



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB0553

Introduced 2/8/2021, by Rep. Marcus C. Evans, Jr.

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-22.24b

105 ILCS 5/34-18

from Ch. 122, par. 34-18

Amends the School Code. Provides that a school district shall employ a ratio of no less than one counselor to 150 students (rather than allowing a school district to employ a ratio of no less than one counselor to 250 students).

LRB102 11741 CMG 17075 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

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 10-22.24b and 34-18 as follows:

6 (105 ILCS 5/10-22.24b)

7 Sec. 10-22.24b. School counseling services. School  
8 counseling services in public schools may be provided by  
9 school counselors as defined in Section 10-22.24a of this Code  
10 or by individuals who hold a Professional Educator License  
11 with a school support personnel endorsement in the area of  
12 school counseling under Section 21B-25 of this Code.

13 School counseling services may include, but are not  
14 limited to:

15 (1) designing and delivering a comprehensive school  
16 counseling program that promotes student achievement and  
17 wellness;

18 (2) incorporating the common core language into the  
19 school counselor's work and role;

20 (3) school counselors working as culturally skilled  
21 professionals who act sensitively to promote social  
22 justice and equity in a pluralistic society;

23 (4) providing individual and group counseling;

1           (5) providing a core counseling curriculum that serves  
2           all students and addresses the knowledge and skills  
3           appropriate to their developmental level through a  
4           collaborative model of delivery involving the school  
5           counselor, classroom teachers, and other appropriate  
6           education professionals, and including prevention and  
7           pre-referral activities;

8           (6) making referrals when necessary to appropriate  
9           offices or outside agencies;

10          (7) providing college and career development  
11          activities and counseling;

12          (8) developing individual career plans with students;

13          (9) assisting all students with a college or  
14          post-secondary education plan, which must include a  
15          discussion on all post-secondary education options,  
16          including 4-year colleges or universities, community  
17          colleges, and vocational schools;

18          (10) intentionally addressing the career and college  
19          needs of first generation students;

20          (11) educating all students on scholarships, financial  
21          aid, and preparation of the Federal Application for  
22          Federal Student Aid;

23          (12) collaborating with institutions of higher  
24          education and local community colleges so that students  
25          understand post-secondary education options and are ready  
26          to transition successfully;

1           (13) providing crisis intervention and contributing to  
2           the development of a specific crisis plan within the  
3           school setting in collaboration with multiple  
4           stakeholders;

5           (14) educating students, teachers, and parents on  
6           anxiety, depression, cutting, and suicide issues and  
7           intervening with students who present with these issues;

8           (15) providing counseling and other resources to  
9           students who are in crisis;

10          (16) providing resources for those students who do not  
11          have access to mental health services;

12          (17) addressing bullying and conflict resolution with  
13          all students;

14          (18) teaching communication skills and helping  
15          students develop positive relationships;

16          (19) using culturally-sensitive skills in working with  
17          all students to promote wellness;

18          (20) addressing the needs of undocumented students in  
19          the school, as well as students who are legally in the  
20          United States, but whose parents are undocumented;

21          (21) contributing to a student's functional behavioral  
22          assessment, as well as assisting in the development of  
23          non-aversive behavioral intervention strategies;

24          (22) (i) assisting students in need of special  
25          education services by implementing the academic supports  
26          and social-emotional and college or career development

1 counseling services or interventions per a student's  
2 individualized education program (IEP); (ii) participating  
3 in or contributing to a student's IEP and completing a  
4 social-developmental history; or (iii) providing services  
5 to a student with a disability under the student's IEP or  
6 federal Section 504 plan, as recommended by the student's  
7 IEP team or Section 504 plan team and in compliance with  
8 federal and State laws and rules governing the provision  
9 of educational and related services and school-based  
10 accommodations to students with disabilities and the  
11 qualifications of school personnel to provide such  
12 services and accommodations;

13 (23) assisting in the development of a personal  
14 educational plan with each student;

15 (24) educating students on dual credit and learning  
16 opportunities on the Internet;

17 (25) providing information for all students in the  
18 selection of courses that will lead to post-secondary  
19 education opportunities toward a successful career;

