



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2995

Introduced 2/6/2025, by Rep. Michelle Mussman

SYNOPSIS AS INTRODUCED:

105 ILCS 5/22-85.10
105 ILCS 5/22-85.15 new
105 ILCS 5/22-94

Amends the School Code. Provides that notification of the alleged misconduct and available resources shall also be provided to the employee, agent of the school, or contractor of the school who is alleged to have engaged in sexual misconduct. Requires the governing body of each school district, charter school, or nonpublic school to implement an investigation procedure under which an employee, agent of the school, or contractor of the school is alleged to have engaged in sexual misconduct. Provides that any adverse determination issued to an employee, agent of the school, or contractor of the school for events that occurred prior to the effective date of the amendatory Act shall be considered null and void only if any and all investigations conducted by a regulatory third party entity resulted in a finding that the allegation was false, unfounded, indeterminable, or unsubstantiated or a previous finding was otherwise overturned or expunged on appeal. Requires the adverse determination and related documents to be removed from the applicable personnel records within 14 business days after written notice. Makes other changes.

LRB104 11192 LNS 21274 b

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Sections
5 22-85.10 and 22-94 and by adding Section 22-85.15 as follows:

6 (105 ILCS 5/22-85.10)

7 Sec. 22-85.10. Notification ~~Parental notification~~ of
8 alleged sexual misconduct.

9 (a) The governing body of each school district, charter
10 school, or nonpublic school shall implement a procedure under
11 which notice is provided to the parents or guardians of an
12 enrolled student, unless the student is at least 18 years of
13 age or emancipated, with whom an employee, agent of the
14 school, or a contractor of the school is alleged to have
15 engaged in sexual misconduct as defined in subsection (c) of
16 Section 22-85.5 of this Code. Notice provided to the parent or
17 guardian of a student with a disability must not conflict with
18 the student's individualized education plan or a Section 504
19 plan under the federal Rehabilitation Act of 1973 and the
20 requirements of applicable State or federal law. The procedure
21 shall include:

22 (1) Consideration of the time frame for providing
23 notice to the student and the student's parents or

1 guardians if the alleged sexual misconduct is also being
2 investigated by the Illinois Department of Children and
3 Family Services or law enforcement as described in Section
4 22-85 of this Code.

5 (2) Prior to notification of the student's parents or
6 guardians, notification must first be provided to the
7 student in a developmentally appropriate manner and
8 include:

9 (A) that notice will be given to the student's
10 parents or guardians;

11 (B) what information will be included in the
12 notice to the student's parents or guardians;

13 (C) available resources for the student within the
14 school and community in accordance with Article 26A of
15 this Code and available counseling services under
16 Section 3-550 of the Mental Health and Developmental
17 Disabilities Code; and

18 (D) beginning July 1, 2025, the name and contact
19 information for the domestic and sexual violence and
20 parenting resource coordinator under Section 26A-35 of
21 this Code.

22 (3) After notification of the student as required
23 under paragraph (2), the student's parents or guardians
24 shall be notified in writing:

25 (A) of the alleged misconduct; and

26 (B) of available resources for the student within

1 the school and the community in accordance with
2 Article 26A of this Code and, beginning on July 1,
3 2025, the name and contact information for the
4 domestic and sexual violence and parenting resource
5 coordinator under Section 26A-35 of this Code.

6 (4) Notification must be provided as soon as feasible
7 after the employing entity becomes aware that alleged
8 misconduct may have occurred, subject to the requirements
9 of subsection (f) of Section 22-85 of this Code.

10 (5) Notification of the same information provided in
11 paragraph (3) shall be contemporaneously provided to the
12 employee, agent of the school, or contractor of the school
13 who is alleged to have engaged in sexual misconduct, as
14 defined in Section 22-85.5 of this Code, and the
15 employee's, agent's, or contractor's exclusive bargaining
16 representative, if applicable.

17 (b) The governing body of each school district, charter
18 school, or nonpublic school shall implement a procedure under
19 which notice is provided to the parents or guardians of a
20 student, subject to subsection (a), when any formal action has
21 been taken by the governing body relating to the employment of
22 the alleged perpetrator following the investigation of sexual
23 misconduct, including whether employment was terminated or
24 whether the governing body accepted the resignation of the
25 employee. Notice provided to the parents or guardians of a
26 student with a disability must not conflict with the student's

1 individualized education plan or a Section 504 plan under the
2 federal Rehabilitation Act of 1973 and the requirements of
3 applicable State or federal law. The procedure shall include:

4 (1) Consideration of the time frame for providing
5 notice to the student and the student's parents or
6 guardians if the alleged sexual misconduct is also being
7 investigated by the Illinois Department of Children and
8 Family Services or law enforcement as described in Section
9 22-85 of this Code.

