



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB0261

Introduced 2/4/2009, by Sen. Michael Noland

SYNOPSIS AS INTRODUCED:

105 ILCS 5/24-6

from Ch. 122, par. 24-6

30 ILCS 805/8.33 new

Amends the School Code. In provisions concerning sick leave for certain employees of school districts other than Chicago, provides that if an employee other than a teacher does not use the full amount of annual leave allowed, the unused amount shall be allowed to accumulate to a minimum available leave of 240 (instead of 180) days at full pay, including the leave of the current year. Provides that if an employee other than a teacher is subject to a reduction in force, the employing district shall maintain on its records all accumulated sick leave days, which must be recredited to the employee at the time of recall. Provides that if the employee is not recalled, then the district shall pay the employee, at the expiration of the recall period, the cash value for all accumulated sick leave at the daily rate of pay at the time of the layoff. Amends the State Mandates Act to require implementation without reimbursement.

LRB096 05623 NHT 15689 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 Section
5 24-6 as follows:

6 (105 ILCS 5/24-6) (from Ch. 122, par. 24-6)

7 Sec. 24-6. Sick leave. The school boards of all school
8 districts, including special charter districts, but not
9 including school districts in municipalities of 500,000 or
10 more, shall grant their full-time teachers, and also shall
11 grant such of their other employees as are eligible to
12 participate in the Illinois Municipal Retirement Fund under the
13 "600-Hour Standard" established, or under such other
14 eligibility participation standard as may from time to time be
15 established, by rules and regulations now or hereafter
16 promulgated by the Board of that Fund under Section 7-198 of
17 the Illinois Pension Code, as now or hereafter amended, sick
18 leave provisions not less in amount than 10 days at full pay in
19 each school year. If any such teacher ~~or employee~~ does not use
20 the full amount of annual leave thus allowed, the unused amount
21 shall be allowed to accumulate to a minimum available leave of
22 180 days at full pay, including the leave of the current year.
23 If an employee other than a teacher under this Section does not

1 use the full amount of annual leave thus allowed, the unused
2 amount shall be allowed to accumulate to a minimum available
3 leave of 240 days at full pay, including the leave of the
4 current year. If an employee other than a teacher under this
5 Section is subject to a reduction in force, the employing
6 district shall maintain on its records all accumulated sick
7 leave days, which must be reccredited to the employee at the
8 time of recall. If the employee is not recalled, then the
9 district shall pay the employee, at the expiration of the
10 recall period, the cash value for all accumulated sick leave at
11 the daily rate of pay at the time of the layoff. Sick leave
12 shall be interpreted to mean personal illness, quarantine at
13 home, serious illness or death in the immediate family or
14 household, or birth, adoption, or placement for adoption. The
15 school board may require a certificate from a physician
16 licensed in Illinois to practice medicine and surgery in all
17 its branches, an advanced practice nurse who has a written
18 collaborative agreement with a collaborating physician that
19 authorizes the advanced practice nurse to perform health
20 examinations, or a physician assistant who has been delegated
21 the authority to perform health examinations by his or her
22 supervising physician, or if the treatment is by prayer or
23 spiritual means, that of a spiritual adviser or practitioner of
24 such person's faith, as a basis for pay during leave after an
25 absence of 3 days for personal illness, or as it may deem
26 necessary in other cases. If the school board does require a

1 certificate as a basis for pay during leave of less than 3
2 days, the school board shall pay, from school funds, the
3 expenses incurred by the teachers or other employees in
4 obtaining the certificate.

5 If, by reason of any change in the boundaries of school
6 districts, or by reason of the creation of a new school
7 district, the employment of a teacher is transferred to a new
8 or different board, the accumulated sick leave of such teacher
9 is not thereby lost, but is transferred to such new or
10 different district.

11 For purposes of this Section, "immediate family" shall
12 include parents, spouse, brothers, sisters, children,
13 grandparents, grandchildren, parents-in-law, brothers-in-law,
14 sisters-in-law, and legal guardians.

15 (Source: P.A. 94-350, eff. 7-28-05; 95-151, eff. 8-14-07.)

16 Section 90. The State Mandates Act is amended by adding
17 Section 8.33 as follows:

18 (30 ILCS 805/8.33 new)

19 Sec. 8.33. Exempt mandate. Notwithstanding Sections 6 and 8
20 of this Act, no reimbursement by the State is required for the
21 implementation of any mandate created by this amendatory Act of
22 the 96th General Assembly.