



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2384

Introduced 2/14/2023, by Rep. Cyril Nichols

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 (rather than may) employ a sufficient number of school counselors to maintain a (rather than the national and State recommended) student-counselor ratio of 250 to one. Provides that school districts shall require school counselors to meet with their assigned students at least once each month. Makes related changes.

LRB103 26371 RJT 52733 b

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

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 which includes planning for post-secondary education, as
14 appropriate, and engaging in related and relevant career
15 and technical education coursework in high school as
16 described in paragraph (55);

17 (9) assisting all students with a college or
18 post-secondary education plan, which must include a
19 discussion on all post-secondary education options,
20 including 4-year colleges or universities, community
21 colleges, and vocational schools, and includes planning
22 for post-secondary education, as appropriate, and engaging
23 in related and relevant career and technical education
24 coursework in high school as described in paragraph (55);

25 (10) intentionally addressing the career and college
26 needs of first generation students;

1 (11) educating all students on scholarships, financial
2 aid, and preparation of the Federal Application for
3 Federal Student Aid;

4 (12) collaborating with institutions of higher
5 education and local community colleges so that students
6 understand post-secondary education options and are ready
7 to transition successfully;

8 (13) providing crisis intervention and contributing to
9 the development of a specific crisis plan within the
10 school setting in collaboration with multiple
11 stakeholders;

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

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

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

19 (17) addressing bullying and conflict resolution with
20 all students;

21 (18) teaching communication skills and helping
22 students develop positive relationships;

23 (19) using culturally sensitive ~~culturally sensitive~~
24 skills in working with all students to promote wellness;

25 (20) addressing the needs of undocumented students in
26 the school, as well as students who are legally in the

1 United States, but whose parents are undocumented;

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

5 (22) (i) assisting students in need of special
6 education services by implementing the academic supports
7 and social-emotional and college or career development
8 counseling services or interventions per a student's
9 individualized education program (IEP); (ii) participating
10 in or contributing to a student's IEP and completing a
11 social-developmental history; or (iii) providing services
12 to a student with a disability under the student's IEP or
13 federal Section 504 plan, as recommended by the student's
14 IEP team or Section 504 plan team and in compliance with
15 federal and State laws and rules governing the provision
16 of educational and related services and school-based
17 accommodations to students with disabilities and the
18 qualifications of school personnel to provide such
19 services and accommodations;

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

22 (24) educating students on dual credit and learning
23 opportunities on the Internet;

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

1 (26) interpreting achievement test results and guiding
2 students in appropriate directions;

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

5 (28) providing families with opportunities for
6 education and counseling as appropriate in relation to the
7 student's educational assessment;

8 (29) consulting and collaborating with teachers and
9 other school personnel regarding behavior management and
10 intervention plans and inclusion in support of students;

11 (30) teaming and partnering with staff, parents,
12 businesses, and community organizations to support student
13 achievement and social-emotional learning standards for
14 all students;

15 (31) developing and implementing school-based
16 prevention programs, including, but not limited to,
17 mediation and violence prevention, implementing social and
18 emotional education programs and services, and
19 establishing and implementing bullying prevention and
20 intervention programs;

21 (32) developing culturally sensitive
22 ~~culturally sensitive~~ assessment instruments for measuring
23 school counseling prevention and intervention
24 effectiveness and collecting, analyzing, and interpreting
25 data;

26 (33) participating on school and district committees

1 to advocate for student programs and resources, as well as
2 establishing a school counseling advisory council that
3 includes representatives of key stakeholders selected to
4 review and advise on the implementation of the school
5 counseling program;

6 (34) acting as a liaison between the public schools
7 and community resources and building relationships with
8 important stakeholders, such as families, administrators,
9 teachers, and board members;

10 (35) maintaining organized, clear, and useful records
11 in a confidential manner consistent with Section 5 of the
12 Illinois School Student Records Act, the Family
13 Educational Rights and Privacy Act, and the Health
14 Insurance Portability and Accountability Act;

