

1 AN ACT in relation to public employee benefits.

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

4 Section 5. The Illinois Pension Code is amended by
5 changing Sections 16-106, 16-118, 16-127, 16-132, 16-150, and
6 16-152 and adding Section 16-150.1 as follows:

7 (40 ILCS 5/16-106) (from Ch. 108 1/2, par. 16-106)

8 Sec. 16-106. Teacher. "Teacher": The following
9 individuals, provided that, for employment prior to July 1,
10 1990, they are employed on a full-time basis, or if not
11 full-time, on a permanent and continuous basis in a position
12 in which services are expected to be rendered for at least
13 one school term:

14 (1) Any educational, administrative, professional
15 or other staff employed in the public common schools
16 included within this system in a position requiring
17 certification under the law governing the certification
18 of teachers;

19 (2) Any educational, administrative, professional
20 or other staff employed in any facility of the Department
21 of Children and Family Services or the Department of
22 Human Services, in a position requiring certification
23 under the law governing the certification of teachers,
24 and any person who (i) works in such a position for the
25 Department of Corrections, (ii) was a member of this
26 System on May 31, 1987, and (iii) did not elect to become
27 a member of the State Employees' Retirement System
28 pursuant to Section 14-108.2 of this Code; except that
29 "teacher" does not include any person who (A) becomes a
30 security employee of the Department of Human Services, as
31 defined in Section 14-110, after June 28, 2001 (the

1 effective date of Public Act 92-14) ~~this--amendatory--Act~~
 2 ~~of--the-92nd-General-Assembly~~, or (B) becomes a member of
 3 the State Employees' Retirement System pursuant to
 4 Section 14-108.2c of this Code;

5 (3) Any regional superintendent of schools,
 6 assistant regional superintendent of schools, State
 7 Superintendent of Education; any person employed by the
 8 State Board of Education as an executive; any executive
 9 of the boards engaged in the service of public common
 10 school education in school districts covered under this
 11 system of which the State Superintendent of Education is
 12 an ex-officio member;

13 (4) Any employee of a school board association
 14 operating in compliance with Article 23 of the School
 15 Code who is certificated under the law governing the
 16 certification of teachers;

17 (5) Any person employed by the retirement system
 18 who:

19 (i) was an employee of and a participant in
 20 the system on August 17, 2001 (the effective date of
 21 Public Act 92-416) ~~this-amendatory-Act-of--the--92nd~~
 22 ~~General-Assembly~~, or

23 (ii) becomes an employee of the system on or
 24 after August 17, 2001 ~~the--effective--date--of--this~~
 25 ~~amendatory-Act-of-the-92nd-General-Assembly~~;

26 (6) Any educational, administrative, professional
 27 or other staff employed by and under the supervision and
 28 control of a regional superintendent of schools, provided
 29 such employment position requires the person to be
 30 certificated under the law governing the certification of
 31 teachers and is in an educational program serving 2 or
 32 more districts in accordance with a joint agreement
 33 authorized by the School Code or by federal legislation;

34 (7) Any educational, administrative, professional

1 or other staff employed in an educational program
2 serving 2 or more school districts in accordance with a
3 joint agreement authorized by the School Code or by
4 federal legislation and in a position requiring
5 certification under the laws governing the certification
6 of teachers;

7 (8) Any officer or employee of a statewide teacher
8 organization or officer of a national teacher
9 organization who is certified under the law governing
10 certification of teachers, provided: (i) the individual
11 had previously established creditable service under this
12 Article, (ii) the individual files with the system an
13 irrevocable election to become a member, and (iii) the
14 individual does not receive credit for such service under
15 any other Article of this Code;

16 (9) Any educational, administrative, professional,
17 or other staff employed in a charter school operating in
18 compliance with the Charter Schools Law who is
19 certificated under the law governing the certification of
20 teachers.

21 An annuitant receiving a retirement annuity under this
22 Article who returns to teaching under the program established
23 in Section 16-150.1 is a "teacher" for the purposes of this
24 Article, for the duration of his or her participation in that
25 program.

26 An annuitant receiving a retirement annuity under this
27 Article or under Article 17 of this Code who is temporarily
28 employed by a board of education or other employer not
29 exceeding that permitted under Section 16-118 is not a
30 "teacher" for purposes of this Article. A person who has
31 received a single-sum retirement benefit under Section
32 16-136.4 of this Article is not a "teacher" for purposes of
33 this Article.

