

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 10-20.14, 10-22.6, 27A-5, and 34-19 as follows:

6 (105 ILCS 5/10-20.14) (from Ch. 122, par. 10-20.14)

7 Sec. 10-20.14. Student discipline policies; Parent-teacher
8 advisory committee.

9 (a) To establish and maintain a parent-teacher advisory
10 committee to develop with the school board or governing body of
11 a charter school policy guidelines on pupil discipline,
12 including school searches and bullying prevention as set forth
13 in Section 27-23.7 of this Code. School authorities shall, ~~to~~
14 furnish a copy of the policy to the parents or guardian of each
15 pupil within 15 days after the beginning of the school year, or
16 within 15 days after starting classes for a pupil who transfers
17 into the district during the school year, and the school board
18 or governing body of a charter school shall ~~to~~ require that a
19 ~~each~~ school inform ~~informs~~ its pupils of the contents of the
20 ~~its~~ policy. School boards and the governing bodies of charter
21 schools, along with the parent-teacher advisory committee,
22 must ~~are encouraged to~~ annually review their pupil discipline
23 policies, the implementation of those policies, and any other

1 factors related to the safety of their schools, pupils, and
2 staff.

3 (a-5) On or before September 15, 2016, each elementary and
4 secondary school and charter school shall, at a minimum, adopt
5 pupil discipline policies that fulfill the requirements set
6 forth in this Section, subsections (a) and (b) of Section
7 10-22.6 of this Code, Section 34-19 of this Code if applicable,
8 and federal and State laws that provide special requirements
9 for the discipline of students with disabilities.

10 (b) The parent-teacher advisory committee in cooperation
11 with local law enforcement agencies shall develop, with the
12 school board, policy guideline procedures to establish and
13 maintain a reciprocal reporting system between the school
14 district and local law enforcement agencies regarding criminal
15 offenses committed by students. School districts are
16 encouraged to create memoranda of understanding with local law
17 enforcement agencies that clearly define law enforcement's
18 role in schools, in accordance with Section 10-22.6 of this
19 Code.

20 (c) The parent-teacher advisory committee, in cooperation
21 with school bus personnel, shall develop, with the school
22 board, policy guideline procedures to establish and maintain
23 school bus safety procedures. These procedures shall be
24 incorporated into the district's pupil discipline policy.

25 (d) The school board, in consultation with the
26 parent-teacher advisory committee and other community-based

1 organizations, must include provisions in the student
2 discipline policy to address students who have demonstrated
3 behaviors that put them at risk for aggressive behavior,
4 including without limitation bullying, as defined in the
5 policy. These provisions must include procedures for notifying
6 parents or legal guardians and early intervention procedures
7 based upon available community-based and district resources.

8 (Source: P.A. 91-272, eff. 1-1-00; 92-260, eff. 1-1-02.)

9 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

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

12 (a) To expel pupils guilty of gross disobedience or
13 misconduct, including gross disobedience or misconduct
14 perpetrated by electronic means, pursuant to subsection (b-20)
15 of this Section, and no action shall lie against them for such
16 expulsion. Expulsion shall take place only after the parents
17 have been requested to appear at a meeting of the board, or
18 with a hearing officer appointed by it, to discuss their
19 child's behavior. Such request shall be made by registered or
20 certified mail and shall state the time, place and purpose of
21 the meeting. The board, or a hearing officer appointed by it,
22 at such meeting shall state the reasons for dismissal and the
23 date on which the expulsion is to become effective. If a
24 hearing officer is appointed by the board he shall report to
25 the board a written summary of the evidence heard at the

1 meeting and the board may take such action thereon as it finds
2 appropriate. If the board acts to expel a pupil, the written
3 expulsion decision shall detail the specific reasons why
4 removing the pupil from the learning environment is in the best
5 interest of the school. The expulsion decision shall also
6 include a rationale as to the specific duration of the
7 expulsion. An expelled pupil may be immediately transferred to
8 an alternative program in the manner provided in Article 13A or
9 13B of this Code. A pupil must not be denied transfer because
10 of the expulsion, except in cases in which such transfer is
11 deemed to cause a threat to the safety of students or staff in
12 the alternative program.

