ARTICLE 10. SCHOOL BOARDS

Sec. 10-1. Board of school directors.

(a) School districts having a population of fewer than 1000 inhabitants and not governed by any special act shall be governed by a board of school directors to consist of 3 members who shall be elected in the manner provided in Article 9 of this Act. In consolidated districts and in districts in which the membership of the board of school directors is increased as provided in subsection (b), 7 members shall be so elected.

(b) Upon presentment to the board of school directors of a school district having a population of fewer than 1,000 inhabitants of a petition signed by the lesser of 5% or 25 of the registered voters of the district to increase the membership of the district's board of school directors to 7 directors and to elect a new 7-member board of school directors to replace the district's existing board of 3 school directors, the clerk or secretary of the board of school directors shall certify the proposition to the proper election authorities for submission to the electors of the district at a regular scheduled election in accordance with the general election law. If the proposition is approved by a majority of those voting on the proposition, the members of the board of school directors of that district thereafter shall be elected in the manner provided by subsection (c) of Section 10-4.

(c) A board of school directors may appoint a student to the board to serve in an advisory capacity. The student member shall serve for a term as determined by the board. The board may not grant the student member any voting privileges, but shall consider the student member as an advisor. The student member may not participate in or attend any executive session of the board.

Sec. 10-2. Corporate powers.

The directors of each district shall be a body politic and corporate, by the name of "school directors of district No. ...., county of .... and State of Illinois," and by that name may sue and be sued in all courts and places where judicial proceedings are had.

Sec. 10-3. Eligibility of directors. Any person who, on the date of his or her election, is a citizen of the United States, of the age of 18 years or over, is a resident of the State and of the territory of the district for at least one year immediately preceding his or her election, is a registered voter as provided in the general election law, is not a school trustee or a school treasurer, and is not a child sex offender as defined in Section 11-9.3 of the Criminal Code of 2012 shall be eligible to the office of school director.
Sec. 10-4. Election of directors.

(a) In all districts, directors shall be elected in each odd-numbered year, each for a term of 4 years.

(b) In consolidated districts where 5 directors are elected in 1981 pursuant to the extension of terms provided by law for transition to the consolidated election schedule under the general election law, those directors elected shall, by lot, determine 2 of their number to serve 2 years and 3 to serve 4 years; their successors shall serve for a 4 year term.

(c) If a proposition to increase the membership of a school district's board of school directors to 7 directors and to elect a new 7-member board of school directors to replace the district's existing board of 3 school directors is approved by the electors of the district at a regular scheduled election as provided in subsection (b) of Section 10-1, 7 members shall be elected at the next regular school election, in the manner provided by Article 9, to serve as the board of school directors of that district. The terms of office of the 3 members of the board of school directors serving at the time of the election of the initial 7-member board of school directors shall expire when the 7 newly elected members of the initial 7-member board of school directors assume office and are organized as provided in Section 10-5. At their organizational meeting, the initial members of the 7-member board of school directors shall by lot determine 4 of their number to serve 4 year terms and 3 of their number to serve 2 year terms. Their successors shall serve for a 4 year term.

(d) In all other districts, one school director shall be elected in each district every other odd-numbered year, and two school directors shall be elected in the intervening odd-numbered years.

(e) When a vacancy occurs in the membership of any board of school directors the remaining members shall, within 30 days, fill the vacancy by appointment until the next regular school election, or, upon their failure so to do, the regional superintendent shall make such appointment within the next 30 days to fill the vacancy as herein provided. Upon the regional superintendent's failure to fill the vacancy, the vacancy shall be filled at the next regularly scheduled election.

Sec. 10-5. Organization of board - Report to treasurer and regional superintendent of schools. Within 40 days after the regular election of directors, the directors shall meet and organize by appointing one of their number president and another as clerk, except that when directors are elected at the consolidated elections in April of 1999 and April of 2001, the directors shall meet and organize, in the manner provided by this Section, within 7 days after the first Tuesday after the first Monday of November in each of those 2 years. The clerk shall at once report to the treasurer and regional superintendent of schools the names of the president and clerk so appointed. Upon organizing itself as provided in this Section, the board of school directors shall enter upon the discharge of its duties. Terms of members are subject to Section 2A-54 of the Election Code, except as otherwise limited by subsection (c) of Section 10-4.
Sec. 10-6. Regular and special meetings. The directors shall hold regular meetings at such times as they may designate, and special meetings at the call of the president or of any 2 members. Public notice of meetings must be given as prescribed in Sections 2.02 and 2.03 of the Open Meetings Act. No official business shall be transacted by the directors except at a regular or a special meeting. In consolidated districts and in districts electing a 7-member board of school directors under subsection (c) of Section 10-4, 4 directors shall constitute a quorum for the transaction of business. In all other districts 2 directors shall constitute a quorum for the transaction of business. If the president or clerk is absent from any meeting or refuses to perform his duties, a president or clerk pro tempore shall be appointed. At each regular and special meeting which is open to the public, members of the public and employees of the district shall be afforded time, subject to reasonable constraints, to comment to or ask questions of the board. When the president or district superintendent of schools receives a written correspondence from a resident within the school district's territory, requesting the consideration of a matter before the board, the author of the correspondence shall receive a formal written statement from an appointed official of the board stating the board's position on their request, no later than 60 days from the receipt of the correspondence by the president or district superintendent of schools. The formal written response from the board shall establish a meeting before the board or list the reasons for denying the request.

Sec. 10-7. Secretary or clerk to record official acts - yeas and nays on expenditures. The secretary or clerk shall keep in a punctual, orderly and reliable manner a record of the official acts of the board which shall be signed by the president and the secretary or clerk, and submitted to the treasurer having custody of the funds of the district for his inspection and approval at such times as the treasurer may require. On all questions involving the expenditure of money, the yeas and nays shall be taken and entered on the records of the proceedings of the board. The secretary or clerk shall keep the minutes and, if the district is not required to employ a superintendent, keep or cause to be kept the financial records of the school district.

Sec. 10-8. Report by secretary or clerk to treasurer.

On or before July 7 annually, the secretary or clerk shall report to the treasurer having the custody of the funds of his district, such statistics and other information in relation to the schools of his district as the treasurer is required to include in his report to the regional superintendent of schools.

Sec. 10-9. Interest of board member in contracts.
(a) No school board member shall be interested, directly or indirectly, in his own name or in the name of any other person, association, trust or corporation, in any contract, work or business of the district or in the sale of any article, whenever the expense, price or consideration of the contract, work, business or sale is paid either from the treasury or by any assessment levied by any statute or ordinance. A school board member shall not be deemed interested if the board member is an employee of a business that is involved in the transaction of business with the school district, provided that the board member has no financial interests other than as an employee. No school board member shall be interested, directly or indirectly, in the purchase of any property which (1) belongs to the district, or (2) is sold for taxes or assessments, or (3) is sold by virtue of legal process at the suit of the district.

(b) However, any board member may provide materials, merchandise, property, services or labor, if:

   A. the contract is with a person, firm, partnership, association, corporation or cooperative association in which the board member has less than a 7 1/2% share in the ownership; and

   B. such interested board member publicly discloses the nature and extent of his interest prior to or during deliberations concerning the proposed award of the contract; and

   C. such interested board member abstains from voting on the award of the contract, though he shall be considered present for the purposes of establishing a quorum; and

   D. such contract is approved by a majority vote of those board members presently holding office; and

   E. the contract is awarded after sealed bids to the lowest responsible bidder if the amount of the contract exceeds $1500, or awarded without bidding if the amount of the contract is less than $1500; and

   F. the award of the contract would not cause the aggregate amount of all such contracts so awarded to the same person, firm, association, partnership, corporation or cooperative association in the same fiscal year to exceed $25,000.

(c) In addition to the above exemption, any board member may provide materials, merchandise, property, services or labor if:

   A. the award of the contract is approved by a majority vote of the board provided that any such interested member shall abstain from voting; and

   B. the amount of the contract does not exceed $1,000; and

   C. the award of the contract would not cause the aggregate amount of all such contracts so awarded to the same person, firm, association, partnership, corporation, or cooperative association in the same fiscal year to exceed $2,000, except with respect to a board member of a school district in which the materials, merchandise, property, services, or labor to be provided under the contract are not available from any other person, firm, association, partnership, corporation, or cooperative association in the district, in which event the award of the contract shall not cause the aggregate amount of all contracts so awarded to that same person, firm, association, partnership, or cooperative association in the same fiscal year to exceed $5,000; and
D. such interested member publicly discloses the nature and extent of his interest prior to or during deliberations concerning the proposed award of the contract; and

E. such interested member abstains from voting on the award of the contract, though he shall be considered present for the purposes of establishing a quorum.

(d) In addition to exemptions otherwise authorized by this Section, any board member may purchase for use as the board member's primary place of residence a house constructed by the district's vocational education students on the same basis that any other person would be entitled to purchase the property. The sale of the house by the district must comply with the requirements set forth in Section 5-22 of The School Code.

(e) A contract for the procurement of public utility services by a district with a public utility company is not barred by this Section by one or more members of the board being an officer or employee of the public utility company or holding an ownership interest of no more than 7 1/2% in the public utility company, or holding an ownership interest of any size if the school district has a population of less than 7,500 and the public utility’s rates are approved by the Illinois Commerce Commission. An elected or appointed member of the board having such an interest shall be deemed not to have a prohibited interest under this Section.

(f) Nothing contained in this Section, including the restrictions set forth in subsections (b), (c), (d) and (e), shall preclude a contract of deposit of monies, loans or other financial services by a school district with a local bank or local savings and loan association, regardless of whether a member or members of the governing body of the school district are interested in such bank or savings and loan association as an officer or employee or as a holder of less than 7 1/2% of the total ownership interest. A member or members holding such an interest in such a contract shall not be deemed to be holding a prohibited interest for purposes of this Act. Such interested member or members of the governing body must publicly state the nature and extent of their interest during deliberations concerning the proposed award of such a contract, but shall not participate in any further deliberations concerning the proposed award. Such interested member or members shall not vote on such a proposed award. Any member or members abstaining from participation in deliberations and voting under this Section may be considered present for purposes of establishing a quorum. Award of such a contract shall require approval by a majority vote of those members presently holding office. Consideration and award of any such contract in which a member or members are interested may only be made at a regularly scheduled public meeting of the governing body of the school district.

(g) Any school board member who violates this Section is guilty of a Class 4 felony and in addition thereto any office held by such person so convicted shall become vacant and shall be so declared as part of the judgment of the court.

(Source: P.A. 96-998, eff. 7-2-10.)

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

Sec. 10-10. Board of education; term; vacancy. All school districts having a population of not fewer than 1,000 and not more than 500,000 inhabitants, as ascertained by any special or general census, and not governed by special Acts, shall be governed by a board of education consisting of 7 members, serving without compensation except as herein provided. Each member shall be elected for a term of 4
years for the initial members of the board of education of a combined school district to which that subsection applies. If 5 members are elected in 1983 pursuant to the extension of terms provided by law for transition to the consolidated election schedule under the general election law, 2 of those members shall be elected to serve terms of 2 years and 3 shall be elected to serve terms of 4 years; their successors shall serve for a 4 year term. When the voters of a district have voted to elect members of the board of education for 6 year terms, as provided in Section 9-5, the terms of office of members of the board of education of that district expire when their successors assume office but not later than 7 days after such election. If at the regular school election held in the first odd-numbered year after the determination to elect members for 6 year terms 2 members are elected, they shall serve for a 6 year term; and of the members elected at the next regular school election 3 shall serve for a term of 6 years and 2 shall serve a term of 2 years. Thereafter members elected in such districts shall be elected to a 6 year term. If at the regular school election held in the first odd-numbered year after the determination to elect members for 6 year terms 3 members are elected, they shall serve for a 6 year term; and of the members elected at the next regular school election 2 shall serve for a term of 2 years and 2 shall serve for a term of 6 years. Thereafter members elected in such districts shall be elected to a 6 year term. If at the regular school election held in the first odd-numbered year after the determination to elect members for 6 year terms 4 members are elected, 3 shall serve for a term of 6 years and one shall serve for a term of 2 years; and of the members elected at the next regular school election 2 shall serve for terms of 6 years and 2 shall serve for terms of 2 years. Thereafter members elected in such districts shall be elected to a 6 year term. If at the regular school election held in the first odd-numbered year after the determination to elect members for a 6 year term 5 members are elected, 3 shall serve for a term of 6 years and 2 shall serve for a term of 2 years; and of the members elected at the next regular school election 2 shall serve for terms of 6 years and 2 shall serve for terms of 2 years. Thereafter members elected in such districts shall be elected to a 6 year term. An election for board members shall not be held in school districts which by consolidation, annexation or otherwise shall cease to exist as a school district within 6 months after the election date, and the term of all board members which would otherwise terminate shall be continued until such district shall cease to exist. Each member, on the date of his or her election, shall be a citizen of the United States of the age of 18 years or over, shall be a resident of the State and the territory of the district for at least one year immediately preceding his or her election, shall be a registered voter as provided in the general election law, shall not be a school trustee, must not have been removed from a school board pursuant to Section 2-3.25f-5 of this Code (unless subsequently appointed as a member of an Independent Authority or if it has been 10 years since the abolition of the Independent Authority in the district), and shall not be a child sex offender as defined in Section 11-9.3 of the Criminal Code of 2012. When the board of education is the successor of the school directors, all rights of property, and all rights regarding causes of action existing or vested in such directors, shall vest in it as fully as they were vested in the school directors. Terms of members are subject to Section 2A-54 of the Election Code.

Nomination papers filed under this Section are not valid unless the candidate named therein files with the county clerk or the county board of election commissioners, as the case may be, of the county in which the principal office of the school district is located a receipt from the county clerk showing that the candidate has filed a statement of economic interests as required by the Illinois Governmental Ethics Act. Such receipt shall be so filed either previously during the calendar year in which his nomination papers were filed or within the period for the filing of nomination papers in accordance with the general election law.
Whenever a vacancy occurs, the remaining members shall notify the regional superintendent of that vacancy within 5 days after its occurrence and shall proceed to fill the vacancy until the next regular school election, at which election a successor shall be elected to serve the remainder of the unexpired term. However, if the vacancy occurs with less than 868 days remaining in the term, or if the vacancy occurs less than 88 days before the next regularly scheduled election for this office then the person so appointed shall serve the remainder of the unexpired term, and no election to fill the vacancy shall be held. Should they fail so to act, within 60 days after the vacancy occurs, the regional superintendent of schools under whose supervision and control the district is operating, as defined in Section 3-14.2 of this Act, shall within 30 days after the remaining members have failed to fill the vacancy, fill the vacancy as provided for herein. Upon the regional superintendent’s failure to fill the vacancy, the vacancy shall be filled at the next regularly scheduled election. Whether elected or appointed by the remaining members or regional superintendent, the successor shall be an inhabitant of the particular area from which his or her predecessor was elected if the residential requirements contained in Section 10-10.5 or 12-2 of this Code apply.

A board of education may appoint a student to the board to serve in an advisory capacity. The student member shall serve for a term as determined by the board. The board may not grant the student member any voting privileges, but shall consider the student member as an advisor. The student member may not participate in or attend any executive session of the board.

(Source: P.A. 101-67, eff. 1-1-20.)

(105 ILCS 5/10-10.5)

Sec. 10-10.5. Community unit school district or combined school district formation; school board election.

(a) Except as otherwise provided in subsection (b) or (c) of this Section, for community unit school districts formed before January 1, 1975 and for combined school districts formed before July 1, 1983, the following provisions apply:

(1) if the territory of the district is greater than 2 congressional townships or 72 square miles, then not more than 3 board members may be selected from any one congressional township, except that congressional townships of less than 100 inhabitants shall not be considered for the purpose of this mandatory board representation;

(2) if in the community unit school district or combined school district at least 75% but not more than 90% of the population is in one congressional township, then 4 board members shall be selected from the congressional township and 3 board members shall be selected from the rest of the district, except that if in the community unit school district or combined school district more than 90% of the population is in one congressional township, then all board members may be selected from one or more congressional townships; and

(3) if the territory of any community unit school district or combined school district consists of not more than 2 congressional townships or 72 square miles, but consists of more than one congressional township or 36 square miles, outside of the corporate limits of any city, village, or incorporated town within the school district, then not more than 5 board members may be selected from any city, village, or incorporated town in the school district.
(b)(1) The provisions of subsection (a) of this Section for mandatory board representation shall no longer apply to a community unit school district formed before January 1, 1975, to a combined school district formed before July 1, 1983, or to community consolidated school districts, and the members of the board of education shall be elected at large from within the school district and without restriction by area of residence within the district if both of the following conditions are met with respect to that district:

(A) A proposition for the election of board members at large and without restriction by area of residence within the school district rather than in accordance with the provisions of subsection (a) of this Section for mandatory board representation is submitted to the school district's voters at a regular school election or at the general election as provided in this subsection (b).

(B) A majority of those voting at the election in each congressional township comprising the territory of the school district, including any congressional township of less than 100 inhabitants, vote in favor of the proposition or two-thirds of all voters voting on the proposition vote in favor of the proposition.

(2) The school board may, by resolution, order submitted or, upon the petition of the lesser of 2,500 or 5% of the school district's registered voters, shall order submitted to the school district's voters, at a regular school election or at the general election, the proposition for the election of board members at large and without restriction by area of residence within the district rather than in accordance with the provisions of subsection (a) of this Section for mandatory board representation; and the proposition shall thereupon be certified by the board's secretary for submission.

(3) If a majority of those voting at the election in each congressional township comprising the territory of the school district, including any congressional township of less than 100 inhabitants, vote in favor of the proposition or if two-thirds of all voters voting on the proposition vote in favor of the proposition:

(A) the proposition to elect board members at large and without restriction by area of residence within the district shall be deemed to have passed,

(B) new members of the board shall be elected at large and without restriction by area of residence within the district at the next regular school election, and

(C) the terms of office of the board members incumbent at the time the proposition is adopted shall expire when the new board members that are elected at large and without restriction by area of residence within the district have organized in accordance with Section 10-16.

(4) In a community unit school district, a combined school district, or a community consolidated school district that formerly elected its members under subsection (a) of this Section to successive terms not exceeding 4 years, the members elected at large and without restriction by area of residence within the district shall be elected for a term of 4 years, and in a community unit school district or combined school district that formerly elected its members under subsection (a) of this Section to successive terms not exceeding 6 years, the members elected at large and without restriction by area of residence within the district shall be elected for a term of 6 years; provided that in each case the terms of the board members initially elected at large and without restriction by area of residence within the district as
provided in this subsection (b) shall be staggered and determined in accordance with the provisions of Sections 10-10 and 10-16 of this Code.

(c) If a school board fills a vacancy under Section 10-10 of this Code due to a lack of candidates for election in a congressional township in the most recent election, then the school board shall, by resolution, order submitted to the school district's voters at the next general election a proposition for the election of a board member at large without restriction by area of residence within the district and the proposition shall be certified by the school board's secretary for submission.

(Source: P.A. 99-91, eff. 1-1-16; 100-800, eff. 1-1-19.)

(105 ILCS 5/10-11) (from Ch. 122, par. 10-11)

Sec. 10-11. Vacancies. Elective offices become vacant within the meaning of the Act, unless the context indicates otherwise, on the happening of any of the following events, before the expiration of the term of such office:

1. The death of the incumbent.
2. His or her resignation in writing filed with the Secretary or Clerk of the Board.
3. His or her becoming a person under legal disability.
4. His or her ceasing to be an inhabitant of the district for which he or she was elected.
5. His or her conviction of an infamous crime, of any offense involving a violation of official oath, or of a violent crime against a child.
6. His or her removal from office.
7. The decision of a competent tribunal declaring his or her election void.
8. His ceasing to be an inhabitant of a particular area from which he was elected, if the residential requirements contained in Section 10-10.5, 11E-35, or 12-2 of this Code are violated.

No elective office except as herein otherwise provided becomes vacant until the successor of the incumbent of such office has been appointed or elected, as the case may be, and qualified. The successor shall have the same type of residential qualifications as his or her predecessor and, if the residential requirements contained in Section 10-10.5, 11E-35, or 12-2 of this Code apply, the successor, whether elected or appointed by the remaining members or a regional superintendent, shall be an inhabitant of the particular area from which his or her predecessor was elected.

(Source: P.A. 94-1019, eff. 7-10-06.)

(105 ILCS 5/10-12) (from Ch. 122, par. 10-12)

Sec. 10-12. Quorum.

A majority of the full membership of the board of education shall constitute a quorum. Unless otherwise provided, when a vote is taken upon any measure before the board, a quorum being present, a majority of the votes of the members voting on the measure shall determine the outcome thereof.
Sec. 10-13. President of board of education. The president of the board of education shall be elected by the members thereof from among their number and serve for 2 years, except that the board by resolution may establish a policy for the term of office to be one year.

He shall preside at all meetings and shall perform such duties as are imposed upon him by law or by action of the board of education. If he is absent from any meeting or refuses to perform his duties, a president pro tempore shall be appointed. The vice-president of the board, if the board elects such officer, shall be appointed the president pro tempore.

Sec. 10-13.1. Vice-President of the board of education. A vice-president of the board of education shall be elected by the members thereof from among their number and serve for 2 years, except that the board by resolution may establish a policy for the term of office to be one year.

The vice-president shall perform the duties of the president if there is a vacancy in the office of president or in case of the president's absence or inability to act, and other duties imposed upon him by the rules of the board.

Sec. 10-14. Secretary of board of education. The secretary of the board of education shall be elected by the board of education and may be a member thereof, who shall serve for 2 years, except that the board by resolution may establish a policy for the term of office to be one year. The secretary, if not a member of the board, may receive such compensation as shall be fixed by the board of education prior to the election of the secretary. If the secretary is a member of the board, he or she may receive such compensation not to exceed $500 per year as shall be fixed by the board and may vote on all questions coming before the board.

He shall perform the duties usually pertaining to his office, or to the clerk of a board of directors, and such as are imposed on him by law, or by action of the board of education. If he is absent from any meeting or refuses to perform his duties, a secretary pro tempore who may but need not be a member of the board shall be appointed.

Sec. 10-16. Organization of Board. Within 40 days after the consolidated election, other than the consolidated elections in 1999 and 2001, the board shall organize by electing its officers and fixing a time and place for the regular meetings. However, when school board members are elected at the consolidated elections held in April of 1999 and April of 2001, the board shall organize within 7 days after the first Tuesday after the first Monday of November in each such year by electing officers and
setting the time and place of the regular meetings. Upon organizing itself as provided in this paragraph, the board shall enter upon the discharge of its duties.

The regional superintendent of schools having supervision and control, as provided in Section 3-14.2, of a new school district that is governed by the School Code and formed on or after the effective date of this amendatory Act of 1998 shall convene the newly elected board within 7 days after the election of the board of education of that district, whereupon the board shall proceed to organize by electing one of their number as president and electing a secretary, who may or may not be a member. At such meeting the length of term of each of the members shall be determined by lot so that 4 shall serve for 4 years, and 3 for 2 years from the commencement of their terms; provided, however, if such members were not elected at the consolidated election in an odd-numbered year, such initial terms shall be extended to the consolidated election for school board members immediately following the expiration of the initial 4 or 2 year terms. The provisions of this paragraph that relate to the determination of terms by lot shall not apply to the initial members of the board of education of a combined school district who are to be elected to unstaggered terms.

The terms of the officers of a board of education shall be for 2 years, except that the terms of the officers elected at the organization meeting in November, 2001 shall expire at the organization meeting in April, 2003; provided that the board by resolution may establish a policy for the terms of office to be one year, and provide for the election of officers.

Special meetings of the board of education may be called by the president or by any 3 members of the board by giving notice thereof in writing, stating the time, place and purpose of the meeting. Such notice may be served by mail 48 hours before such meeting or by personal service 24 hours before such meeting. Public notice of meetings must also be given as prescribed in Sections 2.02 and 2.03 of the Open Meetings Act, as now or hereafter amended.

At each regular and special meeting which is open to the public, members of the public and employees of the district shall be afforded time, subject to reasonable constraints, to comment to or ask questions of the board.

The president or district superintendent shall, at each regular board meeting, report any requests made of the district under provisions of the Freedom of Information Act and shall report the status of the district's response.

(Source: P.A. 102-798, eff. 5-13-22.)

(105 ILCS 5/10-16a)

(Text of Section before amendment by P.A. 102-638)

Sec. 10-16a. School board member’s leadership training.

(a) This Section applies to all school board members serving pursuant to Section 10-10 of this Code who have been elected after the effective date of this amendatory Act of the 97th General Assembly or appointed to fill a vacancy of at least one year’s duration after the effective date of this amendatory Act of the 97th General Assembly.
(b) Every voting member of a school board of a school district elected or appointed for a term beginning after the effective date of this amendatory Act of the 97th General Assembly, within a year after the effective date of this amendatory Act of the 97th General Assembly or the first year of his or her first term, shall complete a minimum of 4 hours of professional development leadership training covering topics in education and labor law, financial oversight and accountability, and fiduciary responsibilities of a school board member. The school district shall maintain on its Internet website, if any, the names of all voting members of the school board who have successfully completed the training.

(c) The training on financial oversight, accountability, and fiduciary responsibilities may be provided by an association established under this Code for the purpose of training school board members or by other qualified providers approved by the State Board of Education, in consultation with an association so established.

(Source: P.A. 97-8, eff. 6-13-11.)

(Text of Section after amendment by P.A. 102-638)

Sec. 10-16a. School board member’s leadership training.

(a) This Section applies to all school board members serving pursuant to Section 10-10 of this Code who have been elected after the effective date of this amendatory Act of the 97th General Assembly or appointed to fill a vacancy of at least one year's duration after the effective date of this amendatory Act of the 97th General Assembly.

(b) Every voting member of a school board of a school district elected or appointed for a term beginning after the effective date of this amendatory Act of the 97th General Assembly, within a year after the effective date of this amendatory Act of the 97th General Assembly or the first year of his or her first term, shall complete a minimum of 4 hours of professional development leadership training covering topics in education and labor law, financial oversight and accountability, fiduciary responsibilities of a school board member, and, beginning with the 2023-2024 school year, trauma-informed practices for students and staff. The school district shall maintain on its Internet website, if any, the names of all voting members of the school board who have successfully completed the training.

(b-5) The training regarding trauma-informed practices for students and staff required by this Section must include information that is relevant to and within the scope of the duties of a school board member. Such information may include, but is not limited to:

(1) the recognition of and care for trauma in students and staff;
(2) the relationship between staff wellness and student learning;
(3) the effect of trauma on student behavior and learning;
(4) the prevalence of trauma among students, including the prevalence of trauma among student populations at higher risk of experiencing trauma;
(5) the effects of implicit or explicit bias on recognizing trauma among various student groups in connection with race, ethnicity, gender identity, sexual orientation, socio-economic status, and other relevant factors; and

(6) effective district and school practices that are shown to:

(A) prevent and mitigate the negative effect of trauma on student behavior and learning; and

(B) support the emotional wellness of staff.

c) The training on financial oversight, accountability, fiduciary responsibilities, and, beginning with the 2023-24 school year, trauma-informed practices for students and staff may be provided by an association established under this Code for the purpose of training school board members or by other qualified providers approved by the State Board of Education, in consultation with an association so established.

d) The State Board of Education may adopt rules that are necessary for the administration of the provisions of this Section.

(Source: P.A. 102-638, eff. 1-1-23.)

(105 ILCS 5/10-16.5)

Sec. 10-16.5. Oath of office. Each school board member, before taking his or her seat on the board, shall take an oath of office, administered as determined by the board, in substantially the following form:

I, (name of member or successful candidate), do solemnly swear (or affirm) that I will faithfully discharge the duties of the office of member of the Board of Education (or Board of School Directors, as the case may be) of (name of school district), in accordance with the Constitution of the United States, the Constitution of the State of Illinois, and the laws of the State of Illinois, to the best of my ability.

I further swear (or affirm) that:

I shall respect taxpayer interests by serving as a faithful protector of the school district's assets;

I shall encourage and respect the free expression of opinion by my fellow board members and others who seek a hearing before the board, while respecting the privacy of students and employees;

I shall recognize that a board member has no legal authority as an individual and that decisions can be made only by a majority vote at a public board meeting;

I shall abide by majority decisions of the board, while retaining the right to seek changes in such decisions through ethical and constructive channels;

As part of the Board of Education (or Board of School Directors, as the case may be), I shall accept the responsibility for my role in the equitable and quality education of every student in the school district;

I shall foster with the board extensive participation of the community, formulate goals, define outcomes, and set the course for (name of school district);
I shall assist in establishing a structure and an environment designed to ensure all students have the opportunity to attain their maximum potential through a sound organizational framework;

I shall strive to ensure a continuous assessment of student achievement and all conditions affecting the education of our children, in compliance with State law;

I shall serve as education's key advocate on behalf of students and our community's school (or schools) to advance the vision for (name of school district); and

I shall strive to work together with the district superintendent to lead the school district toward fulfilling the vision the board has created, fostering excellence for every student in the areas of academic skills, knowledge, citizenship, and personal development.

(Source: P.A. 100-1055, eff. 1-1-19.)

(105 ILCS 5/10-16.7)

Sec. 10-16.7. School board duties with respect to superintendent. In addition to all other powers and duties enumerated in this Article, the school board shall make all employment decisions pertaining to the superintendent. The school board shall direct, through policy, the superintendent in his or her charge of the administration of the school district, including without limitation considering the recommendations of the superintendent concerning the budget, building plans, the locations of sites, the selection, retention, and dismissal of employees, and the selection of textbooks, instructional material, and courses of study. The school board shall evaluate the superintendent in his or her administration of school board policies and his or her stewardship of the assets of the district.

(Source: P.A. 94-881, eff. 6-20-06.)

(105 ILCS 5/10-16.9)

Sec. 10-16.9. Bank reconciliation reports. School districts on the financial watch or warning list that are required to submit deficit reduction plans pursuant to Section 17-1 of this Code or that are certified in financial difficulty must transmit the bank reconciliation reports from the school treasurer as required pursuant to Section 8-6 of this Code to the State Board of Education quarterly. The State Board of Education shall establish the dates by which the reconciliation reports must be submitted and provide a template for those districts to utilize.

(Source: P.A. 97-429, eff. 8-16-11.)

(105 ILCS 5/10-16.11)

Sec. 10-16.11. Payment of outstanding obligations of a Financial Oversight Panel. The school board of a district subject to a Financial Oversight Panel pursuant to Article 1H of this Code that, except for the existence of outstanding financial obligations of the Financial Oversight Panel, would be able to seek abolition of the Panel pursuant to Section 1H-115 of this Code may: (1) spend surplus district funds in an amount sufficient to liquidate the outstanding obligations of the Financial Oversight Panel or (2) issue funding bonds for such purpose as authorized by Sections 19-8 and 19-9 of this Code.

(Source: P.A. 97-429, eff. 8-16-11.)

(105 ILCS 5/10-17) (from Ch. 122, par. 10-17)
Sec. 10-17. Statement of affairs.

(a) In Class I or Class II county school units the school board may use either a cash basis or accrual system of accounting; however, any board so electing to use the accrual system may not change to a cash basis without the permission of the State Board of Education.

School Boards using either a cash basis or accrual system of accounting shall maintain records showing the assets, liabilities and fund balances in such minimum forms as may be prescribed by the State Board of Education. Such boards shall make available to the public a statement of the affairs of the district prior to December 1 annually by submitting the statement of affairs in such form as may be prescribed by the State Board of Education for posting on the State Board of Education's Internet website, by having copies of the statement of affairs available in the main administrative office of the district, and by publishing in a newspaper of general circulation published in the school district an annual statement of affairs summary containing at a minimum all of the following information:

(1) A summary statement of operations for all funds of the district, as excerpted from the statement of affairs filed with the State Board of Education. The summary statement must include a listing of all moneys received by the district, indicating the total amounts, in the aggregate, each fund of the district received, with a general statement concerning the source of receipts.

(2) Except as provided in subdivision (3) of this subsection (a), a listing of all moneys paid out by the district where the total amount paid during the fiscal year exceeds $2,500 in the aggregate per person, giving the name of each person to whom moneys were paid and the total paid to each person.

(3) A listing of all personnel, by name, with an annual fiscal year gross payment in the categories set forth in subdivisions 1 and 2 of subsection (c) of this Section.

In this Section, "newspaper of general circulation" means a newspaper of general circulation published in the school district, or, if no newspaper is published in the school district, a newspaper published in the county where the school district is located or, if no newspaper is published in the county, a newspaper published in the educational service region where the regional superintendent of schools has supervision and control of the school district. The submission to the State Board of Education shall include an assurance that the statement of affairs has been made available in the main administrative office of the school district and that the required notice has been published in accordance with this Section.

After December 15 annually, upon 10 days prior written notice to the school district, the State Board of Education may discontinue the processing of payments to the State Comptroller's office on behalf of any school district that is not in compliance with the requirements imposed by this Section. The State Board of Education shall resume the processing of payments to the State Comptroller’s Office on behalf of the school district once the district is in compliance with the requirements imposed by this Section.

The State Board of Education must post, on or before January 15, all statements of affairs timely received from school districts.

(b) When any school district is the administrative district for several school districts operating under a joint agreement as authorized by this Code, no receipts or disbursements accruing, received or paid out by that school district as such an administrative district shall be included in the statement of affairs of
the district required by this Section. However, that district shall have prepared and made available to
the public, in accordance with subsection (a) of this Section, in the same manner and subject to the
same requirements as are provided in this Section for the statement of affairs of that district, a
statement showing the cash receipts and disbursements by funds (or the revenue, expenses and
financial position, if the accrual system of accounting is used) of the district as such administrative
district, in the form prescribed by the State Board of Education. The costs of publishing the notice and
summary of this separate statement prepared by such an administrative district shall be apportioned
among and paid by the participating districts in the same manner as other costs and expenses accruing
to those districts jointly.

School districts on a cash basis shall have prepared and made available to the public, in accordance
with subsection (a) of this Section, a statement showing the cash receipts and disbursements by funds in
the form prescribed by the State Board of Education.

School districts using the accrual system of accounting shall have prepared and made available to the
public, in accordance with subsection (a) of this Section, a statement of revenue and expenses and a
statement of financial position in the form prescribed by the State Board of Education.

In Class II county school units such statement shall be prepared and made available to the public, in
accordance with subsection (a) of this Section, by the township treasurer of the unit within which such
districts are located, except with respect to the school board of any school district that no longer is
subject to the jurisdiction and authority of a township treasurer or trustees of schools of a township
because the district has withdrawn from the jurisdiction and authority of the township treasurer and
trustees of schools of the township or because those offices have been abolished as provided in
subsection (b) or (c) of Section 5-1, and as to each such school district the statement required by this
Section shall be prepared and made available to the public, in accordance with subsection (a) of this
Section, by the school board of such district in the same manner as required for school boards of school
districts situated in Class I county school units.

(c) The statement of affairs required pursuant to this Section shall contain such information as may be
required by the State Board of Education, including:

1. Annual fiscal year gross payment for certificated personnel to be shown by name, listing each
employee in one of the following categories:
   (a) Under $25,000
   (b) $25,000 to $39,999
   (c) $40,000 to $59,999
   (d) $60,000 to $89,999
   (e) $90,000 and over

2. Annual fiscal year payment for non-certificated personnel to be shown by name, listing each
employee in one of the following categories:
   (a) Under $25,000
(b) $25,000 to $39,999
(c) $40,000 to $59,999
(d) $60,000 and over

3. In addition to wages and salaries all other moneys in the aggregate paid to recipients of $1,000 or more, giving the name of the person, firm or corporation and the total amount received by each.

4. Approximate size of school district in square miles.

5. Number of school attendance centers.

6. Numbers of employees as follows:
   (a) Full-time certificated employees;
   (b) Part-time certificated employees;
   (c) Full-time non-certificated employees;
   (d) Part-time non-certificated employees.

7. Numbers of pupils as follows:
   (a) Enrolled by grades;
   (b) Total enrolled;
   (c) Average daily attendance.

8. Assessed valuation as follows:
   (a) Total of the district;
   (b) Per pupil in average daily attendance.

9. Tax rate for each district fund.

10. District financial obligation at the close of the fiscal year as follows:
    (a) Teachers’ orders outstanding;
    (b) Anticipation warrants outstanding for each fund.

11. Total bonded debt at the close of the fiscal year.

12. Percent of bonding power obligated currently.

13. Value of capital assets of the district including:
    (a) Land;
    (b) Buildings;
    (c) Equipment.
14. Total amount of investments each fund.

15. Change in net cash position from the previous report period for each district fund.

In addition to the above report, a report of expenditures in the aggregate paid on behalf of recipients of $500 or more, giving the name of the person, firm or corporation and the total amount received by each shall be available in the school district office for public inspection. This listing shall include all wages, salaries and expenditures over $500 expended from any revolving fund maintained by the district. Any resident of the school district may receive a copy of this report, upon request, by paying a reasonable charge to defray the costs of preparing such copy.

This Section does not apply to cities having a population exceeding 500,000.

(Source: P.A. 94-875, eff. 7-1-06.)

(105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)

Sec. 10-17a. State, school district, and school report cards.

(1) By October 31, 2013 and October 31 of each subsequent school year, the State Board of Education, through the State Superintendent of Education, shall prepare a State report card, school district report cards, and school report cards, and shall by the most economical means provide to each school district in this State, including special charter districts and districts subject to the provisions of Article 34, the report cards for the school district and each of its schools. Because of the impacts of the COVID-19 public health emergency during school year 2020-2021, the State Board of Education shall have until December 31, 2021 to prepare and provide the report cards that would otherwise be due by October 31, 2021. During a school year in which the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, the report cards for the school districts and each of its schools shall be prepared by December 31.

(2) In addition to any information required by federal law, the State Superintendent shall determine the indicators and presentation of the school report card, which must include, at a minimum, the most current data collected and maintained by the State Board of Education related to the following:

(A) school characteristics and student demographics, including average class size, average teaching experience, student racial/ethnic breakdown, and the percentage of students classified as low-income; the percentage of students classified as English learners, the number of students who graduate from a bilingual or English learner program, and the number of students who graduate from, transfer from, or otherwise leave bilingual programs; the percentage of students who have individualized education plans or 504 plans that provide for special education services; the number and percentage of all students who have been assessed for placement in a gifted education or advanced academic program and, of those students: (i) the racial and ethnic breakdown, (ii) the percentage who are classified as low-income, and (iii) the number and percentage of students who received direct instruction from a teacher who holds a gifted education endorsement and, of those students, the percentage who are classified as low-income; the percentage of students scoring at the "exceeds expectations" level on the assessments required under Section 2-3.64a-5 of this Code; the percentage of students who annually transferred in or out of the school district; average daily attendance; the per-pupil operating expenditure of the school district;
and the per-pupil State average operating expenditure for the district type (elementary, high school, or unit);

(B) curriculum information, including, where applicable, Advanced Placement, International Baccalaureate or equivalent courses, dual enrollment courses, foreign language classes, computer science courses, school personnel resources (including Career Technical Education teachers), before and after school programs, extracurricular activities, subjects in which elective classes are offered, health and wellness initiatives (including the average number of days of Physical Education per week per student), approved programs of study, awards received, community partnerships, and special programs such as programming for the gifted and talented, students with disabilities, and work-study students;

(C) student outcomes, including, where applicable, the percentage of students deemed proficient on assessments of State standards, the percentage of students in the eighth grade who pass Algebra, the percentage of students who participated in workplace learning experiences, the percentage of students enrolled in post-secondary institutions (including colleges, universities, community colleges, trade/vocational schools, and training programs leading to career certification within 2 semesters of high school graduation), the percentage of students graduating from high school who are college and career ready, and the percentage of graduates enrolled in community colleges, colleges, and universities who are in one or more courses that the community college, college, or university identifies as a developmental course;

(D) student progress, including, where applicable, the percentage of students in the ninth grade who have earned 5 credits or more without failing more than one core class, a measure of students entering kindergarten ready to learn, a measure of growth, and the percentage of students who enter high school on track for college and career readiness;

(E) the school environment, including, where applicable, high school dropout rate by grade level, the percentage of students with less than 10 absences in a school year, the percentage of teachers with less than 10 absences in a school year for reasons other than professional development, leaves taken pursuant to the federal Family Medical Leave Act of 1993, long-term disability, or parental leaves, the 3-year average of the percentage of teachers returning to the school from the previous year, the number of different principals at the school in the last 6 years, the number of teachers who hold a gifted education endorsement, the process and criteria used by the district to determine whether a student is eligible for participation in a gifted education program or advanced academic program and the manner in which parents and guardians are made aware of the process and criteria, the number of teachers who are National Board Certified Teachers, disaggregated by race and ethnicity, 2 or more indicators from any school climate survey selected or approved by the State and administered pursuant to Section 2-3.153 of this Code, with the same or similar indicators included on school report cards for all surveys selected or approved by the State pursuant to Section 2-3.153 of this Code, the combined percentage of teachers rated as proficient or excellent in their most recent evaluation, and, beginning with the 2022-2023 school year, data on the number of incidents of violence that occurred on school grounds or during school-related activities and that resulted in an out-of-school suspension, expulsion, or removal to an alternative setting, as reported pursuant to Section 2-3.162;

(F) a school district's and its individual schools' balanced accountability measure, in accordance with Section 2-3.25a of this Code;
(G) the total and per pupil normal cost amount the State contributed to the Teachers' Retirement System of the State of Illinois in the prior fiscal year for the school's employees, which shall be reported to the State Board of Education by the Teachers' Retirement System of the State of Illinois;

(H) for a school district organized under Article 34 of this Code only, State contributions to the Public School Teachers' Pension and Retirement Fund of Chicago and State contributions for health care for employees of that school district;

(I) a school district's Final Percent of Adequacy, as defined in paragraph (4) of subsection (f) of Section 18-8.15 of this Code;

(J) a school district's Local Capacity Target, as defined in paragraph (2) of subsection (c) of Section 18-8.15 of this Code, displayed as a percentage amount;

(K) a school district's Real Receipts, as defined in paragraph (1) of subsection (d) of Section 18-8.15 of this Code, divided by a school district's Adequacy Target, as defined in paragraph (1) of subsection (b) of Section 18-8.15 of this Code, displayed as a percentage amount;

(L) a school district's administrative costs;

(M) whether or not the school has participated in the Illinois Youth Survey. In this paragraph (M), "Illinois Youth Survey" means a self-report survey, administered in school settings every 2 years, designed to gather information about health and social indicators, including substance abuse patterns and the attitudes of students in grades 8, 10, and 12; and

(N) whether the school offered its students career and technical education opportunities.

The school report card shall also provide information that allows for comparing the current outcome, progress, and environment data to the State average, to the school data from the past 5 years, and to the outcomes, progress, and environment of similar schools based on the type of school and enrollment of low-income students, special education students, and English learners.

As used in this subsection (2):

"Administrative costs" means costs associated with executive, administrative, or managerial functions within the school district that involve planning, organizing, managing, or directing the school district.

"Advanced academic program" means a course of study to which students are assigned based on advanced cognitive ability or advanced academic achievement compared to local age peers and in which the curriculum is substantially differentiated from the general curriculum to provide appropriate challenge and pace.

"Computer science" means the study of computers and algorithms, including their principles, their hardware and software designs, their implementation, and their impact on society. "Computer science" does not include the study of everyday uses of computers and computer applications, such as keyboarding or accessing the Internet.

"Gifted education" means educational services, including differentiated curricula and instructional methods, designed to meet the needs of gifted children as defined in Article 14A of this Code.
For the purposes of paragraph (A) of this subsection (2), "average daily attendance" means the average of the actual number of attendance days during the previous school year for any enrolled student who is subject to compulsory attendance by Section 26-1 of this Code at each school and charter school.

(3) At the discretion of the State Superintendent, the school district report card shall include a subset of the information identified in paragraphs (A) through (E) of subsection (2) of this Section, as well as information relating to the operating expense per pupil and other finances of the school district, and the State report card shall include a subset of the information identified in paragraphs (A) through (E) and paragraph (N) of subsection (2) of this Section. The school district report card shall include the average daily attendance, as that term is defined in subsection (2) of this Section, of students who have individualized education programs and students who have 504 plans that provide for special education services within the school district.

(4) Notwithstanding anything to the contrary in this Section, in consultation with key education stakeholders, the State Superintendent shall at any time have the discretion to amend or update any and all metrics on the school, district, or State report card.

(5) Annually, no more than 30 calendar days after receipt of the school district and school report cards from the State Superintendent of Education, each school district, including special charter districts and districts subject to the provisions of Article 34, shall present such report cards at a regular school board meeting subject to applicable notice requirements, post the report cards on the school district's Internet web site, if the district maintains an Internet web site, make the report cards available to a newspaper of general circulation serving the district, and, upon request, send the report cards home to a parent (unless the district does not maintain an Internet web site, in which case the report card shall be sent home to parents without request). If the district posts the report card on its Internet web site, the district shall send a written notice home to parents stating (i) that the report card is available on the web site, (ii) the address of the web site, (iii) that a printed copy of the report card will be sent to parents upon request, and (iv) the telephone number that parents may call to request a printed copy of the report card.


(Source: P.A. 101-68, eff. 1-1-20; 101-81, eff. 7-12-19; 101-654, eff. 3-8-21; 102-16, eff. 6-17-21; 102-294, eff. 1-1-22; 102-539, eff. 8-20-21; 102-558, eff. 8-20-21; 102-594, eff. 7-1-22; 102-813, eff. 5-13-22.)

(105 ILCS 5/10-18) (from Ch. 122, par. 10-18)

Sec. 10-18. Orders. Every order issued by the school board shall state for what purposes or on what account it is issued, and shall be in the following form:

$.... State of Illinois, (insert date)

THE TREASURER

(Insert name)
SCHOOLS (105 ILCS 5/) School Code.

Of School District No. .... in .... County,
Pay to the order of .... the sum of .... Dollars, for........
..............................................................
..............................................................
By order of the School Board of
    District No. ...., in said County.
Order No. ....
..............President
............Clerk (or Secretary)

An order paid in full and properly endorsed shall be a sufficient receipt for the purposes of this Act. The school board shall issue no order, except for teachers' wages, unless at the time there are sufficient funds in the hands of the treasurer to pay it.

(Source: P.A. 91-357, eff. 7-29-99.)

(105 ILCS 5/10-19) (from Ch. 122, par. 10-19)

Sec. 10-19. Length of school term - experimental programs. Each school board shall annually prepare a calendar for the school term, specifying the opening and closing dates and providing a minimum term of at least 185 days to insure 176 days of actual pupil attendance, computable under Section 10-19.05, except that for the 1980-1981 school year only 175 days of actual pupil attendance shall be required because of the closing of schools pursuant to Section 24-2 on January 29, 1981 upon the appointment by the President of that day as a day of thanksgiving for the freedom of the Americans who had been held hostage in Iran. Any days allowed by law for teachers' institutes but not used as such or used as parental institutes as provided in Section 10-22.18d shall increase the minimum term by the school days not so used. Except as provided in Section 10-19.1, the board may not extend the school term beyond such closing date unless that extension of term is necessary to provide the minimum number of computable days. In case of such necessary extension school employees shall be paid for such additional time on the basis of their regular contracts. A school board may specify a closing date earlier than that set on the annual calendar when the schools of the district have provided the minimum number of computable days under this Section. Nothing in this Section prevents the board from employing superintendents of schools, principals and other nonteaching personnel for a period of 12 months, or in the case of superintendents for a period in accordance with Section 10-23.8, or prevents the board from employing other personnel before or after the regular school term with payment of salary proportionate to that received for comparable work during the school term. Remote learning days, blended remote learning days, and up to 5 remote and blended remote learning planning days established under Section 10-30 or 34-18.66 shall be deemed pupil attendance days for calculation of the length of a school term under this Section.

A school board may make such changes in its calendar for the school term as may be required by any changes in the legal school holidays prescribed in Section 24-2. A school board may make changes in its
calendar for the school term as may be necessary to reflect the utilization of teachers' institute days as parental institute days as provided in Section 10-22.18d.

The calendar for the school term and any changes must be submitted to and approved by the regional superintendent of schools before the calendar or changes may take effect.

With the prior approval of the State Board of Education and subject to review by the State Board of Education every 3 years, any school board may, by resolution of its board and in agreement with affected exclusive collective bargaining agents, establish experimental educational programs, including but not limited to programs for e-learning days as authorized under Section 10-20.56 of this Code, self-directed learning, or outside of formal class periods, which programs when so approved shall be considered to comply with the requirements of this Section as respects numbers of days of actual pupil attendance and with the other requirements of this Act as respects courses of instruction.

(Source: P.A. 100-465, eff. 8-31-17; 101-12, eff. 7-1-19; 101-643, eff. 6-18-20.)

(105 ILCS 5/10-19.05)

Sec. 10-19.05. Daily pupil attendance calculation.

(a) Except as otherwise provided in this Section, for a pupil of legal school age and in kindergarten or any of grades 1 through 12, a day of attendance shall be counted only for sessions of not less than 5 clock hours of school work per day under direct supervision of (i) teachers or (ii) non-teaching personnel or volunteer personnel when engaging in non-teaching duties and supervising in those instances specified in subsection (a) of Section 10-22.34 and paragraph 10 of Section 34-18. Days of attendance by pupils through verified participation in an e-learning program adopted by a school board and verified by the regional office of education or intermediate service center for the school district under Section 10-20.56 of this Code shall be considered as full days of attendance under this Section.

(b) A pupil regularly enrolled in a public school for only a part of the school day may be counted on the basis of one-sixth of a school day for every class hour of instruction of 40 minutes or more attended pursuant to such enrollment, unless a pupil is enrolled in a block-schedule format of 80 minutes or more of instruction, in which case the pupil may be counted on the basis of the proportion of minutes of school work completed each day to the minimum number of minutes that school work is required to be held that day.

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

(d) A session of 3 or more clock hours may be counted as a day of attendance (1) when the remainder of the school day or at least 2 hours in the evening of that day is utilized for an in-service training program for teachers, up to a maximum of 10 days per school year, provided that a district conducts an in-service training program for teachers in accordance with Section 10-22.39 of this Code, or, in lieu of 4 such days, 2 full days may be used, in which event each such day may be counted as a day required for a legal school calendar pursuant to Section 10-19 of this Code; (2) when, of the 5 days allowed under item (1), a maximum of 4 days are used for parent-teacher conferences, or, in lieu of 4 such days, 2 full days are used, in which case each such day may be counted as a calendar day required under Section 10-19 of
SCHOOLS (105 ILCS 5/) School Code.

this Code, provided that the full-day, parent-teacher conference consists of (i) a minimum of 5 clock hours of parent-teacher conferences, (ii) both a minimum of 2 clock hours of parent-teacher conferences held in the evening following a full day of student attendance and a minimum of 3 clock hours of parent-teacher conferences held on the day immediately following evening parent-teacher conferences, or (iii) multiple parent-teacher conferences held in the evenings following full days of student attendance in which the time used for the parent-teacher conferences is equivalent to a minimum of 5 clock hours; and (3) when days in addition to those provided in items (1) and (2) are scheduled by a school pursuant to its school improvement plan adopted under Article 34 or its revised or amended school improvement plan adopted under Article 2, provided that (i) such sessions of 3 or more clock hours are scheduled to occur at regular intervals, (ii) the remainder of the school days in which such sessions occur are utilized for in-service training programs or other staff development activities for teachers, and (iii) a sufficient number of minutes of school work under the direct supervision of teachers are added to the school days between such regularly scheduled sessions to accumulate not less than the number of minutes by which such sessions of 3 or more clock hours fall short of 5 clock hours. Days scheduled for in-service training programs, staff development activities, or parent-teacher conferences may be scheduled separately for different grade levels and different attendance centers of the district.

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

(f) A session of at least 4 clock hours may be counted as a day of attendance for first grade pupils and pupils in full-day kindergartens, and a session of 2 or more hours may be counted as a half day of attendance by pupils in kindergartens that provide only half days of attendance.

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

(h) A recognized kindergarten that provides for only a half day of attendance by each pupil shall not have more than one half day of attendance counted in any one day. However, kindergartens may count 2 and a half days of attendance in any 5 consecutive school days. When a pupil attends such a kindergarten for 2 half days on any one school day, the pupil shall have the following day as a day absent from school, unless the school district obtains permission in writing from the State Superintendent of Education. Attendance at kindergartens that provide for a full day of attendance by each pupil shall be counted the same as attendance by first grade pupils. Only the first year of attendance in one kindergarten shall be counted, except in the case of children who entered the kindergarten in their fifth year whose educational development requires a second year of kindergarten as determined under rules of the State Board of Education.

