



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5863

Introduced 2/10/2010, by Rep. Roger L. Eddy

SYNOPSIS AS INTRODUCED:

105 ILCS 5/21-9

from Ch. 122, par. 21-9

Amends the School Code. Provides that, in order to substitute teach in the public schools, a person holding a valid substitute teacher's certificate or a person holding a valid early childhood certificate, a valid elementary certificate, a valid high school certificate, or a valid special certificate shall register as a substitute teacher with the regional superintendent of schools in each educational service region where the person will be employed. Provides that a person who registers as a substitute teacher with the regional superintendent of schools is responsible for the payment of fees to register the certificate for its period of validity, authorization of a criminal history records check and checks of the Statewide Sex Offender Database and Statewide Child Murderer and Violent Offender Against Youth Database, payment of the cost of the criminal history records check and checks of the Statewide Sex Offender Database and Statewide Child Murderer and Violent Offender Against Youth Database, and providing evidence of physical fitness and freedom from communicable disease, including tuberculosis. Requires the regional superintendent of schools to maintain a file for each registered substitute teacher in the educational service region that includes that information and to issue a signed and sealed certificate of authorization to the substitute teacher. Provides that the certificate shall be presented to all prospective employing school districts in the educational service region, who shall photocopy the certificate and keep a copy of the certificate with employment records for the substitute teacher. Requires the State Board of Education to maintain a centralized electronic database of substitute teacher registrations that includes data from each educational service region.

LRB096 18304 NHT 33679 b

FISCAL NOTE ACT
MAY APPLY

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 Section
5 21-9 as follows:

6 (105 ILCS 5/21-9) (from Ch. 122, par. 21-9)

7 Sec. 21-9. Substitute certificates and substitute
8 teaching.

9 (a) A substitute teacher's certificate may be issued for
10 teaching in all grades of the common schools. Such certificate
11 may be issued upon request of the regional superintendent of
12 schools of any region in which the teacher is to teach. A
13 substitute teacher's certificate is valid for teaching in the
14 public schools of any county. Such certificate may be issued to
15 persons who either (a) hold a certificate valid for teaching in
16 the common schools as shown on the face of the certificate, (b)
17 hold a bachelor of arts degree from an institution of higher
18 learning accredited by the North Central Association or other
19 comparable regional accrediting association or have been
20 graduated from a recognized institution of higher learning with
21 a bachelor's degree, or (c) have had 2 years of teaching
22 experience and meet such other rules and regulations as may be
23 adopted by the State Board of Education in consultation with

1 the State Teacher Certification Board. Such certificate shall
2 expire on June 30 in the fourth year from date of issue.
3 Substitute teacher's certificates are not subject to
4 endorsement as described in Section 21-1b of this Code.

5 (b) A teacher holding a substitute teacher's certificate
6 may teach only in the place of a certified teacher who is under
7 contract with the employing board and may teach only when no
8 appropriate fully certified teacher is available to teach in a
9 substitute capacity. A teacher holding an early childhood
10 certificate, an elementary certificate, a high school
11 certificate, or a special certificate may also substitute teach
12 in grades K-12 but only in the place of a certified teacher who
13 is under contract with the employing board. A substitute
14 teacher may teach only for a period not to exceed 90 paid
15 school days or 450 paid school hours in any one school district
16 in any one school term. However, a teacher holding an early
17 childhood, elementary, high school, or special certificate may
18 substitute teach for a period not to exceed 120 paid school
19 days or 600 paid school hours in any one school district in any
20 one school term. Where such teaching is partly on a daily and
21 partly on an hourly basis, a school day shall be considered as
22 5 hours. The teaching limitations imposed by this subsection
23 upon teachers holding substitute certificates shall not apply
24 in any school district operating under Article 34.