34 (Source: P.A. 92-14, eff. 6-28-01; 92-416, eff. 8-17-01;

1 revised 10-18-01.)

2 (40 ILCS 5/16-118) (from Ch. 108 1/2, par. 16-118)

3 Sec. 16-118. Retirement. "Retirement": Entry upon a
4 retirement annuity or receipt of a single-sum retirement
5 benefit granted under this Article after termination of
6 active service as a teacher.

7 (a) An annuitant receiving a retirement annuity other
8 than a disability retirement annuity may accept employment as
9 a teacher from a school board or other employer specified in
10 Section 16-106 without impairing retirement status, if that
11 employment: (1) is not within the school year during which
12 service was terminated; and (2) does not exceed 100 paid days
13 or 500 paid hours in any school year (during the period
14 beginning July 1, 2001 through June 30, 2006, 120 paid days
15 or 600 paid hours in each school year). Where such permitted
16 employment is partly on a daily and partly on an hourly
17 basis, a day shall be considered as 5 hours.

18 (b) Subsection (a) does not apply to an annuitant who
19 returns to teaching under the program established in Section
20 16-150.1, for the duration of his or her participation in
21 that program.

22 (Source: P.A. 92-416, eff. 8-17-01.)

23 (40 ILCS 5/16-127) (from Ch. 108 1/2, par. 16-127)

24 Sec. 16-127. Computation of creditable service.

25 (a) Each member shall receive regular credit for all
26 service as a teacher from the date membership begins, for
27 which satisfactory evidence is supplied and all contributions
28 have been paid.

29 (b) The following periods of service shall earn optional
30 credit and each member shall receive credit for all such
31 service for which satisfactory evidence is supplied and all
32 contributions have been paid as of the date specified:

1 (1) Prior service as a teacher.

2 (2) Service in a capacity essentially similar or
3 equivalent to that of a teacher, in the public common
4 schools in school districts in this State not included
5 within the provisions of this System, or of any other
6 State, territory, dependency or possession of the United
7 States, or in schools operated by or under the auspices
8 of the United States, or under the auspices of any agency
9 or department of any other State, and service during any
10 period of professional speech correction or special
11 education experience for a public agency within this
12 State or any other State, territory, dependency or
13 possession of the United States, and service prior to
14 February 1, 1951 as a recreation worker for the Illinois
15 Department of Public Safety, for a period not exceeding
16 the lesser of 2/5 of the total creditable service of the
17 member or 10 years. The maximum service of 10 years
18 which is allowable under this paragraph shall be reduced
19 by the service credit which is validated by other
20 retirement systems under paragraph (i) of Section 15-113
21 and paragraph 1 of Section 17-133. Credit granted under
22 this paragraph may not be used in determination of a
23 retirement annuity or disability benefits unless the
24 member has at least 5 years of creditable service earned
25 subsequent to this employment with one or more of the
26 following systems: Teachers' Retirement System of the
27 State of Illinois, State Universities Retirement System,
28 and the Public School Teachers' Pension and Retirement
29 Fund of Chicago. Whenever such service credit exceeds
30 the maximum allowed for all purposes of this Article, the
31 first service rendered in point of time shall be
32 considered. The changes to this subdivision (b)(2) made
33 by Public Act 86-272 shall apply not only to persons who
34 on or after its effective date (August 23, 1989) are in

1 service as a teacher under the System, but also to
2 persons whose status as such a teacher terminated prior
3 to such effective date, whether or not such person is an
4 annuitant on that date.

5 (3) Any periods immediately following teaching
6 service, under this System or under Article 17, (or
7 immediately following service prior to February 1, 1951
8 as a recreation worker for the Illinois Department of
9 Public Safety) spent in active service with the military
10 forces of the United States; periods spent in educational
11 programs that prepare for return to teaching sponsored by
12 the federal government following such active military
13 service; if a teacher returns to teaching service within
14 one calendar year after discharge or after the completion
15 of the educational program, a further period, not
16 exceeding one calendar year, between time spent in
17 military service or in such educational programs and the
18 return to employment as a teacher under this System; and
19 a period of up to 2 years of active military service not
20 immediately following employment as a teacher.

