

Illinois Statewide School
Management Alliance

New School Laws 2012

A digest of state laws affecting Illinois
public schools enacted in 2011



Prepared by the
Department of Governmental Relations of the
Illinois Association of School Boards for the
Illinois Statewide School Management Alliance

FOREWORD

January 2012

This publication is designed to alert school board members, administrators, business officials, and principals to new laws and changes in existing laws. The Alliance lobbying team has made every effort to identify which new acts to include. We recognize, however, that one or more acts may have escaped our attention. This publication, therefore, is not intended as a substitute for either a current version of the Illinois Compiled Statutes or legal counsel.

Please note the synopsis of each act is brief and may or may not encompass the full content or impact of the Act. The synopsis is designed to call attention to statutory changes and additions that may merit further research.

Also included in this publication, where applicable, is the IASB Policy Service (PRESS) information regarding new legislation. If a new law requires action by the school board, the corresponding PRESS Policy number will follow the public act information.

To Obtain Copies of Public Acts

Official copies of acts are filed with the Index Division of the office of the Secretary of State. However, all text of public acts is available on the internet at the General Assembly website. The address is: *www.ilga.gov*

How to Use This Document

Act summaries are organized under subject matter categories, and categories are arranged alphabetically as shown in the Table of Contents. In addition, three indexes are provided. These may be used to identify an act by title, bill number, or by the public act number.

If you have any questions about legislation, please contact any of the offices listed on the back cover of this publication.

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BOARDS OF EDUCATION

HB 139 Summer School Reading and Math

Sponsors:

House: Ford-Franks
Senate: Collins, A.-Lightford

Chapter Reference:

105 ILCS 5/2-3.64

Summary: The Act adds a provision to the remediation section of the State Goals and Assessments article that when a remediation program is developed for a student, the program may include an emphasis on reading and math if the student has performed below grade level for two consecutive school years.

Public Act: 97-0086

Effective Date: January 1, 2012

HB 189 Special Education Class Size

Sponsors:

House: Eddy-Chapa La Via-Hammond
Senate: Sullivan

Chapter Reference:

105 ILCS 5/14-2 new

Summary: The Act provides that, with respect to any State statute or administrative rule that defines a general education classroom to be composed of a certain percentage of students with individualized education programs (IEPs), students with IEPs shall exclude students receiving only speech services outside of the general education classroom.

Public Act: 97-0284

Effective Date: August 9, 2011

HB 190 Charter Schools-Low Performing Schools

Sponsors:

House: Eddy-Bellock-Kay-Senger-Arroyo
Senate: Righter-Meeks-Martinez-Lightford-Collins, J.

Chapter Reference:

105 ILCS 5/27A-4

Summary: The Act provides that of the 70 charter schools that are permitted to operate at any one time in Chicago, not more than five charter schools devoted exclusively to students from low-performing or overcrowded schools are allowed.

Public Act: 97-0624

Effective Date: November 28, 2011

HB 200 Concussion Policy

Sponsors:

House: Cross-Franks-Lang-Davis, M.-Eddy
Senate: Raoul-Brady-Collins, J.-Trotter

Chapter Reference:

70 ILCS 1205/8-24 new
105 ILCS 5/10-20.53 new
105 ILCS 5/34-18.45 new

Summary: The Act requires school boards to adopt a policy that is in compliance with the Illinois High School Association's (IHSA) protocol regarding student athletes suspected of sustaining a concussion or head injury. Information on the district policy must be provided to student athletes and their parents and the IHSA must provide concussion information to the school district for distribution to coaches, athletes, and parents.

Public Act: 97-0204

Effective Date: July 28, 2011

*PRESS Policy 7:305, Student Athlete
Concussions and Head Injuries*

*PRESS Administrative Procedure 7:305-AP, Program for
Managing Student Athlete Concussions and Head Injuries*

PRESS Exhibit 7:300-E1, Agreement to Participate

HB 332 "Minority" Defined

Sponsors:

House: Berrios-Fortner-Franks
Senate: Munoz

Chapter Reference:

5 ILCS 410/10
5 ILCS 410/15
20 ILCS 105/3.10
20 ILCS 2310/2310/215
30 ILCS 575/2
30 ILCS 577/35-5
30 ILCS 785/5
70 ILCS 210/23.1
105 ILCS 5/34-18
110 ILCS 205/9.16
110 ILCS 925/3.07
110 ILCS 930/2
110 ILCS 947/50
110 ILCS 947/65.30
215 ILCS 5/500-50
305 ILCS 5/4-23
625 ILCS 5/11-212
720 ILCS 5/17-29
775 ILCS 5/2-105

Summary: The Act defines, throughout State statutes, the term “minority” as it applies to employees and students. Specifically, it adds the new “minority” definition to section 34 of the Illinois School Code which applies to the Chicago Public Schools.

Public Act: 97-0396

Effective Date: January 1, 2012

HB 1197 Education Reform — Trailer Bill

Sponsors:

House: Davis, M.-Madigan-Currie-Cross-Chapa La Via
Senate: Lightford-Munoz-Maloney-Hunter

Chapter Reference:

115 ILCS 5/4.5
115 ILCS 5/12
115 ILCS 5/13

Summary: The Act contains provisions regarding collective bargaining and strike provisions for the Chicago Public Schools as a follow-up to the education reform bill (SB 7).

Public Act: 97-0007

Effective Date: June 13, 2011

HB 1204 Violence Prevention Education

Sponsors:

House: Howard-Brady
Senate: Jone, E.-Lightford-Collins, J.

Chapter Reference:

105 ILCS 5/27-23.4
30 ILCS 805/8.35 new

Summary: The Act requires school districts to provide instruction in violence prevention and conflict resolution education for grades kindergarten through 12 (now grades 4 through 12).

Public Act: 97-0087

Effective Date: July 8, 2011

PRESS Policy 6:60, Curriculum Content

HB 1277 Open Meetings Act Exemptions

Sponsors:

House: Rita-Dunkin-Ramey-Harris
Senate: Martinez

Chapter Reference:

5 ILCS 120/2

Summary: The Act authorizes the closure of meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards.

Public Act: 97-0318

Effective Date: January 1, 2012

*PRESS Policy 2:200, Types of School Board Meetings
PRESS Exhibit 2:220-E2,
Motion to Adjourn to Closed Meeting*

HB 1338 Immunization Data Registry

Sponsors:

House: Gabel-Currie-Feigenholtz
Senate: Delgado-Kotowski-Trotter-Steans

Chapter Reference:

New Act

Summary: The Act provides that the Department of Public Health may develop and maintain an immunization data registry to collect, store, analyze, release, and report immunization data. The department may release the information to elementary and high schools.

Public Act: 97-0117

Effective Date: July 14, 2011

HB 1415 Year-Round School Pilot Project

Sponsors:

House: Jones-Chapa La Via
Senate: Meeks

Chapter Reference:

105 ILCS 5/2-3.25f
105 ILCS 5/10-19.1

Summary: The Act allows certain schools in Representative Jones’ legislative district to “opt in” to a pilot project for operation of a full-year school plan if a school remains on the academic watch list after two years.

Public Act: 97-0370

Effective Date: January 1, 2012

HB 1542 Economic Interests Statements

Sponsors:

House: Nekritz-Mathias-Sente
Senate: Haine

Chapter Reference:

5 ILCS 420/4A-108

Summary: The Act replaces a provision that mandated the Internet-based filing of statements of economic interest with a provision that authorizes the filing of those statements by Internet or by standardized form.

Public Act: 97-0212

Effective Date: July 28, 2011

PRESS Policy 2:100, Board Member Conflict of Interest

HB 1670 Open Meetings Act — Training

Sponsors:

House: Burke
Senate: Crotty-Dillard

Chapter Reference:

5 ILCS 120/1.05
5 ILCS 120/4

Summary: The Act requires elected officials (including school board members) to successfully complete the training program provided by the Attorney General's Public Access Counselor regarding the Open Meetings Act or Open Meetings Act training conducted by the Illinois Association of School Boards.

Public Act: 97-0504

Effective Date: January 1, 2012

PRESS Policy 2:120, Board Member Development

HB 1686 Alcohol Near School

Sponsors:

House: Feigenholtz
Senate: Collins, A.

Chapter Reference:

235 ILCS 5/6-11

Summary: The Act provides for the issuance or renewal of a retail license authorizing the sale of alcoholic liquor at a premises located in Chicago and within 100 feet of a school if certain conditions are met.

Public Act: 97-0009

Effective Date: June 12, 2011

HB 1698 Workers' Compensation Reform

Sponsors:

House: Bradley-Davis, W.-Sente-Farnham-Franks
Senate: Raoul-Trotter

Chapter Reference:

20 ILCS 405/405-105
20 ILCS 405/405-411
735 ILCS 5/8-802
820 ILCS 305/1
820 ILCS 305/1.1 new
820 ILCS 305/4
820 ILCS 305/4b new
820 ILCS 305/8
820 ILCS 305/8.1a new
820 ILCS 305/8.1b new
820 ILCS 305/8.2
820 ILCS 305/8.2a new
820 ILCS 305/8.7
820 ILCS 305/11
820 ILCS 305/13
820 ILCS 305/13.1
820 ILCS 305/14
820 ILCS 305/16b new

820 ILCS 305/18
820 ILCS 305/18.1 new
820 ILCS 305/19
820 ILCS 305/25.5
820 ILCS 305/29.1 new
820 ILCS 305/29.2 new
820 ILCS 305/8.1b new

Summary: The Act makes substantial reforms to the State's Workers' Compensation Act. It makes a 30% reduction in the medical fee schedule, strengthens the utilization review process, creates health care networks for workers' compensation that will help employers direct care, caps carpal tunnel awards, caps wage differential awards, changes the rebuttable presumption for drugs and alcohol use, and replaces all arbitrators with new arbitrators who must be attorneys and receive continuing education.

Public Act: 97-0018

Effective Date: June 28, 2011

HB 1706 Special Education — Home Instruction

Sponsors:

House: Gabel-Dugan
Senate: Noland

Chapter Reference:

105 ILCS 5/14-13.01

Summary: The Act, in provisions concerning personnel reimbursement for children in hospital or home instruction, provides that a child qualifies for home or hospital instruction if it is anticipated that, due to a medical condition, the child will be unable to attend school and instead must be instructed at home or in the hospital for a period of two or more consecutive weeks or on an ongoing intermittent basis.

Public Act: 97-0123

Effective Date: July 14, 2011

PRESS Policy 6:150, Home and Hospital Instruction

HB 1716 Freedom of Information Act

Sponsors:

House: Currie-Bellock-Davis, M.
Senate: Harmon-Althoff-Maloney-Sandack

Chapter Reference:

5 ILCS 140/2
5 ILCS 140/3.2 new
5 ILCS 140/6
5 ILCS 140/9.5

Summary: The Act makes changes to the Freedom of Information Act (FOIA). It defines "recurrent requester" as a person that, in the 12 months immediately preceding the request, has submitted to the same public body (i) a minimum of 50 requests for records, (ii) a minimum of 15 requests for records within a 30-day period, or (iii) a minimum of 7 requests for records within a 7-day period. The act allows additional time for a governmental body to comply with a FOIA request from a recurrent requester. It also authorizes a public

body to charge a fee for each hour spent by personnel in searching for and retrieving requested records and makes changes regarding requests for commercial purposes.

