



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB2682

by Rep. William Davis

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the School Code with respect to the suspension and expulsion of pupils. Provides for the expulsion of pupils by removing a pupil from a school or educational setting for a period of more than 10 school days for posing a significant threat of imminent serious harm to other pupils or to staff (instead of providing for the expulsion of pupils guilty of gross disobedience or misconduct). Provides for the suspension of pupils by removing a pupil from a school or educational setting for a period of not more than 10 days for a serious act of misconduct (instead of providing for the suspension of pupils guilty of gross disobedience or misconduct); makes related changes. Sets forth limitations on out-of-school suspensions. Requires behavioral support services and alternative educational services to be provided to certain students. Provides that, unless otherwise required by statute for a specific criminal offense, a student may not be arrested or otherwise cited for a criminal offense committed during school hours while on school grounds, in a school vehicle, or at a school activity or school-sanctioned event unless the offense constitutes a felony or the student has committed an identical offense within the preceding 6 months. Requires reports to be made for certain incidents. Provides that students may not be counseled by any school employee to leave school voluntarily in order to avoid formal disciplinary proceedings or because of any other disciplinary concerns. Provides that a student may not be issued a monetary fine or fee as a disciplinary consequence. Provides for charter school and alternative school application.

LRB099 09319 NHT 29524 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Sections  
5 10-22.6, 13A-11, 27A-5, and 34-19 as follows:

6 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

7 Sec. 10-22.6. Suspension or expulsion of pupils; school  
8 searches.

9 (a) To expel pupils by removing a pupil from a school or  
10 educational setting for a period of more than 10 school days  
11 for posing a significant threat of imminent serious harm to  
12 other pupils or to staff, ~~guilty of gross disobedience or~~  
13 ~~misconduct, including gross disobedience or misconduct~~  
14 ~~perpetuated by electronic means,~~ and no action shall lie  
15 against them for such expulsion. Expulsion shall take place  
16 only after the parents have been requested to appear at a  
17 meeting of the board, or with a hearing officer appointed by  
18 it, to discuss their child's behavior. Such request shall be  
19 made by registered or certified mail and shall state the time,  
20 place and purpose of the meeting. The board, or a hearing  
21 officer appointed by it, at such meeting shall state the  
22 reasons for dismissal and the date on which the expulsion is to  
23 become effective. If a hearing officer is appointed by the

1 board he shall report to the board a written summary of the  
2 evidence heard at the meeting and the board may take such  
3 action thereon as it finds appropriate. An expelled pupil may  
4 be immediately transferred to an alternative program in the  
5 manner provided in Article 13A or 13B of this Code. A pupil  
6 must not be denied transfer because of the expulsion, except in  
7 cases in which such transfer is deemed to cause a threat to the  
8 safety of students or staff in the alternative program.

9 (b) To suspend or by policy to authorize the superintendent  
10 of the district or the principal, assistant principal, or dean  
11 of students of any school to suspend pupils by removing a pupil  
12 from a school or educational setting for a period of not more  
13 than 10 school days for a serious act of misconduct ~~guilty of~~  
14 ~~gross disobedience or misconduct,~~ or to suspend pupils ~~guilty~~  
15 ~~of gross disobedience or misconduct on the school bus~~ from  
16 riding the school bus for a serious act of misconduct on the  
17 school bus, and no action shall lie against them for such  
18 suspensions ~~suspension. The board may by policy authorize the~~  
19 ~~superintendent of the district or the principal, assistant~~  
20 ~~principal, or dean of students of any school to suspend pupils~~  
21 ~~guilty of such acts for a period not to exceed 10 school days.~~  
22 If a pupil is suspended for a serious act of ~~due to gross~~  
23 ~~disobedience or~~ misconduct on a school bus, the board may  
24 suspend the pupil in excess of 10 school days for safety  
25 reasons. Any suspension shall be reported immediately to the  
26 parents or guardian of such pupil along with a full statement

1 of the reasons for such suspension and a notice of their right  
2 to a review. The school board must be given a summary of the  
3 notice, including the reason for the suspension and the  
4 suspension length. Upon request of the parents or guardian the  
5 school board or a hearing officer appointed by it shall review  
6 such action of the superintendent or principal, assistant  
7 principal, or dean of students. At such review the parents or  
8 guardian of the pupil may appear and discuss the suspension  
9 with the board or its hearing officer. If a hearing officer is  
10 appointed by the board he shall report to the board a written  
11 summary of the evidence heard at the meeting. After its hearing  
12 or upon receipt of the written report of its hearing officer,  
13 the board may take such action as it finds appropriate. ~~A pupil  
14 who is suspended in excess of 20 school days may be immediately  
15 transferred to an alternative program in the manner provided in  
16 Article 13A or 13B of this Code. A pupil must not be denied  
17 transfer because of the suspension, except in cases in which  
18 such transfer is deemed to cause a threat to the safety of  
19 students or staff in the alternative program.~~

20 (c) The Department of Human Services shall be invited to  
21 send a representative to consult with the board at such meeting  
22 whenever there is evidence that mental illness may be the cause  
23 for expulsion or suspension.