15 (36) presenting an annual agreement to the
16 administration, including a formal discussion of the
17 alignment of school and school counseling program missions
18 and goals and detailing specific school counselor
19 responsibilities;

20 (37) identifying and implementing culturally sensitive
21 ~~culturally sensitive~~ measures of success for student
22 competencies in each of the 3 domains of academic, social
23 and emotional, and college and career learning based on
24 planned and periodic assessment of the comprehensive
25 developmental school counseling program;

26 (38) collaborating as a team member in Response to

1 Intervention (RtI) and other school initiatives;

2 (39) conducting observations and participating in
3 recommendations or interventions regarding the placement
4 of children in educational programs or special education
5 classes;

6 (40) analyzing data and results of school counseling
7 program assessments, including curriculum, small-group,
8 and closing-the-gap results reports, and designing
9 strategies to continue to improve program effectiveness;

10 (41) analyzing data and results of school counselor
11 competency assessments;

12 (42) following American School Counselor Association
13 Ethical Standards for School Counselors to demonstrate
14 high standards of integrity, leadership, and
15 professionalism;

16 (43) knowing and embracing common core standards by
17 using common core language;

18 (44) practicing as a culturally skilled
19 ~~culturally skilled~~ school counselor by infusing the
20 multicultural competencies within the role of the school
21 counselor, including the practice of culturally sensitive
22 ~~culturally sensitive~~ attitudes and beliefs, knowledge, and
23 skills;

24 (45) infusing the Social-Emotional Standards, as
25 presented in the State Board of Education standards,
26 across the curriculum and in the counselor's role in ways

1 that empower and enable students to achieve academic
2 success across all grade levels;

3 (46) providing services only in areas in which the
4 school counselor has appropriate training or expertise, as
5 well as only providing counseling or consulting services
6 within his or her employment to any student in the
7 district or districts which employ such school counselor,
8 in accordance with professional ethics;

9 (47) having adequate training in supervision knowledge
10 and skills in order to supervise school counseling interns
11 enrolled in graduate school counselor preparation programs
12 that meet the standards established by the State Board of
13 Education;

14 (48) being involved with State and national
15 professional associations;

16 (49) participating, at least once every 2 years, in an
17 in-service training program for school counselors
18 conducted by persons with expertise in domestic and sexual
19 violence and the needs of expectant and parenting youth,
20 which shall include training concerning (i) communicating
21 with and listening to youth victims of domestic or sexual
22 violence and expectant and parenting youth, (ii)
23 connecting youth victims of domestic or sexual violence
24 and expectant and parenting youth to appropriate in-school
25 services and other agencies, programs, and services as
26 needed, and (iii) implementing the school district's

1 policies, procedures, and protocols with regard to such
2 youth, including confidentiality; at a minimum, school
3 personnel must be trained to understand, provide
4 information and referrals, and address issues pertaining
5 to youth who are parents, expectant parents, or victims of
6 domestic or sexual violence;

7 (50) participating, at least every 2 years, in an
8 in-service training program for school counselors
9 conducted by persons with expertise in anaphylactic
10 reactions and management;

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

15 (52) participating, in addition to other topics at
16 in-service training programs, in training to identify the
17 warning signs of mental illness and suicidal behavior in
18 adolescents and teenagers and learning appropriate
19 intervention and referral techniques;

20 (53) obtaining training to have a basic knowledge of
21 matters relating to acquired immunodeficiency syndrome
22 (AIDS), including the nature of the disease, its causes
23 and effects, the means of detecting it and preventing its
24 transmission, and the availability of appropriate sources
25 of counseling and referral and any other information that
26 may be appropriate considering the age and grade level of

1 the pupils; the school board shall supervise such training
2 and the State Board of Education and the Department of
3 Public Health shall jointly develop standards for such
4 training;

5 (54) participating in mandates from the State Board of
6 Education for bullying education and social-emotional
7 literacy ~~literary~~; and

8 (55) promoting career and technical education by
9 assisting each student to determine an appropriate
10 postsecondary plan based upon the student's skills,
11 strengths, and goals and assisting the student to
12 implement the best practices that improve career or
13 workforce readiness after high school.