(i) On the days when the State's final accountability assessment is administered under subsection (c) of Section 2-3.64a-5 of this Code, the day of attendance for a pupil whose school day must be shortened to accommodate required testing procedures may be less than 5 clock hours and shall be counted toward the 176 days of actual pupil attendance required under Section 10-19 of this Code, provided that
a sufficient number of minutes of school work in excess of 5 clock hours are first completed on other school days to compensate for the loss of school work on the examination days.

(j) Pupils enrolled in a remote educational program established under Section 10-29 of this Code may be counted on the basis of a one-fifth day of attendance for every clock hour of instruction attended in the remote educational program, provided that, in any month, the school district may not claim for a student enrolled in a remote educational program more days of attendance than the maximum number of days of attendance the district can claim (i) for students enrolled in a building holding year-round classes if the student is classified as participating in the remote educational program on a year-round schedule or (ii) for students enrolled in a building not holding year-round classes if the student is not classified as participating in the remote educational program on a year-round schedule.

(j-5) The clock hour requirements of subsections (a) through (j) of this Section do not apply if the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act. The State Superintendent of Education may establish minimum clock hour requirements under Sections 10-30 and 34-18.66 if the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act.

(k) Pupil participation in any of the following activities shall be counted toward the calculation of clock hours of school work per day:

(1) Instruction in a college course in which a student is dually enrolled for both high school credit and college credit.

(2) Participation in a Supervised Career Development Experience, as defined in Section 10 of the Postsecondary and Workforce Readiness Act, in which student participation and learning outcomes are supervised by an educator licensed under Article 21B.

(3) Participation in a youth apprenticeship, as jointly defined in rules of the State Board of Education and Department of Commerce and Economic Opportunity, in which student participation and outcomes are supervised by an educator licensed under Article 21B.

(4) Participation in a blended learning program approved by the school district in which course content, student evaluation, and instructional methods are supervised by an educator licensed under Article 21B.

(Source: P.A. 101-12, eff. 7-1-19; 101-643, eff. 6-18-20.)

(105 ILCS 5/10-19.1) (from Ch. 122, par. 10-19.1)

Sec. 10-19.1. Full year school plan.

(a) Any school district may, by resolution of its board, operate one or more schools within the district on a full year school plan approved by the State Board of Education. Any board which operates under this subsection (a) shall devise a plan so that a student’s required attendance in school shall be for a minimum term of 180 days of actual attendance, including not more than 4 institute days, during a 12 month period, but shall not exceed 185 days. Under such plan, no teacher shall be required to teach more than 185 days. A calendar of 180 days may be established with the approval of the State Board of Education.
(b) Any school board that operates one or more schools within the school district on a pilot full-year school plan under subsection (a-5) of Section 2-3.25f of this Code shall devise a plan so that a student's required attendance in school shall be for a minimum term of 215 days of actual attendance, including not more than 4 institute days, during a 12-month period. A calendar of 215 days may be established with the approval of the State Board of Education.

(Source: P.A. 97-370, eff. 1-1-12.)

(105 ILCS 5/10-19.2) (from Ch. 122, par. 10-19.2)

Sec. 10-19.2. Full year feasibility study - grant - transitional expenditure reimbursement. Any school district, including special charter districts, may, by resolution of its board, file an application with the State Board of Education and, if approved, receive funds for the purpose of conducting a study of the feasibility of operating one or more schools within the district on a full year school plan pursuant to Section 10-19.1. Such feasibility study shall include, but need not be limited to, the educational program, building and space needs, administrative and personnel costs, pupil distribution in the district, community attitudes and transportation costs. The Board of Education of any district which conducts a feasibility study pursuant to this Section shall submit a final report to the State Board of Education upon completion of the study or within one year after receipt of funds, whichever occurs first.

School districts seeking State financial support to conduct feasibility studies shall file applications with the State Board of Education on forms provided by the State Board. The State Board of Education may grant or deny applications, in whole or in part, and provide the funds necessary to implement approved applications, provided that the total amount of funds necessary to implement approved applications does not exceed the annual appropriation for that purpose.

If, based upon the results of a full year feasibility study, a school district determines that it will operate one or more schools within the district in accordance with Section 10-19.1, the State Board of Education may, pursuant to guidelines established by the State Board, reimburse such district for expenditures resulting from making such transition, provided that no expenditure shall be reimbursed which would have been incurred by a school district in the absence of a changeover to a full year school program.

In the event any funds appropriated for transition reimbursement during any fiscal year are insufficient for that purpose, payment shall be made in the proportion that the total amount of such expenditures bears to the total amount of money available for payment.

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

(105 ILCS 5/10-19.3) (from Ch. 122, par. 10-19.3)

Sec. 10-19.3. Advertisements for employees during strikes. No school board shall advertise seeking to hire employees to replace employees on strike without stating in such advertisement that a strike is in progress.

(Source: P.A. 84-468.)

(105 ILCS 5/10-20) (from Ch. 122, par. 10-20)
Sec. 10-20. Powers of school board. The school board has the powers enumerated in the Sections of this Article following this Section. This enumeration of powers is not exclusive, but the board may exercise all other powers not inconsistent with this Act that may be requisite or proper for the maintenance, operation, and development of any school or schools under the jurisdiction of the board. This grant of powers does not release a school board from any duty imposed upon it by this Act or any other law.

(Source: P.A. 88-670, eff. 12-2-94; 89-159, eff. 1-1-96.)

(105 ILCS 5/10-20.1) (from Ch. 122, par. 10-20.1)

Sec. 10-20.1. Records to be retained. To maintain records to substantiate all district claims for State aid in accordance with regulations prescribed by the State Board of Education and to retain such records for a period of three years.

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

(105 ILCS 5/10-20.2) (from Ch. 122, par. 10-20.2)

Sec. 10-20.2. Report of teachers employed.

To report to the county superintendent within ten days after their employment the names of all teachers employed, with the dates of the beginning and end of their contracts.

(Source: Laws 1961, p. 31.)

(105 ILCS 5/10-20.2b)

Sec. 10-20.2b. (Repealed).

(Source: P.A. 85-611. Repealed by P.A. 94-1105, eff. 6-1-07.)

(105 ILCS 5/10-20.3) (from Ch. 122, par. 10-20.3)

Sec. 10-20.3. Revenue to be provided.

To provide for the revenue necessary to maintain schools in their districts.

(Source: Laws 1961, p. 31.)

(105 ILCS 5/10-20.4) (from Ch. 122, par. 10-20.4)

Sec. 10-20.4. District in two or more townships - Treasurer to receive taxes.

To determine, in case of a district which is situated in a Class II county school unit and which is subject to the jurisdiction and authority of the trustees of schools of a township but composed of parts of two or more townships, which treasurer is to receive the taxes of the district, and to notify the collectors in writing accordingly.

(Source: P.A. 86-1441.)

(105 ILCS 5/10-20.5) (from Ch. 122, par. 10-20.5)
Sec. 10-20.5. Rules. To adopt and enforce all necessary rules for the management and government of the public schools of their district. Rules adopted by the school board shall be filed for public inspection in the administrative office of the district.

(Source: P.A. 81-1003.)

(105 ILCS 5/10-20.5a) (from Ch. 122, par. 10-20.5a)

Sec. 10-20.5a. Access to high school campus.

(a) For school districts maintaining grades 10 through 12, to provide, on an equal basis, access to a high school campus and student directory information to the official recruiting representatives of the armed forces of Illinois and the United States for the purpose of informing students of the educational and career opportunities available in the military if the board has provided such access to persons or groups whose purpose is to acquaint students with educational or occupational opportunities available to them. The board is not required to give greater notice regarding the right of access to recruiting representatives than is given to other persons and groups. In this Section, "directory information" means a high school student's name, address, and telephone number.

(b) If a student or his or her parent or guardian submits a signed, written request to the high school before the end of the student’s sophomore year (or if the student is a transfer student, by another time set by the high school) that indicates that the student or his or her parent or guardian does not want the student's directory information to be provided to official recruiting representatives under subsection (a) of this Section, the high school may not provide access to the student's directory information to these recruiting representatives. The high school shall notify its students and their parents or guardians of the provisions of this subsection (b).

(c) A high school may require official recruiting representatives of the armed forces of Illinois and the United States to pay a fee for copying and mailing a student's directory information in an amount that is not more than the actual costs incurred by the high school.

(d) Information received by an official recruiting representative under this Section may be used only to provide information to students concerning educational and career opportunities available in the military and may not be released to a person who is not involved in recruiting students for the armed forces of Illinois or the United States.

(Source: P.A. 92-527, eff. 6-1-02.)

(105 ILCS 5/10-20.5b) (from Ch. 122, par. 10-20.5b)

Sec. 10-20.5b. Tobacco prohibition. Each school board shall prohibit the use of tobacco on school property by any school personnel, student, or other person when such property is being used for any school purposes. The school board may not authorize or permit any exception to or exemption from the prohibition at any place or at any time, including, without limitation, outside of school buildings or before or after the regular school day or on days when school is not in session. "School purposes" includes, but is not limited to, all events or activities or other use of school property that the school board or school officials authorize or permit on school property, including, without limitation, all interscholastic or extracurricular athletic, academic, or other events sponsored by the school board or in which pupils of the district participate. For purposes of this Section "tobacco" shall mean a cigarette, a
cigar, or tobacco in any other form, including smokeless tobacco which is any loose, cut, shredded, ground, powdered, compressed, or leaf tobacco that is intended to be placed in the mouth without being smoked.

(Source: P.A. 102-558, eff. 8-20-21.)

(105 ILCS 5/10-20.6) (from Ch. 122, par. 10-20.6)

Sec. 10-20.6. Maintain schools. To maintain the public schools under their jurisdiction as the good of the schools may require and in conformance with the code authorized in Section 2-3.12.

(Source: P.A. 96-998, eff. 7-2-10.)

(105 ILCS 5/10-20.7) (from Ch. 122, par. 10-20.7)

Sec. 10-20.7. Appoint teachers and fix salaries. To appoint all teachers and fix the amount of their salaries, subject to limitations set forth in this Act. In fixing salaries of certificated employees, school boards shall make no discrimination on account of sex and there shall be no loss in salary because of jury duty or because such employee, pursuant to subpoena issued by the clerk of a court and served on such employee, attends as a witness upon trial or to have his or her deposition taken in any school related matter pending in court, except that the board may make a deduction equal to the amount received for such jury duty or for per diem fees which the employee is entitled to receive for complying with such subpoena. Certified employees may be paid full salary by the board when in the active service of this State, under orders of the Commander-in-Chief, as members of the Illinois National Guard or Illinois Naval Militia, provided that the board may deduct from such salary any amounts received for such State service. A school board may at any time after January 1 employ teachers for the school year beginning on the following July 1.

(Source: P.A. 86-1366.)

(105 ILCS 5/10-20.7a) (from Ch. 122, par. 10-20.7a)

Sec. 10-20.7a. Minority recruitment policy. To develop and implement, by 1991, a policy of recruitment and hiring of minority teachers, other certificated employees and non-certificated employees, including custodians, lunch room staff and teacher aides.

(Source: P.A. 86-227.)

(105 ILCS 5/10-20.7b) (from Ch. 122, par. 10-20.7b)

Sec. 10-20.7b. Active military service. Any certificated or non-certificated employee of a school board who is a member of any reserve component of the United States Armed Services, including the Illinois National Guard, and who is mobilized to active military duty on or after August 1, 1990, shall for each pay period beginning on or after August 1, 1990 continue to receive the same regular compensation that he receives or was receiving as an employee of the school board at the time he is or was so mobilized to active military duty, plus any health insurance and other benefits he is or was receiving or accruing at that time, minus the amount of his base pay for military service, for the duration of his active military service. Such active military duty shall not result in the loss or diminishment of any employment benefit, service credit, or status accrued at the time the duty commenced if the duty commenced on or after September 1, 2001.
In the event any provision of a collective bargaining agreement or any school board or district policy covering any employee so ordered to active duty is more generous than the provisions contained in this Section, the collective bargaining agreement or school board or district policy shall be controlling.

(Source: P.A. 92-660, eff. 7-16-02.)

(105 ILCS 5/10-20.8) (from Ch. 122, par. 10-20.8)

Sec. 10-20.8. Branches of study, textbooks and apparatus.

To direct what branches of study shall be taught and what apparatus shall be used. Subject to Article 28 of this Act, to direct what textbooks shall be used and to enforce uniformity of textbooks in the public schools; but not to maintain grades above the eighth unless such grades were maintained during the school year ended June 30, 1959. Notwithstanding any other provision of this Section or the School Code, no school board may purchase any textbook for use in the public schools from any textbook publisher that fails to furnish any computer diskettes as required under Section 28-21.

(Source: P.A. 87-1071.)

(105 ILCS 5/10-20.9)

Sec. 10-20.9. (Repealed).

(Source: Laws 1961, p. 31. Repealed by P.A. 94-1105, eff. 6-1-07.)

(105 ILCS 5/10-20.9a) (from Ch. 122, par. 10-20.9a)

Sec. 10-20.9a. Final grade; promotion.

(a) Teachers shall administer the approved marking system or other approved means of evaluating pupil progress. The teacher shall maintain the responsibility and right to determine grades and other evaluations of students within the grading policies of the district based upon his or her professional judgment of available criteria pertinent to any given subject area or activity for which he or she is responsible. District policy shall provide the procedure and reasons by and for which a grade may be changed; provided that no grade or evaluation shall be changed without notification to the teacher concerning the nature and reasons for such change. If such a change is made, the person making the change shall assume such responsibility for determining the grade or evaluation, and shall initial such change.

(b) School districts shall not promote students to the next higher grade level based upon age or any other social reasons not related to the academic performance of the students. On or before September 1, 1998, school boards shall adopt and enforce a policy on promotion as they deem necessary to ensure that students meet local goals and objectives and can perform at the expected grade level prior to promotion. Decisions to promote or retain students in any classes shall be based on successful completion of the curriculum, attendance, performance based on the assessments required under Section 2-3.64a-5 of this Code, the Iowa Test of Basic Skills, or other testing or any other criteria established by the school board. Students determined by the local district to not qualify for promotion to the next higher grade shall be provided remedial assistance, which may include, but shall not be limited to, a summer bridge program of no less than 90 hours, tutorial sessions, increased or concentrated instructional time, modifications to instructional materials, and retention in grade.
(c) No public high school of a school district shall withhold a student's grades, transcripts, or diploma because of an unpaid balance on the student's school account.

At the end of each school year, the school district shall catalogue and report to the State Board of Education the total amount that remains unpaid by students due to the prohibition under this subsection (c).

(d) On and after 3 years from the effective date of this amendatory Act of the 102nd General Assembly, subsection (c) is inoperative.

(Source: P.A. 102-727, eff. 5-6-22.)

(105 ILCS 5/10-20.12) (from Ch. 122, par. 10-20.12)

Sec. 10-20.12. School year - School age. To establish and keep in operation in each year during a school term of at least the minimum length required by Section 10-19, a sufficient number of free schools for the accommodation of all persons in the district who are 5 years of age or older but under 21 years of age, and to secure for all such persons the right and opportunity to an equal education in such schools; provided that (i) children who will attain the age of 5 years on or before September 1 of the year of the 1990-1991 school term and each school term thereafter may attend school upon the commencement of such term and (ii) based upon an assessment of the child's readiness, children who have attended a non-public preschool and continued their education at that school through kindergarten, were taught in kindergarten by an appropriately certified teacher, and will attain the age of 6 years on or before December 31 of the year of the 2009-2010 school term and each school term thereafter may attend first grade upon commencement of such term. However, Section 33 of the Educational Opportunity for Military Children Act shall apply to children of active duty military personnel. Based upon an assessment of a child's readiness to attend school, a school district may permit a child to attend school prior to the dates contained in this Section. In any school district operating on a full year school basis children who will attain age 5 within 30 days after the commencement of a term may attend school upon the commencement of such term and, based upon an assessment of the child's readiness, children who have attended a non-public preschool and continued their education at that school through kindergarten, were taught in kindergarten by an appropriately certified teacher, and will attain age 6 within 4 months after the commencement of a term may attend first grade upon the commencement of such term. The school district may, by resolution of its board, allow for a full year school plan.

(Source: P.A. 98-673, eff. 6-30-14.)

(105 ILCS 5/10-20.12a) (from Ch. 122, par. 10-20.12a)

Sec. 10-20.12a. Tuition for non-resident pupils.

(a) To charge non-resident pupils who attend the schools of the district tuition in an amount not exceeding 110% of the per capita cost of maintaining the schools of the district for the preceding school year.

Such per capita cost shall be computed by dividing the total cost of conducting and maintaining the schools of the district by the average daily attendance, including tuition pupils. Depreciation on the
buildings and equipment of the schools of the district, and the amount of annual depreciation on such buildings and equipment shall be dependent upon the useful life of such property.

The tuition charged shall in no case exceed 110% of the per capita cost of conducting and maintaining the schools of the district attended, as determined with reference to the most recent audit prepared under Section 3-7 which is available at the commencement of the current school year. Non-resident pupils attending the schools of the district for less than the school term shall have their tuition apportioned, however pupils who become non-resident during a school term shall not be charged tuition for the remainder of the school term in which they became non-resident pupils.

(b) Unless otherwise agreed to by the parties involved and where the educational services are not otherwise provided for, educational services for an Illinois student under the age of 21 (and not eligible for services pursuant to Article 14 of this Code) in any residential program shall be provided by the district in which the facility is located and financed as follows. The cost of educational services shall be paid by the district in which the student resides in an amount equal to the cost of providing educational services in the residential facility. Payments shall be made by the district of the student’s residence and shall be made to the district wherein the facility is located no less than once per month unless otherwise agreed to by the parties.

The funding provision of this subsection (b) applies to all Illinois students under the age of 21 (and not eligible for services pursuant to Article 14 of this Code) receiving educational services in residential facilities, irrespective of whether the student was placed therein pursuant to this Code or the Juvenile Court Act of 1987 or by an Illinois public agency or a court. The changes to this subsection (b) made by this amendatory Act of the 95th General Assembly apply to all placements in effect on July 1, 2007 and all placements thereafter. For purposes of this subsection (b), a student’s district of residence shall be determined in accordance with subsection (a) of Section 10-20.12b of this Code. The placement of a student in a residential facility shall not affect the residency of the student. When a dispute arises over the determination of the district of residence under this subsection (b), any person or entity, including without limitation a school district or residential facility, may make a written request for a residency decision to the State Superintendent of Education, who, upon review of materials submitted and any other items or information he or she may request for submission, shall issue his or her decision in writing. The decision of the State Superintendent of Education is final.

(Source: P.A. 95-844, eff. 8-15-08; 95-938, eff. 8-29-08.)

(105 ILCS 5/10-20.12b)

Sec. 10-20.12b. Residency; payment of tuition; hearing; criminal penalty.

(a) For purposes of this Section:

(1) The residence of a person who has legal custody of a pupil is deemed to be the residence of the pupil.

(2) "Legal custody" means one of the following:

(i) Custody exercised by a natural or adoptive parent with whom the pupil resides.
(ii) Custody granted by order of a court of competent jurisdiction to a person with whom the pupil resides for reasons other than to have access to the educational programs of the district.

(iii) Custody exercised under a statutory short-term guardianship, provided that within 60 days of the pupil’s enrollment a court order is entered that establishes a permanent guardianship and grants custody to a person with whom the pupil resides for reasons other than to have access to the educational programs of the district.

(iv) Custody exercised by an adult caretaker relative who is receiving aid under the Illinois Public Aid Code for the pupil who resides with that adult caretaker relative for purposes other than to have access to the educational programs of the district.

(v) Custody exercised by an adult who demonstrates that, in fact, he or she has assumed and exercises legal responsibility for the pupil and provides the pupil with a regular fixed night-time abode for purposes other than to have access to the educational programs of the district.

(a-5) If a pupil’s change of residence is due to the military service obligation of a person who has legal custody of the pupil, then, upon the written request of the person having legal custody of the pupil, the residence of the pupil is deemed for all purposes relating to enrollment (including tuition, fees, and costs), for the duration of the custodian’s military service obligation, to be the same as the residence of the pupil immediately before the change of residence caused by the military service obligation. A school district is not responsible for providing transportation to or from school for a pupil whose residence is determined under this subsection (a-5). School districts shall facilitate re-enrollment when necessary to comply with this subsection (a-5).

(b) Except as otherwise provided under Section 10-22.5a, only resident pupils of a school district may attend the schools of the district without payment of the tuition required to be charged under Section 10-20.12a. However, children for whom the Guardianship Administrator of the Department of Children and Family Services has been appointed temporary custodian or guardian of the person of a child shall not be charged tuition as a nonresident pupil if the child was placed by the Department of Children and Family Services with a foster parent or placed in another type of child care facility and the foster parent or child care facility is located in a school district other than the child’s former school district and it is determined by the Department of Children and Family Services to be in the child’s best interest to maintain attendance at his or her former school district.

(c) The provisions of this subsection do not apply in school districts having a population of 500,000 or more. If a school board in a school district with a population of less than 500,000 determines that a pupil who is attending school in the district on a tuition free basis is a nonresident of the district for whom tuition is required to be charged under Section 10-20.12a, the board shall notify the person who enrolled the pupil of the amount of the tuition charged under Section 10-20.12a that is due to the district for a nonresident pupil’s attendance in the district’s schools. The notice shall detail the specific reasons why the board believes that the pupil is a nonresident of the district and shall be given by certified mail, return receipt requested. Within 10 calendar days after receipt of the notice, the person who enrolled the pupil may request a hearing to review the determination of the school board. The request shall be sent by certified mail, return receipt requested, to the district superintendent. Within 10 calendar days after receipt of the request, the board shall notify, by certified mail, return receipt requested, the person requesting the hearing of the time and place of the hearing, which shall be held...
not less than 10 nor more than 20 calendar days after the notice of hearing is given. At least 3 calendar days prior to the hearing, each party shall disclose to the other party all written evidence and testimony that it may submit during the hearing and a list of witnesses that it may call to testify during the hearing. The hearing notice shall notify the person requesting the hearing that any written evidence and testimony or witnesses not disclosed to the other party at least 3 calendar days prior to the hearing are barred at the hearing without the consent of the other party. The board or a hearing officer designated by the board shall conduct the hearing. The board and the person who enrolled the pupil may be represented at the hearing by representatives of their choice. At the hearing, the person who enrolled the pupil shall have the burden of going forward with the evidence concerning the pupil's residency. If the hearing is conducted by a hearing officer, the hearing officer, within 5 calendar days after the conclusion of the hearing, shall send a written report of his or her findings by certified mail, return receipt requested, to the school board and to the person who enrolled the pupil. The person who enrolled the pupil may, within 5 calendar days after receiving the findings, file written objections to the findings with the school board by sending the objections by certified mail, return receipt requested, addressed to the district superintendent. Whether the hearing is conducted by the school board or a hearing officer, the school board shall, within 30 calendar days after the conclusion of the hearing, decide whether or not the pupil is a resident of the district and the amount of any tuition required to be charged under Section 10-20.12a as a result of the pupil's attendance in the schools of the district. The school board shall send a copy of its decision within 5 calendar days of its decision to the person who enrolled the pupil by certified mail, return receipt requested. This decision must inform the person who enrolled the pupil that he or she may, within 5 calendar days after receipt of the decision of the board, petition the regional superintendent of schools to review the decision. The decision must also include notification that, at the request of the person who enrolled the pupil, the pupil may continue attending the schools of the district pending the regional superintendent of schools' review of the board's decision but that tuition shall continue to be assessed under Section 10-20.12a of this Code during the review period and become due upon a final determination of the regional superintendent of schools that the student is a nonresident.

Within 5 calendar days after receipt of the decision of the board pursuant to this subsection (c) of this Section, the person who enrolled the pupil may petition the regional superintendent of schools who exercises supervision and control of the board to review the board's decision. The petition must include the basis for the request and be sent by certified mail, return receipt requested, to both the regional superintendent of schools and the district superintendent.

Within 5 calendar days after receipt of the petition, the board must deliver to the regional superintendent of schools the written decision of the board, any written evidence and testimony that was submitted by the parties during the hearing, a list of all witnesses that testified during the hearing, and any existing written minutes or transcript of the hearing or verbatim record of the hearing in the form of an audio or video recording documenting the hearing. The board may also provide the regional superintendent of schools and the petitioner with a written response to the petition. The regional superintendent of schools' review of the board's decision is limited to the documentation submitted to the regional superintendent of schools pursuant to this Section.

Within 10 calendar days after receipt of the documentation provided by the school district pursuant to this Section, the regional superintendent of schools shall issue a written decision as to whether or not there is clear and convincing evidence that the pupil is a resident of the district pursuant to this Section.
and eligible to attend the district's schools on a tuition-free basis. The decision shall be transmitted to
the board and the person who enrolled the pupil and shall, with specificity, detail the rationale behind
the decision.

(c-5) The provisions of this subsection apply only in school districts having a population of 500,000 or
more. If the board of education of a school district with a population of 500,000 or more determines
that a pupil who is attending school in the district on a tuition free basis is a nonresident of the district
for whom tuition is required to be charged under Section 10-20.12a, the board shall notify the person
who enrolled the pupil of the amount of the tuition charged under Section 10-20.12a that is due to the
district for the nonresident pupil's attendance in the district's schools. The notice shall be given by
certified mail, return receipt requested. Within 10 calendar days after receipt of the notice, the person
who enrolled the pupil may request a hearing to review the determination of the school board. The
request shall be sent by certified mail, return receipt requested, to the district superintendent. Within
30 calendar days after receipt of the request, the board shall notify, by certified mail, return receipt
requested, the person requesting the hearing of the time and place of the hearing, which shall be held
not less than 10 calendar nor more than 30 calendar days after the notice of hearing is given. The board
or a hearing officer designated by the board shall conduct the hearing. The board and the person who
enrolled the pupil may each be represented at the hearing by a representative of their choice. At the
hearing, the person who enrolled the pupil shall have the burden of going forward with the evidence
concerning the pupil's residency. If the hearing is conducted by a hearing officer, the hearing officer,
within 20 calendar days after the conclusion of the hearing, shall serve a written report of his or her
findings by personal service or by certified mail, return receipt requested, to the school board and to the
person who enrolled the pupil. The person who enrolled the pupil may, within 10 calendar days after
receiving the findings, file written objections to the findings with the board of education by sending the
objections by certified mail, return receipt requested, addressed to the general superintendent of
schools. If the hearing is conducted by the board of education, the board shall, within 45 calendar days
after the conclusion of the hearing, decide whether or not the pupil is a resident of the district and the
amount of any tuition required to be charged under Section 10-20.12a as a result of the pupil's
attendance in the schools of the district. If the hearing is conducted by a hearing officer, the board of
education shall, within 45 days after the receipt of the hearing officer's findings, decide whether or not
the pupil is a resident of the district and the amount of any tuition required to be charged under Section
10-20.12a as a result of the pupil's attendance in the schools of the district. The board of education shall
send, by certified mail, return receipt requested, a copy of its decision to the person who enrolled the
pupil, and the decision of the board shall be final.

(d) If a hearing is requested under subsection (c) of this Section to review the determination of the
school board or board of education that a nonresident pupil is attending the schools of the district
without payment of the tuition required to be charged under Section 10-20.12a, the pupil may, at the
request of the person who enrolled the pupil, continue attendance at the schools of the district pending
the decision of the board or regional superintendent of schools, as applicable, and the school district’s
payments under Section 18-8.05 of this Code shall not be adjusted due to tuition collection under this
Section. However, attendance of that pupil in the schools of the district as authorized by this subsection
(d) shall not relieve any person who enrolled the pupil of the obligation to pay the tuition charged for
that attendance under Section 10-20.12a if the final decision of the board or regional superintendent of
schools is that the pupil is a nonresident of the district. If a pupil is determined to be a nonresident of
the district for whom tuition is required to be charged pursuant to this Section, the board shall refuse to permit the pupil to continue attending the schools of the district unless the required tuition is paid for the pupil.

(d-5) If a hearing is requested under subsection (c-5) of this Section to review the determination of the board of education that a nonresident pupil is attending the schools of the district without payment of the tuition required to be charged under Section 10-20.12a of this Code, the pupil may, at the request of the person who enrolled the pupil, continue attendance at the schools of the district pending a final decision of the board following the hearing. However, attendance of that pupil in the schools of the district as authorized by this subsection (d-5) shall not relieve any person who enrolled the pupil of the obligation to pay the tuition charged for that attendance under Section 10-20.12a of this Code if the final decision of the board is that the pupil is a nonresident of the district. If a pupil is determined to be a nonresident of the district for whom tuition is required to be charged pursuant to this Section, the board shall refuse to permit the pupil to continue attending the schools of the district unless the required tuition is paid for the pupil.

(e) Except for a pupil referred to in subsection (b) of Section 10-22.5a, a pupil referred to in Section 10-20.12a, or a pupil referred to in subsection (b) of this Section, a person who knowingly enrolls or attempts to enroll in the schools of a school district on a tuition free basis a pupil known by that person to be a nonresident of the district shall be guilty of a Class C misdemeanor.

(f) A person who knowingly or wilfully presents to any school district any false information regarding the residency of a pupil for the purpose of enabling that pupil to attend any school in that district without the payment of a nonresident tuition charge shall be guilty of a Class C misdemeanor.

(g) The provisions of this Section are subject to the provisions of the Education for Homeless Children Act. Nothing in this Section shall be construed to apply to or require the payment of tuition by a parent or guardian of a "homeless child" (as that term is defined in Section 1-5 of the Education for Homeless Children Act) in connection with or as a result of the homeless child's continued education or enrollment in a school that is chosen in accordance with any of the options provided in Section 1-10 of that Act.

(Source: P.A. 99-670, eff. 1-1-17.)

(105 ILCS 5/10-20.13) (from Ch. 122, par. 10-20.13)

(Text of Section from P.A. 102-805)

Sec. 10-20.13. Textbooks for children of parents unable to buy them and other fees and fines.

(a) To purchase, at the expense of the district, a sufficient number of textbooks for children whose parents are unable to buy them, including but not limited to children living in households that meet the free lunch or breakfast eligibility guidelines established by the federal government pursuant to Section 1758 of the federal Richard B. Russell National School Lunch Act (42 U.S.C. 1758; 7 C.F.R. 245 et seq.) and homeless children and youth as defined in Section 11434a of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a), subject to verification as set forth in subsection (c) of this Section. Such textbooks shall be loaned only, and the directors shall require the teacher to see that they are properly cared for and returned at the end of each term of school.
(b) To waive all fees and any fines for the loss of school property assessed by the district on children whose parents are unable to afford them, including but not limited to:

(1) children living in households that meet the free lunch or breakfast eligibility guidelines established by the federal government pursuant to Section 1758 of the federal Richard B. Russell National School Lunch Act (42 U.S.C. 1758; 7 C.F.R. 245 et seq.), subject to verification as set forth in subsection (c) of this Section, and

(2) homeless children and youth as defined in Section 11434a of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a).

Notice of waiver availability shall be given to parents or guardians with every bill for fees or fines. The school board shall adopt written policies and procedures for such waiver of fees in accordance with regulations promulgated by the State Board of Education.

(c) Any school board that participates in a federally funded, school-based child nutrition program and uses a student's application for, eligibility for, or participation in the federally funded, school-based child nutrition program (42 U.S.C. 1758; 7 C.F.R. 245 et seq.) as the basis for waiving fees assessed by the school district must follow the verification requirements of the federally funded, school-based child nutrition program (42 U.S.C. 1758; 7 C.F.R. 245.6a).

A school board that establishes a process for the determination of eligibility for waiver of fees assessed by the school district that is completely independent of a student's application for, eligibility for, or participation in a federally funded, school-based child nutrition program may provide for fee waiver verification no more often than once per academic year. Information obtained during the independent, fee waiver verification process indicating that the student does not meet free lunch or breakfast eligibility guidelines may be used to deny the waiver of the student's fees or fines for the loss of school property, provided that any information obtained through this independent process for determining or verifying eligibility for fee waivers shall not be used to determine or verify eligibility for any federally funded, school-based child nutrition program. This subsection shall not preclude children from obtaining waivers at any point during the academic year.

(Source: P.A. 102-805, eff. 1-1-23.)

(Text of Section from P.A. 102-1032)

Sec. 10-20.13. Textbooks for children of parents unable to buy them and other fees.

(a) To purchase, at the expense of the district, a sufficient number of textbooks for children whose parents are unable to buy them, including but not limited to children living in households that meet the free lunch or breakfast eligibility guidelines established by the federal government pursuant to Section 1758 of the federal Richard B. Russell National School Lunch Act (42 U.S.C. 1758; 7 C.F.R. 245 et seq.), subject to verification as set forth in subsection (c) of this Section. Such textbooks shall be loaned only, and the directors shall require the teacher to see that they are properly cared for and returned at the end of each term of school.
(b) To waive all fees assessed by the district on children whose parents are unable to afford them, including but not limited to children living in households that meet the free lunch or breakfast eligibility guidelines established by the federal government pursuant to Section 1758 of the federal Richard B. Russell National School Lunch Act (42 U.S.C. 1758; 7 C.F.R. 245 et seq.) and students whose parents are veterans or active duty military personnel with income at or below 200% of the federal poverty line, subject to verification as set forth in subsection (c) of this Section. The school board shall adopt written policies and procedures for such waiver of fees in accordance with regulations promulgated by the State Board of Education.

(c) Any school board that participates in a federally funded, school-based child nutrition program and uses a student’s application for, eligibility for, or participation in the federally funded, school-based child nutrition program (42 U.S.C. 1758; 7 C.F.R. 245 et seq.) as the basis for waiving fees assessed by the school district must follow the verification requirements of the federally funded, school-based child nutrition program (42 U.S.C. 1758; 7 C.F.R. 245.6a).

A school board that establishes a process for the determination of eligibility for waiver of fees assessed by the school district that is completely independent of a student’s application for, eligibility for, or participation in a federally funded, school-based child nutrition program may provide for fee waiver verification no more often than every 60 calendar days. Information obtained during the independent, fee waiver verification process indicating that the student does not meet free lunch or breakfast eligibility guidelines may be used to deny the waiver of the student’s fees, provided that any information obtained through this independent process for determining or verifying eligibility for fee waivers shall not be used to determine or verify eligibility for any federally funded, school-based child nutrition program.

(Source: P.A. 102-1032, eff. 5-27-22.)

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

Sec. 10-20.14. Student discipline policies; parent-teacher advisory committee.

(a) To establish and maintain a parent-teacher advisory committee to develop with the school board or governing body of a charter school policy guidelines on pupil discipline, including school searches and bullying prevention as set forth in Section 27-23.7 of this Code. School authorities shall furnish a copy of the policy to the parents or guardian of each pupil within 15 days after the beginning of the school year, or within 15 days after starting classes for a pupil who transfers into the district during the school year, and the school board or governing body of a charter school shall require that a school inform its pupils of the contents of the policy. School boards and the governing bodies of charter schools, along with the parent-teacher advisory committee, must annually review their pupil discipline policies, the implementation of those policies, and any other factors related to the safety of their schools, pupils, and staff.

(a-5) On or before September 15, 2016, each elementary and secondary school and charter school shall, at a minimum, adopt pupil discipline policies that fulfill the requirements set forth in this Section, subsections (a) and (b) of Section 10-22.6 of this Code, Section 34-19 of this Code if applicable, and federal and State laws that provide special requirements for the discipline of students with disabilities.
(b) The parent-teacher advisory committee in cooperation with local law enforcement agencies shall develop, with the school board, policy guideline procedures to establish and maintain a reciprocal reporting system between the school district and local law enforcement agencies regarding criminal offenses committed by students. School districts are encouraged to create memoranda of understanding with local law enforcement agencies that clearly define law enforcement's role in schools, in accordance with Section 10-22.6 of this Code.

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

(d) The school board, in consultation with the parent-teacher advisory committee and other community-based organizations, must include provisions in the student discipline policy to address students who have demonstrated behaviors that put them at risk for aggressive behavior, including without limitation bullying, as defined in the policy. These provisions must include procedures for notifying parents or legal guardians and early intervention procedures based upon available community-based and district resources.

(Source: P.A. 99-456, eff. 9-15-16.)

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

Sec. 10-20.14a. Meal breaks for noncertificated employees. To provide each noncertificated employee who works 7 1/2 continuous hours or longer with at least 30 minutes duty free for a meal break beginning no later than 5 hours after the start of the work period.

(Source: P.A. 84-1294.)

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

Sec. 10-20.14b. Medications policy. To develop a policy for administration of medications in schools, to furnish a copy of the policy to the parents or guardians of each pupil within 15 days after the beginning of each school year, or within 15 days after starting classes for a pupil who transfers into the district, and to require that each school informs its pupils of the contents of its policy.

(Source: P.A. 90-789, eff. 8-14-98.)

(105 ILCS 5/10-20.15) (from Ch. 122, par. 10-20.15)

Sec. 10-20.15. Payment of teachers.

To pay no public money to any teacher unless the teacher at the time of his employment held a certificate of qualification obtained under the provisions of this Act, has kept and furnished schedules as required by this Act, and has satisfactorily accounted for books, apparatus and other property of the district that he may have taken in charge.

(Source: Laws 1961, p. 31.)

(105 ILCS 5/10-20.15a) (from Ch. 122, par. 10-20.15a)
Sec. 10-20.15a. Federal Social Security or Medicare withholdings. To the extent that federal law allows such coverage, school districts shall make Social Security or Medicare withholdings, or both, for employees subject to Articles 16 and 17 of the "Illinois Pension Code" only upon the approval of a referendum under Section 21-105 of that Act applicable to such employees.

(Source: P.A. 84-1334.)

(105 ILCS 5/10-20.16)

Sec. 10-20.16. (Repealed).

(Source: Laws 1961, p. 31. Repealed by P.A. 94-1105, eff. 6-1-07.)

(105 ILCS 5/10-20.17) (from Ch. 122, par. 10-20.17)

Sec. 10-20.17. Water supply.

To provide for the schools in their districts an adequate, clear, palatable, and safe supply of water for drinking purposes and for general school use in accordance with Sections 2 and 8.1 of the Department of Public Health Act.

(Source: P.A. 87-984.)

(105 ILCS 5/10-20.17a) (from Ch. 122, par. 10-20.17a)

Sec. 10-20.17a. Hazardous materials training. To enhance the safety of pupils and staff by providing in-service training programs on the safe handling and use of hazardous or toxic materials for personnel in the district who work with such materials on a regular basis. Such programs shall be approved by the State Board of Education in consultation with the Illinois Department of Public Health.

(Source: P.A. 84-1294.)

(105 ILCS 5/10-20.18) (from Ch. 122, par. 10-20.18)

Sec. 10-20.18. (Repealed).

(Source: Laws 1961, p. 31. Repealed by P.A. 89-159, eff. 1-1-96.)

(105 ILCS 5/10-20.19) (from Ch. 122, par. 10-20.19)

Sec. 10-20.19. Payment of orders. Subject to the provisions of Article 1B in the case of a school district receiving emergency State financial assistance, the school board shall pay all orders in accordance with Section 10-18 of this Act, except as herein provided:

(1) It shall be lawful for the school board to submit to the treasurer a certified copy of those portions of the board minutes, properly signed by the secretary and president, or a majority of the board, showing all bills approved for payment by the board and clearly showing to whom, and for what purpose each payment is to be made by the treasurer, and to what budgetary item each payment shall be debited, and such certified copy shall serve as full authority to the treasurer to make the payments as thus approved; this shall not preclude the use of a voucher system, or any other system of sound accounting and business procedure, provided that such system reflects the facts, and that the same is in accordance with the regulations prescribed by or approved by the Superintendent of Public Instruction.
(2) It shall be lawful for the school board by resolution to establish revolving funds for school cafes, lunch rooms, athletics, petty cash or similar purposes, provided such funds are in the custody of an employee who shall be bonded as provided in Article 8 of this Act for bonding school treasurers and who shall be responsible to the board and to the treasurer, subject to regular annual audit by licensed public accountants and other such examinations as the school board shall deem advisable and kept in accordance with regulations prescribed by the Superintendent of Public Instruction. A monthly report and an annual summary of all receipts and expenditures of the fund shall be submitted to the school board and the treasurer. All funds advanced by the treasurer to operate such revolving funds shall be carried on the treasurer’s books as cash obligations due to the district and all receipts of such revolving funds shall be deposited daily in a bank or savings and loan association to be approved by the treasurer, unless there is no bank or savings and loan association in the community, in which event receipts shall be deposited intact not less than once each week in the bank or savings and loan association approved by the treasurer. All reimbursements to any such revolving funds from the district funds shall be completely itemized as to whom paid, for what purpose, and against what budgetary item the expenditure is chargeable.

No bank or savings and loan association shall receive public funds as permitted by this Section, unless it has complied with the requirements established pursuant to Section 6 of "An Act relating to certain investments of public funds by public agencies", approved July 23, 1943, as now or hereafter amended.

(3) The school board shall establish rules and regulations governing conditions under which school classes, clubs, and associations may collect or acquire funds in the name of any school; and, under such regulations as the Superintendent of Public Instruction may prescribe, provide for the safeguarding of such funds for the educational, recreational, or cultural purposes they are designed to serve.

(4) It shall be lawful for the clerk or secretary of the board to certify to the school treasurer the amount of the obligation for Social Security taxes as required by the Social Security Enabling Act and the amount of recurring bills, such as utility bills, showing the amount and to whom payment is to be made and what budgetary item or items the payment shall be debited from, and such certification shall serve as full authority to the treasurer to make such payment.

(Source: P.A. 96-998, eff. 7-2-10.)

(105 ILCS 5/10-20.19a) (from Ch. 122, par. 10-20.19a)

Sec. 10-20.19a. Kindergartens. After July 1, 1970, to establish and maintain kindergartens for the instruction of children in accordance with rules and regulations prescribed by the State Board of Education. Such kindergartens may provide for either a 1/2 day or a full day of attendance for pupils enrolled therein.

(Source: P.A. 84-18.)

(105 ILCS 5/10-20.19b) (from Ch. 122, par. 10-20.19b)

Sec. 10-20.19b. Purchases made pursuant to this Act shall be made in compliance with the "Local Government Prompt Payment Act", approved by the Eighty-fourth General Assembly.

(Source: P.A. 84-731.)
Sec. 10-20.19c. Recycled paper and paper products and solid waste management.

(a) Definitions. As used in this Section, the following terms shall have the meanings indicated, unless the context otherwise requires:

"Deinked stock" means paper that has been processed to remove inks, clays, coatings, binders and other contaminants.

"High grade printing and writing papers" includes offset printing paper, duplicator paper, writing paper (stationery), tablet paper, office paper, note pads, xerographic paper, envelopes, form bond including computer paper and carbonless forms, book papers, bond papers, ledger paper, book stock and cotton fiber papers.

"Paper and paper products" means high grade printing and writing papers, tissue products, newsprint, unbleached packaging and recycled paperboard.

"Postconsumer material" means only those products generated by a business or consumer which have served their intended end uses, and which have been separated or diverted from solid waste; wastes generated during the production of an end product are excluded.

"Recovered paper material" means paper waste generated after the completion of the papermaking process, such as postconsumer materials, envelope cuttings, bindery trimmings, printing waste, cutting and other converting waste, butt rolls, and mill wrappers, obsolete inventories, and rejected unused stock. "Recovered paper material", however, does not include fibrous waste generated during the manufacturing process such as fibers recovered from waste water or trimmings of paper machine rolls (mill broke), or fibrous byproducts of harvesting, extraction or woodcutting processes, or forest residues such as bark.

"Recycled paperboard" includes paperboard products, folding cartons and pad backings.

"Tissue products" includes toilet tissue, paper towels, paper napkins, facial tissue, paper doilies, industrial wipers, paper bags and brown papers. These products shall also be unscented and shall not be colored.

"Unbleached packaging" includes corrugated and fiber storage boxes.

(a-5) Each school district shall periodically review its procurement procedures and specifications related to the purchase of products and supplies. Those procedures and specifications must be modified as necessary to require the school district to seek out products and supplies that contain recycled materials and to ensure that purchased products and supplies are reusable, durable, or made from recycled materials, if economically and practically feasible. In selecting products and supplies that contain recycled material, preference must be given to products and supplies that contain the highest amount of recycled material and that are consistent with the effective use of the product or supply, if economically and practically feasible.

(b) Wherever economically and practically feasible, as determined by the school board, the school board, all public schools and attendance centers within a school district, and their school supply stores shall procure recycled paper and paper products as follows:
(1) Beginning July 1, 2008, at least 10% of the total dollar value of paper and paper products purchased by school boards, public schools and attendance centers, and their school supply stores shall be recycled paper and paper products.

(2) Beginning July 1, 2011, at least 25% of the total dollar value of paper and paper products purchased by school boards, public schools and attendance centers, and their school supply stores shall be recycled paper and paper products.

(3) Beginning July 1, 2014, at least 50% of the total dollar value of paper and paper products purchased by school boards, public schools and attendance centers, and their school supply stores shall be recycled paper and paper products.

(4) Beginning July 1, 2020, at least 75% of the total dollar value of paper and paper products purchased by school boards, public schools and attendance centers, and their school supply stores shall be recycled paper and paper products.

(5) Beginning upon the effective date of this amendatory Act of 1992, all paper purchased by the board of education, public schools and attendance centers for publication of student newspapers shall be recycled newsprint. The amount purchased shall not be included in calculating the amounts specified in paragraphs (1) through (4).

(c) Paper and paper products purchased from private sector vendors pursuant to printing contracts are not considered paper and paper products for the purposes of subsection (b), unless purchased under contract for the printing of student newspapers.

(d) Wherever economically and practically feasible, the recycled paper and paper products referred to in subsection (b) shall contain postconsumer or recovered paper materials as specified by paper category in this subsection:

(i) Recycled high grade printing and writing paper shall contain at least 50% recovered paper material. Such recovered paper material, until July 1, 2008, shall consist of at least 20% deinked stock or postconsumer material; and beginning July 1, 2008, shall consist of at least 25% deinked stock or postconsumer material; and beginning July 1, 2010, shall consist of at least 30% deinked stock or postconsumer material; and beginning July 1, 2012, shall consist of at least 40% deinked stock or postconsumer material; and beginning July 1, 2014, shall consist of at least 50% deinked stock or postconsumer material.

(ii) Recycled tissue products, until July 1, 1994, shall contain at least 25% postconsumer material; and beginning July 1, 1994, shall contain at least 30% postconsumer material; and beginning July 1, 1996, shall contain at least 35% postconsumer material; and beginning July 1, 1998, shall contain at least 40% postconsumer material; and beginning July 1, 2000, shall contain at least 45% postconsumer material.

(iii) Recycled newsprint, until July 1, 1994, shall contain at least 40% postconsumer material; and beginning July 1, 1994, shall contain at least 50% postconsumer material; and beginning July 1, 1996, shall contain at least 60% postconsumer material; and beginning July 1, 1998, shall contain at least 70% postconsumer material; and beginning July 1, 2000, shall contain at least 80% postconsumer material.
(iv) Recycled unbleached packaging, until July 1, 1994, shall contain at least 35% postconsumer material; and beginning July 1, 1994, shall contain at least 40% postconsumer material; and beginning July 1, 1996, shall contain at least 45% postconsumer material; and beginning July 1, 1998, shall contain at least 50% postconsumer material; and beginning July 1, 2000, shall contain at least 55% postconsumer material.

(v) Recycled paperboard, until July 1, 1994, shall contain at least 80% postconsumer material; and beginning July 1, 1994, shall contain at least 85% postconsumer material; and beginning July 1, 1996, shall contain at least 90% postconsumer material; and beginning July 1, 1998, shall contain at least 95% postconsumer material.

(2) For the purposes of this Section, "postconsumer material" includes:

(i) paper, paperboard, and fibrous waste from retail stores, office buildings, homes and so forth, after the waste has passed through its end usage as a consumer item, including used corrugated boxes, old newspapers, mixed waste paper, tabulating cards, and used cordage; and

(ii) all paper, paperboard, and fibrous wastes that are diverted or separated from the municipal waste stream.

(3) For the purposes of this Section, "recovered paper material" includes:

(i) postconsumer material;

(ii) dry paper and paperboard waste generated after completion of the papermaking process (that is, those manufacturing operations up to and including the cutting and trimming of the paper machine reel into smaller rolls or rough sheets), including envelope cuttings, bindery trimmings, and other paper and paperboard waste resulting from printing, cutting, forming and other converting operations, or from bag, box and carton manufacturing, and butt rolls, mill wrappers, and rejected unused stock; and

(iii) finished paper and paperboard from obsolete inventories of paper and paperboard manufacturers, merchants, wholesalers, dealers, printers, converters or others.

(e) Nothing in this Section shall be deemed to apply to art materials, nor to any newspapers, magazines, text books, library books or other copyrighted publications which are purchased or used by any school board or any public school or attendance center within a school district, or which are sold in any school supply store operated by or within any such school or attendance center, other than newspapers written, edited or produced by students enrolled in the school district, public school or attendance center.

(e-5) Each school district shall periodically review its procedures on solid waste reduction regarding the management of solid waste generated by academic, administrative, and other institutional functions. Those waste reduction procedures must be designed to, when economically and practically feasible, recycle the school district's waste stream, including without limitation landscape waste, computer paper, and white office paper. School districts are encouraged to have procedures that provide for the investigation of potential markets for other recyclable materials that are present in the school district's waste stream. The waste reduction procedures must be designed to achieve, before July 1, 2020, at least a 50% reduction in the amount of solid waste that is generated by the school district.
(f) The State Board of Education, in coordination with the Department of Central Management Services, may adopt such rules and regulations as it deems necessary to assist districts in carrying out the provisions of this Section.

(Source: P.A. 102-444, eff. 8-20-21.)

(105 ILCS 5/10-20.20) (from Ch. 122, par. 10-20.20)

Sec. 10-20.20. Protection from suit. To indemnify and protect school districts, members of school boards, employees, volunteer personnel authorized in Sections 10-22.34, 10-22.34a and 10-22.34b of this Code, mentors of certified staff as authorized in Article 21A and Sections 2-3.53a, 2-3.53b, and 34-18.33 of this Code, and student teachers against civil rights damage claims and suits, constitutional rights damage claims and suits and death and bodily injury and property damage claims and suits, including defense thereof, when damages are sought for negligent or wrongful acts alleged to have been committed in the scope of employment or under the direction of the board or related to any mentoring services provided to certified staff of the school district. Such indemnification and protection shall extend to persons who were members of school boards, employees of school boards, authorized volunteer personnel, mentors of certified staff, or student teachers at the time of the incident from which a claim arises. No agent may be afforded indemnification or protection unless he was a member of a school board, an employee of a board, an authorized volunteer, a mentor of certified staff, or a student teacher at the time of the incident from which the claim arises.

(Source: P.A. 96-62, eff. 7-23-09.)

(105 ILCS 5/10-20.21)

Sec. 10-20.21. Contracts.

(a) To award all contracts for purchase of supplies and materials or work involving an expenditure in excess of $25,000 or a lower amount as required by board policy to the lowest responsible bidder, considering conformity with specifications, terms of delivery, quality and serviceability, after due advertisement, except the following:

(i) contracts for the services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part;

(ii) contracts for the printing of finance committee reports and departmental reports;

(iii) contracts for the printing or engraving of bonds, tax warrants and other evidences of indebtedness;

(iv) contracts for the purchase of perishable foods and perishable beverages;

(v) contracts for materials and work which have been awarded to the lowest responsible bidder after due advertisement, but due to unforeseen revisions, not the fault of the contractor for materials and work, must be revised causing expenditures not in excess of 10% of the contract price;

(vi) contracts for the maintenance or servicing of, or provision of repair parts for, equipment which are made with the manufacturer or authorized service agent of that equipment where the provision of
(vii) purchases and contracts for the use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, and services;

(viii) contracts for duplicating machines and supplies;

(ix) contracts for the purchase of fuel, including diesel, gasoline, oil, aviation, natural gas, or propane, lubricants, or other petroleum products;

(x) purchases of equipment previously owned by some entity other than the district itself;

(xi) contracts for repair, maintenance, remodeling, renovation, or construction, or a single project involving an expenditure not to exceed $50,000 and not involving a change or increase in the size, type, or extent of an existing facility;

(xii) contracts for goods or services procured from another governmental agency;

(xiii) contracts for goods or services which are economically procurable from only one source, such as for the purchase of magazines, books, periodicals, pamphlets and reports, and for utility services such as water, light, heat, telephone or telegraph;

(xiv) where funds are expended in an emergency and such emergency expenditure is approved by 3/4 of the members of the board;

(xv) State master contracts authorized under Article 28A of this Code;

(xvi) contracts providing for the transportation of pupils, which contracts must be advertised in the same manner as competitive bids and awarded by first considering the bidder or bidders most able to provide safety and comfort for the pupils, stability of service, and any other factors set forth in the request for proposal regarding quality of service, and then price; and

(xvii) contracts for goods, services, or management in the operation of a school's food service, including a school that participates in any of the United States Department of Agriculture's child nutrition programs if a good faith effort is made on behalf of the school district to give preference to:

1. contracts that procure food that promotes the health and well-being of students, in compliance with United States Department of Agriculture nutrition standards for school meals. Contracts should also promote the production of scratch made, minimally processed foods;

2. contracts that give a preference to State or regional suppliers that source local food products;

3. contracts that give a preference to food suppliers that utilize producers that adopt hormone and pest management practices recommended by the United States Department of Agriculture;

4. contracts that give a preference to food suppliers that value animal welfare; and

5. contracts that increase opportunities for businesses owned and operated by minorities, women, or persons with disabilities.
Food supplier data shall be submitted to the school district at the time of the bid, to the best of the
bidder's ability, and updated annually thereafter during the term of the contract. The contractor shall
submit the updated food supplier data. The data required under this item (xvii) shall include the name
and address of each supplier, distributor, processor, and producer involved in the provision of the
products that the bidder is to supply.