24 (d) The board may expel a student for a definite period of  
25 time not to exceed 2 calendar years, as determined on a case by  
26 case basis. A student who is determined to have brought one of

1 the following objects to school, any school-sponsored activity  
2 or event, or any activity or event that bears a reasonable  
3 relationship to school shall be expelled for a period of not  
4 less than one year:

5 (1) A firearm. For the purposes of this Section,  
6 "firearm" means any gun, rifle, shotgun, weapon as defined  
7 by Section 921 of Title 18 of the United States Code,  
8 firearm as defined in Section 1.1 of the Firearm Owners  
9 Identification Card Act, or firearm as defined in Section  
10 24-1 of the Criminal Code of 2012. The expulsion period  
11 under this subdivision (1) may be modified by the  
12 superintendent, and the superintendent's determination may  
13 be modified by the board on a case-by-case basis.

14 (2) A knife, brass knuckles or other knuckle weapon  
15 regardless of its composition, a billy club, or any other  
16 object if used or attempted to be used to cause bodily  
17 harm, including "look alike" of any firearm as defined in  
18 subdivision (1) of this subsection (d). The expulsion  
19 requirement under this subdivision (2) may be modified by  
20 the superintendent, and the superintendent's determination  
21 may be modified by the board on a case-by-case basis.

22 Expulsion or suspension shall be construed in a manner  
23 consistent with the Federal Individuals with Disabilities  
24 Education Act.

25 A student who is subject to suspension or expulsion as  
26 provided in this Section may be eligible for a transfer to an

1 alternative school program in accordance with Article 13A of  
2 the School Code.

3 Out-of-school suspensions of up to 3 school days may be  
4 used only when necessary to protect the safety of other  
5 students or staff within the school or to avoid a significant  
6 disruption of the educational process. A student may not be  
7 removed from school for longer than 3 school days or removed to  
8 an alternative setting for disciplinary reasons unless it is  
9 necessary to avoid a significant threat of imminent serious  
10 harm to other students or to staff. All school exclusions must  
11 be limited in duration to the greatest extent practicable.

12 The provisions of this subsection (d) apply in all school  
13 districts, including special charter districts and districts  
14 organized under Article 34.

15 (d-5) The board may suspend or by regulation authorize the  
16 superintendent of the district or the principal, assistant  
17 principal, or dean of students of any school to suspend a  
18 student for a period not to exceed 10 school days or may expel  
19 a student for a definite period of time not to exceed 2  
20 calendar years, as determined on a case by case basis, if (i)  
21 that student has been determined to have made an explicit  
22 threat on an Internet website against a school employee, a  
23 student, or any school-related personnel, (ii) the Internet  
24 website through which the threat was made is a site that was  
25 accessible within the school at the time the threat was made or  
26 was available to third parties who worked or studied within the

1 school grounds at the time the threat was made, and (iii) the  
2 threat could be reasonably interpreted as threatening to the  
3 safety and security of the threatened individual because of his  
4 or her duties or employment status or status as a student  
5 inside the school. The provisions of this subsection (d-5)  
6 apply in all school districts, including special charter  
7 districts and districts organized under Article 34 of this  
8 Code.

9 (e) To maintain order and security in the schools, school  
10 authorities may inspect and search places and areas such as  
11 lockers, desks, parking lots, and other school property and  
12 equipment owned or controlled by the school, as well as  
13 personal effects left in those places and areas by students,  
14 without notice to or the consent of the student, and without a  
15 search warrant. As a matter of public policy, the General  
16 Assembly finds that students have no reasonable expectation of  
17 privacy in these places and areas or in their personal effects  
18 left in these places and areas. School authorities may request  
19 the assistance of law enforcement officials for the purpose of  
20 conducting inspections and searches of lockers, desks, parking  
21 lots, and other school property and equipment owned or  
22 controlled by the school for illegal drugs, weapons, or other  
23 illegal or dangerous substances or materials, including  
24 searches conducted through the use of specially trained dogs.  
25 If a search conducted in accordance with this Section produces  
26 evidence that the student has violated or is violating either

1 the law, local ordinance, or the school's policies or rules,  
2 such evidence may be seized by school authorities, and  
3 disciplinary action may be taken. School authorities may also  
4 turn over such evidence to law enforcement authorities. The  
5 provisions of this subsection (e) apply in all school  
6 districts, including special charter districts and districts  
7 organized under Article 34.