20 (26) interpreting achievement test results and guiding  
21 students in appropriate directions;

22 (27) counseling with students, families, and teachers,  
23 in compliance with federal and State laws;

24 (28) providing families with opportunities for  
25 education and counseling as appropriate in relation to the  
26 student's educational assessment;

1           (29) consulting and collaborating with teachers and  
2 other school personnel regarding behavior management and  
3 intervention plans and inclusion in support of students;

4           (30) teaming and partnering with staff, parents,  
5 businesses, and community organizations to support student  
6 achievement and social-emotional learning standards for  
7 all students;

8           (31) developing and implementing school-based  
9 prevention programs, including, but not limited to,  
10 mediation and violence prevention, implementing social and  
11 emotional education programs and services, and  
12 establishing and implementing bullying prevention and  
13 intervention programs;

14           (32) developing culturally-sensitive assessment  
15 instruments for measuring school counseling prevention and  
16 intervention effectiveness and collecting, analyzing, and  
17 interpreting data;

18           (33) participating on school and district committees  
19 to advocate for student programs and resources, as well as  
20 establishing a school counseling advisory council that  
21 includes representatives of key stakeholders selected to  
22 review and advise on the implementation of the school  
23 counseling program;

24           (34) acting as a liaison between the public schools  
25 and community resources and building relationships with  
26 important stakeholders, such as families, administrators,

1 teachers, and board members;

2 (35) maintaining organized, clear, and useful records  
3 in a confidential manner consistent with Section 5 of the  
4 Illinois School Student Records Act, the Family  
5 Educational Rights and Privacy Act, and the Health  
6 Insurance Portability and Accountability Act;

7 (36) presenting an annual agreement to the  
8 administration, including a formal discussion of the  
9 alignment of school and school counseling program missions  
10 and goals and detailing specific school counselor  
11 responsibilities;

12 (37) identifying and implementing  
13 culturally-sensitive measures of success for student  
14 competencies in each of the 3 domains of academic, social  
15 and emotional, and college and career learning based on  
16 planned and periodic assessment of the comprehensive  
17 developmental school counseling program;

18 (38) collaborating as a team member in Response to  
19 Intervention (RtI) and other school initiatives;

20 (39) conducting observations and participating in  
21 recommendations or interventions regarding the placement  
22 of children in educational programs or special education  
23 classes;

24 (40) analyzing data and results of school counseling  
25 program assessments, including curriculum, small-group,  
26 and closing-the-gap results reports, and designing

- 1 strategies to continue to improve program effectiveness;
- 2 (41) analyzing data and results of school counselor  
3 competency assessments;
- 4 (42) following American School Counselor Association  
5 Ethical Standards for School Counselors to demonstrate  
6 high standards of integrity, leadership, and  
7 professionalism;
- 8 (43) knowing and embracing common core standards by  
9 using common core language;
- 10 (44) practicing as a culturally-skilled school  
11 counselor by infusing the multicultural competencies  
12 within the role of the school counselor, including the  
13 practice of culturally-sensitive attitudes and beliefs,  
14 knowledge, and skills;
- 15 (45) infusing the Social-Emotional Standards, as  
16 presented in the State Board of Education standards,  
17 across the curriculum and in the counselor's role in ways  
18 that empower and enable students to achieve academic  
19 success across all grade levels;
- 20 (46) providing services only in areas in which the  
21 school counselor has appropriate training or expertise, as  
22 well as only providing counseling or consulting services  
23 within his or her employment to any student in the  
24 district or districts which employ such school counselor,  
25 in accordance with professional ethics;
- 26 (47) having adequate training in supervision knowledge



1 and skills in order to supervise school counseling interns  
2 enrolled in graduate school counselor preparation programs  
3 that meet the standards established by the State Board of  
4 Education;

5 (48) being involved with State and national  
6 professional associations;

