Average Daily Attendance as that term is defined in

1 this Section.

2 (2) In addition to general State financial aid, school
3 districts with specified levels or concentrations of pupils
4 from low income households are eligible to receive supplemental
5 general State financial aid grants as provided pursuant to
6 subsection (H). The supplemental State aid grants provided for
7 school districts under subsection (H) shall be appropriated for
8 distribution to school districts as part of the same line item
9 in which the general State financial aid of school districts is
10 appropriated under this Section.

11 (3) To receive financial assistance under this Section,
12 school districts are required to file claims with the State
13 Board of Education, subject to the following requirements:

14 (a) Any school district which fails for any given
15 school year to maintain school as required by law, or to
16 maintain a recognized school is not eligible to file for
17 such school year any claim upon the Common School Fund. In
18 case of nonrecognition of one or more attendance centers in
19 a school district otherwise operating recognized schools,
20 the claim of the district shall be reduced in the
21 proportion which the Average Daily Attendance in the
22 attendance center or centers bear to the Average Daily
23 Attendance in the school district. A "recognized school"
24 means any public school which meets the standards as
25 established for recognition by the State Board of
26 Education. A school district or attendance center not

1 having recognition status at the end of a school term is
2 entitled to receive State aid payments due upon a legal
3 claim which was filed while it was recognized.

4 (b) School district claims filed under this Section are
5 subject to Sections 18-9 and 18-12, except as otherwise
6 provided in this Section.

7 (c) If a school district operates a full year school
8 under Section 10-19.1, the general State aid to the school
9 district shall be determined by the State Board of
10 Education in accordance with this Section as near as may be
11 applicable.

12 (d) (Blank).

13 (4) Except as provided in subsections (H) and (L), the
14 board of any district receiving any of the grants provided for
15 in this Section may apply those funds to any fund so received
16 for which that board is authorized to make expenditures by law.

17 School districts are not required to exert a minimum
18 Operating Tax Rate in order to qualify for assistance under
19 this Section.

20 (5) As used in this Section the following terms, when
21 capitalized, shall have the meaning ascribed herein:

22 (a) "Average Daily Attendance": A count of pupil
23 attendance in school, averaged as provided for in
24 subsection (C) and utilized in deriving per pupil financial
25 support levels.

26 (b) "Available Local Resources": A computation of

1 local financial support, calculated on the basis of Average
2 Daily Attendance and derived as provided pursuant to
3 subsection (D).

4 (c) "Corporate Personal Property Replacement Taxes":
5 Funds paid to local school districts pursuant to "An Act in
6 relation to the abolition of ad valorem personal property
7 tax and the replacement of revenues lost thereby, and
8 amending and repealing certain Acts and parts of Acts in
9 connection therewith", certified August 14, 1979, as
10 amended (Public Act 81-1st S.S.-1).

11 (d) "Foundation Level": A prescribed level of per pupil
12 financial support as provided for in subsection (B).

13 (e) "Operating Tax Rate": All school district property
14 taxes extended for all purposes, except Bond and Interest,
15 Summer School, Rent, Capital Improvement, and Vocational
16 Education Building purposes.

17 (B) Foundation Level.

18 (1) The Foundation Level is a figure established by the
19 State representing the minimum level of per pupil financial
20 support that should be available to provide for the basic
21 education of each pupil in Average Daily Attendance. As set
22 forth in this Section, each school district is assumed to exert
23 a sufficient local taxing effort such that, in combination with
24 the aggregate of general State financial aid provided the
25 district, an aggregate of State and local resources are

1 available to meet the basic education needs of pupils in the
2 district.

3 (2) For the 1998-1999 school year, the Foundation Level of
4 support is \$4,225. For the 1999-2000 school year, the
5 Foundation Level of support is \$4,325. For the 2000-2001 school
6 year, the Foundation Level of support is \$4,425. For the
7 2001-2002 school year and 2002-2003 school year, the Foundation
8 Level of support is \$4,560. For the 2003-2004 school year, the
9 Foundation Level of support is \$4,810. For the 2004-2005 school
10 year, the Foundation Level of support is \$4,964. For the
11 2005-2006 school year, the Foundation Level of support is
12 \$5,164. For the 2006-2007 school year, the Foundation Level of
13 support is \$5,334. For the 2007-2008 school year, the
14 Foundation Level of support is \$5,734. For the 2008-2009 school
15 year, the Foundation Level of support is \$5,959.

16 (3) For the 2009-2010 school year and each school year
17 thereafter, the Foundation Level of support is \$6,119 or such
18 greater amount as may be established by law by the General
19 Assembly.

20 (C) Average Daily Attendance.

21 (1) For purposes of calculating general State aid pursuant
22 to subsection (E), an Average Daily Attendance figure shall be
23 utilized. The Average Daily Attendance figure for formula
24 calculation purposes shall be the monthly average of the actual
25 number of pupils in attendance of each school district, as

1 further averaged for the best 3 months of pupil attendance for
2 each school district. In compiling the figures for the number
3 of pupils in attendance, school districts and the State Board
4 of Education shall, for purposes of general State aid funding,
5 conform attendance figures to the requirements of subsection
6 (F).

7 (2) The Average Daily Attendance figures utilized in
8 subsection (E) shall be the requisite attendance data for the
9 school year immediately preceding the school year for which
10 general State aid is being calculated or the average of the
11 attendance data for the 3 preceding school years, whichever is
12 greater. The Average Daily Attendance figures utilized in
13 subsection (H) shall be the requisite attendance data for the
14 school year immediately preceding the school year for which
15 general State aid is being calculated.

16 (D) Available Local Resources.

17 (1) For purposes of calculating general State aid pursuant
18 to subsection (E), a representation of Available Local
19 Resources per pupil, as that term is defined and determined in
20 this subsection, shall be utilized. Available Local Resources
21 per pupil shall include a calculated dollar amount representing
22 local school district revenues from local property taxes and
23 from Corporate Personal Property Replacement Taxes, expressed
24 on the basis of pupils in Average Daily Attendance. Calculation
25 of Available Local Resources shall exclude any tax amnesty

1 funds received as a result of Public Act 93-26.

2 (2) In determining a school district's revenue from local
3 property taxes, the State Board of Education shall utilize the
4 equalized assessed valuation of all taxable property of each
5 school district as of September 30 of the previous year. The
6 equalized assessed valuation utilized shall be obtained and
7 determined as provided in subsection (G).

8 (3) For school districts maintaining grades kindergarten
9 through 12, local property tax revenues per pupil shall be
10 calculated as the product of the applicable equalized assessed
11 valuation for the district multiplied by 3.00%, and divided by
12 the district's Average Daily Attendance figure. For school
13 districts maintaining grades kindergarten through 8, local
14 property tax revenues per pupil shall be calculated as the
15 product of the applicable equalized assessed valuation for the
16 district multiplied by 2.30%, and divided by the district's
17 Average Daily Attendance figure. For school districts
18 maintaining grades 9 through 12, local property tax revenues
19 per pupil shall be the applicable equalized assessed valuation
20 of the district multiplied by 1.05%, and divided by the
21 district's Average Daily Attendance figure.

22 For partial elementary unit districts created pursuant to
23 Article 11E of this Code, local property tax revenues per pupil
24 shall be calculated as the product of the equalized assessed
25 valuation for property within the partial elementary unit
26 district for elementary purposes, as defined in Article 11E of

1 this Code, multiplied by 2.06% and divided by the district's
2 Average Daily Attendance figure, plus the product of the
3 equalized assessed valuation for property within the partial
4 elementary unit district for high school purposes, as defined
5 in Article 11E of this Code, multiplied by 0.94% and divided by
6 the district's Average Daily Attendance figure.

7 (4) The Corporate Personal Property Replacement Taxes paid
8 to each school district during the calendar year one year
9 before the calendar year in which a school year begins, divided
10 by the Average Daily Attendance figure for that district, shall
11 be added to the local property tax revenues per pupil as
12 derived by the application of the immediately preceding
13 paragraph (3). The sum of these per pupil figures for each
14 school district shall constitute Available Local Resources as
15 that term is utilized in subsection (E) in the calculation of
16 general State aid.

17 (E) Computation of General State Aid.

18 (1) For each school year, the amount of general State aid
19 allotted to a school district shall be computed by the State
20 Board of Education as provided in this subsection.

21 (2) For any school district for which Available Local
22 Resources per pupil is less than the product of 0.93 times the
23 Foundation Level, general State aid for that district shall be
24 calculated as an amount equal to the Foundation Level minus
25 Available Local Resources, multiplied by the Average Daily

1 Attendance of the school district.

2 (3) For any school district for which Available Local
3 Resources per pupil is equal to or greater than the product of
4 0.93 times the Foundation Level and less than the product of
5 1.75 times the Foundation Level, the general State aid per
6 pupil shall be a decimal proportion of the Foundation Level
7 derived using a linear algorithm. Under this linear algorithm,
8 the calculated general State aid per pupil shall decline in
9 direct linear fashion from 0.07 times the Foundation Level for
10 a school district with Available Local Resources equal to the
11 product of 0.93 times the Foundation Level, to 0.05 times the
12 Foundation Level for a school district with Available Local
13 Resources equal to the product of 1.75 times the Foundation
14 Level. The allocation of general State aid for school districts
15 subject to this paragraph 3 shall be the calculated general
16 State aid per pupil figure multiplied by the Average Daily
17 Attendance of the school district.

