

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Section
5 34-19 as follows:

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

7 Sec. 34-19. By-laws, rules and regulations; business
8 transacted at regular meetings; voting; records. The board
9 shall, subject to the limitations in this Article, establish
10 by-laws, rules and regulations, which shall have the force of
11 ordinances, for the proper maintenance of a uniform system of
12 discipline for both employees and pupils, and for the entire
13 management of the schools, and may fix the school age of
14 pupils, the minimum of which in kindergartens shall not be
15 under 5 4 years, except that those pupils who, for a full year,
16 have attended a pre-kindergarten program through a State Board
17 of Education early childhood education block grant or other
18 federal funds distributed by the State Board for
19 pre-kindergarten purposes or a pre-kindergarten program
20 accredited by the National Association for the Education of
21 Young Children and who will attain the age of 5 years on or
22 before December 31 of the year of the 2009-2010 school term and
23 each school term thereafter may attend school upon commencement

1 of such term, and in grade schools shall not be under 6 years.
2 It may expel, suspend or, subject to the limitations of all
3 policies established or adopted under Section 14-8.05,
4 otherwise discipline any pupil found guilty of gross
5 disobedience, misconduct or other violation of the by-laws,
6 rules and regulations. The bylaws, rules and regulations of the
7 board shall be enacted, money shall be appropriated or
8 expended, salaries shall be fixed or changed, and textbooks and
9 courses of instruction shall be adopted or changed only at the
10 regular meetings of the board and by a vote of a majority of
11 the full membership of the board; provided that notwithstanding
12 any other provision of this Article or the School Code, neither
13 the board or any local school council may purchase any textbook
14 for use in any public school of the district from any textbook
15 publisher that fails to furnish any computer diskettes as
16 required under Section 28-21. The board shall be further
17 encouraged to provide opportunities for public hearing and
18 testimony before the adoption of bylaws, rules and regulations.
19 Upon all propositions requiring for their adoption at least a
20 majority of all the members of the board the yeas and nays
21 shall be taken and reported. The by-laws, rules and regulations
22 of the board shall not be repealed, amended or added to, except
23 by a vote of 2/3 of the full membership of the board. The board
24 shall keep a record of all its proceedings. Such records and
25 all by-laws, rules and regulations, or parts thereof, may be
26 proved by a copy thereof certified to be such by the secretary

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

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

22 (Source: P.A. 88-45; 89-15, eff. 5-30-95.)

23 Section 90. The State Mandates Act is amended by adding
24 Section 8.33 as follows:

1 (30 ILCS 805/8.33 new)

2 Sec. 8.33. Exempt mandate. Notwithstanding Sections 6 and 8
3 of this Act, no reimbursement by the State is required for the
4 implementation of any mandate created by this amendatory Act of
5 the 96th General Assembly.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.