7 (49) participating, at least once every 2 years, in an  
8 in-service training program for school counselors  
9 conducted by persons with expertise in domestic and sexual  
10 violence and the needs of expectant and parenting youth,  
11 which shall include training concerning (i) communicating  
12 with and listening to youth victims of domestic or sexual  
13 violence and expectant and parenting youth, (ii)  
14 connecting youth victims of domestic or sexual violence  
15 and expectant and parenting youth to appropriate in-school  
16 services and other agencies, programs, and services as  
17 needed, and (iii) implementing the school district's  
18 policies, procedures, and protocols with regard to such  
19 youth, including confidentiality; at a minimum, school  
20 personnel must be trained to understand, provide  
21 information and referrals, and address issues pertaining  
22 to youth who are parents, expectant parents, or victims of  
23 domestic or sexual violence;

24 (50) participating, at least every 2 years, in an  
25 in-service training program for school counselors  
26 conducted by persons with expertise in anaphylactic

1 reactions and management;

2 (51) participating, at least once every 2 years, in an  
3 in-service training on educator ethics, teacher-student  
4 conduct, and school employee-student conduct for all  
5 personnel;

6 (52) participating, in addition to other topics at  
7 in-service training programs, in training to identify the  
8 warning signs of mental illness and suicidal behavior in  
9 adolescents and teenagers and learning appropriate  
10 intervention and referral techniques;

11 (53) obtaining training to have a basic knowledge of  
12 matters relating to acquired immunodeficiency syndrome  
13 (AIDS), including the nature of the disease, its causes  
14 and effects, the means of detecting it and preventing its  
15 transmission, and the availability of appropriate sources  
16 of counseling and referral and any other information that  
17 may be appropriate considering the age and grade level of  
18 the pupils; the school board shall supervise such training  
19 and the State Board of Education and the Department of  
20 Public Health shall jointly develop standards for such  
21 training; and

22 (54) participating in mandates from the State Board of  
23 Education for bullying education and social-emotional  
24 literacy.

25 School districts shall ~~may~~ employ a sufficient number of  
26 school counselors to maintain a ~~the national and State~~

1 ~~recommended~~ student-counselor ratio of 150 ~~250~~ to 1. School  
2 districts may have school counselors spend at least 80% of his  
3 or her work time in direct contact with students.

4 Nothing in this Section prohibits other qualified  
5 professionals, including other endorsed school support  
6 personnel, from providing the services listed in this Section.

7 (Source: P.A. 101-290, eff. 8-9-19.)

8 (105 ILCS 5/34-18) (from Ch. 122, par. 34-18)

9 Sec. 34-18. Powers of the board. The board shall exercise  
10 general supervision and jurisdiction over the public education  
11 and the public school system of the city, and, except as  
12 otherwise provided by this Article, shall have power:

13 1. To make suitable provision for the establishment  
14 and maintenance throughout the year or for such portion  
15 thereof as it may direct, not less than 9 months and in  
16 compliance with Section 10-19.05, of schools of all grades  
17 and kinds, including normal schools, high schools, night  
18 schools, schools for defectives and delinquents, parental  
19 and truant schools, schools for the blind, the deaf, and  
20 persons with physical disabilities, schools or classes in  
21 manual training, constructural and vocational teaching,  
22 domestic arts, and physical culture, vocation and  
23 extension schools and lecture courses, and all other  
24 educational courses and facilities, including  
25 establishing, equipping, maintaining and operating

1 playgrounds and recreational programs, when such programs  
2 are conducted in, adjacent to, or connected with any  
3 public school under the general supervision and  
4 jurisdiction of the board; provided that the calendar for  
5 the school term and any changes must be submitted to and  
6 approved by the State Board of Education before the  
7 calendar or changes may take effect, and provided that in  
8 allocating funds from year to year for the operation of  
9 all attendance centers within the district, the board  
10 shall ensure that supplemental general State aid or  
11 supplemental grant funds are allocated and applied in  
12 accordance with Section 18-8, 18-8.05, or 18-8.15. To  
13 admit to such schools without charge foreign exchange  
14 students who are participants in an organized exchange  
15 student program which is authorized by the board. The  
16 board shall permit all students to enroll in  
17 apprenticeship programs in trade schools operated by the  
18 board, whether those programs are union-sponsored or not.  
19 No student shall be refused admission into or be excluded  
20 from any course of instruction offered in the common  
21 schools by reason of that student's sex. No student shall  
22 be denied equal access to physical education and  
23 interscholastic athletic programs supported from school  
24 district funds or denied participation in comparable  
25 physical education and athletic programs solely by reason  
26 of the student's sex. Equal access to programs supported