18 (4) For any school district for which Available Local
19 Resources per pupil equals or exceeds the product of 1.75 times
20 the Foundation Level, the general State aid for the school
21 district shall be calculated as the product of \$218 multiplied
22 by the Average Daily Attendance of the school district.

23 (5) The amount of general State aid allocated to a school
24 district for the 1999-2000 school year meeting the requirements
25 set forth in paragraph (4) of subsection (G) shall be increased
26 by an amount equal to the general State aid that would have

1 been received by the district for the 1998-1999 school year by
2 utilizing the Extension Limitation Equalized Assessed
3 Valuation as calculated in paragraph (4) of subsection (G) less
4 the general State aid allotted for the 1998-1999 school year.
5 This amount shall be deemed a one time increase, and shall not
6 affect any future general State aid allocations.

7 (F) Compilation of Average Daily Attendance.

8 (1) Each school district shall, by July 1 of each year,
9 submit to the State Board of Education, on forms prescribed by
10 the State Board of Education, attendance figures for the school
11 year that began in the preceding calendar year. The attendance
12 information so transmitted shall identify the average daily
13 attendance figures for each month of the school year. Beginning
14 with the general State aid claim form for the 2002-2003 school
15 year, districts shall calculate Average Daily Attendance as
16 provided in subdivisions (a), (b), and (c) of this paragraph
17 (1).

18 (a) In districts that do not hold year-round classes,
19 days of attendance in August shall be added to the month of
20 September and any days of attendance in June shall be added
21 to the month of May.

22 (b) In districts in which all buildings hold year-round
23 classes, days of attendance in July and August shall be
24 added to the month of September and any days of attendance
25 in June shall be added to the month of May.

1 (c) In districts in which some buildings, but not all,
2 hold year-round classes, for the non-year-round buildings,
3 days of attendance in August shall be added to the month of
4 September and any days of attendance in June shall be added
5 to the month of May. The average daily attendance for the
6 year-round buildings shall be computed as provided in
7 subdivision (b) of this paragraph (1). To calculate the
8 Average Daily Attendance for the district, the average
9 daily attendance for the year-round buildings shall be
10 multiplied by the days in session for the non-year-round
11 buildings for each month and added to the monthly
12 attendance of the non-year-round buildings.

13 Except as otherwise provided in this Section, days of
14 attendance by pupils shall be counted only for sessions of not
15 less than 5 clock hours of school work per day under direct
16 supervision of: (i) teachers, or (ii) non-teaching personnel or
17 volunteer personnel when engaging in non-teaching duties and
18 supervising in those instances specified in subsection (a) of
19 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
20 of legal school age and in kindergarten and grades 1 through
21 12.

22 Days of attendance by tuition pupils shall be accredited
23 only to the districts that pay the tuition to a recognized
24 school.

25 (2) Days of attendance by pupils of less than 5 clock hours
26 of school shall be subject to the following provisions in the

1 compilation of Average Daily Attendance.

2 (a) Pupils regularly enrolled in a public school for
3 only a part of the school day may be counted on the basis
4 of 1/6 day for every class hour of instruction of 40
5 minutes or more attended pursuant to such enrollment,
6 unless a pupil is enrolled in a block-schedule format of 80
7 minutes or more of instruction, in which case the pupil may
8 be counted on the basis of the proportion of minutes of
9 school work completed each day to the minimum number of
10 minutes that school work is required to be held that day.

11 (b) Days of attendance may be less than 5 clock hours
12 on the opening and closing of the school term, and upon the
13 first day of pupil attendance, if preceded by a day or days
14 utilized as an institute or teachers' workshop.

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

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

1 or, in lieu of 4 such days, 2 full days may be used, in
2 which event each such day may be counted as a day required
3 for a legal school calendar pursuant to Section 10-19 of
4 this Code; (1.5) when, of the 5 days allowed under item
5 (1), a maximum of 4 days are used for parent-teacher
6 conferences, or, in lieu of 4 such days, 2 full days are
7 used, in which case each such day may be counted as a
8 calendar day required under Section 10-19 of this Code,
9 provided that the full-day, parent-teacher conference
10 consists of (i) a minimum of 5 clock hours of
11 parent-teacher conferences, (ii) both a minimum of 2 clock
12 hours of parent-teacher conferences held in the evening
13 following a full day of student attendance, as specified in
14 subsection (F)(1)(c), and a minimum of 3 clock hours of
15 parent-teacher conferences held on the day immediately
16 following evening parent-teacher conferences, or (iii)
17 multiple parent-teacher conferences held in the evenings
18 following full days of student attendance, as specified in
19 subsection (F)(1)(c), in which the time used for the
20 parent-teacher conferences is equivalent to a minimum of 5
21 clock hours; and (2) when days in addition to those
22 provided in items (1) and (1.5) are scheduled by a school
23 pursuant to its school improvement plan adopted under
24 Article 34 or its revised or amended school improvement
25 plan adopted under Article 2, provided that (i) such
26 sessions of 3 or more clock hours are scheduled to occur at

1 regular intervals, (ii) the remainder of the school days in
2 which such sessions occur are utilized for in-service
3 training programs or other staff development activities
4 for teachers, and (iii) a sufficient number of minutes of
5 school work under the direct supervision of teachers are
6 added to the school days between such regularly scheduled
7 sessions to accumulate not less than the number of minutes
8 by which such sessions of 3 or more clock hours fall short
9 of 5 clock hours. Any full days used for the purposes of
10 this paragraph shall not be considered for computing
11 average daily attendance. Days scheduled for in-service
12 training programs, staff development activities, or
13 parent-teacher conferences may be scheduled separately for
14 different grade levels and different attendance centers of
15 the district.

16 (e) A session of not less than one clock hour of
17 teaching hospitalized or homebound pupils on-site or by
18 telephone to the classroom may be counted as 1/2 day of
19 attendance, however these pupils must receive 4 or more
20 clock hours of instruction to be counted for a full day of
21 attendance.

22 (f) A session of at least 4 clock hours may be counted
23 as a day of attendance for first grade pupils, and pupils
24 in full day kindergartens, and a session of 2 or more hours
25 may be counted as 1/2 day of attendance by pupils in
26 kindergartens which provide only 1/2 day of attendance.

1 (g) For children with disabilities who are below the
2 age of 6 years and who cannot attend 2 or more clock hours
3 because of their disability or immaturity, a session of not
4 less than one clock hour may be counted as 1/2 day of
5 attendance; however for such children whose educational
6 needs so require a session of 4 or more clock hours may be
7 counted as a full day of attendance.

8 (h) A recognized kindergarten which provides for only
9 1/2 day of attendance by each pupil shall not have more
10 than 1/2 day of attendance counted in any one day. However,
11 kindergartens may count 2 1/2 days of attendance in any 5
12 consecutive school days. When a pupil attends such a
13 kindergarten for 2 half days on any one school day, the
14 pupil shall have the following day as a day absent from
15 school, unless the school district obtains permission in
16 writing from the State Superintendent of Education.
17 Attendance at kindergartens which provide for a full day of
18 attendance by each pupil shall be counted the same as
19 attendance by first grade pupils. Only the first year of
20 attendance in one kindergarten shall be counted, except in
21 case of children who entered the kindergarten in their
22 fifth year whose educational development requires a second
23 year of kindergarten as determined under the rules and
24 regulations of the State Board of Education.

25 (i) On the days when the Prairie State Achievement
26 Examination is administered under subsection (c) of

1 Section 2-3.64 of this Code, the day of attendance for a
2 pupil whose school day must be shortened to accommodate
3 required testing procedures may be less than 5 clock hours
4 and shall be counted towards the 176 days of actual pupil
5 attendance required under Section 10-19 of this Code,
6 provided that a sufficient number of minutes of school work
7 in excess of 5 clock hours are first completed on other
8 school days to compensate for the loss of school work on
9 the examination days.

10 (G) Equalized Assessed Valuation Data.

11 (1) For purposes of the calculation of Available Local
12 Resources required pursuant to subsection (D), the State Board
13 of Education shall secure from the Department of Revenue the
14 value as equalized or assessed by the Department of Revenue of
15 all taxable property of every school district, together with
16 (i) the applicable tax rate used in extending taxes for the
17 funds of the district as of September 30 of the previous year
18 and (ii) the limiting rate for all school districts subject to
19 property tax extension limitations as imposed under the
20 Property Tax Extension Limitation Law.