13 (b) To suspend or by policy to authorize the superintendent
14 of the district or the principal, assistant principal, or dean
15 of students of any school to suspend pupils guilty of gross
16 disobedience or misconduct, or to suspend pupils guilty of
17 gross disobedience or misconduct on the school bus from riding
18 the school bus, pursuant to subsections (b-15) and (b-20) of
19 this Section, and no action shall lie against them for such
20 suspension. The board may by policy authorize the
21 superintendent of the district or the principal, assistant
22 principal, or dean of students of any school to suspend pupils
23 guilty of such acts for a period not to exceed 10 school days.
24 If a pupil is suspended due to gross disobedience or misconduct
25 on a school bus, the board may suspend the pupil in excess of
26 10 school days for safety reasons.

1 Any suspension shall be reported immediately to the
2 parents or guardian of a ~~such~~ pupil along with a full statement
3 of the reasons for such suspension and a notice of their right
4 to a review. The school board must be given a summary of the
5 notice, including the reason for the suspension and the
6 suspension length. Upon request of the parents or guardian the
7 school board or a hearing officer appointed by it shall review
8 such action of the superintendent or principal, assistant
9 principal, or dean of students. At such review the parents or
10 guardian of the pupil may appear and discuss the suspension
11 with the board or its hearing officer. If a hearing officer is
12 appointed by the board he shall report to the board a written
13 summary of the evidence heard at the meeting. After its hearing
14 or upon receipt of the written report of its hearing officer,
15 the board may take such action as it finds appropriate. If a
16 student is suspended pursuant to this subsection (b), the board
17 shall, in the written suspension decision, detail the specific
18 act of gross disobedience or misconduct resulting in the
19 decision to suspend. The suspension decision shall also include
20 a rationale as to the specific duration of the suspension. A
21 pupil who is suspended in excess of 20 school days may be
22 immediately transferred to an alternative program in the manner
23 provided in Article 13A or 13B of this Code. A pupil must not
24 be denied transfer because of the suspension, except in cases
25 in which such transfer is deemed to cause a threat to the
26 safety of students or staff in the alternative program.

1 (b-5) Among the many possible disciplinary interventions
2 and consequences available to school officials, school
3 exclusions, such as out-of-school suspensions and expulsions,
4 are the most serious. School officials shall limit the number
5 and duration of expulsions and suspensions to the greatest
6 extent practicable, and it is recommended that they use them
7 only for legitimate educational purposes. To ensure that
8 students are not excluded from school unnecessarily, it is
9 recommended that school officials consider forms of
10 non-exclusionary discipline prior to using out-of-school
11 suspensions or expulsions.

12 (b-10) Unless otherwise required by federal law or this
13 Code, school boards may not institute zero-tolerance policies
14 by which school administrators are required to suspend or expel
15 students for particular behaviors.

16 (b-15) Out-of-school suspensions of 3 days or less may be
17 used only if the student's continuing presence in school would
18 pose a threat to school safety or a disruption to other
19 students' learning opportunities. For purposes of this
20 subsection (b-15), "threat to school safety or a disruption to
21 other students' learning opportunities" shall be determined on
22 a case-by-case basis by the school board or its designee.
23 School officials shall make all reasonable efforts to resolve
24 such threats, address such disruptions, and minimize the length
25 of suspensions to the greatest extent practicable.

26 (b-20) Unless otherwise required by this Code,

1 out-of-school suspensions of longer than 3 days, expulsions,
2 and disciplinary removals to alternative schools may be used
3 only if the student's continuing presence in school poses a
4 threat to the safety of other students, staff, or members of
5 the school community or substantially disrupts, impedes, or
6 interferes with the operation of the school and other
7 appropriate and available behavioral and disciplinary
8 interventions have been exhausted. For purposes of this
9 subsection (b-20), "threat to the safety of other students,
10 staff, or members of the school community" and "substantially
11 disrupts, impedes, or interferes with the operation of the
12 school" shall be determined on a case-by-case basis by school
13 officials. For purposes of this subsection (b-20), the
14 determination of whether "appropriate and available behavioral
15 and disciplinary interventions have been exhausted" shall be
16 made by school officials. School officials shall make all
17 reasonable efforts to resolve such threats and minimize the
18 length of student exclusions to the greatest extent
19 practicable. Within the suspension decision described in
20 subsection (b) of this Section or the expulsion decision
21 described in subsection (a) of this Section, it shall be
22 documented whether other interventions were attempted or
23 whether it was determined that there were no other appropriate
24 and available interventions.

25 (b-25) Students who are suspended out-of-school for longer
26 than 4 school days shall be provided appropriate and available

1 support services during the period of their suspension. For
2 purposes of this subsection (b-25), "appropriate and available
3 support services" shall be determined by school authorities.
4 Within the suspension decision described in subsection (b) of
5 this Section, it shall be documented whether such services are
6 to be provided or whether it was determined that there are no
7 such appropriate and available services.