10 (2) Prior to notification of the student's parents or
11 guardians, notification must first be provided to the
12 student in a developmentally appropriate manner and
13 include:

14 (A) that notice will be given to the student's
15 parent or guardian of the governing body's action;

16 (B) what information will be included in the
17 notice to the student's parents or guardians;

18 (C) available resources for the student within the
19 school and community in accordance with Article 26A of
20 this Code and available counseling services under
21 Section 3-550 of the Mental Health and Developmental
22 Disabilities Code; and

23 (D) beginning July 1, 2025, the name and contact
24 information for the domestic and sexual violence and
25 parenting resource coordinator under Section 26A-35 of
26 this Code.

1 (3) After notification of the student as required in
2 paragraph (2), the student's parents or guardians shall be
3 notified in writing:

4 (A) of the governing body's action;

5 (B) whether a report concerning the alleged sexual
6 misconduct was or will be submitted to the State
7 Superintendent of Education and the applicable
8 regional superintendent of schools pursuant to Section
9 10-21.9 of this Code; and

10 (C) of available resources for the student within
11 the school and the community in accordance with
12 Article 26A of this Code and, beginning on July 1,
13 2025, the name and contact information for the
14 domestic and sexual violence and parenting resource
15 coordinator under Section 26A-35 of this Code.

16 (4) Notification must be provided as soon as feasible
17 after the board action is taken, subject to the
18 requirements of subsection (f) of Section 22-85 of this
19 Code.

20 (5) For the purposes of subsection (b), if the student
21 is no longer enrolled at the time formal action is taken,
22 sending written notice to the last known address in the
23 student's file fulfills notification requirements.

24 (c) Notwithstanding any other provision of this Section,
25 notification to the student prior to notification of the
26 student's parents or guardians shall not be required to the

1 extent an employee or agent of the school district, charter
2 school, or nonpublic school deems it necessary to address an
3 imminent risk of serious physical injury or death of a student
4 or another person, including the victim. If prior notification
5 to the student is not given, notification to the student shall
6 be provided as soon as practicable and without delay following
7 the notification to the student's parents or guardians.

8 (d) Subsections (a) and (b) shall not apply if the
9 student's parent or guardian is the alleged perpetrator of the
10 misconduct.

11 (Source: P.A. 102-702, eff. 7-1-23.)

12 (105 ILCS 5/22-85.15 new)

13 Sec. 22-85.15. Investigation of alleged sexual misconduct.
14 The governing body of each school district, charter school, or
15 nonpublic school shall implement an investigation procedure
16 under which an employee, agent of the school, or contractor of
17 the school is alleged to have engaged in sexual misconduct, as
18 defined in subsection (c) of Section 22-85.5 of this Code.

19 (1) Consideration of the time frame for investigation
20 may be given if the alleged sexual misconduct is also
21 being investigated by the Department of Children and
22 Family Services or law enforcement as described in Section
23 22-85 of this Code. An employer investigation shall be
24 delayed if directed by the Department of Children and
25 Family Services or law enforcement or a determination may

1 be deferred as set out in paragraph (8).

2 (2) Unless the investigation is delayed or deferred as
3 set forth in this Section, the school district, charter
4 school, or nonpublic school shall begin its investigation,
5 in good faith, as soon as practically possible following
6 the notifications provided under Section 22-85.10 of this
7 code, but no later than 14 days after such notification
8 issue.

9 (3) The purpose of the investigation is to determine
10 whether the allegation is substantiated as to the
11 allegation of sexual misconduct, as defined by Section
12 22-85.5 of this Code, and, if so, whether any formal
13 action will be taken.

14 (4) The investigator shall have:

15 (A) direct, in-person contact with the alleged
16 victim;

17 (B) the employee, agent of the school, or
18 contractor of the school who is alleged to have
19 engaged in sexual misconduct, as defined by Section
20 22-85.5 of this Code; and

21 (C) in-person or telephone contact with the
22 reporter who made the accusation, if the reporter's
23 identity and whereabouts are available and in-person
24 or telephone contact with any other necessary
25 witnesses.