25 (c) In order to substitute teach in the public schools, a
26 person holding a valid substitute teacher's certificate or a

1 person holding a valid early childhood certificate, a valid
2 elementary certificate, a valid high school certificate, or a
3 valid special certificate shall register as a substitute
4 teacher with the regional superintendent of schools in each
5 educational service region where the person will be employed. A
6 person who registers as a substitute teacher with the regional
7 superintendent of schools is responsible for (1) the payment of
8 fees to register the certificate for its period of validity,
9 (2) authorization of a criminal history records check and
10 checks of the Statewide Sex Offender Database and Statewide
11 Child Murderer and Violent Offender Against Youth Database, as
12 provided in Section 10-21.9 of this Code, (3) payment of the
13 cost of the criminal history records check and checks of the
14 Statewide Sex Offender Database and Statewide Child Murderer
15 and Violent Offender Against Youth Database, and (4) providing
16 evidence of physical fitness and freedom from communicable
17 disease, including tuberculosis, which may consist of a
18 physical examination and a tuberculin skin test as required by
19 Section 24-5 of this Code.

20 The regional superintendent of schools shall maintain a
21 file for each registered substitute teacher in the educational
22 service region that includes a copy of the person's
23 certificate, the results from the criminal history records
24 check and checks of the Statewide Sex Offender Database and
25 Statewide Child Murderer and Violent Offender Against Youth
26 Database, a copy of the physical examination, and a copy of the

1 tuberculin skin test. The regional superintendent of schools
2 shall issue a signed and sealed certificate of authorization to
3 the substitute teacher that verifies that the substitute
4 teacher has completed the registration process and criminal
5 history records check and checks of the Statewide Sex Offender
6 Database and Statewide Child Murderer and Violent Offender
7 Against Youth Database and has a physical examination and
8 negative tuberculin test on file with the regional
9 superintendent of schools and is thereby approved to substitute
10 teach in the public schools of the educational service region.
11 This certificate must be presented to all prospective employing
12 school districts in the educational service region, who shall
13 photocopy the certificate and keep a copy of the certificate
14 with employment records for the substitute teacher.

15 Persons wishing to substitute teach in more than one
16 educational service region shall register as a substitute
17 teacher with the appropriate regional superintendent of
18 schools. The registration process shall include all items
19 listed in the first paragraph of this subsection (b), with the
20 exception of the authorization of a criminal history records
21 check and checks of the Statewide Sex Offender Database and
22 Statewide Child Murderer and Violent Offender Against Youth
23 Database and the accompanying payment of associated fees. If
24 the substitute teacher has been issued a signed and sealed
25 certificate of authorization from another regional
26 superintendent of schools, the registering entity may

1 photocopy the certificate for its files and verify the
2 substitute teacher's registration status using a centralized
3 electronic database of substitute teacher registrations.

4 The State Board of Education shall maintain a centralized
5 electronic database of substitute teacher registrations that
6 includes data from each educational service region. The
7 regional superintendent of schools shall verify to the State
8 Board of Education that a criminal history records check and
9 checks of the Statewide Sex Offender Database and Statewide
10 Child Murderer and Violent Offender Against Youth Database has
11 been conducted and is on file in the main office of the
12 regional superintendent of schools. The centralized electronic
13 database of substitute teacher registrations shall be
14 accessible via the Internet by regional superintendents of
15 schools and their designees and must be used to verify that a
16 criminal history records check and checks of the Statewide Sex
17 Offender Database and Statewide Child Murderer and Violent
18 Offender Against Youth Database have been conducted and are on
19 file for any substitute teacher wishing to register in multiple
20 educational service regions so that the cost of a criminal
21 history records check and checks of the Statewide Sex Offender
22 Database and Statewide Child Murderer and Violent Offender
23 Against Youth Database is incurred only once by a substitute
24 teacher over the validity period of the certificate.

25 The State Board of Education and the regional
26 superintendents of schools shall collaborate in establishing

1 the specifications and guidelines for the creation and use of
2 the centralized electronic database of substitute teacher
3 registrations.

4 (Source: P.A. 92-184, eff. 7-27-01; 93-679, eff. 6-30-04.)