21 The Department of Revenue shall add to the equalized
22 assessed value of all taxable property of each school district
23 situated entirely or partially within a county that is or was
24 subject to the provisions of Section 15-176 or 15-177 of the
25 Property Tax Code (a) an amount equal to the total amount by

1 which the homestead exemption allowed under Section 15-176 or
2 15-177 of the Property Tax Code for real property situated in
3 that school district exceeds the total amount that would have
4 been allowed in that school district if the maximum reduction
5 under Section 15-176 was (i) \$4,500 in Cook County or \$3,500 in
6 all other counties in tax year 2003 or (ii) \$5,000 in all
7 counties in tax year 2004 and thereafter and (b) an amount
8 equal to the aggregate amount for the taxable year of all
9 additional exemptions under Section 15-175 of the Property Tax
10 Code for owners with a household income of \$30,000 or less. The
11 county clerk of any county that is or was subject to the
12 provisions of Section 15-176 or 15-177 of the Property Tax Code
13 shall annually calculate and certify to the Department of
14 Revenue for each school district all homestead exemption
15 amounts under Section 15-176 or 15-177 of the Property Tax Code
16 and all amounts of additional exemptions under Section 15-175
17 of the Property Tax Code for owners with a household income of
18 \$30,000 or less. It is the intent of this paragraph that if the
19 general homestead exemption for a parcel of property is
20 determined under Section 15-176 or 15-177 of the Property Tax
21 Code rather than Section 15-175, then the calculation of
22 Available Local Resources shall not be affected by the
23 difference, if any, between the amount of the general homestead
24 exemption allowed for that parcel of property under Section
25 15-176 or 15-177 of the Property Tax Code and the amount that
26 would have been allowed had the general homestead exemption for

1 that parcel of property been determined under Section 15-175 of
2 the Property Tax Code. It is further the intent of this
3 paragraph that if additional exemptions are allowed under
4 Section 15-175 of the Property Tax Code for owners with a
5 household income of less than \$30,000, then the calculation of
6 Available Local Resources shall not be affected by the
7 difference, if any, because of those additional exemptions.

8 This equalized assessed valuation, as adjusted further by
9 the requirements of this subsection, shall be utilized in the
10 calculation of Available Local Resources.

11 (2) The equalized assessed valuation in paragraph (1) shall
12 be adjusted, as applicable, in the following manner:

13 (a) For the purposes of calculating State aid under
14 this Section, with respect to any part of a school district
15 within a redevelopment project area in respect to which a
16 municipality has adopted tax increment allocation
17 financing pursuant to the Tax Increment Allocation
18 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11
19 of the Illinois Municipal Code or the Industrial Jobs
20 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the
21 Illinois Municipal Code, no part of the current equalized
22 assessed valuation of real property located in any such
23 project area which is attributable to an increase above the
24 total initial equalized assessed valuation of such
25 property shall be used as part of the equalized assessed
26 valuation of the district, until such time as all

1 redevelopment project costs have been paid, as provided in
2 Section 11-74.4-8 of the Tax Increment Allocation
3 Redevelopment Act or in Section 11-74.6-35 of the
4 Industrial Jobs Recovery Law. For the purpose of the
5 equalized assessed valuation of the district, the total
6 initial equalized assessed valuation or the current
7 equalized assessed valuation, whichever is lower, shall be
8 used until such time as all redevelopment project costs
9 have been paid.

10 (b) The real property equalized assessed valuation for
11 a school district shall be adjusted by subtracting from the
12 real property value as equalized or assessed by the
13 Department of Revenue for the district an amount computed
14 by dividing the amount of any abatement of taxes under
15 Section 18-170 of the Property Tax Code by 3.00% for a
16 district maintaining grades kindergarten through 12, by
17 2.30% for a district maintaining grades kindergarten
18 through 8, or by 1.05% for a district maintaining grades 9
19 through 12 and adjusted by an amount computed by dividing
20 the amount of any abatement of taxes under subsection (a)
21 of Section 18-165 of the Property Tax Code by the same
22 percentage rates for district type as specified in this
23 subparagraph (b).

24 (3) For the 1999-2000 school year and each school year
25 thereafter, if a school district meets all of the criteria of
26 this subsection (G) (3), the school district's Available Local

1 Resources shall be calculated under subsection (D) using the
2 district's Extension Limitation Equalized Assessed Valuation
3 as calculated under this subsection (G) (3).

4 For purposes of this subsection (G) (3) the following terms
5 shall have the following meanings:

6 "Budget Year": The school year for which general State
7 aid is calculated and awarded under subsection (E).

8 "Base Tax Year": The property tax levy year used to
9 calculate the Budget Year allocation of general State aid.

10 "Preceding Tax Year": The property tax levy year
11 immediately preceding the Base Tax Year.

12 "Base Tax Year's Tax Extension": The product of the
13 equalized assessed valuation utilized by the County Clerk
14 in the Base Tax Year multiplied by the limiting rate as
15 calculated by the County Clerk and defined in the Property
16 Tax Extension Limitation Law.

17 "Preceding Tax Year's Tax Extension": The product of
18 the equalized assessed valuation utilized by the County
19 Clerk in the Preceding Tax Year multiplied by the Operating
20 Tax Rate as defined in subsection (A).

21 "Extension Limitation Ratio": A numerical ratio,
22 certified by the County Clerk, in which the numerator is
23 the Base Tax Year's Tax Extension and the denominator is
24 the Preceding Tax Year's Tax Extension.

25 "Operating Tax Rate": The operating tax rate as defined
26 in subsection (A).

1 If a school district is subject to property tax extension
2 limitations as imposed under the Property Tax Extension
3 Limitation Law, the State Board of Education shall calculate
4 the Extension Limitation Equalized Assessed Valuation of that
5 district. For the 1999-2000 school year, the Extension
6 Limitation Equalized Assessed Valuation of a school district as
7 calculated by the State Board of Education shall be equal to
8 the product of the district's 1996 Equalized Assessed Valuation
9 and the district's Extension Limitation Ratio. Except as
10 otherwise provided in this paragraph for a school district that
11 has approved or does approve an increase in its limiting rate,
12 for the 2000-2001 school year and each school year thereafter,
13 the Extension Limitation Equalized Assessed Valuation of a
14 school district as calculated by the State Board of Education
15 shall be equal to the product of the Equalized Assessed
16 Valuation last used in the calculation of general State aid and
17 the district's Extension Limitation Ratio. If the Extension
18 Limitation Equalized Assessed Valuation of a school district as
19 calculated under this subsection (G)(3) is less than the
20 district's equalized assessed valuation as calculated pursuant
21 to subsections (G)(1) and (G)(2), then for purposes of
22 calculating the district's general State aid for the Budget
23 Year pursuant to subsection (E), that Extension Limitation
24 Equalized Assessed Valuation shall be utilized to calculate the
25 district's Available Local Resources under subsection (D). For
26 the 2009-2010 school year and each school year thereafter, if a

1 school district has approved or does approve an increase in its
2 limiting rate, pursuant to Section 18-190 of the Property Tax
3 Code, affecting the Base Tax Year, the Extension Limitation
4 Equalized Assessed Valuation of the school district, as
5 calculated by the State Board of Education, shall be equal to
6 the product of the Equalized Assessed Valuation last used in
7 the calculation of general State aid times an amount equal to
8 one plus the percentage increase, if any, in the Consumer Price
9 Index for all Urban Consumers for all items published by the
10 United States Department of Labor for the 12-month calendar
11 year preceding the Base Tax Year, plus the Equalized Assessed
12 Valuation of new property, annexed property, and recovered tax
13 increment value and minus the Equalized Assessed Valuation of
14 disconnected property. New property and recovered tax
15 increment value shall have the meanings set forth in the
16 Property Tax Extension Limitation Law.

17 Partial elementary unit districts created in accordance
18 with Article 11E of this Code shall not be eligible for the
19 adjustment in this subsection (G)(3) until the fifth year
20 following the effective date of the reorganization.

21 (3.5) For the 2010-2011 school year and each school year
22 thereafter, if a school district's boundaries span multiple
23 counties, then the Department of Revenue shall send to the
24 State Board of Education, for the purpose of calculating
25 general State aid, the limiting rate and individual rates by
26 purpose for the county that contains the majority of the school

1 district's Equalized Assessed Valuation.

2 (4) For the purposes of calculating general State aid for
3 the 1999-2000 school year only, if a school district
4 experienced a triennial reassessment on the equalized assessed
5 valuation used in calculating its general State financial aid
6 apportionment for the 1998-1999 school year, the State Board of
7 Education shall calculate the Extension Limitation Equalized
8 Assessed Valuation that would have been used to calculate the
9 district's 1998-1999 general State aid. This amount shall equal
10 the product of the equalized assessed valuation used to
11 calculate general State aid for the 1997-1998 school year and
12 the district's Extension Limitation Ratio. If the Extension
13 Limitation Equalized Assessed Valuation of the school district
14 as calculated under this paragraph (4) is less than the
15 district's equalized assessed valuation utilized in
16 calculating the district's 1998-1999 general State aid
17 allocation, then for purposes of calculating the district's
18 general State aid pursuant to paragraph (5) of subsection (E),
19 that Extension Limitation Equalized Assessed Valuation shall
20 be utilized to calculate the district's Available Local
21 Resources.

22 (5) For school districts having a majority of their
23 equalized assessed valuation in any county except Cook, DuPage,
24 Kane, Lake, McHenry, or Will, if the amount of general State
25 aid allocated to the school district for the 1999-2000 school
26 year under the provisions of subsection (E), (H), and (J) of

1 this Section is less than the amount of general State aid
2 allocated to the district for the 1998-1999 school year under
3 these subsections, then the general State aid of the district
4 for the 1999-2000 school year only shall be increased by the
5 difference between these amounts. The total payments made under
6 this paragraph (5) shall not exceed \$14,000,000. Claims shall
7 be prorated if they exceed \$14,000,000.

8 (H) Supplemental General State Aid.