26 Contact shall only be waived if any of the individuals

1 refuse to meet with the investigator or are determined to
2 be inaccessible. The employee, agent of the school, or
3 contractor of the school who is the subject of the
4 investigation is entitled to representation through the
5 exclusive bargaining representative, if applicable.

6 (5) The investigation, including the final
7 investigative report with a determination and any
8 recommended formal action, shall be completed within 60
9 days following the notifications provided under Section
10 22-85.10 of this Code. For good cause, the investigation
11 timeline may be extended, one time, up to an additional 30
12 days.

13 (6) Upon completion of the formal investigation, the
14 investigator shall make a determination regarding the
15 allegation along with any recommended formal action. This
16 determination shall be based upon the information gathered
17 from other persons during the investigation and the direct
18 observations made by the investigative staff during the
19 investigation substantiate the allegation.

20 (7) The formal investigation must result in one of the
21 following determinations:

22 (A) substantiated; if there is corroborated,
23 consistent, and precise evidence substantiating the
24 allegation of sexual misconduct, as defined by Section
25 22-85.5 of this Code;

26 (B) unsubstantiated; if there is a lack of

1 evidence to substantiate the allegation as set out in
2 subparagraph (A); or

3 (C) indeterminable; if the investigator is unable,
4 for good cause, to gather sufficient facts to conduct
5 a good faith formal investigation.

6 (8) A formal investigation result shall be considered
7 unsubstantiated where the Department of Children and
8 Family Services has investigated the same allegation under
9 its jurisdiction under the Abused and Neglected Child
10 Reporting Act and determined the allegation is unfounded,
11 an indicated finding is expunged on appeal, or the matter
12 was referred to law enforcement and any charges brought
13 were not pursued, dropped, or the matter was otherwise
14 adjudicated in favor of the employee, agent of the school,
15 or contractor of the school.

16 (9) An employee, agent of the school, or contractor of
17 the school who receives a determination of substantiated
18 may appeal the determination and any recommended formal
19 action by requesting a due process hearing before an
20 independent hearing officer or the State Board of
21 Education's list of due process hearing officers. The
22 appeal must be made to the governing body of the school
23 district, charter school, or nonpublic school, in writing,
24 within 45 days of being served with a substantiated
25 determination.

26 (A) The State Board of Education shall, from the

1 master list provide, on a rotating basis, a list of 5
2 prospective hearing officers within 5 business days
3 after receiving a request for a list.

4 (B) Within 3 days, the parties will engage in an
5 alternating striking process until one name remains.
6 Unless waived, the employee has the right to strike
7 first.

8 (C) The scope of the hearing shall be whether the
9 investigation supports a substantiated determination
10 of sexual misconduct, as defined by Section 22-85.5 of
11 this Code, along with the recommended formal action by
12 a preponderance of the evidence. The burden at the
13 hearing shall be on the employer.

14 (D) The proper parties to the hearing are the
15 employee and the governing body of the school
16 district, charter school, or nonpublic school. Each
17 party has the right to retain representation, present
18 evidence and testimony, cross-examine witnesses, and
19 make arguments.

20 (E) The hearing officer may uphold the
21 substantiated determination and any recommended formal
22 action, uphold the substantiated determination but
23 modify or vacate any recommended formal action, or
24 find that the determination is unsubstantiated and
25 vacate the recommended formal action. The hearing
26 officer's decision shall be considered a final

1 decision, subject to administrative review under
2 Article 3 of the Code of Civil Procedure.

3 (105 ILCS 5/22-94)

4 Sec. 22-94. Employment history review.

5 (a) This Section applies to all permanent and temporary
6 positions for employment with a school or a contractor of a
7 school involving direct contact with children or students.

8 (b) In this Section:

9 "Contractor" means firms holding contracts with any school
10 including, but not limited to, food service workers, school
11 bus drivers and other transportation employees, who have
12 direct contact with children or students.

13 "Direct contact with children or students" means the
14 possibility of care, supervision, guidance, or control of
15 children or students or routine interaction with children or
16 students.

17 "School" means a public or nonpublic elementary or
18 secondary school.

19 "Sexual misconduct" has the meaning ascribed to it in
20 subsection (c) of Section 22-85.5 of this Code and applies to
21 information or knowledge of events investigated or deferred
22 from investigation arising after December 3, 2021 (the
23 effective date of Public Act 102-676).