8 A school district may refer students who are expelled to
9 appropriate and available support services.

10 A school district shall create a policy to facilitate the
11 re-engagement of students who are suspended out-of-school,
12 expelled, or returning from an alternative school setting.

13 (b-30) A school district shall create a policy by which
14 suspended pupils, including those pupils suspended from the
15 school bus who do not have alternate transportation to school,
16 shall have the opportunity to make up work for equivalent
17 academic credit. It shall be the responsibility of a pupil's
18 parent or guardian to notify school officials that a pupil
19 suspended from the school bus does not have alternate
20 transportation to school.

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

25 (c-5) School districts shall make reasonable efforts to
26 provide ongoing professional development to teachers,

1 administrators, school board members, school resource
2 officers, and staff on the adverse consequences of school
3 exclusion and justice-system involvement, effective classroom
4 management strategies, culturally responsive discipline, and
5 developmentally appropriate disciplinary methods that promote
6 positive and healthy school climates.

7 (d) The board may expel a student for a definite period of
8 time not to exceed 2 calendar years, as determined on a case by
9 case basis. A student who is determined to have brought one of
10 the following objects to school, any school-sponsored activity
11 or event, or any activity or event that bears a reasonable
12 relationship to school shall be expelled for a period of not
13 less than one year:

14 (1) A firearm. For the purposes of this Section,
15 "firearm" means any gun, rifle, shotgun, weapon as defined
16 by Section 921 of Title 18 of the United States Code,
17 firearm as defined in Section 1.1 of the Firearm Owners
18 Identification Card Act, or firearm as defined in Section
19 24-1 of the Criminal Code of 2012. The expulsion period
20 under this subdivision (1) may be modified by the
21 superintendent, and the superintendent's determination may
22 be modified by the board on a case-by-case basis.

23 (2) A knife, brass knuckles or other knuckle weapon
24 regardless of its composition, a billy club, or any other
25 object if used or attempted to be used to cause bodily
26 harm, including "look alike" of any firearm as defined in

1 subdivision (1) of this subsection (d). The expulsion
2 requirement under this subdivision (2) may be modified by
3 the superintendent, and the superintendent's determination
4 may be modified by the board on a case-by-case basis.

5 Expulsion or suspension shall be construed in a manner
6 consistent with the Federal Individuals with Disabilities
7 Education Act. A student who is subject to suspension or
8 expulsion as provided in this Section may be eligible for a
9 transfer to an alternative school program in accordance with
10 Article 13A of the School Code. ~~The provisions of this~~
11 ~~subsection (d) apply in all school districts, including special~~
12 ~~charter districts and districts organized under Article 34.~~

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

1 safety and security of the threatened individual because of his
2 or her duties or employment status or status as a student
3 inside the school. ~~The provisions of this subsection (d-5)~~
4 ~~apply in all school districts, including special charter~~
5 ~~districts and districts organized under Article 34 of this~~
6 ~~Code.~~

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

1 disciplinary action may be taken. School authorities may also
2 turn over such evidence to law enforcement authorities. ~~The~~
3 ~~provisions of this subsection (c) apply in all school~~
4 ~~districts, including special charter districts and districts~~
5 ~~organized under Article 34.~~

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

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

21 (h) School officials shall not advise or encourage students
22 to drop out voluntarily due to behavioral or academic
23 difficulties.

24 (i) A student may not be issued a monetary fine or fee as a
25 disciplinary consequence, though this shall not preclude
26 requiring a student to provide restitution for lost, stolen, or

1 damaged property.

2 (j) Subsections (a) through (i) of this Section shall apply
3 to elementary and secondary schools, charter schools, special
4 charter districts, and school districts organized under
5 Article 34 of this Code.

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

9 (105 ILCS 5/27A-5)

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

11 (a) A charter school shall be a public, nonsectarian,
12 nonreligious, non-home based, and non-profit school. A charter
13 school shall be organized and operated as a nonprofit
14 corporation or other discrete, legal, nonprofit entity
15 authorized under the laws of the State of Illinois.