9 (1) In addition to the general State aid a school district
10 is allotted pursuant to subsection (E), qualifying school
11 districts shall receive a grant, paid in conjunction with a
12 district's payments of general State aid, for supplemental
13 general State aid based upon the concentration level of
14 children from low-income households within the school
15 district. Supplemental State aid grants provided for school
16 districts under this subsection shall be appropriated for
17 distribution to school districts as part of the same line item
18 in which the general State financial aid of school districts is
19 appropriated under this Section.

20 (1.5) This paragraph (1.5) applies only to those school
21 years preceding the 2003-2004 school year. For purposes of this
22 subsection (H), the term "Low-Income Concentration Level"
23 shall be the low-income eligible pupil count from the most
24 recently available federal census divided by the Average Daily
25 Attendance of the school district. If, however, (i) the

1 percentage decrease from the 2 most recent federal censuses in
2 the low-income eligible pupil count of a high school district
3 with fewer than 400 students exceeds by 75% or more the
4 percentage change in the total low-income eligible pupil count
5 of contiguous elementary school districts, whose boundaries
6 are coterminous with the high school district, or (ii) a high
7 school district within 2 counties and serving 5 elementary
8 school districts, whose boundaries are coterminous with the
9 high school district, has a percentage decrease from the 2 most
10 recent federal censuses in the low-income eligible pupil count
11 and there is a percentage increase in the total low-income
12 eligible pupil count of a majority of the elementary school
13 districts in excess of 50% from the 2 most recent federal
14 censuses, then the high school district's low-income eligible
15 pupil count from the earlier federal census shall be the number
16 used as the low-income eligible pupil count for the high school
17 district, for purposes of this subsection (H). The changes made
18 to this paragraph (1) by Public Act 92-28 shall apply to
19 supplemental general State aid grants for school years
20 preceding the 2003-2004 school year that are paid in fiscal
21 year 1999 or thereafter and to any State aid payments made in
22 fiscal year 1994 through fiscal year 1998 pursuant to
23 subsection 1(n) of Section 18-8 of this Code (which was
24 repealed on July 1, 1998), and any high school district that is
25 affected by Public Act 92-28 is entitled to a recomputation of
26 its supplemental general State aid grant or State aid paid in

1 any of those fiscal years. This recomputation shall not be
2 affected by any other funding.

3 (1.10) This paragraph (1.10) applies to the 2003-2004
4 school year and each school year thereafter. For purposes of
5 this subsection (H), the term "Low-Income Concentration Level"
6 shall, for each fiscal year, be the low-income eligible pupil
7 count as of July 1 of the immediately preceding fiscal year (as
8 determined by the Department of Human Services based on the
9 number of pupils who are eligible for at least one of the
10 following low income programs: Medicaid, the Children's Health
11 Insurance Program, TANF, or Food Stamps, excluding pupils who
12 are eligible for services provided by the Department of
13 Children and Family Services, averaged over the 2 immediately
14 preceding fiscal years for fiscal year 2004 and over the 3
15 immediately preceding fiscal years for each fiscal year
16 thereafter) divided by the Average Daily Attendance of the
17 school district.

18 (2) Supplemental general State aid pursuant to this
19 subsection (H) shall be provided as follows for the 1998-1999,
20 1999-2000, and 2000-2001 school years only:

21 (a) For any school district with a Low Income
22 Concentration Level of at least 20% and less than 35%, the
23 grant for any school year shall be \$800 multiplied by the
24 low income eligible pupil count.

25 (b) For any school district with a Low Income
26 Concentration Level of at least 35% and less than 50%, the

1 grant for the 1998-1999 school year shall be \$1,100
2 multiplied by the low income eligible pupil count.

3 (c) For any school district with a Low Income
4 Concentration Level of at least 50% and less than 60%, the
5 grant for the 1998-99 school year shall be \$1,500
6 multiplied by the low income eligible pupil count.

7 (d) For any school district with a Low Income
8 Concentration Level of 60% or more, the grant for the
9 1998-99 school year shall be \$1,900 multiplied by the low
10 income eligible pupil count.

11 (e) For the 1999-2000 school year, the per pupil amount
12 specified in subparagraphs (b), (c), and (d) immediately
13 above shall be increased to \$1,243, \$1,600, and \$2,000,
14 respectively.

15 (f) For the 2000-2001 school year, the per pupil
16 amounts specified in subparagraphs (b), (c), and (d)
17 immediately above shall be \$1,273, \$1,640, and \$2,050,
18 respectively.

19 (2.5) Supplemental general State aid pursuant to this
20 subsection (H) shall be provided as follows for the 2002-2003
21 school year:

22 (a) For any school district with a Low Income
23 Concentration Level of less than 10%, the grant for each
24 school year shall be \$355 multiplied by the low income
25 eligible pupil count.

26 (b) For any school district with a Low Income

1 Concentration Level of at least 10% and less than 20%, the
2 grant for each school year shall be \$675 multiplied by the
3 low income eligible pupil count.

4 (c) For any school district with a Low Income
5 Concentration Level of at least 20% and less than 35%, the
6 grant for each school year shall be \$1,330 multiplied by
7 the low income eligible pupil count.

8 (d) For any school district with a Low Income
9 Concentration Level of at least 35% and less than 50%, the
10 grant for each school year shall be \$1,362 multiplied by
11 the low income eligible pupil count.

12 (e) For any school district with a Low Income
13 Concentration Level of at least 50% and less than 60%, the
14 grant for each school year shall be \$1,680 multiplied by
15 the low income eligible pupil count.

16 (f) For any school district with a Low Income
17 Concentration Level of 60% or more, the grant for each
18 school year shall be \$2,080 multiplied by the low income
19 eligible pupil count.

20 (2.10) Except as otherwise provided, supplemental general
21 State aid pursuant to this subsection (H) shall be provided as
22 follows for the 2003-2004 school year and each school year
23 thereafter:

24 (a) For any school district with a Low Income
25 Concentration Level of 15% or less, the grant for each
26 school year shall be \$355 multiplied by the low income

1 eligible pupil count.

2 (b) For any school district with a Low Income
3 Concentration Level greater than 15%, the grant for each
4 school year shall be \$294.25 added to the product of \$2,700
5 and the square of the Low Income Concentration Level, all
6 multiplied by the low income eligible pupil count.

7 For the 2003-2004 school year and each school year
8 thereafter through the 2008-2009 school year only, the grant
9 shall be no less than the grant for the 2002-2003 school year.
10 For the 2009-2010 school year only, the grant shall be no less
11 than the grant for the 2002-2003 school year multiplied by
12 0.66. For the 2010-2011 school year only, the grant shall be no
13 less than the grant for the 2002-2003 school year multiplied by
14 0.33. Notwithstanding the provisions of this paragraph to the
15 contrary, if for any school year supplemental general State aid
16 grants are prorated as provided in paragraph (1) of this
17 subsection (H), then the grants under this paragraph shall be
18 prorated.

19 For the 2003-2004 school year only, the grant shall be no
20 greater than the grant received during the 2002-2003 school
21 year added to the product of 0.25 multiplied by the difference
22 between the grant amount calculated under subsection (a) or (b)
23 of this paragraph (2.10), whichever is applicable, and the
24 grant received during the 2002-2003 school year. For the
25 2004-2005 school year only, the grant shall be no greater than
26 the grant received during the 2002-2003 school year added to

1 the product of 0.50 multiplied by the difference between the
2 grant amount calculated under subsection (a) or (b) of this
3 paragraph (2.10), whichever is applicable, and the grant
4 received during the 2002-2003 school year. For the 2005-2006
5 school year only, the grant shall be no greater than the grant
6 received during the 2002-2003 school year added to the product
7 of 0.75 multiplied by the difference between the grant amount
8 calculated under subsection (a) or (b) of this paragraph
9 (2.10), whichever is applicable, and the grant received during
10 the 2002-2003 school year.

11 (3) (Blank). ~~School districts with an Average Daily~~
12 ~~Attendance of more than 1,000 and less than 50,000 that qualify~~
13 ~~for supplemental general State aid pursuant to this subsection~~
14 ~~shall submit a plan to the State Board of Education prior to~~
15 ~~October 30 of each year for the use of the funds resulting from~~
16 ~~this grant of supplemental general State aid for the~~
17 ~~improvement of instruction in which priority is given to~~
18 ~~meeting the education needs of disadvantaged children. Such~~
19 ~~plan shall be submitted in accordance with rules and~~
20 ~~regulations promulgated by the State Board of Education.~~

21 (4) School districts with an Average Daily Attendance of
22 50,000 or more that qualify for supplemental general State aid
23 pursuant to this subsection shall be required to distribute
24 from funds available pursuant to this Section, no less than
25 \$261,000,000 in accordance with the following requirements:

26 (a) The required amounts shall be distributed to the

1 attendance centers within the district in proportion to the
2 number of pupils enrolled at each attendance center who are
3 eligible to receive free or reduced-price lunches or
4 breakfasts under the federal Child Nutrition Act of 1966
5 and under the National School Lunch Act during the
6 immediately preceding school year.

7 (b) The distribution of these portions of supplemental
8 and general State aid among attendance centers according to
9 these requirements shall not be compensated for or
10 contravened by adjustments of the total of other funds
11 appropriated to any attendance centers, and the Board of
12 Education shall utilize funding from one or several sources
13 in order to fully implement this provision annually prior
14 to the opening of school.