14 School districts shall ~~may~~ employ a sufficient number of
15 school counselors to maintain a ~~the national and State~~
16 ~~recommended~~ student-counselor ratio of 250 to 1. School
17 districts may have school counselors spend at least 80% of his
18 or her work time in direct contact with students. School
19 districts shall require school counselors to meet with their
20 assigned students at least once each month.

21 Nothing in this Section prohibits other qualified
22 professionals, including other endorsed school support
23 personnel, from providing the services listed in this Section.

24 (Source: P.A. 101-290, eff. 8-9-19; 102-876, eff. 1-1-23;
25 revised 12-9-22.)

1 (105 ILCS 5/34-18) (from Ch. 122, par. 34-18)

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

6 1. To make suitable provision for the establishment
7 and maintenance throughout the year or for such portion
8 thereof as it may direct, not less than 9 months and in
9 compliance with Section 10-19.05, of schools of all grades
10 and kinds, including normal schools, high schools, night
11 schools, schools for defectives and delinquents, parental
12 and truant schools, schools for the blind, the deaf, and
13 persons with physical disabilities, schools or classes in
14 manual training, constructural and vocational teaching,
15 domestic arts, and physical culture, vocation and
16 extension schools and lecture courses, and all other
17 educational courses and facilities, including
18 establishing, equipping, maintaining and operating
19 playgrounds and recreational programs, when such programs
20 are conducted in, adjacent to, or connected with any
21 public school under the general supervision and
22 jurisdiction of the board; provided that the calendar for
23 the school term and any changes must be submitted to and
24 approved by the State Board of Education before the
25 calendar or changes may take effect, and provided that in
26 allocating funds from year to year for the operation of

1 all attendance centers within the district, the board
2 shall ensure that supplemental general State aid or
3 supplemental grant funds are allocated and applied in
4 accordance with Section 18-8, 18-8.05, or 18-8.15. To
5 admit to such schools without charge foreign exchange
6 students who are participants in an organized exchange
7 student program which is authorized by the board. The
8 board shall permit all students to enroll in
9 apprenticeship programs in trade schools operated by the
10 board, whether those programs are union-sponsored or not.
11 No student shall be refused admission into or be excluded
12 from any course of instruction offered in the common
13 schools by reason of that student's sex. No student shall
14 be denied equal access to physical education and
15 interscholastic athletic programs supported from school
16 district funds or denied participation in comparable
17 physical education and athletic programs solely by reason
18 of the student's sex. Equal access to programs supported
19 from school district funds and comparable programs will be
20 defined in rules promulgated by the State Board of
21 Education in consultation with the Illinois High School
22 Association. Notwithstanding any other provision of this
23 Article, neither the board of education nor any local
24 school council or other school official shall recommend
25 that children with disabilities be placed into regular
26 education classrooms unless those children with

1 disabilities are provided with supplementary services to
2 assist them so that they benefit from the regular
3 classroom instruction and are included on the teacher's
4 regular education class register;

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

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

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

13 5. To employ dentists and prescribe their duties for
14 the purpose of treating the pupils in the schools, but
15 accepting such treatment shall be optional with parents or
16 guardians;

17 6. To grant the use of assembly halls and classrooms
18 when not otherwise needed, including light, heat, and
19 attendants, for free public lectures, concerts, and other
20 educational and social interests, free of charge, under
21 such provisions and control as the principal of the
22 affected attendance center may prescribe;

23 7. To apportion the pupils to the several schools;
24 provided that no pupil shall be excluded from or
25 segregated in any such school on account of his color,
26 race, sex, or nationality. The board shall take into