Public Act: 97-0579

Effective Date: August 26, 2011

PRESS Policy 2:250, Access to District Public Records

*PRESS Administrative Procedure 2:250-AP1,
Access to and Copying of District Public Records*

PRESS Exhibit 2:250-E3, Recurrent Requester Notification

HB 2259

Open Meetings Act — Public Aid Records

Sponsors:

House: Ramey-Davis, M.-Dunkin-Riley

Senate: Crotty

Chapter Reference:

5 ILCS 120/2

5 ILCS 140/7

Summary: The Act amends the Open Meetings Act to authorize a public body to hold a closed meeting to discuss correspondence and records (i) that may not be disclosed under a specific portion of the Public Aid Code or (ii) that pertains to appeals conducted under a specific provision of the Public Aid Code.

Public Act: 97-0452

Effective Date: August 19, 2011

PRESS Policy 2:200, Types of School Board Meetings

*PRESS Exhibit 2:220-E2,
Motion to Adjourn to Closed Meeting*

HB 2265

Multifunction School Activity Bus

Sponsors:

House: Sosnowski

Senate: Johnson-Pankau

Chapter Reference:

625 ILCS 5/1-148.3a-5

625 ILCS 5/11-1414.1

Summary: The Act provides that “multifunction school-activity bus” means a school bus manufactured for the purpose of transporting 11 or more persons (rather than 11 to 15 persons), including the driver, for any activity except transporting students to and from home or school bus stops.

Public Act: 97-0378

Effective Date: August 15, 2011

HB 2397

Reading Instruction Promotion

Sponsors:

House: Mayfield

Senate: Holmes-Lightford-Collins, J.

Chapter Reference:

105 ILCS 5/10-20.53 new

105 ILCS 5/34-18.45 new

Summary: The Act provides that each school board shall promote at least 60 minutes of minimum reading opportunities daily for students in kindergarten through 3rd grade whose reading level is one grade level or lower than his or her current grade level according to current learning standards and the school district.

Public Act: 97-0088

Effective Date: July 8, 2011

PRESS Policy 6:60, Curriculum Content

HB 2401

Charter Schools — Dropouts

Sponsors:

House: Mitchell, J.-Chapa La Via-Eddy-Davis, M.-Golar

Senate: Lightford-Martinez

Chapter Reference:

105 ILCS 5/27A-4

Summary: The Act provides that each campus of a Chicago charter school devoted exclusively to re-enrolled high school dropouts must be operated through a contract or payroll by the same legal entity as that for which the charter is approved and certified.

Public Act: 97-0151

Effective Date: January 1, 2012

HB 3039

Insurance Coverage — Heart Disease

Sponsors:

House: Lilly

Senate: Lightford-Hunter

Chapter Reference:

5 ILCS 375/6.11

55 ILCS 5/5-1069.3

65 ILCS 5/10-4-2.3

105 ILCS 5/10-22.3f

215 ILCS 5/356z.19 new

215 ILCS 125/5-3

215 ILCS 165/10

215 ILCS 5/356z.16

305 ILCS 5/5-16.8

Summary: The Act provides that an insurer providing group or individual policies of accident and health insurance or a managed care plan shall develop and implement a process to communicate with their adult enrollees on an annual basis regarding the importance and value of early detection and proactive management of cardiovascular disease.

Public Act: 97-0282

Effective Date: August 9, 2011

HB 3109

Bilingual Education Report

Sponsors:

House: Cole-Fortner-Pihos-Mayfield-Mathias
Senate: Martinez

Chapter Reference:

105 ILCS 5/14C-13

Summary: The Act amends the Transitional Bilingual Education Article of the School Code to provide that, by no later than December 1, 2011, the Advisory Council on Bilingual Education shall submit a report to the State Superintendent of Education, the Governor, and the General Assembly addressing:

- whether and how the 20 child per attendance center minimum should be modified;
- whether and how educator certification requirement rules should be modified;
- whether and how bilingual education requirement rules should be modified to address differences between elementary and secondary schools; and
- whether and how to allow school districts to administer alternative bilingual education programs instead of transitional bilingual education programs.

Public Act: 97-0305

Effective Date: January 1, 2012

HB 3223

Remote Educational Program

Sponsors:

House: Senger-Cross-Chap La Via-Schmitz
Senate: Johnson-Sandack-Martinez

Chapter Reference:

105 ILCS 5/10-29
105 ILCS 5/18-8.05

Summary: The Act makes many changes regarding remote educational programs in schools. Among them, it provides participation in a program may be claimed for general State aid purposes.

Public Act: 97-0339

Effective Date: August 12, 2011

PRESS Policy 6:310, Credit for Alternative Courses and Programs, and Course Substitutions
6:185, Remote Educational Program

HB 3464

Teacher Supply and Demand Report

Sponsors:

House: Pihos
Senate: Luechtefeld

Chapter Reference:

105 ILCS 5/2-3.11c

105 ILCS 5/2-3.74 rep.
105 ILCS 5/2-3.87 rep.
105 ILCS 5/2-3.111 rep.
105 ILCS 5/10-20.47
105 ILCS 5/10-20.50 rep.
105 ILCS 5/10-21.4
105 ILCS 5/10-21.6 rep.
105 ILCS 5/18-3
105 ILCS 5/34-18.38
105 ILCS 5/34-18.41 rep.

Summary: The Act changes the date of the teacher supply and demand report to January 1, 2012 (instead of 2011) and changes the date when superintendent and teachers salaries must be reported to the Illinois State Board of Education (ISBE). Now the administrator and teacher salary report must be submitted to the ISBE by October 1 (was July 1), after the information is reported at a regular school board meeting and posted on the school district website.

Public Act: 97-0256

Effective Date: January 1, 2012

PRESS Policy 4:60, Purchases and Contracts
2:250-E2, Exhibit-Immediately Available
District Public Records

SB 7

Education Reform Act

Sponsors:

Senate: Lightford-Maloney-Murphy-Munoz-Meeks
House: Madigan-Cross-Chapa La Via-Eddy-Currie

Chapter Reference:

40 ILCS 5/17-130
105 ILCS 5/2-3.153 new
105 ILCS 5/10-16a new
105 ILCS 5/10-22.4
105 ILCS 5/21-23
105 ILCS 5/24-1.5 new
105 ILCS 5/24-11
105 ILCS 5/24-12
105 ILCS 5/24-16
105 ILCS 5/24-16.5 new
105 ILCS 5/24A-2.5
105 ILCS 5/24A-5
105 ILCS 5/34-84
105 ILCS 5/34-85
105 ILCS 5/34-85b rep.
105 ILCS 5/34-85c
115 ILCS 5/4.5
115 ILCS 5/12
115 ILCS 5/13

Summary: The Act contains “education reform” provisions that were primarily intended to connect teacher hiring and dismissal to teacher performance. Many of the provisions expand on the Performance Evaluation Reform Act (PERA) of 2011 – the “Race to the Top” bill approved in January of 2011 (Public Act 96-861). Most school districts must have a new performance evaluation process for teachers and administrators

by September 1, 2016, according to PERA. Some of the provisions of SB 7 below would be effective “pre-PERA” and some would be effective “post-PERA”. The act allows for a school district and the teachers to jointly agree to an earlier implementation date of the PERA provisions, but not before September 1, 2013.

- Requires the Illinois State Board of Education (ISBE) to establish a survey of learning conditions to provide feedback from teachers and students regarding the instructional environment within each school in the State. Every school district must administer the survey in each of its schools at least biannually and provide the data to the ISBE. Teachers must not be allowed to complete the survey on days or at times that would interfere with their teaching duties;
- Requires school board members to receive a minimum of four hours of professional development leadership training within one year of the beginning of the board member’s term. The topics that must be covered are education and labor law, financial oversight and accountability, and fiduciary responsibilities of a school board member. The school district must post on its website the names of the district’s school board members who have completed the training. The training may be provided by an association established in the School Code to provide school board member training (IASB) or by other qualified providers approved by the ISBE in consultation with such an association;
- Requires school districts and teachers’ unions, if either party or a mediator declares that contract negotiations are at an impasse, to make a final contract offer within 7 days. If there is no settlement within the next seven days, both final offers will be made public (with the press and posted on the school district website). If there is still no agreement after the public period, the teachers’ union may issue an intent-to-strike notice. The above provision is for all school districts except Chicago; the act contains different provisions for the Chicago Public Schools;
- Allows the State Superintendent of Education to suspend, revoke, or limit an individual’s teaching certificate for incompetency – defined as receiving an unsatisfactory performance evaluation in two or more school terms within a seven year period. The State Superintendent may require the teacher to receive additional professional development in lieu of suspension or revocation (the certificate holder would be responsible for the costs of the professional development). The provision would be effective “pre-PERA”;
- Replaces teacher “seniority” with a process for measuring teacher performance regarding the filling of new and vacant positions. The provision would be effective “pre-PERA”;
- Hiring/filling of such positions would be based upon the consideration of factors including certifications, qualifications, merit and ability (including performance evaluations), and relevant experience – provided that length of continuing service with the school district may not be considered as a factor unless all other factors are determined by the school district to be equal;
- A school district’s decision to select a candidate for a position shall not be subject to review under grievance resolution procedures in the Illinois Educational Labor Relations Act (IELRA) and nothing in this Act limits or otherwise

impacts school districts’ management right to hire new employees;

- Requires certain positive performance evaluations in order to attain tenure (“post-PERA”);
- The probationary period would be four consecutive years with at least two performance evaluation ratings of at least “Proficient”, one being in the last year, before tenure is granted;
- An accelerated tenure track would be available for teachers who have completed three consecutive years with all performance evaluations rated “Excellent”;
- For teachers who have received tenure in a previous school district, and received at least “Proficient” performance evaluations in the two most recent evaluations in that district, the probationary period would be two consecutive years in the new district if the teacher receives two “Excellent” performance evaluations in those first two years;
- Clarifies how certain “breaks in service” as a teacher relate to the new tenure changes;
- Teacher Reductions in Force (RIF) and teacher recall procedures would be changed from one based solely on “seniority”, to one based on performance evaluations, beginning in the 2011-2012 school year;
- RIF notices must be sent out 45 days before the end of the school term (instead of 60 days).
- Each teacher must be categorized into one or more positions for which the teacher is qualified to hold per the job description by May 10. The categories are:
- Group one consists of non-tenured teachers who have not received a performance evaluation rating;
- Group two consists of teachers with a “Needs Improvement” or “Unsatisfactory” performance evaluation rating on either of the last two evaluations;
- Group three consists of teachers with a performance evaluation rating of at least “Satisfactory” or “Proficient” on both of the last two evaluations;
- Group four consists of teachers with a performance evaluation rating of “Excellent” on the last two evaluations, and teachers with a performance evaluation rating of “Excellent” in two out of the last three evaluations, with the third evaluation rating being “Satisfactory” or “Proficient”.
- RIF notices would be sent to teachers in the following order: 1) Group one, 2) Group two, 3) Group three, 4) Group four
- Within group 1, the dismissal of probationary teachers who have not received a performance evaluation rating shall be at the discretion of the school district;
- Within groups 2, 3, and 4, the teacher’s average performance rating would be determined and those with the lowest average performance rating would be dismissed first;
- In the case of a tie, length of continuous service within the school district shall be used, unless an alternative method is bargained;
- Only teachers in groups 3 and 4 would be eligible for recall;
- Any recalls within groups 3 and 4 would use the inverse order of the rankings used for dismissal; and

