

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 2-3.11, 2-3.11c, 2-3.25a, 2-3.25b, 2-3.25d, 2-3.31, 2-3.66,
6 2-3.73, 2-3.89, 2-3.117a, 2-3.137, 3-14.21, 10-20.26, 18-3,
7 18-12, 26-3d, 27-13.3, 27-17, 27-24.2, 27-24.4, 27-24.5,
8 27-24.6, 27A-5, and 27A-8 as follows:

9 (105 ILCS 5/2-3.11) (from Ch. 122, par. 2-3.11)

10 Sec. 2-3.11. Report to Governor and General Assembly. To
11 ~~Using the most recently available data, to~~ report to the
12 Governor and General Assembly annually on or before January 14
13 the condition of the schools of the State using the most
14 recently available data ~~for the preceding year, ending on June~~
15 ~~30.~~

16 Such annual report shall contain reports of the State
17 Teacher Certification Board; the schools of the State
18 charitable institutions; reports on driver education, special
19 education, and transportation; and for such year the annual
20 statistical reports of the State Board of Education, including
21 the number and kinds of school districts; number of school
22 attendance centers; number of men and women teachers;
23 enrollment by grades; total enrollment; total days attendance;

1 total days absence; average daily attendance; number of
2 elementary and secondary school graduates; assessed valuation;
3 tax levies and tax rates for various purposes; amount of
4 teachers' orders, anticipation warrants, and bonds
5 outstanding; and number of men and women teachers and total
6 enrollment of private schools. The report shall give for all
7 school districts receipts from all sources and expenditures for
8 all purposes for each fund; the total operating expense, the
9 per capita cost, and instructional expenditures; federal and
10 state aids and reimbursements; new school buildings, and
11 recognized schools; together with such other information and
12 suggestions as the State Board of Education may deem important
13 in relation to the schools and school laws and the means of
14 promoting education throughout the state.

15 In this Section, "instructional expenditures" means the
16 annual expenditures of school districts properly attributable
17 to expenditure functions defined in rules of the State Board of
18 Education as: 1100 (Regular Education); 1200-1220 (Special
19 Education); 1250 (Ed. Deprived/Remedial); 1400 (Vocational
20 Programs); 1600 (Summer School); 1650 (Gifted); 1800
21 (Bilingual Programs); 1900 (Truant Alternative); 2110
22 (Attendance and Social Work Services); 2120 (Guidance
23 Services); 2130 (Health Services); 2140 (Psychological
24 Services); 2150 (Speech Pathology and Audiology Services);
25 2190 (Other Support Services Pupils); 2210 (Improvement of
26 Instruction); 2220 (Educational Media Services); 2230

1 (Assessment and Testing); 2540 (Operation and Maintenance of
2 Plant Services); 2550 (Pupil Transportation Service); 2560
3 (Food Service); 4110 (Payments for Regular Programs); 4120
4 (Payments for Special Education Programs); 4130 (Payments for
5 Adult Education Programs); 4140 (Payments for Vocational
6 Education Programs); 4170 (Payments for Community College
7 Programs); 4190 (Other payments to in-state government units);
8 and 4200 (Other payments to out of state government units).
9 (Source: P.A. 95-793, eff. 1-1-09.)

10 (105 ILCS 5/2-3.11c)

11 Sec. 2-3.11c. Teacher supply and demand report. Through
12 January 1, 2009, to ~~Fe~~ report annually, on or before January 1,
13 on the relative supply and demand for education staff of the
14 public schools to the Governor, to the General Assembly, and to
15 institutions of higher education that prepare teachers,
16 administrators, school service personnel, other certificated
17 individuals, and other professionals employed by school
18 districts or joint agreements. After the report due on January
19 1, 2009 is submitted, future reports shall be submitted once
20 every 3 years, with the first report being submitted on or
21 before January 1, 2011. The report shall contain the following
22 information:

23 (1) the relative supply and demand for teachers,
24 administrators, and other certificated and
25 non-certificated personnel by field, content area, and

1 levels;

2 (2) State and regional analyses of fields, content
3 areas, and levels with an over-supply or under-supply of
4 educators; and

5 (3) projections of likely high demand and low demand
6 for educators, in a manner sufficient to advise the public,
7 individuals, and institutions regarding career
8 opportunities in education.