1 consideration the prevention of segregation and the
2 elimination of separation of children in public schools
3 because of color, race, sex, or nationality. Except that
4 children may be committed to or attend parental and social
5 adjustment schools established and maintained either for
6 boys or girls only. All records pertaining to the
7 creation, alteration or revision of attendance areas shall
8 be open to the public. Nothing herein shall limit the
9 board's authority to establish multi-area attendance
10 centers or other student assignment systems for
11 desegregation purposes or otherwise, and to apportion the
12 pupils to the several schools. Furthermore, beginning in
13 school year 1994-95, pursuant to a board plan adopted by
14 October 1, 1993, the board shall offer, commencing on a
15 phased-in basis, the opportunity for families within the
16 school district to apply for enrollment of their children
17 in any attendance center within the school district which
18 does not have selective admission requirements approved by
19 the board. The appropriate geographical area in which such
20 open enrollment may be exercised shall be determined by
21 the board of education. Such children may be admitted to
22 any such attendance center on a space available basis
23 after all children residing within such attendance
24 center's area have been accommodated. If the number of
25 applicants from outside the attendance area exceed the
26 space available, then successful applicants shall be

1 selected by lottery. The board of education's open
2 enrollment plan must include provisions that allow
3 low-income students to have access to transportation
4 needed to exercise school choice. Open enrollment shall be
5 in compliance with the provisions of the Consent Decree
6 and Desegregation Plan cited in Section 34-1.01;

7 8. To approve programs and policies for providing
8 transportation services to students. Nothing herein shall
9 be construed to permit or empower the State Board of
10 Education to order, mandate, or require busing or other
11 transportation of pupils for the purpose of achieving
12 racial balance in any school;

13 9. Subject to the limitations in this Article, to
14 establish and approve system-wide curriculum objectives
15 and standards, including graduation standards, which
16 reflect the multi-cultural diversity in the city and are
17 consistent with State law, provided that for all purposes
18 of this Article courses or proficiency in American Sign
19 Language shall be deemed to constitute courses or
20 proficiency in a foreign language; and to employ
21 principals and teachers, appointed as provided in this
22 Article, and fix their compensation. The board shall
23 prepare such reports related to minimal competency testing
24 as may be requested by the State Board of Education and, in
25 addition, shall monitor and approve special education and
26 bilingual education programs and policies within the

1 district to ensure that appropriate services are provided
2 in accordance with applicable State and federal laws to
3 children requiring services and education in those areas;

4 10. To employ non-teaching personnel or utilize
5 volunteer personnel for: (i) non-teaching duties not
6 requiring instructional judgment or evaluation of pupils,
7 including library duties; and (ii) supervising study
8 halls, long distance teaching reception areas used
9 incident to instructional programs transmitted by
10 electronic media such as computers, video, and audio,
11 detention and discipline areas, and school-sponsored
12 extracurricular activities. The board may further utilize
13 volunteer nonlicensed personnel or employ nonlicensed
14 personnel to assist in the instruction of pupils under the
15 immediate supervision of a teacher holding a valid
16 educator license, directly engaged in teaching subject
17 matter or conducting activities; provided that the teacher
18 shall be continuously aware of the nonlicensed persons'
19 activities and shall be able to control or modify them.
20 The general superintendent shall determine qualifications
21 of such personnel and shall prescribe rules for
22 determining the duties and activities to be assigned to
23 such personnel;

24 10.5. To utilize volunteer personnel from a regional
25 School Crisis Assistance Team (S.C.A.T.), created as part
26 of the Safe to Learn Program established pursuant to

1 Section 25 of the Illinois Violence Prevention Act of
2 1995, to provide assistance to schools in times of
3 violence or other traumatic incidents within a school
4 community by providing crisis intervention services to
5 lessen the effects of emotional trauma on individuals and
6 the community; the School Crisis Assistance Team Steering
7 Committee shall determine the qualifications for
8 volunteers;