However, at no time shall a cause of action lie against a school board for awarding a pupil transportation
contract per the standards set forth in this subsection (a) unless the cause of action is based on
fraudulent conduct.

All competitive bids for contracts involving an expenditure in excess of $25,000 or a lower amount as
required by board policy must be sealed by the bidder and must be opened by a member or employee
of the school board at a public bid opening at which the contents of the bids must be announced. Each
bidder must receive at least 3 days' notice of the time and place of the bid opening. For purposes of this
Section due advertisement includes, but is not limited to, at least one public notice at least 10 days
before the bid date in a newspaper published in the district, or if no newspaper is published in the
district, in a newspaper of general circulation in the area of the district. State master contracts and
certified education purchasing contracts, as defined in Article 28A of this Code, are not subject to the
requirements of this paragraph.

Under this Section, the acceptance of bids sealed by a bidder and the opening of these bids at a public
bid opening may be permitted by an electronic process for communicating, accepting, and opening
competitive bids. An electronic bidding process must provide for, but is not limited to, the following
safeguards:

(1) On the date and time certain of a bid opening, the primary person conducting the competitive,
sealed, electronic bid process shall log onto a specified database using a unique username and password
previously assigned to the bidder to allow access to the bidder's specific bid project number.

(2) The specified electronic database must be on a network that (i) is in a secure environment
behind a firewall; (ii) has specific encryption tools; (iii) maintains specific intrusion detection systems;
(iv) has redundant systems architecture with data storage back-up, whether by compact disc or tape;
and (v) maintains a disaster recovery plan.

It is the legislative intent of Public Act 96-841 to maintain the integrity of the sealed bidding process
provided for in this Section, to further limit any possibility of bid-rigging, to reduce administrative costs
to school districts, and to effect efficiencies in communications with bidders.

(b) To require, as a condition of any contract for goods and services, that persons bidding for and
awarded a contract and all affiliates of the person collect and remit Illinois Use Tax on all sales of
tangible personal property into the State of Illinois in accordance with the provisions of the Illinois Use
Tax Act regardless of whether the person or affiliate is a "retailer maintaining a place of business within
this State" as defined in Section 2 of the Use Tax Act. For purposes of this Section, the term "affiliate"
means any entity that (1) directly, indirectly, or constructively controls another entity, (2) is directly,
indirectly, or constructively controlled by another entity, or (3) is subject to the control of a common
entity. For purposes of this subsection (b), an entity controls another entity if it owns, directly or
individually, more than 10% of the voting securities of that entity. As used in this subsection (b), the
term “voting security” means a security that (1) confers upon the holder the right to vote for the
election of members of the board of directors or similar governing body of the business or (2) is
convertible into, or entitles the holder to receive upon its exercise, a security that confers such a right to
vote. A general partnership interest is a voting security.

To require that bids and contracts include a certification by the bidder or contractor that the bidder or
contractor is not barred from bidding for or entering into a contract under this Section and that the
bidder or contractor acknowledges that the school board may declare the contract void if the
certification completed pursuant to this subsection (b) is false.

(b-5) To require all contracts and agreements that pertain to goods and services and that are intended
to generate additional revenue and other remunerations for the school district in excess of $1,000,
including without limitation vending machine contracts, sports and other attire, class rings, and
photographic services, to be approved by the school board. The school board shall file as an attachment
to its annual budget a report, in a form as determined by the State Board of Education, indicating for the
prior year the name of the vendor, the product or service provided, and the actual net revenue and non-
monetary remuneration from each of the contracts or agreements. In addition, the report shall indicate
for what purpose the revenue was used and how and to whom the non-monetary remuneration was
distributed.

(b-10) To prohibit any contract to purchase food with a bidder or offeror if the bidder's or offeror's
contract terms prohibit the school from donating food to food banks, including, but not limited to,
homeless shelters, food pantries, and soup kitchens.

(c) If the State education purchasing entity creates a master contract as defined in Article 28A of this
Code, then the State education purchasing entity shall notify school districts of the existence of the
master contract.

(d) In purchasing supplies, materials, equipment, or services that are not subject to subsection (c) of
this Section, before a school district solicits bids or awards a contract, the district may review and
consider as a bid under subsection (a) of this Section certified education purchasing contracts that are
already available through the State education purchasing entity.

(Source: P.A. 101-570, eff. 8-23-19; 101-632, eff. 6-5-20; 102-1101, eff. 6-29-22.)

(105 ILCS 5/10-20.21a)

Sec. 10-20.21a. Contracts for charter bus services. To award contracts for providing charter bus
services for the sole purpose of transporting students regularly enrolled in grade 12 or below to or from
interscholastic athletic or interscholastic or school sponsored activities.

All contracts for providing charter bus services for the sole purpose of transporting students regularly
enrolled in grade 12 or below to or from interscholastic athletic or interscholastic or school sponsored
activities must contain clause (A) as set forth below, except that a contract with an out-of-state
company may contain clause (B), as set forth below, or clause (A). The clause must be set forth in the
body of the contract in typeface of at least 12 points and all upper case letters:

(A) "ALL OF THE CHARTER BUS DRIVERS WHO WILL BE PROVIDING SERVICES UNDER THIS CONTRACT
HAVE, OR WILL HAVE BEFORE ANY SERVICES ARE PROVIDED:
(1) SUBMITTED THEIR FINGERPRINTS TO THE ILLINOIS STATE POLICE IN THE FORM AND MANNER PRESCRIBED BY THE ILLINOIS STATE POLICE. THESE FINGERPRINTS SHALL BE CHECKED AGAINST THE FINGERPRINT RECORDS NOW AND HEREAFTER FILED IN THE ILLINOIS STATE POLICE AND FEDERAL BUREAU OF INVESTIGATION CRIMINAL HISTORY RECORDS DATABASES. THE FINGERPRINT CHECK HAS RESULTED IN A DETERMINATION THAT THEY HAVE NOT BEEN CONVICTED OF COMMITTING ANY OF THE OFFENSES SET FORTH IN SUBDIVISION (C-1)(4) OF SECTION 6-508 OF THE ILLINOIS VEHICLE CODE; AND

(2) DEMONSTRATED PHYSICAL FITNESS TO OPERATE SCHOOL BUSES BY SUBMITTING THE RESULTS OF A MEDICAL EXAMINATION, INCLUDING TESTS FOR DRUG USE, TO A STATE REGULATORY AGENCY.

(8) "NOT ALL OF THE CHARTER BUS DRIVERS WHO WILL BE PROVIDING SERVICES UNDER THIS CONTRACT HAVE, OR WILL HAVE BEFORE ANY SERVICES ARE PROVIDED:

(1) SUBMITTED THEIR FINGERPRINTS TO THE ILLINOIS STATE POLICE IN THE FORM AND MANNER PRESCRIBED BY THE ILLINOIS STATE POLICE. THESE FINGERPRINTS SHALL BE CHECKED AGAINST THE FINGERPRINT RECORDS NOW AND HEREAFTER FILED IN THE ILLINOIS STATE POLICE AND FEDERAL BUREAU OF INVESTIGATION CRIMINAL HISTORY RECORDS DATABASES. THE FINGERPRINT CHECK HAS RESULTED IN A DETERMINATION THAT THEY HAVE NOT BEEN CONVICTED OF COMMITTING ANY OF THE OFFENSES SET FORTH IN SUBDIVISION (C-1)(4) OF SECTION 6-508 OF THE ILLINOIS VEHICLE CODE; AND

(2) DEMONSTRATED PHYSICAL FITNESS TO OPERATE SCHOOL BUSES BY SUBMITTING THE RESULTS OF A MEDICAL EXAMINATION, INCLUDING TESTS FOR DRUG USE, TO A STATE REGULATORY AGENCY."

(Source: P.A. 102-538, eff. 8-20-21.)

(105 ILCS 5/10-20.22)

Sec. 10-20.22. (Repealed).

(Source: P.A. 77-530. Repealed by P.A. 94-600, eff. 8-16-05.)

(105 ILCS 5/10-20.23)

Sec. 10-20.23. (Repealed).

(Source: P.A. 77-533. Repealed by P.A. 94-600, eff. 8-16-05.)

(105 ILCS 5/10-20.24) (from Ch. 122, par. 10-20.24)

Sec. 10-20.24. Part-time Attendance. To accept in part-time attendance in the regular education program of the district pupils enrolled in nonpublic schools if there is sufficient space in the public school desired to be attended. Request for attendance in the following school year must be submitted by the nonpublic school principal to the public school before May 1. Request may be made only to those public schools located in the district where the child attending the nonpublic school resides.

To accept, pursuant to the provisions of Section 14-6.01, in part-time attendance resident pupils of the types described in Sections 14-1.02 through 14-1.07 who are enrolled in nonpublic schools.

(Source: P.A. 80-1509.)

(105 ILCS 5/10-20.25)
Sec. 10-20.25. (Repealed).

(Source: P.A. 81-1508. Repealed by P.A. 94-1105, eff. 6-1-07.)

(105 ILCS 5/10-20.25a) (from Ch. 122, par. 10-20.25a)

Sec. 10-20.25a. Report of student statistics. To report to the State Board of Education the annual student dropout rate and number of students who graduate from, transfer from or otherwise leave bilingual programs.

(Source: P.A. 84-662.)

(105 ILCS 5/10-20.26) (from Ch. 122, par. 10-20.26)

Sec. 10-20.26. Report of teacher dismissals. To send an annual report, on or before October 15, to the State Board of Education which discloses the number of probationary teachers and the number of teachers in contractual continued service who have been dismissed or removed as a result of the board's decision to decrease the number of teachers employed or to discontinue any type of teaching service. The report will also list the number in each teacher category which were subsequently reemployed by the board.

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

(105 ILCS 5/10-20.27) (from Ch. 122, par. 10-20.27)

Sec. 10-20.27. To file with the regional superintendent a list of all unfilled teaching positions in the district by August 1 of each year, and to report to the regional superintendent no less frequently than by the first day of every month other than August, all teaching positions which, subsequent to the filing of such list, become vacant or are filled.

(Source: P.A. 83-503.)

(105 ILCS 5/10-20.28) (from Ch. 122, par. 10-20.28)

Sec. 10-20.28. Cellular radio telecommunication devices.

(a) The General Assembly finds and declares that the educational development of all persons to the limits of their capacities is a fundamental goal of the people of this State and that to achieve such goal it is essential to provide a safe and secure learning environment within the public schools. While recognizing that cellular radio telecommunication devices may be used for inappropriate activities during school hours and on school property and may, on occasion, cause disruption to the classroom environment, the General Assembly also recognizes that the use of cellular radio telecommunication devices can decrease the response time of officials to emergency situations. In addition, cellular radio telecommunication devices allow parents an additional and timely method of contacting their children should an emergency situation arise. Therefore, it is the purpose and intention of the General Assembly in enacting this legislation to (i) reduce the occurrence of inappropriate and disruptive activities during school hours and on school property occurring through the use of cellular radio telecommunication devices and (ii) increase the safety of students and school personnel during school hours and on school property.
(b) The school board may establish appropriate rules and disciplinary procedures governing the use or possession of cellular radio telecommunication devices by a student while in a school or on school property, during regular school hours, or at any other time.

(Source: P.A. 92-793, eff. 8-9-02.)

(105 ILCS 5/10-20.29)

Sec. 10-20.29. (Repealed).

(105 ILCS 5/10-20.30)

Sec. 10-20.30. No pass-no play policy. Beginning with the 1998-99 school year, the school board of each school district that maintains any of grades 9 through 12 shall establish, implement, and enforce a uniform and consistent policy under which a student in any of those grades who fails to maintain a specified minimum grade point average or a specified minimum grade in each course in which the student is enrolled or both is suspended from further participation in any school-sponsored or school-supported athletic or extracurricular activities for a specified period or until a specified minimum grade point average or minimum grade or both are earned by the student. Each school board shall adopt a policy as required by this Section not later than one year after the effective date of this amendatory Act of 1997 and shall concurrently file a copy of that policy with the State Board of Education. After the policy has been in effect for one year, the school board shall file a report with the State Board of Education setting forth the number and length of suspensions imposed under the policy during the period covered by the report. If the school board already has a policy that is consistent with the requirements of this Section in effect on the effective date of this amendatory Act of 1997, it shall file a copy of that policy with the State Board of Education within 90 days after the effective date of this amendatory Act and shall file the annual report required under this Section 12 months thereafter.

(Source: P.A. 90-548, eff. 1-1-98.)

(105 ILCS 5/10-20.31)

Sec. 10-20.31. Occupational standards. A school board shall not require a student to meet occupational standards for grade level promotion or graduation unless that student is voluntarily enrolled in a job training program.

(Source: P.A. 91-175, eff. 1-1-00; 92-16, eff. 6-28-01.)

(105 ILCS 5/10-20.32)

Sec. 10-20.32. (Repealed).

(105 ILCS 5/10-20.33)

Sec. 10-20.33. Time out, isolated time out, restraint, and necessities; limitations and prohibitions.
(a) The General Assembly finds and declares that the use of isolated time out, time out, and physical restraint on children and youth carries risks to the health and safety of students and staff; therefore, the ultimate goal is to reduce and eventually eliminate the use of those interventions. The General Assembly also finds and declares that the State Board of Education must take affirmative action to lead and support schools in transforming the school culture to reduce and eliminate the use of all such interventions over time.

(b) In this Section:

"Chemical restraint" means the use of medication to control a student's behavior or to restrict a student's freedom of movement. "Chemical restraint" does not include medication that is legally prescribed and administered as part of a student's regular medical regimen to manage behavioral symptoms and treat medical symptoms.

"Isolated time out" means the involuntary confinement of a student alone in a time out room or other enclosure outside of the classroom without a supervising adult in the time out room or enclosure.

"Isolated time out" or "time out" does not include a student-initiated or student-requested break, a student-initiated sensory break or a teacher-initiated sensory break that may include a sensory room containing sensory tools to assist a student to calm and de-escalate, an in-school suspension or detention, or any other appropriate disciplinary measure, including the student's brief removal to the hallway or similar environment.

"Mechanical restraint" means the use of any device or equipment to limit a student's movement or to hold a student immobile. "Mechanical restraint" does not include any restraint used to (i) treat a student's medical needs; (ii) protect a student who is known to be at risk of injury resulting from a lack of coordination or frequent loss of consciousness; (iii) position a student with physical disabilities in a manner specified in the student's individualized education program, federal Section 504 plan, or other plan of care; (iv) provide a supplementary aid, service, or accommodation, including, but not limited to, assistive technology that provides proprioceptive input or aids in self-regulation; or (v) promote student safety in vehicles used to transport students.

"Physical restraint" or "restraint" means holding a student or otherwise restricting a student's movements. "Physical restraint" or "restraint" does not include momentary periods of physical restriction by direct person to person contact, without the aid of material or mechanical devices, that are accomplished with limited force and that are designed to prevent a student from completing an act that would result in potential physical harm to himself, herself, or another or damage to property.

"Prone physical restraint" means a physical restraint in which a student is held face down on the floor or other surface and physical pressure is applied to the student's body to keep the student in the prone position.

"Time out" means a behavior management technique for the purpose of calming or de-escalation that involves the involuntary monitored separation of a student from classmates with a trained adult for part of the school day, only for a brief time, in a nonlocked setting.

(c) Isolated time out, time out, and physical restraint, other than prone physical restraint, may be used only if (i) the student's behavior presents an imminent danger of serious physical harm to the student or
Mechanical restraint and chemical restraint are prohibited. Prone restraint is prohibited except when all of the following conditions are satisfied:

1. The student’s Behavior Intervention Plan specifically allows for prone restraint of the student.
2. The Behavior Intervention Plan was put into place before January 1, 2021.
3. The student’s Behavior Intervention Plan has been approved by the IEP team.
4. The school staff member or staff members applying the use of prone restraint on a student have been trained in its safe application as established by rule by the State Board of Education.
5. The school must be able to document and demonstrate to the IEP team that the use of other de-escalation techniques provided for in the student’s Behavior Intervention Plan were ineffective.
6. The use of prone restraint occurs within the 2021-2022 school year.

All instances of the utilization of prone restraint must be reported in accordance with the provisions of this amendatory Act of the 102nd General Assembly. Nothing in this Section shall prohibit the State Board of Education from adopting administrative rules that further restrict or disqualify the use of prone restraint.

(d) The use of any of the following rooms or enclosures for an isolated time out or time out purposes is prohibited:

1. a locked room or a room in which the door is obstructed, prohibiting it from opening;
2. a confining space such as a closet or box;
3. a room where the student cannot be continually observed; or
4. any other room or enclosure or time out procedure that is contrary to current rules adopted by the State Board of Education.

(e) The deprivation of necessities needed to sustain the health of a person, including, without limitation, the denial or unreasonable delay in the provision of the following, is prohibited:

1. food or liquid at a time when it is customarily served;
2. medication; or
3. the use of a restroom.
(f) (Blank).

(g) Following each incident of isolated time out, time out, or physical restraint, but no later than 2 school days after the incident, the principal or another designated administrator shall notify the student’s parent or guardian that he or she may request a meeting with appropriate school personnel to discuss the incident. This meeting shall be held separate and apart from meetings held in accordance with the student’s individualized education program or from meetings held in accordance with the student’s plan for services under Section 504 of the federal Rehabilitation Act of 1973. If a parent or guardian requests a meeting, the meeting shall be convened within 2 school days after the request, provided that the 2-school day limitation shall be extended if requested by the parent or guardian. The parent or guardian may also request that the meeting be convened via telephone or video conference.

The meeting shall include the student, if appropriate, at least one school staff member involved in the incident of isolated time out, time out, or physical restraint, the student’s parent or guardian, and at least one appropriate school staff member not involved in the incident of isolated time out, time out, or physical restraint, such as a social worker, psychologist, nurse, or behavioral specialist. During the meeting, the school staff member or members involved in the incident of isolated time out, time out, or physical restraint, the student, and the student’s parent or guardian, if applicable, shall be provided an opportunity to describe (i) the events that occurred prior to the incident of isolated time out, time out, or physical restraint and any actions that were taken by school personnel or the student leading up to the incident; (ii) the incident of isolated time out, time out, or physical restraint; and (iii) the events that occurred or the actions that were taken following the incident of isolated time out, time out, or physical restraint and whether the student returned to regular school activities and, if not, how the student spent the remainder of the school day. All parties present at the meeting shall have the opportunity to discuss what school personnel could have done differently to avoid the incident of isolated time out, time out, or physical restraint and what alternative courses of action, if any, the school can take to support the student and to avoid the future use of isolated time out, time out, or physical restraint. At no point may a student be excluded from school solely because a meeting has not occurred.

A summary of the meeting and any agreements or conclusions reached during the meeting shall be documented in writing and shall become part of the student’s school record. A copy of the documents shall be provided to the student’s parent or guardian. If a parent or guardian does not request a meeting within 10 school days after the school has provided the documents to the parent or guardian or if a parent or guardian fails to attend a requested meeting, that fact shall be documented as part of the student’s school record.

(h) Whenever isolated time out, time out, or physical restraint is used, school personnel shall fully document and report to the State Board of Education the incident, including the events leading up to the incident, what alternative measures that are less restrictive and intrusive were used prior to the use of isolated time out, time out, or physical restraint, why those measures were ineffective or deemed inappropriate, the type of restraint, isolated time out, or time out that was used, the length of time the student was in isolated time out or time out or was restrained, and the staff involved. The parents or guardian of a student and the State Superintendent of Education shall be informed whenever isolated time out, time out, or physical restraint is used.

Schools shall provide parents and guardians with the following information, to be developed by the State Board and which may be incorporated into the State Board's prescribed physical restraint and time
out form at the discretion of the State Board, after each incident in which isolated time out, time out, or physical restraint is used during the school year, in printed form or, upon the written request of the parent or guardian, by email:

(1) a copy of the standards for when isolated time out, time out, and physical restraint can be used;

(2) information about the rights of parents, guardians, and students; and

(3) information about the parent's or guardian's right to file a complaint with the State Superintendent of Education, the complaint process, and other information to assist the parent or guardian in navigating the complaint process.

(i) Any use of isolated time out, time out, or physical restraint that is permitted by a school board's policy shall be implemented in accordance with written procedures.

(Source: P.A. 102-339, eff. 8-13-21.)

(105 ILCS 5/10-20.34)

Sec. 10-20.34. Medicaid-eligible children; health care resources. As authorized by federal law, a school district may access federally funded health care resources if the school district provides early periodic screening and diagnostic testing services, including screening and diagnostic services, health care and treatment, preventive health care, or any other measure, to correct or improve health impairments of Medicaid-eligible children.

(Source: P.A. 91-842, eff. 6-22-00.)

(105 ILCS 5/10-20.35)

Sec. 10-20.35. Medical information form for bus drivers and emergency medical technicians. School districts are encouraged to create and use an emergency medical information form for bus drivers and emergency medical technicians for those students with special needs or medical conditions. The form may include without limitation information to be provided by the student's parent or legal guardian concerning the student's relevant medical conditions, medications that the student is taking, the student's communication skills, and how a bus driver or an emergency medical technician is to respond to certain behaviors of the student. If the form is used, the school district is encouraged to notify parents and legal guardians of the availability of the form. The parent or legal guardian of the student may fill out the form and submit it to the school that the student is attending. The school district is encouraged to keep one copy of the form on file at the school and another copy on the student's school bus in a secure location.

(Source: P.A. 95-331, eff. 8-21-07.)

(105 ILCS 5/10-20.36)

Sec. 10-20.36. Psychotropic or psychostimulant medication; disciplinary action.

(a) In this Section:

"Psychostimulant medication" means medication that produces increased levels of mental and physical energy and alertness and an elevated mood by stimulating the central nervous system.
"Psychotropic medication" means psychotropic medication as defined in Section 1-121.1 of the Mental Health and Developmental Disabilities Code.

(b) Each school board must adopt and implement a policy that prohibits any disciplinary action that is based totally or in part on the refusal of a student's parent or guardian to administer or consent to the administration of psychotropic or psychostimulant medication to the student.

The policy must require that, at least once every 2 years, the in-service training of certified school personnel and administrators include training on current best practices regarding the identification and treatment of attention deficit disorder and attention deficit hyperactivity disorder, the application of non-aversive behavioral interventions in the school environment, and the use of psychotropic or psychostimulant medication for school-age children.

(c) This Section does not prohibit school medical staff, an individualized educational program team, or a professional worker (as defined in Section 14-1.10 of this Code) from recommending that a student be evaluated by an appropriate medical practitioner or prohibit school personnel from consulting with the practitioner with the consent of the student's parents or guardian.

(Source: P.A. 95-331, eff. 8-21-07.)

(105 ILCS 5/10-20.37)

Sec. 10-20.37. Summer kindergarten. A school board may establish, maintain, and operate, in connection with the kindergarten program of the school district, a summer kindergarten program that begins 2 months before the beginning of the regular school year and a summer kindergarten program for grade one readiness for those pupils making unsatisfactory progress during the regular kindergarten session that will continue for 2 months after the regular school year. The summer kindergarten program may be held within the school district or, pursuant to a contract that must be approved by the State Board of Education, may be operated by 2 or more adjacent school districts or by a public or private university or college. Transportation for students attending the summer kindergarten program shall be the responsibility of the school district. The expense of establishing, maintaining, and operating the summer kindergarten program may be paid from funds contributed or otherwise made available to the school district for that purpose by federal or State appropriation.

(Source: P.A. 95-331, eff. 8-21-07.)

(105 ILCS 5/10-20.38)

Sec. 10-20.38. Provision of student information prohibited. A school district, including its agents, employees, student or alumni associations, or any affiliates, may not provide a student's name, address, telephone number, social security number, e-mail address, or other personal identifying information to a business organization or financial institution that issues credit or debit cards.

(Source: P.A. 95-331, eff. 8-21-07; 96-261, eff. 1-1-10.)

(105 ILCS 5/10-20.39)

Sec. 10-20.39. (Repealed).

(Source: P.A. 93-997, eff. 8-23-04. Repealed by P.A. 100-1046, eff. 8-23-18.)
(105 ILCS 5/10-20.40)

Sec. 10-20.40. Student biometric information.

(a) For the purposes of this Section, "biometric information" means any information that is collected through an identification process for individuals based on their unique behavioral or physiological characteristics, including fingerprint, hand geometry, voice, or facial recognition or iris or retinal scans.

(b) School districts that collect biometric information from students shall adopt policies that require, at a minimum, all of the following:

(1) Written permission from the individual who has legal custody of the student, as defined in Section 10-20.12b of this Code, or from the student if he or she has reached the age of 18.

(2) The discontinuation of use of a student's biometric information under either of the following conditions:

(A) upon the student's graduation or withdrawal from the school district; or

(B) upon receipt in writing of a request for discontinuation by the individual having legal custody of the student or by the student if he or she has reached the age of 18.

(3) The destruction of all of a student's biometric information within 30 days after the use of the biometric information is discontinued in accordance with item (2) of this subsection (b).

(4) The use of biometric information solely for identification or fraud prevention.

(5) A prohibition on the sale, lease, or other disclosure of biometric information to another person or entity, unless:

(A) the individual who has legal custody of the student or the student, if he or she has reached the age of 18, consents to the disclosure; or

(B) the disclosure is required by court order.

(6) The storage, transmittal, and protection of all biometric information from disclosure.

(c) Failure to provide written consent under item (1) of subsection (b) of this Section by the individual who has legal custody of the student or by the student, if he or she has reached the age of 18, must not be the basis for refusal of any services otherwise available to the student.

(d) Student biometric information may be destroyed without notification to or the approval of a local records commission under the Local Records Act if destroyed within 30 days after the use of the biometric information is discontinued in accordance with item (2) of subsection (b) of this Section.

(Source: P.A. 95-232, eff. 8-16-07; 95-793, eff. 1-1-09; 95-876, eff. 8-21-08; 96-328, eff. 8-11-09.)

(105 ILCS 5/10-20.41)

Sec. 10-20.41. Use of facilities by community organizations. School boards are encouraged to allow community organizations to use school facilities during non-school hours. If a school board allows a community organization to use school facilities during non-school hours, the board must adopt a formal
policy governing the use of school facilities by community organizations during non-school hours. The policy shall prohibit such use if it interferes with any school functions or the safety of students or school personnel or affects the property or liability of the school district.

(Source: P.A. 95-308, eff. 8-20-07; 95-876, eff. 8-21-08; 96-328, eff. 8-11-09.)

(105 ILCS 5/10-20.42)

Sec. 10-20.42. Wind and solar farms. A school district may own and operate a wind or solar generation turbine farm, either individually or jointly with a unit of local government, school district, or community college district that is authorized to own and operate a wind or solar generation turbine farm, that directly or indirectly reduces the energy or other operating costs of the school district. The school district may ask for the assistance of any State agency, including without limitation the State Board of Education, the Illinois Power Agency, or the Environmental Protection Agency, in obtaining financing options for a wind or solar generation turbine farm.

(Source: P.A. 95-390, eff. 8-23-07; 95-805, eff. 8-12-08; 95-876, eff. 8-21-08; 96-725, eff. 8-25-09.)

(105 ILCS 5/10-20.43)

Sec. 10-20.43. School facility and resources occupation tax fund. All proceeds received by a school district from a distribution under Section 3-14.31 must be maintained in a special fund known as the school facility and resources occupation tax fund. The district may use moneys in that fund only for school facility purposes, as that term is defined under Section 5-1006.7 of the Counties Code.

(Source: P.A. 101-455, eff. 8-23-19.)

(105 ILCS 5/10-20.44)

Sec. 10-20.44. Report on contracts.

(a) This Section applies to all school districts, including a school district organized under Article 34 of this Code.

(b) A school board must list on the district's Internet website, if any, all contracts over $25,000 and any contract that the school board enters into with an exclusive bargaining representative.

(c) Each year, in conjunction with the submission of the Statement of Affairs to the State Board of Education prior to December 1, provided for in Section 10-17, each school district shall submit to the State Board of Education an annual report on all contracts over $25,000 awarded by the school district during the previous fiscal year. The report shall include at least the following:

(1) the total number of all contracts awarded by the school district;

(2) the total value of all contracts awarded;

(3) the number of contracts awarded to minority-owned businesses, women-owned businesses, and businesses owned by persons with disabilities, as defined in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, and locally owned businesses; and
(4) the total value of contracts awarded to minority-owned businesses, women-owned businesses, and businesses owned by persons with disabilities, as defined in the Business Enterprise for Minorities, Women, and Persons with Disabilities Act, and locally owned businesses.

The report shall be made available to the public, including publication on the school district’s Internet website, if any.

(Source: P.A. 100-391, eff. 8-25-17.)

(105 ILCS 5/10-20.45)
Sec. 10-20.45. Pay for performance.

(a) Beginning with all newly-negotiated collective bargaining agreements entered into after the effective date of this amendatory Act of the 95th General Assembly, a school board and the exclusive bargaining representative, if any, may include a performance-based teacher compensation plan in the subject of its collective bargaining agreement. Nothing in this Section shall preclude the school board and the exclusive bargaining representative from agreeing to and implementing a new performance-based teacher compensation plan prior to the termination of the current collective bargaining agreement.

(b) The new teacher compensation plan bargained and agreed to by the school board and the exclusive bargaining representative under subsection (a) of this Section shall provide certificated personnel with base salaries and shall also provide that any increases in the compensation of individual teachers or groups of teachers beyond base salaries shall be pursuant, but not limited to, any of the following elements:

1. Superior teacher evaluations based on multiple evaluations of their classroom teaching.

2. Evaluation of a teacher's student classroom-level achievement growth as measured using a value-added model. "Value-added" means the improvement gains in student achievement that are made each year based on pre-test and post-test outcomes.

3. Evaluation of school-level achievement growth as measured using a value-added model. "Value-added" means the improvement gains in student achievement that are made each year based on pre-test and post-test outcomes.

4. Demonstration of superior, outstanding performance by an individual teacher or groups of teachers through the meeting of unique and specific teaching practice objectives defined and agreed to in advance in any given school year.

5. Preparation for meeting and contribution to the broader needs of the school organization (e.g., curriculum development, family liaison and community outreach, implementation of a professional development program for faculty, and participation in school management).

(c) A school board and exclusive bargaining representative that initiate their own performance-based teacher compensation program shall submit the new plan to the State Board of Education for review not later than 150 days before the plan is to become effective. If the plan does not conform to this Section, the State Board of Education shall return the plan to the school board and the exclusive bargaining representative.
representative for modification. The school board and the exclusive bargaining representative shall then have 30 days after the plan is returned to them to submit a modified plan.

(Source: P.A. 95-707, eff. 1-11-08; 96-328, eff. 8-11-09.)

(105 ILCS 5/10-20.46)

Sec. 10-20.46. Veterans' Day; moment of silence. If a school holds any type of event at the school on November 11, Veterans' Day, the school board shall require a moment of silence at that event to recognize Veterans' Day.

(Source: P.A. 96-84, eff. 7-27-09; 96-1000, eff. 7-2-10; 97-333, eff. 8-12-11.)

(105 ILCS 5/10-20.47)

Sec. 10-20.47. Administrator and teacher salary and benefits; report. Each school board shall report to the State Board of Education, on or before October 1 of each year, the base salary and benefits of the district superintendent and all administrators and teachers employed by the school district. For the purposes of this Section, "benefits" includes without limitation vacation days, sick days, bonuses, annuities, and retirement enhancements.

Prior to this annual reporting to the State Board of Education, the information must be presented at a regular school board meeting, subject to applicable notice requirements, and then posted on the Internet website of the school district, if any.

(Source: P.A. 96-266, eff. 1-1-10; 96-1000, eff. 7-2-10; 97-256, eff. 1-1-12.)

(105 ILCS 5/10-20.48)

Sec. 10-20.48. Radon testing.

(a) It is recommended that every occupied school building of a school district be tested every 5 years for radon pursuant to rules established by the Illinois Emergency Management Agency (IEMA).

(b) It is recommended that new schools of a school district be built using radon resistant new construction techniques, as shown in the United States Environmental Protection Agency document, Radon Prevention in the Design and Construction of Schools and Other Large Buildings.

(c) Each school district may maintain, make available for review, and notify parents and faculty of test results under this Section. The district shall report radon test results to the State Board of Education, which shall prepare a report every 2 years of the results from all schools that have performed tests, to be submitted to the General Assembly and the Governor.

(d) If IEMA exempts an individual from being required to be a licensed radon professional, the individual does not need to be a licensed radon professional in order to perform screening tests under this Section. A school district may elect to have one or more employees from the district attend an IEMA-approved, Internet-based training course on school testing in order to receive an exemption to conduct testing in that school district. These school district employees must perform the measurements in accordance with procedures approved by IEMA. If an exemption from IEMA is not received, the school district must use a licensed radon professional to conduct measurements.
(e) If the results of a radon screening test under this Section are found to be 4.0 pCi/L or above, the school district may hire a licensed radon professional to perform measurements before any mitigation decisions are made. If radon levels of 4.0 pCi/L or above are found, it is recommended that affected areas be mitigated by a licensed radon mitigation professional with respect to both design and installation. IEMA may provide the school district with a list of licensed radon mitigation professionals.

(f) A screening test under this Section may be done with a test kit found in a hardware store, department store, or home improvement store or with a kit ordered through the mail or over the Internet. However, the kit must be provided by a laboratory licensed in accordance with the Radon Industry Licensing Act.

(Source: P.A. 96-417, eff. 1-1-10; 96-1000, eff. 7-2-10.)

(105 ILCS 5/10-20.49)

Sec. 10-20.49. Compliance with Chemical Safety Acts. Each school district must adopt a procedure to comply with the requirements of the Lawn Care Products Application and Notice Act and the Structural Pest Control Act. The school district must designate a staff person who is responsible for compliance with the requirements of these Acts.

(Source: P.A. 96-424, eff. 8-13-09; 96-1000, eff. 7-2-10.)

(105 ILCS 5/10-20.50)

Sec. 10-20.50. (Repealed).

(Source: P.A. 96-1000, eff. 7-2-10. Repealed by P.A. 97-256, eff. 1-1-12.)

(105 ILCS 5/10-20.51)

Sec. 10-20.51. Press boxes; accessibility. A school board does not have to comply with the Illinois Accessibility Code (71 Ill. Adm. Code 400) with respect to accessibility to press boxes that are on school property if the press boxes are in bleachers that have points of entry at only one level, and the aggregate area of the press box is no more than 500 square feet.

(Source: P.A. 96-674, eff. 8-25-09; 96-1000, eff. 7-2-10; 97-355, eff. 1-1-12.)

(105 ILCS 5/10-20.52)

Sec. 10-20.52. American Sign Language courses. School boards are encouraged to implement American Sign Language courses into school foreign language curricula.

(Source: P.A. 96-843, eff. 6-1-10; 97-333, eff. 8-12-11.)

(105 ILCS 5/10-20.53)

Sec. 10-20.53. Minimum reading instruction. Each school board shall promote 60 minutes of minimum reading opportunities daily for students in kindergarten through 3rd grade whose reading level is one grade level or lower than their current grade level according to current learning standards and the school district.

(Source: P.A. 97-88, eff. 7-8-11; 97-813, eff. 7-13-12.)
Sec. 10-20.54. (Repealed).

(Source: P.A. 97-813, eff. 7-13-12. Repealed by P.A. 99-245, eff. 8-3-15.)

Sec. 10-20.55. Bring Your Parents to School Day. A school board may designate the first Monday in October of each year "Bring Your Parents to School Day" to promote parental involvement and student success. On this day, the school board may permit the parents or guardians of students to attend class with their children and meet with teachers and administrators during the school day.

(Source: P.A. 98-304, eff. 1-1-14.)

Sec. 10-20.56. E-learning days.

(a) The State Board of Education shall establish and maintain, for implementation in school districts, a program for use of electronic-learning (e-learning) days, as described in this Section. School districts may utilize a program approved under this Section for use during remote learning days and blended remote learning days under Section 10-30 or 34-18.66.

(b) The school board of a school district may, by resolution, adopt a research-based program or research-based programs for e-learning days district-wide that shall permit student instruction to be received electronically while students are not physically present in lieu of the district's scheduled emergency days as required by Section 10-19 of this Code or because a school was selected to be a polling place under Section 11-4.1 of the Election Code. The research-based program or programs may not exceed the minimum number of emergency days in the approved school calendar and must be verified by the regional office of education or intermediate service center for the school district on or before September 1st annually to ensure access for all students. The regional office of education or intermediate service center shall ensure that the specific needs of all students are met, including special education students and English learners, and that all mandates are still met using the proposed research-based program. The e-learning program may utilize the Internet, telephones, texts, chat rooms, or other similar means of electronic communication for instruction and interaction between teachers and students that meet the needs of all learners. The e-learning program shall address the school district's responsibility to ensure that all teachers and staff who may be involved in the provision of e-learning have access to any and all hardware and software that may be required for the program. If a proposed program does not address this responsibility, the school district must propose an alternate program.

(c) Before its adoption by a school board, the school board must hold a public hearing on a school district's initial proposal for an e-learning program or for renewal of such a program, at a regular or special meeting of the school board, in which the terms of the proposal must be substantially presented and an opportunity for allowing public comments must be provided. Notice of such public hearing must be provided at least 10 days prior to the hearing by:

(1) publication in a newspaper of general circulation in the school district;
(2) written or electronic notice designed to reach the parents or guardians of all students enrolled in the school district; and

(3) written or electronic notice designed to reach any exclusive collective bargaining representatives of school district employees and all those employees not in a collective bargaining unit.

(d) The regional office of education or intermediate service center for the school district must timely verify that a proposal for an e-learning program has met the requirements specified in this Section and that the proposal contains provisions designed to reasonably and practicably accomplish the following:

(1) to ensure and verify at least 5 clock hours of instruction or school work, as required under Section 10-19.05, for each student participating in an e-learning day;

(2) to ensure access from home or other appropriate remote facility for all students participating, including computers, the Internet, and other forms of electronic communication that must be utilized in the proposed program;

(2.5) to ensure that non-electronic materials are made available to students participating in the program who do not have access to the required technology or to participating teachers or students who are prevented from accessing the required technology;

(3) to ensure appropriate learning opportunities for students with special needs;

(4) to monitor and verify each student's electronic participation;

(5) to address the extent to which student participation is within the student's control as to the time, pace, and means of learning;

(6) to provide effective notice to students and their parents or guardians of the use of particular days for e-learning;

(7) to provide staff and students with adequate training for e-learning days' participation;

(8) to ensure an opportunity for any collective bargaining negotiations with representatives of the school district's employees that would be legally required, including all classifications of school district employees who are represented by collective bargaining agreements and who would be affected in the event of an e-learning day;

(9) to review and revise the program as implemented to address difficulties confronted; and

(10) to ensure that the protocol regarding general expectations and responsibilities of the program is communicated to teachers, staff, and students at least 30 days prior to utilizing an e-learning day.

The school board's approval of a school district's initial e-learning program and renewal of the e-learning program shall be for a term of 3 years.

(d-5) A school district shall pay to its contractors who provide educational support services to the district, including, but not limited to, custodial, transportation, or food service providers, their daily, regular rate of pay or billings rendered for any e-learning day that is used because a school was selected to be a polling place under Section 11-4.1 of the Election Code, except that this requirement does not
apply to contractors who are paid under contracts that are entered into, amended, or renewed on or after March 15, 2022 or to contracts that otherwise address compensation for such e-learning days.

(d-10) A school district shall pay to its employees who provide educational support services to the district, including, but not limited to, custodial employees, building maintenance employees, transportation employees, food service providers, classroom assistants, or administrative staff, their daily, regular rate of pay and benefits rendered for any school closure or e-learning day if the closure precludes them from performing their regularly scheduled duties and the employee would have reported for work but for the closure, except this requirement does not apply if the day is rescheduled and the employee will be paid their daily, regular rate of pay and benefits for the rescheduled day when services are rendered.

(d-15) A school district shall make full payment that would have otherwise been paid to its contractors who provide educational support services to the district, including, but not limited to, custodial, building maintenance, transportation, food service providers, classroom assistants, or administrative staff, their daily, regular rate of pay and benefits rendered for any school closure or e-learning day if any closure precludes them from performing their regularly scheduled duties and employees would have reported for work but for the closure. The employees who provide the support services covered by such contracts shall be paid their daily bid package rates and benefits as defined by their local operating agreements or collective bargaining agreements, except this requirement does not apply if the day is rescheduled and the employee will be paid their daily, regular rate of pay and benefits for the rescheduled day when services are rendered.

(d-20) A school district shall make full payment or reimbursement to an employee or contractor as specified in subsection (d-10) or (d-15) of this Section for any school closure or e-learning day in the 2021-2022 school year that occurred prior to the effective date of this amendatory Act of the 102nd General Assembly if the employee or contractor did not receive pay or was required to use earned paid time off, except this requirement does not apply if the day is rescheduled and the employee will be paid their daily, regular rate of pay and benefits for the rescheduled day when services are rendered.

(e) The State Board of Education may adopt rules consistent with the provision of this Section.

(f) For purposes of subsections (d-10), (d-15), and (d-20) of this Section:

"Employee" means anyone employed by a school district on or after the effective date of this amendatory Act of the 102nd General Assembly.

"School district" includes charter schools established under Article 27A of this Code, but does not include the Department of Juvenile Justice School District.

(Source: P.A. 101-12, eff. 7-1-19; 101-643, eff. 6-18-20; 102-584, eff. 6-1-22; 102-697, eff. 4-5-22.)

(105 ILCS 5/10-20.57)

Sec. 10-20.57. Carbon monoxide alarm required.

(a) In this Section:

"Approved carbon monoxide alarm" and "alarm" have the meaning ascribed to those terms in the Carbon Monoxide Alarm Detector Act.
"Carbon monoxide detector" and "detector" mean a device having a sensor that responds to carbon monoxide gas and that is connected to an alarm control unit and approved in accordance with rules adopted by the State Fire Marshal.

(b) A school board shall require that each school under its authority be equipped with approved carbon monoxide alarms or carbon monoxide detectors. The alarms must be powered as follows:

(1) For a school designed before January 1, 2016 (the effective date of Public Act 99-470), alarms powered by batteries are permitted. In accordance with Section 17-2.11 of this Code, alarms permanently powered by the building’s electrical system and monitored by any required fire alarm system are also permitted. Fire prevention and safety tax levy proceeds or bond proceeds may be used for alarms.

(2) For a school designed on or after January 1, 2016 (the effective date of Public Act 99-470), alarms must be permanently powered by the building’s electrical system or be an approved carbon monoxide detection system. An installation required in this subdivision (2) must be monitored by any required fire alarm system.

Alarms or detectors must be located within 20 feet of a carbon monoxide emitting device. Alarms or detectors must be in operating condition and be inspected annually. A school is exempt from the requirements of this Section if it does not have or is not close to any sources of carbon monoxide. A school must require plans, protocols, and procedures in response to the activation of a carbon monoxide alarm or carbon monoxide detection system.

(Source: P.A. 99-470, eff. 1-1-16; 99-642, eff. 7-28-16.)

(105 ILCS 5/10-20.58)

Sec. 10-20.58. Accelerate College pilot program. School districts may enter into Accelerate College educational partnership agreements as authorized under Section 3-42.4 of the Public Community College Act.

(Source: P.A. 99-611, eff. 7-22-16; 100-201, eff. 8-18-17.)

(105 ILCS 5/10-20.59)

Sec. 10-20.59. DCFS liaison.

(a) Each school board must appoint at least one employee to act as a liaison to facilitate the enrollment and transfer of records of students in the legal custody of the Department of Children and Family Services when enrolling in or changing schools. The school board may appoint any employee of the school district who is licensed under Article 21B of this Code to act as a liaison; however, employees who meet any of the following criteria must be prioritized for appointment:

(1) Employees who have worked with mobile student populations or students in foster care.

(2) Employees who are familiar with enrollment, record transfers, existing community services, and student support services.

(3) Employees who serve as a high-level administrator.
(4) Employees who are counselors or have experience with student counseling.

(5) Employees who are knowledgeable on child welfare policies.

(6) Employees who serve as a school social worker.

(b) Liaisons under this Section are encouraged to build capacity and infrastructure within their school district to support students in the legal custody of the Department of Children and Family Services. Liaison responsibilities may include the following:

(1) streamlining the enrollment processes for students in foster care;

(2) implementing student data tracking and monitoring mechanisms;

(3) ensuring that students in the legal custody of the Department of Children and Family Services receive all school nutrition and meal programs available;

(4) coordinating student withdrawal from a school, record transfers, and credit recovery;

(5) becoming experts on the foster care system and State laws and policies in place that support children under the legal custody of the Department of Children and Family Services;

(6) coordinating with child welfare partners;

(7) providing foster care-related information and training to the school district;

(8) working with the Department of Children and Family Services to help students maintain their school placement, if appropriate;

(9) reviewing student schedules to ensure that students are on track to graduate;

(10) encouraging a successful transition into adulthood and post-secondary opportunities;

(11) encouraging involvement in extracurricular activities; and

(12) knowing what support is available within the school district and community for students in the legal custody of the Department of Children and Family Services.

(c) A school district is required to designate a liaison by the beginning of the 2022-2023 school year.

(d) Individuals licensed under Article 21B of this Code acting as a liaison under this Section shall perform the duties of a liaison in addition to existing contractual obligations.

(Source: P.A. 102-199, eff. 7-1-22.)

(105 ILCS 5/10-20.60)

Sec. 10-20.60. Breastfeeding accommodations for pupils.

(a) Each public school shall provide reasonable accommodations to a lactating pupil on a school campus to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. Reasonable accommodations under this Section include, but are not limited to, all of the following:
(1) Access to a private and secure room, other than a restroom, to express breast milk or breastfeed an infant child.

(2) Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk.

(3) Access to a power source for a breast pump or any other equipment used to express breast milk.

(4) Access to a place to store expressed breast milk safely.

(b) A lactating pupil on a school campus must be provided a reasonable amount of time to accommodate her need to express breast milk or breastfeed an infant child.

(c) A public school shall provide the reasonable accommodations specified in subsections (a) and (b) of this Section only if there is at least one lactating pupil on the school campus.

(d) A public school may use an existing facility to meet the requirements specified in subsection (a) of this Section.

(e) A pupil may not incur an academic penalty as a result of her use, during the school day, of the reasonable accommodations specified in this Section and must be provided the opportunity to make up any work missed due to such use.

(f) In instances where a student files a complaint of noncompliance with the requirements of this Section, the public school shall implement the grievance procedure of 23 Ill. Adm. Code 200, including appeals procedures.

(Source: P.A. 100-29, eff. 1-1-18; 100-863, eff. 8-14-18.)

(105 ILCS 5/10-20.61)

Sec. 10-20.61. Implicit bias training.

(a) The General Assembly makes the following findings:

(1) implicit racial bias influences evaluations of and behavior toward those who are the subject of the bias;

(2) understanding implicit racial bias is needed in order to reduce that bias;

(3) marginalized students would benefit from having access to educators who have worked to reduce their biases; and

(4) training that helps educators overcome implicit racial bias has implication for classroom interactions, student evaluation, and classroom engagement; it also affects student academic self-concept.

(b) Each school board shall require in-service training for school personnel to include training to develop cultural competency, including understanding and reducing implicit racial bias.
(c) As used in this Section, "implicit racial bias" means a preference, positive or negative, for a racial or ethnic group that operates outside of awareness. This bias has 3 different components: affective, behavioral, and cognitive.

(Source: P.A. 100-14, eff. 7-1-17; 100-863, eff. 8-14-18.)

(105 ILCS 5/10-20.62)

Sec. 10-20.62. Dual enrollment and dual credit notification.

(a) In this Section, "dual credit course" has the meaning ascribed to that term in the Dual Credit Quality Act.

(b) A qualified student shall be allowed to enroll in an unlimited amount of dual credit courses and earn an unlimited amount of academic credits from dual credit courses if the courses are taught by an Illinois instructor, as provided under the Dual Credit Quality Act.

(c) A school board shall require the school district's high schools, if any, to inform all 11th and 12th grade students of dual enrollment and dual credit opportunities at public community colleges for qualified students.

(Source: P.A. 100-133, eff. 1-1-18; 100-792, eff. 1-1-19; 100-863, eff. 8-14-18.)

(105 ILCS 5/10-20.63)

Sec. 10-20.63. Availability of menstrual hygiene products.

(a) The General Assembly finds the following:

(1) Menstrual hygiene products are a health care necessity and not an item that can be foregone or substituted easily.

(2) Access to menstrual hygiene products is a serious and ongoing need in this State.

(3) When students do not have access to affordable menstrual hygiene products, they may miss multiple days of school every month.

(4) When students have access to quality menstrual hygiene products, they are able to continue with their daily lives with minimal interruption.

(b) In this Section:

"Menstrual hygiene products" means tampons and sanitary napkins for use in connection with the menstrual cycle.

"School building" means any facility (i) that is owned or leased by a school district or over which the school board has care, custody, and control and (ii) in which there is a public school serving students in grades 6 through 12.

(c) A school district shall make menstrual hygiene products available, at no cost to students, in bathrooms of every school building that are open for student use in grades 4 through 12 during the regular school day.
Sec. 10-20.64. Booking stations on school grounds.

(a) There shall be no student booking station established or maintained on the grounds of any school.

(b) This prohibition shall be applied to student booking stations only, as defined in this Section. The prohibition does not prohibit or affect the establishment or maintenance of any place operated by or under the control of law enforcement personnel, school resource officers, or other security personnel that does not also qualify as a student booking station as defined in paragraph (2) of subsection (d) of this Section. The prohibition does not affect or limit the powers afforded law enforcement officers to perform their duties within schools as otherwise prescribed by law.

(c) When the underlying suspected or alleged criminal act is an act of violence, and isolation of a student or students is deemed necessary to the interest of public safety, and no other location is adequate for secure isolation of the student or students, offices as described in paragraph (1) of subsection (d) of this Section may be employed to detain students for a period no longer than that required to alleviate that threat to public safety.

(d) As used in this Section, "student booking station" means a building, office, room, or any indefinitely established space or site, mobile or fixed, which operates concurrently as:

   (1) predominantly or regularly a place of operation for a municipal police department, county sheriff department, or other law enforcement agency, or under the primary control thereof; and

   (2) a site at which students are detained in connection with criminal charges or allegations against those students, taken into custody, or engaged with law enforcement personnel in any process that creates a law enforcement record of that contact with law enforcement personnel or processes.

Sec. 10-20.65. School social worker. A school board may employ school social workers who have graduated with a master's or higher degree in social work from an accredited graduate school of social work and have such additional qualifications as may be required by the State Board of Education and who hold a Professional Educator License with a school support personnel endorsement for school social work pursuant to Section 21B-25 of this Code. Only persons so licensed and endorsed may use the title "school social worker". A school social worker may provide individual and group services to the general student population and to students with disabilities pursuant to Article 14 of this Code and rules set forth in 23 Ill. Adm. Code 226, Special Education, adopted by the State Board of Education and may provide support and consultation to administrators, teachers, and other school personnel consistent with their professional qualifications and the provisions of this Code and other applicable laws. School districts may employ a sufficient number of school social workers to address the needs of their students and schools and may maintain the nationally recommended student-to-school social worker ratio of 250 to 1. A school social worker may not provide such services outside his or her employment to any student in the district or districts that employ the school social worker.
Sec. 10-20.66. School-grown produce. A school district may serve students produce grown and harvested by students in school-owned facilities utilizing hydroponics or aeroponics or in school-owned or community gardens if the soil and compost in which the produce is grown meets the standards adopted in 35 Ill. Adm. Code 830.503, if applicable, and the produce is served in accordance with the standards adopted in 77 Ill. Adm. Code 750.