21 The changes to this Section and Section 16-128
22 relating to military service made by P.A. 87-794 shall
23 apply not only to persons who on or after its effective
24 date are in service as a teacher under the System, but
25 also to persons whose status as a teacher terminated
26 prior to that date, whether or not the person is an
27 annuitant on that date. In the case of an annuitant who
28 applies for credit allowable under this Section for a
29 period of military service that did not immediately
30 follow employment, and who has made the required
31 contributions for such credit, the annuity shall be
32 recalculated to include the additional service credit,
33 with the increase taking effect on the date the System
34 received written notification of the annuitant's intent

1 to purchase the credit, if payment of all the required
2 contributions is made within 60 days of such notice, or
3 else on the first annuity payment date following the date
4 of payment of the required contributions. In calculating
5 the automatic annual increase for an annuity that has
6 been recalculated under this Section, the increase
7 attributable to the additional service allowable under
8 P.A. 87-794 shall be included in the calculation of
9 automatic annual increases accruing after the effective
10 date of the recalculation.

11 Credit for military service shall be determined as
12 follows: if entry occurs during the months of July,
13 August, or September and the member was a teacher at the
14 end of the immediately preceding school term, credit
15 shall be granted from July 1 of the year in which he or
16 she entered service; if entry occurs during the school
17 term and the teacher was in teaching service at the
18 beginning of the school term, credit shall be granted
19 from July 1 of such year. In all other cases where credit
20 for military service is allowed, credit shall be granted
21 from the date of entry into the service.

22 The total period of military service for which
23 credit is granted shall not exceed 5 years for any member
24 unless the service: (A) is validated before July 1,
25 1964, and (B) does not extend beyond July 1, 1963.
26 Credit for military service shall be granted under this
27 Section only if not more than 5 years of the military
28 service for which credit is granted under this Section is
29 used by the member to qualify for a military retirement
30 allotment from any branch of the armed forces of the
31 United States. The changes to this subdivision (b)(3)
32 made by Public Act 86-272 shall apply not only to persons
33 who on or after its effective date (August 23, 1989) are
34 in service as a teacher under the System, but also to

1 persons whose status as such a teacher terminated prior
2 to such effective date, whether or not such person is an
3 annuitant on that date.

4 (4) Any periods served as a member of the General
5 Assembly.

6 (5)(i) Any periods for which a teacher, as defined
7 in Section 16-106, is granted a leave of absence,
8 provided he or she returns to teaching service creditable
9 under this System or the State Universities Retirement
10 System following the leave; (ii) periods during which a
11 teacher is involuntarily laid off from teaching, provided
12 he or she returns to teaching following the lay-off;
13 (iii) periods prior to July 1, 1983 during which a
14 teacher ceased covered employment due to pregnancy,
15 provided that the teacher returned to teaching service
16 creditable under this System or the State Universities
17 Retirement System following the pregnancy and submits
18 evidence satisfactory to the Board documenting that the
19 employment ceased due to pregnancy; and (iv) periods
20 prior to July 1, 1983 during which a teacher ceased
21 covered employment for the purpose of adopting an infant
22 under 3 years of age or caring for a newly adopted infant
23 under 3 years of age, provided that the teacher returned
24 to teaching service creditable under this System or the
25 State Universities Retirement System following the
26 adoption and submits evidence satisfactory to the Board
27 documenting that the employment ceased for the purpose of
28 adopting an infant under 3 years of age or caring for a
29 newly adopted infant under 3 years of age. However,
30 total credit under this paragraph (5) may not exceed 3
31 years.

32 Any qualified member or annuitant may apply for
33 credit under item (iii) or (iv) of this paragraph (5)
34 without regard to whether service was terminated before

1 the effective date of this amendatory Act of 1997. In
2 the case of an annuitant who establishes credit under
3 item (iii) or (iv), the annuity shall be recalculated to
4 include the additional service credit. The increase in
5 annuity shall take effect on the date the System receives
6 written notification of the annuitant's intent to
7 purchase the credit, if the required evidence is
8 submitted and the required contribution paid within 60
9 days of that notification, otherwise on the first annuity
10 payment date following the System's receipt of the
11 required evidence and contribution. The increase in an
12 annuity recalculated under this provision shall be
13 included in the calculation of automatic annual increases
14 in the annuity accruing after the effective date of the
15 recalculation.

16 Optional credit may be purchased under this
17 subsection (b)(5) for periods during which a teacher has
18 been granted a leave of absence pursuant to Section 24-13
19 of the School Code. A teacher whose service under this
20 Article terminated prior to the effective date of P.A.
21 86-1488 shall be eligible to purchase such optional
22 credit. If a teacher who purchases this optional credit
23 is already receiving a retirement annuity under this
24 Article, the annuity shall be recalculated as if the
25 annuitant had applied for the leave of absence credit at
26 the time of retirement. The difference between the
27 entitled annuity and the actual annuity shall be credited
28 to the purchase of the optional credit. The remainder of
29 the purchase cost of the optional credit shall be paid on
30 or before April 1, 1992.