9 11. To provide television studio facilities in not to
10 exceed one school building and to provide programs for
11 educational purposes, provided, however, that the board
12 shall not construct, acquire, operate, or maintain a
13 television transmitter; to grant the use of its studio
14 facilities to a licensed television station located in the
15 school district; and to maintain and operate not to exceed
16 one school radio transmitting station and provide programs
17 for educational purposes;

18 12. To offer, if deemed appropriate, outdoor education
19 courses, including field trips within the State of
20 Illinois, or adjacent states, and to use school
21 educational funds for the expense of the said outdoor
22 educational programs, whether within the school district
23 or not;

24 13. During that period of the calendar year not
25 embraced within the regular school term, to provide and
26 conduct courses in subject matters normally embraced in

1 the program of the schools during the regular school term
2 and to give regular school credit for satisfactory
3 completion by the student of such courses as may be
4 approved for credit by the State Board of Education;

5 14. To insure against any loss or liability of the
6 board, the former School Board Nominating Commission,
7 Local School Councils, the Chicago Schools Academic
8 Accountability Council, or the former Subdistrict Councils
9 or of any member, officer, agent, or employee thereof,
10 resulting from alleged violations of civil rights arising
11 from incidents occurring on or after September 5, 1967 or
12 from the wrongful or negligent act or omission of any such
13 person whether occurring within or without the school
14 premises, provided the officer, agent, or employee was, at
15 the time of the alleged violation of civil rights or
16 wrongful act or omission, acting within the scope of his
17 or her employment or under direction of the board, the
18 former School Board Nominating Commission, the Chicago
19 Schools Academic Accountability Council, Local School
20 Councils, or the former Subdistrict Councils; and to
21 provide for or participate in insurance plans for its
22 officers and employees, including, but not limited to,
23 retirement annuities, medical, surgical and
24 hospitalization benefits in such types and amounts as may
25 be determined by the board; provided, however, that the
26 board shall contract for such insurance only with an

1 insurance company authorized to do business in this State.
2 Such insurance may include provision for employees who
3 rely on treatment by prayer or spiritual means alone for
4 healing, in accordance with the tenets and practice of a
5 recognized religious denomination;

6 15. To contract with the corporate authorities of any
7 municipality or the county board of any county, as the
8 case may be, to provide for the regulation of traffic in
9 parking areas of property used for school purposes, in
10 such manner as is provided by Section 11-209 of the
11 Illinois Vehicle Code;

12 16. (a) To provide, on an equal basis, access to a high
13 school campus and student directory information to the
14 official recruiting representatives of the armed forces of
15 Illinois and the United States for the purposes of
16 informing students of the educational and career
17 opportunities available in the military if the board has
18 provided such access to persons or groups whose purpose is
19 to acquaint students with educational or occupational
20 opportunities available to them. The board is not required
21 to give greater notice regarding the right of access to
22 recruiting representatives than is given to other persons
23 and groups. In this paragraph 16, "directory information"
24 means a high school student's name, address, and telephone
25 number.

26 (b) If a student or his or her parent or guardian

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

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

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

25 17. (a) To sell or market any computer program
26 developed by an employee of the school district, provided

1 that such employee developed the computer program as a
2 direct result of his or her duties with the school
3 district or through the utilization of school district
4 resources or facilities. The employee who developed the
5 computer program shall be entitled to share in the
6 proceeds of such sale or marketing of the computer
7 program. The distribution of such proceeds between the
8 employee and the school district shall be as agreed upon
9 by the employee and the school district, except that
10 neither the employee nor the school district may receive
11 more than 90% of such proceeds. The negotiation for an
12 employee who is represented by an exclusive bargaining
13 representative may be conducted by such bargaining
14 representative at the employee's request.

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

16 (1) "Computer" means an internally programmed,
17 general purpose digital device capable of
18 automatically accepting data, processing data and
19 supplying the results of the operation.

20 (2) "Computer program" means a series of coded
21 instructions or statements in a form acceptable to a
22 computer, which causes the computer to process data in
23 order to achieve a certain result.