Sec. 10-20.67. Short-term substitute teacher training.

(a) Each school board shall, in collaboration with its teachers or, if applicable, the exclusive bargaining representative of its teachers, jointly develop a short-term substitute teacher training program that provides individuals who hold a Short-Term Substitute Teaching License under Section 21B-20 of this Code with information on curriculum, classroom management techniques, school safety, and district and building operations. The State Board of Education may develop a model short-term substitute teacher training program for use by a school board under this subsection (a) if the school board and its teachers or, if applicable, the exclusive bargaining representative of its teachers agree to use the State Board's model. A school board with a substitute teacher training program in place before July 1, 2018 (the effective date of Public Act 100-596) may utilize that program to satisfy the requirements of this subsection (a).

(b) Nothing in this Section prohibits a school board from offering substitute training to substitute teachers licensed under paragraph (3) of Section 21B-20 of this Code or to substitute teachers holding a Professional Educator License.

(c) This Section is repealed on July 1, 2023.

Sec. 10-20.68. School resource officer.

(a) In this Section, "school resource officer" means a law enforcement officer who has been primarily assigned to a school or school district under an agreement with a local law enforcement agency.

(b) Beginning January 1, 2021, any law enforcement agency that provides a school resource officer under this Section shall provide to the school district a certificate of completion, or approved waiver, issued by the Illinois Law Enforcement Training Standards Board under Section 10.22 of the Illinois Police Training Act indicating that the subject officer has completed the requisite course of instruction in the applicable subject areas within one year of assignment, or has prior experience and training which satisfies this requirement.
(c) In an effort to defray the related costs, any law enforcement agency that provides a school resource officer should apply for grant funding through the federal Community Oriented Policing Services grant program.

(Source: P.A. 100-984, eff. 1-1-19; 101-81, eff. 7-12-19.)

(105 ILCS 5/10-20.69)

Sec. 10-20.69. Policy on sexual harassment. Each school district must create, maintain, and implement an age-appropriate policy on sexual harassment that must be posted on the school district's website and, if applicable, any other area where policies, rules, and standards of conduct are currently posted in each school and must also be included in the school district's student code of conduct handbook.

(Source: P.A. 101-418, eff. 1-1-20; 102-558, eff. 8-20-21.)

(105 ILCS 5/10-20.70)

Sec. 10-20.70. Class size reporting. No later than November 16, 2020, and annually thereafter, each school district must report to the State Board of Education information on the school district described under subsection (b) of Section 2-3.136a and must make that information available on its website.

(Source: P.A. 101-451, eff. 1-1-20; 102-558, eff. 8-20-21.)

(105 ILCS 5/10-20.71)

Sec. 10-20.71. Sexual abuse investigations at schools. Every 2 years, each school district must review all existing policies and procedures concerning sexual abuse investigations at schools to ensure consistency with Section 22-85.

(Source: P.A. 101-531, eff. 8-23-19; 102-558, eff. 8-20-21.)

(105 ILCS 5/10-20.72)

Sec. 10-20.72. Door security locking means.

(a) In this Section, "door security locking means" means a door locking means intended for use by a trained school district employee in a school building for the purpose of preventing ingress through a door of the building.

(b) A school district may install a door security locking means on a door of a school building to prevent unwanted entry through the door if all of the following requirements are met:

   (1) The door security locking means can be engaged without opening the door.

   (2) The unlocking and unlatching of the door security locking means from the occupied side of the door can be accomplished without the use of a key or tool.

   (3) The door security locking means complies with all applicable State and federal accessibility requirements.

   (4) Locks, if remotely engaged, can be unlocked from the occupied side.
(5) The door security locking means is capable of being disengaged from the outside by school
district employees, and school district employees may use a key or other credentials to unlock the door
from the outside.

(6) The door security locking means does not modify the door-closing hardware, panic hardware, or
fire exit hardware.

(7) Any bolts, stops, brackets, or pins employed by the door security locking means do not affect the
fire rating of a fire door assembly.

(8) School district employees are trained in the engagement and release of the door security locking
means, from within and outside the room, as part of the emergency response plan.

(9) For doors installed before July 1, 2019 only, the unlocking and unlatching of a door security
locking means requires no more than 2 releasing operations. For doors installed on or after July 1, 2019,
the unlocking and unlatching of a door security locking means requires no more than one releasing
operation. If doors installed before July 1, 2019 are replaced on or after July 1, 2019, the unlocking and
unlatching of a door security locking means on the replacement door requires no more than one
releasing operation.

(10) The door security locking means is no more than 48 inches above the finished floor.

(11) The door security locking means otherwise complies with the school building code prepared by
the State Board of Education under Section 2-3.12.

A school district may install a door security locking means that does not comply with paragraph (3) or
(10) of this subsection if (i) the school district meets all other requirements under this subsection and (ii)
prior to its installation, local law enforcement officials, the local fire department, and the school board
agree, in writing, to the installation and use of the door security locking means. The school district must
keep the agreement on file and must, upon request, provide the agreement to its regional office of
education. The agreement must be included in the school district's filed school safety plan under the
School Safety Drill Act.

c) A school district must include the location of any door security locking means and must address the
use of the locking and unlocking means from within and outside the room in its filed school safety plan
under the School Safety Drill Act. Local law enforcement officials and the local fire department must be
notified of the location of any door security locking means and how to disengage it. Any specific tool
needed to disengage the door security locking means from the outside of the room must, upon request,
be made available to local law enforcement officials and the local fire department.

d) A door security locking means may be used only (i) by a school district employee trained under
subsection (e), (ii) during an emergency that threatens the health and safety of students and employees
or during an active shooter drill, and (iii) when local law enforcement officials and the local fire
department have been notified of its installation prior to its use. The door security locking means must
be engaged for a finite period of time in accordance with the school district's school safety plan adopted
under the School Safety Drill Act.

(e) A school district that has installed a door security locking means shall conduct an in-service training
program for school district employees on the proper use of the door security locking means. The school
SCHOOLS (105 ILCS 5/) School Code.

district shall keep a file verifying the employees who have completed the program and must, upon request, provide the file to its regional office of education and the local fire department and local law enforcement agency.

(f) A door security locking means that requires 2 releasing operations must be discontinued from use when the door is replaced or is a part of new construction. Replacement and new construction door hardware must include mortise locks, compliant with the applicable building code, and must be lockable from the occupied side without opening the door. However, mortise locks are not required if panic hardware or fire exit hardware is required.

(Source: P.A. 101-548, eff. 8-23-19; 102-558, eff. 8-20-21.)

(105 ILCS 5/10-20.73)

Sec. 10-20.73. Modification of athletic or team uniform permitted.

(a) A school board must allow a student athlete to modify his or her athletic or team uniform for the purpose of modesty in clothing or attire that is in accordance with the requirements of his or her religion or his or her cultural values or modesty preferences. The modification of the athletic or team uniform may include, but is not limited to, the wearing of a hijab, an undershirt, or leggings. If a student chooses to modify his or her athletic or team uniform, the student is responsible for all costs associated with the modification of the uniform and the student shall not be required to receive prior approval from the school board for such modification. However, nothing in this Section prohibits a school from providing the modification to the student.

(b) At a minimum, any modification of the athletic or team uniform must not interfere with the movement of the student or pose a safety hazard to the student or to other athletes or players. The modification of headgear is permitted if the headgear:

1. is black, white, the predominant color of the uniform, or the same color for all players on the team;
2. does not cover any part of the face;
3. is not dangerous to the player or to the other players;
4. has no opening or closing elements around the face and neck; and
5. has no parts extruding from its surface.

(Source: P.A. 102-51, eff. 7-9-21; 102-813, eff. 5-13-22.)

(105 ILCS 5/10-20.74)

Sec. 10-20.74. Educational technology capacity and policies; report. School districts shall submit to the State Board of Education, or its designee, an annual report that shall include, at a minimum, information regarding educational technology capacity and policies, including device availability for students, school-based access and infrastructure, professional learning and training opportunities, and documentation of developmentally appropriate computer literacy instruction embedded in the district's curriculum at each grade level.
Sec. 10-20.75. Website accessibility guidelines.

(a) As used in this Section, "Internet website or web service" means any third party online curriculum that is made available to enrolled students or the public by a school district through the Internet.

(b) To ensure that the content available on an Internet website or web service of a school district is readily accessible to persons with disabilities, the school district must require that the Internet website or web service comply with Level AA of the World Wide Web Consortium's Web Content Accessibility Guidelines 2.1 or any revised version of those guidelines.

Sec. 10-20.76. Student identification; suicide prevention information. Each school district shall provide contact information for the National Suicide Prevention Lifeline and for the Crisis Text Line on the back of each student identification card issued by the school district. If the school district does not issue student identification cards to its students or to all of its students, the school district must publish this information on its website.

Sec. 10-20.77. Parent-teacher conference and other meetings; caseworker. For any student who is in the legal custody of the Department of Children and Family Services, the liaison appointed under Section 10-20.59 must inform the Department's Office of Education and Transition Services of a parent-teacher conference or any other meeting concerning the student that would otherwise involve a parent and must, at the option of the caseworker, allow the student's caseworker to attend the conference or meeting.

Sec. 10-20.78. Student absence; pregnancy. A school board shall adopt written policies related to absences and missed homework or classwork assignments as a result of or related to a student's pregnancy.

Sec. 10-20.79. Computer literacy skills. All school districts shall ensure that students receive developmentally appropriate opportunities to gain computer literacy skills beginning in elementary school.
Sec. 10-20.80. School support personnel reporting. No later than December 1, 2022 and each December 1st annually thereafter, each school district must report to the State Board of Education the information with regard to the school district as of October 1st of each year beginning in 2022 as described in subsection (b) of Section 2-3.182 of this Code and must make that information available on its website.

(Source: P.A. 102-302, eff. 1-1-22; 102-813, eff. 5-13-22.)

Sec. 10-20.81. Identification cards; suicide prevention information. Each school district that serves pupils in any of grades 6 through 12 and that issues an identification card to pupils in any of grades 6 through 12 shall provide contact information for the National Suicide Prevention Lifeline (988), the Crisis Text Line, and either the Safe2Help Illinois helpline or a local suicide prevention hotline or both on the identification card. The contact information shall identify each helpline that may be contacted through text messaging. The contact information shall be included in the school's student handbook and also the student planner if a student planner is custom printed by the school for distribution to pupils in any of grades 6 through 12.

(Source: P.A. 102-416, eff. 7-1-22; 102-813, eff. 5-13-22.)

Sec. 10-20.83. COVID-19 paid administrative leave.

(a) In this Section:

"Employee" means a person employed by a school district on or after the effective date of this amendatory Act of the 102nd General Assembly.

"Fully vaccinated against COVID-19" means:

(1) 2 weeks after receiving the second dose in a 2-dose series of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration; or

(2) 2 weeks after receiving a single dose of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration.

"Fully vaccinated against COVID-19" also includes any recommended booster doses for which the individual is eligible upon the adoption by the Department of Public Health of any changes made by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services to the definition of "fully vaccinated against COVID-19" to include any such booster doses. For purposes of this Section, individuals who are eligible for a booster dose but have not received a booster dose by 5 weeks after the Department of Public Health adopts a revised definition of "fully vaccinated against COVID-19" are not considered fully vaccinated for determining eligibility for future paid administrative leave pursuant to this Section.
"School district" includes charter schools established under Article 27A of this Code, but does not include the Department of Juvenile Justice School District.

(b) During any time when the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act and a school district, the State or any of its agencies, or a local public health department has issued guidance, mandates, or rules related to COVID-19 that restrict an employee of the school district from being on school district property because the employee (i) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19, (ii) has a probable COVID-19 diagnosis via an antigen diagnostic test, (iii) has been in close contact with a person who had a confirmed case of COVID-19 and is required to be excluded from the school, or (iv) is required by the school or school district policy to be excluded from school district property due to COVID-19 symptoms, the employee of the school district shall receive as many days of administrative leave as required to abide by the public health guidance, mandates, and requirements issued by the Department of Public Health, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any. Such leave shall be provided to an employee for any days for which the employee was required to be excluded from school property prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives all doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(c) An employee of a school district shall receive paid administrative leave pursuant to subsection (b) of this Section, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any, to care for a child of the employee if the child is unable to attend elementary or secondary school because the child has:

(1) a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(2) a probable COVID-19 diagnosis via an antigen diagnostic test;

(3) been in close contact with a person who has a confirmed case of COVID-19 and is required to be excluded from school; or

(4) been required by the school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Such leave shall be provided to an employee for any days needed to care for a child of the employee prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives the doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(d) An employee of a school district who is on paid administrative leave pursuant to this Section must provide all documentation requested by the school board.
(e) An employee of a school district who is on paid administrative leave pursuant to this Section shall receive the employee's regular rate of pay. The use of a paid administrative leave day or days by an employee pursuant to this Section may not diminish any other leave or benefits of the employee.

(f) An employee of a school district may not accrue paid administrative leave pursuant to this Section.

(g) For an employee of a school district to be eligible to receive paid administrative leave pursuant to this Section, the employee must:

1. have received all required doses to be fully vaccinated against COVID-19, as defined in this Section; and

2. participate in the COVID-19 testing program adopted by the school district to the extent such a testing program requires participation by individuals who are fully vaccinated against COVID-19.

(h) Nothing in this Section is intended to affect any right or remedy under federal law.

(i) No paid administrative leave awarded to or used by a fully vaccinated employee prior to the Department of Public Health's adoption of a revised definition of the term "fully vaccinated against COVID-19" may be rescinded on the basis that the employee no longer meets the definition of "fully vaccinated against COVID-19" based on the revised definition.

(Source: P.A. 102-697, eff. 4-5-22.)

(Text of Section from P.A. 102-917)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 10-20.83. College and career readiness systems.

(a) Subject to subsection (d) of this Section, by July 1, 2025, a school district that enrolls students in any of grades 6 through 12 shall adopt and commence implementation of career exploration and career development activities in accordance with a postsecondary and career expectations framework for each of grades 6 through 12 served by the district that substantially aligns to the model framework adopted by State agencies pursuant to Section 15 of the Postsecondary and Workforce Readiness Act. The local postsecondary and career expectations framework shall be available on a prominent location on the school district's website.

The career exploration and career development activities offered in alignment with the postsecondary and career expectations framework shall prepare students enrolled in grades 6 through 12 to make informed plans and decisions about their future education and career goals, including possible participation in a career and technical education pathway, by providing students with opportunities to explore a wide variety of high-skill, high-wage, and in-demand career fields.

(b) By no later than July 1, 2025, a school district that enrolls students in any of grades 9 through 12 shall either elect to implement College and Career Pathway Endorsements in accordance with subsection (c) of this Section or opt out of implementation in accordance with subsection (d) of this Section.
(c) A school district that enrolls students in any of grades 9 through 12 electing to implement College and Career Pathway Endorsements shall become an eligible school district and either (i) independently, (ii) through an area career center, or (iii) through an inter-district cooperative, award College and Career Pathway Endorsements pursuant to the Postsecondary and Workforce Readiness Act and pursuant to the following schedule:

(1) for the high school graduating class of 2027, a school district shall offer College and Career Pathway Endorsements in at least one endorsement area;

(2) for the high school graduating class of 2029, a school district shall offer College and Career Pathway Endorsements in at least 2 endorsement areas; and

(3) for the high school graduating class of 2031, a school district with a grade 9 through 12 enrollment of more than 350 students, as calculated by the State Board of Education for the 2022-2023 school year, shall offer College and Career Pathway Endorsements in at least 3 endorsement areas.

A school district may elect to implement College and Career Pathway Endorsements by July 1, 2025, either by submitting the necessary application materials to the State Board of Education to award the number of endorsements required by this subsection or by the school board of the district adopting a timeline for implementation consistent with the requirements of this subsection.

(d) The school board of any school district may, by action of the board, opt out of implementation of all or any part of this Section through adoption of a set of findings that considers the following:

(1) the school district's current systems for college and career readiness;

(2) the school district's cost of implementation balanced against the potential benefits to students and families through improved postsecondary education and career outcomes;

(3) the willingness and capacity of local businesses to partner with the school district for successful implementation of pathways other than education;

(4) the willingness of institutions of higher education to partner with the school district for successful implementation of the pathway and whether the district has sought and established a partnership agreement with a community college district incorporating the provisions of the Model Partnership Agreement under the Dual Credit Quality Act;

(5) the availability of a statewide database of participating local business partners, as provided under the Postsecondary and Workforce Readiness Act, for the purpose of career readiness and the accessibility of those work experiences and apprenticeships listed in the database to the students of the school district; and

(6) the availability of properly licensed teachers or teachers meeting faculty credential standards for dual credit courses to instruct in the program required for the endorsement areas.

A school district must report its board findings and decision on implementation to the State Board of Education. A school district electing to opt out of implementation may reverse its decision in whole or in part at any time.

(e) The State Board of Education may adopt any rules necessary to implement this Section.
Sec. 10-21. Additional duties of board. Boards of education in addition to the duties enumerated above shall have the additional duties enumerated in Sections 10-21.1 through 10-21.11.


To examine teachers by examinations supplemental to any other examinations and to employ teachers and fix the amount of their salaries subject to limitations set forth in this Act. Provided, that in fixing salaries of certificated employees school boards shall make no discrimination on account of sex; provided, further, that sabbatical leaves, with full or partial salary, may be granted in accordance with the rules of the board.

Sec. 10-21.2. Schools of different grades.

To establish schools of different grades and to adopt regulations for the admission of pupils into them; however, in any district having less than 2,000 inhabitants no grades above the eighth shall be maintained unless they were maintained during the school year ended June 30, 1949.

Sec. 10-21.3. Attendance units.

To establish one or more attendance units within the district. As soon as practicable, and from time to time thereafter, the board shall change or revise existing units or create new units in a manner which will take into consideration the prevention of segregation and the elimination of separation of children in public schools because of color, race or nationality. All records pertaining to the creation, alteration or revision of attendance units shall be open to the public.

Sec. 10-21.3a. Transfer of students.

(a) Each school board shall establish and implement a policy governing the transfer of a student from one attendance center to another within the school district upon the request of the student's parent or guardian. A student may not transfer to any of the following attendance centers, except by change in residence if the policy authorizes enrollment based on residence in an attendance area or unless approved by the board on an individual basis:
(1) An attendance center that exceeds or as a result of the transfer would exceed its attendance capacity.

(2) An attendance center for which the board has established academic criteria for enrollment if the student does not meet the criteria.

(3) Any attendance center if the transfer would prevent the school district from meeting its obligations under a State or federal law, court order, or consent decree applicable to the school district.

(b) Each school board shall establish and implement a policy governing the transfer of students within a school district from a persistently dangerous school to another public school in that district that is not deemed to be persistently dangerous. In order to be considered a persistently dangerous school, the school must meet all of the following criteria for 2 consecutive years:

(1) Have greater than 3% of the students enrolled in the school expelled for violence-related conduct.

(2) Have one or more students expelled for bringing a firearm to school as defined in 18 U.S.C. 921.

(3) Have at least 3% of the students enrolled in the school exercise the individual option to transfer schools pursuant to subsection (c) of this Section.

(c) A student may transfer from one public school to another public school in that district if the student is a victim of a violent crime as defined in Section 3 of the Rights of Crime Victims and Witnesses Act. The violent crime must have occurred on school grounds during regular school hours or during a school-sponsored event.

(d) (Blank).

(Source: P.A. 100-1046, eff. 8-23-18.)

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

Sec. 10-21.4. Superintendent - Duties. Except in districts in which there is only one school with fewer than 4 teachers, to employ a superintendent, who shall have charge of the administration of the schools under the direction of the board of education. However, in any school district that has boundaries that lie in 3 counties, one county of which has a population exceeding 1,000,000 inhabitants, that has an enrollment of more than 35,000 students, and that has on staff properly licensed assistant superintendents or directors in the areas of instruction, finance, special education, assessments, and career and technology education, the school board may instead, by a vote of a majority of its full membership, appoint a chief executive officer to serve as its superintendent, who shall be a person of recognized administrative ability and management experience, hold a master's degree, have been employed with the school district for a minimum of 5 years in an administrative capacity, be responsible for the management of the district, and have all other powers and duties of a superintendent as set forth in this Code, but who shall be exempt from the provisions and requirements of Section 21B-15 of this Code for a period of 5 years.

In addition to the administrative duties, the superintendent shall make recommendations to the board concerning the budget, building plans, the locations of sites, the selection, retention and dismissal of teachers and all other employees, the selection of textbooks, instructional material and courses of
study. However, in districts under a Financial Oversight Panel pursuant to Section 1A-8 for violating a financial plan, the duties and responsibilities of the superintendent in relation to the financial and business operations of the district shall be approved by the Panel. In the event the Board refuses or fails to follow a directive or comply with an information request of the Panel, the performance of those duties shall be subject to the direction of the Panel. The superintendent shall also notify the State Board of Education, the board and the chief administrative official, other than the alleged perpetrator himself, in the school where the alleged perpetrator serves, that any person who is employed in a school or otherwise comes into frequent contact with children in the school has been named as a perpetrator in an indicated report filed pursuant to the Abused and Neglected Child Reporting Act, approved June 26, 1975, as amended. The superintendent shall keep or cause to be kept the records and accounts as directed and required by the board, aid in making reports required by the board, and perform such other duties as the board may delegate to him.

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

The provisions of this Section shall also apply to board of director districts.

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

(Source: P.A. 99-846, eff. 6-1-17.)

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

Sec. 10-21.4a. Principals and assistant principals - Duties. To employ principals and assistant principals who hold valid supervisory or administrative certificates. The principal, with the assistance of any assistant principals, shall supervise the operation of attendance centers as the board shall determine necessary. In an attendance center having fewer than 4 teachers, a head teacher who does not qualify as a principal may be assigned in the place of a principal.

The principal, with the assistance of any assistant principals, shall assume administrative responsibilities and instructional leadership, under the supervision of the superintendent, and in accordance with reasonable rules and regulations of the board, for the planning, operation and evaluation of the educational program of the attendance area to which he or she is assigned. However, in districts under a Financial Oversight Panel pursuant to Section 1A-8 for violating a financial plan, the duties and responsibilities of principals and assistant principals in relation to the financial and business operations of the district shall be approved by the Panel. In the event the Board refuses or fails to follow
a directive or comply with an information request of the Panel, the performance of those duties shall be subject to the direction of the Panel.

School boards shall specify in their formal job description for principals that his or her primary responsibility is in the improvement of instruction. A majority of the time spent by a principal shall be spent on curriculum and staff development through both formal and informal activities, establishing clear lines of communication regarding school goals, accomplishments, practices and policies with parents and teachers.

Unless residency within a school district is made an express condition of a person’s employment or continued employment as a principal or assistant principal of that school district at the time of the person’s initial employment as a principal or assistant principal of that district, residency within that school district may not at any time thereafter be made a condition of that person’s employment or continued employment as a principal or assistant principal of the district, without regard to whether the person’s initial employment as a principal or assistant principal of the district began before or begins on or after the effective date of this amendatory Act of 1996 and without regard to whether that person’s residency within or outside of the district began or was changed before or begins or changes on or after that effective date. In no event shall residency within a school district be considered in determining the compensation of a principal or assistant principal or the assignment or transfer of a principal or assistant principal to an attendance center of the district.

School boards shall ensure that their principals and assistant principals are evaluated on their instructional leadership ability and their ability to maintain a positive education and learning climate.

It shall also be the responsibility of the principal to utilize resources of proper law enforcement agencies when the safety and welfare of students and teachers are threatened by illegal use of drugs and alcohol, by illegal use or possession of weapons, or by illegal gang activity.

The principal shall submit recommendations to the superintendent concerning the appointment, retention, promotion and assignment of all personnel assigned to the attendance center.

(Source: P.A. 97-217, eff. 7-28-11; 98-59, eff. 1-1-14.)

(105 ILCS 5/10-21.5) (from Ch. 122, par. 10-21.5)

Sec. 10-21.5. Establishment of high schools. The board of education of any community high school district, township high school district, consolidated high school district, or community unit district heretofore created shall within 4 years from the date of such creation establish within the district one or more high schools with a program of studies extending through the ninth to twelfth years, inclusive, and in such districts created hereafter the board of education shall within four years following the creation of the district establish such high schools.

Notwithstanding any other provision of this Act, any unit district that has a majority of its territory in the same county as a special charter district that, as authorized by Section 12-24, accepts tuition students in grades 9-12 from a neighboring unit district that does not maintain a high school may, by agreement between the school board of the unit district and the school board of the charter district, send its students in grades 9-12 to the charter district upon payment of such tuition and other terms as may be agreed by the boards.
SCHOOLS (105 ILCS 5/) School Code.

Except as otherwise provided in Section 5-32, if the board of education fails to establish a high school as required by this section the district shall become automatically dissolved and the property and territory of such district shall be disposed of in the manner provided in this Act, provided that no community high school district shall be dissolved under this Act where an election has been held, a site selected, and bonds to construct a high school building have been sold prior to September 1, 1955.

(Source: P.A. 87-1022.)

(105 ILCS 5/10-21.6)

Sec. 10-21.6. (Repealed).

(Source: P.A. 83-795. Repealed by P.A. 97-256, eff. 1-1-12.)

(105 ILCS 5/10-21.7) (from Ch. 122, par. 10-21.7)

Sec. 10-21.7. Attacks on school personnel.

(a) In the Section, "school" means any public or private elementary or secondary school.

(b) Upon receipt of a written complaint from any school personnel, the school shall report all incidents of battery committed against teachers, teacher personnel, administrative personnel or educational support personnel to the local law enforcement authorities immediately after the occurrence of the attack. Schools shall also report all of these incidents to the State Board of Education through existing school incident reporting systems as they occur during the year by no later than August 1 for the preceding school year. The State Board of Education shall report data by school district, as collected from school districts, in an annual report of attacks on school personnel and make it available to the public via its website. The local law enforcement authority shall, by March 1 of each year, report the required data from the previous year to the Illinois State Police's Illinois Uniform Crime Reporting Program.

(Source: P.A. 102-538, eff. 8-20-21; 102-894, eff. 5-20-22.)

(105 ILCS 5/10-21.8) (from Ch. 122, par. 10-21.8)

Sec. 10-21.8. Correspondence and Reports. In the absence of any court order to the contrary to require that, upon the request of either parent of a pupil whose parents are divorced or, if the student is in the legal custody of the Department of Children and Family Services, the Department's Office of Education and Transition Services, copies of the following: reports or records which reflect the pupil's academic progress, reports of the pupil's emotional and physical health, notices of school-initiated parent-teacher conference, notices of major school-sponsored events, such as open houses, which involve pupil-parent interaction, and copies of the school calendar regarding the child which are furnished by the school district to one parent be furnished by mail to the other parent or, if applicable, the Department's Office of Education and Transition Services. Notwithstanding the foregoing provisions of this Section a school board shall not, under the authority of this Section, refuse to mail copies of reports, records, notices or other documents regarding a pupil to a parent of the pupil as provided by this Section, unless the school board first has been furnished with a certified copy of the court order prohibiting the release of such reports, records, notices or other documents to that parent. No such reports or records with respect to a pupil shall be provided to a parent who has been prohibited by an
order of protection from inspecting or obtaining school records of that pupil pursuant to the Illinois Domestic Violence Act of 1986, as now or hereafter amended.

(Source: P.A. 102-199, eff. 7-1-22.)

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

(Text of Section from P.A. 102-702)

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

(a) Licensed and nonlicensed applicants for employment with a school district, except school bus driver applicants, are required as a condition of employment to authorize a fingerprint-based criminal history records check to determine if such applicants have been convicted of any disqualifying, enumerated criminal or drug offenses in subsection (c) of this Section or have been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State. Authorization for the check shall be furnished by the applicant to the school district, except that if the applicant is a substitute teacher seeking employment in more than one school district, a teacher seeking concurrent part-time employment positions with more than one school district (as a reading specialist, special education teacher or otherwise), or an educational support personnel employee seeking employment positions with more than one district, any such district may require the applicant to furnish authorization for the check to the regional superintendent of the educational service region in which are located the school districts in which the applicant is seeking employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee. Upon receipt of this authorization, the school district or the appropriate regional superintendent, as the case may be, shall submit the applicant’s name, sex, race, date of birth, social security number, fingerprint images, and other identifiers, as prescribed by the Illinois State Police, to the Illinois State Police. The regional superintendent submitting the requisite information to the Illinois State Police shall promptly notify the school districts in which the applicant is seeking employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee that the check of the applicant has been requested. The Illinois State Police and the Federal Bureau of Investigation shall furnish, pursuant to a fingerprint-based criminal history records check, records of convictions, forever and hereinafter, until expunged, to the president of the school board for the school district that requested the check, or to the regional superintendent who requested the check. The Illinois State Police shall charge the school district or the appropriate regional superintendent a fee for conducting such check, which fee shall be deposited in the State Police Services Fund and shall not exceed the cost of the inquiry; and the applicant shall not be charged a fee for such check by the school district or by the regional superintendent, except that those applicants seeking employment as a substitute teacher with a school district may be charged a fee not to exceed the cost of the inquiry. Subject to appropriations for these purposes, the State Superintendent of Education shall reimburse school districts and regional superintendents for fees paid to obtain criminal history records checks under this Section.

(a-5) The school district or regional superintendent shall further perform a check of the Statewide Sex Offender Database, as authorized by the Sex Offender Community Notification Law, for each applicant.
The check of the Statewide Sex Offender Database must be conducted by the school district or regional superintendent once for every 5 years that an applicant remains employed by the school district.

(a-6) The school district or regional superintendent shall further perform a check of the Statewide Murderer and Violent Offender Against Youth Database, as authorized by the Murderer and Violent Offender Against Youth Community Notification Law, for each applicant. The check of the Murderer and Violent Offender Against Youth Database must be conducted by the school district or regional superintendent once for every 5 years that an applicant remains employed by the school district.

(b) Any information concerning the record of convictions obtained by the president of the school board or the regional superintendent shall be confidential and may only be transmitted to the superintendent of the school district or his designee, the appropriate regional superintendent if the check was requested by the school district, the presidents of the appropriate school boards if the check was requested from the Illinois State Police by the regional superintendent, the State Board of Education and a school district as authorized under subsection (b-5), the State Superintendent of Education, the State Educator Preparation and Licensure Board, any other person necessary to the decision of hiring the applicant for employment, or for clarification purposes the Illinois State Police or Statewide Sex Offender Database, or both. A copy of the record of convictions obtained from the Illinois State Police shall be provided to the applicant for employment. Upon the check of the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database, the school district or regional superintendent shall notify an applicant as to whether or not the applicant has been identified in the Database. If a check of an applicant for employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee in more than one school district was requested by the regional superintendent, and the Illinois State Police upon a check ascertains that the applicant has not been convicted of any of the enumerated criminal or drug offenses in subsection (c) of this Section or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State and so notifies the regional superintendent and if the regional superintendent upon a check ascertains that the applicant has not been identified in the Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database, then the regional superintendent shall issue to the applicant a certificate evidencing that as of the date specified by the Illinois State Police the applicant has not been convicted of any of the enumerated criminal or drug offenses in subsection (c) of this Section or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State and evidencing that as of the date that the regional superintendent conducted a check of the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database, the applicant has not been identified in the Database. The school board of any school district may rely on the certificate issued by any regional superintendent to that substitute teacher, concurrent part-time teacher, or concurrent educational support personnel employee or may initiate its own criminal history records check of the applicant through the Illinois State Police and its own check of the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against
Youth Database as provided in this Section. Any unauthorized release of confidential information may be a violation of Section 7 of the Criminal Identification Act.

(b-5) If a criminal history records check or check of the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database is performed by a regional superintendent for an applicant seeking employment as a substitute teacher with a school district, the regional superintendent may disclose to the State Board of Education whether the applicant has been issued a certificate under subsection (b) based on those checks. If the State Board receives information on an applicant under this subsection, then it must indicate in the Educator Licensure Information System for a 90-day period that the applicant has been issued or has not been issued a certificate.

(c) No school board shall knowingly employ a person who has been convicted of any offense that would subject him or her to license suspension or revocation pursuant to Section 21B-80 of this Code, except as provided under subsection (b) of Section 21B-80. Further, no school board shall knowingly employ a person who has been found to be the perpetrator of sexual or physical abuse of any minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987. As a condition of employment, each school board must consider the status of a person who has been issued an indicated finding of abuse or neglect of a child by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act or by a child welfare agency of another jurisdiction.

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

(e) Within 10 days after a superintendent, regional office of education, or entity that provides background checks of license holders to public schools receives information of a pending criminal charge against a license holder for an offense set forth in Section 21B-80 of this Code, the superintendent, regional office of education, or entity must notify the State Superintendent of Education of the pending criminal charge.

If permissible by federal or State law, no later than 15 business days after receipt of a record of conviction or of checking the Statewide Murderer and Violent Offender Against Youth Database or the Statewide Sex Offender Database and finding a registration, the superintendent of the employing school board or the applicable regional superintendent shall, in writing, notify the State Superintendent of Education of any license holder who has been convicted of a crime set forth in Section 21B-80 of this Code. Upon receipt of the record of a conviction of or a finding of child abuse by a holder of any license issued pursuant to Article 21B or Section 34-8.1 or 34-83 of the School Code, the State Superintendent of Education may initiate licensure suspension and revocation proceedings as authorized by law. If the receipt of the record of conviction or finding of child abuse is received within 6 months after the initial grant of or renewal of a license, the State Superintendent of Education may rescind the license holder's license.

(e-5) The superintendent of the employing school board shall, in writing, notify the State Superintendent of Education and the applicable regional superintendent of schools of any license holder whom he or she has reasonable cause to believe has committed (i) an intentional act of abuse or neglect with the result of making a child an abused child or a neglected child, as defined in Section 3 of the Abused and Neglected Child Reporting Act, or (ii) an act of sexual misconduct, as defined in Section 22-85.5 of this Code, and that act resulted in the license holder's dismissal or resignation from the school...
This notification must be submitted within 30 days after the dismissal or resignation and must include the Illinois Educator Identification Number (IEIN) of the license holder and a brief description of the misconduct alleged. The license holder must also be contemporaneously sent a copy of the notice by the superintendent. All correspondence, documentation, and other information so received by the regional superintendent of schools, the State Superintendent of Education, the State Board of Education, or the State Educator Preparation and Licensure Board under this subsection (e-5) is confidential and must not be disclosed to third parties, except (i) as necessary for the State Superintendent of Education or his or her designee to investigate and prosecute pursuant to Article 21B of this Code, (ii) pursuant to a court order, (iii) for disclosure to the license holder or his or her representative, or (iv) as otherwise provided in this Article and provided that any such information admitted into evidence in a hearing is exempt from this confidentiality and non-disclosure requirement. Except for an act of willful or wanton misconduct, any superintendent who provides notification as required in this subsection (e-5) shall have immunity from any liability, whether civil or criminal or that otherwise might result by reason of such action.

(f) After January 1, 1990 the provisions of this Section shall apply to all employees of persons or firms holding contracts with any school district including, but not limited to, food service workers, school bus drivers and other transportation employees, who have direct, daily contact with the pupils of any school in such district. For purposes of criminal history records checks and checks of the Statewide Sex Offender Database on employees of persons or firms holding contracts with more than one school district and assigned to more than one school district, the regional superintendent of the educational service region in which the contracting school districts are located may, at the request of any such school district, be responsible for receiving the authorization for a criminal history records check prepared by each such employee and submitting the same to the Illinois State Police and for conducting a check of the Statewide Sex Offender Database for each employee. Any information concerning the record of conviction and identification as a sex offender of any such employee obtained by the regional superintendent shall be promptly reported to the president of the appropriate school board or school boards.

(f-5) Upon request of a school or school district, any information obtained by a school district pursuant to subsection (f) of this Section within the last year must be made available to the requesting school or school district.

(g) Prior to the commencement of any student teaching experience or required internship (which is referred to as student teaching in this Section) in the public schools, a student teacher is required to authorize a fingerprint-based criminal history records check. Authorization for and payment of the costs of the check must be furnished by the student teacher to the school district where the student teaching is to be completed. Upon receipt of this authorization and payment, the school district shall submit the student teacher's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers, as prescribed by the Illinois State Police, to the Illinois State Police. The Illinois State Police and the Federal Bureau of Investigation shall furnish, pursuant to a fingerprint-based criminal history records check, records of convictions, forever and hereinafter, until expunged, to the president of the school board for the school district that requested the check. The Illinois State Police shall charge the school district a fee for conducting the check, which fee must not exceed the cost of the inquiry and must be deposited into the State Police Services Fund. The school district shall further perform a check of the Statewide Sex Offender Database, as authorized by the Sex Offender Community Notification
SCHOOLS (105 ILCS 5/) School Code.

Law, and of the Statewide Murderer and Violent Offender Against Youth Database, as authorized by the Murderer and Violent Offender Against Youth Registration Act, for each student teacher. No school board may knowingly allow a person to student teach for whom a criminal history records check, a Statewide Sex Offender Database check, and a Statewide Murderer and Violent Offender Against Youth Database check have not been completed and reviewed by the district.

A copy of the record of convictions obtained from the Illinois State Police must be provided to the student teacher. Any information concerning the record of convictions obtained by the president of the school board is confidential and may only be transmitted to the superintendent of the school district or his or her designee, the State Superintendent of Education, the State Educator Preparation and Licensure Board, or, for clarification purposes, the Illinois State Police or the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database. Any unauthorized release of confidential information may be a violation of Section 7 of the Criminal Identification Act.

No school board shall knowingly allow a person to student teach who has been convicted of any offense that would subject him or her to license suspension or revocation pursuant to subsection (c) of Section 21B-80 of this Code, except as provided under subsection (b) of Section 21B-80. Further, no school board shall allow a person to student teach if he or she has been found to be the perpetrator of sexual or physical abuse of a minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987. Each school board must consider the status of a person to student teach who has been issued an indicated finding of abuse or neglect of a child by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act or by a child welfare agency of another jurisdiction.

(h) (Blank).

(Source: P.A. 101-72, eff. 7-12-19; 101-531, eff. 8-23-19; 101-643, eff. 6-18-20; 102-538, eff. 8-20-21; 102-552, eff. 1-1-22; 102-702, eff. 7-1-23.)

(Text of Section from P.A. 102-813)

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

(a) Licensed and nonlicensed applicants for employment with a school district, except school bus driver applicants, are required as a condition of employment to authorize a fingerprint-based criminal history records check to determine if such applicants have been convicted of any disqualifying, enumerated criminal or drug offenses in subsection (c) of this Section or have been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State. Authorization for the check shall be furnished by the applicant to the school district, except that if the applicant is a substitute teacher seeking employment in more than one school district, a teacher seeking concurrent part-time employment positions with more than one school district (as a reading specialist, special education teacher or otherwise), or an educational support personnel employee seeking employment positions with more than one district, any such district may require the
applicant to furnish authorization for the check to the regional superintendent of the educational service region in which are located the school districts in which the applicant is seeking employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee. Upon receipt of this authorization, the school district or the appropriate regional superintendent, as the case may be, shall submit the applicant's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers, as prescribed by the Illinois State Police, to the Illinois State Police. The regional superintendent submitting the requisite information to the Illinois State Police shall promptly notify the school districts in which the applicant is seeking employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee that the check of the applicant has been requested. The Illinois State Police and the Federal Bureau of Investigation shall furnish, pursuant to a fingerprint-based criminal history records check, records of convictions, forever and hereinafter, until expunged, to the president of the school board for the school district that requested the check, or to the regional superintendent who requested the check. The Illinois State Police shall charge the school district or the appropriate regional superintendent a fee for conducting such check, which fee shall be deposited in the State Police Services Fund and shall not exceed the cost of the inquiry; and the applicant shall not be charged a fee for such check by the school district or by the regional superintendent, except that those applicants seeking employment as a substitute teacher with a school district may be charged a fee not to exceed the cost of the inquiry. Subject to appropriations for these purposes, the State Superintendent of Education shall reimburse school districts and regional superintendents for fees paid to obtain criminal history records checks under this Section.

(a-5) The school district or regional superintendent shall further perform a check of the Statewide Sex Offender Database, as authorized by the Sex Offender Community Notification Law, for each applicant. The check of the Statewide Sex Offender Database must be conducted by the school district or regional superintendent once for every 5 years that an applicant remains employed by the school district.

(a-6) The school district or regional superintendent shall further perform a check of the Statewide Murderer and Violent Offender Against Youth Database, as authorized by the Murderer and Violent Offender Against Youth Community Notification Law, for each applicant. The check of the Murderer and Violent Offender Against Youth Database must be conducted by the school district or regional superintendent once for every 5 years that an applicant remains employed by the school district.

(b) Any information concerning the record of convictions obtained by the president of the school board or the regional superintendent shall be confidential and may only be transmitted to the superintendent of the school district or his designee, the appropriate regional superintendent if the check was requested by the school district, the presidents of the appropriate school boards if the check was requested from the Illinois State Police by the regional superintendent, the State Board of Education and a school district as authorized under subsection (b-5), the State Superintendent of Education, the State Educator Preparation and Licensure Board, any other person necessary to the decision of hiring the applicant for employment, or for clarification purposes the Illinois State Police or Statewide Sex Offender Database, or both. A copy of the record of convictions obtained from the Illinois State Police shall be provided to the applicant for employment. Upon the check of the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database, the school district or regional superintendent shall notify an applicant as to whether or not the applicant has been identified in the Database. If a check of an applicant for employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee in more than one school district
was requested by the regional superintendent, and the Illinois State Police upon a check ascertains that the applicant has not been convicted of any of the enumerated criminal or drug offenses in subsection (c) of this Section or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State and so notifies the regional superintendent and if the regional superintendent upon a check ascertains that the applicant has not been identified in the Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database, then the regional superintendent shall issue to the applicant a certificate evidencing that as of the date specified by the Illinois State Police the applicant has not been convicted of any of the enumerated criminal or drug offenses in subsection (c) of this Section or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State and evidencing that as of the date that the regional superintendent conducted a check of the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database, the applicant has not been identified in the Database. The school board of any school district may rely on the certificate issued by any regional superintendent to that substitute teacher, concurrent part-time teacher, or concurrent educational support personnel employee or may initiate its own criminal history records check of the applicant through the Illinois State Police and its own check of the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database as provided in this Section. Any unauthorized release of confidential information may be a violation of Section 7 of the Criminal Identification Act.

(b-5) If a criminal history records check or check of the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database is performed by a regional superintendent for an applicant seeking employment as a substitute teacher with a school district, the regional superintendent may disclose to the State Board of Education whether the applicant has been issued a certificate under subsection (b) based on those checks. If the State Board receives information on an applicant under this subsection, then it must indicate in the Educator Licensure Information System for a 90-day period that the applicant has been issued or has not been issued a certificate.

(c) No school board shall knowingly employ a person who has been convicted of any offense that would subject him or her to license suspension or revocation pursuant to Section 21B-80 of this Code, except as provided under subsection (b) of Section 21B-80. Further, no school board shall knowingly employ a person who has been found to be the perpetrator of sexual or physical abuse of any minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987. As a condition of employment, each school board must consider the status of a person who has been issued an indicated finding of abuse or neglect of a child by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act or by a child welfare agency of another jurisdiction.

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

(e) Within 10 days after a superintendent, regional office of education, or entity that provides background checks of license holders to public schools receives information of a pending criminal charge
against a license holder for an offense set forth in Section 21B-80 of this Code, the superintendent, regional office of education, or entity must notify the State Superintendent of Education of the pending criminal charge.

If permissible by federal or State law, no later than 15 business days after receipt of a record of conviction or of checking the Statewide Murderer and Violent Offender Against Youth Database or the Statewide Sex Offender Database and finding a registration, the superintendent of the employing school board or the applicable regional superintendent shall, in writing, notify the State Superintendent of Education of any license holder who has been convicted of a crime set forth in Section 21B-80 of this Code. Upon receipt of the record of a conviction of or a finding of child abuse by a holder of any license issued pursuant to Article 21B or Section 34-8.1 or 34-83 of the School Code, the State Superintendent of Education may initiate licensure suspension and revocation proceedings as authorized by law. If the receipt of the record of conviction or finding of child abuse is received within 6 months after the initial grant of or renewal of a license, the State Superintendent of Education may rescind the license holder's license.

(e-5) The superintendent of the employing school board shall, in writing, notify the State Superintendent of Education and the applicable regional superintendent of schools of any license holder whom he or she has reasonable cause to believe has committed an intentional act of abuse or neglect with the result of making a child an abused child or a neglected child, as defined in Section 3 of the Abused and Neglected Child Reporting Act, and that act resulted in the license holder’s dismissal or resignation from the school district. This notification must be submitted within 30 days after the dismissal or resignation and must include the Illinois Educator Identification Number (IEIN) of the license holder and a brief description of the misconduct alleged. The license holder must also be contemporaneously sent a copy of the notice by the superintendent. All correspondence, documentation, and other information so received by the regional superintendent of schools, the State Superintendent of Education, the State Board of Education, or the State Educator Preparation and Licensure Board under this subsection (e-5) is confidential and must not be disclosed to third parties, except (i) as necessary for the State Superintendent of Education or his or her designee to investigate and prosecute pursuant to Article 21B of this Code, (ii) pursuant to a court order, (iii) for disclosure to the license holder or his or her representative, or (iv) as otherwise provided in this Article and provided that any such information admitted into evidence in a hearing is exempt from this confidentiality and non-disclosure requirement. Except for an act of willful or wanton misconduct, any superintendent who provides notification as required in this subsection (e-5) shall have immunity from any liability, whether civil or criminal or that otherwise might result by reason of such action.

(f) After January 1, 1990 the provisions of this Section shall apply to all employees of persons or firms holding contracts with any school district including, but not limited to, food service workers, school bus drivers and other transportation employees, who have direct, daily contact with the pupils of any school in such district. For purposes of criminal history records checks and checks of the Statewide Sex Offender Database on employees of persons or firms holding contracts with more than one school district and assigned to more than one school district, the regional superintendent of the educational service region in which the contracting school districts are located may, at the request of any such school district, be responsible for receiving the authorization for a criminal history records check prepared by each such employee and submitting the same to the Illinois State Police and for conducting a check of the Statewide Sex Offender Database for each employee. Any information concerning the
record of conviction and identification as a sex offender of any such employee obtained by the regional superintendent shall be promptly reported to the president of the appropriate school board or school boards.

(f-5) Upon request of a school or school district, any information obtained by a school district pursuant to subsection (f) of this Section within the last year must be made available to the requesting school or school district.

(g) Prior to the commencement of any student teaching experience or required internship (which is referred to as student teaching in this Section) in the public schools, a student teacher is required to authorize a fingerprint-based criminal history records check. Authorization for and payment of the costs of the check must be furnished by the student teacher to the school district where the student teaching is to be completed. Upon receipt of this authorization and payment, the school district shall submit the student teacher's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers, as prescribed by the Illinois State Police, to the Illinois State Police. The Illinois State Police and the Federal Bureau of Investigation shall furnish, pursuant to a fingerprint-based criminal history records check, records of convictions, forever and hereinafter, until expunged, to the president of the school board for the school district that requested the check. The Illinois State Police shall charge the school district a fee for conducting the check, which fee must not exceed the cost of the inquiry and must be deposited into the State Police Services Fund. The school district shall further perform a check of the Statewide Sex Offender Database, as authorized by the Sex Offender Community Notification Law, and of the Statewide Murderer and Violent Offender Against Youth Database, as authorized by the Murderer and Violent Offender Against Youth Registration Act, for each student teacher. No school board may knowingly allow a person to student teach for whom a criminal history records check, a Statewide Sex Offender Database check, and a Statewide Murderer and Violent Offender Against Youth Database check have not been completed and reviewed by the district.

A copy of the record of convictions obtained from the Illinois State Police must be provided to the student teacher. Any information concerning the record of convictions obtained by the president of the school board is confidential and may only be transmitted to the superintendent of the school district or his or her designee, the State Superintendent of Education, the State Educator Preparation and Licensure Board, or, for clarification purposes, the Illinois State Police or the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database. Any unauthorized release of confidential information may be a violation of Section 7 of the Criminal Identification Act.

No school board shall knowingly allow a person to student teach who has been convicted of any offense that would subject him or her to license suspension or revocation pursuant to subsection (c) of Section 21B-80 of this Code, except as provided under subsection (b) of Section 21B-80. Further, no school board shall allow a person to student teach if he or she has been found to be the perpetrator of sexual or physical abuse of a minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987. Each school board must consider the status of a person to student teach who has been issued an indicated finding of abuse or neglect of a child by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act or by a child welfare agency of another jurisdiction.

(h) (Blank).
Sec. 10-21.9. Criminal history records checks and checks of the Statewide Sex Offender Database and Statewide Murderer and Violent Offender Against Youth Database.

(a) Licensed and nonlicensed applicants for employment with a school district, except school bus driver applicants, are required as a condition of employment to authorize a fingerprint-based criminal history records check to determine if such applicants have been convicted of any disqualifying, enumerated criminal or drug offenses in subsection (c) of this Section or have been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State. Authorization for the check shall be furnished by the applicant to the school district, except that if the applicant is a substitute teacher seeking employment in more than one school district, a teacher seeking concurrent part-time employment positions with more than one school district (as a reading specialist, special education teacher or otherwise), or an educational support personnel employee seeking employment positions with more than one district, any such district may require the applicant to furnish authorization for the check to the regional superintendent of the educational service region in which are located the school districts in which the applicant is seeking employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee. Upon receipt of this authorization, the school district or the appropriate regional superintendent, as the case may be, shall submit the applicant’s name, sex, race, date of birth, social security number, fingerprint images, and other identifiers, as prescribed by the Illinois State Police, to the Illinois State Police. The regional superintendent submitting the requisite information to the Illinois State Police shall promptly notify the school districts in which the applicant is seeking employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee that the check of the applicant has been requested. The Illinois State Police and the Federal Bureau of Investigation shall furnish, pursuant to a fingerprint-based criminal history records check, records of convictions, forever and hereinafter, until expunged, to the president of the school board for the school district that requested the check, or to the regional superintendent who requested the check. The Illinois State Police shall charge the school district or the appropriate regional superintendent a fee for conducting such check, which fee shall be deposited in the State Police Services Fund and shall not exceed the cost of the inquiry; and the applicant shall not be charged a fee for such check by the school district or by the regional superintendent, except that those applicants seeking employment as a substitute teacher with a school district may be charged a fee not to exceed the cost of the inquiry. Subject to appropriations for these purposes, the State Superintendent of Education shall reimburse school districts and regional superintendents for fees paid to obtain criminal history records checks under this Section.

(a-5) The school district or regional superintendent shall further perform a check of the Statewide Sex Offender Database, as authorized by the Sex Offender Community Notification Law, for each applicant. The check of the Statewide Sex Offender Database must be conducted by the school district or regional superintendent once for every 5 years that an applicant remains employed by the school district.
(a-6) The school district or regional superintendent shall further perform a check of the Statewide Murderer and Violent Offender Against Youth Database, as authorized by the Murderer and Violent Offender Against Youth Community Notification Law, for each applicant. The check of the Murderer and Violent Offender Against Youth Database must be conducted by the school district or regional superintendent once for every 5 years that an applicant remains employed by the school district.

(b) Any information concerning the record of convictions obtained by the president of the school board or the regional superintendent shall be confidential and may only be transmitted to the superintendent of the school district or his designee, the appropriate regional superintendent if the check was requested by the school district, the presidents of the appropriate school boards if the check was requested from the Illinois State Police by the regional superintendent, the State Board of Education and a school district as authorized under subsection (b-5), the State Superintendent of Education, the State Educator Preparation and Licensure Board, any other person necessary to the decision of hiring the applicant for employment, or for clarification purposes the Illinois State Police or Statewide Sex Offender Database, or both. A copy of the record of convictions obtained from the Illinois State Police shall be provided to the applicant for employment. Upon the check of the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database, the school district or regional superintendent shall notify an applicant as to whether or not the applicant has been identified in the Database. If a check of an applicant for employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee in more than one school district was requested by the regional superintendent, and the Illinois State Police upon a check ascertains that the applicant has not been convicted of any of the enumerated criminal or drug offenses in subsection (c) of this Section or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State and so notifies the regional superintendent and if the regional superintendent upon a check ascertains that the applicant has not been identified in the Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database, then the regional superintendent shall issue to the applicant a certificate evidencing that as of the date specified by the Illinois State Police the applicant has not been convicted of any of the enumerated criminal or drug offenses in subsection (c) of this Section or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State and evidencing that as of the date that the regional superintendent conducted a check of the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database, the applicant has not been identified in the Database. The school board of any school district may rely on the certificate issued by any regional superintendent to that substitute teacher, concurrent part-time teacher, or concurrent educational support personnel employee or may initiate its own criminal history records check of the applicant through the Illinois State Police and its own check of the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database as provided in this Section. Any unauthorized release of confidential information may be a violation of Section 7 of the Criminal Identification Act.
(b-5) If a criminal history records check or check of the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database is performed by a regional superintendent for an applicant seeking employment as a substitute teacher with a school district, the regional superintendent may disclose to the State Board of Education whether the applicant has been issued a certificate under subsection (b) based on those checks. If the State Board receives information on an applicant under this subsection, then it must indicate in the Educator Licensure Information System for a 90-day period that the applicant has been issued or has not been issued a certificate.