8 (f) Suspension or expulsion may include suspension or  
9 expulsion from school and all school activities and a  
10 prohibition from being present on school grounds.

11 (g) A school district may adopt a policy providing that if  
12 a student is suspended or expelled for any reason from any  
13 public or private school in this or any other state, the  
14 student must complete the entire term of the suspension or  
15 expulsion in an alternative school program under Article 13A of  
16 this Code or an alternative learning opportunities program  
17 under Article 13B of this Code before being admitted into the  
18 school district if there is no threat to the safety of students  
19 or staff in the alternative program. This subsection (g)  
20 applies to all school districts, including special charter  
21 districts and districts organized under Article 34 of this  
22 Code.

23 (h) Students who are suspended out of school for longer  
24 than 3 school days or removed to an alternative setting for  
25 disciplinary reasons must be provided with behavioral support  
26 services, as well alternative educational services, to promote



1 their successful return to their regular school. This  
2 subsection (h) applies to all school districts, including  
3 special charter districts and districts organized under  
4 Article 34 of this Code.

5 (i) Unless otherwise required by statute for a specific  
6 criminal offense, a student may not be arrested or otherwise  
7 cited for a criminal offense committed during school hours  
8 while on school grounds, in a school vehicle, or at a school  
9 activity or school-sanctioned event unless the offense  
10 constitutes a felony in one of the classes defined in the  
11 Criminal Code of 2012 or the student has committed an identical  
12 offense within the preceding 6 months while on school grounds,  
13 in a school vehicle, or at a school activity or  
14 school-sanctioned event.

15 Nothing in this subsection (i) shall require the referral  
16 of a student suspected of committing a felony offense to a law  
17 enforcement officer or law enforcement agency. School  
18 employees and officials retain their authority and discretion  
19 under existing law to address a student's behavior through the  
20 existing school discipline structure as modified by this  
21 amendatory Act of the 99th General Assembly.

22 Nothing in this subsection (i) limits the rights and duties  
23 of teachers, school administrators, other school district  
24 employees, and law enforcement officers from reporting and  
25 responding to criminal conduct by any individual who is not a  
26 student under the school district's jurisdiction.

1       This subsection (i) applies to all school districts,  
2       including special charter districts and districts organized  
3       under Article 34 of this Code.

4       (j) All incidents resulting in an out-of-school suspension  
5       longer than 3 days, removal to an alternative setting, arrest,  
6       or criminal citation must be documented in a written report  
7       that includes a detailed description of the behavior at issue  
8       and an explanation of why the actions taken were necessary.  
9       These individual reports must be immediately provided to the  
10       parent or guardian of the student and must be compiled by each  
11       school district into an annual summary report that is available  
12       for public review. This subsection (j) applies to all school  
13       districts, including special charter districts and districts  
14       organized under Article 34 of this Code.

15       (k) Students may not be counseled by any school employee to  
16       leave school voluntarily in order to avoid formal disciplinary  
17       proceedings or because of any other disciplinary concerns. A  
18       student may not be issued a monetary fine or fee as a  
19       disciplinary consequence.

20       (Source: P.A. 96-633, eff. 8-24-09; 96-998, eff. 7-2-10;  
21       97-340, eff. 1-1-12; 97-495, eff. 1-1-12; 97-813, eff. 7-13-12;  
22       97-1150, eff. 1-25-13.)

23       (105 ILCS 5/13A-11)

24       Sec. 13A-11. Chicago public schools.

25       (a) The Chicago Board of Education may establish

1 alternative schools within Chicago and may contract with third  
2 parties for services otherwise performed by employees,  
3 including those in a bargaining unit, in accordance with  
4 Sections 34-8.1, 34-18, and 34-49.