24 (3) "Proceeds" means profits derived from the
25 marketing or sale of a product after deducting the
26 expenses of developing and marketing such product;

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

4 19. Upon the written request of an employee, to
5 withhold from the compensation of that employee any dues,
6 payments, or contributions payable by such employee to any
7 labor organization as defined in the Illinois Educational
8 Labor Relations Act. Under such arrangement, an amount
9 shall be withheld from each regular payroll period which
10 is equal to the pro rata share of the annual dues plus any
11 payments or contributions, and the board shall transmit
12 such withholdings to the specified labor organization
13 within 10 working days from the time of the withholding;

14 19a. Upon receipt of notice from the comptroller of a
15 municipality with a population of 500,000 or more, a
16 county with a population of 3,000,000 or more, the Cook
17 County Forest Preserve District, the Chicago Park
18 District, the Metropolitan Water Reclamation District, the
19 Chicago Transit Authority, or a housing authority of a
20 municipality with a population of 500,000 or more that a
21 debt is due and owing the municipality, the county, the
22 Cook County Forest Preserve District, the Chicago Park
23 District, the Metropolitan Water Reclamation District, the
24 Chicago Transit Authority, or the housing authority by an
25 employee of the Chicago Board of Education, to withhold,
26 from the compensation of that employee, the amount of the

1 debt that is due and owing and pay the amount withheld to
2 the municipality, the county, the Cook County Forest
3 Preserve District, the Chicago Park District, the
4 Metropolitan Water Reclamation District, the Chicago
5 Transit Authority, or the housing authority; provided,
6 however, that the amount deducted from any one salary or
7 wage payment shall not exceed 25% of the net amount of the
8 payment. Before the Board deducts any amount from any
9 salary or wage of an employee under this paragraph, the
10 municipality, the county, the Cook County Forest Preserve
11 District, the Chicago Park District, the Metropolitan
12 Water Reclamation District, the Chicago Transit Authority,
13 or the housing authority shall certify that (i) the
14 employee has been afforded an opportunity for a hearing to
15 dispute the debt that is due and owing the municipality,
16 the county, the Cook County Forest Preserve District, the
17 Chicago Park District, the Metropolitan Water Reclamation
18 District, the Chicago Transit Authority, or the housing
19 authority and (ii) the employee has received notice of a
20 wage deduction order and has been afforded an opportunity
21 for a hearing to object to the order. For purposes of this
22 paragraph, "net amount" means that part of the salary or
23 wage payment remaining after the deduction of any amounts
24 required by law to be deducted and "debt due and owing"
25 means (i) a specified sum of money owed to the
26 municipality, the county, the Cook County Forest Preserve

1 District, the Chicago Park District, the Metropolitan
2 Water Reclamation District, the Chicago Transit Authority,
3 or the housing authority for services, work, or goods,
4 after the period granted for payment has expired, or (ii)
5 a specified sum of money owed to the municipality, the
6 county, the Cook County Forest Preserve District, the
7 Chicago Park District, the Metropolitan Water Reclamation
8 District, the Chicago Transit Authority, or the housing
9 authority pursuant to a court order or order of an
10 administrative hearing officer after the exhaustion of, or
11 the failure to exhaust, judicial review;

12 20. The board shall ~~is encouraged to~~ employ a
13 sufficient number of licensed school counselors to
14 maintain a student/counselor ratio of 250 to 1. Each
15 counselor shall spend at least 75% of the counselor's ~~his~~
16 work time in direct contact with students and shall
17 maintain a record of such time. Each counselor shall meet
18 with the counselor's assigned students at least once each
19 month;

20 21. To make available to students vocational and
21 career counseling and to establish 5 special career
22 counseling days for students and parents. On these days
23 representatives of local businesses and industries shall
24 be invited to the school campus and shall inform students
25 of career opportunities available to them in the various
26 businesses and industries. Special consideration shall be

1 given to counseling minority students as to career
2 opportunities available to them in various fields. For the
3 purposes of this paragraph, minority student means a
4 person who is any of the following:

5 (a) American Indian or Alaska Native (a person having
6 origins in any of the original peoples of North and South
7 America, including Central America, and who maintains
8 tribal affiliation or community attachment).