9 (Source: P.A. 91-102, eff. 7-12-99.)

10 (105 ILCS 5/2-3.25a) (from Ch. 122, par. 2-3.25a)

11 Sec. 2-3.25a. "School district" defined; additional
12 standards.

13 (a) For the purposes of this Section and Sections 3.25b,
14 3.25c, 3.25d, 3.25e, and 3.25f of this Code, "school district"
15 includes other public entities responsible for administering
16 public schools, such as cooperatives, joint agreements,
17 charter schools, special charter districts, regional offices
18 of education, local agencies, and the Department of Human
19 Services.

20 (b) In addition to the standards established pursuant to
21 Section 2-3.25, the State Board of Education shall develop
22 recognition standards for student performance and school
23 improvement in all public schools operated by school districts.
24 The indicators to determine adequate yearly progress shall be
25 limited to the State assessment of student performance in

1 reading and mathematics, student attendance rates at the
2 elementary school level, graduation rates at the high school
3 level, and participation rates on student assessments. ~~Unless~~
4 ~~the federal government formally disapproves of such policy~~
5 ~~through the submission and review process for the Illinois~~
6 ~~Accountability Workbook, the indicators to determine adequate~~
7 ~~yearly progress for children with disabilities shall be based~~
8 ~~on their individualized education plans.~~ The standards shall be
9 designed to permit the measurement of student performance and
10 school improvement by schools and school districts compared to
11 student performance and school improvement for the preceding
12 academic years.

13 (Source: P.A. 93-470, eff. 8-8-03; 94-666, eff. 8-23-05.)

14 (105 ILCS 5/2-3.25b) (from Ch. 122, par. 2-3.25b)

15 Sec. 2-3.25b. Recognition levels. The State Board of
16 Education shall, consistent with adopted recognition
17 standards, provide for levels of recognition or
18 nonrecognition. The State Board of Education shall promulgate
19 rules governing the procedures whereby school districts may
20 appeal a recognition level.

21 The State Board of Education shall have the authority to
22 collect from schools and school districts the information,
23 data, test results, student performance and school improvement
24 indicators as may be necessary to implement and carry out the
25 purposes of this Act. Schools and school districts that fail to

1 submit accurate data within the State Board of Education's
2 timeframes may have federal funds withheld.

3 (Source: P.A. 93-470, eff. 8-8-03.)

4 (105 ILCS 5/2-3.25d) (from Ch. 122, par. 2-3.25d)

5 Sec. 2-3.25d. Academic early warning and watch status.

6 (a) Beginning with the 2005-2006 school year, unless the
7 federal government formally disapproves of such policy through
8 the submission and review process for the Illinois
9 Accountability Workbook, those schools that do not meet
10 adequate yearly progress criteria for 2 consecutive annual
11 calculations in the ~~same subgroup and in the~~ same subject or in
12 their participation rate, attendance rate, or graduation rate
13 shall be placed on academic early warning status for the next
14 school year. Schools on academic early warning status that do
15 not meet adequate yearly progress criteria for a third annual
16 calculation in the ~~same subgroup and in the~~ same subject or in
17 their participation rate, attendance rate, or graduation rate
18 shall remain on academic early warning status. Schools on
19 academic early warning status that do not meet adequate yearly
20 progress criteria for a fourth annual calculation in the ~~same~~
21 ~~subgroup and in the~~ same subject or in their participation
22 rate, attendance rate, or graduation rate shall be placed on
23 initial academic watch status. Schools on academic watch status
24 that do not meet adequate yearly progress criteria for a fifth
25 or subsequent annual calculation in the ~~same subgroup and in~~

1 ~~the~~ same subject or in their participation rate, attendance
2 rate, or graduation rate shall remain on academic watch status.
3 Schools on academic early warning or academic watch status that
4 meet adequate yearly progress criteria for 2 consecutive
5 calculations ~~one annual calculation~~ shall be considered as
6 having met expectations and shall be removed from any status
7 designation.