24 (b-5) Any adverse determination issued to an employee,
25 agent of the school, or contractor of the school for events

1 that occurred prior to the effective date of this amendatory
2 Act of the 104th General Assembly shall be considered null
3 and void only if any and all investigations conducted by a
4 regulatory third party entity resulted in:

5 (1) a finding that the allegation was false,
6 unfounded, indeterminable, or unsubstantiated; or

7 (2) a previous finding was otherwise overturned or
8 expunged on appeal.

9 The adverse determination and related documents must then
10 be removed from the applicable personnel records within 14
11 business days after written notice.

12 (c) Prior to hiring an applicant to work directly with
13 children or students, a school or contractor must ensure that
14 the following criteria are met:

15 (1) the school or contractor has no knowledge or
16 information pertaining to the applicant that would
17 disqualify the applicant from employment;

18 (2) the applicant swears or affirms that the applicant
19 is not disqualified from employment;

20 (3) using the template developed by the State Board of
21 Education, the applicant provides all of the following:

22 (A) a list, including the name, address, telephone
23 number, and other relevant contact information of the
24 following:

25 (i) the applicant's current employer;

26 (ii) all former employers of the applicant

1 that were schools or school contractors, as well
2 as all former employers at which the applicant had
3 direct contact with children or students;

4 (B) A written authorization that consents to and
5 authorizes disclosure by the applicant's current and
6 former employers under subparagraph (A) of this
7 paragraph (3) of the information requested under
8 paragraph (4) of this subsection (c) and the release
9 of related records and that releases those employers
10 from any liability that may arise from such disclosure
11 or release of records pursuant to subsection (e).

12 (C) A written statement of whether the applicant:

13 (i) has been the subject of a sexual
14 misconduct allegation, unless a subsequent
15 investigation resulted in a finding that the
16 allegation was false, unfounded, indeterminable,
17 or unsubstantiated or a finding was otherwise
18 overturned or expunged on appeal;

19 (ii) has ever been discharged from, been asked
20 to resign from, resigned from, or otherwise been
21 separated from any employment, has ever been
22 disciplined by an employer, or has ever had an
23 employment contract not renewed due to an
24 adjudication or finding of sexual misconduct or
25 while an allegation of sexual misconduct was
26 pending or under investigation, unless the

1 investigation resulted in a finding that the
2 allegation was false, unfounded, indeterminable,
3 or unsubstantiated or a finding was otherwise
4 overturned or expunged on appeal; or

5 (iii) has ever had a license or certificate
6 suspended, surrendered, or revoked or had an
7 application for licensure, approval, or
8 endorsement denied due to an adjudication or
9 finding of sexual misconduct or while an
10 allegation of sexual misconduct was pending or
11 under investigation, unless the investigation
12 resulted in a finding that the allegation was
13 false, unfounded, indeterminable, or
14 unsubstantiated or a finding was otherwise
15 overturned or expunged on appeal.

16 (4) The school or contractor shall initiate a review
17 of the employment history of the applicant by contacting
18 those employers listed by the applicant under subparagraph
19 (A) of paragraph (3) of this subsection (c) and, using the
20 template developed by the State Board of Education,
21 request all of the following information:

22 (A) the dates of employment of the applicant;

23 (B) a statement as to whether the applicant:

24 (i) has been the subject of a sexual
25 misconduct allegation, unless a subsequent
26 investigation resulted in a finding that the

1 allegation was false, unfounded, indeterminable,
2 or unsubstantiated or a finding was otherwise
3 overturned or expunged on appeal;

4 (ii) was discharged from, was asked to resign
5 from, resigned from, or was otherwise separated
6 from any employment, was disciplined by the
7 employer, or had an employment contract not
8 renewed due to an adjudication or finding of
9 sexual misconduct or while an allegation of sexual
10 misconduct was pending or under investigation,
11 unless the investigation resulted in a finding
12 that the allegation was false, unfounded,
13 indeterminable, or unsubstantiated or a finding
14 was otherwise overturned or expunged on appeal; or

15 (iii) has ever had a license or certificate
16 suspended, surrendered, or revoked due to an
17 adjudication or finding of sexual misconduct or
18 while an allegation of sexual misconduct was
19 pending or under investigation, unless the
20 investigation resulted in a finding that the
21 allegation was false, unfounded, indeterminable,
22 or unsubstantiated or a finding was otherwise
23 overturned or expunged on appeal.

24 (C) The template shall include the following
25 option: if the employer does not have records or
26 evidence regarding the questions in items (i) through

1 (iii) of subparagraph (B) of paragraph (4) of
2 subsection (c), the employer may state that there is
3 no knowledge of information pertaining to the
4 applicant that would disqualify the applicant from
5 employment.