16 (b) A charter school may be established under this Article
17 by creating a new school or by converting an existing public
18 school or attendance center to charter school status. Beginning
19 on the effective date of this amendatory Act of the 93rd
20 General Assembly, in all new applications to establish a
21 charter school in a city having a population exceeding 500,000,
22 operation of the charter school shall be limited to one campus.
23 The changes made to this Section by this amendatory Act of the
24 93rd General Assembly do not apply to charter schools existing
25 or approved on or before the effective date of this amendatory

1 Act.

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

7 From April 1, 2013 through December 31, 2016, there is a
8 moratorium on the establishment of charter schools with
9 virtual-schooling components in school districts other than a
10 school district organized under Article 34 of this Code. This
11 moratorium does not apply to a charter school with
12 virtual-schooling components existing or approved prior to
13 April 1, 2013 or to the renewal of the charter of a charter
14 school with virtual-schooling components already approved
15 prior to April 1, 2013.

16 On or before March 1, 2014, the Commission shall submit to
17 the General Assembly a report on the effect of
18 virtual-schooling, including without limitation the effect on
19 student performance, the costs associated with
20 virtual-schooling, and issues with oversight. The report shall
21 include policy recommendations for virtual-schooling.

22 (c) A charter school shall be administered and governed by
23 its board of directors or other governing body in the manner
24 provided in its charter. The governing body of a charter school
25 shall be subject to the Freedom of Information Act and the Open
26 Meetings Act.

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

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

8 (f) A charter school shall be responsible for the
9 management and operation of its fiscal affairs including, but
10 not limited to, the preparation of its budget. An audit of each
11 charter school's finances shall be conducted annually by an
12 outside, independent contractor retained by the charter
13 school. To ensure financial accountability for the use of
14 public funds, on or before December 1 of every year of
15 operation, each charter school shall submit to its authorizer
16 and the State Board a copy of its audit and a copy of the Form
17 990 the charter school filed that year with the federal
18 Internal Revenue Service. In addition, if deemed necessary for
19 proper financial oversight of the charter school, an authorizer
20 may require quarterly financial statements from each charter
21 school.

22 (g) A charter school shall comply with all provisions of
23 this Article; the Illinois Educational Labor Relations Act; all
24 federal and State laws and rules applicable to public schools
25 that pertain to special education and the instruction of
26 English language learners, referred to in this Code as

1 "children of limited English-speaking ability"; and its
2 charter. A charter school is exempt from all other State laws
3 and regulations in this Code governing public schools and local
4 school board policies, except the following:

5 (1) Sections 10-21.9 and 34-18.5 of this Code regarding
6 criminal history records checks and checks of the Statewide
7 Sex Offender Database and Statewide Murderer and Violent
8 Offender Against Youth Database of applicants for
9 employment;

10 (2) Sections 10-20.14, 10-22.6, 24-24, 34-19, and
11 34-84a ~~34-84A~~ of this Code regarding discipline of
12 students;

13 (3) the Local Governmental and Governmental Employees
14 Tort Immunity Act;

15 (4) Section 108.75 of the General Not For Profit
16 Corporation Act of 1986 regarding indemnification of
17 officers, directors, employees, and agents;

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

19 (6) the Illinois School Student Records Act;

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

22 (8) the P-20 Longitudinal Education Data System Act;
23 ~~and~~

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

26 (10) ~~(9)~~ Section 2-3.162 ~~2-3.160~~ of this ~~the School~~

1 Code regarding student discipline reporting.

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

4 (h) A charter school may negotiate and contract with a
5 school district, the governing body of a State college or
6 university or public community college, or any other public or
7 for-profit or nonprofit private entity for: (i) the use of a
8 school building and grounds or any other real property or
9 facilities that the charter school desires to use or convert
10 for use as a charter school site, (ii) the operation and
11 maintenance thereof, and (iii) the provision of any service,
12 activity, or undertaking that the charter school is required to
13 perform in order to carry out the terms of its charter.
14 However, a charter school that is established on or after the
15 effective date of this amendatory Act of the 93rd General
16 Assembly and that operates in a city having a population
17 exceeding 500,000 may not contract with a for-profit entity to
18 manage or operate the school during the period that commences
19 on the effective date of this amendatory Act of the 93rd
20 General Assembly and concludes at the end of the 2004-2005
21 school year. Except as provided in subsection (i) of this
22 Section, a school district may charge a charter school
23 reasonable rent for the use of the district's buildings,
24 grounds, and facilities. Any services for which a charter
25 school contracts with a school district shall be provided by
26 the district at cost. Any services for which a charter school

1 contracts with a local school board or with the governing body
2 of a State college or university or public community college
3 shall be provided by the public entity at cost.

4 (i) In no event shall a charter school that is established
5 by converting an existing school or attendance center to
6 charter school status be required to pay rent for space that is
7 deemed available, as negotiated and provided in the charter
8 agreement, in school district facilities. However, all other
9 costs for the operation and maintenance of school district
10 facilities that are used by the charter school shall be subject
11 to negotiation between the charter school and the local school
12 board and shall be set forth in the charter.