5 (b) Alternative schools operated by third parties within  
6 Chicago shall be exempt from all provisions of this Code,  
7 except provisions concerning:

8 (1) student civil rights;

9 (2) staff civil rights;

10 (3) health and safety;

11 (4) performance and financial audits;

12 (5) the assessments required under Section 2-3.64a-5  
13 of this Code;

14 (6) Chicago learning outcomes;

15 (7) Sections 2-3.25a through 2-3.25j of this Code;

16 (8) the Inspector General; ~~and~~

17 (9) Section 34-2.4b of this Code; and ~~and~~

18 (10) the discipline of students under Sections 10-22.6  
19 and 34-19 of this Code.

20 (Source: P.A. 98-972, eff. 8-15-14.)

21 (105 ILCS 5/27A-5)

22 Sec. 27A-5. Charter school; legal entity; requirements.

23 (a) A charter school shall be a public, nonsectarian,  
24 nonreligious, non-home based, and non-profit school. A charter  
25 school shall be organized and operated as a nonprofit

1 corporation or other discrete, legal, nonprofit entity  
2 authorized under the laws of the State of Illinois.

3 (b) A charter school may be established under this Article  
4 by creating a new school or by converting an existing public  
5 school or attendance center to charter school status. Beginning  
6 on the effective date of this amendatory Act of the 93rd  
7 General Assembly, in all new applications to establish a  
8 charter school in a city having a population exceeding 500,000,  
9 operation of the charter school shall be limited to one campus.  
10 The changes made to this Section by this amendatory Act of the  
11 93rd General Assembly do not apply to charter schools existing  
12 or approved on or before the effective date of this amendatory  
13 Act.

14 (b-5) In this subsection (b-5), "virtual-schooling" means  
15 a cyber school where students engage in online curriculum and  
16 instruction via the Internet and electronic communication with  
17 their teachers at remote locations and with students  
18 participating at different times.

19 From April 1, 2013 through December 31, 2016, there is a  
20 moratorium on the establishment of charter schools with  
21 virtual-schooling components in school districts other than a  
22 school district organized under Article 34 of this Code. This  
23 moratorium does not apply to a charter school with  
24 virtual-schooling components existing or approved prior to  
25 April 1, 2013 or to the renewal of the charter of a charter  
26 school with virtual-schooling components already approved

1 prior to April 1, 2013.

2 On or before March 1, 2014, the Commission shall submit to  
3 the General Assembly a report on the effect of  
4 virtual-schooling, including without limitation the effect on  
5 student performance, the costs associated with  
6 virtual-schooling, and issues with oversight. The report shall  
7 include policy recommendations for virtual-schooling.

8 (c) A charter school shall be administered and governed by  
9 its board of directors or other governing body in the manner  
10 provided in its charter. The governing body of a charter school  
11 shall be subject to the Freedom of Information Act and the Open  
12 Meetings Act.

13 (d) A charter school shall comply with all applicable  
14 health and safety requirements applicable to public schools  
15 under the laws of the State of Illinois.

16 (e) Except as otherwise provided in the School Code, a  
17 charter school shall not charge tuition; provided that a  
18 charter school may charge reasonable fees for textbooks,  
19 instructional materials, and student activities.

20 (f) A charter school shall be responsible for the  
21 management and operation of its fiscal affairs including, but  
22 not limited to, the preparation of its budget. An audit of each  
23 charter school's finances shall be conducted annually by an  
24 outside, independent contractor retained by the charter  
25 school. To ensure financial accountability for the use of  
26 public funds, on or before December 1 of every year of

1 operation, each charter school shall submit to its authorizer  
2 and the State Board a copy of its audit and a copy of the Form  
3 990 the charter school filed that year with the federal  
4 Internal Revenue Service. In addition, if deemed necessary for  
5 proper financial oversight of the charter school, an authorizer  
6 may require quarterly financial statements from each charter  
7 school.

8 (g) A charter school shall comply with all provisions of  
9 this Article; the Illinois Educational Labor Relations Act; all  
10 federal and State laws and rules applicable to public schools  
11 that pertain to special education and the instruction of  
12 English language learners, referred to in this Code as  
13 "children of limited English-speaking ability"; and its  
14 charter. A charter school is exempt from all other State laws  
15 and regulations in this Code governing public schools and local  
16 school board policies, except the following:

17 (1) Sections 10-21.9 and 34-18.5 of this Code regarding  
18 criminal history records checks and checks of the Statewide  
19 Sex Offender Database and Statewide Murderer and Violent  
20 Offender Against Youth Database of applicants for  
21 employment;

22 (2) Sections 10-22.6, 24-24, 34-19, and 34-84A of this  
23 Code regarding discipline of students;