6 (5) For applicants licensed by the State Board of
7 Education, the school district, charter school, or
8 nonpublic school shall verify the applicant's reported
9 previous employers with previous employers in the State
10 Board of Education's educator licensure database to ensure
11 accuracy.

12 (d) An applicant who provides false information or
13 willfully fails to disclose information required in subsection
14 (c) shall be subject to discipline, up to and including
15 termination or denial of employment.

16 (e) No later than 20 days after receiving a request for
17 information required under paragraph (4) of subsection (c), an
18 employer who has or had an employment relationship with the
19 applicant shall disclose the information requested. If the
20 employer has an office of human resources or a central office,
21 information shall be provided by that office. The employer who
22 has or had an employment relationship with the applicant shall
23 disclose the information on the template developed by the
24 State Board of Education. For any affirmative response to
25 items (i) through (iii) of subparagraph (B) of paragraph (4)
26 or subsection (c), the employer who has or had an employment

1 relationship with the applicant shall provide additional
2 information about the matters disclosed and all related
3 records.

4 A school shall complete the template at time of separation
5 from employment, or at the request of the employee, and
6 maintain it as part of the employee's personnel file. If the
7 school completes an investigation after an employee's
8 separation from employment, the school shall update the
9 information accordingly.

10 Information received under this Section shall not be
11 deemed a public record.

12 A school or contractor who receives information under this
13 subsection (e) may use the information for the purpose of
14 evaluating an applicant's fitness to be hired or for continued
15 employment and may report the information, as appropriate, to
16 the State Board of Education, a State licensing agency, a law
17 enforcement agency, a child protective services agency,
18 another school or contractor, or a prospective employer.

19 An employer, school, school administrator, or contractor
20 who provides information or records about a current or former
21 employee or applicant under this Section is immune from
22 criminal and civil liability for the disclosure of the
23 information or records, unless the information or records
24 provided were knowingly false. This immunity shall be in
25 addition to and not a limitation on any other immunity
26 provided by law or any absolute or conditional privileges

1 applicable to the disclosure by virtue of the circumstances or
2 the applicant's consent to the disclosure and shall extent to
3 any circumstances when the employer, school, school
4 administrator, or contractor in good faith shares findings of
5 sexual misconduct with another employer.

6 Unless the laws of another state prevent the release of
7 the information or records requested or disclosure is
8 restricted by the terms of a contract entered into prior to
9 July 1, 2023 (the effective date of Public Act 102-702) ~~this~~
10 ~~amendatory Act of the 102nd General Assembly,~~ and
11 notwithstanding any other provisions of law to the contrary,
12 an employer, school, school administrator, contractor, or
13 applicant shall report and disclose, in accordance with this
14 Section, all relevant information, records, and documentation
15 that may otherwise be confidential.

16 (f) A school or contractor may not hire an applicant who
17 does not provide the information required under subsection (c)
18 for a position involving direct contact with children or
19 students.

20 (g) Beginning on July 1, 2023 (the effective date of
21 Public Act 102-702) ~~this amendatory Act of the 102nd General~~
22 ~~Assembly,~~ a school or contractor may not enter into a
23 collective bargaining agreement, an employment contract, an
24 agreement for resignation or termination, a severance
25 agreement, or any other contract or agreement or take any
26 action that:

1 (1) has the effect of suppressing information
2 concerning a pending investigation or a completed
3 investigation in which an allegation was substantiated
4 related to a report of suspected sexual misconduct by a
5 current or former employee;

6 (2) affects the ability of the school or contractor to
7 report suspected sexual misconduct to the appropriate
8 authorities; or

9 (3) requires the school or contractor to expunge
10 information about allegations or findings of suspected
11 sexual misconduct from any documents maintained by the
12 school or contractor, unless, after an investigation, an
13 allegation is found to be false, unfounded,
14 indeterminable, or unsubstantiated or a finding was
15 otherwise overturned or expunged on appeal.

16 (h) Any provision of an employment contract or agreement
17 for resignation or termination or a severance agreement that
18 is executed, amended, or entered into on or after July 1, 2023
19 (the effective date of Public Act 102-702) ~~this amendatory Act~~
20 ~~of the 102nd General Assembly~~ and that is contrary to this
21 Section is void and unenforceable.