1 from school district funds and comparable programs will be  
2 defined in rules promulgated by the State Board of  
3 Education in consultation with the Illinois High School  
4 Association. Notwithstanding any other provision of this  
5 Article, neither the board of education nor any local  
6 school council or other school official shall recommend  
7 that children with disabilities be placed into regular  
8 education classrooms unless those children with  
9 disabilities are provided with supplementary services to  
10 assist them so that they benefit from the regular  
11 classroom instruction and are included on the teacher's  
12 regular education class register;

13 2. To furnish lunches to pupils, to make a reasonable  
14 charge therefor, and to use school funds for the payment  
15 of such expenses as the board may determine are necessary  
16 in conducting the school lunch program;

17 3. To co-operate with the circuit court;

18 4. To make arrangements with the public or  
19 quasi-public libraries and museums for the use of their  
20 facilities by teachers and pupils of the public schools;

21 5. To employ dentists and prescribe their duties for  
22 the purpose of treating the pupils in the schools, but  
23 accepting such treatment shall be optional with parents or  
24 guardians;

25 6. To grant the use of assembly halls and classrooms  
26 when not otherwise needed, including light, heat, and

1 attendants, for free public lectures, concerts, and other  
2 educational and social interests, free of charge, under  
3 such provisions and control as the principal of the  
4 affected attendance center may prescribe;

5 7. To apportion the pupils to the several schools;  
6 provided that no pupil shall be excluded from or  
7 segregated in any such school on account of his color,  
8 race, sex, or nationality. The board shall take into  
9 consideration the prevention of segregation and the  
10 elimination of separation of children in public schools  
11 because of color, race, sex, or nationality. Except that  
12 children may be committed to or attend parental and social  
13 adjustment schools established and maintained either for  
14 boys or girls only. All records pertaining to the  
15 creation, alteration or revision of attendance areas shall  
16 be open to the public. Nothing herein shall limit the  
17 board's authority to establish multi-area attendance  
18 centers or other student assignment systems for  
19 desegregation purposes or otherwise, and to apportion the  
20 pupils to the several schools. Furthermore, beginning in  
21 school year 1994-95, pursuant to a board plan adopted by  
22 October 1, 1993, the board shall offer, commencing on a  
23 phased-in basis, the opportunity for families within the  
24 school district to apply for enrollment of their children  
25 in any attendance center within the school district which  
26 does not have selective admission requirements approved by

1 the board. The appropriate geographical area in which such  
2 open enrollment may be exercised shall be determined by  
3 the board of education. Such children may be admitted to  
4 any such attendance center on a space available basis  
5 after all children residing within such attendance  
6 center's area have been accommodated. If the number of  
7 applicants from outside the attendance area exceed the  
8 space available, then successful applicants shall be  
9 selected by lottery. The board of education's open  
10 enrollment plan must include provisions that allow  
11 low-income ~~low-income~~ students to have access to  
12 transportation needed to exercise school choice. Open  
13 enrollment shall be in compliance with the provisions of  
14 the Consent Decree and Desegregation Plan cited in Section  
15 34-1.01;

16 8. To approve programs and policies for providing  
17 transportation services to students. Nothing herein shall  
18 be construed to permit or empower the State Board of  
19 Education to order, mandate, or require busing or other  
20 transportation of pupils for the purpose of achieving  
21 racial balance in any school;

22 9. Subject to the limitations in this Article, to  
23 establish and approve system-wide curriculum objectives  
24 and standards, including graduation standards, which  
25 reflect the multi-cultural diversity in the city and are  
26 consistent with State law, provided that for all purposes