24 (3) the Local Governmental and Governmental Employees  
25 Tort Immunity Act;

26 (4) Section 108.75 of the General Not For Profit

1 Corporation Act of 1986 regarding indemnification of  
2 officers, directors, employees, and agents;

3 (5) the Abused and Neglected Child Reporting Act;

4 (6) the Illinois School Student Records Act;

5 (7) Section 10-17a of this Code regarding school report  
6 cards;

7 (8) the P-20 Longitudinal Education Data System Act;

8 ~~and~~

9 (9) Section 27-23.7 of this Code regarding bullying  
10 prevention; ~~and~~

11 (10) ~~(9)~~ Section 2-3.162 ~~2-3.160~~ of this ~~the School~~  
12 Code regarding student discipline reporting.

13 The change made by Public Act 96-104 to this subsection (g)  
14 is declaratory of existing law.

15 (h) A charter school may negotiate and contract with a  
16 school district, the governing body of a State college or  
17 university or public community college, or any other public or  
18 for-profit or nonprofit private entity for: (i) the use of a  
19 school building and grounds or any other real property or  
20 facilities that the charter school desires to use or convert  
21 for use as a charter school site, (ii) the operation and  
22 maintenance thereof, and (iii) the provision of any service,  
23 activity, or undertaking that the charter school is required to  
24 perform in order to carry out the terms of its charter.  
25 However, a charter school that is established on or after the  
26 effective date of this amendatory Act of the 93rd General

1 Assembly and that operates in a city having a population  
2 exceeding 500,000 may not contract with a for-profit entity to  
3 manage or operate the school during the period that commences  
4 on the effective date of this amendatory Act of the 93rd  
5 General Assembly and concludes at the end of the 2004-2005  
6 school year. Except as provided in subsection (i) of this  
7 Section, a school district may charge a charter school  
8 reasonable rent for the use of the district's buildings,  
9 grounds, and facilities. Any services for which a charter  
10 school contracts with a school district shall be provided by  
11 the district at cost. Any services for which a charter school  
12 contracts with a local school board or with the governing body  
13 of a State college or university or public community college  
14 shall be provided by the public entity at cost.

15 (i) In no event shall a charter school that is established  
16 by converting an existing school or attendance center to  
17 charter school status be required to pay rent for space that is  
18 deemed available, as negotiated and provided in the charter  
19 agreement, in school district facilities. However, all other  
20 costs for the operation and maintenance of school district  
21 facilities that are used by the charter school shall be subject  
22 to negotiation between the charter school and the local school  
23 board and shall be set forth in the charter.

24 (j) A charter school may limit student enrollment by age or  
25 grade level.

26 (k) If the charter school is approved by the Commission,



1 then the Commission charter school is its own local education  
2 agency.

3 (Source: P.A. 97-152, eff. 7-20-11; 97-154, eff. 1-1-12;  
4 97-813, eff. 7-13-12; 98-16, eff. 5-24-13; 98-639, eff. 6-9-14;  
5 98-669, eff. 6-26-14; 98-739, eff. 7-16-14; 98-783, eff.  
6 1-1-15; 98-1059, eff. 8-26-14; 98-1102, eff. 8-26-14; revised  
7 10-14-14.)

8 (105 ILCS 5/34-19) (from Ch. 122, par. 34-19)

9 Sec. 34-19. By-laws, rules and regulations; business  
10 transacted at regular meetings; voting; records. The board  
11 shall, subject to the limitations in this Article, establish  
12 by-laws, rules and regulations, which shall have the force of  
13 ordinances, for the proper maintenance of a uniform system of  
14 discipline for both employees and pupils, and for the entire  
15 management of the schools, and may fix the school age of  
16 pupils, the minimum of which in kindergartens shall not be  
17 under 4 years, except that, based upon an assessment of the  
18 child's readiness, children who have attended a non-public  
19 preschool and continued their education at that school through  
20 kindergarten, were taught in kindergarten by an appropriately  
21 certified teacher, and will attain the age of 6 years on or  
22 before December 31 of the year of the 2009-2010 school term and  
23 each school term thereafter may attend first grade upon  
24 commencement of such term, and in grade schools shall not be  
25 under 6 years. It may expel a pupil by removing the pupil from