(c) No school board shall knowingly employ a person who has been convicted of any offense that would subject him or her to license suspension or revocation pursuant to Section 21B-80 of this Code, except as provided under subsection (b) of Section 21B-80. Further, no school board shall knowingly employ a person who has been found to be the perpetrator of sexual or physical abuse of any minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987. As a condition of employment, each school board must consider the status of a person who has been issued an indicated finding of abuse or neglect of a child by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act or by a child welfare agency of another jurisdiction.

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

(e) Within 10 days after a superintendent, regional office of education, or entity that provides background checks of license holders to public schools receives information of a pending criminal charge against a license holder for an offense set forth in Section 21B-80 of this Code, the superintendent, regional office of education, or entity must notify the State Superintendent of Education of the pending criminal charge.

If permissible by federal or State law, no later than 15 business days after receipt of a record of conviction or of checking the Statewide Murderer and Violent Offender Against Youth Database or the Statewide Sex Offender Database and finding a registration, the superintendent of the employing school board or the applicable regional superintendent shall, in writing, notify the State Superintendent of Education of any license holder who has been convicted of a crime set forth in Section 21B-80 of this Code. Upon receipt of the record of a conviction or a finding of child abuse by a holder of any license issued pursuant to Article 21B or Section 34-8.1 of this Code, the State Superintendent of Education may initiate licensure suspension and revocation proceedings as authorized by law. If the receipt of the record of conviction or finding of child abuse is received within 6 months after the initial grant of or renewal of a license, the State Superintendent of Education may rescind the license holder's license.

(e-5) The superintendent of the employing school board shall, in writing, notify the State Superintendent of Education and the applicable regional superintendent of schools of any license holder whom he or she has reasonable cause to believe has committed an intentional act of abuse or neglect with the result of making a child an abused child or a neglected child, as defined in Section 3 of the Abused and Neglected Child Reporting Act, and that act resulted in the license holder's dismissal or resignation from the school district. This notification must be submitted within 30 days after the dismissal or resignation and must include the Illinois Educator Identification Number (IEIN) of the license holder and a brief description of the misconduct alleged. The license holder must also be contemporaneously sent a copy of the notice by the superintendent. All correspondence, documentation, and other information so received by the regional superintendent of schools, the State
Superintendent of Education, the State Board of Education, or the State Educator Preparation and Licensure Board under this subsection (e-5) is confidential and must not be disclosed to third parties, except (i) as necessary for the State Superintendent of Education or his or her designee to investigate and prosecute pursuant to Article 21B of this Code, (ii) pursuant to a court order, (iii) for disclosure to the license holder or his or her representative, or (iv) as otherwise provided in this Article and provided that any such information admitted into evidence in a hearing is exempt from this confidentiality and non-disclosure requirement. Except for an act of willful or wanton misconduct, any superintendent who provides notification as required in this subsection (e-5) shall have immunity from any liability, whether civil or criminal or that otherwise might result by reason of such action.

(f) After January 1, 1990 the provisions of this Section shall apply to all employees of persons or firms holding contracts with any school district including, but not limited to, food service workers, school bus drivers and other transportation employees, who have direct, daily contact with the pupils of any school in such district. For purposes of criminal history records checks and checks of the Statewide Sex Offender Database on employees of persons or firms holding contracts with more than one school district and assigned to more than one school district, the regional superintendent of the educational service region in which the contracting school districts are located may, at the request of any such school district, be responsible for receiving the authorization for a criminal history records check prepared by each such employee and submitting the same to the Illinois State Police and for conducting a check of the Statewide Sex Offender Database for each employee. Any information concerning the record of conviction and identification as a sex offender of any such employee obtained by the regional superintendent shall be promptly reported to the president of the appropriate school board or school boards.

(f-5) Upon request of a school or school district, any information obtained by a school district pursuant to subsection (f) of this Section within the last year must be made available to the requesting school or school district.

(g) Prior to the commencement of any student teaching experience or required internship (which is referred to as student teaching in this Section) in the public schools, a student teacher is required to authorize a fingerprint-based criminal history records check. Authorization for and payment of the costs of the check must be furnished by the student teacher to the school district where the student teaching is to be completed. Upon receipt of this authorization and payment, the school district shall submit the student teacher's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers, as prescribed by the Illinois State Police, to the Illinois State Police. The Illinois State Police and the Federal Bureau of Investigation shall furnish, pursuant to a fingerprint-based criminal history records check, records of convictions, forever and hereinafter, until expunged, to the president of the school board for the school district that requested the check. The Illinois State Police shall charge the school district a fee for conducting the check, which fee must not exceed the cost of the inquiry and must be deposited into the State Police Services Fund. The school district shall further perform a check of the Statewide Sex Offender Database, as authorized by the Sex Offender Community Notification Law, and of the Statewide Murderer and Violent Offender Against Youth Database, as authorized by the Murderer and Violent Offender Against Youth Registration Act, for each student teacher. No school board may knowingly allow a person to student teach for whom a criminal history records check, a Statewide Sex Offender Database check, and a Statewide Murderer and Violent Offender Against Youth Database check have not been completed and reviewed by the district.
A copy of the record of convictions obtained from the Illinois State Police must be provided to the student teacher. Any information concerning the record of convictions obtained by the president of the school board is confidential and may only be transmitted to the superintendent of the school district or his or her designee, the State Superintendent of Education, the State Educator Preparation and Licensure Board, or, for clarification purposes, the Illinois State Police or the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database. Any unauthorized release of confidential information may be a violation of Section 7 of the Criminal Identification Act.

No school board shall knowingly allow a person to student teach who has been convicted of any offense that would subject him or her to license suspension or revocation pursuant to subsection (c) of Section 21B-80 of this Code, except as provided under subsection (b) of Section 21B-80. Further, no school board shall allow a person to student teach if he or she has been found to be the perpetrator of sexual or physical abuse of a minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987. Each school board must consider the status of a person to student teach who has been issued an indicated finding of abuse or neglect of a child by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act or by a child welfare agency of another jurisdiction.

(h) (Blank).

(Source: P.A. 101-72, eff. 7-12-19; 101-531, eff. 8-23-19; 101-643, eff. 6-18-20; 102-538, eff. 8-20-21; 102-552, eff. 1-1-22; 102-894, eff. 5-20-22.)

(Text of Section from P.A. 102-1071)

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

(a) Licensed and nonlicensed applicants for employment with a school district, except school bus driver applicants, are required as a condition of employment to authorize a fingerprint-based criminal history records check to determine if such applicants have been convicted of any disqualifying, enumerated criminal or drug offenses in subsection (c) of this Section or have been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State. Authorization for the check shall be furnished by the applicant to the school district, except that if the applicant is a substitute teacher seeking employment in more than one school district, a teacher seeking concurrent part-time employment positions with more than one school district (as a reading specialist, special education teacher or otherwise), or an educational support personnel employee seeking employment positions with more than one district, any such district may require the applicant to furnish authorization for the check to the regional superintendent of the educational service region in which are located the school districts in which the applicant is seeking employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee. Upon receipt of this authorization, the school district or the appropriate regional superintendent, as the case may be, shall submit the applicant's name, sex, race, date of birth, social security number,
fingerprint images, and other identifiers, as prescribed by the Illinois State Police, to the Illinois State Police. The regional superintendent submitting the requisite information to the Illinois State Police shall promptly notify the school districts in which the applicant is seeking employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee that the check of the applicant has been requested. The Illinois State Police and the Federal Bureau of Investigation shall furnish, pursuant to a fingerprint-based criminal history records check, records of convictions, forever and hereinafter, until expunged, to the president of the school board for the school district that requested the check, or to the regional superintendent who requested the check. The Illinois State Police shall charge the school district or the appropriate regional superintendent a fee for conducting such check, which fee shall be deposited in the State Police Services Fund and shall not exceed the cost of the inquiry; and the applicant shall not be charged a fee for such check by the school district or by the regional superintendent, except that those applicants seeking employment as a substitute teacher with a school district may be charged a fee not to exceed the cost of the inquiry. Subject to appropriations for these purposes, the State Superintendent of Education shall reimburse school districts and regional superintendents for fees paid to obtain criminal history records checks under this Section.

(a-5) The school district or regional superintendent shall further perform a check of the Statewide Sex Offender Database, as authorized by the Sex Offender Community Notification Law, for each applicant. The check of the Statewide Sex Offender Database must be conducted by the school district or regional superintendent once for every 5 years that an applicant remains employed by the school district.

(a-6) The school district or regional superintendent shall further perform a check of the Statewide Murderer and Violent Offender Against Youth Database, as authorized by the Murderer and Violent Offender Against Youth Community Notification Law, for each applicant. The check of the Murderer and Violent Offender Against Youth Database must be conducted by the school district or regional superintendent once for every 5 years that an applicant remains employed by the school district.

(b) Any information concerning the record of convictions obtained by the president of the school board or the regional superintendent shall be confidential and may only be transmitted to the superintendent of the school district or his designee, the appropriate regional superintendent if the check was requested by the school district, the presidents of the appropriate school boards if the check was requested from the Illinois State Police by the regional superintendent, the State Board of Education and a school district as authorized under subsection (b-5), the State Superintendent of Education, the State Educator Preparation and Licensure Board, any other person necessary to the decision of hiring the applicant for employment, or for clarification purposes the Illinois State Police or Statewide Sex Offender Database, or both. A copy of the record of convictions obtained from the Illinois State Police shall be provided to the applicant for employment. Upon the check of the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database, the school district or regional superintendent shall notify an applicant as to whether or not the applicant has been identified in the Database. If a check of an applicant for employment as a substitute or concurrent part-time teacher or concurrent educational support personnel employee in more than one school district was requested by the regional superintendent, and the Illinois State Police upon a check ascertains that the applicant has not been convicted of any of the enumerated criminal or drug offenses in subsection (c) of this Section or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in
this State, would have been punishable as a felony under the laws of this State and so notifies the regional superintendent and if the regional superintendent upon a check ascertains that the applicant has not been identified in the Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database, then the regional superintendent shall issue to the applicant a certificate evidencing that as of the date specified by the Illinois State Police the applicant has not been convicted of any of the enumerated criminal or drug offenses in subsection (c) of this Section or has not been convicted, within 7 years of the application for employment with the school district, of any other felony under the laws of this State or of any offense committed or attempted in any other state or against the laws of the United States that, if committed or attempted in this State, would have been punishable as a felony under the laws of this State and evidencing that as of the date that the regional superintendent conducted a check of the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database, the applicant has not been identified in the Database. The school board of any school district may rely on the certificate issued by any regional superintendent to that substitute teacher, concurrent part-time teacher, or concurrent educational support personnel employee or may initiate its own criminal history records check of the applicant through the Illinois State Police and its own check of the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database as provided in this Section. Any unauthorized release of confidential information may be a violation of Section 7 of the Criminal Identification Act.

(b-5) If a criminal history records check or check of the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database is performed by a regional superintendent for an applicant seeking employment as a substitute teacher with a school district, the regional superintendent may disclose to the State Board of Education whether the applicant has been issued a certificate under subsection (b) based on those checks. If the State Board receives information on an applicant under this subsection, then it must indicate in the Educator Licensure Information System for a 90-day period that the applicant has been issued or has not been issued a certificate.

(c) No school board shall knowingly employ a person who has been convicted of any offense that would subject him or her to license suspension or revocation pursuant to Section 21B-80 of this Code, except as provided under subsection (b) of Section 21B-80. Further, no school board shall knowingly employ a person who has been found to be the perpetrator of sexual or physical abuse of any minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987. As a condition of employment, each school board must consider the status of a person who has been issued an indicated finding of abuse or neglect of a child by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act or by a child welfare agency of another jurisdiction.

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

(e) Within 10 days after a superintendent, regional office of education, or entity that provides background checks of license holders to public schools receives information of a pending criminal charge against a license holder for an offense set forth in Section 21B-80 of this Code, the superintendent, regional office of education, or entity must notify the State Superintendent of Education of the pending criminal charge.

If permissible by federal or State law, no later than 15 business days after receipt of a record of conviction or of checking the Statewide Murderer and Violent Offender Against Youth Database or the
Statewide Sex Offender Database and finding a registration, the superintendent of the employing school board or the applicable regional superintendent shall, in writing, notify the State Superintendent of Education of any license holder who has been convicted of a crime set forth in Section 21B-80 of this Code. Upon receipt of the record of a conviction of or a finding of child abuse by a holder of any license issued pursuant to Article 21B or Section 34-8.1 of this Code, the State Superintendent of Education may initiate licensure suspension and revocation proceedings as authorized by law. If the receipt of the record of conviction or finding of child abuse is received within 6 months after the initial grant of or renewal of a license, the State Superintendent of Education may rescind the license holder's license.

(e-5) The superintendent of the employing school board shall, in writing, notify the State Superintendent of Education and the applicable regional superintendent of schools of any license holder whom he or she has reasonable cause to believe has committed an intentional act of abuse or neglect with the result of making a child an abused child or a neglected child, as defined in Section 3 of the Abused and Neglected Child Reporting Act, and that act resulted in the license holder's dismissal or resignation from the school district. This notification must be submitted within 30 days after the dismissal or resignation and must include the Illinois Educator Identification Number (IEIN) of the license holder and a brief description of the misconduct alleged. The license holder must also be contemporaneously sent a copy of the notice by the superintendent. All correspondence, documentation, and other information so received by the regional superintendent of schools, the State Superintendent of Education, the State Board of Education, or the State Educator Preparation and Licensure Board under this subsection (e-5) is confidential and must not be disclosed to third parties, except (i) as necessary for the State Superintendent of Education or his or her designee to investigate and prosecute pursuant to Article 21B of this Code, (ii) pursuant to a court order, (iii) for disclosure to the license holder or his or her representative, or (iv) as otherwise provided in this Article and provided that any such information admitted into evidence in a hearing is exempt from this confidentiality and non-disclosure requirement. Except for an act of willful or wanton misconduct, any superintendent who provides notification as required in this subsection (e-5) shall have immunity from any liability, whether civil or criminal or that otherwise might result by reason of such action.

(f) After January 1, 1990 the provisions of this Section shall apply to all employees of persons or firms holding contracts with any school district including, but not limited to, food service workers, school bus drivers and other transportation employees, who have direct, daily contact with the pupils of any school in such district. For purposes of criminal history records checks and checks of the Statewide Sex Offender Database on employees of persons or firms holding contracts with more than one school district and assigned to more than one school district, the regional superintendent of the educational service region in which the contracting school districts are located may, at the request of any such school district, be responsible for receiving the authorization for a criminal history records check prepared by each such employee and submitting the same to the Illinois State Police and for conducting a check of the Statewide Sex Offender Database for each employee. Any information concerning the record of conviction and identification as a sex offender of any such employee obtained by the regional superintendent shall be promptly reported to the president of the appropriate school board or school boards.

(f-5) Upon request of a school or school district, any information obtained by a school district pursuant to subsection (f) of this Section within the last year must be made available to the requesting school or school district.
(g) Prior to the commencement of any student teaching experience or required internship (which is referred to as student teaching in this Section) in the public schools, a student teacher is required to authorize a fingerprint-based criminal history records check. Authorization for and payment of the costs of the check must be furnished by the student teacher to the school district where the student teaching is to be completed. Upon receipt of this authorization and payment, the school district shall submit the student teacher's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers, as prescribed by the Illinois State Police, to the Illinois State Police. The Illinois State Police and the Federal Bureau of Investigation shall furnish, pursuant to a fingerprint-based criminal history records check, records of convictions, forever and hereinafter, until expunged, to the president of the school board for the school district that requested the check. The Illinois State Police shall charge the school district a fee for conducting the check, which fee must not exceed the cost of the inquiry and must be deposited into the State Police Services Fund. The school district shall further perform a check of the Statewide Sex Offender Database, as authorized by the Sex Offender Community Notification Law, and of the Statewide Murderer and Violent Offender Against Youth Database, as authorized by the Murderer and Violent Offender Against Youth Registration Act, for each student teacher. No school board may knowingly allow a person to student teach for whom a criminal history records check, a Statewide Sex Offender Database check, and a Statewide Murderer and Violent Offender Against Youth Database check have not been completed and reviewed by the district.

A copy of the record of convictions obtained from the Illinois State Police must be provided to the student teacher. Any information concerning the record of convictions obtained by the president of the school board is confidential and may only be transmitted to the superintendent of the school district or his or her designee, the State Superintendent of Education, the State Educator Preparation and Licensure Board, or, for clarification purposes, the Illinois State Police or the Statewide Sex Offender Database or Statewide Murderer and Violent Offender Against Youth Database. Any unauthorized release of confidential information may be a violation of Section 7 of the Criminal Identification Act.

No school board shall knowingly allow a person to student teach who has been convicted of any offense that would subject him or her to license suspension or revocation pursuant to subsection (c) of Section 21B-80 of this Code, except as provided under subsection (b) of Section 21B-80. Further, no school board shall allow a person to student teach if he or she has been found to be the perpetrator of sexual or physical abuse of a minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987. Each school board must consider the status of a person to student teach who has been issued an indicated finding of abuse or neglect of a child by the Department of Children and Family Services under the Abused and Neglected Child Reporting Act or by a child welfare agency of another jurisdiction.

(h) (Blank).

(Source: P.A. 101-72, eff. 7-12-19; 101-531, eff. 8-23-19; 101-643, eff. 6-18-20; 102-538, eff. 8-20-21; 102-552, eff. 1-1-22; 102-1071, eff. 6-10-22.)

(105 ILCS 5/10-21.10) (from Ch. 122, par. 10-21.10)

Sec. 10-21.10. Electronic paging devices on school property. (a) The General Assembly finds and declares that the educational development of all persons to the limits of their capacities is a fundamental goal of the people of this State, that to achieve such goal it is essential to provide a safe
and secure learning environment within the public schools, and that the unrestricted and unregulated use by students of pocket pagers and similar electronic paging devices on school grounds or in school buildings which are owned, occupied or leased by a school board for school purposes and activities adversely affects the educational environment, welfare and safety of students enrolled in the public schools, in that pocket pagers and similar electronic paging devices are being regularly used for the conduct of unlawful activities during school hours and on school property, including activities directly related to the unlawful possession, sale, delivery or other trafficking in drugs or other substances which constitute a "controlled substance" as that term is defined in the Illinois Controlled Substances Act. It is the purpose and intention of the General Assembly, in enacting this legislation, to reduce or eliminate the occurrence of such unlawful activities during school hours and on school property by restricting and regulating student use or possession of pocket pagers and similar electronic paging devices as provided in this Section, and by providing for the imposition of appropriate discipline and sanctions for any violation of the provisions of this Section.

(b) No student shall use or have in his or her possession any pocket pager or similar electronic paging device while in any school building or on any school property, during regular school hours or at any other time, unless the use or possession of such device by such student has first been expressly authorized by the school board acting in accordance with standards developed as provided in subsection (c) for the granting of approved exceptions to the general prohibition of this Section against such use or possession.

(c) The school board shall develop and promulgate written standards under which the board:

(1) may authorize the use or possession of a pocket pager or similar electronic paging device by a student while in a school building or on school property as an approved exception to the general prohibition of this Section against such use or possession; and

(2) may impose appropriate discipline or other sanctions against any student who violates any provision of this Section.

(Source: P.A. 86-791.)

(105 ILCS 5/10-21.11) (from Ch. 122, par. 10-21.11)

Sec. 10-21.11. Infectious disease policies and rules. To develop policies and adopt rules relating to the appropriate manner of managing children with chronic infectious diseases, not inconsistent with guidelines published by the State Board of Education and the Illinois Department of Public Health. Such policies and rules must include evaluation of students with a chronic infectious disease on an individual case-by-case basis, and may include different provisions for different age groups, classes of instruction, types of educational institution, and other reasonable classifications, as the school board may find appropriate.

This requirement applies to all school districts and public schools of this State, including special charter districts, Department of Corrections school districts, laboratory schools operated by the governing board of a public university, and alternative schools operated by a regional superintendent of schools.

(Source: P.A. 86-890; 86-1028.)
Sec. 10-21.12. Transfer of teachers. The employment of a teacher transferred from one board or administrative agent to the control of a new or different board or administrative agent shall be considered continuous employment if such transfer of employment occurred by reason of any of the following events:

1. a boundary change or the creation or reorganization of any school district pursuant to Article 7 or 11E; or
2. the deactivation or reactivation of any high school or elementary school pursuant to Section 10-22.22b; or
3. the creation, expansion, reduction or dissolution of a special education program pursuant to Section 10-22.31, or the creation, expansion, reduction or dissolution of a joint educational program established under Section 10-22.31a; or
4. the creation, expansion, reduction, termination or dissolution of any joint agreement program operated by a regional superintendent, governing board, or other administrative agent or any program operated pursuant to an Intergovernmental Joint Agreement. The changes made by this amendatory Act of 1990 are declaratory of existing law.

Sec. 10-22. (Repealed)

Sec. 10-22.1. Book for records.

To purchase a suitable book for their records.

Sec. 10-22.2. Compensation of clerk or secretary.

To allow the clerk or secretary a reasonable compensation for services, payable out of money not otherwise appropriated.

Sec. 10-22.3. Liability insurance for school board members, school board employees and student teachers. To insure against any loss or liability of the school district, members of school boards, employees, volunteer personnel authorized in Sections 10-22.34, 10-22.34a and 10-22.34b of this Code and student teachers by reason of civil rights damage claims and suits, constitutional rights damage
claims and suits and death and bodily injury and property damage claims and suits, including defense thereof, when damages are sought for negligent or wrongful acts allegedly committed during the scope of employment or under the direction of the school board. Such insurance shall be carried in a company licensed to write such coverage in this State.

(Source: P.A. 79-210.)

(105 ILCS 5/10-22.3a) (from Ch. 122, par. 10-22.3a)

Sec. 10-22.3a. To provide for or to participate in provisions for insurance protection and benefits for its employees and their dependents including but not limited to retirement annuities, medical, surgical and hospitalization benefits in such types and amounts, if any, as shall be determined by the board, for the purpose of aiding in securing and retaining the services of competent employees. Where employee participation in such provisions is involved, the board, with the consent of the employee, may withhold deductions from the employee's salary necessary to defray the employee's share of such insurance costs. Such insurance or benefits may be contracted for only with an insurance company authorized to do business in this State. Such insurance may include provisions for employees and their dependents who rely on treatment by prayer or spiritual means alone for healing, in accordance with the tenets and practice of a recognized religious denomination.

For purposes of this Section, the term "dependent" means an employee's spouse and any unmarried child (1) under the age of 19 years including (a) an adopted child and (b) a step-child or recognized child who lives with the employee in a regular parent-child relationship, or (2) under the age of 23 who is enrolled as a full-time student in any accredited school, college or university. Nothing contained in this Code may preclude an elected school board member from participating in a group health insurance program provided to an employee of the school district that the board member serves if the board member is a dependent of that employee.

(Source: P.A. 94-410, eff. 8-2-05.)

(105 ILCS 5/10-22.3b) (from Ch. 122, par. 10-22.3b)

Sec. 10-22.3b. Health insurance for retired teachers. To make health insurance premium payments to the Teachers' Retirement System of the State of Illinois for those costs of participating in the health benefit program established under Article 16 of the Illinois Pension Code that are not paid by the System and for the cost of premiums charged for participation in the health benefit program established under Section 6.5 of the State Employees Group Insurance Act of 1971, for eligible participants who retired from the school district.

(Source: P.A. 89-25, eff. 6-21-95.)

(105 ILCS 5/10-22.3c) (from Ch. 122, par. 10-22.3c)

Sec. 10-22.3c. Orders of protection. To prohibit the disclosure by any school employee to any person against whom the school district has received a certified copy of an order of protection the location or address of the petitioner for the order of protection or the identity of the schools in the district in which the petitioner's child or children are enrolled. The school district shall maintain the copy of the order of protection in the records of the child or children enrolled in the district whose parent is the petitioner of an order of protection.
Sec. 10-22.3d. Woman's health care provider. Insurance protection and benefits for employees are subject to the provisions of Section 356r of the Illinois Insurance Code.

(Source: P.A. 89-514, eff. 7-17-96; 90-14, eff. 7-1-97.)

Sec. 10-22.3e. Post-parturition care. Insurance protection and benefits for employees shall provide the post-parturition care benefits required to be covered by a policy of accident and health insurance under Section 356s of the Illinois Insurance Code.

(Source: P.A. 89-513, eff. 9-15-96; 90-14, eff. 7-1-97.)

Sec. 10-22.3f. Required health benefits. Insurance protection and benefits for employees shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356q, 356u, 356w, 356x, 356z.6, 356z.8, 356z.9, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, 356z.51, and 356z.53 of the Illinois Insurance Code. Insurance policies shall comply with Section 356z.19 of the Illinois Insurance Code. The coverage shall comply with Sections 155.22a, 355b, and 370c of the Illinois Insurance Code. The Department of Insurance shall enforce the requirements of this Section.

Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 101-81, eff. 7-12-19; 101-281, eff. 1-1-21; 102-30, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-731, eff. 1-1-23; 102-804, eff. 1-1-23; 102-816, eff. 1-1-23; 102-860, eff. 1-1-23; 102-1093, eff. 1-1-23.)

Sec. 10-22.3f. Required health benefits. Insurance protection and benefits for employees shall provide the post-mastectomy care benefits required to be covered by a policy of accident and health insurance under Section 356t and the coverage required under Sections 356g, 356g.5, 356g.5-1, 356q, 356u, 356w, 356x, 356z.6, 356z.8, 356z.9, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47, and 356z.51 of the Illinois Insurance Code. Insurance policies shall comply with Section 356z.19 of the Illinois
Insurance Code. The coverage shall comply with Sections 155.22a, 355b, and 370c of the Illinois Insurance Code. The Department of Insurance shall enforce the requirements of this Section.

Rulemaking authority to implement Public Act 95-1045, if any, is conditioned on the rules being adopted in accordance with all provisions of the Illinois Administrative Procedure Act and all rules and procedures of the Joint Committee on Administrative Rules; any purported rule not so adopted, for whatever reason, is unauthorized.

(Source: P.A. 101-81, eff. 7-12-19; 101-281, eff. 1-1-20; 101-393, eff. 1-1-20; 101-461, eff. 1-1-20; 101-625, eff. 1-1-21; 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203, eff. 1-1-22; 102-306, eff. 1-1-22; 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; 102-813, eff. 5-13-22.)

(105 ILCS 5/10-22.4) (from Ch. 122, par. 10-22.4)

Sec. 10-22.4. Dismissal of teachers. To dismiss a teacher for incompetency, cruelty, negligence, immorality or other sufficient cause, to dismiss any teacher on the basis of performance and to dismiss any teacher whenever, in its opinion, he is not qualified to teach, or whenever, in its opinion, the interests of the schools require it, subject, however, to the provisions of Sections 24-10 to 24-16.5, inclusive. Temporary mental or physical incapacity to perform teaching duties, as found by a medical examination, is not a cause for dismissal. Marriage is not a cause of removal.

(Source: P.A. 97-8, eff. 6-13-11.)

(105 ILCS 5/10-22.4a) (from Ch. 122, par. 10-22.4a)

Sec. 10-22.4a. Arbitration of disputes. The school board may enter into agreements with employees or representatives of employees to resolve disputes and grievances by binding arbitration before disinterested third parties.

(Source: P.A. 82-107.)

(105 ILCS 5/10-22.5) (from Ch. 122, par. 10-22.5)

Sec. 10-22.5. Assignment of pupils to schools - Non-resident pupils - Tuition - Race discrimination. To assign pupils to the several schools in the district; to admit non-resident pupils when it can be done without prejudice to the rights of resident pupils and provide them with any services of the school including transportation; to fix the rates of tuition in accordance with Section 10-20.12a, and to collect and pay the same to the treasurer for the use of the district; but no pupil shall be excluded from or segregated in any such school on account of his color, race, sex, or nationality. Nothing herein shall be construed to permit or empower the State Board of Education to order, mandate or require busing or other transportation of pupils for the purpose of achieving racial balance in any school.

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

(105 ILCS 5/10-22.5a) (from Ch. 122, par. 10-22.5a)

Sec. 10-22.5a. Attendance by dependents of United States military personnel, foreign exchange students, and certain nonresident pupils.

(a) To enter into written agreements with cultural exchange organizations, or with nationally recognized eleemosynary institutions that promote excellence in the arts, mathematics, or science. The
written agreements may provide for tuition free attendance at the local district school by foreign exchange students, or by nonresident pupils of eleemosynary institutions. The local board of education, as part of the agreement, may require that the cultural exchange program or the eleemosynary institutions provide services to the district in exchange for the waiver of nonresident tuition.

To enter into written agreements with adjacent school districts to provide for tuition free attendance by a student of the adjacent district when requested for the student's health and safety by the student or parent and both districts determine that the student's health or safety will be served by such attendance. Districts shall not be required to enter into such agreements nor be required to alter existing transportation services due to the attendance of such non-resident pupils.

(a-5) If, at the time of enrollment, a dependent of United States military personnel is housed in temporary housing located outside of a school district, but will be living within the district within 6 months after the time of initial enrollment, the dependent must be allowed to enroll, subject to the requirements of this subsection (a-5), and must not be charged tuition. Any United States military personnel attempting to enroll a dependent under this subsection (a-5) shall provide proof that the dependent will be living within the district within 6 months after the time of initial enrollment. Proof of residency may include, but is not limited to, postmarked mail addressed to the military personnel and sent to an address located within the district, a lease agreement for occupancy of a residence located within the district, or proof of ownership of a residence located within the district.

(b) Nonresident pupils and foreign exchange students attending school on a tuition free basis under such agreements and nonresident dependents of United States military personnel attending school on a tuition free basis may be counted for the purposes of determining the apportionment of State aid provided under Section 18-8.05 or 18-8.15 of this Code. No organization or institution participating in agreements authorized under this Section may exclude any individual for participation in its program on account of the person's race, color, sex, religion or nationality.

(Source: P.A. 102-126, eff. 7-23-21.)

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

(Text of Section before amendment by P.A. 102-466)

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

(a) To expel pupils guilty of gross disobedience or misconduct, including gross disobedience or misconduct perpetuated by electronic means, pursuant to subsection (b-20) of this Section, and no action shall lie against them for such expulsion. Expulsion shall take place only after the parents have been requested to appear at a meeting of the board, or with a hearing officer appointed by it, to discuss their child's behavior. Such request shall be made by registered or certified mail and shall state the time, place and purpose of the meeting. The board, or a hearing officer appointed by it, at such meeting shall state the reasons for dismissal and the date on which the expulsion is to become effective. If a hearing officer is appointed by the board, he shall report to the board a written summary of the evidence heard at the meeting and the board may take such action thereon as it finds appropriate. If the board acts to expel a pupil, the written expulsion decision shall detail the specific reasons why removing the pupil from the learning environment is in the best interest of the school. The expulsion decision shall also include a rationale as to the specific duration of the expulsion. An expelled pupil may be immediately
transferred to an alternative program in the manner provided in Article 13A or 13B of this Code. A pupil must not be denied transfer because of the expulsion, except in cases in which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program.

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

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

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

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

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

(b-20) Unless otherwise required by this Code, out-of-school suspensions of longer than 3 days, expulsions, and disciplinary removals to alternative schools may be used only if other appropriate and available behavioral and disciplinary interventions have been exhausted and the student’s continuing presence in school would either (i) pose a threat to the safety of other students, staff, or members of the school community or (ii) substantially disrupt, impede, or interfere with the operation of the school. For purposes of this subsection (b-20), "threat to the safety of other students, staff, or members of the school community" and "substantially disrupt, impede, or interfere with the operation of the school" shall be determined on a case-by-case basis by school officials. For purposes of this subsection (b-20), the determination of whether "appropriate and available behavioral and disciplinary interventions have been exhausted" shall be made by school officials. School officials shall make all reasonable efforts to resolve such threats, address such disruptions, and minimize the length of student exclusions to the greatest extent practicable. Within the suspension decision described in subsection (b) of this Section or the expulsion decision described in subsection (a) of this Section, it shall be documented whether other interventions were attempted or whether it was determined that there were no other appropriate and available interventions.

(b-25) Students who are suspended out-of-school for longer than 4 school days shall be provided appropriate and available support services during the period of their suspension. For purposes of this subsection (b-25), "appropriate and available support services" shall be determined by school authorities. Within the suspension decision described in subsection (b) of this Section, it shall be documented whether such services are to be provided or whether it was determined that there are no such appropriate and available services.

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

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

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

(c) A school board must invite a representative from a local mental health agency to consult with the board at the meeting whenever there is evidence that mental illness may be the cause of a student's expulsion or suspension.

(c-5) School districts shall make reasonable efforts to provide ongoing professional development to teachers, administrators, school board members, school resource officers, and staff on the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, the appropriate and available supportive services for the promotion of student attendance and engagement, and developmentally appropriate disciplinary methods that promote positive and healthy school climates.
(d) The board may expel a student for a definite period of time not to exceed 2 calendar years, as determined on a case-by-case basis. A student who is determined to have brought one of the following objects to school, any school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school shall be expelled for a period of not less than one year:

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

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

Expulsion or suspension shall be construed in a manner consistent with the federal Individuals with Disabilities Education Act. A student who is subject to suspension or expulsion as provided in this Section may be eligible for a transfer to an alternative school program in accordance with Article 13A of the School Code.

(d-5) The board may suspend or by regulation authorize the superintendent of the district or the principal, assistant principal, or dean of students of any school to suspend a student for a period not to exceed 10 school days or may expel a student for a definite period of time not to exceed 2 calendar years, as determined on a case-by-case basis, if (i) that student has been determined to have made an explicit threat on an Internet website against a school employee, a student, or any school-related personnel, (ii) the Internet website through which the threat was made is a site that was accessible within the school at the time the threat was made or was available to third parties who worked or studied within the school grounds at the time the threat was made, and (iii) the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of his or her duties or employment status or status as a student inside the school.

(e) To maintain order and security in the schools, school authorities may inspect and search places and areas such as lockers, desks, parking lots, and other school property and equipment owned or controlled by the school, as well as personal effects left in those places and areas by students, without notice to or the consent of the student, and without a search warrant. As a matter of public policy, the General Assembly finds that students have no reasonable expectation of privacy in these places and areas or in their personal effects left in these places and areas. School authorities may request the assistance of law enforcement officials for the purpose of conducting inspections and searches of lockers, desks, parking lots, and other school property and equipment owned or controlled by the school for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs. If a search conducted in accordance with this Section produces evidence that the student has violated or is violating either the law, local ordinance, or the school's policies or rules, such evidence may be seized by school authorities, and disciplinary action may be taken. School authorities may also turn over such evidence to law enforcement authorities.
(f) Suspension or expulsion may include suspension or expulsion from school and all school activities and a prohibition from being present on school grounds.

(g) A school district may adopt a policy providing that if a student is suspended or expelled for any reason from any public or private school in this or any other state, the student must complete the entire term of the suspension or expulsion in an alternative school program under Article 13A of this Code or an alternative learning opportunities program under Article 13B of this Code before being admitted into the school district if there is no threat to the safety of students or staff in the alternative program.

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

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

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

(k) The expulsion of children enrolled in programs funded under Section 1C-2 of this Code is subject to the requirements under paragraph (7) of subsection (a) of Section 2-3.71 of this Code.

(l) Beginning with the 2018-2019 school year, an in-school suspension program provided by a school district for any students in kindergarten through grade 12 may focus on promoting non-violent conflict resolution and positive interaction with other students and school personnel. A school district may employ a school social worker or a licensed mental health professional to oversee an in-school suspension program in kindergarten through grade 12.

(Source: P.A. 101-81, eff. 7-12-19; 102-539, eff. 8-20-21; 102-813, eff. 5-13-22.)

(Text of Section after amendment by P.A. 102-466)

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

(a) To expel pupils guilty of gross disobedience or misconduct, including gross disobedience or misconduct perpetuated by electronic means, pursuant to subsection (b-20) of this Section, and no action shall lie against them for such expulsion. Expulsion shall take place only after the parents or guardians have been requested to appear at a meeting of the board, or with a hearing officer appointed by it, to discuss their child’s behavior. Such request shall be made by registered or certified mail and shall state the time, place and purpose of the meeting. The board, or a hearing officer appointed by it, at such meeting shall state the reasons for dismissal and the date on which the expulsion is to become effective. If a hearing officer is appointed by the board, he shall report to the board a written summary of the evidence heard at the meeting and the board may take such action thereon as it finds appropriate. If the board acts to expel a pupil, the written expulsion decision shall detail the specific reasons why removing the pupil from the learning environment is in the best interest of the school. The expulsion decision shall also include a rationale as to the specific duration of the expulsion. An expelled pupil may be immediately transferred to an alternative program in the manner provided in Article 13A or 13B of this Code. A pupil must not be denied transfer because of the expulsion, except in cases in
which such transfer is deemed to cause a threat to the safety of students or staff in the alternative program.

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

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

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

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

(b-15) Out-of-school suspensions of 3 days or less may be used only if the student's continuing presence in school would pose a threat to school safety or a disruption to other students' learning opportunities. For purposes of this subsection (b-15), "threat to school safety or a disruption to other students' learning opportunities" shall be determined on a case-by-case basis by the school board or its designee. School officials shall make all reasonable efforts to resolve such threats, address such disruptions, and minimize the length of suspensions to the greatest extent practicable.
(b-20) Unless otherwise required by this Code, out-of-school suspensions of longer than 3 days, expulsions, and disciplinary removals to alternative schools may be used only if other appropriate and available behavioral and disciplinary interventions have been exhausted and the student's continuing presence in school would either (i) pose a threat to the safety of other students, staff, or members of the school community or (ii) substantially disrupt, impede, or interfere with the operation of the school. For purposes of this subsection (b-20), "threat to the safety of other students, staff, or members of the school community" and "substantially disrupt, impede, or interfere with the operation of the school" shall be determined on a case-by-case basis by school officials. For purposes of this subsection (b-20), the determination of whether "appropriate and available behavioral and disciplinary interventions have been exhausted" shall be made by school officials. School officials shall make all reasonable efforts to resolve such threats, address such disruptions, and minimize the length of student exclusions to the greatest extent practicable. Within the suspension decision described in subsection (b) of this Section or the expulsion decision described in subsection (a) of this Section, it shall be documented whether other interventions were attempted or whether it was determined that there were no other appropriate and available interventions.

(b-25) Students who are suspended out-of-school for longer than 4 school days shall be provided appropriate and available support services during the period of their suspension. For purposes of this subsection (b-25), "appropriate and available support services" shall be determined by school authorities. Within the suspension decision described in subsection (b) of this Section, it shall be documented whether such services are to be provided or whether it was determined that there are no such appropriate and available services.

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

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

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

(b-35) In all suspension review hearings conducted under subsection (b) or expulsion hearings conducted under subsection (a), a student may disclose any factor to be considered in mitigation, including his or her status as a parent, expectant parent, or victim of domestic or sexual violence, as defined in Article 26A. A representative of the parent's or guardian's choice, or of the student's choice if emancipated, must be permitted to represent the student throughout the proceedings and to address the school board or its appointed hearing officer. With the approval of the student's parent or guardian, or of the student if emancipated, a support person must be permitted to accompany the student to any disciplinary hearings or proceedings. The representative or support person must comply with any rules of the school district's hearing process. If the representative or support person violates the rules or engages in behavior or advocacy that harasses, abuses, or intimidates either party, a witness, or anyone else in attendance at the hearing, the representative or support person may be prohibited from further participation in the hearing or proceeding. A suspension or expulsion proceeding under this subsection (b-35) must be conducted independently from any ongoing criminal investigation or proceeding, and an
(b-40) During a suspension review hearing conducted under subsection (b) or an expulsion hearing conducted under subsection (a) that involves allegations of sexual violence by the student who is subject to discipline, neither the student nor his or her representative shall directly question nor have direct contact with the alleged victim. The student who is subject to discipline or his or her representative may, at the discretion and direction of the school board or its appointed hearing officer, suggest questions to be posed by the school board or its appointed hearing officer to the alleged victim.

(c) A school board must invite a representative from a local mental health agency to consult with the board at the meeting whenever there is evidence that mental illness may be the cause of a student's expulsion or suspension.

(c-5) School districts shall make reasonable efforts to provide ongoing professional development to teachers, administrators, school board members, school resource officers, and staff on the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, the appropriate and available supportive services for the promotion of student attendance and engagement, and developmentally appropriate disciplinary methods that promote positive and healthy school climates.

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

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

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

Expulsion or suspension shall be construed in a manner consistent with the federal Individuals with Disabilities Education Act. A student who is subject to suspension or expulsion as provided in this Section may be eligible for a transfer to an alternative school program in accordance with Article 13A of the School Code.

(d-5) The board may suspend or by regulation authorize the superintendent of the district or the principal, assistant principal, or dean of students of any school to suspend a student for a period not to exceed 10 school days or may expel a student for a definite period of time not to exceed 2 calendar years, as determined on a case-by-case basis, if (i) that student has been determined to have made an explicit threat on an Internet website against a school employee, a student, or any school-related
SCHOOLS (105 ILCS 5/) School Code.

personnel, (ii) the Internet website through which the threat was made is a site that was accessible
within the school at the time the threat was made or was available to third parties who worked or
studied within the school grounds at the time the threat was made, and (iii) the threat could be
reasonably interpreted as threatening to the safety and security of the threatened individual because of
his or her duties or employment status or status as a student inside the school.

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

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

(g) A school district may adopt a policy providing that if a student is suspended or expelled for any
reason from any public or private school in this or any other state, the student must complete the entire
term of the suspension or expulsion in an alternative school program under Article 13A of this Code or
an alternative learning opportunities program under Article 13B of this Code before being admitted into
the school district if there is no threat to the safety of students or staff in the alternative program. A
school district that adopts a policy under this subsection (g) must include a provision allowing for
consideration of any mitigating factors, including, but not limited to, a student's status as a parent,
extpectant parent, or victim of domestic or sexual violence, as defined in Article 26A.

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

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

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

(k) The expulsion of children enrolled in programs funded under Section 1C-2 of this Code is subject to
the requirements under paragraph (7) of subsection (a) of Section 2-3.71 of this Code.

(l) Beginning with the 2018-2019 school year, an in-school suspension program provided by a school
district for any students in kindergarten through grade 12 may focus on promoting non-violent conflict
resolution and positive interaction with other students and school personnel. A school district may
employ a school social worker or a licensed mental health professional to oversee an in-school suspension program in kindergarten through grade 12.

(Source: P.A. 101-81, eff. 7-12-19; 102-466, eff. 7-1-25; 102-539, eff. 8-20-21; 102-813, eff. 5-13-22.)

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

(Text of Section before amendment by P.A. 102-466)

Sec. 10-22.6a. To provide by home instruction, correspondence courses or otherwise courses of instruction for pupils who are unable to attend school because of pregnancy. Such instruction shall be provided to the pupil (1) before the birth of the child when the pupil's physician, physician assistant, or advanced practice nurse has indicated to the district, in writing, that the pupil is medically unable to attend regular classroom instruction and (2) for up to 3 months following the birth of the child or a miscarriage. The instruction course shall be designed to offer educational experiences that are equivalent to those given to pupils at the same grade level in the district and that are designed to enable the pupil to return to the classroom.

(Source: P.A. 100-443, eff. 8-25-17.)

(Text of Section after amendment by P.A. 102-466)

Sec. 10-22.6a. Home instruction; correspondence courses.

(a) To provide by home instruction, correspondence courses or otherwise courses of instruction for a pupil who is unable to attend school because of pregnancy or pregnancy-related conditions, the fulfillment of parenting obligations related to the health of the child, or health and safety concerns arising from domestic or sexual violence, as defined in Article 26A. Such instruction shall be provided to the pupil at each of the following times:

(1) Before the birth of the child when the pupil's physician, physician assistant, or advanced practice registered nurse has indicated to the district, in writing, that the pupil is medically unable to attend regular classroom instruction.

(2) For up to 3 months following the birth of the child or a miscarriage.

(3) When the pupil must care for his or her ill child if (i) the child's physician, physician assistant, or advanced practice registered nurse has indicated to the district, in writing, that the child has a serious health condition that would require the pupil to be absent from school for 2 or more consecutive weeks and (ii) the pupil or the pupil's parent or guardian indicates to the district, in writing, that the pupil is needed to provide care to the child during this period. In this paragraph (3), "serious health condition" means an illness, injury, impairment, or physical or mental health condition that involves inpatient care in a hospital, hospice, or residential medical care facility or continuing treatment by a health care provider that is not controlled by medication alone.

(4) The pupil must treat physical or mental health complications or address safety concerns arising from domestic or sexual violence when a healthcare provider or an employee of the pupil's domestic or sexual violence organization, as defined in Article 26A has indicated to the district, in writing, that the
SCHOOLS (105 ILCS 5/) School Code.

care is needed by the pupil and will cause the pupil's absence from school for 2 or more consecutive weeks.

A school district may reassess home instruction provided to a pupil under paragraph (3) or (4) every 2 months to determine the pupil's continuing need for instruction under this Section.

The instruction course shall be designed to offer educational experiences that are equivalent to those given to pupils at the same grade level in the district and that are designed to enable the pupil to return to the classroom.

(b) Notwithstanding any other provision of this Code or State law to the contrary, if a pupil is unable to attend regular classes because of the reasons set forth in subsection (a) and has participated in instruction under this Section that is administered by the school or the school district, then the pupil may not be penalized for grading purposes or be denied course completion, a return to regular classroom instruction, grade level advancement, or graduation solely on the basis of the pupil's participation in instruction under this Section or the pupil's absence from the regular education program during the period of instruction under this Section. A school or school district may not use instruction under this Section to replace making support services available so that pupils who are parents, expectant parents, or victims of domestic or sexual violence may receive regular classroom instruction.

(Source: P.A. 102-466, eff. 7-1-25.)

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

Sec. 10-22.6b. Non-disclosure of information. Except as otherwise provided in the "Abused and Neglected Child Reporting Act" or other applicable State or federal law, to permit school officials to withhold, from any person, information on the whereabouts of any child removed from school premises when the child has been taken into protective custody as a victim of suspected child abuse. School officials shall direct such person to the Department of Children and Family Services, or to the local law enforcement agency if appropriate.

(Source: P.A. 85-238.)

(105 ILCS 5/10-22.7) (from Ch. 122, par. 10-22.7)

Sec. 10-22.7. Repairs and improvements. To repair and improve schoolhouses and furnish them with the necessary fixtures, furniture, apparatus, libraries, and fuel, to receive and review the reports of architects and professional engineers licensed in the State of Illinois prescribed in Section 2-3.12, to set priorities for the recommendations set forth in the report, and to ensure that those facilities used for student occupancy under their control will remain in compliance with the building code authorized in Section 2-3.12.

(Source: P.A. 87-984.)

(105 ILCS 5/10-22.8) (from Ch. 122, par. 10-22.8)

Sec. 10-22.8. Sale of personal property.
To sell at public or private sale any personal property belonging to the school district, and either not needed for school purposes or available through an arrangement under which such personal property may be leased by the district from the purchaser.

(Source: P.A. 90-789, eff. 8-14-98.)

(105 ILCS 5/10-22.9) (from Ch. 122, par. 10-22.9)

Sec. 10-22.9. (Repealed).

(Source: Laws 1961, p. 31. Repealed by P.A. 89-159, eff. 1-1-96.)

(105 ILCS 5/10-22.10) (from Ch. 122, par. 10-22.10)

Sec. 10-22.10. Control and supervision of school houses and school grounds.

To have the control and supervision of all public schoolhouses in their district, and to grant the temporary use of them, when not occupied by schools, for religious meetings and Sunday schools, for evening schools and literary societies, and for such other meetings as the board deems proper; to grant the use of assembly halls and class rooms when not otherwise needed, including light, heat and attendants, for public lectures, concerts, and other educational and social interests, under such provisions and control as they may see fit to impose; to grant the use of school grounds under such provisions and control as they may see fit to impose and to conduct, or provide for the conducting of recreational, social and civic activities in the school buildings or on the school grounds or both.

(Source: Laws 1967, p. 264.)

(105 ILCS 5/10-22.10a) (from Ch. 122, par. 10-22.10a)

Sec. 10-22.10a. Inspection for drugs. School boards are empowered to adopt a policy to authorize school officials to request the assistance of law enforcement officials for the purpose of conducting reasonable searches of school grounds and lockers for illegal drugs, including searches conducted through the use of specially trained dogs.

(Source: P.A. 86-850.)

(105 ILCS 5/10-22.11) (from Ch. 122, par. 10-22.11)

Sec. 10-22.11. Lease of school property.

(a) To lease school property to another school district, municipality or body politic and corporate for a term of not to exceed 25 years, except as otherwise provided in this Section, and upon such terms and conditions as may be agreed if in the opinion of the school board use of such property will not be needed by the district during the term of such lease; provided, the school board shall not make or renew any lease for a term longer than 10 years, nor alter the terms of any lease whose unexpired term may exceed 10 years without the vote of 2/3 of the full membership of the board.

(b) Whenever the school board considers such action advisable and in the best interests of the school district, to lease vacant school property for a period not exceeding 51 years to a private not for profit school organization for use in the care of persons with a mental disability who are trainable and educable in the district or in the education of the gifted children in the district. Before leasing such
property to a private not for profit school organization, the school board must adopt a resolution for the leasing of such property, fixing the period and price therefor, and order submitted to referendum at an election to be held in the district as provided in the general election law, the question of whether the lease should be entered into. Thereupon, the secretary shall certify to the proper election authorities the proposition for submission in accordance with the general election law. If the majority of the voters voting upon the proposition vote in favor of the leasing, the school board may proceed with the leasing. The proposition shall be in substantially the following form:

--------------------------------------------------------------

Shall School District No. ..... of

..... County, Illinois lease to YES

..... (here name and identify the

lessee) the following described vacant  ----------------------

school property (here describe the

property) for a term of ..... years NO

for the sum of ..... Dollars?

--------------------------------------------------------------

This paragraph (b) shall not be construed in such a manner as to relieve the responsibility of the Board of Education as set out in Article 14 of the School Code.

(c) To lease school buildings and land to suitable lessees for educational purposes or for any other purpose which serves the interests of the community, for a term not to exceed 25 years and upon such terms and conditions as may be agreed upon by the parties, when such buildings and land are declared by the board to be unnecessary or unsuitable or inconvenient for a school or the uses of the district during the term of the lease and when, in the opinion of the board, the best interests of the residents of the school district will be enhanced by entering into such a lease. Such leases shall include provisions for adequate insurance for both liability and property damage or loss, and reasonable charges for maintenance and depreciation of such buildings and land.

(d) Notwithstanding any other provision to the contrary, a lease for vacant school property may exceed 25 years for renewable energy resources, as defined in Section 1-10 of the Illinois Power Agency Act.

(Source: P.A. 102-662, eff. 9-15-21.)

(105 ILCS 5/10-22.12) (from Ch. 122, par. 10-22.12)

Sec. 10-22.12. Lease of property for school purposes. To lease, for a period not exceeding 99 years, any building, rooms, grounds and appurtenances to be used by the district for the use of schools or for school administration purposes; and to pay for the use of such leased property in accordance with the terms of the lease. The board shall not make or renew any lease for a term longer than 10 years, nor
alter the terms of any lease whose unexpired term may exceed 10 years without the vote of 2/3 of the full membership of the board.

(Source: P.A. 80-1044.)