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

15 (k) If the charter school is approved by the Commission,
16 then the Commission charter school is its own local education
17 agency.

18 (Source: P.A. 97-152, eff. 7-20-11; 97-154, eff. 1-1-12;
19 97-813, eff. 7-13-12; 98-16, eff. 5-24-13; 98-639, eff. 6-9-14;
20 98-669, eff. 6-26-14; 98-739, eff. 7-16-14; 98-783, eff.
21 1-1-15; 98-1059, eff. 8-26-14; 98-1102, eff. 8-26-14; revised
22 10-14-14.)

23 (105 ILCS 5/34-19) (from Ch. 122, par. 34-19)

24 Sec. 34-19. By-laws, rules and regulations; business
25 transacted at regular meetings; voting; records. The board

1 shall, subject to the limitations in this Article, establish
2 by-laws, rules and regulations, which shall have the force of
3 ordinances, for the proper maintenance of a uniform system of
4 discipline for both employees and pupils, and for the entire
5 management of the schools, and may fix the school age of
6 pupils, the minimum of which in kindergartens shall not be
7 under 4 years, except that, based upon an assessment of the
8 child's readiness, children who have attended a non-public
9 preschool and continued their education at that school through
10 kindergarten, were taught in kindergarten by an appropriately
11 certified teacher, and will attain the age of 6 years on or
12 before December 31 of the year of the 2009-2010 school term and
13 each school term thereafter may attend first grade upon
14 commencement of such term, and in grade schools shall not be
15 under 6 years. It may expel, suspend or, subject to the
16 limitations of all policies established or adopted under
17 Section 10-22.6 or 14-8.05, otherwise discipline any pupil
18 found guilty of gross disobedience, misconduct, or other
19 violation of the by-laws, rules, and regulations, including
20 gross disobedience or misconduct perpetuated by electronic
21 means. An expelled pupil may be immediately transferred to an
22 alternative program in the manner provided in Article 13A or
23 13B of this Code. A pupil must not be denied transfer because
24 of the expulsion, except in cases in which such transfer is
25 deemed to cause a threat to the safety of students or staff in
26 the alternative program. A pupil who is suspended in excess of

1 20 school days may be immediately transferred to an alternative
2 program in the manner provided in Article 13A or 13B of this
3 Code. A pupil must not be denied transfer because of the
4 suspension, except in cases in which such transfer is deemed to
5 cause a threat to the safety of students or staff in the
6 alternative program. The bylaws, rules and regulations of the
7 board shall be enacted, money shall be appropriated or
8 expended, salaries shall be fixed or changed, and textbooks,
9 electronic textbooks, and courses of instruction shall be
10 adopted or changed only at the regular meetings of the board
11 and by a vote of a majority of the full membership of the
12 board; provided that notwithstanding any other provision of
13 this Article or the School Code, neither the board or any local
14 school council may purchase any textbook for use in any public
15 school of the district from any textbook publisher that fails
16 to furnish any computer diskettes as required under Section
17 28-21. Funds appropriated for textbook purchases must be
18 available for electronic textbook purchases and the
19 technological equipment necessary to gain access to and use
20 electronic textbooks at the local school council's discretion.
21 The board shall be further encouraged to provide opportunities
22 for public hearing and testimony before the adoption of bylaws,
23 rules and regulations. Upon all propositions requiring for
24 their adoption at least a majority of all the members of the
25 board the yeas and nays shall be taken and reported. The
26 by-laws, rules and regulations of the board shall not be

1 repealed, amended or added to, except by a vote of 2/3 of the
2 full membership of the board. The board shall keep a record of
3 all its proceedings. Such records and all by-laws, rules and
4 regulations, or parts thereof, may be proved by a copy thereof
5 certified to be such by the secretary of the board, but if they
6 are printed in book or pamphlet form which are purported to be
7 published by authority of the board they need not be otherwise
8 published and the book or pamphlet shall be received as
9 evidence, without further proof, of the records, by-laws, rules
10 and regulations, or any part thereof, as of the dates thereof
11 as shown in such book or pamphlet, in all courts and places
12 where judicial proceedings are had.

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

1 (Source: P.A. 96-864, eff. 1-21-10; 96-1403, eff. 7-29-10;
2 97-340, eff. 1-1-12; 97-495, eff. 1-1-12; 97-813, eff.
3 7-13-12.)

4 Section 99. Effective date. This Act takes effect September
5 15, 2016.