15 (c) Each attendance center shall be provided by the
16 school district a distribution of noncategorical funds and
17 other categorical funds to which an attendance center is
18 entitled under law in order that the general State aid and
19 supplemental general State aid provided by application of
20 this subsection supplements rather than supplants the
21 noncategorical funds and other categorical funds provided
22 by the school district to the attendance centers.

23 (d) Any funds made available under this subsection that
24 by reason of the provisions of this subsection are not
25 required to be allocated and provided to attendance centers
26 may be used and appropriated by the board of the district

1 for any lawful school purpose.

2 (e) Funds received by an attendance center pursuant to
3 this subsection shall be used by the attendance center at
4 the discretion of the principal and local school council
5 for programs to improve educational opportunities at
6 qualifying schools through the following programs and
7 services: early childhood education, reduced class size or
8 improved adult to student classroom ratio, enrichment
9 programs, remedial assistance, attendance improvement, and
10 other educationally beneficial expenditures which
11 supplement the regular and basic programs as determined by
12 the State Board of Education. Funds provided shall not be
13 expended for any political or lobbying purposes as defined
14 by board rule.

15 (f) Each district subject to the provisions of this
16 subdivision (H) (4) shall submit an acceptable plan to meet
17 the educational needs of disadvantaged children, in
18 compliance with the requirements of this paragraph, to the
19 State Board of Education prior to July 15 of each year.
20 This plan shall be consistent with the decisions of local
21 school councils concerning the school expenditure plans
22 developed in accordance with part 4 of Section 34-2.3. The
23 State Board shall approve or reject the plan within 60 days
24 after its submission. If the plan is rejected, the district
25 shall give written notice of intent to modify the plan
26 within 15 days of the notification of rejection and then

1 submit a modified plan within 30 days after the date of the
2 written notice of intent to modify. Districts may amend
3 approved plans pursuant to rules promulgated by the State
4 Board of Education.

5 Upon notification by the State Board of Education that
6 the district has not submitted a plan prior to July 15 or a
7 modified plan within the time period specified herein, the
8 State aid funds affected by that plan or modified plan
9 shall be withheld by the State Board of Education until a
10 plan or modified plan is submitted.

11 If the district fails to distribute State aid to
12 attendance centers in accordance with an approved plan, the
13 plan for the following year shall allocate funds, in
14 addition to the funds otherwise required by this
15 subsection, to those attendance centers which were
16 underfunded during the previous year in amounts equal to
17 such underfunding.

18 For purposes of determining compliance with this
19 subsection in relation to the requirements of attendance
20 center funding, each district subject to the provisions of
21 this subsection shall submit as a separate document by
22 December 1 of each year a report of expenditure data for
23 the prior year in addition to any modification of its
24 current plan. If it is determined that there has been a
25 failure to comply with the expenditure provisions of this
26 subsection regarding contravention or supplanting, the

1 State Superintendent of Education shall, within 60 days of
2 receipt of the report, notify the district and any affected
3 local school council. The district shall within 45 days of
4 receipt of that notification inform the State
5 Superintendent of Education of the remedial or corrective
6 action to be taken, whether by amendment of the current
7 plan, if feasible, or by adjustment in the plan for the
8 following year. Failure to provide the expenditure report
9 or the notification of remedial or corrective action in a
10 timely manner shall result in a withholding of the affected
11 funds.

12 The State Board of Education shall promulgate rules and
13 regulations to implement the provisions of this
14 subsection. No funds shall be released under this
15 subdivision (H) (4) to any district that has not submitted a
16 plan that has been approved by the State Board of
17 Education.

18 (I) (Blank).

19 (J) Supplementary Grants in Aid.

20 (1) Notwithstanding any other provisions of this Section,
21 the amount of the aggregate general State aid in combination
22 with supplemental general State aid under this Section for
23 which each school district is eligible shall be no less than
24 the amount of the aggregate general State aid entitlement that

1 was received by the district under Section 18-8 (exclusive of
2 amounts received under subsections 5(p) and 5(p-5) of that
3 Section) for the 1997-98 school year, pursuant to the
4 provisions of that Section as it was then in effect. If a
5 school district qualifies to receive a supplementary payment
6 made under this subsection (J), the amount of the aggregate
7 general State aid in combination with supplemental general
8 State aid under this Section which that district is eligible to
9 receive for each school year shall be no less than the amount
10 of the aggregate general State aid entitlement that was
11 received by the district under Section 18-8 (exclusive of
12 amounts received under subsections 5(p) and 5(p-5) of that
13 Section) for the 1997-1998 school year, pursuant to the
14 provisions of that Section as it was then in effect.

15 (2) If, as provided in paragraph (1) of this subsection
16 (J), a school district is to receive aggregate general State
17 aid in combination with supplemental general State aid under
18 this Section for the 1998-99 school year and any subsequent
19 school year that in any such school year is less than the
20 amount of the aggregate general State aid entitlement that the
21 district received for the 1997-98 school year, the school
22 district shall also receive, from a separate appropriation made
23 for purposes of this subsection (J), a supplementary payment
24 that is equal to the amount of the difference in the aggregate
25 State aid figures as described in paragraph (1).

26 (3) (Blank).

1 (K) Grants to Laboratory and Alternative Schools.

2 In calculating the amount to be paid to the governing board
3 of a public university that operates a laboratory school under
4 this Section or to any alternative school that is operated by a
5 regional superintendent of schools, the State Board of
6 Education shall require by rule such reporting requirements as
7 it deems necessary.

8 As used in this Section, "laboratory school" means a public
9 school which is created and operated by a public university and
10 approved by the State Board of Education. The governing board
11 of a public university which receives funds from the State
12 Board under this subsection (K) may not increase the number of
13 students enrolled in its laboratory school from a single
14 district, if that district is already sending 50 or more
15 students, except under a mutual agreement between the school
16 board of a student's district of residence and the university
17 which operates the laboratory school. A laboratory school may
18 not have more than 1,000 students, excluding students with
19 disabilities in a special education program.

20 As used in this Section, "alternative school" means a
21 public school which is created and operated by a Regional
22 Superintendent of Schools and approved by the State Board of
23 Education. Such alternative schools may offer courses of
24 instruction for which credit is given in regular school
25 programs, courses to prepare students for the high school

1 equivalency testing program or vocational and occupational
2 training. A regional superintendent of schools may contract
3 with a school district or a public community college district
4 to operate an alternative school. An alternative school serving
5 more than one educational service region may be established by
6 the regional superintendents of schools of the affected
7 educational service regions. An alternative school serving
8 more than one educational service region may be operated under
9 such terms as the regional superintendents of schools of those
10 educational service regions may agree.

11 Each laboratory and alternative school shall file, on forms
12 provided by the State Superintendent of Education, an annual
13 State aid claim which states the Average Daily Attendance of
14 the school's students by month. The best 3 months' Average
15 Daily Attendance shall be computed for each school. The general
16 State aid entitlement shall be computed by multiplying the
17 applicable Average Daily Attendance by the Foundation Level as
18 determined under this Section.

19 (L) Payments, Additional Grants in Aid and Other Requirements.

20 (1) For a school district operating under the financial
21 supervision of an Authority created under Article 34A, the
22 general State aid otherwise payable to that district under this
23 Section, but not the supplemental general State aid, shall be
24 reduced by an amount equal to the budget for the operations of
25 the Authority as certified by the Authority to the State Board

1 of Education, and an amount equal to such reduction shall be
2 paid to the Authority created for such district for its
3 operating expenses in the manner provided in Section 18-11. The
4 remainder of general State school aid for any such district
5 shall be paid in accordance with Article 34A when that Article
6 provides for a disposition other than that provided by this
7 Article.

8 (2) (Blank).

9 (3) Summer school. Summer school payments shall be made as
10 provided in Section 18-4.3.

11 (M) Education Funding Advisory Board.

12 The Education Funding Advisory Board, hereinafter in this
13 subsection (M) referred to as the "Board", is hereby created.
14 The Board shall consist of 5 members who are appointed by the
15 Governor, by and with the advice and consent of the Senate. The
16 members appointed shall include representatives of education,
17 business, and the general public. One of the members so
18 appointed shall be designated by the Governor at the time the
19 appointment is made as the chairperson of the Board. The
20 initial members of the Board may be appointed any time after
21 the effective date of this amendatory Act of 1997. The regular
22 term of each member of the Board shall be for 4 years from the
23 third Monday of January of the year in which the term of the
24 member's appointment is to commence, except that of the 5
25 initial members appointed to serve on the Board, the member who

1 is appointed as the chairperson shall serve for a term that
2 commences on the date of his or her appointment and expires on
3 the third Monday of January, 2002, and the remaining 4 members,
4 by lots drawn at the first meeting of the Board that is held
5 after all 5 members are appointed, shall determine 2 of their
6 number to serve for terms that commence on the date of their
7 respective appointments and expire on the third Monday of
8 January, 2001, and 2 of their number to serve for terms that
9 commence on the date of their respective appointments and
10 expire on the third Monday of January, 2000. All members
11 appointed to serve on the Board shall serve until their
12 respective successors are appointed and confirmed. Vacancies
13 shall be filled in the same manner as original appointments. If
14 a vacancy in membership occurs at a time when the Senate is not
15 in session, the Governor shall make a temporary appointment
16 until the next meeting of the Senate, when he or she shall
17 appoint, by and with the advice and consent of the Senate, a
18 person to fill that membership for the unexpired term. If the
19 Senate is not in session when the initial appointments are
20 made, those appointments shall be made as in the case of
21 vacancies.