(105 ILCS 5/10-22.13) (from Ch. 122, par. 10-22.13)

Sec. 10-22.13. Necessity, suitability, or convenience of site or building. To decide when a site or building has become unnecessary, unsuitable, or inconvenient for a school. Unless a school building is unsafe, unsanitary, or unfit for occupancy and notice has been served under Section 3-14.22 of this Code or notice is provided by a licensed entity able to determine the safety of a school building, the school board must hold at least 3 public hearings, the sole purpose of which shall be to discuss the decision to close a school building and to receive input from the community. The notice of each public hearing that sets forth the time, date, place, and name or description of the school building that the school board is considering closing must be provided at least 10 days prior to the hearing by publication on the school board's Internet website.

(Source: P.A. 102-204, eff. 7-30-21.)

(105 ILCS 5/10-22.13a)

Sec. 10-22.13a. Zoning changes, variations, and special uses for school district property; zoning compliance. To seek zoning changes, variations, or special uses for property held or controlled by the school district.

A school district is subject to and its school board must comply with any valid local government zoning ordinance or resolution that applies where the pertinent part of the building, structure, or site owned by the school district is located. The changes to this Section made by this amendatory Act of the 99th General Assembly are declarative of existing law and do not change the substantive operation of this Section.

(Source: P.A. 99-890, eff. 8-25-16.)

(105 ILCS 5/10-22.14) (from Ch. 122, par. 10-22.14)

Sec. 10-22.14. Borrowing money and issuing bonds. To borrow money, and issue bonds for the purposes and in the manner provided by this Act.

When bond proceeds from the sale of bonds include a premium, or when the proceeds of bonds issued for fire prevention, safety, energy conservation, and school security purposes as specified in Section 17-2.11 are invested as authorized by law, the board shall determine by resolution whether the interest earned on the investment of bond proceeds authorized under Section 17-2.11 or the premium realized in the sale of bonds, as the case may be, is to be used for the purposes for which the bonds were issued or, instead, for payment of the principal indebtedness and interest on those bonds.

When bonds, other than bonds issued for fire prevention, safety, energy conservation, and school security purposes as specified in Section 17-2.11 are issued by any school district, and the purposes for which the bonds have been issued are accomplished and paid for in full, and there remain funds on hand from the proceeds of the bonds so issued, the board by resolution may transfer those excess funds to the operations and maintenance fund.
When bonds are issued by any school district for fire prevention, safety, energy conservation, and school security purposes as specified in Section 17-2.11, and the purposes for which the bonds have been issued are accomplished and paid in full, and there remain funds on hand from the proceeds of the bonds issued, the board by resolution shall use those excess funds (1) for other authorized fire prevention, safety, energy conservation, and school security purposes as specified in Section 17-2.11 or (2) for transfer to the Bond and Interest Fund for payment of principal and interest on those bonds. If any transfer is made to the Bond and Interest Fund, the secretary of the school board shall within 30 days notify the county clerk of the amount of that transfer and direct the clerk to abate the taxes to be extended for the purposes of principal and interest payments on the respective bonds issued under Section 17-2.11 by an amount equal to such transfer.

(Source: P.A. 86-970; 87-984.)

(105 ILCS 5/10-22.15) (from Ch. 122, par. 10-22.15)
Sec. 10-22.15. Flag and flag staff.
To furnish each school with a flag and a staff as provided by law.

(Source: Laws 1961, p. 31.)

(105 ILCS 5/10-22.16)
Sec. 10-22.16. (Repealed).

(Source: P.A. 83-1362. Repealed by P.A. 94-1105, eff. 6-1-07.)

(105 ILCS 5/10-22.17)
Sec. 10-22.17. (Repealed).

(Source: Laws 1961, p. 31. Repealed by P.A. 94-1105, eff. 6-1-07.)

(105 ILCS 5/10-22.18) (from Ch. 122, par. 10-22.18)
Sec. 10-22.18. Kindergartens. To establish kindergartens for the instruction of children between the ages of 4 and 6 years, if in their judgment the public interest requires it, and to pay the necessary expenses thereof out of the school funds of the district. Upon petition of at least 50 parents or guardians of children between the ages of 4 and 6, residing within any school district and within one mile of the public school where such kindergarten is proposed to be established, the board of directors shall, if funds are available, establish a kindergarten in connection with the public school designated in the petition and maintain it as long as the annual average daily attendance therein is not less than 15. The board may establish a kindergarten with half-day attendance or with full-day attendance. If the board establishes full-day kindergarten, it shall also establish half-day kindergarten. No one shall be employed to teach in a kindergarten who does not hold a license as provided by law.

(Source: P.A. 102-894, eff. 5-20-22.)

(105 ILCS 5/10-22.18a) (from Ch. 122, par. 10-22.18a)
Sec. 10-22.18a. Child care and training centers - Charges - Public aid payments for certain children). To establish Child Care and Training Centers for children under the age of compulsory school attendance for the purpose of providing them (1) social and educational guidance and developmental aids supplemental to parental care and training designed to assist them in attaining their greatest potential during their school years and adult life and (2) care and services, in addition to the services specified in (1), required because of the absence from home for all or part of the day of their parents or other persons in charge of their care as a result of employment or other reason. The board may also make the facilities of the Centers available before and after as well as during regular school hours to school age and preschool age children who may benefit thereby, including children who require care and supervision pending the return of their parents or other persons in charge of their care from employment or other activity requiring absence from the home.

In establishing standards for the Centers, the board shall take into account standards established by the Department of Children and Family Services for like facilities. The board shall pay the necessary expenses out of school funds of the district, subject to State payment for certain children as hereinafter provided, and may charge for care and training of children for whom the State does not assume responsibility. The charge shall not exceed the per capita cost of the Center and, to the extent feasible, shall be fixed at a level which will permit utilization of the Center by employed parents of low or moderate income.

The Department of Human Services shall pay to the district the cost of care and training provided in the Centers for any child who is a recipient of financial aid under "The Illinois Public Aid Code", approved April 11, 1967, as amended. The Department shall submit to the board written notice designating each child for whom it assumes the cost of care and training. The board shall submit claims for payment at the end of each monthly period. If satisfied of their correctness, the Department shall approve the claims and provide for their payment out of funds appropriated to it for such purposes and from Federal funds available therefor.

The board may permit any other State or local governmental agency or private agency providing care for children to purchase care and training in the Centers for children under their charge.

After July 1, 1970 when the provisions of Section 10-20.20 become operative in the district, children in a Child Care and Training Center shall be transferred to the kindergarten established under that Section for such portion of the day as may be required for the kindergarten program, and only the pro-rated costs of care and training provided in the Center for the remaining period shall be charged to the Illinois Department or other persons or agencies paying for such care.

(Source: P.A. 89-507, eff. 7-1-97.)

(105 ILCS 5/10-22.18b) (from Ch. 122, par. 10-22.18b)

Sec. 10-22.18b. Before and after school programs. To develop and maintain before school and after school programs for students in kindergarten through the 6th grade. Such programs may include time for homework, physical exercise, afternoon nutritional snacks and educational offerings which are in addition to those offered during the regular school day. The chief administrator in each district shall be a certified teacher or a person who meets the requirements for supervising a day care center under the Child Care Act of 1969. Individual programs shall be coordinated by certified teachers or by persons who
meet the requirements for supervising a day care center under the Child Care Act of 1969. Additional employees who are not so qualified may also be employed for such programs.

The schedule of these programs may follow the work calendar of the local community rather than the regular school calendar. Parents or guardians of the participating students shall be responsible for providing transportation for the students to and from the programs. The school board may charge parents of participating students a fee, not to exceed the actual cost of such before and after school programs.

(Source: P.A. 83-639.)

(105 ILCS 5/10-22.18c) (from Ch. 122, par. 10-22.18c)

Sec. 10-22.18c. Model day care services program. Local school districts may establish, in cooperation with the State Board of Education, a model program for the provision of day care services in a school. The program shall be administered by the local school district and shall be funded from monies available from private and public sources. Student parents shall not be charged a fee for the day care services; school personnel also may utilize the services, but shall be charged a fee. The program shall be supervised by a trained child care professional who is qualified to teach students parenting skills. As part of the program, the school shall offer a course in child behavior in which students shall receive course credits for helping to care for the children in the program while learning parenting skills. The State Board of Education shall evaluate the programs' effectiveness in reducing school absenteeism and dropouts among teenage parents and shall report to the General Assembly concerning its findings after the program has been in operation for 2 years.

(Source: P.A. 85-769.)

(105 ILCS 5/10-22.18d) (from Ch. 122, par. 10-22.18d)

Sec. 10-22.18d. Parental institutes. A school district may utilize up to two days allowed by law for teachers' institutes to conduct parental institutes for the parents and guardians of children attending the district. No district may utilize teachers' institute days as parental institute days without the consent of the district's inservice advisory committee created under Section 3-11. If a district does not have an inservice advisory committee, parental institute days must be approved by the district's teaching staff.

Parental institutes shall be designed by the school district upon consultation with the district's teaching staff, administrators, and parents' organizations. The district may provide appropriate personnel, including district staff, to conduct, attend, or participate in all or any portion of the institutes.

Parental institutes shall provide information on such topics as the district shall deem necessary to achieve the following purposes:

(1) Enhance parental involvement in the education of the district’s students;
(2) Improve parental communication and involvement with the district;
(3) Enhance parental knowledge of child development, district programs, school conditions, and societal problems threatening students; and
(4) Improve parental skill development.
Districts shall use every means available to inform parents and guardians about parental institutes and to encourage attendance at and active participation in such events.

Parental institutes may be held during that period of the day which is not part of the regular school day and may be held on Saturdays. Days scheduled for parental institutes may be scheduled separately for different grade levels and different attendance centers of the district.

Districts may establish reasonable fees, not to exceed the cost of holding parental institutes, for attendance and shall waive any fees so established for any parents or guardians who may be unable to afford such fees. Nothing shall preclude districts from applying for or accepting private funds to conduct parental institutes.

(Source: P.A. 86-1250.)

(105 ILCS 5/10-22.19) (from Ch. 122, par. 10-22.19)

Sec. 10-22.19. Sidewalks, bridges, culverts and other approaches.

To appropriate school funds for the construction of such sidewalks, bridges, culverts and other approaches leading to the schoolhouse or school grounds as are necessary for the convenience and safety of pupils attending such school, but such approaches shall not exceed one-half mile in length.

(Source: Laws 1961, p. 3420.)

(105 ILCS 5/10-22.19a)

Sec. 10-22.19a. (Repealed).

(Source: P.A. 91-830, eff. 7-1-00. Repealed by P.A. 94-1105, eff. 6-1-07.)

(105 ILCS 5/10-22.20) (from Ch. 122, par. 10-22.20)

Sec. 10-22.20. Classes for adults and youths whose schooling has been interrupted; conditions for State reimbursement; use of child care facilities.

(a) To establish special classes for the instruction (1) of persons of age 21 years or over and (2) of persons less than age 21 and not otherwise in attendance in public school, for the purpose of providing adults in the community and youths whose schooling has been interrupted with such additional basic education, vocational skill training, and other instruction as may be necessary to increase their qualifications for employment or other means of self-support and their ability to meet their responsibilities as citizens, including courses of instruction regularly accepted for graduation from elementary or high schools and for Americanization and high school equivalency testing review classes.

The board shall pay the necessary expenses of such classes out of school funds of the district, including costs of student transportation and such facilities or provision for child-care as may be necessary in the judgment of the board to permit maximum utilization of the courses by students with children, and other special needs of the students directly related to such instruction. The expenses thus incurred shall be subject to State reimbursement, as provided in Section 2-12.5 of the Public Community College Act. The board may make a tuition charge for persons taking instruction who are not subject to State reimbursement, such tuition charge not to exceed the per capita cost of such classes.
The cost of such instruction, including the additional expenses herein authorized, shall be assumed in its entirety from funds appropriated by the State to the Illinois Community College Board as provided in Section 2-12.5 of the Public Community College Act.

(b) The Illinois Community College Board shall establish the standards for the courses of instruction reimbursed under this Section. The Illinois Community College Board shall supervise the administration of the programs. The Illinois Community College Board shall determine the cost of instruction in accordance with standards established by the Illinois Community College Board, including therein other incidental costs as herein authorized, which shall serve as the basis of State reimbursement in accordance with the provisions of the Public Community College Act. In the approval of programs and the determination of the cost of instruction, the Illinois Community College Board shall provide for the maximum utilization of federal funds for such programs.

(c) (Blank).

(d) (Blank).

(e) (Blank).

(f) (Blank).

(g) (Blank).

(h) (Blank).

(i) (Blank).

(j) In addition to claiming reimbursement under this Section, a school district may claim evidence-based funding under Section 18-8.15 for any student under age 21 who is enrolled in courses accepted for graduation from elementary or high school and who otherwise meets the requirements of Section 18-8.15.

(Source: P.A. 100-465, eff. 8-31-17; 101-289, eff. 8-9-19.)

(105 ILCS 5/10-22.20a) (from Ch. 122, par. 10-22.20a)

Sec. 10-22.20a. Advanced vocational training program, and career education. To enter into joint agreements with community college districts and other school districts for the purpose of providing career education or advanced vocational training of students in the 11th and higher grades who desire preparation for a trade. Transportation for students to any facility covered by a joint agreement as described in this Section shall be provided by the participating school district, or by the participating school district in conjunction with other school districts. Joint agreements entered into under this Section may include provisions for joint authority to acquire and improve sites, construct and equip facilities thereon and lease and equip facilities deemed necessary by the parties to the joint agreement, to maintain programs and to provide for financing of the foregoing jointly by the respective parties, all in accordance with the terms of the joint agreement.

Nothing herein contained shall be construed to restrict or prohibit the rights of community college districts or school districts to enter into joint agreements under the provisions of the Intergovernmental Cooperation Act, as now or hereinafter amended.
The duration of the career education or advanced vocational training program shall be such period as the school district may approve but it may not exceed 2 years for any school district pupil. Participation in the program is accorded the same credit toward a high school diploma as time spent in other courses.

The participating community college shall bill each participating student's school district for an amount equal to the per capita cost of operating the community college attended or a charge for participation may be made in accordance with the joint agreement between the community college district and the student's school district. Such agreement shall not provide for payments in excess of the actual cost of operating the course or courses in which the student is enrolled. Participating high schools may use State aid monies to pay the charges.

The community college instructors teaching in such programs need not be certified by the State Teacher Certification Board.

(Source: P.A. 79-76.)

(105 ILCS 5/10-22.20b) (from Ch. 122, par. 10-22.20b)

Sec. 10-22.20b. To appoint a person, who meets the standards of qualification and certification established by the Illinois Community College Board, as director of adult education to be responsible for the development and general supervision of the adult education program described in Section 10-22.20 and the Adult Education Act.

(Source: P.A. 91-830, eff. 7-1-01.)

(105 ILCS 5/10-22.20c) (from Ch. 122, par. 10-22.20c)

Sec. 10-22.20c. Tutorial programs. To establish and implement peer assistance, tutorial programs whereby qualified, able students assist less able students with their studies and course work, and to provide appropriate recognition for students furnishing such tutorial services. In addition, a school board is authorized to cooperate with institutions of higher education and may accept tutorial services provided by qualified students of such institutions under the Educational Partnership Act, as now or hereafter amended.

(Source: P.A. 84-712.)

(105 ILCS 5/10-22.21) (from Ch. 122, par. 10-22.21)

Sec. 10-22.21. (Repealed).

(Source: Laws 1961, p. 31. Repealed by P.A. 89-159, eff. 1-1-96.)

(105 ILCS 5/10-22.21a) (from Ch. 122, par. 10-22.21a)

Sec. 10-22.21a. (Repealed).

(Source: Laws 1967, p. 2186. Repealed by P.A. 89-159, eff. 1-1-96.)

(105 ILCS 5/10-22.21b) (from Ch. 122, par. 10-22.21b)

Sec. 10-22.21b. Administering medication.
(a) In this Section, "asthma action plan" has the meaning given to that term under Section 22-30.

(b) To provide for the administration of medication to students. It shall be the policy of the State of Illinois that the administration of medication to students during regular school hours and during school-related activities should be discouraged unless absolutely necessary for the critical health and well-being of the student. Under no circumstances shall teachers or other non-administrative school employees, except certified school nurses and non-certificated registered professional nurses, be required to administer medication to students. This Section shall not prohibit a school district from adopting guidelines for self-administration of medication by students that are consistent with this Section and this Code. This Section shall not prohibit any school employee from providing emergency assistance to students.

(c) Notwithstanding any other provision of law, a school district must allow any student with an asthma action plan, an Individual Health Care Action Plan, an Illinois Food Allergy Emergency Action Plan and Treatment Authorization Form, a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, or a plan pursuant to the federal Individuals with Disabilities Education Act to self-administer any medication required under those plans if the student's parent or guardian provides the school district with (i) written permission for the student's self-administration of medication and (ii) written authorization from the student's physician, physician assistant, or advanced practice registered nurse for the student to self-administer the medication. A parent or guardian must also provide to the school district the prescription label for the medication, which must contain the name of the medication, the prescribed dosage, and the time or times at which or the circumstances under which the medication is to be administered. Information received by a school district under this subsection shall be kept on file in the office of the school nurse or, in the absence of a school nurse, the school's administrator.

(d) Each school district must adopt an emergency action plan for a student who self-administers medication under subsection (c). The plan must include both of the following:

(1) A plan of action in the event a student is unable to self-administer medication.

(2) The situations in which a school must call 9-1-1.

(e) A school district and its employees and agents shall incur no liability, except for willful and wanton conduct, as a result of any injury arising from the self-administration of medication by a student under subsection (c). The student's parent or guardian must sign a statement to this effect, which must acknowledge that the parent or guardian must indemnify and hold harmless the school district and its employees and agents against any claims, except a claim based on willful and wanton conduct, arising out of the self-administration of medication by a student.

(Source: P.A. 101-205, eff. 1-1-20.)

(105 ILCS 5/10-22.22) (from Ch. 122, par. 10-22.22)

Sec. 10-22.22. Transportation for pupils-Tuition.

To provide free transportation for pupils, and where in its judgment the interests of the district and of the pupils therein will be best subserved by so doing the school board may permit the pupils in the district or in any particular grade to attend the schools of other districts and may permit any pupil to attend an area secondary vocational school operated by a public school district or a public or non-public
vocational school within the State of Illinois or adjacent states approved by the Board of Vocational Education, and may provide free transportation for such pupils and shall pay the tuition of such pupils in the schools attended; such tuition shall be based upon per capita cost computed in the following manner: The cost of conducting and maintaining any area secondary vocational school facility shall be first determined and shall include the following expenses applicable only to such educational facility under rules and regulations established by the Board of Vocational Education and Rehabilitation as follows:

a. Salaries of teachers, vocational counselors, and supporting professional workers, necessary non-certified workers, clerks, custodial employees, and any district taxes specifically for their pension and retirement benefits.

b. Equipment and supplies necessary for program operation.

c. Administrative costs.

d. Operation of physical plant, including heat, light, water, repairs, and maintenance.

e. Auxiliary service, not including any transportation cost.

From such total cost thus determined there shall be deducted the State reimbursement due on account of such educational facility for the same year, not including any State reimbursement for area secondary vocational school transportation. Such net cost shall be divided by the average number of pupils in average daily attendance in such area secondary vocational school facility for the school year in order to arrive at the net per capita tuition cost. Such costs shall be computed on pupils regularly enrolled in an area secondary vocational school on the basis of one-sixth day for every class hour attended pursuant to such enrollment. Provided, that the board subject to the approval of the county superintendent of schools may determine what schools outside of their district such pupils shall attend. This section does not require the board of directors or board of education of any district to admit pupils from another district.

(Source: P.A. 94-213, eff. 7-14-05.)

(105 ILCS 5/10-22.22a)

Sec. 10-22.22a. (Repealed).

(Source: P.A. 81-1508. Repealed by P.A. 95-793, eff. 1-1-09.)

(105 ILCS 5/10-22.22b) (from Ch. 122, par. 10-22.22b)

Sec. 10-22.22b. (a) The provisions of this subsection shall not apply to the deactivation of a high school facility under subsection (c). Where in its judgment the interests of the district and of the students therein will be best served, to deactivate any high school facility or elementary school facility in the district and send the students of such high school in grades 9 through 12 or such elementary school in grades kindergarten through 8, as applicable, to schools in other districts. Such action may be taken only with the approval of the voters in the district and the approval, by proper resolution, of the school board of the receiving district. The board of the district contemplating deactivation shall, by proper resolution, cause the proposition to deactivate the school facility to be submitted to the voters of the district at a regularly scheduled election. Notice shall be published at least 10 days prior to the date of
the election at least once in one or more newspapers published in the district or, if no newspaper is published in the district, in one or more newspapers with a general circulation within the district. The notice shall be substantially in the following form:

NOTICE OF REFERENDUM TO

DEACTIVATE THE ... SCHOOL FACILITY

IN SCHOOL DISTRICT NO. ........

Notice is hereby given that on (insert date), a referendum will be held in ........ County (Counties) for the purpose of voting for or against the proposition to deactivate the ...... School facility in School District No. ...... and to send pupils in ...... School to School District(s) No. .......

The polls will be open at .... o’clock ... m., and close at .... o’clock ... m. of the same day.

...........

Dated (insert date).

The proposition shall be in substantially the following form:

Shall the Board of Education of School District No. ...., ..... County, Illinois, be authorized to deactivate the .... School facility and to send pupils in ...... School to School District(s) No. .....?

If the majority of those voting upon the proposition in the district contemplating deactivation vote in favor of the proposition, the board of that district, upon approval of the board of the receiving district, shall execute a contract with the receiving district providing for the reassignment of students to the receiving district. If the deactivating district seeks to send its students to more than one district, it shall execute a contract with each receiving district. The length of the contract shall be for 2 school years, but the districts may renew the contract for additional one year or 2 year periods. Contract renewals shall be executed by January 1 of the year in which the existing contract expires. If the majority of those
voting upon the proposition do not vote in favor of the proposition, the school facility may not be deactivated.

The sending district shall pay to the receiving district an amount agreed upon by the 2 districts.

When the deactivation of school facilities becomes effective pursuant to this Section, the provisions of subsection (h) of Section 24-11 of this Code relative to the contractual continued service status of teachers having contractual continued service whose positions are transferred from one board to the control of a different board shall apply, and the positions at the school facilities being deactivated held by teachers, as that term is defined in subsection (a) of Section 24-11 of this Code, having contractual continued service with the school district at the time of the deactivation shall be transferred to the control of the board or boards who shall be receiving the district’s students on the following basis:

(1) positions of such teachers in contractual continued service that were full time positions shall be transferred to the control of whichever of such boards such teachers shall request with the teachers making such requests proceeding in the order of those with the greatest length of continuing service with the board to those with the shortest length of continuing service with the board, provided that the number selecting one board over another board or other boards shall not exceed that proportion of the school students going to such board or boards; and

(2) positions of such teachers in contractual continued service that were full time positions and as to which there is no selection left under subparagraph 1 hereof shall be transferred to the appropriate board.

The contractual continued service status of any teacher thereby transferred to another district is not lost and the receiving board is subject to the School Code with respect to such transferred teacher in the same manner as if such teacher was the district’s employee during the time such teacher was actually employed by the board of the deactivating district from which the position was transferred.

When the deactivation of school facilities becomes effective pursuant to this Section, the provisions of subsection (b) of Section 10-23.5 of this Code relative to the transfer of educational support personnel employees shall apply, and the positions at the school facilities being deactivated that are held by educational support personnel employees at the time of the deactivation shall be transferred to the control of the board or boards that will be receiving the district’s students on the following basis:

(A) positions of such educational support personnel employees that were full-time positions shall be transferred to the control of whichever of the boards the employees request, with the educational support personnel employees making these requests proceeding in the order of those with the greatest length of continuing service with the board to those with the shortest length of continuing service with the board, provided that the number selecting one board over another board or other boards must not exceed that proportion of students going to such board or boards; and

(B) positions of such educational support personnel employees that were full-time positions and as to which there is no selection left under subdivision (A) shall be transferred to the appropriate board.

The length of continuing service of any educational support personnel employee thereby transferred to another district is not lost and the receiving board is subject to this Code with respect to that transferred educational support personnel employee in the same manner as if the educational support personnel
employee was the district’s employee during the time the educational support personnel employee was actually employed by the board of the deactivating district from which the position was transferred.

(b) The provisions of this subsection shall not apply to the reactivation of a high school facility which is deactivated under subsection (c). The sending district may, with the approval of the voters in the district, reactivate the school facility which was deactivated. The board of the district seeking to reactivate the school facility shall, by proper resolution, cause the proposition to reactivate to be submitted to the voters of the district at a regularly scheduled election. Notice shall be published at least 10 days prior to the date of the election at least once in one or more newspapers published in the district or, if no newspaper is published in the district, in one or more newspapers with a general circulation within the district. The notice shall be substantially in the following form:

NOTICE OF REFERENDUM TO
REACTIVATE THE ...... SCHOOL FACILITY
IN SCHOOL DISTRICT NO. ......

Notice is hereby given that on (insert date), a referendum will be held in ...... County (Counties) for the purpose of voting for or against the proposition to reactivate the ...... School facility in School District No. ...... and to discontinue sending pupils of School District No. ...... to School District(s) No. ......

The polls will be opened at ... o’clock .. m., and closed at ... o’clock .. m. of the same day.

...........

Dated (insert date).

The proposition shall be in substantially the following form:

--------------------------------------------------------------
Shall the Board
of Education of School                       YES
District No. ......,
 ...... County, Illinois,
be authorized to ..............................................
reactivate the .... School
facility and to discontinue sending
pupils of School District No. ......       NO
to School District(s) No. ......?
--------------------------------------------------------------
(c) The school board of any unit school district which experienced a strike by a majority of its certified employees that endured for over 6 months during the regular school term of the 1986-1987 school year, and which during the ensuing 1987-1988 school year had an enrollment in grades 9 through 12 of less than 125 students may, when in its judgment the interests of the district and of the students therein will be best served thereby, deactivate the high school facilities within the district for the regular term of the 1988-1989 school year and, for that school year only, send the students of such high school in grades 9 through 12 to schools in adjoining or adjacent districts. Such action may only be taken: (a) by proper resolution of the school board deactivating its high school facilities and the approval, by proper resolution, of the school board of the receiving district or districts, and (b) pursuant to a contract between the sending and each receiving district, which contract or contracts: (i) shall provide for the reassignment of all students of the deactivated high school in grades 9 through 12 to the receiving district or districts; (ii) shall apply only to the regular school term of the 1988-1989 school year; (iii) shall not be subject to renewal or extension; and (iv) shall require the sending district to pay to the receiving district the cost of educating each student who is reassigned to the receiving district, such costs to be an amount agreed upon by the sending and receiving district but not less than the per capita cost of maintaining the high school in the receiving district during the 1987-1988 school year. Any high school facility deactivated pursuant to this subsection for the regular school term of the 1988-1989 school year shall be reactivated by operation of law as of the end of the regular term of the 1988-1989 school year. The status as a unit school district of a district which deactivates its high school facilities pursuant to this subsection shall not be affected by reason of such deactivation of its high school facilities and such district shall continue to be deemed in law a school district maintaining grades kindergarten through 12 for all purposes relating to the levy, extension, collection and payment of the taxes of the district under Article 17 for the 1988-1989 school year.

(d) Whenever a school facility is reactivated pursuant to the provisions of this Section, then all teachers in contractual continued service who were honorably dismissed or transferred as part of the deactivation process, in addition to other rights they may have under the School Code, shall be recalled or transferred back to the original district.

(Source: P.A. 99-657, eff. 7-28-16.)

(105 ILCS 5/10-22.22c) (from Ch. 122, par. 10-22.22c)

Sec. 10-22.22c. (a) Subject to the following provisions of this Section two or more contiguous school districts each of which has an enrollment in grades 9 through 12 of less than 600 students may, when in their judgment the interest of the districts and of the students therein will be best served, jointly operate one or more cooperative high schools. Such action shall be taken for a minimum period of 20 school years, and may be taken only with the approval of the voters of each district. A district with 600 or more students enrolled in grades 9 through 12 may qualify for inclusion with one or more districts having less than 600 such students by receiving a size waiver from the State Board of Education based on a finding that such inclusion would significantly increase the educational opportunities of the district's students, and by meeting the other prerequisites of this Section. The board of each district contemplating such joint operation shall, by proper resolution, cause the proposition to enter into such joint operation to be submitted to the voters of the district at a regularly scheduled election. Notice shall be published at least 10 days prior to the date of the election at least once in one or more newspapers published in the district or, if no newspaper is published in the district, in one or more
newspapers with a general circulation within the district. The notice shall be substantially in the following form:

NOTICE OF REFERENDUM FOR SCHOOL DISTRICT

NO. ....... AND SCHOOL DISTRICT NO. .......

TO JOINTLY OPERATE (A) COOPERATIVE HIGH

SCHOOL (SCHOOLS)

Notice is hereby given that on (insert date), a referendum will be held in ....... County (Counties) for the purpose of voting for or against the proposition for School District No. ....... and School District No. ....... to jointly operate (a) cooperative high school (schools).

The polls will be open at ...... o'clock ... m., and close at ...... o'clock ... m., of the same day.

A ....... B .......

Dated (insert date).

Regional Superintendent of Schools

The proposition shall be in substantially the following form:

--------------------------------------------------------------
Shall the Board of Education of
School District No. ...... County (Counties), Illinois be
authorized to enter with
into an agreement with School District No. .... County (Counties), Illinois to jointly
operate (a) cooperative high school (schools)?

--------------------------------------------------------------

If the majority of those voting on the proposition in each district vote in favor of the proposition, the school boards of the participating districts may, if they agree on terms, execute a contract for such joint operation subject to the following provisions of this Section.

(b) The agreement for joint operation of any such cooperative high school shall include, but not be limited to, provisions for administration, staff, programs, financing, facilities, and transportation. Such
agreements may be modified, extended, or terminated by approval of each of the participating districts, provided that a district may withdraw from the agreement during its initial 20-year term only if the district is reorganizing with one or more districts under other provisions of this Code. Even if 2 or more of the participating district boards approve an extension of the agreement, any other participating district shall, upon failure of its board to approve such extension, disengage from such participation at the end of the then current agreement term.

(c) A governing board, which shall govern the operation of any such cooperative high school, shall be composed of an equal number of board members from each of the participating districts, except that where all participating district boards concur, membership on the governing board may be apportioned to reflect the number of students in each respective district who attend the cooperative high school. The membership of the governing board shall be not less than 6 nor more than 10 and shall be set by the agreement entered into by the participating districts. The school board of each participating district shall select, from its membership, its representatives on the governing board. The governing board shall prepare and adopt a budget for the cooperative high school. The governing board shall administer the cooperative high school in accordance with the agreement of the districts and shall have the power to hire, supervise, and terminate staff; to enter into contracts; to adopt policies for the school; and to take all other actions necessary and proper for the operation of the school. However, the governing board may not levy taxes or incur any indebtedness except within the annual budget approved by the participating districts.

(d) (Blank).

(e) Each participating district shall pay its per capita cost of educating the students residing in its district and attending any such cooperative high school into the budget for the maintenance and operation of the cooperative high school.

The manner of determining per capita cost shall be set forth in the agreement. Each district shall pay the amount owed the governing board under the terms of the agreement from the fund that the district would have used if the district had incurred the costs directly and may levy taxes and issue bonds as otherwise authorized for these purposes in order to make payments to the governing board.

(f) Additional school districts having an enrollment in grades 9 through 12 of less than 600 students may be added to the agreement in accordance with the process described in subsection (a) of this Section. In the event additional districts are added, a new contract shall be executed in accordance with the provisions of this Section.

(g) Upon formation of the cooperative high school, the school board of each participating district shall:

1. confer and coordinate with each other and the governing board, if the governing board is then in existence, as to staffing needs for the cooperative high school;

2. in consultation with any exclusive employee representatives and the governing board, if the governing board is then in existence, establish a combined list of teachers in all participating districts, categorized by positions, showing the length of service and the contractual continued service status, if any, of each teacher in each participating district who is qualified to hold any such positions at the cooperative high school, and then distribute this list to the exclusive employee representatives on or before February 1 of the school year prior to the commencement of the operation of the cooperative
SCHOOLS (105 ILCS 5/) School Code.

high school or within 30 days after the date of the referendum election if the proposition receives a majority of those voting in each district, whichever occurs first. This list is in addition to and not a substitute for any list mandated by Section 24-12 of this Code; and

(3) transfer to the governing board of the cooperative high school the employment and the position of so many of the full-time or part-time high school teachers employed by a participating district as are jointly determined by the school boards of the participating districts and the governing board, if the governing board is then in existence, to be needed at the cooperative high school, provided that these teacher transfers shall be done:

(A) by categories listed on the seniority list mentioned in subdivision (2) of this subsection (g);

(B) in each category, by having teachers in contractual continued service being transferred before any teachers who are not in contractual continued service; and

(C) in order from greatest seniority first through lesser amounts of seniority.

A teacher who is not in contractual continued service shall not be transferred if there is a teacher in contractual continued service in the same category who is qualified to hold the position that is to be filled.

If there are more teachers who have entered upon contractual continued service than there are available positions at the cooperative high school or within other assignments in the district, a school board shall first remove or dismiss all teachers who have not entered upon contractual continued service before removing or dismissing any teacher who has entered upon contractual continued service and who is legally qualified (i) to hold a position at the cooperative high school planned to be held by a teacher who has not entered upon contractual continued service or (ii) to hold another position in the participating district. As between teachers who have entered upon contractual continued service, the teacher or teachers with the shorter length of continuing service in any of the participating districts shall be dismissed first. Any teacher dismissed as a result of such a decrease shall be paid all earned compensation on or before the third business day following the last day of pupil attendance in the regular school term. If the school board that has dismissed a teacher or the governing board has any vacancies for the following school term or within one calendar year from the beginning of the following school term, the positions thereby becoming available shall be tendered to the teachers so removed or dismissed so far as they are legally qualified to hold such positions. However, if the number of honorable dismissal notices in all participating districts exceeds 15% of full-time equivalent positions filled by certified employees (excluding principals and administrative personnel) during the preceding school year in all participating districts and if the school board that has dismissed a teacher or the governing board has any vacancies for the following school term or within 2 calendar years from the beginning of the following school term, the positions so becoming available shall be tendered to the teachers who were so notified, removed, or dismissed whenever these teachers are legally qualified to hold such positions.

The provisions of subsection (h) of Section 24-11 of this Code concerning teachers whose positions are transferred from one board to the control of a different board shall apply to the teachers who are transferred. The contractual continued service of any transferred teacher is not lost and the governing board is subject to this Code with respect to the teacher in the same manner as if the teacher had been
the governing board's employee during the time the teacher was actually employed by the board of the district from which the position and the teacher's employment were transferred. The time spent in employment with a participating district by any teacher who has not yet entered upon contractual continued service and who is transferred to the governing board is not lost when computing the time necessary for the teacher to enter upon contractual continued service, and the governing board is subject to this Code with respect to the teacher in the same manner as if the teacher had been the governing board's employee during the time the teacher was actually employed by the school board from which the position and the teacher's employment were transferred.

If the cooperative high school is dissolved, any teacher who was transferred from a participating district shall be transferred back to the district and subsection (h) of Section 24-11 of this Code shall apply. In that case, a district is subject to this Code in the same manner as if the teacher transferred back had been continuously in the service of the receiving district.

(h) Upon formation of the cooperative high school, the school board of each participating district shall:

(1) confer and coordinate with each other and the governing board, if the governing board is then in existence, as to needs for educational support personnel for the cooperative high school;

(2) in consultation with any exclusive employee representative or bargaining agent and the governing board, if the governing board is then in existence, establish a combined list of educational support personnel in participating districts, categorized by positions, showing the length of continuing service of each full-time educational support personnel employee who is qualified to hold any such position at the cooperative high school, and then distribute this list to the exclusive employee representative or bargaining agent on or before February 1 of the school year prior to the commencement of the operation of the cooperative high school or within 30 days after the date of the referendum election if the proposition receives a majority of those voting in each district, whichever occurs first; and

(3) transfer to the governing board of the cooperative high school the employment and the positions of so many of the full-time educational support personnel employees employed by a participating district as are jointly determined by the school boards of the participating districts and the governing board, if the governing board is then in existence, to be needed at the cooperative high school, provided that the full-time educational personnel employee transfers shall be done by categories on the seniority list mentioned in subdivision (2) of this subsection (h) and done in order from greatest seniority first through lesser amounts of seniority.

If there are more full-time educational support personnel employees than there are available positions at the cooperative high school or in the participating district, a school board shall first remove or dismiss those educational support personnel employees with the shorter length of continuing service in any of the participating districts, within the respective category of position. The governing board is subject to this Code with respect to the educational support personnel employee as if the educational support personnel employee had been the governing board’s employee during the time the educational support personnel employee was actually employed by the school board of the district from which the employment and position were transferred. Any educational support personnel employee dismissed as a result of such a decrease shall be paid all earned compensation on or before the third business day.
following his or her last day of employment. If the school board that has dismissed the educational support personnel employee or the governing board has any vacancies for the following school term or within one calendar year from the beginning of the following school term, the positions thereby becoming available within a specific category of position shall be tendered to the employees so removed or dismissed from that category of position so far as they are legally qualified to hold such positions. If the cooperative high school is dissolved, any educational support personnel employee who was transferred from a participating district shall be transferred back to the district and Section 10-23.5 of this Code shall apply. In that case, a district is subject to this Code in the same manner as if the educational support personnel employee transferred back had been continuously in the service of the receiving district.

(i) Two or more school districts not contiguous to each other, each of which has an enrollment in grades 9 through 12 of less than 600 students, may jointly operate one or more cooperative high schools if the following requirements are met and documented within 2 calendar years prior to the proposition filing date, pursuant to subsection (a) of this Section:

(1) the distance between each district administrative office is documented as no more than 30 miles;

(2) every district contiguous to the district wishing to operate one or more cooperative high schools under the provisions of this Section determines that it is not interested in participating in such joint operation, through a vote of its school board, and documents that non-interest in a letter to the districts wishing to form the cooperative high school containing approved minutes that record the school board vote;

(3) documentation of meeting these requirements is attached to the board resolution required under subsection (a) of this Section; and

(4) all other provisions of this Section are followed.

(Source: P.A. 98-125, eff. 8-2-13; 99-657, eff. 7-28-16.)

(105 ILCS 5/10-22.22d)

Sec. 10-22.22d. Pilot cooperative elementary school and pilot cooperative high school.

(a) Subject to the provisions of this Section, 2 contiguous school districts that are (i) located all or in part in Vermilion County; (ii) have an enrollment in grades 6-8 of less than 150 during the 2008-2009 school year and in grades 9-12 of less than 400 during the 2008-2009 school year; and (iii) have a Junior High School serving grades 6, 7, and 8 in one of the districts may, when in their judgment the interest of the districts and of the students will be best served, jointly pilot a cooperative elementary school or cooperative high school, or both.

The board of each district contemplating a joint operation shall, by proper resolution, cause the proposition to enter into such joint operation for a period not to exceed 3 years.

The school boards of the participating districts may, if they agree on terms, execute a contract for such joint operation subject to the provisions of this Section.
(b) The agreement for joint operation of any such cooperative elementary school or cooperative high school, or both, shall include, but not be limited to, provisions for administration, staff, programs, financing, facilities, and transportation. Agreements may be modified, by approval of each of the participating districts, provided that a district may withdraw from the agreement only if the district is reorganizing with one or more districts under other provisions of this Code.

(c) A governing board, which shall govern the operation of any such cooperative elementary school or cooperative high school, or both, shall be apportioned to reflect the number of students in each respective district who attend the cooperative elementary school or cooperative high school, or both. The membership of the governing board shall be 5 members. The school board of each participating district shall select, from its membership, its representatives on the governing board. The governing board shall prepare and adopt a budget for the cooperative elementary school or cooperative high school, or both. The governing board shall administer the cooperative elementary school or cooperative high school, or both, in accordance with the agreement of the districts and shall have the power to hire, supervise, and terminate staff; to enter into contracts; to adopt policies for the school or schools; and to take all other actions necessary and proper for the operation of the school or schools. The governing board may not levy taxes or incur any indebtedness except within the annual budget approved by the participating districts.

(d) Each participating district shall pay its per capita cost of educating the students residing in its district and attending any cooperative elementary school or cooperative high school into the budget for the maintenance and operation of the cooperative elementary school or cooperative high school, or both.

The manner of determining per capita cost shall be set forth in the agreement. Each district shall pay the amount owed the governing board under the terms of the agreement from the fund that the district would have used if the district had incurred the costs directly and may levy taxes and issue bonds as otherwise authorized for these purposes in order to make payments to the governing board.

(e) Upon formation of the cooperative elementary school or cooperative high school, or both, the school board of each participating district shall:

1. confer and coordinate with each other and the governing board, if the governing board is then in existence, as to staffing needs for the cooperative elementary school or cooperative high school, or both;

2. in consultation with any exclusive employee representatives and the governing board, if the governing board is then in existence, establish a combined list of teachers in all participating districts, categorized by positions, showing the length of service and the contractual continued service status, if any, of each teacher in each participating district who is qualified to hold any positions at the cooperative elementary school or cooperative high school, or both, and then distribute this list to the exclusive employee representatives on or before February 1 of the school year prior to the commencement of the operation of the cooperative elementary school or cooperative high school, or both, or within 30 days after the date of the board resolutions, whichever occurs first; this list is in addition to and not a substitute for the list mandated by Section 24-12 of this Code; and
(3) transfer to the governing board of the cooperative elementary school or cooperative high school, or both, the employment and the position of so many of the full-time or part-time school teachers employed by a participating district as are jointly determined by the school boards of the participating districts and the governing board, if the governing board is then in existence, to be needed at the cooperative school or schools, provided that these teacher transfers shall be done:

(A) by categories listed on the seniority list mentioned in item (2) of this subsection (e);

(B) in each category, by having teachers in contractual continued service being transferred before any teachers who are not in contractual continued service; and

(C) in order from greatest seniority first through lesser amounts of seniority.

A teacher who is not in contractual continued service shall not be transferred if there is a teacher in contractual continued service in the same category who is qualified to hold the position that is to be filled.

If there are more teachers who have entered upon contractual continued service than there are available positions at the cooperative elementary school or cooperative high school, or both or within other assignments in the district, a school board shall first remove or dismiss all teachers who have not entered upon contractual continued service before removing or dismissing any teacher who has entered upon contractual continued service and who is legally qualified (i) to hold a position at the cooperative elementary school or cooperative high school, or both planned to be held by a teacher who has not entered upon contractual continued service or (ii) to hold another position in the participating district. As between teachers who have entered upon contractual continued service, the teacher or teachers with the shorter length of continuing service in any of the participating districts shall be dismissed first. Any teacher dismissed as a result of such a decrease shall be paid all earned compensation on or before the third business day following the last day of pupil attendance in the regular school term. If the school board that has dismissed a teacher or the governing board has any vacancies for the following school term or within one calendar year from the beginning of the following school term, then the positions thereby becoming available shall be tendered to the teachers so removed or dismissed so far as they are legally qualified to hold such positions. If the number of honorable dismissal notices in all participating districts exceeds 15% of full-time equivalent positions filled by certified employees (excluding principals and administrative personnel) during the preceding school year in all participating districts and if the school board that has dismissed a teacher or the governing board has any vacancies for the following school term or within 2 calendar years from the beginning of the following school term, the positions so becoming available shall be tendered to the teachers who were so notified, removed, or dismissed whenever these teachers are legally qualified to hold those positions.

The provisions of subsection (h) of Section 24-11 of this Code concerning teachers whose positions are transferred from one board to the control of a different board shall apply to the teachers who are transferred. The contractual continued service of any transferred teacher is not lost and the governing board is subject to this Code with respect to the teacher in the same manner as if the teacher had been the governing board’s employee during the time the teacher was actually employed by the board of the district from which the position and the teacher's employment were transferred. The time spent in employment with a participating district by any teacher who has not yet entered upon contractual continued service and who is transferred to the governing board is not lost when computing the time
necessary for the teacher to enter upon contractual continued service, and the governing board is subject to this Code with respect to the teacher in the same manner as if the teacher had been the governing board's employee during the time the teacher was actually employed by the school board from which the position and the teacher's employment were transferred.

At the conclusion of the pilot program, any teacher who was transferred from a participating district shall be transferred back to the district and subsection (h) of Section 24-11 of this Code shall apply. In that case, a district is subject to this Code in the same manner as if the teacher transferred back had been continuously in the service of the receiving district.

(f) Upon formation of the cooperative elementary school or cooperative high school, or both, the school board of each participating district shall:

(1) confer and coordinate with each other and the governing board, if the governing board is then in existence, as to needs for educational support personnel for the cooperative elementary school or cooperative high school, or both;

(2) in consultation with any exclusive employee representative or bargaining agent and the governing board, if the governing board is then in existence, establish a combined list of educational support personnel in participating districts, categorized by positions, showing the length of continuing service of each full-time educational support personnel employee who is qualified to hold any such position at the cooperative elementary school or cooperative high school, or both, and then distribute this list to the exclusive employee representative or bargaining agent on or before February 1 of the school year prior to the commencement of the operation of the cooperative elementary school or cooperative high school, or both or within 30 days after the date of the board resolutions, whichever occurs first; and

(3) transfer to the governing board of the cooperative elementary school or cooperative high school, or both the employment and the positions of so many of the full-time educational support personnel employees employed by a participating district as are jointly determined by the school boards of the participating districts and the governing board, if the governing board is then in existence, to be needed at the cooperative elementary school or cooperative high school, or both, provided that the full-time educational personnel employee transfers shall be done by categories on the seniority list mentioned in item (2) of this subsection (f) and done in order from greatest seniority first through lesser amounts of seniority.

If there are more full-time educational support personnel employees than there are available positions at the cooperative elementary school or cooperative high school, or both or in the participating district, then a school board shall first remove or dismiss those educational support personnel employees with the shorter length of continuing service in any of the participating districts, within the respective category of position. The governing board is subject to this Code with respect to the educational support personnel employee as if the educational support personnel employee had been the governing board's employee during the time the educational support personnel employee was actually employed by the school board of the district from which the employment and position were transferred. Any educational support personnel employee dismissed as a result of such a decrease shall be paid all earned compensation on or before the third business day following his or her last day of employment. If the school board that has dismissed the educational support personnel employee or the
governing board has any vacancies for the following school term or within one calendar year from the beginning of the following school term, then the positions thereby becoming available within a specific category of position shall be tendered to the employees so removed or dismissed from that category of position so far as they are legally qualified to hold such positions. At the conclusion of the pilot, any educational support personnel employee who was transferred from a participating district shall be transferred back to the district and Section 10-23.5 of this Code shall apply. In that case, a district is subject to this Code in the same manner as if the educational support personnel employee transferred back had been continuously in the service of the receiving district.

(g) This Section repeals 3 years after the beginning date of operation of a pilot cooperative elementary school or a pilot cooperative high school.

(Source: P.A. 99-657, eff. 7-28-16.)

(105 ILCS 5/10-22.22e)

Sec. 10-22.22e. Science and mathematics partnership school.

(a) Notwithstanding any other provision of law to the contrary and subject to the provisions of this Section, 2 or more contiguous school districts with all or a portion of their territory located within the geographic boundaries of the same municipality may, when in their judgment the interest of the districts and of the students therein will be best served, jointly operate, through an institution of higher education located in the municipality, a science and mathematics partnership school for serving some or all of grades kindergarten through 8. The partnership school may (i) restrict attendance to pupils who reside within the geographic boundaries of the areas served by the school districts and (ii) select students for enrollment based on admission criteria that focuses on academic proficiency in science and mathematics established by the partnership school and approved by the districts' school boards; however, in no case may the partnership school discriminate on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, marital status, or need for special education services in the establishment of its attendance boundaries or in the selection of students for enrollment. The number of students enrolled from each school district shall be approximately equal in number. If there are more students eligible for enrollment in the partnership school from a school district than there are spaces available, eligible students must be selected by lottery.

(b) The school board of each school district shall, by proper resolution, enter into the joint operation of the partnership school. The school boards of the participating districts shall execute a partnership school contract with the institution of higher education for the joint operation, subject to the provisions of this Section. The agreement for joint operation of the partnership school shall include, but not be limited to, provisions for administration, staff, programs, financing, facilities, and transportation.

(c) Each participating school district shall pay its per capita cost of educating the students residing in the district and attending the partnership school for the maintenance and operation of the partnership school. The manner of determining per capita cost must be set forth in the agreement. Each district shall pay the amount owed under the terms of the agreement from the fund that the district would have used if the district had incurred the costs directly and may levy taxes and issue bonds as otherwise authorized for these purposes in order to make payments.
(d) The teachers and other non-administrative, certified employees who work in the partnership school must be selected according to criteria established by the partnership school and agreed to by the school districts' school boards. The number of such employees selected from each school district must be approximately equal in number. Their selection must be for a 2-year or 4-year period, upon the completion of which they must be assigned to a comparable position in the school from which they were selected. While working in the partnership school, these employees shall remain employees of and be paid by the school district from which they were selected, and their wages and benefits must be the same as if they were teaching or otherwise working in that district, provided that additional wages and benefits may be provided to these teachers and other staff if the participating school districts and the exclusive bargaining representatives of their teachers and other staff agree. The contractual continued service status of a teacher and the retirement benefits of those employees who accept work with the partnership school must not be affected. A school term worked in the partnership school must be considered a school term worked in the school district from which the employees were selected for contractual continued service attainment purposes. The time spent in employment with a participating district by any teacher who has not yet entered upon contractual continued service and accepts selection to work in the partnership school is not lost when computing the time necessary for the teacher to enter upon contractual continued service.

(Source: P.A. 97-97, eff. 1-1-12; 98-786, eff. 7-25-14.)

(105 ILCS 5/10-22.23) (from Ch. 122, par. 10-22.23)

Sec. 10-22.23. School Nurse. To employ a registered professional nurse and define the duties of the school nurse within the guidelines of rules and regulations promulgated by the State Board of Education. Any school nurse first employed on or after July 1, 1976, whose duties require teaching or the exercise of instructional judgment or educational evaluation of pupils, must be licensed under Section 21B-25 of this Code. School districts may employ nonlicensed registered professional nurses to perform professional nursing services.

(Source: P.A. 102-894, eff. 5-20-22.)

(105 ILCS 5/10-22.23a) (from Ch. 122, par. 10-22.23a)

Sec. 10-22.23a. Chief school business official. To employ a chief school business official and define the duties of the chief school business official. Any chief school business official first employed on or after July 1, 1977 shall be licensed under Article 21B. For the purposes of this Section, experience as a school business official in an Illinois public school district prior to July 1, 1977 shall be deemed the equivalent of licensure.

(Source: P.A. 102-894, eff. 5-20-22.)

(105 ILCS 5/10-22.24) (from Ch. 122, par. 10-22.24)

Sec. 10-22.24. (Repealed).

(Source: Laws 1961, p. 31. Repealed by P.A. 89-159, eff. 1-1-96.)

(105 ILCS 5/10-22.24a) (from Ch. 122, par. 10-22.24a)
Sec. 10-22.24a. School counselor. To employ school counselors. A school counselor is a qualified specialist who holds a Professional Educator License with a school support personnel endorsement in the area of school counseling issued pursuant to Section 21B-25 of this Code and who either (i) holds or is qualified for an elementary, secondary, special K-12, or special preschool-age 22 endorsement on a Professional Educator License issued pursuant to Section 21B-20 or 21B-25 of this Code or (ii) in lieu of holding or qualifying for a teaching endorsement on a Professional Educator License, has fulfilled such other requirements as the State Board of Education may by rule establish. An individual who has completed an approved program in another state may apply for a Professional Educator License endorsed in school counseling and shall receive such a license if a review of his or her credentials indicates that he or she meets the additional requirements of this Section. Only persons so licensed and endorsed may use the title "school counselor".

(Source: P.A. 102-894, eff. 5-20-22.)

(105 ILCS 5/10-22.24b)

(Text of Section before amendment by P.A. 102-876)

Sec. 10-22.24b. School counseling services. School counseling services in public schools may be provided by school counselors as defined in Section 10-22.24a of this Code or by individuals who hold a Professional Educator License with a school support personnel endorsement in the area of school counseling under Section 21B-25 of this Code.