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

14 (c) Black or African American (a person having origins
15 in any of the black racial groups of Africa).

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

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

22 Counseling days shall not be in lieu of regular school
23 days;

24 22. To report to the State Board of Education the
25 annual student dropout rate and number of students who
26 graduate from, transfer from, or otherwise leave bilingual

1 programs;

2 23. Except as otherwise provided in the Abused and
3 Neglected Child Reporting Act or other applicable State or
4 federal law, to permit school officials to withhold, from
5 any person, information on the whereabouts of any child
6 removed from school premises when the child has been taken
7 into protective custody as a victim of suspected child
8 abuse. School officials shall direct such person to the
9 Department of Children and Family Services or to the local
10 law enforcement agency, if appropriate;

11 24. To develop a policy, based on the current state of
12 existing school facilities, projected enrollment, and
13 efficient utilization of available resources, for capital
14 improvement of schools and school buildings within the
15 district, addressing in that policy both the relative
16 priority for major repairs, renovations, and additions to
17 school facilities and the advisability or necessity of
18 building new school facilities or closing existing schools
19 to meet current or projected demographic patterns within
20 the district;

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

25 26. To encourage mid-career changes into the teaching
26 profession, whereby qualified professionals become

1 licensed teachers, by allowing credit for professional
2 employment in related fields when determining point of
3 entry on the teacher pay scale;

4 27. To provide or contract out training programs for
5 administrative personnel and principals with revised or
6 expanded duties pursuant to this Code in order to ensure
7 they have the knowledge and skills to perform their
8 duties;

9 28. To establish a fund for the prioritized special
10 needs programs, and to allocate such funds and other lump
11 sum amounts to each attendance center in a manner
12 consistent with the provisions of part 4 of Section
13 34-2.3. Nothing in this paragraph shall be construed to
14 require any additional appropriations of State funds for
15 this purpose;

16 29. (Blank);

17 30. Notwithstanding any other provision of this Act or
18 any other law to the contrary, to contract with third
19 parties for services otherwise performed by employees,
20 including those in a bargaining unit, and to layoff those
21 employees upon 14 days written notice to the affected
22 employees. Those contracts may be for a period not to
23 exceed 5 years and may be awarded on a system-wide basis.
24 The board may not operate more than 30 contract schools,
25 provided that the board may operate an additional 5
26 contract turnaround schools pursuant to item (5.5) of

1 subsection (d) of Section 34-8.3 of this Code, and the
2 governing bodies of contract schools are subject to the
3 Freedom of Information Act and Open Meetings Act;

4 31. To promulgate rules establishing procedures
5 governing the layoff or reduction in force of employees
6 and the recall of such employees, including, but not
7 limited to, criteria for such layoffs, reductions in force
8 or recall rights of such employees and the weight to be
9 given to any particular criterion. Such criteria shall
10 take into account factors, including, but not limited to,
11 qualifications, certifications, experience, performance
12 ratings or evaluations, and any other factors relating to
13 an employee's job performance;

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

16 33. (Blank); and

17 34. To establish a Labor Management Council to the
18 board comprised of representatives of the board, the chief
19 executive officer, and those labor organizations that are
20 the exclusive representatives of employees of the board
21 and to promulgate policies and procedures for the
22 operation of the Council.

23 The specifications of the powers herein granted are not to
24 be construed as exclusive, but the board shall also exercise
25 all other powers that may be requisite or proper for the
26 maintenance and the development of a public school system, not

1 inconsistent with the other provisions of this Article or
2 provisions of this Code which apply to all school districts.

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

8 (Source: P.A. 101-12, eff. 7-1-19; 101-88, eff. 1-1-20;
9 102-465, eff. 1-1-22; 102-558, eff. 8-20-21; 102-894, eff.
10 5-20-22.)