22 The Education Funding Advisory Board shall be deemed
23 established, and the initial members appointed by the Governor
24 to serve as members of the Board shall take office, on the date
25 that the Governor makes his or her appointment of the fifth
26 initial member of the Board, whether those initial members are

1 then serving pursuant to appointment and confirmation or
2 pursuant to temporary appointments that are made by the
3 Governor as in the case of vacancies.

4 The State Board of Education shall provide such staff
5 assistance to the Education Funding Advisory Board as is
6 reasonably required for the proper performance by the Board of
7 its responsibilities.

8 For school years after the 2000-2001 school year, the
9 Education Funding Advisory Board, in consultation with the
10 State Board of Education, shall make recommendations as
11 provided in this subsection (M) to the General Assembly for the
12 foundation level under subdivision (B)(3) of this Section and
13 for the supplemental general State aid grant level under
14 subsection (H) of this Section for districts with high
15 concentrations of children from poverty. The recommended
16 foundation level shall be determined based on a methodology
17 which incorporates the basic education expenditures of
18 low-spending schools exhibiting high academic performance. The
19 Education Funding Advisory Board shall make such
20 recommendations to the General Assembly on January 1 of odd
21 numbered years, beginning January 1, 2001.

22 (N) (Blank).

23 (O) References.

24 (1) References in other laws to the various subdivisions of

1 Section 18-8 as that Section existed before its repeal and
2 replacement by this Section 18-8.05 shall be deemed to refer to
3 the corresponding provisions of this Section 18-8.05, to the
4 extent that those references remain applicable.

5 (2) References in other laws to State Chapter 1 funds shall
6 be deemed to refer to the supplemental general State aid
7 provided under subsection (H) of this Section.

8 (P) Public Act 93-838 and Public Act 93-808 make inconsistent
9 changes to this Section. Under Section 6 of the Statute on
10 Statutes there is an irreconcilable conflict between Public Act
11 93-808 and Public Act 93-838. Public Act 93-838, being the last
12 acted upon, is controlling. The text of Public Act 93-838 is
13 the law regardless of the text of Public Act 93-808.

14 (Source: P.A. 95-331, eff. 8-21-07; 95-644, eff. 10-12-07;
15 95-707, eff. 1-11-08; 95-744, eff. 7-18-08; 95-903, eff.
16 8-25-08; 96-45, eff. 7-15-09; 96-152, eff. 8-7-09; 96-300, eff.
17 8-11-09; 96-328, eff. 8-11-09; 96-640, eff. 8-24-09; 96-959,
18 eff. 7-1-10; 96-1000, eff. 7-2-10; 96-1480, eff. 11-18-10;
19 revised 11-24-10.)

20 (105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

21 Sec. 18-12. Dates for filing State aid claims. The school
22 board of each school district shall require teachers,
23 principals, or superintendents to furnish from records kept by
24 them such data as it needs in preparing and certifying to the

1 State Superintendent of Education ~~regional superintendent~~ its
2 school district report of claims provided in Sections 18-8.05
3 through 18-9 ~~as required by the State Superintendent of~~
4 ~~Education~~. The district claim shall be based on the latest
5 available equalized assessed valuation and tax rates, as
6 provided in Section 18-8.05 and shall use the average daily
7 attendance as determined by the method outlined in Section
8 18-8.05 and shall be certified and filed with the State
9 Superintendent of Education ~~regional superintendent~~ by June 21
10 for districts with an official school calendar end date before
11 June 15 or within 2 weeks following the official school
12 calendar end date for districts with a school year end date of
13 June 15 or later. ~~The regional superintendent shall certify and~~
14 ~~file with the State Superintendent of Education district State~~
15 ~~aid claims by July 1 for districts with an official school~~
16 ~~calendar end date before June 15 or no later than July 15 for~~
17 ~~districts with an official school calendar end date of June 15~~
18 ~~or later~~. Failure to so file by these deadlines constitutes a
19 forfeiture of the right to receive payment by the State until
20 such claim is filed and vouchered for payment. The ~~regional~~
21 ~~superintendent of schools shall certify the county report of~~
22 ~~claims by July 15; and the State Superintendent of Education~~
23 shall voucher for payment those claims to the State Comptroller
24 as provided in Section 18-11.

25 Except as otherwise provided in this Section, if any school
26 district fails to provide the minimum school term specified in

1 Section 10-19, the State aid claim for that year shall be
2 reduced by the State Superintendent of Education in an amount
3 equivalent to 1/176 or .56818% for each day less than the
4 number of days required by this Code.

5 If the State Superintendent of Education determines that
6 the failure to provide the minimum school term was occasioned
7 by an act or acts of God, or was occasioned by conditions
8 beyond the control of the school district which posed a
9 hazardous threat to the health and safety of pupils, the State
10 aid claim need not be reduced.

11 If a school district is precluded from providing the
12 minimum hours of instruction required for a full day of
13 attendance due to an adverse weather condition or a condition
14 beyond the control of the school district that poses a
15 hazardous threat to the health and safety of students, then the
16 partial day of attendance may be counted if (i) the school
17 district has provided at least one hour of instruction prior to
18 the closure of the school district, (ii) a school building has
19 provided at least one hour of instruction prior to the closure
20 of the school building, or (iii) the normal start time of the
21 school district is delayed.

22 If, prior to providing any instruction, a school district
23 must close one or more but not all school buildings after
24 consultation with a local emergency response agency or due to a
25 condition beyond the control of the school district, then the
26 school district may claim attendance for up to 2 school days

1 based on the average attendance of the 3 school days
2 immediately preceding the closure of the affected school
3 building. The partial or no day of attendance described in this
4 Section and the reasons therefore shall be certified within a
5 month of the closing or delayed start by the school district
6 superintendent to the regional superintendent of schools for
7 forwarding to the State Superintendent of Education for
8 approval.

9 No exception to the requirement of providing a minimum
10 school term may be approved by the State Superintendent of
11 Education pursuant to this Section unless a school district has
12 first used all emergency days provided for in its regular
13 calendar.

14 If the State Superintendent of Education declares that an
15 energy shortage exists during any part of the school year for
16 the State or a designated portion of the State, a district may
17 operate the school attendance centers within the district 4
18 days of the week during the time of the shortage by extending
19 each existing school day by one clock hour of school work, and
20 the State aid claim shall not be reduced, nor shall the
21 employees of that district suffer any reduction in salary or
22 benefits as a result thereof. A district may operate all
23 attendance centers on this revised schedule, or may apply the
24 schedule to selected attendance centers, taking into
25 consideration such factors as pupil transportation schedules
26 and patterns and sources of energy for individual attendance

1 centers.

2 Electronically submitted State aid claims shall be
3 submitted by duly authorized district or regional individuals
4 over a secure network that is password protected. The
5 electronic submission of a State aid claim must be accompanied
6 with an affirmation that all of the provisions of Sections
7 18-8.05 through 18-9, 10-22.5, and 24-4 of this Code are met in
8 all respects.

9 (Source: P.A. 95-152, eff. 8-14-07; 95-811, eff. 8-13-08;
10 95-876, eff. 8-21-08; 96-734, eff. 8-25-09.)

11 (105 ILCS 5/26-2a) (from Ch. 122, par. 26-2a)

12 Sec. 26-2a. A "truant" is defined as a child subject to
13 compulsory school attendance and who is absent without valid
14 cause from such attendance for a school day or portion thereof.

15 "Valid cause" for absence shall be illness, observance of a
16 religious holiday, death in the immediate family, family
17 emergency, and shall include such other situations beyond the
18 control of the student as determined by the board of education
19 in each district, or such other circumstances which cause
20 reasonable concern to the parent for the safety or health of
21 the student.

22 "Chronic or habitual truant" shall be defined as a child
23 subject to compulsory school attendance and who is absent
24 without valid cause from such attendance for 10% or more of the
25 previous 180 regular attendance days.

1 "Truant minor" is defined as a chronic truant to whom
2 supportive services, including prevention, diagnostic,
3 intervention and remedial services, alternative programs and
4 other school and community resources have been provided and
5 have failed to result in the cessation of chronic truancy, or
6 have been offered and refused.

7 A "dropout" is defined as any child enrolled in grades one
8 ~~9~~ through 12 whose name has been removed from the district
9 enrollment roster for any reason other than the student's
10 death, extended illness, removal for medical non-compliance,
11 expulsion, ~~aging out,~~ graduation, or completion of a program of
12 studies and who has not transferred to another public or
13 private school or moved out of the United States ~~and is not~~
14 ~~known to be home schooled by his or her parents or guardians or~~
15 ~~continuing school in another country.~~

16 "Religion" for the purposes of this Article, includes all
17 aspects of religious observance and practice, as well as
18 belief.

19 (Source: P.A. 96-1423, eff. 8-3-10.)

20 (105 ILCS 5/27A-7)

21 Sec. 27A-7. Charter submission.

22 (a) A proposal to establish a charter school shall be
23 submitted to the State Board and the local school board in the
24 form of a proposed contract entered into between the local
25 school board and the governing body of a proposed charter

1 school. The charter school proposal as submitted to the State
2 Board shall include:

3 (1) The name of the proposed charter school, which must
4 include the words "Charter School".