8 The school district of a school placed on either academic
9 early warning status or academic watch status may appeal the
10 status to the State Board of Education in accordance with
11 Section 2-3.25m of this Code.

12 A school district that has one or more schools on academic
13 early warning or academic watch status shall prepare a revised
14 School Improvement Plan or amendments thereto setting forth the
15 district's expectations for removing each school from academic
16 early warning or academic watch status and for improving
17 student performance in the affected school or schools.
18 Districts operating under Article 34 of this Code may prepare
19 the School Improvement Plan required under Section 34-2.4 of
20 this Code.

21 The revised School Improvement Plan for a school that is
22 initially placed on academic early warning status or that
23 remains on academic early warning status after a third annual
24 calculation must be approved by the school board (and by the
25 school's local school council in a district operating under
26 Article 34 of this Code, unless the school is on probation

1 pursuant to subsection (c) of Section 34-8.3 of this Code).

2 The revised School Improvement Plan for a school that is
3 initially placed on academic watch status after a fourth annual
4 calculation must be approved by the school board (and by the
5 school's local school council in a district operating under
6 Article 34 of this Code, unless the school is on probation
7 pursuant to subsection (c) of Section 34-8.3 of this Code).

8 The revised School Improvement Plan for a school that
9 remains on academic watch status after a fifth annual
10 calculation must be approved by the school board (and by the
11 school's local school council in a district operating under
12 Article 34 of this Code, unless the school is on probation
13 pursuant to subsection (c) of Section 34-8.3 of this Code). In
14 addition, the district must develop a school restructuring plan
15 for the school that must be approved by the school board (and
16 by the school's local school council in a district operating
17 under Article 34 of this Code).

18 A school on academic watch status that does not meet
19 adequate yearly progress criteria for a sixth annual
20 calculation shall implement its approved school restructuring
21 plan beginning with the next school year, subject to the State
22 interventions specified in Section 2-3.25f of this Code.

23 (b) Beginning with the 2005-2006 school year, unless the
24 federal government formally disapproves of such policy through
25 the submission and review process for the Illinois
26 Accountability Workbook, those school districts that do not

1 meet adequate yearly progress criteria for 2 consecutive annual
2 calculations in the ~~same subgroup and in the~~ same subject or in
3 their participation rate, attendance rate, or graduation rate
4 shall be placed on academic early warning status for the next
5 school year. Districts on academic early warning status that do
6 not meet adequate yearly progress criteria for a third annual
7 calculation in the ~~same subgroup and in the~~ same subject or in
8 their participation rate, attendance rate, or graduation rate
9 shall remain on academic early warning status. Districts on
10 academic early warning status that do not meet adequate yearly
11 progress criteria for a fourth annual calculation in the ~~same~~
12 ~~subgroup and in the~~ same subject or in their participation
13 rate, attendance rate, or graduation rate shall be placed on
14 initial academic watch status. Districts on academic watch
15 status that do not meet adequate yearly progress criteria for a
16 fifth or subsequent annual calculation in the ~~same subgroup and~~
17 ~~in the~~ same subject or in their participation rate, attendance
18 rate, or graduation rate shall remain on academic watch status.
19 Districts on academic early warning or academic watch status
20 that meet adequate yearly progress criteria for one annual
21 calculation shall be considered as having met expectations and
22 shall be removed from any status designation.

23 A district placed on either academic early warning status
24 or academic watch status may appeal the status to the State
25 Board of Education in accordance with Section 2-3.25m of this
26 Code.

1 Districts on academic early warning or academic watch
2 status shall prepare a District Improvement Plan or amendments
3 thereto setting forth the district's expectations for removing
4 the district from academic early warning or academic watch
5 status and for improving student performance in the district.