- A joint committee composed of equal representation of teachers and the school district must be established to consider possible modifications to the definitions of groupings 2 and 4. Any agreement to revise groups 2 and 4 would need to be by agreement of the joint committee. If no agreement is reached, the statutory definition of the groups 2 and 4 shall govern. The committee would first meet by December 1st of each year and would be required to reach agreement by February 1 of each year.
- For tenured teacher dismissals, a teacher could request that a hearing officer be selected by the school board (the board would pay the fees and costs of the hearing officer), a mutual decision by the teacher and the board may be used to select a hearing officer (the cost of the hearing officer would be split equally between the teacher and the school board), or an alternative hearing officer selection may be used;
- Changes are made to the hearing procedures, including discovery, the bill of particulars, the number of days allowed for each action, and other required materials;
- The changes for teacher dismissal take place after September 1, 2011;
- An alternative dismissal process for “post-PERA” evaluations is established for a board to dismiss a tenured teacher who has failed to complete a remediation plan with at least a “Proficient” rating;
- The alternative process requires the use of a second evaluator;
- In the dismissal hearing in the alternative process, the district must demonstrate the validity of the performance evaluation, the remediation plan complied with the law, the teacher failed to satisfactorily complete the remediation plan, and that the final remediation evaluation was a more valid assessment of the teacher’s performance than the assessment made by the second evaluator;
- The hearing officer will make a recommendation to the school board who will make the ultimate decision whether to dismiss or retain;
- If the hearing officer recommends and the board determines to dismiss, the teacher’s appeal rights are to the Appellate Court; and
- Dismissals on the basis of conduct will be streamlined and the hearing officer will render findings of facts and recommendations to the school board. The school board shall make the final employment decisions as to whether to retain or dismiss.

Public Act: 97-0008

Effective Date: June 13, 2011

PRESS Policy 2:120, Board Member Development

PRESS Policy 5:200, Terms and Conditions of Employment and Dismissal

SB 620 **Chicago Facility Plan**

Sponsors:

Senate: Martinez-Noland-Hunter-Collins, J.-Jones, E.

House: Soto-Golar-Saviano-Pritchard-Eddy

Chapter Reference:

105 ILCS 5/34-18.43

105 ILCS 5/prec. Sec. 34-200 heading new

105 ILCS 5/34-200 new

105 ILCS 5/34-205 new

105 ILCS 5/34-210 new

105 ILCS 5/34-215 new

105 ILCS 5/34-220 new

105 ILCS 5/34-225 new

105 ILCS 5/34-230 new

105 ILCS 5/34-235 new

Summary: The Act, for Chicago Public Schools only, includes provisions concerning school action and facility master planning. It sets forth provisions concerning educational facility standards; the Educational Facility Master Plan; capital improvement plans; financial transparency; school transition plans; school action public meetings and hearings; and emergencies.

Public Act: 97-0473

Effective Date: January 1, 2012

SB 621 **Magnet School for Math and Science**

Sponsors:

Senate: Holmes

House: Chapa La Via-Cross-Senger-Hatcher-Schmitz

Chapter Reference:

105 ILCS 5/10-22.22e new

Summary: The Act allows four or more contiguous school districts with all or a portion of their territory located within the geographic boundaries of the same municipality to 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.

Public Act: 97-0097

Effective Date: January 1, 2012

SB 634 **Township Trustees and Treasurer**

Sponsors:

Senate: Crotty

House: McCarthy

Chapter Reference:

105 ILCS 5/5-2.2 new

Summary: The Act makes changes for certain school districts in South Cook County regarding the use of the township trustees and school treasurer. It will eliminate the election of the township trustees after the completion of the trustee’s current term, and allows the school districts affected to appoint a person to serve as the trustee. The trustees, then, will appoint a treasurer. The school districts affected are: Prairie Hills SD 144, Country Club Hills SD 160, Bremen HSD 228, Posen Robbins SD 143, Arbor Park SD 145, Midlothian SD 143, and Forest Ridge SD 143.

Public Act: 97-0631

Effective Date: December 8, 2011

SB 1226 Ag Science School

Sponsors:

Senate: Maloney
House: Cunningham-Pritchard-Davis, M.-Moffitt-Burke

Chapter Reference:

105 ILCS 5/34-21.1

Summary: The Act addresses the limits in enrollment for the agricultural science school in Chicago.

Public Act: 97-0648

Effective Date: December 30, 2011

SB 2096 Accessibility Code

Sponsors:

Senate: Althoff
House: Schmitz-Farnham-Verschoore-Hatcher

Chapter Reference:

105 ILCS 5/22-55 rep.
105 ILCS 5/10-20.51

Summary: The Act repeals provisions in the School Code regarding the Illinois Accessibility Task Force and provides that a school board does not have to comply with the Illinois Accessibility Code 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.

Public Act: 97-0355

Effective Date: January 1, 2012

*PRESS Policy 8:70, Accommodating
Individuals with Disabilities*

ELECTIONS

SB 98 Elections — Veterans Homes

Sponsors:

Senate: Radogno-Althoff-Forby-Crotty
House: Nybo-Yarbrough-Mayfield-Turner

Chapter Reference:

10 ILCS 5/19-12.1
10 ILCS 5/19-12.2

Summary: The Act extends the “incapacitated voter” provisions to residents of specified veterans’ homes, hospitals, and facilities located in Illinois in order to qualify for absentee ballots in multiple elections and to require that absentee voting be conducted at the homes, hospitals, and facilities.

Public Act: 97-0275

Effective Date: January 1, 2012

PERSONNEL

HB 147 Bus Driver Alcohol/Drug Testing

Sponsors:

House: Dugan-Sente-Mell-Gordon
Senate: Hutchinson-Silverstein

Chapter Reference:

625 ILCS 5/6-106.1
625 ILCS 5/6-106.1c new

Summary: The Act requires an applicant for a school bus driver permit to consent to the release of the results of reasonable suspicion drug and alcohol tests and provides that an employer of a school bus driver permit holder shall, within 48 hours, notify the Secretary of State of a test that indicates any alcohol or drug use, or if a driver refuses to submit to a drug/alcohol test. It provides that the Secretary of State shall suspend for a period of three years the school bus driver permit of a driver who refuses testing or tests positive for the presence of alcohol drugs or intoxicating compounds.

Public Act: 97-0466

Effective Date: January 1, 2012

*PRESS Administrative Procedure 5:285-AP,
Drug and Alcohol Testing for School Bus
and Commercial Vehicle Drivers*

HB 1030 Unemployment Insurance Act

Sponsors:

House: Madigan-Sullivan-Mautino
Senate: Link-Jones, J.

Chapter Reference:

820 ILCS 405/235
820 ILCS 405/403
820 ILCS 405/409
820 ILCS 405/1506.3
820 ILCS 405/1506.5 new
820 ILCS 405/2100
820 ILCS 405/2108 new

Summary: The Act amends the Unemployment Insurance Act concerning the definition of “wages”. It reduces the maximum total amount of benefits for an eligible individual, for specified benefit years starting in 2012, to 25 (instead of 26) times his or her weekly benefit amount plus dependents’ allowances, or to the total wages for insured work paid to such individual during the individual’s base period, whichever amount is smaller. The Act makes many other changes.

Public Act: 97-0001

Effective Date: March 31, 2011

HB 1191

Insurance Coverage — Clinical Cancer Trial

Sponsors:

House: Harris-Flowers-Currie-Lang-Berrios
Senate: Steans-Jones, E.-Koehler-Collins, J.

Chapter Reference:

215 ILCS 5/356z.16
215 ILCS 5/364.01

Summary: The Act provides that no group policy of accident and health insurance shall exclude coverage for any routine patient care administered to an insured who is a qualified individual participating in a qualified clinical cancer trial, if the policy covers that same routine patient care of insured’s not enrolled in a qualified clinical cancer trial. If the group policy of accident and health insurance uses a preferred provider program and a preferred provider provides routine patient care in connection with a qualified clinical cancer trial, then the insurer may require the insured to use the preferred provider if the preferred provider agrees to provide to the insured that routine patient care.

Public Act: 97-0091

Effective Date: January 1, 2012

HB 1295

Commercial Driver’s License (CDL)

Sponsors:

House: Phelps
Senate: Sullivan

Chapter Reference:

625 ILCS 5/6-201
625 ILCS 5/6-500
625 ILCS 5/6-507
625 ILCS 5/6-508
625 ILCS 5/6-508.1 new
625 ILCS 5/6-513
625 ILCS 5/6-519

Summary: The Act requires interstate Commercial Driver’s License (CDL) holders subject to the physical qualification requirements of the Federal Motor Carrier Safety Regulations to provide a current original or copy of their medical examiner’s certificate or medical variance to the Secretary of State prior to the issuance of a new, renewed, upgraded or transferred CDL.

Public Act: 97-0208

Effective Date: January 1, 2012

HB 1471

IMRF Annuity Reserves

Sponsors:

House: McCarthy-May-Poe-Nekritz-Biss
Senate: Clayborne

Chapter Reference:

40 ILCS 5/7-205
30 ILCS 805/8.35 new

Summary: The Act makes changes in the way the Illinois Municipal Retirement Fund annuity reserve is calculated if a retiring employee has accumulated service in more than one participating municipality or participating instrumentality

Public Act: 97-0319

Effective Date: January 1, 2012

HB 1530

Insurance Coverage — Mental Health Treatment

Sponsors:

House: Lang-Gabel-Davis, W.-Jakobsson-Crespo
Senate: Delgado-Crotty-Noland-Collins, J.-Harmon

Chapter Reference:

215 ILCS 5/370c
215 ILCS 5/370c.1 new
215 ILCS 125/5-3

Summary: The Act provides that an insurer that provides coverage for hospital or medical expenses under a group policy of accident and health insurance or health care plan shall provide coverage under the policy for treatment of serious mental illness and substance use disorders. Also, every insurer that amends, delivers, issues, or renews a group policy of accident and health insurance in the State providing coverage for hospital or medical treatment and for the treatment of mental, emotional, nervous, or substance use disorders or conditions shall ensure adherence to the provisions concerning financial requirements and treatment limitations and meet requirements for mental health parity in coverage

Public Act: 97-0437

Effective Date: August 18, 2011

HB 1549

Good Samaritan Act — CPR

Sponsors:

House: Tracy
Senate: Wilhelmi

Chapter Reference:

745 ILCS 49/10

Summary: The Act provides that any person trained in basic cardiopulmonary resuscitation (CPR) in accordance with the standards of the American Red Cross or the American Heart Association, and who in good faith provides emergency care in

accordance with his or her training to a person who is need of cardiopulmonary resuscitation shall not be liable for civil damages.