5 (2) The age or grade range, areas of focus, minimum and
6 maximum numbers of pupils to be enrolled in the charter
7 school, and any other admission criteria that would be
8 legal if used by a school district.

9 (3) A description of and address for the physical plant
10 in which the charter school will be located; provided that
11 nothing in the Article shall be deemed to justify delaying
12 or withholding favorable action on or approval of a charter
13 school proposal because the building or buildings in which
14 the charter school is to be located have not been acquired
15 or rented at the time a charter school proposal is
16 submitted or approved or a charter school contract is
17 entered into or submitted for certification or certified,
18 so long as the proposal or submission identifies and names
19 at least 2 sites that are potentially available as a
20 charter school facility by the time the charter school is
21 to open.

22 (4) The mission statement of the charter school, which
23 must be consistent with the General Assembly's declared
24 purposes; provided that nothing in this Article shall be
25 construed to require that, in order to receive favorable
26 consideration and approval, a charter school proposal

1 demonstrate unequivocally that the charter school will be
2 able to meet each of those declared purposes, it being the
3 intention of the Charter Schools Law that those purposes be
4 recognized as goals that charter schools must aspire to
5 attain.

6 (5) The goals, objectives, and pupil performance
7 standards to be achieved by the charter school.

8 (6) In the case of a proposal to establish a charter
9 school by converting an existing public school or
10 attendance center to charter school status, evidence that
11 the proposed formation of the charter school has received
12 the approval of certified teachers, parents and guardians,
13 and, if applicable, a local school council as provided in
14 subsection (b) of Section 27A-8.

15 (7) A description of the charter school's educational
16 program, pupil performance standards, curriculum, school
17 year, school days, and hours of operation.

18 (8) A description of the charter school's plan for
19 evaluating pupil performance, the types of assessments
20 that will be used to measure pupil progress towards
21 achievement of the school's pupil performance standards,
22 the timeline for achievement of those standards, and the
23 procedures for taking corrective action in the event that
24 pupil performance at the charter school falls below those
25 standards.

26 (9) Evidence that the terms of the charter as proposed

1 are economically sound for both the charter school and the
2 school district, a proposed budget for the term of the
3 charter, a description of the manner in which an annual
4 audit of the financial and administrative operations of the
5 charter school, including any services provided by the
6 school district, are to be conducted, and a plan for the
7 displacement of pupils, teachers, and other employees who
8 will not attend or be employed in the charter school.

9 (10) A description of the governance and operation of
10 the charter school, including the nature and extent of
11 parental, professional educator, and community involvement
12 in the governance and operation of the charter school.

13 (11) An explanation of the relationship that will exist
14 between the charter school and its employees, including
15 evidence that the terms and conditions of employment have
16 been addressed with affected employees and their
17 recognized representative, if any. However, a bargaining
18 unit of charter school employees shall be separate and
19 distinct from any bargaining units formed from employees of
20 a school district in which the charter school is located.

21 (12) An agreement between the parties regarding their
22 respective legal liability and applicable insurance
23 coverage.

24 (13) A description of how the charter school plans to
25 meet the transportation needs of its pupils, and a plan for
26 addressing the transportation needs of low-income and

1 at-risk pupils.

2 (14) The proposed effective date and term of the
3 charter; provided that the first day of the first academic
4 year ~~and the first day of the fiscal year~~ shall be no
5 earlier than August 15 and the first day of the fiscal year
6 shall be July 1 ~~no later than September 15~~ of a calendar
7 year.

8 (15) Any other information reasonably required by the
9 State Board of Education.

10 (b) A proposal to establish a charter school may be
11 initiated by individuals or organizations that will have
12 majority representation on the board of directors or other
13 governing body of the corporation or other discrete legal
14 entity that is to be established to operate the proposed
15 charter school, by a board of education or an intergovernmental
16 agreement between or among boards of education, or by the board
17 of directors or other governing body of a discrete legal entity
18 already existing or established to operate the proposed charter
19 school. The individuals or organizations referred to in this
20 subsection may be school teachers, school administrators,
21 local school councils, colleges or universities or their
22 faculty members, public community colleges or their
23 instructors or other representatives, corporations, or other
24 entities or their representatives. The proposal shall be
25 submitted to the local school board for consideration and, if
26 appropriate, for development of a proposed contract to be

1 submitted to the State Board for certification under Section
2 27A-6.

3 (c) The local school board may not without the consent of
4 the governing body of the charter school condition its approval
5 of a charter school proposal on acceptance of an agreement to
6 operate under State laws and regulations and local school board
7 policies from which the charter school is otherwise exempted
8 under this Article.

9 (Source: P.A. 90-548, eff. 1-1-98; 91-405, eff. 8-3-99.)

10 (105 ILCS 5/34-8) (from Ch. 122, par. 34-8)

11 Sec. 34-8. Powers and duties of general superintendent. The
12 general superintendent of schools shall prescribe and control,
13 subject to the approval of the board and to other provisions of
14 this Article, the courses of study mandated by State law,
15 textbooks, educational apparatus and equipment, discipline in
16 and conduct of the schools, and shall perform such other duties
17 as the board may by rule prescribe. The superintendent shall
18 also notify the State Board of Education, the board and the
19 chief administrative official, other than the alleged
20 perpetrator himself, in the school where the alleged
21 perpetrator serves, that any person who is employed in a school
22 or otherwise comes into frequent contact with children in the
23 school has been named as a perpetrator in an indicated report
24 filed pursuant to the Abused and Neglected Child Reporting Act,
25 approved June 26, 1975, as amended.

1 The general superintendent may be granted the authority by
2 the board to hire a specific number of employees to assist in
3 meeting immediate responsibilities. Conditions of employment
4 for such personnel shall not be subject to the provisions of
5 Section 34-85.

6 The general superintendent may, pursuant to a delegation of
7 authority by the board and Section 34-18, approve contracts and
8 expenditures.

9 Pursuant to other provisions of this Article, sites shall
10 be selected, schoolhouses located thereon and plans therefor
11 approved, and textbooks and educational apparatus and
12 equipment shall be adopted and purchased by the board only upon
13 the recommendation of the general superintendent of schools or
14 by a majority vote of the full membership of the board and, in
15 the case of textbooks, subject to Article 28 of this Act. The
16 board may furnish free textbooks to pupils and may publish its
17 own textbooks and manufacture its own apparatus, equipment and
18 supplies.

19 In addition, each year at a time designated by the State
20 Superintendent of Education ~~in January of each year,~~ the
21 general superintendent of schools shall report to the State
22 Board of Education the number of high school students in the
23 district who are enrolled in accredited courses (for which high
24 school credit will be awarded upon successful completion of the
25 courses) at any community college, together with the name and
26 number of the course or courses which each such student is

1 taking.

2 The general superintendent shall also have the authority to
3 monitor the performance of attendance centers, to identify and
4 place an attendance center on remediation and probation, and to
5 recommend to the board that the attendance center be placed on
6 intervention and be reconstituted, subject to the provisions of
7 Sections 34-8.3 and 8.4.

8 The general superintendent, or his or her designee, shall
9 conduct an annual evaluation of each principal in the district
10 pursuant to guidelines promulgated by the Board and the Board
11 approved principal evaluation form. The evaluation shall be
12 based on factors, including the following: (i) student academic
13 improvement, as defined by the school improvement plan; (ii)
14 student absenteeism rates at the school; (iii) instructional
15 leadership; (iv) effective implementation of programs,
16 policies, or strategies to improve student academic
17 achievement; (v) school management; and (vi) other factors,
18 including, without limitation, the principal's communication
19 skills and ability to create and maintain a student-centered
20 learning environment, to develop opportunities for
21 professional development, and to encourage parental
22 involvement and community partnerships to achieve school
23 improvement.

24 Effective no later than September 1, 2012, the general
25 superintendent or his or her designee shall develop a written
26 principal evaluation plan. The evaluation plan must be in

1 writing and shall supersede the evaluation requirements set
2 forth in this Section. The evaluation plan must do at least all
3 of the following:

4 (1) Provide for annual evaluation of all principals
5 employed under a performance contract by the general
6 superintendent or his or her designee, no later than July
7 1st of each year.

8 (2) Consider the principal's specific duties,
9 responsibilities, management, and competence as a
10 principal.

11 (3) Specify the principal's strengths and weaknesses,
12 with supporting reasons.

13 (4) Align with research-based standards.

14 (5) Use data and indicators on student growth as a
15 significant factor in rating principal performance.

16 (Source: P.A. 95-496, eff. 8-28-07; 96-861, eff. 1-15-10.)

17 (105 ILCS 5/34-18.5) (from Ch. 122, par. 34-18.5)

18 Sec. 34-18.5. Criminal history records checks and checks of
19 the Statewide Sex Offender Database and Statewide Child
20 Murderer and Violent Offender Against Youth Database.