6 All District Improvement Plans must be approved by the
7 school board.

8 (c) All revised School and District Improvement Plans shall
9 be developed in collaboration with parents, staff in the
10 affected school or school district, and outside experts. All
11 revised School and District Improvement Plans shall be
12 developed, submitted, and monitored pursuant to rules adopted
13 by the State Board of Education. The revised Improvement Plan
14 shall address measurable outcomes for improving student
15 performance so that such performance meets adequate yearly
16 progress criteria as specified by the State Board of Education.
17 All school districts required to revise a School Improvement
18 Plan in accordance with this Section shall establish a peer
19 review process for the evaluation of School Improvement Plans.

20 (d) All federal requirements apply to schools and school
21 districts utilizing federal funds under Title I, Part A of the
22 federal Elementary and Secondary Education Act of 1965.

23 (e) The State Board of Education, from any moneys it may
24 have available for this purpose, must implement and administer
25 a grant program that provides 2-year grants to school districts
26 on the academic watch list and other school districts that have

1 the lowest achieving students, as determined by the State Board
2 of Education, to be used to improve student achievement. In
3 order to receive a grant under this program, a school district
4 must establish an accountability program. The accountability
5 program must involve the use of statewide testing standards and
6 local evaluation measures. A grant shall be automatically
7 renewed when achievement goals are met. The Board may adopt any
8 rules necessary to implement and administer this grant program.
9 (Source: P.A. 93-470, eff. 8-8-03; 93-890, eff. 8-9-04; 94-666,
10 eff. 8-23-05; 94-875, eff. 7-1-06.)

11 (105 ILCS 5/2-3.31) (from Ch. 122, par. 2-3.31)

12 Sec. 2-3.31. Data Division ~~Research~~ department. To
13 maintain a Data Division ~~research~~ department staffed with
14 competent, full-time persons whose duty it shall be to secure,
15 compile, catalog, publish and preserve information and data
16 relative to the public school system of Illinois, making such
17 comparison as will assist the General Assembly in determining
18 the priorities of educational programs to be of value to the
19 public school system of Illinois and of other states.

20 (Source: Laws 1965, p. 1985.)

21 (105 ILCS 5/2-3.66) (from Ch. 122, par. 2-3.66)

22 Sec. 2-3.66. Truants' alternative and optional education
23 programs. To establish ~~pilot~~ projects to offer modified
24 instructional programs or other services designed to prevent

1 students from dropping out of school, including programs
2 pursuant to Section 2-3.41, and to serve as a part time or full
3 time option in lieu of regular school attendance and to award
4 grants to local school districts, educational service regions
5 or community college districts from appropriated funds to
6 assist districts in establishing such projects. The education
7 agency may operate its own program or enter into a contract
8 with another not-for-profit entity to implement the program.
9 The ~~pilot~~ projects shall allow dropouts, up to and including
10 age 21, potential dropouts, including truants, uninvolved,
11 unmotivated and disaffected students, as defined by State Board
12 of Education rules and regulations, to enroll, as an
13 alternative to regular school attendance, in an optional
14 education program which may be established by school board
15 policy and is in conformance with rules adopted by the State
16 Board of Education. Truants' Alternative and Optional
17 Education programs funded pursuant to this Section shall be
18 planned by a student, the student's parents or legal guardians,
19 unless the student is 18 years or older, and school officials
20 and shall culminate in an individualized optional education
21 plan. Such plan shall focus on academic or vocational skills,
22 or both, and may include, but not be limited to, evening
23 school, summer school, community college courses, adult
24 education, preparation courses for the high school level test
25 of General Educational Development, vocational training, work
26 experience, programs to enhance self concept and parenting

1 courses. School districts which are awarded grants pursuant to
2 this Section shall be authorized to provide day care services
3 to children of students who are eligible and desire to enroll
4 in programs established and funded under this Section, but only
5 if and to the extent that such day care is necessary to enable
6 those eligible students to attend and participate in the
7 programs and courses which are conducted pursuant to this
8 Section. ~~The Board shall report on the status of the pilot~~
9 ~~projects pursuant to Section 1A-4.~~ School districts and
10 regional offices of education may claim general State aid under
11 Section 18-8.05 for students enrolled in truants' alternative
12 and optional education programs, provided that such students
13 are receiving services that are supplemental to a program
14 leading to a high school diploma and are otherwise eligible to
15 be claimed for general State aid under Section 18-8.05.