School counseling services may include, but are not limited to:

(1) designing and delivering a comprehensive school counseling program that promotes student achievement and wellness;

(2) incorporating the common core language into the school counselor’s work and role;

(3) school counselors working as culturally skilled professionals who act sensitively to promote social justice and equity in a pluralistic society;

(4) providing individual and group counseling;

(5) providing a core counseling curriculum that serves all students and addresses the knowledge and skills appropriate to their developmental level through a collaborative model of delivery involving the school counselor, classroom teachers, and other appropriate education professionals, and including prevention and pre-referral activities;

(6) making referrals when necessary to appropriate offices or outside agencies;

(7) providing college and career development activities and counseling;

(8) developing individual career plans with students;

(9) assisting all students with a college or post-secondary education plan, which must include a discussion on all post-secondary education options, including 4-year colleges or universities, community colleges, and vocational schools;

(10) intentionally addressing the career and college needs of first generation students;
(11) educating all students on scholarships, financial aid, and preparation of the Federal Application for Federal Student Aid;

(12) collaborating with institutions of higher education and local community colleges so that students understand post-secondary education options and are ready to transition successfully;

(13) providing crisis intervention and contributing to the development of a specific crisis plan within the school setting in collaboration with multiple stakeholders;

(14) educating students, teachers, and parents on anxiety, depression, cutting, and suicide issues and intervening with students who present with these issues;

(15) providing counseling and other resources to students who are in crisis;

(16) providing resources for those students who do not have access to mental health services;

(17) addressing bullying and conflict resolution with all students;

(18) teaching communication skills and helping students develop positive relationships;

(19) using culturally-sensitive skills in working with all students to promote wellness;

(20) addressing the needs of undocumented students in the school, as well as students who are legally in the United States, but whose parents are undocumented;

(21) contributing to a student's functional behavioral assessment, as well as assisting in the development of non-aversive behavioral intervention strategies;

(22) (i) assisting students in need of special education services by implementing the academic supports and social-emotional and college or career development counseling services or interventions per a student's individualized education program (IEP); (ii) participating in or contributing to a student's IEP and completing a social-developmental history; or (iii) providing services to a student with a disability under the student's IEP or federal Section 504 plan, as recommended by the student's IEP team or Section 504 plan team and in compliance with federal and State laws and rules governing the provision of educational and related services and school-based accommodations to students with disabilities and the qualifications of school personnel to provide such services and accommodations;

(23) assisting in the development of a personal educational plan with each student;

(24) educating students on dual credit and learning opportunities on the Internet;

(25) providing information for all students in the selection of courses that will lead to post-secondary education opportunities toward a successful career;

(26) interpreting achievement test results and guiding students in appropriate directions;

(27) counseling with students, families, and teachers, in compliance with federal and State laws;

(28) providing families with opportunities for education and counseling as appropriate in relation to the student's educational assessment;
(29) consulting and collaborating with teachers and other school personnel regarding behavior management and intervention plans and inclusion in support of students;

(30) teaming and partnering with staff, parents, businesses, and community organizations to support student achievement and social-emotional learning standards for all students;

(31) developing and implementing school-based prevention programs, including, but not limited to, mediation and violence prevention, implementing social and emotional education programs and services, and establishing and implementing bullying prevention and intervention programs;

(32) developing culturally-sensitive assessment instruments for measuring school counseling prevention and intervention effectiveness and collecting, analyzing, and interpreting data;

(33) participating on school and district committees to advocate for student programs and resources, as well as establishing a school counseling advisory council that includes representatives of key stakeholders selected to review and advise on the implementation of the school counseling program;

(34) acting as a liaison between the public schools and community resources and building relationships with important stakeholders, such as families, administrators, teachers, and board members;

(35) maintaining organized, clear, and useful records in a confidential manner consistent with Section 5 of the Illinois School Student Records Act, the Family Educational Rights and Privacy Act, and the Health Insurance Portability and Accountability Act;

(36) presenting an annual agreement to the administration, including a formal discussion of the alignment of school and school counseling program missions and goals and detailing specific school counselor responsibilities;

(37) identifying and implementing culturally-sensitive measures of success for student competencies in each of the 3 domains of academic, social and emotional, and college and career learning based on planned and periodic assessment of the comprehensive developmental school counseling program;

(38) collaborating as a team member in Response to Intervention (RtI) and other school initiatives;

(39) conducting observations and participating in recommendations or interventions regarding the placement of children in educational programs or special education classes;

(40) analyzing data and results of school counseling program assessments, including curriculum, small-group, and closing-the-gap results reports, and designing strategies to continue to improve program effectiveness;

(41) analyzing data and results of school counselor competency assessments;

(42) following American School Counselor Association Ethical Standards for School Counselors to demonstrate high standards of integrity, leadership, and professionalism;

(43) knowing and embracing common core standards by using common core language;
(44) Practicing as a culturally-skilled school counselor by infusing the multicultural competencies within the role of the school counselor, including the practice of culturally-sensitive attitudes and beliefs, knowledge, and skills;

(45) Infusing the Social-Emotional Standards, as presented in the State Board of Education standards, across the curriculum and in the counselor’s role in ways that empower and enable students to achieve academic success across all grade levels;

(46) Providing services only in areas in which the school counselor has appropriate training or expertise, as well as only providing counseling or consulting services within his or her employment to any student in the district or districts which employ such school counselor, in accordance with professional ethics;

(47) Having adequate training in supervision knowledge and skills in order to supervise school counseling interns enrolled in graduate school counselor preparation programs that meet the standards established by the State Board of Education;

(48) Being involved with State and national professional associations;

(49) Participating, at least once every 2 years, in an in-service training program for school counselors conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting youth, which shall include training concerning (i) communicating with and listening to youth victims of domestic or sexual violence and expectant and parenting youth, (ii) connecting youth victims of domestic or sexual violence and expectant and parenting youth to appropriate in-school services and other agencies, programs, and services as needed, and (iii) implementing the school district’s policies, procedures, and protocols with regard to such youth, including confidentiality; at a minimum, school personnel must be trained to understand, provide information and referrals, and address issues pertaining to youth who are parents, expectant parents, or victims of domestic or sexual violence;

(50) Participating, at least every 2 years, in an in-service training program for school counselors conducted by persons with expertise in anaphylactic reactions and management;

(51) Participating, at least once every 2 years, in an in-service training on educator ethics, teacher-student conduct, and school employee-student conduct for all personnel;

(52) Participating, in addition to other topics at in-service training programs, in training to identify the warning signs of mental illness and suicidal behavior in adolescents and teenagers and learning appropriate intervention and referral techniques;

(53) Obtaining training to have a basic knowledge of matters relating to acquired immunodeficiency syndrome (AIDS), including the nature of the disease, its causes and effects, the means of detecting it and preventing its transmission, and the availability of appropriate sources of counseling and referral and any other information that may be appropriate considering the age and grade level of the pupils; the school board shall supervise such training and the State Board of Education and the Department of Public Health shall jointly develop standards for such training; and

(54) Participating in mandates from the State Board of Education for bullying education and social-emotional literacy.
School districts may employ a sufficient number of school counselors to maintain the national and State recommended student-counselor ratio of 250 to 1. School districts may have school counselors spend at least 80% of his or her work time in direct contact with students.

Nothing in this Section prohibits other qualified professionals, including other endorsed school support personnel, from providing the services listed in this Section.

(Source: P.A. 101-290, eff. 8-9-19.)

(Text of Section after amendment by P.A. 102-876)

Sec. 10-22.24b. School counseling services. School counseling services in public schools may be provided by school counselors as defined in Section 10-22.24a of this Code or by individuals who hold a Professional Educator License with a school support personnel endorsement in the area of school counseling under Section 21B-25 of this Code.

School counseling services may include, but are not limited to:

1. designing and delivering a comprehensive school counseling program that promotes student achievement and wellness;

2. incorporating the common core language into the school counselor's work and role;

3. school counselors working as culturally skilled professionals who act sensitively to promote social justice and equity in a pluralistic society;

4. providing individual and group counseling;

5. providing a core counseling curriculum that serves all students and addresses the knowledge and skills appropriate to their developmental level through a collaborative model of delivery involving the school counselor, classroom teachers, and other appropriate education professionals, and including prevention and pre-referral activities;

6. making referrals when necessary to appropriate offices or outside agencies;

7. providing college and career development activities and counseling;

8. developing individual career plans with students, which includes planning for post-secondary education, as appropriate, and engaging in related and relevant career and technical education coursework in high school as described in paragraph (55);

9. assisting all students with a college or post-secondary education plan, which must include a discussion on all post-secondary education options, including 4-year colleges or universities, community colleges, and vocational schools, and includes planning for post-secondary education, as appropriate, and engaging in related and relevant career and technical education coursework in high school as described in paragraph (55);

10. intentionally addressing the career and college needs of first generation students;
(11) educating all students on scholarships, financial aid, and preparation of the Federal Application for Federal Student Aid;

(12) collaborating with institutions of higher education and local community colleges so that students understand post-secondary education options and are ready to transition successfully;

(13) providing crisis intervention and contributing to the development of a specific crisis plan within the school setting in collaboration with multiple stakeholders;

(14) educating students, teachers, and parents on anxiety, depression, cutting, and suicide issues and intervening with students who present with these issues;

(15) providing counseling and other resources to students who are in crisis;

(16) providing resources for those students who do not have access to mental health services;

(17) addressing bullying and conflict resolution with all students;

(18) teaching communication skills and helping students develop positive relationships;

(19) using culturally-sensitive skills in working with all students to promote wellness;

(20) addressing the needs of undocumented students in the school, as well as students who are legally in the United States, but whose parents are undocumented;

(21) contributing to a student's functional behavioral assessment, as well as assisting in the development of non-aversive behavioral intervention strategies;

(22) (i) assisting students in need of special education services by implementing the academic supports and social-emotional and college or career development counseling services or interventions per a student's individualized education program (IEP); (ii) participating in or contributing to a student's IEP and completing a social-developmental history; or (iii) providing services to a student with a disability under the student's IEP or federal Section 504 plan, as recommended by the student's IEP team or Section 504 plan team and in compliance with federal and State laws and rules governing the provision of educational and related services and school-based accommodations to students with disabilities and the qualifications of school personnel to provide such services and accommodations;

(23) assisting in the development of a personal educational plan with each student;

(24) educating students on dual credit and learning opportunities on the Internet;

(25) providing information for all students in the selection of courses that will lead to post-secondary education opportunities toward a successful career;

(26) interpreting achievement test results and guiding students in appropriate directions;

(27) counseling with students, families, and teachers, in compliance with federal and State laws;

(28) providing families with opportunities for education and counseling as appropriate in relation to the student's educational assessment;
(29) consulting and collaborating with teachers and other school personnel regarding behavior management and intervention plans and inclusion in support of students;

(30) teaming and partnering with staff, parents, businesses, and community organizations to support student achievement and social-emotional learning standards for all students;

(31) developing and implementing school-based prevention programs, including, but not limited to, mediation and violence prevention, implementing social and emotional education programs and services, and establishing and implementing bullying prevention and intervention programs;

(32) developing culturally-sensitive assessment instruments for measuring school counseling prevention and intervention effectiveness and collecting, analyzing, and interpreting data;

(33) participating on school and district committees to advocate for student programs and resources, as well as establishing a school counseling advisory council that includes representatives of key stakeholders selected to review and advise on the implementation of the school counseling program;

(34) acting as a liaison between the public schools and community resources and building relationships with important stakeholders, such as families, administrators, teachers, and board members;

(35) maintaining organized, clear, and useful records in a confidential manner consistent with Section 5 of the Illinois School Student Records Act, the Family Educational Rights and Privacy Act, and the Health Insurance Portability and Accountability Act;

(36) presenting an annual agreement to the administration, including a formal discussion of the alignment of school and school counseling program missions and goals and detailing specific school counselor responsibilities;

(37) identifying and implementing culturally-sensitive measures of success for student competencies in each of the 3 domains of academic, social and emotional, and college and career learning based on planned and periodic assessment of the comprehensive developmental school counseling program;

(38) collaborating as a team member in Response to Intervention (RtI) and other school initiatives;

(39) conducting observations and participating in recommendations or interventions regarding the placement of children in educational programs or special education classes;

(40) analyzing data and results of school counseling program assessments, including curriculum, small-group, and closing-the-gap results reports, and designing strategies to continue to improve program effectiveness;

(41) analyzing data and results of school counselor competency assessments;

(42) following American School Counselor Association Ethical Standards for School Counselors to demonstrate high standards of integrity, leadership, and professionalism;

(43) knowing and embracing common core standards by using common core language;
(44) practicing as a culturally-skilled school counselor by infusing the multicultural competencies within the role of the school counselor, including the practice of culturally-sensitive attitudes and beliefs, knowledge, and skills;

(45) infusing the Social-Emotional Standards, as presented in the State Board of Education standards, across the curriculum and in the counselor’s role in ways that empower and enable students to achieve academic success across all grade levels;

(46) providing services only in areas in which the school counselor has appropriate training or expertise, as well as only providing counseling or consulting services within his or her employment to any student in the district or districts which employ such school counselor, in accordance with professional ethics;

(47) having adequate training in supervision knowledge and skills in order to supervise school counseling interns enrolled in graduate school counselor preparation programs that meet the standards established by the State Board of Education;

(48) being involved with State and national professional associations;

(49) participating, at least once every 2 years, in an in-service training program for school counselors conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting youth, which shall include training concerning (i) communicating with and listening to youth victims of domestic or sexual violence and expectant and parenting youth, (ii) connecting youth victims of domestic or sexual violence and expectant and parenting youth to appropriate in-school services and other agencies, programs, and services as needed, and (iii) implementing the school district’s policies, procedures, and protocols with regard to such youth, including confidentiality; at a minimum, school personnel must be trained to understand, provide information and referrals, and address issues pertaining to youth who are parents, expectant parents, or victims of domestic or sexual violence;

(50) participating, at least every 2 years, in an in-service training program for school counselors conducted by persons with expertise in anaphylactic reactions and management;

(51) participating, at least once every 2 years, in an in-service training on educator ethics, teacher-student conduct, and school employee-student conduct for all personnel;

(52) participating, in addition to other topics at in-service training programs, in training to identify the warning signs of mental illness and suicidal behavior in adolescents and teenagers and learning appropriate intervention and referral techniques;

(53) obtaining training to have a basic knowledge of matters relating to acquired immunodeficiency syndrome (AIDS), including the nature of the disease, its causes and effects, the means of detecting it and preventing its transmission, and the availability of appropriate sources of counseling and referral and any other information that may be appropriate considering the age and grade level of the pupils; the school board shall supervise such training and the State Board of Education and the Department of Public Health shall jointly develop standards for such training;

(54) participating in mandates from the State Board of Education for bullying education and social-emotional literacy; and
promoting career and technical education by assisting each student to determine an appropriate postsecondary plan based upon the student's skills, strengths, and goals and assisting the student to implement the best practices that improve career or workforce readiness after high school.

School districts may employ a sufficient number of school counselors to maintain the national and State recommended student-counselor ratio of 250 to 1. School districts may have school counselors spend at least 80% of his or her work time in direct contact with students.

Nothing in this Section prohibits other qualified professionals, including other endorsed school support personnel, from providing the services listed in this Section.

Sec. 10-22.25. Purchase and rent of textbooks.

To purchase textbooks and rent them to the pupils.

Sec. 10-22.25a. To obtain personal property, when authorized by an affirmative vote of 2/3 of the members of the board, by lease, with or without an option to purchase, for a period not to exceed 5 years or by purchase under an installment contract extending over a period of not more than 5 years, with interest at a rate not to exceed the maximum rate authorized by the Bond Authorization Act, as amended at the time of the making of the contract; provided that the term of guaranteed energy savings contracts as defined in Article 19b of the School Code may exceed 5 years. For the purpose of this Section, personal property shall include computer hardware and software and all equipment, fixtures, renovations, and improvements to existing facilities of the district necessary to accommodate computers.

With respect to instruments for the payment of money issued under this Section either before, on, or after the effective date of this amendatory Act of 1989, it is and always has been the intention of the General Assembly (i) that the Omnibus Bond Acts are and always have been supplementary grants of power to issue instruments in accordance with the Omnibus Bond Acts, regardless of any provision of this Act that may appear to be or to have been more restrictive than those Acts, (ii) that the provisions of this Section are not a limitation on the supplementary authority granted by the Omnibus Bond Acts, and (iii) that instruments issued under this Section within the supplementary authority granted by the Omnibus Bond Acts are not invalid because of any provision of this Act that may appear to be or to have been more restrictive than those Acts.

Sec. 10-22.25b. School uniforms. The school board may adopt a school uniform or dress code policy that governs all or certain individual attendance centers and that is necessary to maintain the orderly process of a school function or prevent endangerment of student health or safety. A school uniform or
dress code policy adopted by a school board: (i) shall not be applied in such manner as to discipline or deny attendance to a transfer student or any other student for noncompliance with that policy during such period of time as is reasonably necessary to enable the student to acquire a school uniform or otherwise comply with the dress code policy that is in effect at the attendance center or in the district into which the student's enrollment is transferred; (ii) shall include criteria and procedures under which the school board will accommodate the needs of or otherwise provide appropriate resources to assist a student from an indigent family in complying with an applicable school uniform or dress code policy; and (iii) shall not include or apply to hairstyles, including hairstyles historically associated with race, ethnicity, or hair texture, including, but not limited to, protective hairstyles such as braids, locks, and twists. A student whose parents or legal guardians object on religious grounds to the student's compliance with an applicable school uniform or dress code policy shall not be required to comply with that policy if the student's parents or legal guardians present to the school board a signed statement of objection detailing the grounds for the objection. This Section applies to school boards of all districts, including special charter districts and districts organized under Article 34. If a school board does not comply with the requirements and prohibitions set forth in this Section, the school district is subject to the penalty imposed pursuant to subsection (a) of Section 2-3.25.

By no later than July 1, 2022, the State Board of Education shall make available to schools resource materials developed in consultation with stakeholders regarding hairstyles, including hairstyles historically associated with race, ethnicity, or hair texture, including, but not limited to, protective hairstyles such as braids, locks, and twists. The State Board of Education shall make the resource materials available on its Internet website.

(Source: P.A. 102-360, eff. 1-1-22.)

(105 ILCS 5/10-22.26)  (from Ch. 122, par. 10-22.26)

Sec. 10-22.26. School Lunch Program - Purchase of Equipment. To maintain and operate a school lunch program in accordance with applicable regulations of the State Board of Education and agencies of the United States government. Equipment to be used in the school lunch program shall be paid for from the operations and maintenance fund of the district or from any surplus remaining in the school lunch account at the end of the school term.

(Source: P.A. 86-970.)

(105 ILCS 5/10-22.27)  (from Ch. 122, par. 10-22.27)

Sec. 10-22.27. Schools outside district for exceptional children. To rent suitable facilities outside of the district and maintain classes therein for the instruction of children from any home for orphans, dependent, abandoned, or maladjusted children as provided in Section 18-3 of this Act; provided that written consent is secured from the school board of the district wherein such facilities and classes are located.

(Source: Laws 1961, p. 31.)

(105 ILCS 5/10-22.28)  (from Ch. 122, par. 10-22.28)

Sec. 10-22.28. School safety patrol.
To establish and maintain a school safety patrol and with the written consent of the parents of individual pupils to appoint such pupils to participate as members thereof for the purpose of influencing and encouraging the other pupils to refrain from crossing public streets and highways at points other than at regular crossings and for the purpose of directing pupils not to cross streets and highways at times when the presence of traffic would render such crossing unsafe.

The safety patrol shall function only under the direction and control of school authorities; however, upon request of the school board other agencies may cooperate to such extent as may be agreed upon.

No liability shall attach either to the school district or any individual, trustee, board member, superintendent, principal, teacher or other school employee by virtue of the organization, maintenance or operation of a school safety patrol organized, maintained and operated under authority of this section.

Nothing herein contained shall be construed to authorize or permit the use of any safety patrol member for the purpose of directing vehicular traffic.

(Source: Laws 1961, p. 31.)

(105 ILCS 5/10-22.28a) (from Ch. 122, par. 10-22.28a)

Sec. 10-22.28a. To acquire, install, operate and maintain traffic signals relative to school crossing protection and school crossing stop signals and to employ persons for the purpose of directing traffic upon school grounds and on or along streets and highways or portions thereof within a radius of one mile from such school grounds, or to share the cost of employing such persons with or accept the employment of such persons by any unit of local government. The school board may determine whether the crossing guard employment costs shall be paid from its educational, transportation or operations and maintenance fund. The powers in this Section are subject to the following:

1. The power to acquire, install, operate and maintain traffic signals may not be exercised in any city, village or incorporated town;

2. Prior approval must be obtained from the Department of Transportation with respect to highways for which it has maintenance jurisdiction, and any public body or official having jurisdiction over any street or highway affected;

3. All signs and signals to be erected shall conform to the Department of Transportation's Manual and Specifications and shall be justified by traffic warrants stated in the Manual, and all pertinent provisions of The Illinois Vehicle Code, not inconsistent with the provisions of this Section, shall apply.

(Source: P.A. 86-970.)

(105 ILCS 5/10-22.29) (from Ch. 122, par. 10-22.29)

Sec. 10-22.29. Outdoor education. To offer, if deemed appropriate, outdoor education, and to use school funds for the expenses of the outdoor education program, within the State of Illinois, or adjacent States, whether within the school district or not, including the purchase or renting of facilities either individually or jointly with any other school district or districts.

(Source: Laws 1968, p. 414.)
Sec. 10-22.29a. To authorize the establishment of an investment club, in any high school within the district, to be organized on a purely voluntary basis. The State Board of Education may, however, promulgate reasonable standards regarding the establishment, organization and operation of investment clubs formed pursuant to this Section which standards must be complied with by all those concerned. The superintendent of schools shall, when the board has authorized the establishment of an investment club, designate a teacher in the high school where the club is organized to serve as sponsor of the club and as the fiduciary for members of the club in making the purchases and sales of securities on behalf of the members and shall also designate an investment dealer registered with the Secretary of State of Illinois as an investment dealer; to provide investment counseling and brokerage services for the members of the club. That investment dealer shall (a) reflect all transactions entered into on behalf of the investment club in an account in the name of the teacher as fiduciary, (b) submit monthly to the fiduciary a statement of account reflecting all transactions entered into on behalf of the club during the previous month including the prices paid on purchases and the proceeds received on sales of securities and the costs and fees incurred in each transaction and listing the accumulated holdings of the investment club by type of security, number of shares of stock, name of the issuer and any other information necessary to identify the composition of the accumulated security holdings of the club, and (c) handle transactions on behalf of the club, through the designated fiduciary as a street account rather than through issuance of certificates in the name of the fiduciary or of individual club members. Any investment club formed under this Section must sell all securities purchased through the club and distribute the proceeds of sales to its members by May 20th each year. All investment clubs are subject to the provisions of the Illinois Securities Law of 1953.

(Source: P.A. 100-201, eff. 8-18-17.)

Sec. 10-22.29b. Educational tours. As a supplement to a particular course of instruction, to conduct educational tours, within or without the district, the State of Illinois or the United States, for the pupils or employees, or both, of any school or schools within the district. Nothing in this Section authorizes the use of any school funds for any expenditures incurred on such a tour such as meals, lodging and transportation costs nor does this Section apply to any outdoor education class, field trip or travel to and from a school sponsored event as permitted under Sections 10-22.29, 29-3.1 and 34-18, subsection (11). Nothing in this Section prohibits payment of the salaries of necessary personnel while on a tour or field trip if the personnel are performing in the ordinary course of their employment.

(Source: P.A. 85-1389.)

Sec. 10-22.30. Television and radio programs.

To enter into contracts, either alone or in cooperation with other school boards, for the purpose of participating in or the procuring of television or radio broadcasts or both, for use in the educational program of the schools; to provide television or radio studio facilities or both; to grant the use of such studio facilities to a licensed television or radio station located in the school district; to maintain and operate such school television or radio transmitting devices, or both, as are necessary to distribute
SCHOOLS (105 ILCS 5/) School Code.

adequate instructional television or radio programming with closed-circuit, fixed-circuit or standard broadcasting equipment; and to provide programs for educational purposes.

(Source: Laws 1965, p. 573.)

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

Sec. 10-22.31. Special education.

(a) To enter into joint agreements with other school boards to provide the needed special educational facilities and to employ a director and other professional workers as defined in Section 14-1.10 and to establish facilities as defined in Section 14-1.08 for the types of children described in Sections 14-1.02 and 14-1.03a. The director (who may be employed under a contract as provided in subsection (c) of this Section) and other professional workers may be employed by one district, which shall be reimbursed on a mutually agreed basis by other districts that are parties to the joint agreement. Such agreements may provide that one district may supply professional workers for a joint program conducted in another district. Such agreement shall provide that any full-time professional worker who is employed by a joint agreement program and spends over 50% of his or her time in one school district shall not be required to work a different teaching schedule than the other professional worker in that district. Such agreement shall include, but not be limited to, provisions for administration, staff, programs, financing, housing, transportation, an advisory body, and the method or methods to be employed for disposing of property upon the withdrawal of a school district or dissolution of the joint agreement and shall specify procedures for the withdrawal of districts from the joint agreement as long as these procedures are consistent with this Section. Such agreement may be amended at any time as provided in the joint agreement or, if the joint agreement does not so provide, then such agreement may be amended at any time upon the adoption of concurring resolutions by the school boards of all member districts, provided that no later than 6 months after August 28, 2009 (the effective date of Public Act 96-783), all existing agreements shall be amended to be consistent with Public Act 96-783. Such an amendment may include the removal of a school district from or the addition of a school district to the joint agreement without a petition as otherwise required in this Section if all member districts adopt concurring resolutions to that effect. A fully executed copy of any such agreement or amendment entered into on or after January 1, 1989 shall be filed with the State Board of Education. Petitions for withdrawal shall be made to the regional board or boards of school trustees exercising oversight or governance over any of the districts in the joint agreement. Upon receipt of a petition for withdrawal, the regional board of school trustees shall publish notice of and conduct a hearing or, in instances in which more than one regional board of school trustees exercises oversight or governance over any of the districts in the joint agreement, a joint hearing, in accordance with rules adopted by the State Board of Education. In instances in which a single regional board of school trustees holds the hearing, approval of the petition must be by a two-thirds majority vote of the school trustees. In instances in which a joint hearing of 2 or more regional boards of school trustees is required, approval of the petition must be by a two-thirds majority of all those school trustees present and voting. Notwithstanding the provisions of Article 6 of this Code, in instances in which the competent regional board or boards of school trustees has been abolished, petitions for withdrawal shall be made to the school boards of those districts that fall under the oversight or governance of the abolished regional board of school trustees in accordance with rules adopted by the State Board of Education. If any petition is approved pursuant to this subsection (a), the withdrawal
takes effect as provided in Section 7-9 of this Act. The changes to this Section made by Public Act 96-769 apply to all changes to special education joint agreement membership initiated after July 1, 2009.

(b) To either (1) designate an administrative district to act as fiscal and legal agent for the districts that are parties to the joint agreement, or (2) designate a governing board composed of one member of the school board of each cooperating district and designated by such boards to act in accordance with the joint agreement. No such governing board may levy taxes and no such governing board may incur any indebtedness except within an annual budget for the joint agreement approved by the governing board and by the boards of at least a majority of the cooperating school districts or a number of districts greater than a majority if required by the joint agreement. The governing board may appoint an executive board of at least 7 members to administer the joint agreement in accordance with its terms. However, if 7 or more school districts are parties to a joint agreement that does not have an administrative district: (i) at least a majority of the members appointed by the governing board to the executive board shall be members of the school boards of the cooperating districts; or (ii) if the governing board wishes to appoint members who are not school board members, they shall be superintendents from the cooperating districts.

(c) To employ a full-time director of special education of the joint agreement program under a one-year or multi-year contract. No such contract can be offered or accepted for less than one year. Such contract may be discontinued at any time by mutual agreement of the contracting parties, or may be extended for an additional one-year or multi-year period at the end of any year.

The contract year is July 1 through the following June 30th, unless the contract specifically provides otherwise. Notice of intent not to renew a contract when given by a controlling board or administrative district must be in writing stating the specific reason therefor. Notice of intent not to renew the contract must be given by the controlling board or the administrative district at least 90 days before the contract expires. Failure to do so will automatically extend the contract for one additional year.

By accepting the terms of the contract, the director of a special education joint agreement waives all rights granted under Sections 24-11 through 24-16 for the duration of his or her employment as a director of a special education joint agreement.

(d) To designate a district that is a party to the joint agreement as the issuer of bonds or notes for the purposes and in the manner provided in this Section. It is not necessary for such district to also be the administrative district for the joint agreement, nor is it necessary for the same district to be designated as the issuer of all series of bonds or notes issued hereunder. Any district so designated may, from time to time, borrow money and, in evidence of its obligation to repay the borrowing, issue its negotiable bonds or notes for the purpose of acquiring, constructing, altering, repairing, enlarging and equipping any building or portion thereof, together with any land or interest therein, necessary to provide special educational facilities and services as defined in Section 14-1.08. Title in and to any such facilities shall be held in accordance with the joint agreement.

Any such bonds or notes shall be authorized by a resolution of the board of education of the issuing district. The resolution may contain such covenants as may be deemed necessary or advisable by the district to assure the payment of the bonds or notes. The resolution shall be effective immediately upon its adoption.
Prior to the issuance of such bonds or notes, each school district that is a party to the joint agreement shall agree, whether by amendment to the joint agreement or by resolution of the board of education, to be jointly and severally liable for the payment of the bonds and notes. The bonds or notes shall be payable solely and only from the payments made pursuant to such agreement.

Neither the bonds or notes nor the obligation to pay the bonds or notes under any joint agreement shall constitute an indebtedness of any district, including the issuing district, within the meaning of any constitutional or statutory limitation.

As long as any bonds or notes are outstanding and unpaid, the agreement by a district to pay the bonds and notes shall be irrevocable notwithstanding the district's withdrawal from membership in the joint special education program.

(e) If a district whose employees are on strike was, prior to the strike, sending students with disabilities to special educational facilities and services in another district or cooperative, the district affected by the strike shall continue to send such students during the strike and shall be eligible to receive appropriate State reimbursement.

(f) With respect to those joint agreements that have a governing board composed of one member of the school board of each cooperating district and designated by those boards to act in accordance with the joint agreement, the governing board shall have, in addition to its other powers under this Section, the authority to issue bonds or notes for the purposes and in the manner provided in this subsection. The governing board of the joint agreement may from time to time borrow money and, in evidence of its obligation to repay the borrowing, issue its negotiable bonds or notes for the purpose of acquiring, constructing, altering, repairing, enlarging and equipping any building or portion thereof, together with any land or interest therein, necessary to provide special educational facilities and services as defined in Section 14-1.08 and including also facilities for activities of administration and educational support personnel employees. Title in and to any such facilities shall be held in accordance with the joint agreement.

Any such bonds or notes shall be authorized by a resolution of the governing board. The resolution may contain such covenants as may be deemed necessary or advisable by the governing board to assure the payment of the bonds or notes and interest accruing thereon. The resolution shall be effective immediately upon its adoption.

Each school district that is a party to the joint agreement shall be automatically liable, by virtue of its membership in the joint agreement, for its proportionate share of the principal amount of the bonds and notes plus interest accruing thereon, as provided in the resolution. Subject to the joint and several liability hereinafter provided for, the resolution may provide for different payment schedules for different districts except that the aggregate amount of scheduled payments for each district shall be equal to its proportionate share of the debt service in the bonds or notes based upon the fraction that its equalized assessed valuation bears to the total equalized assessed valuation of all the district members of the joint agreement as adjusted in the manner hereinafter provided. In computing that fraction the most recent available equalized assessed valuation at the time of the issuance of the bonds and notes shall be used, and the equalized assessed valuation of any district maintaining grades K to 12 shall be doubled in both the numerator and denominator of the fraction used for all of the districts that are members of the joint agreement. In case of default in payment by any member, each school district
that is a party to the joint agreement shall automatically be jointly and severally liable for the amount of any deficiency. The bonds or notes and interest thereon shall be payable solely and only from the funds made available pursuant to the procedures set forth in this subsection. No project authorized under this subsection may require an annual contribution for bond payments from any member district in excess of 0.15% of the value of taxable property as equalized or assessed by the Department of Revenue in the case of districts maintaining grades K-8 or 9-12 and 0.30% of the value of taxable property as equalized or assessed by the Department of Revenue in the case of districts maintaining grades K-12. This limitation on taxing authority is expressly applicable to taxing authority provided under Section 17-9 and other applicable Sections of this Act. Nothing contained in this subsection shall be construed as an exception to the property tax limitations contained in Section 17-2, 17-2.2a, 17-5, or any other applicable Section of this Act.

Neither the bonds or notes nor the obligation to pay the bonds or notes under any joint agreement shall constitute an indebtedness of any district within the meaning of any constitutional or statutory limitation.

As long as any bonds or notes are outstanding and unpaid, the obligation of a district to pay its proportionate share of the principal of and interest on the bonds and notes as required in this Section shall be a general obligation of the district payable from any and all sources of revenue designated for that purpose by the board of education of the district and shall be irrevocable notwithstanding the district’s withdrawal from membership in the joint special education program.

(g) A member district wishing to withdraw from a joint agreement may obtain from its school board a written resolution approving the withdrawal. The withdrawing district must then present a written petition for withdrawal from the joint agreement to the other member districts. Under no circumstances may the petition be presented to the other member districts less than 12 months from the date of the proposed withdrawal, unless the member districts agree to waive this timeline. Upon approval by school board written resolution of all of the remaining member districts, the petitioning member district shall notify the State Board of Education of the approved withdrawal in writing and must submit a comprehensive plan developed under subsection (g-5) for review by the State Board. If the petition for withdrawal is not approved, the petitioning member district may appeal the disapproval decision to the trustees of schools of the township that has jurisdiction and authority over the withdrawing district. If a withdrawing district is not under the jurisdiction and authority of the trustees of schools of a township, a hearing panel shall be established by the chief administrative officer of the intermediate service center having jurisdiction over the withdrawing district. The hearing panel shall be made up of 3 persons who have a demonstrated interest and background in education. Each hearing panel member must reside within an educational service region of 2,000,000 or more inhabitants but not within the withdrawing district and may not be a current school board member or employee of the withdrawing district or hold any county office. None of the hearing panel members may reside within the same school district. The hearing panel shall serve without remuneration; however, the necessary expenses, including travel, attendant upon any meeting or hearing in relation to these proceedings must be paid. Prior to the hearing, the withdrawing district shall (i) provide written notification to all parents or guardians of students with disabilities residing within the district of its intent to withdraw from the special education joint agreement; (ii) hold a public hearing to allow for members of the community, parents or guardians of students with disabilities, or any other interested parties an opportunity to review the plan for educating students after the withdrawal and to provide feedback on the plan; and (iii) prepare and
provide a comprehensive plan as outlined under subsection (g-5). The trustees of schools of the township having jurisdiction and authority over the withdrawing district or the hearing panel established by the chief administrative officer of the intermediate service center having jurisdiction over the withdrawing district shall convene and hear testimony to determine whether the withdrawing district has presented sufficient evidence that the district, standing alone, will provide a full continuum of services and support to all its students with disabilities in the foreseeable future. If the trustees of schools of the township having jurisdiction and authority over the withdrawing district or the hearing panel established by the chief administrative officer of the intermediate service center having jurisdiction over the withdrawing district approves the petition for withdrawal, then the petitioning member district shall be withdrawn from the joint agreement effective the following July 1 and shall notify the State Board of Education of the approved withdrawal in writing.

(g-5) Each withdrawing district shall develop a comprehensive plan that includes the administrative policies and procedures outlined in Sections 226.50, 226.100, 226.110, 226.180, 226.230, 226.250, 226.260, 226.300, 226.310, 226.320, 226.330, 226.340, 226.350, 226.500, 226.520, 226.530, 226.540, 226.560, 226.700, 226.740, 226.800, and 226.820 and Subpart G of Part 226 of Title 23 of the Illinois Administrative Code and all relevant portions of the federal Individuals with Disabilities Education Act. The withdrawing district must also demonstrate its ability to provide education for a wide range of students with disabilities, including a full continuum of support and services. To demonstrate an appropriate plan for educating all currently enrolled students with disabilities upon withdrawal from the joint agreement, the withdrawing district must provide a written plan for educating and placing all currently eligible students with disabilities.

(h) The changes to this Section made by Public Act 96-783 apply to withdrawals from or dissolutions of special education joint agreements initiated after August 28, 2009 (the effective date of Public Act 96-783).

(i) Notwithstanding subsections (a), (g), and (h) of this Section or any other provision of this Code to the contrary, an elementary school district that maintains grades up to and including grade 8, that had a 2014-2015 best 3 months’ average daily attendance of 5,209.57, and that had a 2014 equalized assessed valuation of at least $451,500,000, but not more than $452,000,000, may withdraw from its special education joint agreement program consisting of 6 school districts upon submission and approval of the comprehensive plan, in compliance with the applicable requirements of Section 14-4.01 of this Code, in addition to the approval by the school board of the elementary school district and notification to and the filing of an intent to withdraw statement with the governing board of the joint agreement program. Such notification and statement shall specify the effective date of the withdrawal, which in no case shall be less than 60 days after the date of the filing of the notification and statement. Upon receipt of the notification and statement, the governing board of the joint agreement program shall distribute a copy to each member district of the joint agreement and shall initiate any appropriate allocation of assets and liabilities among the remaining member districts to take effect upon the date of the withdrawal. The withdrawal shall take effect upon the date specified in the notification and statement.

(Source: P.A. 100-66, eff. 8-11-17; 101-164, eff. 7-26-19.)

(105 ILCS 5/10-22.31a) (from Ch. 122, par. 10-22.31a)
Sec. 10-22.31a. Joint educational programs. To enter into joint agreements with other school boards or public institutions of higher education to establish any type of educational program which any district may establish individually, to provide the needed educational facilities and to employ a director and other professional workers for such program. The director and other professional workers may be employed by one district which shall be reimbursed on a mutually agreed basis by other districts that are parties to the joint agreement. Such agreements may provide that one district may supply professional workers for a joint program conducted in another district. Such agreement shall be executed on forms provided by the State Board of Education and shall include, but not be limited to, provisions for administration, staff, programs, financing, housing, transportation and advisory body and provide for the withdrawal of districts from the joint agreement by petition to the regional board of school trustees. Such petitions for withdrawal shall be made to the regional board of school trustees of the region having supervision and control over the administrative district and shall be acted upon in the manner provided in Article 7 for the detachment of territory from a school district.

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

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

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

Sec. 10-22.31b. Joint building programs. To enter into joint agreements either under this Act or under the Intergovernmental Cooperation Act with other school boards to acquire, build, establish and maintain sites and buildings including residential facilities, that may be needed for area vocational education buildings or the education of one or more of the types of children with disabilities defined in Sections 14-1.02 through 14-1.07 of this Act, who are residents of such joint agreement area, upon the review and recommendation of the Advisory Council on Education of Children with Disabilities and approval of the State Superintendent. Proposals shall be submitted on forms promulgated by the State Advisory Council. The State Advisory Council shall have 45 days to review the proposal and make a recommendation. The State Superintendent shall then approve or deny the proposal. Any establishment of residential facilities under this Section for the education of children with disabilities shall consider and utilize whenever possible the existing residential service delivery systems including state operated and privately operated facilities. Residential facilities shall be maintained in accordance with applicable health, licensing and life safety requirements, including the applicable provisions of the building code authorized under Section 2-3.12. Such sites may be acquired and buildings built at any place within the area embraced by such joint agreement or within 2 miles of the boundaries of any school district which is a party to the joint agreement. The title to any site or building so acquired shall be held in accordance with Section 16-2 of this Act.

Any funds obtained from the participating governmental entities as a result of a joint agreement entered into under this Act or the Intergovernmental Cooperation Act shall be accounted for in the same manner as provided for the majority of the participating governmental entities under the laws of this State.

(Source: P.A. 89-397, eff. 8-20-95.)

(105 ILCS 5/10-22.31c) (from Ch. 122, par. 10-22.31c)
Sec. 10-22.31c. Meetings; notice. The elected board members serving either as an administrative district or as a governing board under Section 10-22.31 or Section 10-22.31a shall fix a time and place for regular meetings. Special meetings may be called by any 2 such members by giving notice thereof in writing, stating the time, place and purpose of the meeting. Public notice of all meetings must be given as prescribed in Sections 2.02 and 2.03 of the Open Meetings Act, as now or hereafter amended.

At each regular and special meeting which is open to the public, members of the public and employees of any of the districts which are parties to the joint agreement shall be afforded reasonable time to comment to or ask questions of the board members.

(Source: P.A. 84-1334.)

(105 ILCS 5/10-22.31.1)

Sec. 10-22.31.1. (Repealed).

(Source: P.A. 91-241, eff. 7-22-99. Repealed by P.A. 96-783, eff. 8-28-09.)

(105 ILCS 5/10-22.32) (from Ch. 122, par. 10-22.32)

Sec. 10-22.32. To authorize the advancement to school board members the anticipated actual and necessary expenses incurred in attending the following meetings:

1. Meetings sponsored by the State Board of Education or by the regional superintendents of schools,

2. County or regional meetings and the annual meeting sponsored by any school board association complying with the provisions of Article 23 of this Act, and

3. Meetings sponsored by a national organization in the field of public school education.

The school board may advance to teachers and other certified employees the anticipated actual and necessary expenses incurred in attending meetings which are related to that employee's duties and will contribute to the professional development of that employee.

Such advanced actual and necessary expenses are those reasonably anticipated to be incurred on the days necessary for travel to and from and for attendance at such meetings.

After a meeting for which money was advanced to a school board member or teacher or other certified employee for actual and necessary expenses, such member or employee shall submit an itemized verified expense voucher showing the amount of his actual expenses. Receipts shall be attached where possible. If the actual and necessary expenses exceed the amount advanced, the member or employee shall be reimbursed for the amount not advanced. If the actual and necessary expenses are less than the amount advanced, the member or employee shall refund the excess amount.

For purposes of this Section only, a person elected at the consolidated election held in April of 1999 or April of 2001 to serve as a school board member for a term commencing upon the termination of his or her predecessor's term of office shall be deemed to be a school board member for whom moneys of the school district may be advanced and expended under this Section in order to provide, or to arrange for a school board association that complies with Article 23 to provide, to that person, after he or she has been elected and before his or her term of office as a school board member commences, training in matters relating to the powers, duties, and responsibilities of school board membership.
Notwithstanding any other provisions of this Section 10-22.32, no money for expenses shall be advanced nor shall any member or employee be reimbursed, for any expenses incurred on behalf of any person other than such member, employee, or person deemed to be a school board member for purposes of this Section.

(Source: P.A. 90-637, eff. 7-24-98.)

(105 ILCS 5/10-22.33) (from Ch. 122, par. 10-22.33)

Sec. 10-22.33. Interfund loans. To authorize the treasurer to make interfund loans from (1) the operations and maintenance fund to the educational fund or fire prevention and safety fund, or (2) from the educational fund to the operations and maintenance fund or fire prevention and safety fund, or (3) from the operations and maintenance or educational fund to the transportation fund, or (4) from the transportation fund to the operations and maintenance, educational, or fire prevention and safety fund and to make the necessary transfers on his books, but such loans shall be repaid and retransferred to the proper fund within 3 years. In case such repayment is not made within 3 years the regional superintendent shall withhold further payments on claims authorized by Article 18 of this Act until repayment is made.

(Source: P.A. 89-3, eff. 2-27-95.)

(105 ILCS 5/10-22.33A) (from Ch. 122, par. 10-22.33A)

Sec. 10-22.33A. Summer school. During that period of the calendar year not embraced within the regular school term to provide and conduct courses in subject matters normally embraced in the program of the schools during the regular school term, to fix and collect a charge for attendance at such courses in an amount not to exceed the per capita cost of the operation thereof, except that the board may waive all or part of such charges if it determines that the family of an individual pupil is indigent or that the educational needs of the pupil require his attendance at such courses, and to give regular school credit for satisfactory completion by the student of such courses as may be approved for credit by the State Board of Education.

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

(105 ILCS 5/10-22.33B)

Sec. 10-22.33B. Summer school; required attendance. To conduct a high quality summer school program for those resident students identified by the school district as being academically at risk in such critical subject areas as language arts (reading and writing) and mathematics who will be entering any of the school district’s grades for the next school term and to require attendance at such program by such students who have not been identified as a person with a disability under Article 14, but who meet criteria established under this Section. Summer school programs established under this Section shall be designed to raise the level of achievement and improve opportunities for success in subsequent grade levels of those students required to attend. The parent or guardian of any student required to attend summer school shall be given written notice from the school district requiring attendance not later than the close of the school term which immediately precedes the required summer school program.

(Source: P.A. 99-143, eff. 7-27-15.)
(105 ILCS 5/10-22.34) (from Ch. 122, par. 10-22.34)

Sec. 10-22.34. Nonlicensed personnel.

(a) School Boards may employ non-teaching personnel or utilize volunteer personnel for: (1) non-teaching duties not requiring instructional judgment or evaluation of pupils; and (2) supervising study halls, long distance teaching reception areas used incident to instructional programs transmitted by electronic media such as computers, video, and audio, and detention and discipline areas, and school-sponsored extracurricular activities.

(b) School boards may further utilize volunteer nonlicensed personnel or employ nonlicensed personnel to assist in the instruction of pupils under the immediate supervision of a teacher, holding a valid license, directly engaged in teaching subject matter or conducting activities. The teacher shall be continuously aware of the nonlicensed persons’ activities and shall be able to control or modify them. The State Board of Education, in consultation with the State Educator Preparation and Licensure Board, shall determine qualifications of such personnel and shall prescribe rules for determining the duties and activities to be assigned to such personnel. In the determination of qualifications of such personnel, the State Board of Education shall accept coursework earned in a recognized institution or from an institution of higher learning accredited by the North Central Association or other comparable regional accrediting association and shall accept qualifications based on relevant life experiences as determined by the State Board of Education by rule.

(b-5) A school board may utilize volunteer personnel from a regional School Crisis Assistance Team (S.C.A.T.), created as part of the Safe to Learn Program established pursuant to Section 25 of the Illinois Violence Prevention Act of 1995, to provide assistance to schools in times of violence or other traumatic incidents within a school community by providing crisis intervention services to lessen the effects of emotional trauma on individuals and the community. The School Crisis Assistance Team Steering Committee shall determine the qualifications for volunteers.

(c) School boards may also employ students holding a bachelor’s degree from a recognized institution of higher learning as teaching interns when such students are enrolled in a college or university internship program, which has prior approval by the State Board of Education, in consultation with the State Educator Preparation and Licensure Board, leading to a masters degree.

Regional offices of education have the authority to initiate and collaborate with institutions of higher learning to establish internship programs referenced in this subsection (c). The State Board of Education has 90 days from receiving a written proposal to establish the internship program to seek the State Educator Preparation and Licensure Board’s consultation on the internship program. If the State Board of Education does not consult the State Educator Preparation and Licensure Board within 90 days, the regional office of education may seek the State Educator Preparation and Licensure Board’s consultation without the State Board of Education’s approval.

(d) Nothing in this Section shall require constant supervision of a student teacher enrolled in a student teaching course at a college or university, provided such activity has the prior approval of the representative of the higher education institution and teaching plans have previously been discussed with and approved by the supervising teacher and further provided that such teaching is within
guidelines established by the State Board of Education in consultation with the State Educator Preparation and Licensure Board.

(Source: P.A. 102-894, eff. 5-20-22.)

(105 ILCS 5/10-22.34a) (from Ch. 122, par. 10-22.34a)

Sec. 10-22.34a. Supervision of non-academic activities. To designate nonlicensed persons of good character to serve as supervisors, chaperones or sponsors, either on a voluntary or on a compensated basis, for school activities not connected with the academic program of the schools.

(Source: P.A. 102-894, eff. 5-20-22.)

(105 ILCS 5/10-22.34b) (from Ch. 122, par. 10-22.34b)

Sec. 10-22.34b. Utilization of nonlicensed personnel. To utilize nonlicensed persons, under the direction of a licensed teacher, for providing specialized instruction related to a course assigned to the licensed teacher on a regular basis, not otherwise readily available in the immediate school environment, in the fields for which they are particularly qualified by reason of their specialized knowledge or skills. The duration of the instruction shall be determined by the licensed teacher under whose direction the program is conducted in view of the educational need to be satisfied.

Before a nonlicensed person may be utilized for such specialized instruction, the school board must secure the written approval of the regional superintendent of schools as to the qualifications of the particular nonlicensed person, the particular instruction he or she is to provide, the specific functions to be served, the total number of hours he or she is to provide such instruction and any compensation to be paid that person. The State Board of Education shall prescribe, by rule, criteria for determining qualifications of such persons and the nature of specialized instruction for which, and the extent to which, such persons may be used.

Nothing in this Section shall prevent the utilization of a person with specialized knowledge or experiences as a guest lecturer or resource person in the classroom under the direct supervision of a licensed teacher assigned to the classroom on a regular basis, with prior approval of the school administration.

(Source: P.A. 102-894, eff. 5-20-22.)

(105 ILCS 5/10-22.34c)

Sec. 10-22.34c. Third party non-instructional services.

(a) A board of education may enter into a contract with a third party for non-instructional services currently performed by any employee or bargaining unit member or lay off those educational support personnel employees upon 90 days written notice to the affected employees, provided that:

(1) a contract must not be entered into and become effective during the term of a collective bargaining agreement, as that term is set forth in the agreement, covering any employees who perform the non-instructional services;

(2) a contract may only take effect upon the expiration of an existing collective bargaining agreement;
(3) any third party that submits a bid to perform the non-instructional services shall provide the following:

(A) evidence of liability insurance in scope and amount equivalent to the liability insurance provided by the school board pursuant to Section 10-22.3 of this Code;

(B) a benefits package for the third party’s employees who will perform the non-instructional services comparable to the benefits package provided to school board employees who perform those services;

(C) a list of the number of employees who will provide the non-instructional services, the job classifications of those employees, and the wages the third party will pay those employees;

(D) a minimum 3-year cost projection, using generally accepted accounting principles and which the third party is prohibited from increasing if the bid is accepted by the school board, for each and every expenditure category and account for performing the non-instructional services;

(E) composite information about the criminal and disciplinary records, including alcohol or other substance abuse, Department of Children and Family Services complaints and investigations, traffic violations, and license revocations or any other licensure problems, of any employees who may perform the non-instructional services, provided that the individual names and other identifying information of employees need not be provided with the submission of the bid, but must be made available upon request of the school board; and

(F) an affidavit, notarized by the president or chief executive officer of the third party, that each of its employees has completed a criminal background check as required by Section 10-21.9 of this Code within 3 months prior to submission of the bid, provided that the results of such background checks need not be provided with the submission of the bid, but must be made available upon request of the school board;

(4) a contract must not be entered into unless the school board provides a cost comparison, using generally accepted accounting principles, of each and every expenditure category and account that the school board projects it would incur over the term of the contract if it continued to perform the non-instructional services using its own employees with each and every expenditure category and account that is projected a third party would incur if a third party performed the non-instructional services;

(5) review and consideration of all bids by third parties to perform the non-instructional services shall take place in open session of a regularly scheduled school board meeting, unless the exclusive bargaining representative of the employees who perform the non-instructional services, if any such exclusive bargaining representative exists, agrees in writing that such review and consideration can take place in open session at a specially scheduled school board meeting;

(6) a minimum of one public hearing, conducted by the school board prior to a regularly scheduled school board meeting, to discuss the school board's proposal to contract with a third party to perform the non-instructional services must be held before the school board may enter into such a contract; the school board must provide notice to the public of the date, time, and location of the first public hearing on or before the initial date that bids to provide the non-instructional services are solicited or a
minimum of 30 days prior to entering into such a contract, whichever provides a greater period of notice;

(7) a contract shall contain provisions requiring the contractor to offer available employee positions pursuant to the contract to qualified school district employees whose employment is terminated because of the contract; and

(8) a contract shall contain provisions requiring the contractor to comply with a policy of nondiscrimination and equal employment opportunity for all persons and to take affirmative steps to provide equal opportunity for all persons.

(b) Notwithstanding subsection (a) of this Section, a board of education may enter into a contract, of no longer than 3 months in duration, with a third party for non-instructional services currently performed by an employee or bargaining unit member for the purpose of augmenting the current workforce in an emergency situation that threatens the safety or health of the school district's students or staff, provided that the school board meets all of its obligations under the Illinois Educational Labor Relations Act.

(c) The changes to this Section made by this amendatory Act of the 95th General Assembly are not applicable to non-instructional services of a school district that on the effective date of this amendatory Act of the 95th General Assembly are performed for the school district by a third party.

(Source: P.A. 95-241, eff. 8-17-07; 96-328, eff. 8-11-09.)