21 (a) Certified and noncertified applicants for employment
22 with the school district are required as a condition of
23 employment to authorize a fingerprint-based criminal history
24 records check to determine if such applicants have been
25 convicted of any of the enumerated criminal or drug offenses in

1 subsection (c) of this Section or have been convicted, within 7
2 years of the application for employment with the school
3 district, of any other felony under the laws of this State or
4 of any offense committed or attempted in any other state or
5 against the laws of the United States that, if committed or
6 attempted in this State, would have been punishable as a felony
7 under the laws of this State. Authorization for the check shall
8 be furnished by the applicant to the school district, except
9 that if the applicant is a substitute teacher seeking
10 employment in more than one school district, or a teacher
11 seeking concurrent part-time employment positions with more
12 than one school district (as a reading specialist, special
13 education teacher or otherwise), or an educational support
14 personnel employee seeking employment positions with more than
15 one district, any such district may require the applicant to
16 furnish authorization for the check to the regional
17 superintendent of the educational service region in which are
18 located the school districts in which the applicant is seeking
19 employment as a substitute or concurrent part-time teacher or
20 concurrent educational support personnel employee. Upon
21 receipt of this authorization, the school district or the
22 appropriate regional superintendent, as the case may be, shall
23 submit the applicant's name, sex, race, date of birth, social
24 security number, fingerprint images, and other identifiers, as
25 prescribed by the Department of State Police, to the
26 Department. The regional superintendent submitting the

1 requisite information to the Department of State Police shall
2 promptly notify the school districts in which the applicant is
3 seeking employment as a substitute or concurrent part-time
4 teacher or concurrent educational support personnel employee
5 that the check of the applicant has been requested. The
6 Department of State Police and the Federal Bureau of
7 Investigation shall furnish, pursuant to a fingerprint-based
8 criminal history records check, records of convictions, until
9 expunged, to the president of the school board for the school
10 district that requested the check, or to the regional
11 superintendent who requested the check. The Department shall
12 charge the school district or the appropriate regional
13 superintendent a fee for conducting such check, which fee shall
14 be deposited in the State Police Services Fund and shall not
15 exceed the cost of the inquiry; and the applicant shall not be
16 charged a fee for such check by the school district or by the
17 regional superintendent. Subject to appropriations for these
18 purposes, the State Superintendent of Education shall
19 reimburse the school district and regional superintendent for
20 fees paid to obtain criminal history records checks under this
21 Section.

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

26 (a-6) The school district or regional superintendent shall

1 further perform a check of the Statewide Child Murderer and
2 Violent Offender Against Youth Database, as authorized by the
3 Child Murderer and Violent Offender Against Youth Community
4 Notification Law, for each applicant.

5 (b) Any information concerning the record of convictions
6 obtained by the president of the board of education or the
7 regional superintendent shall be confidential and may only be
8 transmitted to the general superintendent of the school
9 district or his designee, the appropriate regional
10 superintendent if the check was requested by the board of
11 education for the school district, the presidents of the
12 appropriate board of education or school boards if the check
13 was requested from the Department of State Police by the
14 regional superintendent, the State Superintendent of
15 Education, the State Teacher Certification Board or any other
16 person necessary to the decision of hiring the applicant for
17 employment. A copy of the record of convictions obtained from
18 the Department of State Police shall be provided to the
19 applicant for employment. Upon the check of the Statewide Sex
20 Offender Database, the school district or regional
21 superintendent shall notify an applicant as to whether or not
22 the applicant has been identified in the Database as a sex
23 offender. If a check of an applicant for employment as a
24 substitute or concurrent part-time teacher or concurrent
25 educational support personnel employee in more than one school
26 district was requested by the regional superintendent, and the

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

1 of any school district may rely on the certificate issued by
2 any regional superintendent to that substitute teacher,
3 concurrent part-time teacher, or concurrent educational
4 support personnel employee or may initiate its own criminal
5 history records check of the applicant through the Department
6 of State Police and its own check of the Statewide Sex Offender
7 Database as provided in subsection (a). Any person who releases
8 any confidential information concerning any criminal
9 convictions of an applicant for employment shall be guilty of a
10 Class A misdemeanor, unless the release of such information is
11 authorized by this Section.

12 (c) The board of education shall not knowingly employ a
13 person who has been convicted of any offense that would subject
14 him or her to certification suspension or revocation pursuant
15 to Section 21-23a of this Code. Further, the board of education
16 shall not knowingly employ a person who has been found to be
17 the perpetrator of sexual or physical abuse of any minor under
18 18 years of age pursuant to proceedings under Article II of the
19 Juvenile Court Act of 1987.

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

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

1 certificate suspension and revocation proceedings as
2 authorized by law.

3 (e-5) The general superintendent of schools shall, in
4 writing, notify the State Superintendent of Education of any
5 certificate holder whom he or she has reasonable cause to
6 believe has committed an intentional act of abuse or neglect
7 with the result of making a child an abused child or a
8 neglected child, as defined in Section 3 of the Abused and
9 Neglected Child Reporting Act, and that act resulted in the
10 certificate holder's dismissal or resignation from the school
11 district. This notification must be submitted within 30 days
12 after the dismissal or resignation. The certificate holder must
13 also be contemporaneously sent a copy of the notice by the
14 superintendent. All correspondence, documentation, and other
15 information so received by the State Superintendent of
16 Education, the State Board of Education, or the State Teacher
17 Certification Board under this subsection (e-5) is
18 confidential and must not be disclosed to third parties, except
19 (i) as necessary for the State Superintendent of Education or
20 his or her designee to investigate and prosecute pursuant to
21 Article 21 of this Code, (ii) pursuant to a court order, (iii)
22 for disclosure to the certificate holder or his or her
23 representative, or (iv) as otherwise provided in this Article
24 and provided that any such information admitted into evidence
25 in a hearing is exempt from this confidentiality and
26 non-disclosure requirement. Except for an act of willful or

1 wanton misconduct, any superintendent who provides
2 notification as required in this subsection (e-5) shall have
3 immunity from any liability, whether civil or criminal or that
4 otherwise might result by reason of such action.

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

1 (g) Beginning on January 1, 2012, the provisions of this
2 Section shall apply to all student teachers, as defined by
3 State Board of Education rule, assigned to public schools.
4 Student teachers must undergo a Department of State Police and
5 Federal Bureau of Investigation fingerprint-based criminal
6 history records check. Authorization to conduct the criminal
7 history records check must be furnished by the student teacher
8 to the school to which the student teacher is assigned. The
9 Department of State Police and the Federal Bureau of
10 Investigation shall furnish, pursuant to a fingerprint-based
11 criminal history records check, records of convictions, until
12 expunged, to the president of the Chicago Board of Education.
13 The Department of State Police shall charge a fee for
14 conducting the check, which fee must be deposited into the
15 State Police Services Fund and must not exceed the cost of the
16 inquiry. The student teacher shall be required to pay all fees
17 associated with conducting the criminal history records check,
18 as well as any other application fees as established by rule
19 including, but not limited to, the fee established by the
20 Department of State Police and the Federal Bureau of
21 Investigation to process fingerprint-based criminal history
22 records checks. Results of the check must also be furnished by
23 the school district to the higher education institution where
24 the student teacher is enrolled. No one may begin student
25 teaching until the results of the criminal history records
26 check have been returned to the school district. ~~In order to~~

1 ~~student teach in the public schools, a person is required to~~
2 ~~authorize a fingerprint based criminal history records check~~
3 ~~and checks of the Statewide Sex Offender Database and Statewide~~
4 ~~Child Murderer and Violent Offender Against Youth Database~~
5 ~~prior to participating in any field experiences in the public~~
6 ~~schools. Authorization for and payment of the costs of the~~
7 ~~checks must be furnished by the student teacher. Results of the~~
8 ~~checks must be furnished to the higher education institution~~
9 ~~where the student teacher is enrolled and the general~~
10 ~~superintendent of schools.~~

11 (Source: P.A. 95-331, eff. 8-21-07; 96-431, eff. 8-13-09;
12 96-1452, eff. 8-20-10.)

13 (105 ILCS 5/1C-4 rep.)

14 (105 ILCS 5/2-3.9 rep.)

15 (105 ILCS 5/2-3.10 rep.)

16 (105 ILCS 5/2-3.17 rep.)

17 (105 ILCS 5/2-3.74 rep.)

18 (105 ILCS 5/2-3.87 rep.)

19 (105 ILCS 5/2-3.111 rep.)

20 (105 ILCS 5/2-3.112 rep.)

21 (105 ILCS 5/13B-35.10 rep.)

22 (105 ILCS 5/13B-35.15 rep.)

23 (105 ILCS 5/13B-35.20 rep.)

24 (105 ILCS 5/13B-40 rep.)

25 Section 10. The School Code is amended by repealing

1 Sections 1C-4, 2-3.9, 2-3.10, 2-3.17, 2-3.74, 2-3.87, 2-3.111,
2 2-3.112, 13B-35.10, 13B-35.15, 13B-35.20, and 13B-40.

3 Section 15. The Critical Health Problems and Comprehensive
4 Health Education Act is amended by changing Section 6 as
5 follows:

6 (105 ILCS 110/6) (from Ch. 122, par. 866)

7 Sec. 6. Rules and Regulations. In carrying out the powers
8 and duties of the State Board of Education ~~and the advisory~~
9 ~~committee established by this Act~~, the State Board is ~~and such~~
10 ~~committee are~~ authorized to promulgate rules and regulations in
11 order to implement the provisions of this Act.

12 (Source: P.A. 81-1508.)

13 (105 ILCS 110/5 rep.)

14 Section 20. The Critical Health Problems and Comprehensive
15 Health Education Act is amended by repealing Section 5.

16 (105 ILCS 215/Act rep.)

17 Section 25. The Chicago Community Schools Study Commission
18 Act is repealed.".