16 (Source: P.A. 90-802, eff. 12-15-98.)

17 (105 ILCS 5/2-3.73) (from Ch. 122, par. 2-3.73)

18 Sec. 2-3.73. Missing child program. The State Board of
19 Education shall administer and implement a missing child
20 program in accordance with the provisions of this Section. Upon
21 receipt of each periodic information bulletin from the
22 Department of State Police pursuant to Section 6 of the
23 Intergovernmental Missing Child Recovery Act of 1984, the State
24 Board of Education shall promptly disseminate the information
25 to each school district in this State and to the principal or

1 chief administrative officer of every nonpublic elementary and
2 secondary school in this State registered with the State Board
3 of Education. Upon receipt of such information, each school
4 board shall compare the names on the bulletin to the names of
5 all students presently enrolled in the schools of the district.
6 If a school board or its designee determines that a missing
7 child is attending one of the schools within the school
8 district, or if the principal or chief administrative officer
9 of a nonpublic school is notified by school personnel that a
10 missing child is attending that school, the school board or the
11 principal or chief administrative officer of the nonpublic
12 school shall immediately give notice of this fact to ~~the State~~
13 ~~Board of Education,~~ the Department of State Police, and the law
14 enforcement agency having jurisdiction in the area where the
15 missing child resides or attends school.

16 (Source: P.A. 95-793, eff. 1-1-09.)

17 (105 ILCS 5/2-3.89) (from Ch. 122, par. 2-3.89)

18 Sec. 2-3.89. Programs concerning services to at-risk
19 children and their families.

20 (a) The State Board of Education may provide grants to
21 eligible entities, as defined by the State Board of Education,
22 to establish programs which offer coordinated services to
23 at-risk infants and toddlers and their families. Each program
24 shall include a parent education program relating to the
25 development and nurturing of infants and toddlers and case

1 management services to coordinate existing services available
2 in the region served by the program. These services shall be
3 provided through the implementation of an individual family
4 service plan. Each program will have a community involvement
5 component to provide coordination in the service system.

6 (b) The State Board of Education shall administer the
7 programs through the grants to public school districts and
8 other eligible entities. These grants must be used to
9 supplement, not supplant, funds received from any other source.
10 School districts and other eligible entities receiving grants
11 pursuant to this Section shall conduct voluntary, intensive,
12 research-based, and comprehensive prevention services, as
13 defined by the State Board of Education, for expecting parents
14 and families with children from birth to age 3 who are at-risk
15 of academic failure. A public school district that receives a
16 grant under this Section may subcontract with other eligible
17 entities.

18 (c) The State Board of Education shall report to the
19 General Assembly by July 1, 2006 and every 2 years thereafter,
20 using the most current data available, on the status of
21 programs funded under this Section, including without
22 limitation characteristics of participants, services
23 delivered, program models used, unmet needs, and results of the
24 programs funded.

25 (Source: P.A. 94-506, eff. 8-8-05.)

1 (105 ILCS 5/2-3.117a)

2 Sec. 2-3.117a. School Technology Revolving Loan Program.

3 (a) The State Board of Education is authorized to
4 administer a School Technology Revolving Loan Program from
5 funds appropriated from the School Technology Revolving Loan
6 Fund for the purpose of making the financing of school
7 technology hardware improvements affordable and making the
8 integration of technology in the classroom possible. School
9 technology loans shall be made available to public school
10 districts, charter schools, area vocational centers, and
11 laboratory schools to purchase technology hardware for
12 eligible grade levels on a 2-year rotating basis: grades 9
13 through 12 in fiscal year 2004 and each second year thereafter
14 and grades K through 8 in fiscal year 2005 and each second year
15 thereafter.