31 The change in this paragraph made by Public Act
32 86-273 shall be applicable to teachers who retire after
33 June 1, 1989, as well as to teachers who are in service
34 on that date.

1 (6) Any days of unused and uncompensated
2 accumulated sick leave earned by a teacher. The service
3 credit granted under this paragraph shall be the ratio of
4 the number of unused and uncompensated accumulated sick
5 leave days to 170 days, subject to a maximum of one year
6 of service credit. Prior to the member's retirement,
7 each former employer shall certify to the System the
8 number of unused and uncompensated accumulated sick leave
9 days credited to the member at the time of termination of
10 service. The period of unused sick leave shall not be
11 considered in determining the effective date of
12 retirement. A member is not required to make
13 contributions in order to obtain service credit for
14 unused sick leave.

15 Credit for sick leave shall, at retirement, be
16 granted by the System for any retiring regional or
17 assistant regional superintendent of schools at the rate
18 of 6 days per year of creditable service or portion
19 thereof established while serving as such superintendent
20 or assistant superintendent.

21 (7) Periods prior to February 1, 1987 served as an
22 employee of the Illinois Mathematics and Science Academy
23 for which credit has not been terminated under Section
24 15-113.9 of this Code.

25 (8) Service as a substitute teacher for work
26 performed prior to July 1, 1990.

27 (9) Service as a part-time teacher for work
28 performed prior to July 1, 1990.

29 (10) Up to 2 years of employment with Southern
30 Illinois University - Carbondale from September 1, 1959
31 to August 31, 1961, or with Governors State University
32 from September 1, 1972 to August 31, 1974, for which the
33 teacher has no credit under Article 15. To receive
34 credit under this item (10), a teacher must apply in

1 writing to the Board and pay the required contributions
2 before May 1, 1993 and have at least 12 years of service
3 credit under this Article.

4 (c) The service credits specified in this Section shall
5 be granted only if: (1) such service credits are not used
6 for credit in any other statutory tax-supported public
7 employee retirement system other than the federal Social
8 Security program; and (2) the member makes the required
9 contributions as specified in Section 16-128. The service
10 credit shall be effective as of the date the required
11 contributions are completed.

12 Any service credits granted under this Section shall
13 terminate upon cessation of membership for any cause.

14 Credit may not be granted under this Section covering any
15 period for which an age retirement or disability retirement
16 allowance has been paid, except as provided in Section
17 16-150.1.

18 (Source: P.A. 89-430, eff. 12-15-95; 90-32, eff. 6-27-97.)

19 (40 ILCS 5/16-132) (from Ch. 108 1/2, par. 16-132)
20 Sec. 16-132. Retirement annuity eligibility. A member
21 who has at least 20 years of creditable service is entitled
22 to a retirement annuity upon or after attainment of age 55.
23 A member who has at least 10 but less than 20 years of
24 creditable service is entitled to a retirement annuity upon
25 or after attainment of age 60. A member who has at least 5
26 but less than 10 years of creditable service is entitled to a
27 retirement annuity upon or after attainment of age 62. A
28 member who (i) has earned during the period immediately
29 preceding the last day of service at least one year of
30 contributing creditable service as an employee of a
31 department as defined in Section 14-103.04, (ii) has earned
32 at least 5 years of contributing creditable service as an
33 employee of a department as defined in Section 14-103.04, and

1 (iii) retires on or after January 1, 2001 is entitled to a
2 retirement annuity upon or after attainment of an age which,
3 when added to the number of years of his or her total
4 creditable service, equals at least 85. Portions of years
5 shall be counted as decimal equivalents.

6 A member who is eligible to receive a retirement annuity
7 of at least 74.6% of final average salary and will attain age
8 55 on or before December 31 during the year which commences
9 on July 1 shall be deemed to attain age 55 on the preceding
10 June 1.