1 a school or educational setting for a period of more than 10  
2 school days for posing a significant threat of imminent serious  
3 harm to other pupils or to staff, suspend a pupil by removing  
4 the pupil from a school or educational setting for a period of  
5 not more than 10 school days for a serious act of misconduct,  
6 or, subject to the limitations of all policies established or  
7 adopted under Section 14-8.05, otherwise discipline any pupil  
8 found guilty of violating ~~gross disobedience, misconduct or~~  
9 ~~other violation~~ of the by-laws, rules, and regulations,  
10 ~~including gross disobedience or misconduct perpetuated by~~  
11 ~~electronic means.~~ Students may not be counseled by any school  
12 employee to leave school voluntarily in order to avoid formal  
13 disciplinary proceedings or because of any other disciplinary  
14 concerns. A student may not be issued a monetary fine or fee as  
15 a disciplinary consequence. An expelled pupil may be  
16 immediately transferred to an alternative program in the manner  
17 provided in Article 13A or 13B of this Code. A pupil must not  
18 be denied transfer because of the expulsion, except in cases in  
19 which such transfer is deemed to cause a threat to the safety  
20 of students or staff in the alternative program. ~~A pupil who is~~  
21 ~~suspended in excess of 20 school days may be immediately~~  
22 ~~transferred to an alternative program in the manner provided in~~  
23 ~~Article 13A or 13B of this Code. A pupil must not be denied~~  
24 ~~transfer because of the suspension, except in cases in which~~  
25 ~~such transfer is deemed to cause a threat to the safety of~~  
26 ~~students or staff in the alternative program.~~ The bylaws, rules

1 and regulations of the board shall be enacted, money shall be  
2 appropriated or expended, salaries shall be fixed or changed,  
3 and textbooks, electronic textbooks, and courses of  
4 instruction shall be adopted or changed only at the regular  
5 meetings of the board and by a vote of a majority of the full  
6 membership of the board; provided that notwithstanding any  
7 other provision of this Article or the School Code, neither the  
8 board or any local school council may purchase any textbook for  
9 use in any public school of the district from any textbook  
10 publisher that fails to furnish any computer diskettes as  
11 required under Section 28-21. Funds appropriated for textbook  
12 purchases must be available for electronic textbook purchases  
13 and the technological equipment necessary to gain access to and  
14 use electronic textbooks at the local school council's  
15 discretion. The board shall be further encouraged to provide  
16 opportunities for public hearing and testimony before the  
17 adoption of bylaws, rules and regulations. Upon all  
18 propositions requiring for their adoption at least a majority  
19 of all the members of the board the yeas and nays shall be  
20 taken and reported. The by-laws, rules and regulations of the  
21 board shall not be repealed, amended or added to, except by a  
22 vote of 2/3 of the full membership of the board. The board  
23 shall keep a record of all its proceedings. Such records and  
24 all by-laws, rules and regulations, or parts thereof, may be  
25 proved by a copy thereof certified to be such by the secretary  
26 of the board, but if they are printed in book or pamphlet form

1 which are purported to be published by authority of the board  
2 they need not be otherwise published and the book or pamphlet  
3 shall be received as evidence, without further proof, of the  
4 records, by-laws, rules and regulations, or any part thereof,  
5 as of the dates thereof as shown in such book or pamphlet, in  
6 all courts and places where judicial proceedings are had.

7 Notwithstanding any other provision in this Article or in  
8 the School Code, the board may delegate to the general  
9 superintendent or to the attorney the authorities granted to  
10 the board in the School Code, provided such delegation and  
11 appropriate oversight procedures are made pursuant to board  
12 by-laws, rules and regulations, adopted as herein provided,  
13 except that the board may not delegate its authorities and  
14 responsibilities regarding (1) budget approval obligations;  
15 (2) rule-making functions; (3) desegregation obligations; (4)  
16 real estate acquisition, sale or lease in excess of 10 years as  
17 provided in Section 34-21; (5) the levy of taxes; or (6) any  
18 mandates imposed upon the board by "An Act in relation to  
19 school reform in cities over 500,000, amending Acts herein  
20 named", approved December 12, 1988 (P.A. 85-1418).

21 (Source: P.A. 96-864, eff. 1-21-10; 96-1403, eff. 7-29-10;  
22 97-340, eff. 1-1-12; 97-495, eff. 1-1-12; 97-813, eff.  
23 7-13-12.)

1 INDEX

2 Statutes amended in order of appearance

3 105 ILCS 5/10-22.6 from Ch. 122, par. 10-22.6

4 105 ILCS 5/13A-11

5 105 ILCS 5/27A-5

6 105 ILCS 5/34-19 from Ch. 122, par. 34-19