Public Act: 97-0150

Effective Date: July 18, 2011

PRESS Policy 5:100, Staff Development

HB 1571 Diabetes Care — Training

Sponsors:

House: Cross-Ford-Davis, M.-Flowers-Eddy
Senate: Steans-Sullivan

Chapter Reference:

105 ILCS 145/25

Summary: The Act changes the Care of Students with Diabetes Act to clarify that for school employees and delegated care aides, training shall occur during regular inservice training.

Public Act: 97-0559

Effective Date: August 25, 2011

*PRESS Administrative Procedure 6:120-AP4,
Care of Students with Diabetes*

HB 1719 Chicago Teachers Pension Calculation

Sponsors:

House: McCarthy
Senate: Raoul

Chapter Reference:

30 ILCS 805/8.35 new
40 ILCS 5/17-114
40 ILCS 5/17-131
40 ILCS 5/17-132

Summary: For Chicago Public Schools teachers, the Act changes the method for calculating validated service. It limits the amount of pension credit that may be granted each year, authorizes deductions for omissions made in prior pay periods, and requires deductions to be made whenever salary represents pay for a day or part of a day (rather than pay for five days).

Public Act: 97-0030

Effective Date: July 1, 2011

HB 1825 Insurance Coverage — Cancer Medications

Sponsors:

House: Williams-Bellock-Rose-Hernandez-Davis, W.
Senate: Steans-Hunter-Koehler-Garrett-Munoz

Chapter Reference:

215 ILCS 5/356z.19 new

Summary: The Act, provides that accident and health insurance policies that provide coverage for prescribed orally-administered cancer medications and intravenously administered or injected cancer medications shall ensure that the applicable financial requirements and treatment limitations are no more restrictive than the financial requirements and treatment limitations applied to intravenously administered or injected cancer medications that are covered by the policy.

Public Act: 97-0198

Effective Date: January 1, 2012

HB 1956 IMRF — Return To Work

Sponsors:

House: Nekritz-Franks
Senate: Schmidt

Chapter Reference:

30 ILCS 805/8.35 new
40 ILCS 5/7-135
40 ILCS 5/7-137
40 ILCS 5/7-141
40 ILCS 5/7-144

Summary: The Act amends the Illinois Municipal Retirement Fund (IMRF) Article of the Illinois Pension Code and deletes a provision that requires the authorized agent of a participating municipality or participating instrumentality to be a member of the fund. It also deletes a provision that prohibited certain employers from electing a 1,000 hour participation standard based on their original date of participation, and authorizes retired members who return to work for an IMRF employer to keep their pension even if employed in a position requiring less than the employer's standard for participation in IMRF.

Public Act: 97-0328

Effective Date: August 12, 2011

HB 3171 Assistant Principals Duties and Responsibilities

Sponsors:

House: Cavaletto-Gordon
Senate: Maloney

Chapter Reference:

105 ILCS 5/10-21.4a
105 ILCS 5/10-23.8a
105 ILCS 5/10-23.8b
105 ILCS 5/24A-15

Summary: The Act adds the position of Assistant Principal in the School Code to assist the principal in the performance of various duties and responsibilities.

Public Act: 97-0217

Effective Date: July 28, 2011

*PRESS Policy 3:60, Administrative Responsibility
of the Building Principal*

HB 3222

School Business Official Qualifying Degree

Sponsors:

House: Stephens-Eddy-Senger
Senate: Johnson, T.

Chapter Reference:

105 ILCS 5/21-7.1

Summary: The Act provides that a chief school business official endorsement shall be affixed to the administrative certificate of any holder who qualifies by having a Master's Degree in Public Administration from a regionally accredited higher education institution.

Public Act: 97-0255

Effective Date: August 4, 2011

HB 3334

IMRF — Leave of Absence Credit

Sponsors:

House: Poe
Senate: Raoul

Chapter Reference:

30 ILCS 805/8.35 new
40 ILCS 5/7-139
40 ILCS 5/7-146
40 ILCS 5/7-150

Summary: The Act, for the Illinois Municipal Retirement Fund (IMRF), removes a provision requiring an application for leave-of-absence credit to be filed within two years after termination of the leave. It specifies two additional criteria that must be met for a person to be eligible for either temporary disability benefits or total and permanent disability benefits.

Public Act: 97-0415

Effective Date: August 16, 2011

HB 3358

Insurance — Subjects of Abuse

Sponsors:

House: Burke-Davis, M.-Dunkin
Senate: Maloney

Chapter Reference:

5 ILCS 375/6.11
55 ILCS 5/5-1069.3
65 ILCS 5/10-4-2.3
105 ILCS 5/10-22.3f
215 ILCS 125/5-3
215 ILCS 165/10

Summary: The Act amends the State Employees Group Insurance Act of 1971, Counties Code, Illinois Municipal Code, School Code, Health Maintenance Organization Act, and Voluntary Health Services Plans Act to comport with the pro-

vision of the Illinois Insurance Code concerning coverage for subjects of abuse.

Public Act: 97-0343

Effective Date: January 1, 2012

HB 3411

Teacher Health Insurance Security Fund

Sponsors:

House: Roth-Lilly
Senate: Rezin

Chapter Reference:

5 ILCS 375/6.5

Summary: The Act requires the Teacher Retirement Insurance Program (TRIP) Committee to identify proposed solutions to the funding shortfalls that are affecting the Teacher Health Insurance Security Fund and to report those solutions to Governor and the General Assembly within 6 months after the effective date of the amendatory Act.

Public Act: 97-0386

Effective Date: August 15, 2011

SB 72

Unemployment Insurance Changes

Sponsors:

Senate: Link-Raoul-Jones-Kotowski
House: Mautino-Sullivan-Bradley-Roth-Harris

Chapter Reference:

20 ILCS 1015/1
30 ILCS 440/3
30 ILCS 440/4
30 ILCS 440/7
820 ILCS 405/235
820 ILCS 405/401
820 ILCS 405/403
820 ILCS 405/611.1 new
820 ILCS 405/702
820 ILCS 405/804
820 ILCS 405/900
820 ILCS 405/1505
820 ILCS 405/1506.1
820 ILCS 405/1506.3
820 ILCS 405/1506.6 new
820 ILCS 405/1510
820 ILCS 405/1705
820 ILCS 405/1801.1
820 ILCS 405/1900
820 ILCS 405/2100
820 ILCS 405/2100
820 ILCS 405/2203
820 ILCS 405/2206.1
820 ILCS 405/2405 new

Summary: The Act makes changes to the Unemployment Insurance Act. Provisions were modified regarding: employment offices; reports to the Employment Security Advisory Board; bonds; wages for purposes of the Unemployment

Insurance Act; weekly benefit amounts; maximum total amounts of benefits; creation of a Social Security Retirement Pay Task Force; electronic filings; recoupment; the state experience factor; employers' contribution rates; fund building rates; surcharges; the Illinois Directory of New Hires; disclosure of information; fees; withholding; unpaid contributions, payments in lieu of contributions, penalties, and interest; and other matters.

Public Act: 97-0621

Effective Date: November 18, 2011

SB 106 **Abused and Neglected Child Reports**

Sponsors:

Senate: Kotowski-Martinez-Collins, J.-Sandoval
House: Senger-Riley

Chapter Reference:

325 ILCS 5/4
325 ILCS 5/7
325 ILCS 5/10

Summary: The Act provides that the privileged quality of communication between any professional person required to report a suspected case of child abuse or neglect and his or her patient or client shall not constitute grounds for failure to share information or documents with the Department of Children and Family Services during the course of a child abuse or neglect investigation.

Public Act: 97-0387

Effective Date: August 15, 2011

PRESS Policy 5:90, Abused and Neglected Child Reporting

SB 1122 **Human Rights Act — Pregnancy**

Sponsors:

Senate: Link-Martinez-Mulroe
House: Franks-Sente-Farnham-Currie-Chapa La Via

Chapter Reference:

775 ILCS 5/2-102
775 ILCS 5/7A-102

Summary: The Act duplicates current federal law into state law which prohibits any employment decisions based on pregnancy, childbirth, or related medical conditions.

Public Act: 97-0596

Effective Date: August 26, 2011

*PRESS Policy 5:10, Equal Employment
Opportunity and Minority Recruitment*

SB 1578 **Teacher Institutes — ESP's**

Sponsors:

Senate: Holmes-Johnson
House: Mussman-Davis, M.-Chapa La Via

Chapter Reference:

105 ILCS 5/3-11
105 ILCS 5/24-3

Summary: The Act provides that of the four yearly teacher institute days, two days may be used as a teacher's and educational support personnel (ESP) workshop. It provides that educational support personnel may be exempt from a workshop if it is not relevant to the work they do.

Public Act: 97-0525

Effective Date: January 1, 2012

SB 1669 **Bus Driver Permits — Contractors**

Sponsors:

Senate: Holmes-Millner-Righter
House: Williams-D'Amico-Reboletti-Sente-Kosel

Chapter Reference:

625 ILCS 5/6-106.1
625 ILCS 5/6-106.11
625 ILCS 5/6-106.12 new
625 ILCS 5/12-707.01
625 ILCS 5/13-101
625 ILCS 5/13-109

Summary: The Act provides that a school bus driver permit may not be issued to persons who have been placed under court supervision for certain offenses. It also provides that entities who have a contract to transport students, teachers, or other personnel of a school district for compensation shall not permit any person to operate a school bus or any first division vehicle, including a taxi, when used for a purpose that requires a school bus driver permit if the driver has not complied with requirements concerning school bus driver permit holders.

Public Act: 97-0224

Effective Date: July 28, 2011

SB 1799 **Teacher Certification**

Sponsors:

Senate: Steans-Maloney-Holmes
House: Chapa La Via-Pritchard

Chapter Reference:

55 ILCS 5/3-9005
105 ILCS 5/2-3.35o
105 ILCS 5/3-11.5
105 ILCS 5/3-12
105 ILCS 5/10-21.9
105 ILCS 5/14C-8
105 ILCS 5/21-1a
105 ILCS 5/21-1b

105 ILCS 5/21-2
 105 ILCS 5/21-2.1
 105 ILCS 5/21-2a
 105 ILCS 5/21-3
 105 ILCS 5/21-4
 105 ILCS 5/21-5
 105 ILCS 5/21-5b
 105 ILCS 5/21-5c
 105 ILCS 5/21-5d
 105 ILCS 5/21-7.1
 105 ILCS 5/21-7.5
 105 ILCS 5/21-7.6
 105 ILCS 5/21-9
 105 ILCS 5/21-10
 105 ILCS 5/21-11.1
 105 ILCS 5/21-11.2
 105 ILCS 5/21-11.3
 105 ILCS 5/21-11.4
 105 ILCS 5/21-12
 105 ILCS 5/21-14
 105 ILCS 5/21-16
 105 ILCS 5/21-22
 105 ILCS 5/21-25
 105 ILCS 5/21-27
 105 ILCS 5/Art. 21B heading new
 105 ILCS 5/21B-5 new
 105 ILCS 5/21B-10 new
 105 ILCS 5/21B-15 new
 105 ILCS 5/21B-20 new
 105 ILCS 5/21B-25 new
 105 ILCS 5/21B-30 new
 105 ILCS 5/21B-35 new
 105 ILCS 5/21B-40 new
 105 ILCS 5/21B-45 new
 105 ILCS 5/21B-50 new
 105 ILCS 5/21B-55 new
 105 ILCS 5/21B-60 new
 105 ILCS 5/21B-65 new
 105 ILCS 5/21B-70 new
 105 ILCS 5/21B-75 new
 105 ILCS 5/21B-80 new
 105 ILCS 5/21B-85 new
 105 ILCS 5/21B-90 new
 105 ILCS 5/21B-95 new
 105 ILCS 5/21B-100 new
 105 ILCS 5/21B-105 new
 105 ILCS 5/24-14
 105 ILCS 5/34-6
 105 ILCS 5/34-18.5
 105 ILCS 947/65.45
 105 ILCS 5/21-0.01 rep.
 105 ILCS 5/21-1 rep.
 105 ILCS 5/21-1c rep.
 105 ILCS 5/21-2b rep.
 105 ILCS 5/21-5a rep.
 105 ILCS 5/21-7.10 rep.
 105 ILCS 5/21-13 rep.
 105 ILCS 5/21-15 rep.
 105 ILCS 5/21-17 rep.
 105 ILCS 5/21-21 rep.
 105 ILCS 5/21-21.1 rep.
 105 ILCS 5/21-23 rep.