16 The State Board of Education shall determine the interest
17 rate the loans shall bear which shall not be greater than 50%
18 of the rate for the most recent date shown in the 20 G.O. Bonds
19 Index of average municipal bond yields as published in the most
20 recent edition of The Bond Buyer, published in New York, New
21 York. The repayment period for School Technology Revolving
22 Loans shall not exceed 3 years. Participants shall use at least
23 90% of the loan proceeds for technology hardware investments
24 for students and staff (including computer hardware,
25 technology networks, related wiring, and other items as defined
26 in rules adopted by the State Board of Education) and up to 10%

1 of the loan proceeds for computer furniture. No participant
2 whose equalized assessed valuation per pupil in average daily
3 attendance is at the 99th percentile and above for all
4 districts of the same type shall be eligible to receive a
5 School Technology Revolving Loan under the provisions of this
6 Section for that year.

7 The State Board of Education shall have the authority to
8 adopt all rules necessary for the implementation and
9 administration of the School Technology Revolving Loan
10 Program, including, but not limited to, rules defining
11 application procedures, prescribing a maximum amount per pupil
12 that may be requested annually by districts, requiring
13 appropriate local commitments for technology investments,
14 prescribing a mechanism for disbursing loan funds in the event
15 requests exceed available funds, specifying collateral, and
16 prescribing actions necessary to protect the State's interest
17 in the event of default, foreclosure, or noncompliance with the
18 terms and conditions of the loans.

19 (b) There is created in the State treasury the School
20 Technology Revolving Loan Fund. The State Board shall have the
21 authority to make expenditures from the Fund pursuant to
22 appropriations made for the purposes of this Section, including
23 refunds. There shall be deposited into the Fund such amounts,
24 including but not limited to:

25 (1) Transfers from the School Infrastructure Fund;

26 (2) All receipts, including principal and interest

1 payments, from any loan made from the Fund;

2 (3) All proceeds of assets of whatever nature received
3 by the State Board as a result of default or delinquency
4 with respect to loans made from the Fund;

5 (4) Any appropriations, grants, or gifts made to the
6 Fund; and

7 (5) Any income received from interest on investments of
8 money in the Fund.

9 (Source: P.A. 93-368, eff. 7-24-03.)

10 (105 ILCS 5/2-3.137)

11 Sec. 2-3.137. Inspection and review of school facilities;
12 task force.

13 (a) The State Board of Education shall adopt rules for the
14 documentation of school plan reviews and inspections of school
15 facilities, including the responsible individual's signature.
16 Such documents shall be kept on file by the regional
17 superintendent of schools. The State Board of Education shall
18 also adopt rules for the qualifications of persons performing
19 the reviews and inspections, which must be consistent with the
20 recommendations in the task force's report issued to the
21 Governor and the General Assembly under subsection (b) of this
22 Section. Those qualifications shall include requirements for
23 training, education, and at least 2 years of relevant
24 experience.

25 (a-5) Rules adopted by the State Board of Education in

1 accordance with subsection (a) of this Section shall require
2 fees to be collected for use in defraying costs associated with
3 the administration of these and other provisions contained in
4 the Health/Life Safety Code for Public Schools required by
5 Section 2-3.12 of this Code.

6 (b) The State Board of Education shall convene a task force
7 for the purpose of reviewing the documents required under rules
8 adopted under subsection (a) of this Section and making
9 recommendations regarding training and accreditation of
10 individuals performing reviews or inspections required under
11 Section 2-3.12, 3-14.20, 3-14.21, or 3-14.22 of this Code,
12 including regional superintendents of schools and others
13 performing reviews or inspections under the authority of a
14 regional superintendent (such as consultants, municipalities,
15 and fire protection districts).

16 The task force shall consist of all of the following
17 members:

18 (1) The Executive Director of the Capital Development
19 Board or his or her designee and a staff representative of
20 the Division of Building Codes and Regulations.

21 (2) The State Superintendent of Education or his or her
22 designee.

23 (3) A person appointed by the State Board of Education.

24 (4) A person appointed by an organization representing
25 school administrators.

26 (5) A person appointed by an organization representing

1 suburban school administrators and school board members.