(105 ILCS 5/10-22.35) (from Ch. 122, par. 10-22.35)

Sec. 10-22.35. Civil defense shelters. A school board shall make school buildings available for use as civil defense shelters for all persons; cooperate with the Illinois Emergency Management Agency, local organizations for civil defense, disaster relief organizations, including the American Red Cross, and federal agencies concerned with civil defense relative thereto, including, but not limited to, making space available for the stocking of shelters with food and other provisions; cooperate with such agencies and organizations in the use of other resources, equipment, and facilities; and cooperate with such agencies and organizations in the construction of new buildings to the end that the buildings be so designed that shelter facilities may be provided.

(Source: P.A. 96-57, eff. 7-23-09.)

(105 ILCS 5/10-22.35A) (from Ch. 122, par. 10-22.35A)

Sec. 10-22.35A. School sites and office facilities. To buy sites for buildings for school purposes with necessary ground, including sites purchased under Section 10-22.31b, or to buy sites and facilities for school offices. The purchase of such sites or office facilities may be by contract for deed when the board deems such contract advantageous to the district, but any such contract or any transaction arising out of such contract may not exceed 10 years in length, and interest on the unpaid balance of such contract may at no time exceed 6% per annum.

To take and purchase the site for a building for school purposes either with or without the owner's consent by condemnation or otherwise. To pay the amount of any award made by a jury in a condemnation proceeding. To select and purchase all such sites and office facilities desired without the
submission of the question at any referendum, and to enter into an option to purchase with respect to any such site or sites and facilities for school offices.

(Source: P.A. 80-1044.)

(105 ILCS 5/10-22.35B)

Sec. 10-22.35B. Title to school sites and buildings.

(a) On January 1, 1994 (the effective date of Public Act 88-155): (i) the legal title to all school buildings and school sites used or occupied for school purposes by a school district located in a Class I county school unit or held for the use of any such school district by and in the name of the regional board of school trustees shall vest in the school board of the school district, and the legal title to those school buildings and school sites shall be deemed transferred by operation of law to the school board of the school district, to be used for school purposes and held, sold, leased, exchanged, or otherwise transferred in accordance with law; and (ii) the legal title to all school buildings and school sites used or occupied for school purposes by a school district that is located in a Class II county school unit and that has withdrawn from the jurisdicton and authority of the trustees of schools of a township and the township treasurer under subsection (b) of Section 5-1 of this Code or held for the use of any such school district by and in the name of the regional board of school trustees at the time that regional board of school trustees was abolished by Public Act 87-969 shall vest in the school board of the school district, and the legal title to those school buildings and school sites shall be deemed transferred by operation of law to the school district, to be used for school purposes and held, sold, leased, exchanged, or otherwise transferred in accordance with law.

(b) The school board of each school district to which subsection (a) of this Section is applicable may receive any gift, grant, donation, or legacy made for the use of any school or for any school purpose within its jurisdiction and shall succeed to any gift, grant, donation, or legacy heretofore received by the regional board of school trustees, either from the township school trustees within their jurisdiction or from any other source, for the use of any school of the district served by the school board or for any other school purpose of that school district. All conveyances of real estate made to the school board of a school district under this Section shall be made to the school board in its corporate name and to its successors in office.

(c) All school districts and high school districts may take and convey title to real estate to be improved by buildings or other structures for vocational or other educational training as provided in Section 10-23.3 of this Code.

(d) Nothing in this Section shall be deemed to apply to any common school lands or lands granted or exchanged therefor or to the manner in which such lands are managed and controlled for the use and benefit of the school township and the schools of the township by the township land commissioners, the regional board of school trustees (acting as the township land commissioners), or the trustees of schools of the township, which hold legal title to those lands; and they may continue to receive gifts, grants, donations, or legacies made for the use of the school township and for the schools of the township generally in the same manner as such gifts, grants, donations, or legacies were made prior to January 1, 1994.

(Source: P.A. 100-374, eff. 8-25-17.)
(105 ILCS 5/10-22.36) (from Ch. 122, par. 10-22.36)

Sec. 10-22.36. Buildings for school purposes.

(a) To build or purchase a building for school classroom or instructional purposes upon the approval of a majority of the voters upon the proposition at a referendum held for such purpose or in accordance with Section 17-2.11, 19-3.5, or 19-3.10. The board may initiate such referendum by resolution. The board shall certify the resolution and proposition to the proper election authority for submission in accordance with the general election law.

The questions of building one or more new buildings for school purposes or office facilities, and issuing bonds for the purpose of borrowing money to purchase one or more buildings or sites for such buildings or office sites, to build one or more new buildings for school purposes or office facilities or to make additions and improvements to existing school buildings, may be combined into one or more propositions on the ballot.

Before erecting, or purchasing or remodeling such a building the board shall submit the plans and specifications respecting heating, ventilating, lighting, seating, water supply, toilets and safety against fire to the regional superintendent of schools having supervision and control over the district, for approval in accordance with Section 2-3.12.

Notwithstanding any of the foregoing, no referendum shall be required if the purchase, construction, or building of any such building (1) occurs while the building is being leased by the school district or (2) is paid with (A) funds derived from the sale or disposition of other buildings, land, or structures of the school district or (B) funds received (i) as a grant under the School Construction Law or (ii) as gifts or donations, provided that no funds to purchase, construct, or build such building, other than lease payments, are derived from the district's bonded indebtedness or the tax levy of the district.

Notwithstanding any of the foregoing, no referendum shall be required if the purchase, construction, or building of any such building is paid with funds received from the County School Facility and Resources Occupation Tax Law under Section 5-1006.7 of the Counties Code or from the proceeds of bonds or other debt obligations secured by revenues obtained from that Law.

Notwithstanding any of the foregoing, for Decatur School District Number 61, no referendum shall be required if at least 50% of the cost of the purchase, construction, or building of any such building is paid, or will be paid, with funds received or expected to be received as part of, or otherwise derived from, any COVID-19 pandemic relief program or funding source, including, but not limited to, Elementary and Secondary School Emergency Relief Fund grant proceeds.

(b) Notwithstanding the provisions of subsection (a), for any school district: (i) that is a tier 1 school, (ii) that has a population of less than 50,000 inhabitants, (iii) whose student population is between 5,800 and 6,300, (iv) in which 57% to 62% of students are low-income, and (v) whose average district spending is between $10,000 to $12,000 per pupil, until July 1, 2025, no referendum shall be required if at least 50% of the cost of the purchase, construction, or building of any such building is paid, or will be paid, with funds received or expected to be received as part of, or otherwise derived from, the federal Consolidated Appropriations Act and the federal American Rescue Plan Act of 2021.
For this subsection (b), the school board must hold at least 2 public hearings, the sole purpose of which shall be to discuss the decision to construct a school building and to receive input from the community. The notice of each public hearing that sets forth the time, date, place, and name or description of the school building that the school board is considering constructing must be provided at least 10 days prior to the hearing by publication on the school board's Internet website.

(Source: P.A. 101-455, eff. 8-23-19; 102-16, eff. 6-17-21; 102-699, eff. 7-1-22.)

(105 ILCS 5/10-22.36A) (from Ch. 122, par. 10-22.36A)

Sec. 10-22.36A. Access Roads.

To lay out and construct any access road necessary to connect school grounds, on which a new school is being or is about to be constructed, with an improved road or highway. Such access road shall be considered a part of the general construction of the school and such construction shall be financed solely from funds derived from the sale of bonds.

(Source: P.A. 76-1499.)

(105 ILCS 5/10-22.37) (from Ch. 122, par. 10-22.37)

Sec. 10-22.37. Agreements with Teacher Training Institutions.

To enter into agreements with teacher training institutions to provide facilities for student teaching in the schools of the district.

(Source: P.A. 76-620.)

(105 ILCS 5/10-22.38) (from Ch. 122, par. 10-22.38)

Sec. 10-22.38. Preschool children with disabilities. Establish and maintain, or to cooperate with other educational, governmental, social and volunteer agencies in the establishment and carrying out of programs designed to identify and ameliorate mental, emotional, physical and social cultural disabilities in preschool age children below the age of 3 that would prevent such children from taking full advantage of regular school programs.

No school district is eligible for State reimbursement under Article 14 or Article 18 for programs provided to children with disabilities under this Section.

(Source: P.A. 89-397, eff. 8-20-95.)

(105 ILCS 5/10-22.38a)

Sec. 10-22.38a. (Repealed).

(Source: P.A. 81-1508. Repealed by P.A. 94-1105, eff. 6-1-07.)

(105 ILCS 5/10-22.39)

(Text of Section before amendment by P.A. 102-638)

Sec. 10-22.39. In-service training programs.
(a) To conduct in-service training programs for teachers.

(b) In addition to other topics at in-service training programs, at least once every 2 years, licensed school personnel and administrators who work with pupils in kindergarten through grade 12 shall be trained to identify the warning signs of mental illness and suicidal behavior in youth and shall be taught appropriate intervention and referral techniques. A school district may utilize the Illinois Mental Health First Aid training program, established under the Illinois Mental Health First Aid Training Act and administered by certified instructors trained by a national association recognized as an authority in behavioral health, to provide the training and meet the requirements under this subsection. If licensed school personnel or an administrator obtains mental health first aid training outside of an in-service training program, he or she may present a certificate of successful completion of the training to the school district to satisfy the requirements of this subsection.

(c) School counselors, nurses, teachers and other school personnel who work with pupils may be trained to have a basic knowledge of matters relating to acquired immunodeficiency syndrome (AIDS), including the nature of the disease, its causes and effects, the means of detecting it and preventing its transmission, and the availability of appropriate sources of counseling and referral, and any other information that may be appropriate considering the age and grade level of such pupils. The School Board shall supervise such training. The State Board of Education and the Department of Public Health shall jointly develop standards for such training.

(d) In this subsection (d):

"Domestic violence" means abuse by a family or household member, as "abuse" and "family or household members" are defined in Section 103 of the Illinois Domestic Violence Act of 1986.

"Sexual violence" means sexual assault, abuse, or stalking of an adult or minor child proscribed in the Criminal Code of 1961 or the Criminal Code of 2012 in Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-7.3, 12-7.4, 12-7.5, 12-12, 12-13, 12-14, 12-14.1, 12-15, and 12-16, including sexual violence committed by perpetrators who are strangers to the victim and sexual violence committed by perpetrators who are known or related by blood or marriage to the victim.

At least once every 2 years, an in-service training program for school personnel who work with pupils, including, but not limited to, school and school district administrators, teachers, school social workers, school counselors, school psychologists, and school nurses, must be conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting youth and shall include training concerning (i) communicating with and listening to youth victims of domestic or sexual violence and expectant and parenting youth, (ii) connecting youth victims of domestic or sexual violence and expectant and parenting youth to appropriate in-school services and other agencies, programs, and services as needed, and (iii) implementing the school district’s policies, procedures, and protocols with regard to such youth, including confidentiality. At a minimum, school personnel must be trained to understand, provide information and referrals, and address issues pertaining to youth who are parents, expectant parents, or victims of domestic or sexual violence.

(e) At least every 2 years, an in-service training program for school personnel who work with pupils must be conducted by persons with expertise in anaphylactic reactions and management.
(f) At least once every 2 years, a school board shall conduct in-service training on educator ethics, teacher-student conduct, and school employee-student conduct for all personnel.

(Source: P.A. 101-350, eff. 1-1-20; 102-197, eff. 7-30-21; 102-813, eff. 5-13-22.)

(Text of Section after amendment by P.A. 102-638)

Sec. 10-22.39. In-service training programs.

(a) To conduct in-service training programs for teachers.

(b) In addition to other topics at in-service training programs, at least once every 2 years, licensed school personnel and administrators who work with pupils in kindergarten through grade 12 shall be trained to identify the warning signs of mental illness, trauma, and suicidal behavior in youth and shall be taught appropriate intervention and referral techniques. A school district may utilize the Illinois Mental Health First Aid training program, established under the Illinois Mental Health First Aid Training Act and administered by certified instructors trained by a national association recognized as an authority in behavioral health, to provide the training and meet the requirements under this subsection. If licensed school personnel or an administrator obtains mental health first aid training outside of an in-service training program, he or she may present a certificate of successful completion of the training to the school district to satisfy the requirements of this subsection.

Training regarding the implementation of trauma-informed practices satisfies the requirements of this subsection (b).

A course of instruction as described in this subsection (b) may provide information that is relevant to and within the scope of the duties of licensed school personnel or school administrators. Such information may include, but is not limited to:

1. the recognition of and care for trauma in students and staff;
2. the relationship between educator wellness and student learning;
3. the effect of trauma on student behavior and learning;
4. the prevalence of trauma among students, including the prevalence of trauma among student populations at higher risk of experiencing trauma;
5. the effects of implicit or explicit bias on recognizing trauma among various student groups in connection with race, ethnicity, gender identity, sexual orientation, socio-economic status, and other relevant factors; and
6. effective district practices that are shown to:
   A) prevent and mitigate the negative effect of trauma on student behavior and learning; and
   B) support the emotional wellness of staff.

(c) School counselors, nurses, teachers and other school personnel who work with pupils may be trained to have a basic knowledge of matters relating to acquired immunodeficiency syndrome (AIDS),
including the nature of the disease, its causes and effects, the means of detecting it and preventing its
transmission, and the availability of appropriate sources of counseling and referral, and any other
information that may be appropriate considering the age and grade level of such pupils. The School
Board shall supervise such training. The State Board of Education and the Department of Public Health
shall jointly develop standards for such training.

(d) In this subsection (d):

"Domestic violence" means abuse by a family or household member, as "abuse" and "family or
household members" are defined in Section 103 of the Illinois Domestic Violence Act of 1986.

"Sexual violence" means sexual assault, abuse, or stalking of an adult or minor child proscribed in the
Criminal Code of 1961 or the Criminal Code of 2012 in Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-
1.60, 12-7.3, 12-7.4, 12-7.5, 12-12, 12-13, 12-14, 12-14.1, 12-15, and 12-16, including sexual violence
committed by perpetrators who are strangers to the victim and sexual violence committed by
perpetrators who are known or related by blood or marriage to the victim.

At least once every 2 years, an in-service training program for school personnel who work with pupils,
including, but not limited to, school and school district administrators, teachers, school social workers,
school counselors, school psychologists, and school nurses, must be conducted by persons with
expertise in domestic and sexual violence and the needs of expectant and parenting youth and shall
include training concerning (i) communicating with and listening to youth victims of domestic or sexual
violence and expectant and parenting youth, (ii) connecting youth victims of domestic or sexual violence
and expectant and parenting youth to appropriate in-school services and other agencies, programs, and
services as needed, and (iii) implementing the school district’s policies, procedures, and protocols with
regard to such youth, including confidentiality. At a minimum, school personnel must be trained to
understand, provide information and referrals, and address issues pertaining to youth who are parents,
expectant parents, or victims of domestic or sexual violence.

(e) At least every 2 years, an in-service training program for school personnel who work with pupils
must be conducted by persons with expertise in anaphylactic reactions and management.

(f) At least once every 2 years, a school board shall conduct in-service training on educator ethics,
teacher-student conduct, and school employee-student conduct for all personnel.

(Source: P.A. 101-350, eff. 1-1-20; 102-197, eff. 7-30-21; 102-638, eff. 1-1-23; 102-813, eff. 5-13-22.)

(105 ILCS 5/10-22.40) (from Ch. 122, par. 10-22.40)

Sec. 10-22.40. Membership dues. To pay State and national association membership dues to school
associations which benefit students by participation or accreditation. Any association subject to Article
23 of this Act must be in current compliance with the reporting requirements of Section 23-6 in order to
qualify as a recipient of membership dues under this Section. No dues may be paid to any association
which has as one of its purposes providing for athletic and other competition among schools and
students unless that association:

A. permits a post audit by the Auditor General under the Illinois State Auditing Act;
B. submits an annual report to the State Board of Education dealing with trends in female participation in athletic competition, including the numbers of female and male participants from each member school and details on programs by the association to increase female participation; and

C. is either subject to, or voluntarily complies with, the public access provisions set forth for State agencies in Sections 3 and 4 of The State Records Act.

(Source: P.A. 84-1308.)

(105 ILCS 5/10-22.40a) (from Ch. 122, par. 10-22.40a)

Sec. 10-22.40a. Where a collective bargaining agreement is entered into with an employee representative organization, the school board may include in the agreement a provision requiring employees covered by the agreement who are not members of the representative organization to pay their proportionate share of the cost of the collective bargaining process and contract administration, measured by the amount of dues uniformly required by members. In such case, proportionate share payments shall be deducted by the board from the earnings of the non-member employees and paid to the representative organization.

(Source: P.A. 82-107.)

(105 ILCS 5/10-22.41) (from Ch. 122, par. 10-22.41)

Sec. 10-22.41. Placement of eligible children into corrective curriculum. To place or by regulation to authorize the director of special education to place, pursuant to procedures required in Article 14 of this Act and rules and regulations promulgated by the State Board of Education, eligible children into special education programs designed to benefit the types of children defined in Sections 14-1.02 through 14-1.07; provided that children with disabilities who are recommended to be placed into regular education classrooms are provided with supplementary services to assist the children with disabilities to benefit from the regular education classroom instruction and are included on the teacher's regular education class register.

(Source: P.A. 89-397, eff. 8-20-95.)

(105 ILCS 5/10-22.42) (from Ch. 122, par. 10-22.42)

Sec. 10-22.42. To contract with the corporate authorities of any municipality or the county board of any county, as the case may be, to provide for the regulation of traffic in parking areas of property used for school purposes in such manner as is provided by Section 11-209 of the Illinois Vehicle Code.

(Source: P.A. 77-1849.)

(105 ILCS 5/10-22.43) (from Ch. 122, par. 10-22.43)

Sec. 10-22.43. Credit for Proficiency in Foreign Language. To grant one year of high school foreign language credit to any student who has graduated from an accredited elementary school and who can demonstrate proficiency in a language other than English. For purposes of this Section, proficiency in American Sign Language shall be deemed proficiency in a foreign language for which one year of high school foreign language credit may be granted. Proficiency shall be determined by academic criteria acceptable to local school boards.
Sec. 10-22.43a. Foreign language credit. To award or provide for the awarding of high school credit to high school students who have studied a foreign language in an approved ethnic school program. The amount of credit awarded shall be roughly equivalent to the amount of credit the student would have received if he or she had reached the same level of foreign language proficiency at a public high school as he or she achieved at the ethnic school. The school board may require a student seeking foreign language credit under this Section to successfully complete a foreign language proficiency examination.

Sec. 10-22.44. To transfer the interest earned from any moneys of the district in the respective fund of the district that is most in need of such interest income, as determined by the board. This Section does not apply to any interest earned which has been earmarked or restricted by the board for a designated purpose. This Section does not apply to any interest earned on any funds for purposes of Illinois Municipal Retirement under the Pension Code, Tort Immunity under the Local Governmental and Governmental Employees Tort Immunity Act, Fire Prevention, Safety, Energy Conservation and School Security Purposes under Section 17-2.11, and Capital Improvements under Section 17-2.3. Interest earned on these exempted funds shall be used only for the purposes authorized for the respective exempted funds from which the interest earnings were derived.

Any high school district whose territory is in 2 counties and that is eligible for Section 8002 Federal Impact Aid may make a one-time declaration as to interest income (earnings on investments) not previously declared as such from 1998 through 2011 in the debt service fund, declaring said moneys as interest earnings on or before June 30, 2016. Any such earnings income so declared shall thereafter, for purposes of this Code, be considered interest earnings and shall be subject to all provisions of this Code related thereto.

Sec. 10-22.45. To establish an audit committee, and to appoint members of the board or other appropriate officers to the committee, to review audit reports and any other financial reports and documents, including management letters prepared by or on behalf of the board.

Sec. 10-23. Additional powers of board. Boards of education have the additional powers enumerated in Sections 10-23.1 through 10-23.12.
Sec. 10-23.1. Residence for superintendent, principal or teachers. To purchase a site, with or without a building or buildings thereon, to build a house or houses on such site or to build a house or houses on the school site of the school district, for residential purposes of the superintendent, principal, or teachers of the school district, if authorized by a majority of all votes cast on the proposition or propositions at a regular scheduled election held for the purpose in pursuance of a petition signed by not fewer than 300 voters or by 1/5 of all the voters of the district, whichever is lesser. Such referendum shall be certified to the proper election authorities and submitted in accordance with the general election law. When any of such property is not needed for residential purposes by the superintendent, principal, or teachers, the board of education may rent it to some other person or persons.

(Source: P.A. 81-1489.)

(105 ILCS 5/10-23.2) (from Ch. 122, par. 10-23.2)

Sec. 10-23.2. Nursery schools.

In all districts maintaining grades 1 to 8 or 1 to 12, to establish nursery schools for the instruction of children between the ages of 2 and 6 years, if, in its judgment public interest requires them and sufficient funds obtained from local and federal sources other than local district taxes are available to pay the necessary expenses thereof; provided, that the school board shall at all times have complete jurisdiction and control over such schools, including the employment of teachers, attendants and any other employees, and shall have complete control of the expenditure of such funds in connection with the establishment and maintenance of such schools.

(Source: Laws 1961, p. 31.)

(105 ILCS 5/10-23.3) (from Ch. 122, par. 10-23.3)

Sec. 10-23.3. Real estate for vocational and other training. After provision has been made for the payment of all school expenses, to appropriate from the educational fund school funds or to borrow funds for the purchase of real estate and for the improvement by construction of buildings or other structures, or improved real estate in a deteriorated or uninhabitable condition, for vocational and other educational training of pupils, and as incident thereto and when authorized or requested by resolution adopted by the affirmative vote of two-thirds of the members of the school board, to acquire title to the real estate in the name of the school district and sell and convey it; provided: that no such property shall be so bought or used as a schoolhouse or for permanent use as school property; that such property so purchased and improved shall be sold or otherwise disposed of within 5 years from the date of its acquisition; that not more than one piece of real estate to be improved and one piece of improved real estate in a deteriorated or uninhabitable condition may be so purchased for each secondary school or area vocational center which offers vocational training within the school district for any such purpose in any one calendar year, unless additional properties are examined and approved by the Superintendent of the Educational Service Region in the county in which the district is located, for larger training programs necessitating more property to accommodate larger student enrollments; and that no such real estate may be acquired for any such purpose by means of eminent domain proceedings. If the school board does not hold legal title to the school site or other school property that is to be used for any purpose authorized by this Section, then upon the adoption of the resolution by 2/3 of the board members of the district requesting the conveyance of a school site or other school property or a portion
thereof the trustees of schools or other school official having legal title to such property shall convey such property to such school district as provided in Section 5-21.

(Source: P.A. 88-155.)

(105 ILCS 5/10-23.3a) (from Ch. 122, par. 10-23.3a)

Sec. 10-23.3a. Conduct of business for vocational training.

To independently operate or cooperate with existing companies in the operation of a business or businesses for the sole purpose of providing training for students in vocational education programs. Any proceeds from said operation shall be applied towards the costs of establishing and maintaining these businesses. Regarding businesses with which the school board cooperates in operating for vocational training purposes, the school board shall receive a semi-annual account from each cooperating company of all costs and proceeds attributable to the student business-training program. Should the proceeds ever exceed the establishment and maintenance costs, then that excess shall only be directed toward expanding business-operation training in vocational education programs.

(Source: P.A. 77-664.)

(105 ILCS 5/10-23.4) (from Ch. 122, par. 10-23.4)

Sec. 10-23.4. Purchase of school bus.

To purchase, maintain, repair and operate school buses and by resolution of the board to enter into a contract for the purchase of buses to be paid for within three years of the date of the resolution or over such longer period of time as does not exceed the depreciable life of the vehicle.

(Source: P.A. 85-1389.)

(105 ILCS 5/10-23.4a) (from Ch. 122, par. 10-23.4a)

Sec. 10-23.4a. To enter into a lease for a period of not to exceed 5 years for such equipment and machinery as may be required for corporate purposes when authorized by the affirmative vote of two-thirds of the members of the board of education.

(Source: Laws 1961, p. 2890.)

(105 ILCS 5/10-23.5) (from Ch. 122, par. 10-23.5)

Sec. 10-23.5. Educational support personnel employees.

(a) To employ such educational support personnel employees as it deems advisable and to define their employment duties; provided that residency within any school district shall not be considered in determining the employment or the compensation of any such employee, or whether to retain, promote, assign or transfer such employee. If an educational support personnel employee is removed or dismissed or the hours he or she works are reduced as a result of a decision of the school board (i) to decrease the number of educational support personnel employees employed by the board or (ii) to discontinue some particular type of educational support service, written notice shall be mailed to the employee and also given to the employee either by certified mail, return receipt requested, or personal delivery with receipt, at least 30 days before the employee is removed or dismissed or the hours he or
she works are reduced, together with a statement of honorable dismissal and the reason therefor if applicable. However, if a reduction in hours is due to an unforeseen reduction in the student population, then the written notice must be mailed and given to the employee at least 5 days before the hours are reduced. The employee with the shorter length of continuing service with the district, within the respective category of position, shall be dismissed first unless an alternative method of determining the sequence of dismissal is established in a collective bargaining agreement or contract between the board and any exclusive bargaining agent and except that this provision shall not impair the operation of any affirmative action program in the district, regardless of whether it exists by operation of law or is conducted on a voluntary basis by the board. If the board has any vacancies for the following school term or within one calendar year from the beginning of the following school term, the positions thereby becoming available within a specific category of position shall be tendered to the employees so removed or dismissed from that category or any other category of position, so far as they are qualified to hold such positions. Each board shall, in consultation with any exclusive employee representative or bargaining agent, each year establish a list, categorized by positions, showing the length of continuing service of each full time educational support personnel employee who is qualified to hold any such positions, unless an alternative method of determining a sequence of dismissal is established as provided for in this Section, in which case a list shall be made in accordance with the alternative method. Copies of the list shall be distributed to the exclusive employee representative or bargaining agent on or before February 1 of each year.

If an educational support personnel employee is removed or dismissed as a result of a decision of the board to decrease the number of educational support personnel employed by the board or to discontinue some particular type of educational support service and he or she accepts the tender of a vacancy within one calendar year from the beginning of the following school term, then that employee shall maintain any rights accrued during his or her previous service with the school district.

Where an educational support personnel employee is dismissed by the board as a result of a decrease in the number of employees or the discontinuance of the employee's job, the employee shall be paid all earned compensation on or before the next regular pay date following his or her last day of employment.

The provisions of this amendatory Act of 1986 relating to residency within any school district shall not apply to cities having a population exceeding 500,000 inhabitants.

(b) In the case of a new school district or districts formed in accordance with Article 11E of this Code, a school district or districts that annex all of the territory of one or more entire other school districts in accordance with Article 7 of this Code, a school district receiving students from a deactivated school facility in accordance with Section 10-22.22b of this Code, or a special education cooperative that dissolves or reorganizes in accordance with Section 10-22.31 of this Code, the employment of educational support personnel in the new, annexing, or receiving school district immediately following the reorganization shall be governed by this subsection (b). Lists of the educational support personnel employed in the individual districts or special education cooperative for the school year immediately prior to the effective date of the new district or districts, annexation, deactivation, dissolution, or reorganization shall be combined for the districts forming the new district or districts, for the annexed and annexing districts, for the deactivating and receiving districts, or for the dissolving or reorganizing special education cooperative, as the case may be. The combined list shall be categorized by positions,
showing the length of continuing service of each full-time educational support personnel employee who is qualified to hold any such position. If there are more full-time educational support personnel employees on the combined list than there are available positions in the new, annexing, or receiving school district, then the employing school board shall first remove or dismiss those educational support personnel employees with the shorter length of continuing service within the respective category of position, following the procedures outlined in subsection (a) of this Section. In the case of a special education cooperative that dissolves or reorganizes, the districts that are parties to the joint agreement shall follow the procedures outlined in subsection (a) of this Section. The employment and position of each educational support personnel employee on the combined list not so removed or dismissed shall be transferred to the new, annexing, or receiving school board, and the new, annexing, or receiving school board is subject to this Code with respect to any educational support personnel employee so transferred as if the educational support personnel employee had been the new, annexing, or receiving board's employee during the time the educational support personnel employee was actually employed by the school board of the district from which the employment and position were transferred.

The changes made by Public Act 95-148 shall not apply to the formation of a new district or districts in accordance with Article 11E of this Code, the annexation of one or more entire districts in accordance with Article 7 of this Code, or the deactivation of a school facility in accordance with Section 10-22.22b of this Code effective on or before July 1, 2007.

(Source: P.A. 101-46, eff. 7-12-19; 102-854, eff. 5-13-22.)

(105 ILCS 5/10-23.6) (from Ch. 122, par. 10-23.6)

Sec. 10-23.6. Sites out of district.

A school district, including any special charter school district, having 100,000 or more inhabitants and maintaining grades 1 through 12 may acquire a school site in any other school district which does not maintain a recognized public high school, provided that such site lies within two miles of the boundaries of such school district, and may build, operate and maintain a school maintaining grades 9 through 12 upon any site so acquired, and for these purposes may borrow money and issue bonds as otherwise provided by law and charge and receive tuition for students attending said school from any other school district, to the same effect as if said school had been constructed within the boundaries of said school district.

(Source: Laws 1961, p. 31.)

(105 ILCS 5/10-23.7) (from Ch. 122, par. 10-23.7)

Sec. 10-23.7. Special Charter district - Adoption of Article 10. This Article may be adopted by the electors of any special charter school district, in the following manner:

The board of such district may, and upon petition of 10% of the voters residing in such district, shall order submitted to the voters of such district the question whether Article 10 of the School Code shall be adopted at a regular scheduled election to be held in accordance with the general election law. The board shall certify the proposition to the proper election authorities for submission to the electors.

If the vote is favorable to the adoption of this Article, the transitional provisions of Section 10 of this Article shall apply as though the effective date of this Act were the day of such referendum.
If the adoption of this Article is rejected, the proposition shall not be resubmitted within 22 months.

(Source: P.A. 81-1489.)

(105 ILCS 5/10-23.8) (from Ch. 122, par. 10-23.8)

Sec. 10-23.8. Superintendent contracts. After the effective date of this amendatory Act of 1997 and the expiration of contracts in effect on the effective date of this amendatory Act, school districts may only employ a superintendent or, if authorized by law, a chief executive officer under either a contract for a period not exceeding one year or a performance-based contract for a period not exceeding 5 years.

Performance-based contracts shall be linked to student performance and academic improvement within the schools of the districts. No performance-based contract shall be extended or rolled-over prior to its scheduled expiration unless all the performance and improvement goals contained in the contract have been met. Each performance-based contract shall include the goals and indicators of student performance and academic improvement determined and used by the local school board to measure the performance and effectiveness of the superintendent and such other information as the local school board may determine.

By accepting the terms of a multi-year contract, the superintendent or chief executive officer waives all rights granted him or her under Sections 24-11 through 24-16 of this Act only for the term of the multi-year contract. Upon acceptance of a multi-year contract, the superintendent or chief executive officer shall not lose any previously acquired tenure credit with the district.

(Source: P.A. 99-846, eff. 6-1-17.)

(105 ILCS 5/10-23.8a) (from Ch. 122, par. 10-23.8a)

Sec. 10-23.8a. Principal, assistant principal, and other administrator contracts. After the effective date of this amendatory Act of 1997 and the expiration of contracts in effect on the effective date of this amendatory Act, school districts may only employ principals, assistant principals, and other school administrators under either a contract for a period not to exceed one year or a performance-based contract for a period not to exceed 5 years, unless the provisions of Section 10-23.8b of this Code or subsection (e) of Section 24A-15 of this Code otherwise apply.

Performance-based contracts shall be linked to student performance and academic improvement attributable to the responsibilities and duties of the principal, assistant principal, or administrator. No performance-based contract shall be extended or rolled-over prior to its scheduled expiration unless all the performance and improvement goals contained in the contract have been met. Each performance-based contract shall include the goals and indicators of student performance and academic improvement determined and used by the local school board to measure the performance and effectiveness of the principal, assistant principal, or other administrator and such other information as the local school board may determine.

By accepting the terms of a multi-year contract, the principal, assistant principal, or administrator waives all rights granted him or her under Sections 24-11 through 24-16 of this Act only for the term of the multi-year contract. Upon acceptance of a multi-year contract, the principal, assistant principal, or administrator shall not lose any previously acquired tenure credit with the district.
Sec. 10-23.8b. Reclassification of principals and assistant principals. Upon non-renewal of a principal's or assistant principal's administrative contract, the principal or assistant principal shall be reclassified pursuant to this Section. No principal or assistant principal may be reclassified by demotion or reduction in rank from one position within a school district to another for which a lower salary is paid without written notice from the board of the proposed reclassification by April 1 of the year in which the contract expires.

Within 10 days of the principal's or assistant principal's receipt of this notice, the school board shall provide the principal or assistant principal with a written statement of the facts regarding reclassification, and the principal or assistant principal may request and receive a private hearing with the board to discuss the reasons for the reclassification. If the principal or assistant principal is not satisfied with the results of the private hearing, he or she may, within 5 days thereafter, request and receive a public hearing on the reclassification. Any principal or assistant principal may be represented by counsel at a private or public hearing conducted under this Section.

If the board decides to proceed with the reclassification, it shall give the principal or assistant principal written notice of its decision within 15 days of the private hearing or within 15 days of the public hearing held under this Section whichever is later. The decision of the board thereupon becomes final.

Nothing in this Section prohibits a board from ordering lateral transfers of principals or assistant principals to positions of similar rank and equal salary.

The changes made by Public Act 94-201 are declaratory of existing law.
(1) "Computer" means an internally programmed, general purpose digital device capable of automatically accepting data, processing data and supplying the results of the operation.

(2) "Computer program" means a series of coded instructions or statements in a form acceptable to a computer, which causes the computer to process data in order to achieve a certain result.

(3) "Proceeds" means profits derived from marketing or sale of a product after deducting the expenses of developing and marketing such product.

(Source: P.A. 83-797.)

(105 ILCS 5/10-23.11) (from Ch. 122, par. 10-23.11)

Sec. 10-23.11. To accept payment for student fees and expenses through the use of credit cards and to negotiate and execute such contracts as may be necessary to accept such credit card payments.

In this context, "credit card" means any instrument or device, whether known as a credit card, credit plate, charge plate or any other name, issued with or without fee by an issuer for the use of the cardholder in obtaining money, goods, services or anything else of value on credit or in consideration of an undertaking or guaranty by the issuer of the payment of a check drawn by the cardholder.

(Source: P.A. 84-388.)

(105 ILCS 5/10-23.12) (from Ch. 122, par. 10-23.12)

Sec. 10-23.12. Child abuse and neglect; detection, reporting, and prevention; willful or negligent failure to report.

(a) To provide staff development for local school site personnel who work with pupils in grades kindergarten through 8 in the detection, reporting, and prevention of child abuse and neglect.

(b) The Department of Children and Family Services may, in cooperation with school officials, distribute appropriate materials in school buildings listing the toll-free telephone number established in Section 7.6 of the Abused and Neglected Child Reporting Act, including methods of making a report under Section 7 of the Abused and Neglected Child Reporting Act, to be displayed in a clearly visible location in each school building.

(c) Except for an employee licensed under Article 21B of this Code, if a school board determines that any school district employee has willfully or negligently failed to report an instance of suspected child abuse or neglect, as required by the Abused and Neglected Child Reporting Act, then the school board may dismiss that employee immediately upon that determination. For purposes of this subsection (c), negligent failure to report an instance of suspected child abuse or neglect occurs when a school district employee personally observes an instance of suspected child abuse or neglect and reasonably believes, in his or her professional or official capacity, that the instance constitutes an act of child abuse or neglect under the Abused and Neglected Child Reporting Act, and he or she, without willful intent, fails to immediately report or cause a report to be made of the suspected abuse or neglect to the Department of Children and Family Services, as required by the Abused and Neglected Child Reporting Act.

(Source: P.A. 100-413, eff. 1-1-18; 100-468, eff. 6-1-18; 101-531, eff. 8-23-19.)
(105 ILCS 5/10-23.13)

Sec. 10-23.13. Policies addressing sexual abuse.

(a) In this Section:

"Evidence-informed" refers to modalities that were created utilizing components of evidence-based treatments or curriculums.

"Grooming" means conduct prohibited under Section 11-25 of the Criminal Code of 2012.

(b) To adopt and implement, by no later than July 1, 2022, a policy addressing sexual abuse of children that shall include an age-appropriate and evidence-informed curriculum for students in pre-K through 12th grade; evidence-informed training for school personnel on child sexual abuse; evidence-informed educational information to parents or guardians provided in the school handbook on the warning signs of a child being abused, along with any needed assistance, referral, or resource information; available counseling and resources for students affected by sexual abuse; and emotional and educational support for a child to continue to be successful in school. A school district shall include in its policy and all training materials and instruction a definition of prohibited grooming behaviors and boundary violations for school personnel and how to report these behaviors.

Any policy adopted under this Section shall address without limitation:

(1) methods for increasing school personnel, student, and parent awareness of issues regarding sexual abuse of children, including awareness and knowledge of likely warning signs indicating that a child may be a victim of sexual abuse, awareness and knowledge of grooming behaviors and how to report those behaviors, awareness of appropriate relationships between school personnel and students based on State law, and how to prevent child abuse from happening, including, but not limited to, methods outlined in State law regarding personal health and safety education for students;

(1.5) evidence-informed training for school personnel on preventing, recognizing, reporting, and responding to child sexual abuse and grooming behavior, including when the grooming or abuse is committed by a member of the school community, with a discussion of the criminal statutes addressing sexual conduct between school personnel and students, professional conduct, and reporting requirements, including, but not limited to, training as outlined in Section 10-22.39 and Section 3-11;

(2) options that a student who is a victim of sexual abuse has to obtain assistance and intervention;

(3) available counseling options for students affected by sexual abuse;

(4) methods for educating school personnel, students, and staff on how to report child abuse to law enforcement authorities and to the Department of Children and Family Services and how to report grooming behaviors, including when the grooming or abuse is committed by a member of the school community; and

(5) education and information about children's advocacy centers and sexual assault crisis centers and information about how to access a children's advocacy center or sexual assault crisis center serving the district.
(c) A school district must provide training for school personnel on child sexual abuse as described in paragraph (1.5) of subsection (b) no later than January 31 of each year.

(d) This Section may be referred to as Erin's Law.

(Source: P.A. 102-610, eff. 8-27-21.)

Sec. 10-27.1A. Firearms in schools.

(a) All school officials, including teachers, school counselors, and support staff, shall immediately notify the office of the principal in the event that they observe any person in possession of a firearm on school grounds; provided that taking such immediate action to notify the office of the principal would not immediately endanger the health, safety, or welfare of students who are under the direct supervision of the school official or the school official. If the health, safety, or welfare of students under the direct supervision of the school official or of the school official is immediately endangered, the school official shall notify the office of the principal as soon as the students under his or her supervision and he or she are no longer under immediate danger. A report is not required by this Section when the school official knows that the person in possession of the firearm is a law enforcement official engaged in the conduct of his or her official duties. Any school official acting in good faith who makes such a report under this Section shall have immunity from any civil or criminal liability that might otherwise be incurred as a result of making the report. The identity of the school official making such report shall not be disclosed except as expressly and specifically authorized by law. Knowingly and willfully failing to comply with this Section is a petty offense. A second or subsequent offense is a Class C misdemeanor.

(b) Upon receiving a report from any school official pursuant to this Section, or from any other person, the principal or his or her designee shall immediately notify a local law enforcement agency. If the person found to be in possession of a firearm on school grounds is a student, the principal or his or her designee shall also immediately notify that student's parent or guardian. Any principal or his or her designee acting in good faith who makes such reports under this Section shall have immunity from any civil or criminal liability that might otherwise be incurred or imposed as a result of making the reports. Knowingly and willfully failing to comply with this Section is a petty offense. A second or subsequent offense is a Class C misdemeanor. If the person found to be in possession of the firearm on school grounds is a minor, the law enforcement agency shall detain that minor until such time as the agency makes a determination pursuant to clause (a) of subsection (1) of Section 5-401 of the Juvenile Court Act of 1987, as to whether the agency reasonably believes that the minor is delinquent. If the law enforcement agency determines that probable cause exists to believe that the minor committed a violation of item (4) of subsection (a) of Section 24-1 of the Criminal Code of 2012 while on school grounds, the agency shall detain the minor for processing pursuant to Section 5-407 of the Juvenile Court Act of 1987.

(c) On or after January 1, 1997, upon receipt of any written, electronic, or verbal report from any school personnel regarding a verified incident involving a firearm in a school or on school owned or leased property, including any conveyance owned, leased, or used by the school for the transport of students or school personnel, the superintendent or his or her designee shall report all such firearm-related incidents occurring in a school or on school property to the local law enforcement authorities.
immediately and to the Illinois State Police in a form, manner, and frequency as prescribed by the Illinois State Police.

The State Board of Education shall receive an annual statistical compilation and related data associated with incidents involving firearms in schools from the Illinois State Police. The State Board of Education shall compile this information by school district and make it available to the public.

(d) As used in this Section, the term "firearm" shall have the meaning ascribed to it in Section 1.1 of the Firearm Owners Identification Card Act.

As used in this Section, the term "school" means any public or private elementary or secondary school.

As used in this Section, the term "school grounds" includes the real property comprising any school, any conveyance owned, leased, or contracted by a school to transport students to or from school or a school-related activity, or any public way within 1,000 feet of the real property comprising any school.

(Source: P.A. 102-197, eff. 7-30-21; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

(105 ILCS 5/10-27.1B)

Sec. 10-27.1B. Reporting drug-related incidents in schools.

(a) In this Section:

"Drug" means "cannabis" as defined under subsection (a) of Section 3 of the Cannabis Control Act, "narcotic drug" as defined under subsection (aa) of Section 102 of the Illinois Controlled Substances Act, or "methamphetamine" as defined under Section 10 of the Methamphetamine Control and Community Protection Act.

"School" means any public or private elementary or secondary school.

(b) Upon receipt of any written, electronic, or verbal report from any school personnel regarding a verified incident involving drugs in a school or on school owned or leased property, including any conveyance owned, leased, or used by the school for the transport of students or school personnel, the superintendent or his or her designee, or other appropriate administrative officer for a private school, shall report all such drug-related incidents occurring in a school or on school property to the local law enforcement authorities immediately and to the Illinois State Police in a form, manner, and frequency as prescribed by the Illinois State Police.

(c) The State Board of Education shall receive an annual statistical compilation and related data associated with drug-related incidents in schools from the Illinois State Police. The State Board of Education shall compile this information by school district and make it available to the public.

(Source: P.A. 102-538, eff. 8-20-21.)

(105 ILCS 5/10-28)

Sec. 10-28. Sharing information on school lunch applicants. A school board shall, whenever requested by the Department of Healthcare and Family Services (formerly Department of Public Aid) agree in writing with the Department of Healthcare and Family Services (as the State agency that administers the
State Medical Assistance Program as provided in Title XIX of the federal Social Security Act and the State Children's Health Insurance Program as provided in Title XXI of the federal Social Security Act) to share with the Department of Healthcare and Family Services information on applicants for free or reduced-price lunches. A school board shall, whenever requested by the Department of Healthcare and Family Services (formerly Department of Public Aid), require each of its schools to agree in writing with the Department of Healthcare and Family Services to share with the Department of Healthcare and Family Services information on applicants for free or reduced-price lunches. This sharing of information shall be for the sole purpose of helping the Department of Healthcare and Family Services identify and enroll children in the State Medical Assistance Program or the State Children's Health Insurance Program or both as allowed under 42 U.S.C. Sec. 1758(b)(2)(C)(iii)(IV) and under the restrictions set forth in 42 U.S.C. Sec. 1758(b)(2)(C)(vi) and (vii).

(Source: P.A. 95-331, eff. 8-21-07.)

(105 ILCS 5/10-29)

Sec. 10-29. Remote educational programs.

(a) For purposes of this Section, "remote educational program" means an educational program delivered to students in the home or other location outside of a school building that meets all of the following criteria:

(1) A student may participate in the program only after the school district, pursuant to adopted school board policy, and a person authorized to enroll the student under Section 10-20.12b of this Code determine that a remote educational program will best serve the student's individual learning needs. The adopted school board policy shall include, but not be limited to, all of the following:

(A) Criteria for determining that a remote educational program will best serve a student's individual learning needs. The criteria must include consideration of, at a minimum, a student's prior attendance, disciplinary record, and academic history.

(B) Any limitations on the number of students or grade levels that may participate in a remote educational program.

(C) A description of the process that the school district will use to approve participation in the remote educational program. The process must include without limitation a requirement that, for any student who qualifies to receive services pursuant to the federal Individuals with Disabilities Education Improvement Act of 2004, the student's participation in a remote educational program receive prior approval from the student's individualized education program team.

(D) A description of the process the school district will use to develop and approve a written remote educational plan that meets the requirements of subdivision (5) of this subsection (a).

(E) A description of the system the school district will establish to determine student participation in instruction in accordance with the remote educational program.

(F) A description of the process for renewing a remote educational program at the expiration of its term.
(G) Such other terms and provisions as the school district deems necessary to provide for the establishment and delivery of a remote educational program.

(2) The school district has determined that the remote educational program's curriculum is aligned to State learning standards and that the program offers instruction and educational experiences consistent with those given to students at the same grade level in the district.

(3) The remote educational program is delivered by instructors that meet the following qualifications:

(A) they are licensed under Article 21B of this Code;

(B) (blank); and

(C) they have responsibility for all of the following elements of the program: planning instruction, diagnosing learning needs, prescribing content delivery through class activities, assessing learning, reporting outcomes to administrators and parents and guardians, and evaluating the effects of instruction.

(4) During the period of time from and including the opening date to the closing date of the regular school term of the school district established pursuant to Section 10-19 of this Code, participation in a remote educational program may be claimed for evidence-based funding purposes under Section 18-8.15 of this Code on any calendar day, notwithstanding whether the day is a day of pupil attendance or institute day on the school district's calendar or any other provision of law restricting instruction on that day. If the district holds year-round classes in some buildings, the district shall classify each student's participation in a remote educational program as either on a year-round or a non-year-round schedule for purposes of claiming evidence-based funding. Outside of the regular school term of the district, the remote educational program may be offered as part of any summer school program authorized by this Code.

(5) Each student participating in a remote educational program must have a written remote educational plan that has been approved by the school district and a person authorized to enroll the student under Section 10-20.12b of this Code. The school district and a person authorized to enroll the student under Section 10-20.12b of this Code must approve any amendment to a remote educational plan. The remote educational plan must include, but is not limited to, all of the following:

(A) Specific achievement goals for the student aligned to State learning standards.

(B) A description of all assessments that will be used to measure student progress, which description shall indicate the assessments that will be administered at an attendance center within the school district.

(C) A description of the progress reports that will be provided to the school district and the person or persons authorized to enroll the student under Section 10-20.12b of this Code.

(D) Expectations, processes, and schedules for interaction between a teacher and student.

(E) A description of the specific responsibilities of the student's family and the school district with respect to equipment, materials, phone and Internet service, and any other requirements applicable to
the home or other location outside of a school building necessary for the delivery of the remote educational program.

(F) If applicable, a description of how the remote educational program will be delivered in a manner consistent with the student's individualized education program required by Section 614(d) of the federal Individuals with Disabilities Education Improvement Act of 2004 or plan to ensure compliance with Section 504 of the federal Rehabilitation Act of 1973.

(G) A description of the procedures and opportunities for participation in academic and extracurricular activities and programs within the school district.

(H) The identification of a parent, guardian, or other responsible adult who will provide direct supervision of the program. The plan must include an acknowledgment by the parent, guardian, or other responsible adult that he or she may engage only in non-teaching duties not requiring instructional judgment or the evaluation of a student. The plan shall designate the parent, guardian, or other responsible adult as non-teaching personnel or volunteer personnel under subsection (a) of Section 10-22.34 of this Code.

(I) The identification of a school district administrator who will oversee the remote educational program on behalf of the school district and who may be contacted by the student's parents with respect to any issues or concerns with the program.

(J) The term of the student's participation in the remote educational program, which may not extend for longer than 12 months, unless the term is renewed by the district in accordance with subdivision (7) of this subsection (a).

(K) A description of the specific location or locations in which the program will be delivered. If the remote educational program is to be delivered to a student in any location other than the student's home, the plan must include a written determination by the school district that the location will provide a learning environment appropriate for the delivery of the program. The location or locations in which the program will be delivered shall be deemed a long distance teaching reception area under subsection (a) of Section 10-22.34 of this Code.

(L) Certification by the school district that the plan meets all other requirements of this Section.

(6) Students participating in a remote educational program must be enrolled in a school district attendance center pursuant to the school district's enrollment policy or policies. A student participating in a remote educational program must be tested as part of all assessments administered by the school district pursuant to Section 2-3.64a-5 of this Code at the attendance center in which the student is enrolled and in accordance with the attendance center's assessment policies and schedule. The student must be included within all accountability determinations for the school district and attendance center under State and federal law.

(7) The term of a student's participation in a remote educational program may not extend for longer than 12 months, unless the term is renewed by the school district. The district may only renew a student's participation in a remote educational program following an evaluation of the student's progress in the program, a determination that the student's continuation in the program will best serve
the student's individual learning needs, and an amendment to the student's written remote educational plan addressing any changes for the upcoming term of the program.

For purposes of this Section, a remote educational program does not include instruction delivered to students through an e-learning program approved under Section 10-20.56 of this Code.

(b) A school district may, by resolution of its school board, establish a remote educational program.

(c) (Blank).

(d) The impact of remote educational programs on wages, hours, and terms and conditions of employment of educational employees within the school district shall be subject to local collective bargaining agreements.

(e) The use of a home or other location outside of a school building for a remote educational program shall not cause the home or other location to be deemed a public school facility.

(f) A remote educational program may be used, but is not required, for instruction delivered to a student in the home or other location outside of a school building that is not claimed for evidence-based funding purposes under Section 18-8.15 of this Code.

(g) School districts that, pursuant to this Section, adopt a policy for a remote educational program must submit to the State Board of Education a copy of the policy and any amendments thereto, as well as data on student participation in a format specified by the State Board of Education. The State Board of Education may perform or contract with an outside entity to perform an evaluation of remote educational programs in this State.

(h) The State Board of Education may adopt any rules necessary to ensure compliance by remote educational programs with the requirements of this Section and other applicable legal requirements.

(105 ILCS 5/10-30)

Sec. 10-30. Remote and blended remote learning. This Section applies if the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act.

(1) If the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, the State Superintendent of Education may declare a requirement to use remote learning days or blended remote learning days for a school district, multiple school districts, a region, or the entire State. During remote learning days, schools shall conduct instruction remotely. During blended remote learning days, schools may utilize hybrid models of in-person and remote instruction. Once declared, remote learning days or blended remote learning days shall be implemented in grades pre-kindergarten through 12 as days of attendance and shall be deemed pupil attendance days for calculation of the length of a school term under Section 10-19.

(2) For purposes of this Section, a remote learning day or blended remote learning day may be met through a district's implementation of an e-learning program under Section 10-20.56.
(3) For any district that does not implement an e-learning program under Section 10-20.56, the district shall adopt a remote and blended remote learning day plan approved by the district superintendent. Each district may utilize remote and blended remote learning planning days, consecutively or in separate increments, to develop, review, or amend its remote and blended remote learning day plan or provide professional development to staff regarding remote education. Up to 5 remote and blended remote learning planning days may be deemed pupil attendance days for calculation of the length of a school term under Section 10-19.

(4) Each remote and blended remote learning day plan shall address the following:

(i) accessibility of the remote instruction to all students enrolled in the district;

(ii) if applicable, a requirement that the remote learning day and blended remote learning day activities reflect State learning standards;

(iii) a means for students to confer with an educator, as necessary;

(iv) the unique needs of students in special populations, including, but not limited to, students eligible for special education under Article 14, students who are English learners as defined in Section 14C-2, and students experiencing homelessness under the Education for Homeless Children Act, or vulnerable student populations;

(v) how the district will take attendance and monitor and verify each student’s remote participation; and

(vi) transitions from remote learning to on-site learning upon the State Superintendent’s declaration that remote learning days or blended remote learning days are no longer deemed necessary.

(5) The district superintendent shall periodically review and amend the district’s remote and blended remote learning day plan, as needed, to ensure the plan meets the needs of all students.

(6) Each remote and blended remote learning day plan shall be posted on the district’s Internet website where other policies, rules, and standards of conduct are posted and shall be provided to students and faculty.

(7) This Section does not create any additional employee bargaining rights and does not remove any employee bargaining rights.

(8) Statutory and regulatory curricular mandates and offerings may be administered via a district’s remote and blended remote learning day plan, except that a district may not offer individual behind-the-wheel instruction required by Section 27-24.2 via a district’s remote and blended remote learning day plan. This Section does not relieve schools and districts from completing all statutory and regulatory curricular mandates and offerings.

(Source: P.A. 101-643, eff. 6-18-20.)