105 ILCS 5/21-23a rep.
 105 ILCS 5/21-23b rep.
 105 ILCS 5/21-24 rep.
 105 ILCS 5/21-29 rep.

Summary: The Act, generally, repeals all of the current teacher certification requirements and creates a new Article 21B of the School Code to establish a teacher licensure program. It renames the Teacher Certification Board the State Educator Preparation and Licensure Board and names the State Superintendent of Education the only entity that can grant a teacher's license. The act creates three types of licenses: a Professional Educator's License, a Professional Educator's License with Stipulations, and a Substitute Educator License. From there, teachers and administrators must earn endorsements for teaching and administrative positions (endorsements for superintendent, principal, chief school business official, teacher leader, school support personnel). The act establishes new requirements for out-of-state teacher license applicants, alternative routes for teacher endorsements, and alternative routes for superintendent endorsements.

Public Act: 97-0607

Effective Date: August 26, 2011

PRESS Policy 5:190, Teacher Qualifications

SB 1831 IMRF Pension Limitations and Transparency

Sponsors:

Senate: Raoul-Brady

House: May-McCarthy-Poe-Nekritz-Schmitz

Chapter Reference:

5 ILCS 120/7.3 new
 30 ILCS 805/8.35 new
 40 ILCS 5/1-160
 40 ILCS 5/3-140.2 new
 40 ILCS 5/4-129.2 new
 40 ILCS 5/7-109
 40 ILCS 5/7-116
 40 ILCS 5/7-135
 40 ILCS 5/7-137
 40 ILCS 5/7-141
 40 ILCS 5/7-141.1
 40 ILCS 5/7-142.1
 40 ILCS 5/7-144
 40 ILCS 5/7-145.1
 40 ILCS 5/7-172
 40 ILCS 5/7-199.4 new
 40 ILCS 5/7-205
 40 ILCS 5/7-225 new
 40 ILCS 5/14-103.05
 40 ILCS 5/22-101
 40 ILCS 5/22-103

Summary: The Act requires employers participating in the Illinois Municipal Retirement Fund (IMRF) to post on their web page the total compensation package of employees making more than \$75,000 per year. It provides that if a new hire is receiving a retirement annuity or pension and accepts a con-

tractual position to provide services to a governmental entity from which he or she has retired, then that person's annuity or pension will be suspended during that contractual service (no "double-dipping"). It makes similar changes to the IMRF system to that of TRS regarding the computation of final rate of earnings and a 6% cap on salary increases.

Public Act: 97-0609

Effective Date: January 1, 2012 – Generally effective

August 26, 2011 – Some Parts

PRESS Policy 3:40, Superintendents

2:250-E2, Exhibit-Immediately Available

District Public Records

SB 1924

Bus Driver Permits — All Vehicles

Sponsors:

Senate: Hutchinson-Sandoval

House: Dugan

Chapter Reference:

15 ILCS 335/12.5 new

15 ILCS 335/13

625 ILCS 5/2-123

625 ILCS 5/6-101

625 ILCS 5/6-106.1

625 ILCS 5/6-106.11

625 ILCS 5/6-107

625 ILCS 5/6-113

625 ILCS 5/6-201

625 ILCS 5/6-206

625 ILCS 5/6-206.1

625 ILCS 5/6-207

625 ILCS 5/6-208.1

625 ILCS 5/6-401

625 ILCS 5/6-419

625 ILCS 5/6-507

625 ILCS 5/6-908

Summary: The Act makes many changes regarding commercial driver's licenses and identification cards. For school bus driver permits, it states that the permit may not contain the individual's social security number. It also contains a provision stating that the employees of entities that contract with school districts to transport students must meet all of the school bus driver permit requirements if the person will transport students on a school bus or "any other motor vehicle requiring a school bus driver permit".

Public Act: 97-0229

Effective Date: July 28, 2011

SB 1950

Abused Child Act — False Reports

Sponsors:

Senate: Delgado-Trotter-Hutchinson

House: Soto-Hernandez-Acevedo-Yarbrough-Berrios

Chapter Reference:

325 ILCS 5/4

325 ILCS 5/7

325 ILCS 5/7.6

Summary: The Act enhances the criminal penalty (to a class 4 felony) for persons who knowingly transmit a false report of child abuse or neglect to the Department of Children and Family Services. Mandated reporters of abuse under this act, include school district employees and board members.

Public Act: 97-0189

Effective Date: July 22, 2011

PRESS Policy 5:90, Abused and Neglected Child Reporting

REGIONAL OFFICE OF EDUCATION

SB 2134

Shared Services for School Districts

Sponsors:

Senate: Garrett

House: Eddy-Roth-Chapa La Via-Pritchard-Farnham

Chapter Reference:

105 ILCS 5/3-15.14

105 ILCS 5/3-15.14a new

105 ILCS 5/17-1.1 new

Summary: The Act encourages the Regional Office of Education to offer school districts the opportunity to participate in shared operational programs and for school districts to explore new ways to consolidate services and programs with other school districts. The Act also requires school districts to complete a one-page checklist along with the annual financial report to disclose which types of shared service options they may be participating in.

Public Act: 97-0357

Effective Date: January 1, 2012

SB 2147

Regional Superintendent Salaries

Sponsors:

Senate: Sullivan-Luechtefeld

House: Mautino-Eddy-Pritchard-Soto

Chapter Reference:

30 ILCS 115/12

55 ILCS 5/4-8002

105 ILCS 5/2-3.62

105 ILCS 5/3-2.5

105 ILCS 5/3-15.10

105 ILCS 5/3A-18 new

105 ILCS 5/18-5

Summary: The Act requires that funding for the salaries of the Regional Superintendents of Schools and the Assistant Regional Superintendents of Schools comes from the Corporate Personal Property Replacement Tax (CPPRT) – for Fiscal Year 2012 only. It also establishes a commission that is charged with finding ways to “streamline” the Regional

Offices of Education. The commission, the composition of which is very similar to that of the school consolidation commission, will report back to the General Assembly in the spring of 2012 with its recommendations.

Public Act: 97-0619

Effective Date: November 14, 2011

SCHOOL FINANCE

HB 12 Energy Efficiency Grants for Co-ops

Sponsors:

House: Cole-Pihos-Hatcher-Eddy

Senate: Pankau-Althoff

Chapter Reference:

105 ILCS 230/5-200

Summary: The Act allows school energy efficiency grants to be made available to special education cooperatives.

Public Act: 97-0205

Effective Date: July 28, 2011

HB 326 Appropriation for FY 2012 – ISBE

Sponsors:

House: Davis, W.-Eddy-Hernandez

Senate: Kotowski

Chapter Reference:

(Appropriation)

Summary: The Act contains additional appropriations for the Illinois State Board of Education (ISBE). Generally, it covers funding for ISBE operations and pass-through of federal dollars.

Public Act: 97-0059

Effective Date: July 1, 2011

HB 327 Appropriation for FY 2012

Sponsors:

House: Madigan-Davis, W.

Senate: Kotowski

Summary: The Act appropriates \$6.85 billion to the Illinois State Board of Education (ISBE) - \$171 million less than the FY 11 ISBE budget. The budget plan would maintain the current foundation level, \$6,119 per pupil. Through amendatory action, the Governor reduced the ISBE budget by cutting \$89 million from regular student transportation, \$91 million from salaries for Regional Superintendents of Schools, and \$2.2 million from Regional Office of Education services.

Public Act: 97-0060

Effective Date: July 1, 2011

HB 384 Warrant from the State

Sponsors:

House: Mautino-Franks-McAuliffe-Dugan-Sente

Senate: Hutchison-Lauzen-Bivins

Chapter Reference:

15 ILCS 505/1

15 ILCS 405/10.05

15 ILCS 405/10.05d new

35 ILCS 5/911.3

Summary: The Act provides that if a person is entitled to a warrant or payment from the State treasury and if a unit of local government, school district, or public institution of higher education holds a then due and payable account or claim against that person, then the State Comptroller may deduct, on behalf of that entity, the owed amount from the warrant or payment.

Public Act: 97-0632

Effective Date: December 16, 2011

HB 1831 Chicago Block Grants — Bilingual

Sponsors:

Senate: Garrett-Martinez-Noland-Millner-Lightford

Chapter Reference:

105 ILCS 5/1D-1

Summary: The Act removes a provision that requires the educational services block grant to include the Bilingual Program.

Public Act: 97-0324

Effective Date: August 12, 2011

HB 3115 Textbook Block Grants

Sponsors:

House: Gordon-Eddy-Pihos-Chapa La Via-Yarbrough

Senate: Maloney-Lightford-Collins, J.-Mulroe

Chapter Reference:

105 ILCS 5/2-3.153 new

105 ILCS 5/18-17 rep.

105 ILCS 5/28-6 rep.

105 ILCS 5/28-10 rep.

105 ILCS 5/28-12 rep.

105 ILCS 5/28-16 rep.

105 ILCS 5/28-17 rep.

Summary: The Act, subject to appropriations, authorizes the Illinois State Board of Education (ISBE) to provide annual funding to public school districts and State-recognized, non-public schools serving students in grades kindergarten through 12 for the purchase of secular textbooks. Textbooks can include computer software and electronic textbooks.

Public Act: 97-0570

Effective Date: August 25, 2011

HB 3539 **Hold Harmless Repeal (GSA)**

Sponsors:

House: Morrison

Senate: Murphy-Kotowski

Chapter Reference:

105 ILCS 5/18-8.05

Summary: The Act eliminates the “hold harmless” provision of the State aid formula.

Public Act: 97-0351

Effective Date: August 12, 2011

HB 3639 **Teachers’ Retirement System** **Appropriations**

Sponsors:

House: Madigan-Davis-Cross-Sente

Senate: Steans-Schoenberg-Trotter-Sullivan, J.

Chapter Reference:

Appropriation

Summary: The Act makes the full required appropriation to the Teachers’ Retirement System for 2011.