11 A member meeting the above eligibility conditions is
12 entitled to a retirement annuity upon written application to
13 the board setting forth the date the member wishes the
14 retirement annuity to commence. However, the effective date
15 of the retirement annuity shall be no earlier than the day
16 following the last day of creditable service, regardless of
17 the date of official termination of employment. To be
18 eligible for a retirement annuity, a member shall not be
19 employed as a teacher in the schools included under this
20 System (except as provided in Section 16-150.1) or under
21 Article 17, unless the member is disabled (in which event,
22 eligibility for salary must cease), or unless the System is
23 required by federal law to commence payment due to the
24 member's age; the changes to this sentence made by this
25 amendatory Act of 1991 shall apply without regard to whether
26 the member terminated employment before or after its
27 effective date.

28 (Source: P.A. 90-582, eff. 5-27-98; 91-927, eff. 12-14-00.)

29 (40 ILCS 5/16-150) (from Ch. 108 1/2, par. 16-150)
30 Sec. 16-150. Re-entry.

31 (a) This Section does not apply to an annuitant who
32 returns to teaching under the program established in Section
33 16-150.1, for the duration of his or her participation in

1 that program.

2 (b) If an annuitant under this System is again employed
3 as a teacher for an aggregate period exceeding that permitted
4 by Section 16-118, his or her retirement annuity shall be
5 terminated and the annuitant shall thereupon be regarded as
6 an active member. The annuitant's remaining accumulated
7 contributions shall be transferred to the Members'
8 Contribution Reserve from the Employer's Contribution
9 Reserve.

10 Such annuitant is not entitled to a recomputation of his
11 or her retirement annuity unless at least one full year of
12 creditable service is rendered after the latest re-entry into
13 service and the annuitant must have rendered at least 3 years
14 of creditable service after last re-entry into service to
15 qualify for a recomputation of the retirement annuity based
16 on amendments enacted while in receipt of a retirement
17 annuity, except when retirement was due to disability.

18 However, regardless of age, an annuitant in receipt of a
19 retirement annuity may be given temporary employment by a
20 school board not exceeding that permitted under Section
21 16-118 and continue to receive the retirement annuity.

22 (c) Unless retirement was necessitated by disability, a
23 retirement shall be considered cancelled and the retirement
24 allowance must be repaid in full if the annuitant is employed
25 as a teacher within the school year during which service was
26 terminated.

27 (d) An annuitant's retirement which does not include a
28 period of at least one full and complete school year shall be
29 considered cancelled and the retirement annuity must be
30 repaid in full unless such retirement was necessitated by
31 disability.

32 (Source: P.A. 86-273; 87-794.)

33 (40 ILCS 5/16-150.1 new)

1 Sec. 16-150.1. Return to teaching program.

2 (a) The General Assembly finds and declares:

3 (1) that the State is experiencing a severe
4 shortage of qualified teachers;

5 (2) that this shortage may, in part, be ameliorated
6 by encouraging qualified retired teachers to return to
7 active classroom teaching;

8 (3) that this Article currently imposes significant
9 financial penalties on a retired teacher wishing to
10 return to active teaching; and

11 (4) that it is the purpose of this Section to
12 establish a program to remove those financial penalties
13 and provide positive incentives to encourage qualified
14 retired teachers to return to classroom teaching.

15 (b) A person receiving a retirement annuity under this
16 Article (other than a disability retirement annuity) is
17 eligible to participate in the program established under this
18 Section if he or she:

19 (1) returns to active employment as a permanent,
20 full-time or part-time, classroom teacher in a public
21 elementary or secondary school in this State after the
22 effective date of this amendatory Act of the 92nd General
23 Assembly and before July 1, 2006;

24 (2) teaches in either (i) a school that is located
25 in a region that is experiencing a shortage of teachers,
26 as determined by the State Board of Education, or (ii) a
27 subject area that is affected by a shortage of qualified
28 teachers, as determined by the State Board of Education.

29 (3) is fully qualified and certificated for that
30 teaching position;

31 (4) began receiving the retirement annuity at least
32 6 months before the return to teaching;

33 (5) has not received any early retirement
34 incentives under Section 16-133.3, 16-133.4, or 16-133.5;

1 and

2 (6) notifies the System in writing of his or her
3 desire to participate in the program established under
4 this Section, on or before the return to employment.

5 (c) A qualified participant may continue to participate
6 in the program established under this Section so long as he
7 or she remains employed in accordance with the requirements
8 of subsection (b).

9 (d) For the purposes of this Article, a participant in
10 the program established under this Section shall be deemed an
11 active teacher in the System for the duration of the
12 employment that is the basis of that participation. During
13 that participation, both employee and employer contributions
14 shall be made to the System in the same manner as for other
15 teachers, and the participant shall earn additional service
16 credit in the same amounts as other teachers.