22 (i) For substitute employees, all of the following apply:

23 (1) The employment history review required by this
24 Section is required only prior to the initial hiring of a
25 substitute employee or placement on a school's approved
26 substitute list and shall remain valid as long as the

1 substitute employee continues to be employed by the same
2 school or remains on the school's approved substitute
3 list.

4 (2) A substitute employee seeking to be added to
5 another school's substitute list shall undergo an
6 additional employment history review under this Section.
7 Except as otherwise provided in paragraph (3) of this
8 subsection (i) or in subsection (k), the appearance of a
9 substitute employee on one school's substitute list does
10 not relieve another school from compliance with this
11 Section.

12 (3) An employment history review conducted upon
13 initial hiring of a substitute employee by a contractor or
14 any other entity that furnishes substitute staffing
15 services to schools shall satisfy the requirements of this
16 Section for all schools using the services of that
17 contractor or other entity.

18 (4) A contractor or any other entity furnishing
19 substitute staffing services to schools shall comply with
20 paragraphs (3) and (4) of subsection (j).

21 (j) For employees of contractors, all of the following
22 apply:

23 (1) The employment history review required by this
24 Section shall be performed, either at the time of the
25 initial hiring of an employee or prior to the assignment
26 of an existing employee to perform work for a school in a

1 position involving direct contact with children or
2 students. The review shall remain valid as long as the
3 employee remains employed by the same contractor, even if
4 assigned to perform work for other schools.

5 (2) A contractor shall maintain records documenting
6 employment history reviews for all employees as required
7 by this Section and, upon request, shall provide a school
8 for whom an employee is assigned to perform work access to
9 the records pertaining to that employee.

10 (3) Prior to assigning an employee to perform work for
11 a school in a position involving direct contact with
12 children or students, the contractor shall inform the
13 school of any instance known to the contractor in which
14 the employee:

15 (A) has been the subject of a sexual misconduct
16 allegation unless a subsequent investigation resulted
17 in a finding that the allegation was false, unfounded,
18 indeterminable, or unsubstantiated or a finding was
19 otherwise overturned or expunged on appeal;

20 (B) has ever been discharged, been asked to resign
21 from, resigned from, or otherwise been separated from
22 any employment, been removed from a substitute list,
23 been disciplined by an employer, or had an employment
24 contract not renewed due to an adjudication or finding
25 of sexual misconduct or while an allegation of sexual
26 misconduct was pending or under investigation, unless

1 the investigation resulted in a finding that the
2 allegation was false, unfounded, indeterminable, or
3 unsubstantiated or a finding was otherwise overturned
4 or expunged on appeal; or

5 (C) has ever had a license or certificate
6 suspended, surrendered, or revoked due to an
7 adjudication or finding of sexual misconduct or while
8 an allegation of sexual misconduct was pending or
9 under investigation, unless the investigation resulted
10 in a finding that the allegation was false, unfounded,
11 indeterminable, or unsubstantiated or a finding was
12 otherwise overturned or expunged on appeal.

13 (4) The contractor may not assign an employee to
14 perform work for a school in a position involving direct
15 contact with children or students if the school objects to
16 the assignment after being informed of an instance listed
17 in paragraph (3).

18 (k) An applicant who has undergone an employment history
19 review under this Section and seeks to transfer to or provide
20 services to another school in the same school district,
21 diocese, or religious jurisdiction, or to another school
22 established and supervised by the same organization is not
23 required to obtain additional reports under this Section
24 before transferring.

25 (1) Nothing in this Section shall be construed:

26 (1) to prevent a prospective employer from conducting

1 further investigations of prospective employees or from
2 requiring applicants to provide additional background
3 information or authorizations beyond what is required
4 under this Section, nor to prevent a current or former
5 employer from disclosing more information than what is
6 required under this Section;

7 (2) to relieve a school, school employee, contractor
8 of the school, or agent of the school from any legal
9 responsibility to report sexual misconduct in accordance
10 with State and federal reporting requirements;

11 (3) to relieve a school, school employee, contractor
12 of the school, or agent of the school from any legal
13 responsibility to implement the provisions of Section 7926
14 of Chapter 20 of the United States Code; or

15 (4) to prohibit the right of the exclusive bargaining
16 representative under a collective bargaining agreement to
17 grieve and arbitrate the validity of an employee's
18 termination or discipline for just cause.

19 (m) The State Board of Education shall develop the
20 templates required under paragraphs (3) and (4) of subsection
21 (c).

22 (Source: P.A. 102-702, eff. 7-1-23; revised 7-17-24.)