Public Act: 97-0067

Effective Date: July 1, 2011

SB 335 **Budget Implementation Act (BIMP bill)**

Sponsors:

Senate: Steans

House: Madigan-Currie

Chapter Reference:

15 ILCS 405/21

20 ILCS 687/6-5.5

30 ILCS 105/5.86 rep.

30 ILCS 105/5.786 new

30 ILCS 105/5h

30 ILCS 105/6z-43

30 ILCS 105/6z-69

30 ILCS 105/6z-70

30 ILCS 105/8.3

30 ILCS 105/8g

30 ILCS 105/8.12

30 ILCS 105/14.1

30 ILCS 115/12

30 ILCS 540/3-2

30 ILCS 740/2-15

35 ILCS 5/901

35 ILCS 200/3-20

35 ILCS 200/3-40

35 ILCS 200/4-10

35 ILCS 200/4-15

35 ILCS 200/4-20

35 ILCS 505/8

40 ILCS 5/14-131

55 ILCS 5/3-4007

55 ILCS 5/3-10007

55 ILCS 5/4-2001

55 ILCS 5/4-3001

55 ILCS 5/4-6001

55 ILCS 5/4-6002

55 ILCS 5/4-6003

55 ILCS 5/4-8002

105 ILCS 5/2-3.153 new

110 ILCS 805/2-16.02

305 ILCS 5/5A-10

Summary: The Act creates the Fiscal Year 2012 Budget Implementation Act (BIMP bill) to make changes in state programs that are necessary to implement the FY ‘12 budget recommendations concerning finance. In the School Code, it establishes a “Low Performing Schools Intervention Program” for the purposes of intervening in certain schools that are in the lowest 5% in terms of performance in the State, if funds are specifically appropriated for this purpose. The Act also contains a provision to use a portion of Corporate Personal Property Replacement Taxes (CPPRT) for stipends for local government officials. Though bill sponsors stated that the bill would be “revenue neutral” and there would be no loss of funds for school districts, it would divert \$31 million from CPPRT payments to local governments of which school districts receive 60%. The State aid formula does take the CPPRT amount into consideration when determining a school district’s Available Local Resources.

Public Act: 97-0072

Effective Date: July 1, 2011

SB 1311 **Budget Implementation Act – Fall 2011**

Sponsors:

Senate: Steans-Kotowski

House: Currie

Chapter Reference:

20 ILCS 665/4a

30 ILCS 105/6p-2

30 ILCS 105/6z-32

30 ILCS 105/

30 ILCS 105/6z-63

30 ILCS 105/6z-64

30 ILCS 105/6z-81

30 ILCS 105/8.49

30 ILCS 105/8.51 new

30 ILCS 105/8g

30 ILCS 105/8o

30 ILCS 740/203
70 ILCS 3615/4.03.3
105 ILCS 5/27A-7.5
725 ILCS 210/4.10

Summary: The Act is the budget implementation bill for the appropriations in the new budget agreement brokered in November of 2011. Specifically for schools, it states that the funds appropriated for the new State Charter School Commission may be used for “personal services, contractual services, and other operational and administrative costs”.

Public Act: 97-0641

Effective Date: December 19, 2011

SB 1643

Driver Education Fee Increase

Sponsors:

Senate: Sullivan
House: Pihos

Chapter Reference:

105 ILCS 5/27-24.2

Summary: The Act provides that a school district may increase its driver education course fee to an amount not to exceed \$250 (from \$50) by school board resolution following a public hearing on the increase.

Public Act: 97-0145

Effective Date: July 14, 2011

*PRESS Administrative Procedure 4:140-E3,
Resolution to Increase Driver Education Fees*

SB 1742

Chicago Public Schools — Block Grants

Sponsors:

Senate: Althoff-Meeks
House: Eddy-Riley

Chapter Reference:

105 ILCS 5/1D-1
105 ILCS 5/1C-4

Summary: The Act adds new information that the Chicago Public Schools must provide to the General Assembly regarding its use of block grants.

Public Act: 97-0238

Effective Date: August 2, 2011

SB 2143

School Construction Grant Application

Sponsors:

Senate: Sullivan
House: Hammond

Chapter Reference:

105 ILCS 230/5-25

Summary: The Act provides that a reorganized school district or cooperative high school may use a school construction grant

application that was submitted by one of the consolidating school districts if that application has not been entitled for a project by the Illinois State Board of Education and if specified conditions are met within the current or prior four (instead of two) fiscal years.

Public Act: 97-0232

Effective Date: July 28, 2011

SB 2149

Financial Oversight Panel

Sponsors:

Senate: Sullivan
House: Eddy

Chapter Reference:

35 ILCS 200/18-15
35 ILCS 200/18-50.1
35 ILCS 200/18-92
35 ILCS 200/18-241
40 ILCS 5/7-105
40 ILCS 5/7-109
40 ILCS 5/7-132
105 ILCS 5/1A-8
105 ILCS 5/1B-8
105 ILCS 5/1B-25 new
105 ILCS 5/1E-165 new
105 ILCS 5/1F-165 new
105 ILCS 5/Art. 1H heading new
105 ILCS 5/1H-1 new
105 ILCS 5/1H-5 new
105 ILCS 5/1H-10 new
105 ILCS 5/1H-15 new
105 ILCS 5/1H-20 new
105 ILCS 5/1H-25 new
105 ILCS 5/1H-30 new
105 ILCS 5/1H-35 new
105 ILCS 5/1H-45 new
105 ILCS 5/1H-50 new
105 ILCS 5/1H-55 new
105 ILCS 5/1H-60 new
105 ILCS 5/1H-65 new
105 ILCS 5/1H-70 new
105 ILCS 5/1H-75 new
105 ILCS 5/1H-85 new
105 ILCS 5/1H-90 new
105 ILCS 5/1H-95 new
105 ILCS 5/1H-100 new
105 ILCS 5/1H-105 new
105 ILCS 5/1H-110 new
105 ILCS 5/1H-115 new
105 ILCS 5/1H-120 new
105 ILCS 5/8-6
105 ILCS 5/10-16.9 new
105 ILCS 5/10-16.11 new
105 ILCS 5/17-1
105 ILCS 5/17-11
105 ILCS 5/19-8
105 ILCS 5/19-9
115 ILCS 5/2

Summary: The Act expands and modifies the current Financial Oversight Panel (FOP) law in the School Code. Provisions of the Act include the following:

- Allows the FOP to file the certificate of tax levy on behalf of the school district being overseen and makes it subject to Truth in Taxation;
- Exempts the FOP from Property Tax Extension Limitation Law (PTELL) and further clarifies that PTELL does not apply to any extension of taxes to repay an emergency financial assistance loan;
- Establishes the FOP as an employer under the Illinois Municipal Retirement Fund (IMRF) for the purpose of providing pension benefits to the employees of the panel and requires that if the FOP is unable to pay the employer contribution to the fund then the school district overseen shall make the payments. Further it allows FOP employees to opt out of IMRF as provided by their contract negotiated with the FOP and the school district;
- Repeals the School Finance Authority statutes that created the Round Lake and Hazel Crest oversight once those are dissolved and further makes FOPs created under Section 1B of the School Code no longer available for creation;
- Allows FOPs created under the new section to apply for Emergency Financial Assistance from the Illinois Finance Authority that can take the form of a grant or loan. The maximum amount of emergency financial assistance for the loan shall not exceed \$4000 per pupil and the grant may not exceed \$1000 per pupil. The loan must be paid off over the period of the FOP existence or earlier. The loan is not considered a part of the district's overall debt;
- Requires that districts submitting an Annual Financial Report that shows a deficit as defined in Section 17-1 of the School Code shall submit a deficit reduction plan to the ISBE within 30 days. Makes modifications to the Certificate of Tax Levy in Section 17-11 of the School Code to provide for a modified timeline of filing a levy reflecting panel oversight of a school district; and
- In the Illinois Educational Labor Relations Act provides for the FOP under the definition of "employer".
- Creates a new section for the creation of FOPs that includes:
 - Allowing oversight of a FOP at the request of a school district or at the discretion of the ISBE when a school district meets certain criteria;
 - Goals, objectives and formal review of such as proposed by the Alliance addressing IASB Position Statement 2.26;
 - Increasing the number of panel members to 5 including 2 members from the community school district being overseen;
 - Adding to the powers of the FOP provided under section 5/1B of the School Code; and
 - The purpose of the FOP is to exercise financial control over the district and to furnish financial assistance.
 - The powers granted to the FOP under the Act are to:
 - Sue and be sued;
 - Make, cancel, modify or execute contracts (other than collective bargaining agreements);
 - Lease or purchase real or personal property except those that require referendum under Section 19-2 or 19-3 of the School Code;
 - Employ officers, agents, and employees, to define their duties and fix compensation
 - Transfer sums of money to the district; and
 - Borrow money; issue obligations; fund and/or repay obligations; except that it may not authorize payments for or incur debt for school buildings or grounds where there is a referendum requirement.
 - Granting that the FOP may hire:
 - A Chief Executive Officer (no requirement for certification), to supervise the panel's staff and other duties as assigned by the panel;
 - A Chief Educational Officer if there is no superintendent in the district or if the panel decides to cancel the district superintendent's contract; having the powers and duties of a school district superintendent and other duties assigned by the panel;
 - A Chief Fiscal Officer having the powers and duties of the district's chief school business official and other financial matters assigned by the panel;
 - A superintendent who must hold proper certification;
 - A chief school business official who must hold proper certification; and
 - Prohibits hiring a chief educational officer or chief fiscal officer while a superintendent or chief school business official is employed by the district.
 - Giving the FOP certain powers regarding a school district's relationship with their township treasurer-trustees;
 - Requiring the FOP in conjunction with the school district to negotiate collective bargaining agreements;
 - Granting various powers regarding Deposits & Investments; Cash Accounts & Bank Accounts; Financial, Management, and Budgetary Structure;
 - With approval of the State Superintendent, granting the panel the same power as a district to issue tax anticipation warrants and notes; issue revenue anticipation certificates or notes; issue General State Aid anticipation certificates;
 - Allowing the FOP, with ISBE approval of the filed budget, to levy a one-time-only tax, not to exceed 75% of the amount expended by the school district in the immediately preceding school year adjusted by the Consumer Price Index (CPI) most recently under PTELL, when the panel is unable to secure short-term borrowing;
 - Requiring the FOP to submit a report annually, on March 1 to the State Superintendent; The report must allow the district school board to comment on the report; and
 - An audit of the FOP
 - Sanctions such as:
 - Disallowing any employee or officer of the district to enter into any contract or obligation during the oversight of the panel;
 - Disallowing any employee or officer of the district to act in violation of any order of the panel; and

- Allowing the panel to suspend, remove from office or terminate employment for any violation under this section.
- Provisions for abolition of the FOP no sooner than 3 years and no longer than 10 years and provides that if the only impediment to abolition of the FOP is outstanding financial obligations of the FOP then all duties and responsibilities except for retirement of the obligation would be turned over to the district;
- Providing for indemnification of FOP members, employees and officers; and
- Provisions for custody of school funds and bank reconciliation reports.

Public Act: 97-0429

Effective Date: August 16, 2011

SB 2172

Lapse Period Spending

Sponsors:

Senate: Cullerton
House: Madigan-Currie

Chapter Reference:
30 ILCS 105/25

Summary: The Act extends the State’s “lapse period spending” to December 31, 2011, allowing the State to pay FY ’11 obligations until the end of the year.