17 For the purposes of Article 20, however, a participant in
18 the program established under this Section shall be deemed to
19 be an annuitant receiving a retirement annuity.

20 (e) Notwithstanding the other provisions of this
21 Article:

22 A participant in the program established under this
23 Section shall continue to receive his or her retirement
24 annuity.

25 Throughout the period of participation in the program,
26 the participant's retirement annuity shall be recalculated on
27 each July 1. The recalculation shall include the additional
28 service credit earned by the participant during the preceding
29 12 months and any one-time or automatic annual increases that
30 have accrued, but shall use the same final average salary
31 that was used to calculate the retirement annuity granted
32 before participation in this program began. Based on that
33 additional service credit, the base retirement annuity
34 recalculated under this Section, excluding any one-time or

1 automatic annual increases that may have accrued, may reach,
2 but may not exceed, 85% of final average salary.

3 (f) Within 60 days after the effective date of this
4 amendatory Act of the 92nd General Assembly, the System shall
5 notify all qualified retirement annuitants about the terms
6 and availability of the program established under this
7 Section.

8 (g) This Section applies without regard to whether the
9 annuitant was in service on or after the effective date of
10 this amendatory Act of the 92nd General Assembly.

11 (40 ILCS 5/16-152) (from Ch. 108 1/2, par. 16-152)
12 Sec. 16-152. Contributions by members.

13 (a) Each member shall make contributions for membership
14 service to this System as follows:

15 (1) Effective July 1, 1998, contributions of 7.50%
16 of salary towards the cost of the retirement annuity.
17 Such contributions shall be deemed "normal
18 contributions".

19 (2) Effective July 1, 1969, contributions of 1/2 of
20 1% of salary toward the cost of the automatic annual
21 increase in retirement annuity provided under Section
22 16-133.1.

23 (3) Effective July 24, 1959, contributions of 1% of
24 salary towards the cost of survivor benefits. Such
25 contributions shall not be credited to the individual
26 account of the member and shall not be subject to refund
27 except as provided under Section 16-143.2.

28 (b) The minimum required contribution for any year of
29 full-time teaching service shall be \$192.

30 (c) Contributions shall not be required of any annuitant
31 receiving a retirement annuity who is given temporary
32 employment not exceeding that permitted under Section 16-118.
33 Contributions shall, however, be required of a participant in

1 the program established under Section 16-150.1.

2 (d) A person who (i) was a member before July 1, 1998,
3 (ii) retires with more than 34 years of creditable service,
4 and (iii) does not elect to qualify for the augmented rate
5 under Section 16-129.1 shall be entitled, at the time of
6 retirement, to receive a partial refund of contributions made
7 under this Section for service occurring after the later of
8 June 30, 1998 or attainment of 34 years of creditable
9 service, in an amount equal to 1.00% of the salary upon which
10 those contributions were based.

11 (Source: P.A. 90-582, eff. 5-27-98.)

12 Section 10. The School Code is amended by adding Section
13 2-3.131 as follows:

14 (105 ILCS 5/2-3.131 new)

15 Sec. 2-3.131. Determination of teacher shortages.

16 (a) For the purpose of authorizing the employment of
17 retired teachers under the program established in Section
18 16-150.1 of the Illinois Pension Code, the State Board of
19 Education shall annually determine (i) which regions of the
20 State, if any, are currently experiencing a shortage of
21 qualified teachers, and (ii) which subject areas, if any, are
22 currently affected by a shortage of qualified teachers in
23 this State.

24 (b) Any regional superintendent, school district,
25 school, or active or retired teacher may file a request with
26 the State Board, asking for a re-evaluation of the shortage
27 status of a specific region or subject area. The State Board
28 shall respond with a re-evaluation of that region or subject
29 area within 30 days following receipt of the request; except
30 that the State Board need not re-evaluate any region or
31 subject area more than once in any 4 consecutive months.

32 (c) As soon as possible after the effective date of this

1 amendatory Act of the 92nd General Assembly and on or before
2 each June 1 thereafter, the State Board shall notify all
3 school districts and the Teachers' Retirement System of the
4 State of Illinois of its determinations under subsection (a).

5 (d) On or before December 31, 2005, the State Board of
6 Education shall submit a report to the Governor and the
7 General Assembly, in accordance with Section 3.1 of the
8 General Assembly Organization Act, on the impact of this
9 amendatory Act of the 92nd General Assembly on teacher
10 recruitment and teacher shortages at public schools in this
11 State.

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.