1 of this Article courses or proficiency in American Sign  
2 Language shall be deemed to constitute courses or  
3 proficiency in a foreign language; and to employ  
4 principals and teachers, appointed as provided in this  
5 Article, and fix their compensation. The board shall  
6 prepare such reports related to minimal competency testing  
7 as may be requested by the State Board of Education<sup>7</sup> and<sub>2</sub>  
8 in addition<sub>2</sub> shall monitor and approve special education  
9 and bilingual education programs and policies within the  
10 district to ensure ~~assure~~ that appropriate services are  
11 provided in accordance with applicable State and federal  
12 laws to children requiring services and education in those  
13 areas;

14 10. To employ non-teaching personnel or utilize  
15 volunteer personnel for: (i) non-teaching duties not  
16 requiring instructional judgment or evaluation of pupils,  
17 including library duties; and (ii) supervising study  
18 halls, long distance teaching reception areas used  
19 incident to instructional programs transmitted by  
20 electronic media such as computers, video, and audio,  
21 detention and discipline areas, and school-sponsored  
22 extracurricular activities. The board may further utilize  
23 volunteer non-certificated personnel or employ  
24 non-certificated personnel to assist in the instruction of  
25 pupils under the immediate supervision of a teacher  
26 holding a valid certificate, directly engaged in teaching



1 subject matter or conducting activities; provided that the  
2 teacher shall be continuously aware of the  
3 non-certificated persons' activities and shall be able to  
4 control or modify them. The general superintendent shall  
5 determine qualifications of such personnel and shall  
6 prescribe rules for determining the duties and activities  
7 to be assigned to such personnel;

8 10.5. To utilize volunteer personnel from a regional  
9 School Crisis Assistance Team (S.C.A.T.), created as part  
10 of the Safe to Learn Program established pursuant to  
11 Section 25 of the Illinois Violence Prevention Act of  
12 1995, to provide assistance to schools in times of  
13 violence or other traumatic incidents within a school  
14 community by providing crisis intervention services to  
15 lessen the effects of emotional trauma on individuals and  
16 the community; the School Crisis Assistance Team Steering  
17 Committee shall determine the qualifications for  
18 volunteers;

19 11. To provide television studio facilities in not to  
20 exceed one school building and to provide programs for  
21 educational purposes, provided, however, that the board  
22 shall not construct, acquire, operate, or maintain a  
23 television transmitter; to grant the use of its studio  
24 facilities to a licensed television station located in the  
25 school district; and to maintain and operate not to exceed  
26 one school radio transmitting station and provide programs

1 for educational purposes;

2 12. To offer, if deemed appropriate, outdoor education  
3 courses, including field trips within the State of  
4 Illinois, or adjacent states, and to use school  
5 educational funds for the expense of the said outdoor  
6 educational programs, whether within the school district  
7 or not;

8 13. During that period of the calendar year not  
9 embraced within the regular school term, to provide and  
10 conduct courses in subject matters normally embraced in  
11 the program of the schools during the regular school term  
12 and to give regular school credit for satisfactory  
13 completion by the student of such courses as may be  
14 approved for credit by the State Board of Education;

15 14. To insure against any loss or liability of the  
16 board, the former School Board Nominating Commission,  
17 Local School Councils, the Chicago Schools Academic  
18 Accountability Council, or the former Subdistrict Councils  
19 or of any member, officer, agent, or employee thereof,  
20 resulting from alleged violations of civil rights arising  
21 from incidents occurring on or after September 5, 1967 or  
22 from the wrongful or negligent act or omission of any such  
23 person whether occurring within or without the school  
24 premises, provided the officer, agent, or employee was, at  
25 the time of the alleged violation of civil rights or  
26 wrongful act or omission, acting within the scope of his

1        or her employment or under direction of the board, the  
2        former School Board Nominating Commission, the Chicago  
3        Schools Academic Accountability Council, Local School  
4        Councils, or the former Subdistrict Councils; and to  
5        provide for or participate in insurance plans for its  
6        officers and employees, including, but not limited to,  
7        retirement annuities, medical, surgical and  
8        hospitalization benefits in such types and amounts as may  
9        be determined by the board; provided, however, that the  
10       board shall contract for such insurance only with an  
11       insurance company authorized to do business in this State.  
12       Such insurance may include provision for employees who  
13       rely on treatment by prayer or spiritual means alone for  
14       healing, in accordance with the tenets and practice of a  
15       recognized religious denomination;