Public Act: 97-0075

Effective Date: June 30, 2011

SB 2293

After School Rescue Fund

Sponsors:

Senate: Frerichs-Kotowski-Collins, J.
House: Jakobsson-Sente

Chapter Reference:
30 ILCS 105/5.786 new
30 ILCS 105/5.787 new
30 ILCS 105/6z-87 new
30 ILCS 105/6z-88 new
35 ILCS 5/507YY new
35 ILCS 5/507ZZ new

Summary: The Act provides that money in the After School Rescue Fund may be used by the Illinois State Board of

Education for grants to at-risk schools for the promotion of extracurricular and after-school programs. Receipts for the fund will come from an income tax “check-off” on the State income tax form.

Public Act: 97-0478

Effective Date: August 22, 2011

SB 2412

Appropriations – Budget Reallocation

Sponsors:

Senate: Steans-Kotowski-Collins, J.-Delgado-Hunter
House: Madigan-Currie-Dunkin

Chapter Reference:
(Appropriation)

Summary: The Act is an appropriations bill that redistributes funds among current State budget line items. From funds that resulted in the Governor’s budget cuts, \$202 million was diverted to allow State facilities to remain open and offer services, such as downstate correctional facilities and mental health centers. Other funds were directed to: alcohol and substance abuse programs (\$28 million), community mental health programs (\$30 million), funds for burying the indigent (\$8 million), homeless services (\$4.7 million), and hospital funding and reimbursement (\$276 million).

Public Act: 97-0642

Effective Date: December 19, 2011

SB 2458

Appropriation for ROE Salaries

Sponsors:

Senate: Sullivan-Steans-Trotter
House: Madigan-Mautino

Chapter Reference:
(Appropriation)

Summary: The Act contains the appropriation for the salaries of the Regional Superintendents of Schools and the Assistant Regional Superintendents of Schools for Fiscal Year 2012. The revenues for the appropriation comes from the Corporate Personal Property Replacement Tax instead out of State General Revenue Funds.

Public Act: 97-0620

Effective Date: November 14, 2011

SCHOOL SAFETY AND HEALTH

HB 78

Safe School Zone

Sponsors:

House: Jakobsson-Rose
Senate: Frerichs-Lightford

Chapter Reference:

720 ILCS 5/21-5.5 new

Summary: The Act creates the offense of criminal trespass in a safe school zone. The violation is committed when a student who has been suspended or expelled, or an employee who has been dismissed for disrupting operations at school, knowingly enters or remains in a safe school zone without lawful business.

Public Act: 97-0547

Effective Date: January 1, 2012

HB 1095

Rebuilt Flame Safeguard Control

Sponsors:

House: Dugan
Senate: Althoff-Wilhelmi

Chapter Reference:

20 ILCS 2905/4 new

Summary: The Act prohibits the use of non-certified rebuilt flame safeguard controls on forced air heating equipment for any non-residential structure.

Public Act: 97-0554

Effective Date: January 1, 2012

HB 1130

Soccer Goal Safety

Sponsors:

House: Sente-Franks-Pritchard-Sullivan-Winters
Senate: Link-Mulroe

Chapter Reference:

New Act

Summary: The Act creates the Movable Soccer Goal Safety Act providing that the entity sponsoring the soccer program must ensure that the goal is properly anchored or eliminate the risk that the goal will inadvertently tip over by laying it forward onto its face or otherwise securing it from being used in its unanchored position.

Public Act: 97-0234

Effective Date: August 2, 2011

HB 1240

Criminal History Records Check

Sponsors:

House: Franks-Pihos-Bellock
Senate: Garrett

Chapter Reference:

105 ILCS 5/10-21.9
105 ILCS 5/34-18.5

Summary: The Act provides that upon request of a school district, any information obtained by a school district pursuant to provisions concerning criminal history records checks and checks of the Statewide Sex Offender Database and Statewide Child Murderer and Violent Offender Against Youth Database within the last five years must be made available to that requesting school or school district.

Public Act: 97-0248

Effective Date: January 1, 2012

PRESS Policy 5:30, Hiring Process and Criteria

HB 3281

Suspension/Expulsion — Electronic Threats

Sponsors:

House: Mathias-Pihos-Senger-Harris-Cavaletto
Senate: Jones, E.

Chapter Reference:

105 ILCS 5/10-22.6
105 ILCS 5/34-19

Summary: The Act provides that a school 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 certain period of time or may expel a student for a definite period of time 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.

Public Act: 97-0340

Effective Date: January 1, 2012

PRESS Policy 7:190, Student Discipline

HB 3294 Emergency Epinephrine Act

Sponsors:

House: Nybo-D'Amico-Kay-Bellock
Senate: Schoenberg-Trotter-Lightford-Raoul-Hunter

Chapter Reference:

105 ILCS 5/22-30
410 ILCS 620/3.21

Summary: The Act provides that a school district may authorize the use of an epinephrine auto-injector on a student if the student is in need and has a prescription on file.

Public Act: 97-0361

Effective Date: August 15, 2011

PRESS Policy 7:270, Administering Medicines to Students

SB 50 Liquor Control Act

Sponsors:

Senate: Silverstein-Raoul-Collins-Wilhelmi
House: Harris-Smith-Lang

Chapter Reference:

235 ILCS 5/6-11

Summary: The Act makes changes to the Liquor Control Act in the provisions regarding the sale of alcohol near a school in the City of Chicago.

Public Act: 97-0634

Effective Date: December 16, 2011

SB 2151 Sex Offender Study

Sponsors:

Senate: Millner-Haine
House: Sacia

Chapter Reference:

20 ILCS 505/17a-5

Summary: The Act requires that the Juvenile Justice Commission study and make recommendations to the Governor and General Assembly to ensure the effective treatment and supervision of the specialized population of juvenile offenders who are adjudicated delinquent for a sex offense. One of the issues to be considered is the appropriateness and feasibility of restricting juveniles adjudicated as sex offenders from certain locations including schools and parks.

Public Act: 97-0163

Effective Date: January 1, 2012

STATE BOARD OF EDUCATION

HB 1216 Consolidation and Realignment Commission

Sponsors:

House: Chapa La Via-Sente-Dunkin-Yarbrough-Lilly
Senate: Koehler-Holmes-Mulroe

Chapter Reference:

105 ILCS 5/11E-190 new

Summary: The Act establishes the School District Realignment and Consolidation Commission to make recommendations to the Governor and General Assembly on the number of school districts in this State, the optimal amount of enrollment for a school district, and where consolidation and realignment would be beneficial. The Commission must vote on its recommendations and file a report by July 1, 2012.

Public Act: 97-0503

Effective Date: August 23, 2011

HB 1547 Disparities Facing African Americans

Sponsors:

House: Davis, M.-Soto-Collins, A.-Lilly-Ford
Senate: Hunter-Collins, J.-Trotter

Chapter Reference:

New Act

Summary: The Act creates the Commission to End the Disparities Facing the African-American Community, which must report to the Governor and General Assembly on the disparities facing African-Americans in the areas of education, healthcare, healthcare services, and employment. The State Superintendent of Education is on the Commission.

Public Act: 97-0360

Effective Date: August 15, 2011

HB 2870 Military Parents

Sponsors:

House: Chapa La Via-Franks-Farnham-Sente-Crespo
Senate: Koehler-Hutchinson-Althoff-Silverstein

Chapter Reference:

105 ILCS 5/22-65 new

Summary: The Act provides that school districts shall provide the opportunity for students to voluntarily state on the enrollment form whether the student has a parent or guardian who serves in a branch of the armed forces. It requires each school district to report this enrollment information as aggregate data to the Illinois State Board of Education under the Student Information System.

Public Act: 97-0505

Effective Date: August 23, 2011

PRESS Policy 7:50, School Admissions and Student Transfers to and From Non-District Schools

SB 79

Charter School Commission

Sponsors:

Senate: Steans-Martinez-Jones, E.
House: Yarbrough-Mitchell, J.-Sosnowski-Gordon

Chapter Reference:

30 ILCS 105/5.786 new
105 ILCS 5/27A-3
105 ILCS 5/27A-5
105 ILCS 5/27A-7.5 new
105 ILCS 5/27A-7.10 new
105 ILCS 5/27A-8
105 ILCS 5/27A-9
105 ILCS 5/27A-12

Summary: The Act establishes a State Charter School Commission as an independent State agency with statewide chartering jurisdiction and authority. Nine commission members would be appointed by the Illinois State Board of Education (ISBE) on the recommendation of a slate of candidates proposed by the Governor. The Act allows the Commission to authorize high-quality charter schools throughout this State. Any charter school authorized by a school board may seek approval from the Commission during its current term only with the approval of the school board, and provides that at the end of its charter term, a charter school authorized by a school board must reapply to that board

before it may apply for authorization to the Commission. However, the Commission has the authority to reverse a school board's decision to deny a charter school proposal based upon certain findings (now this power resides with the ISBE).

Public Act: 97-0152

Effective Date: July 20, 2011

SB 1794

“Cory H” Lawsuit Changes

Sponsors:

Senate: Lightford-Garrett-Meeks-Crotty
House: Lang

Chapter Reference:

105 ILCS 5/21-28

Summary: The Act contains a proposal by the Illinois State Board of Education (ISBE) making legislative changes to align the statute with current practice in the aftermath of the “Cory H” court decision. It eliminates the certification of special education teachers by categorical designation and replaces it with the structure for certifying special education teachers currently in effect and outlined in the ISBE policies commonly referred to as the transition rules.

Public Act: 97-0461

Effective Date: August 19, 2011

STUDENTS

HB 192

No Contact Order

Sponsors:

House: Eddy-Chapa La Via-Dugan-Riley-Lilly
Senate: Righter-Holmes-Murphy

Chapter Reference:

740 ILCS 21/80
740 ILCS 22/213
740 ILCS 22/220
750 ILCS 60/214
750 ILCS 60/223

Summary: The Act amends the Stalking No Contact Order Act to provide that the court may order that the respondent accept a change of educational placement or program, as determined by the school district. The act makes other changes for this procedure and adds protections for the school district.

Public Act: 97-0294

Effective Date: January 1, 2012

PRESS Policy 7:190, Student Discipline

HB 2086

Alternative School Admittance for Suspension or Expulsion

Sponsors:

House: Davis, M.-Soto-Flowers-Lilly-Chapa La Via
Senate: Lightford

Chapter Reference:

105 ILCS 5/10-22.6
105 ILCS 5/13B-20.25
105 ILCS 5/34-19

Summary: The Act provides that a student cannot be denied participation in an alternative learning opportunities program based solely on the fact that he or she has been suspended or expelled from school, except in cases where there is a safety issue.

Public Act: 97-0495

Effective Date: January 1, 2012

PRESS Policy 7:190, Student Discipline

HB 3010

Autism Spectrum Disorders — Human Rights Act

Sponsors:

House: Biss-Mussman-Fortner-Davis, M.-Jakobsson
Senate: Schoenber-Holmes-Collins, J.