16       15. To contract with the corporate authorities of any  
17       municipality or the county board of any county, as the  
18       case may be, to provide for the regulation of traffic in  
19       parking areas of property used for school purposes, in  
20       such manner as is provided by Section 11-209 of the ~~The~~  
21       Illinois Vehicle Code, ~~approved September 29, 1969, as~~  
22       ~~amended;~~

23       16. (a) To provide, on an equal basis, access to a high  
24       school campus and student directory information to the  
25       official recruiting representatives of the armed forces of  
26       Illinois and the United States for the purposes of

1 informing students of the educational and career  
2 opportunities available in the military if the board has  
3 provided such access to persons or groups whose purpose is  
4 to acquaint students with educational or occupational  
5 opportunities available to them. The board is not required  
6 to give greater notice regarding the right of access to  
7 recruiting representatives than is given to other persons  
8 and groups. In this paragraph 16, "directory information"  
9 means a high school student's name, address, and telephone  
10 number.

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

24 (c) A high school may require official recruiting  
25 representatives of the armed forces of Illinois and the  
26 United States to pay a fee for copying and mailing a

1 student's directory information in an amount that is not  
2 more than the actual costs incurred by the high school.

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

10 17. (a) To sell or market any computer program  
11 developed by an employee of the school district, provided  
12 that such employee developed the computer program as a  
13 direct result of his or her duties with the school  
14 district or through the utilization of ~~the~~ school district  
15 resources or facilities. The employee who developed the  
16 computer program shall be entitled to share in the  
17 proceeds of such sale or marketing of the computer  
18 program. The distribution of such proceeds between the  
19 employee and the school district shall be as agreed upon  
20 by the employee and the school district, except that  
21 neither the employee nor the school district may receive  
22 more than 90% of such proceeds. The negotiation for an  
23 employee who is represented by an exclusive bargaining  
24 representative may be conducted by such bargaining  
25 representative at the employee's request.

26 (b) For the purpose of this paragraph 17:

1           (1) "Computer" means an internally programmed,  
2           general purpose digital device capable of  
3           automatically accepting data, processing data and  
4           supplying the results of the operation.

5           (2) "Computer program" means a series of coded  
6           instructions or statements in a form acceptable to a  
7           computer, which causes the computer to process data in  
8           order to achieve a certain result.

9           (3) "Proceeds" means profits derived from the  
10          marketing or sale of a product after deducting the  
11          expenses of developing and marketing such product;

12          18. To delegate to the general superintendent of  
13          schools, by resolution, the authority to approve contracts  
14          and expenditures in amounts of \$10,000 or less;

15          19. Upon the written request of an employee, to  
16          withhold from the compensation of that employee any dues,  
17          payments, or contributions payable by such employee to any  
18          labor organization as defined in the Illinois Educational  
19          Labor Relations Act. Under such arrangement, an amount  
20          shall be withheld from each regular payroll period which  
21          is equal to the pro rata share of the annual dues plus any  
22          payments or contributions, and the board shall transmit  
23          such withholdings to the specified labor organization  
24          within 10 working days from the time of the withholding;

25          19a. Upon receipt of notice from the comptroller of a  
26          municipality with a population of 500,000 or more, a

1 county with a population of 3,000,000 or more, the Cook  
2 County Forest Preserve District, the Chicago Park  
3 District, the Metropolitan Water Reclamation District, the  
4 Chicago Transit Authority, or a housing authority of a  
5 municipality with a population of 500,000 or more that a  
6 debt is due and owing the municipality, the county, the  
7 Cook County Forest Preserve District, the Chicago Park  
8 District, the Metropolitan Water Reclamation District, the  
9 Chicago Transit Authority, or the housing authority by an  
10 employee of the Chicago Board of Education, to withhold,  
11 from the compensation of that employee, the amount of the  
12 debt that is due and owing and pay the amount withheld to  
13 the municipality, the county, the Cook County Forest  
14 Preserve District, the Chicago Park District, the  
15 Metropolitan Water Reclamation District, the Chicago  
16 Transit Authority, or the housing authority; provided,  
17 however, that the amount deducted from any one salary or  
18 wage payment shall not exceed 25% of the net amount of the  
19 payment. Before the Board deducts any amount from any  
20 salary or wage of an employee under this paragraph, the  
21 municipality, the county, the Cook County Forest Preserve  
22 District, the Chicago Park District, the Metropolitan  
23 Water Reclamation District, the Chicago Transit Authority,  
24 or the housing authority shall certify that (i) the  
25 employee has been afforded an opportunity for a hearing to  
26 dispute the debt that is due and owing the municipality,

1 the county, the Cook County Forest Preserve District, the  
2 Chicago Park District, the Metropolitan Water Reclamation  
3 District, the Chicago Transit Authority, or the housing  
4 authority and (ii) the employee has received notice of a  
5 wage deduction order and has been afforded an opportunity  
6 for a hearing to object to the order. For purposes of this  
7 paragraph, "net amount" means that part of the salary or  
8 wage payment remaining after the deduction of any amounts  
9 required by law to be deducted and "debt due and owing"  
10 means (i) a specified sum of money owed to the  
11 municipality, the county, the Cook County Forest Preserve  
12 District, the Chicago Park District, the Metropolitan  
13 Water Reclamation District, the Chicago Transit Authority,  
14 or the housing authority for services, work, or goods,  
15 after the period granted for payment has expired, or (ii)  
16 a specified sum of money owed to the municipality, the  
17 county, the Cook County Forest Preserve District, the  
18 Chicago Park District, the Metropolitan Water Reclamation  
19 District, the Chicago Transit Authority, or the housing  
20 authority pursuant to a court order or order of an  
21 administrative hearing officer after the exhaustion of, or  
22 the failure to exhaust, judicial review;

23 20. The board shall ~~is encouraged to~~ employ a  
24 sufficient number of licensed ~~certified~~ school counselors  
25 to maintain a student/counselor ratio of 150 ~~250~~ to 1 ~~by~~  
26 ~~July 1, 1990~~. Each counselor shall spend at least 75% of



1 his work time in direct contact with students and shall  
2 maintain a record of such time;

3 21. To make available to students vocational and  
4 career counseling and to establish 5 special career  
5 counseling days for students and parents. On these days  
6 representatives of local businesses and industries shall  
7 be invited to the school campus and shall inform students  
8 of career opportunities available to them in the various  
9 businesses and industries. Special consideration shall be  
10 given to counseling minority students as to career  
11 opportunities available to them in various fields. For the  
12 purposes of this paragraph, minority student means a  
13 person who is any of the following:

14 (a) American Indian or Alaska Native (a person having  
15 origins in any of the original peoples of North and South  
16 America, including Central America, and who maintains  
17 tribal affiliation or community attachment).

18 (b) Asian (a person having origins in any of the  
19 original peoples of the Far East, Southeast Asia, or the  
20 Indian subcontinent, including, but not limited to,  
21 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,  
22 the Philippine Islands, Thailand, and Vietnam).

23 (c) Black or African American (a person having origins  
24 in any of the black racial groups of Africa). Terms such as  
25 "Haitian" or "Negro" can be used in addition to "Black or  
26 African American".

1           (d) Hispanic or Latino (a person of Cuban, Mexican,  
2           Puerto Rican, South or Central American, or other Spanish  
3           culture or origin, regardless of race).

4           (e) Native Hawaiian or Other Pacific Islander (a  
5           person having origins in any of the original peoples of  
6           Hawaii, Guam, Samoa, or other Pacific Islands).