Chapter Reference:

775 ILCS 5/1-103

Summary: The Act adds to the definition of “disability” in the Human Rights Act to include any mental, psychological, or developmental disability, including autism spectrum disorders.

Public Act: 97-0410

Effective Date: January 1, 2012

HB 3035

Military Children Education

Sponsors:

House: Holbrook-Eddy-Jackson, Sr.-Kay-Moffitt
Senate: Haine-Mulroe

Chapter Reference:

105 ILCS 5/27-8.1
105 ILCS 10/8.1
105 ILCS 70/40
105 ILCS 70/995

Summary: The Act extends by three years (expiring June 30, 2015) provisions regarding out-of-state transfer students regarding proof of health examinations, vaccinations, and official transcripts. It also adds that under the Educational Opportunity for Military Children Act, the State Council shall include representatives from the three school districts in this State with the highest percentage of children from military families, and one non-voting representative appointed by each active-duty military installation commander in this State. It also extends the expiration date of the military compact by three years, ending June 30, 2015.

Public Act: 97-0216

Effective Date: January 1, 2012

PRESS Policy 7:100, Health, eye, and Dental Examinations; Immunizations; and Exclusion of Students

HB 3179

Habitual Truant

Sponsors:

House: Cavaletto-Eddy-Mitchell, J.-Moffitt-Pihos
Senate: Jones, J.

Chapter Reference:

105 ILCS 5/26-2a

Summary: The Act defines habitual truant as a student that misses 5% (instead of 10%) of the previous 180 regular attendance days.

Public Act: 97-0218

Effective Date: July 28, 2011

PRESS Policy 7:70, Attendance and Truancy

SB 2185

DREAM Fund Commission

Sponsors:

Senate: Cullerton-Martinez-Schoenberg-Noland
House: Acevedo-Hernandez-Soto-Berrios-Arroyo

Chapter Reference:

15 ILCS 505/16.5
105 ILCS 5/21-25
110 ILCS 947/67 new
110 ILCS 947/75
110 ILCS 979/45

Summary: The Act, with respect to a school service personnel certificate, provides that professional development activities must address the needs of serving students who are the children of immigrants, including, if the certificate holder is employed as a counselor in an Illinois public or State-operated secondary school, opportunities for higher education for students who are undocumented immigrants. It requires the Illinois Student Assistance Commission to establish an Illinois DREAM Fund Commission to establish, by rule, procedures for accepting and evaluating applications for scholarships from the children of immigrants and issuing scholarships to selected student applicants.

Public Act: 97-0233

Effective Date: August 1, 2011

TAXATION

HB 212 Property Taxes — Business Corridor

Sponsors:

House: Jones-Lilly-Mayfield-DeLuca-Flowers
Senate: Hutchinson

Chapter Reference:

35 ILCS 200/18-184.10 new
35 ILCS 200/18-165

Summary: The Act provides that two adjoining disadvantaged municipalities may form a business corridor by inter-governmental agreement and after a public meeting is conducted. It provides that the business corridor shall encompass only territory along the common border of the municipalities that is undeveloped or underdeveloped and not likely be developed without the creation of the business corridor. The Act requires that property taxes for businesses in the corridor must be abated.

Public Act: 97-0577

Effective Date: January 1, 2012

HB 507 TIF Extension – Dixon and Lansing

Sponsors:

House: Mitchell, J.-Jones-Colvin-Riley
Senate: Trotter-Bivins

Chapter Reference:

65 ILCS 5/11-74.4-3.5

Summary: The Act extends the Tax Increment Financing (TIF) districts in Dixon and Lansing to 35 years (instead of 23 years).

Public Act: 97-0633

Effective Date: December 16, 2011

HB 1215 TIF Extension — Markham

Sponsors:

House: Riley
Senate: Crotty-Maloney

Chapter Reference:

65 ILCS 5/11-74.4-3.5

Summary: The Act extends the Tax Increment Financing district in Markham to 35 years instead of 23 years.

Public Act: 97-0093

Effective Date: January 12, 2012

HB 1486 TIF Extension — Bensenville

Sponsors:

House: Saviano-Yarbrough
Senate: Harmon-Pankau

Chapter Reference:

65 ILCS 5/11-74.4-3.5

Summary: The Act extends the Tax Increment Financing district in Bensenville to 35 years instead of 23 years.

Public Act: 97-0372

Effective Date: August 15, 2011

HB 1518 Senior Tax Deferral; Railroad Property

Sponsors:

House: Currie
Senate: Mulroe

Chapter Reference:

320 ILCS 30/2
320 ILCS 30/3
35 ILCS 200/11-80.1 new
35 ILCS 200/11-85
35 ILCS 200/11-90

Summary: The Act amends the Senior Citizens Real Estate Tax Deferral Act to provide that, beginning in tax year 2012, the taxpayer's income limit is increased from \$50,000 to \$55,000. Effective as of the January 1, 2011 assessment year or tax year 2012 and thereafter, it also provides that the total amount of any deferral shall not exceed \$5,000 per taxpayer in each tax year. Another provision in the Act provides that any increase in railroad operating property's overall valuation that is directly attributable to the investment, improvement, replacement, or expansion of railroad operating property on or after January 1, 2010, through State or federal government programs necessary for higher speed passenger rail transportation, including cooperative agreements, shall be excluded from the valuation of its real property improvements.

Public Act: 97-0481

Effective Date: August 22, 2011

SB 43 Tax Rate Disclosure Act

Sponsors:

Senate: Garrett-Collins, J.-Holmes
House: Farnham-Franks-Sente-Chapa La Via-Crespo

Chapter Reference:

New Act

Summary: The Act creates the Taxation Disclosure Act to require the Department of Revenue to make tax rate information available on its Internet website. Information for use and occupation taxes shall include the tax rate applicable in a municipality or the unincorporated area of a county and list

the individual rates that comprise the aggregate rate in that municipality or in the unincorporated area of that county. Information for property taxes shall include the name of each taxing district, a list of all funds for which taxes were extended, and the district's total tax rate. Information for income taxes shall include the individual and the corporate income tax rates. Information for excise taxes shall include the statewide and the local rates. The information shall be made available in a viewable and downloadable format and shall be updated regularly.

Public Act: 97-0353

Effective Date: January 1, 2012

SB 165 TIF Extension – Moline

Sponsors:

Senate: Jacobs
House: Verschoore

Chapter Reference:

65 ILCS 5/11-74.4-3.5

Summary: The Act extends the Tax Increment Financing (TIF) district in Moline to 35 years (instead of 23 years).

Public Act: 97-0635

Effective Date: December 16, 2011

SB 397 Tax Incentives for Businesses

Sponsors:

Senate: Hutchison-Trotter-Brady
House: Bradley-Dunkin-Gordon

Chapter Reference:

New Act
35 ILCS 5/222 new
20 ILCS 620/3
20 ILCS 620/4
20 ILCS 620/4.5 new
20 ILCS 620/4.7 new
20 ILCS 620/5
20 ILCS 620/8
20 ILCS 620/9
20 ILCS 620/11
35 ILCS 5/201
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35 ILCS 5/804
35 ILCS 5/1501
35 ILCS 10/5-15
35 ILCS 105/3-10
35 ILCS 105/3-90
35 ILCS 110/3-10
35 ILCS 110/3-75
35 ILCS 115/3-10
35 ILCS 115/3-55

35 ILCS 120/2-10

35 ILCS 120/2-70

35 ILCS 405/2

Summary: The Act contains corporate tax incentive provisions. Generally, it provided about \$85 million in incentives for the CME Group and \$15 million in breaks for Sears, along with some provisions for other, smaller entities. Specifically, it: creates Illinois Independent Tax Tribunal; creates the Live Theatre Tax Credit capped at \$200 million annually; extends the current Sears Company Economic Development Area agreement in Hoffman Estates; extends for five years the Investment Tax Credit; extends for five years the Research and Development Tax Credit and allows for carry-forward; grants five-year extension to all tax credits expiring in 2011, 2012, and 2013; changes income tax apportionment formula for the CME Group; allows Sears to utilize EDGE Credit against withholding liability; extends lower tax rate on Gasohol and Biodiesel fuels; increases Estate Tax Exemption level from \$2 million to \$4 million by 2013; extends for five years the New Markets Tax Credit; allows Champion Labs to utilize EDGE Credit against withholding liability; extends Business Location Efficiency Incentive through calendar year 2016; extends for five years the Small Business Job Creation Tax Credit; extends the Food and Drug Sales Tax Exemption to individuals receiving public aid, and; extends the Historical Society Property Tax Abatement Period through calendar year 2018.

Public Act: 97-0636

Effective Date: July 1, 2012

SB 1386 Cook County Property Tax Refunds

Sponsors:

Senate: Jones, E.-Kotowski
House: Rita-Kosel-Burke

Chapter Reference:

35 ILCS 200/20-175

Summary: Regarding property tax refunds in Cook County, the Act provides that a claim for a refund for an erroneous assessment or overpayment is allowed if the petition is filed between September 1, 2011 and September 1, 2012 and the right to a refund arose more than five years prior to the date the petition is filed but not earlier than January 1, 2000. No such refund shall be paid if the issuance of the refund would cause the aggregate total of taxes and interest refunded under those provisions to exceed \$350,000.

Public Act: 97-0521

Effective Date: August 23, 2011

SB 1435
TIF Extension — Lawrenceville

Sponsors:

Senate: Righter
House: Eddy

Chapter Reference:

65 ILCS 5/11-74.4-3.5

Summary: The Act extends the Tax Increment Financing (TIF) district in Lawrenceville to 28 years instead of 23 years.

Public Act: 97-0600

Effective Date: August 26, 2011

SB 2168
River Edge Tax Credits

Sponsors:

Senate: Clayborne-Holmes-Noland-Koehler-Syverson
House: Gordon-Jefferson-Leitch-Chapa La Via-Winters

Chapter Reference:

30 ILCS 105/5.786 new
35 ILCS 5/221 new
65 ILCS 115/10-2
65 ILCS 115/10-5.3

Summary: The Act creates an income tax credit in an amount equal to 25% of qualified expenditures incurred by a qualified taxpayer during the taxable year in the restoration and preservation of a qualified historic structure located in a River Edge Redevelopment Zone pursuant to a qualified rehabilita-

tion plan. The River Edge Redevelopment Zone Act is targeted at municipalities adjacent to or surrounding river areas such as East St. Louis, Peoria, Rockford, Aurora, and Elgin.

Public Act: 97-0203

Effective Date: July 28, 2011

SB 2170
School Facility Occupation Tax

Sponsors:

Senate: Clayborne
House: Verschoore-Eddy

Chapter Reference:

30 ILCS 350/15
55 ILCS 5/5-1006.7
105 ILCS 5/10-22.36

Summary: The Act makes changes to the School Facility Occupation Tax Law which allows counties to impose a sales tax with receipts earmarked for school construction. It requires the imposition of the sales tax if the voters approve the referendum (instead of allowing the county board to choose to impose the sales tax) and requires the tax rate to be set forth in the question (instead of allowing the county board to choose to impose the tax at a different rate). It also provides that a referendum shall not be required if the purchase, construction, or building of a school building is paid from funds received from the sales tax bond proceeds.

Public Act: 97-0542

Effective Date: August 23, 2011

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