7           Counseling days shall not be in lieu of regular school  
8           days;

9           22. To report to the State Board of Education the  
10          annual student dropout rate and number of students who  
11          graduate from, transfer from,    or otherwise leave bilingual  
12          programs;

13          23. Except as otherwise provided in the Abused and  
14          Neglected Child Reporting Act or other applicable State or  
15          federal law, to permit school officials to withhold, from  
16          any person, information on the whereabouts of any child  
17          removed from school premises when the child has been taken  
18          into protective custody as a victim of suspected child  
19          abuse. School officials shall direct such person to the  
20          Department of Children and Family Services,    or to the  
21          local law enforcement agency,    if appropriate;

22          24. To develop a policy, based on the current state of  
23          existing school facilities, projected enrollment,    and  
24          efficient utilization of available resources, for capital  
25          improvement of schools and school buildings within the  
26          district, addressing in that policy both the relative

1 priority for major repairs, renovations, and additions to  
2 school facilities, and the advisability or necessity of  
3 building new school facilities or closing existing schools  
4 to meet current or projected demographic patterns within  
5 the district;

6 25. To make available to the students in every high  
7 school attendance center the ability to take all courses  
8 necessary to comply with the Board of Higher Education's  
9 college entrance criteria effective in 1993;

10 26. To encourage mid-career changes into the teaching  
11 profession, whereby qualified professionals become  
12 certified teachers, by allowing credit for professional  
13 employment in related fields when determining point of  
14 entry on the teacher pay scale;

15 27. To provide or contract out training programs for  
16 administrative personnel and principals with revised or  
17 expanded duties pursuant to this Code Act in order to  
18 ensure ~~assure~~ they have the knowledge and skills to  
19 perform their duties;

20 28. To establish a fund for the prioritized special  
21 needs programs, and to allocate such funds and other lump  
22 sum amounts to each attendance center in a manner  
23 consistent with the provisions of part 4 of Section  
24 34-2.3. Nothing in this paragraph shall be construed to  
25 require any additional appropriations of State funds for  
26 this purpose;

1           29. (Blank);

2           30. Notwithstanding any other provision of this Act or  
3 any other law to the contrary, to contract with third  
4 parties for services otherwise performed by employees,  
5 including those in a bargaining unit, and to layoff those  
6 employees upon 14 days written notice to the affected  
7 employees. Those contracts may be for a period not to  
8 exceed 5 years and may be awarded on a system-wide basis.  
9 The board may not operate more than 30 contract schools,  
10 provided that the board may operate an additional 5  
11 contract turnaround schools pursuant to item (5.5) of  
12 subsection (d) of Section 34-8.3 of this Code, and the  
13 governing bodies of contract schools are subject to the  
14 Freedom of Information Act and Open Meetings Act;

15           31. To promulgate rules establishing procedures  
16 governing the layoff or reduction in force of employees  
17 and the recall of such employees, including, but not  
18 limited to, criteria for such layoffs, reductions in force  
19 or recall rights of such employees and the weight to be  
20 given to any particular criterion. Such criteria shall  
21 take into account factors, including, but not ~~be~~ limited  
22 to, qualifications, certifications, experience,  
23 performance ratings or evaluations, and any other factors  
24 relating to an employee's job performance;

25           32. To develop a policy to prevent nepotism in the  
26 hiring of personnel or the selection of contractors;

1           33. (Blank); and

2           34. To establish a Labor Management Council to the  
3 board comprised of representatives of the board, the chief  
4 executive officer, and those labor organizations that are  
5 the exclusive representatives of employees of the board  
6 and to promulgate policies and procedures for the  
7 operation of the Council.

8           The specifications of the powers herein granted are not to  
9 be construed as exclusive, but the board shall also exercise  
10 all other powers that ~~they~~ may be requisite or proper for the  
11 maintenance and the development of a public school system, not  
12 inconsistent with the other provisions of this Article or  
13 provisions of this Code which apply to all school districts.

14           In addition to the powers herein granted and authorized to  
15 be exercised by the board, it shall be the duty of the board to  
16 review or to direct independent reviews of special education  
17 expenditures and services. The board shall file a report of  
18 such review with the General Assembly on or before May 1, 1990.

19           (Source: P.A. 100-465, eff. 8-31-17; 100-1046, eff. 8-23-18;  
20 101-12, eff. 7-1-19; 101-88, eff. 1-1-20; revised 8-19-19.)