2 (6) A person appointed by an organization representing
3 architects.

4 (7) A person appointed by an organization representing
5 regional superintendents of schools.

6 (8) A person appointed by an organization representing
7 fire inspectors.

8 (9) A person appointed by an organization representing
9 Code administrators.

10 (10) A person appointed by an organization
11 representing plumbing inspectors.

12 (11) A person appointed by an organization that
13 represents both parents and teachers.

14 (12) A person appointed by an organization
15 representing municipal governments in the State.

16 (13) A person appointed by the State Fire Marshal from
17 his or her office.

18 (14) A person appointed by an organization
19 representing fire chiefs.

20 (15) The Director of Public Health or his or her
21 designee.

22 (16) A person appointed by an organization
23 representing structural engineers.

24 (17) A person appointed by an organization
25 representing professional engineers.

26 The task force shall issue a report of its findings to the

1 Governor and the General Assembly no later than January 1,
2 2006.

3 (Source: P.A. 94-225, eff. 7-14-05; 94-973, eff. 1-1-07;
4 95-331, eff. 8-21-07.)

5 (105 ILCS 5/3-14.21) (from Ch. 122, par. 3-14.21)

6 Sec. 3-14.21. Inspection of schools.

7 (a) The regional superintendent shall inspect and survey
8 all public schools under his or her supervision and notify the
9 board of education, or the trustees of schools in a district
10 with trustees, in writing before July 30, whether or not the
11 several schools in their district have been kept as required by
12 law, using forms provided by the State Board of Education which
13 are based on the Health/Life Safety Code for Public Schools
14 adopted under Section 2-3.12. The regional superintendent
15 shall report his or her findings to the State Board of
16 Education on forms provided by the State Board of Education.

17 (b) If the regional superintendent determines that a school
18 board has failed in a timely manner to correct urgent items
19 identified in a previous life-safety report completed under
20 Section 2-3.12 or as otherwise previously ordered by the
21 regional superintendent, the regional superintendent shall
22 order the school board to adopt and submit to the regional
23 superintendent a plan for the immediate correction of the
24 building violations. This plan shall be adopted following a
25 public hearing that is conducted by the school board on the

1 violations and the plan and that is preceded by at least 7
2 days' prior notice of the hearing published in a newspaper of
3 general circulation within the school district. If the regional
4 superintendent determines in the next annual inspection that
5 the plan has not been completed and that the violations have
6 not been corrected, the regional superintendent shall submit a
7 report to the State Board of Education with a recommendation
8 that the State Board withhold from payments of general State
9 aid due to the district an amount necessary to correct the
10 outstanding violations. The State Board, upon notice to the
11 school board and to the regional superintendent, shall consider
12 the report at a meeting of the State Board, and may order that
13 a sufficient amount of general State aid be withheld from
14 payments due to the district to correct the violations. This
15 amount shall be paid to the regional superintendent who shall
16 contract on behalf of the school board for the correction of
17 the outstanding violations.

18 (c) The Office of the State Fire Marshal or a qualified
19 fire official, as defined in Section 2-3.12 of this Code, to
20 whom the State Fire Marshal has delegated his or her authority
21 shall conduct an annual fire safety inspection of each school
22 building in this State. The State Fire Marshal or the fire
23 official shall coordinate its inspections with the regional
24 superintendent. The inspection shall be based on the fire
25 safety code authorized in Section 2-3.12 of this Code. Any
26 violations shall be reported in writing to the regional

1 superintendent ~~and school board~~ and shall reference the
2 specific code sections where a discrepancy has been identified
3 within 15 days after the inspection has been conducted. The
4 regional superintendent shall address those violations that
5 are not corrected in a timely manner pursuant to subsection (b)
6 of this Section. The inspection must be at no cost to the
7 school district.

8 (d) If a municipality or, in the case of an unincorporated
9 area, a county or, if applicable, a fire protection district
10 wishes to perform new construction inspections under the
11 jurisdiction of a regional superintendent, then the entity must
12 register this wish with the regional superintendent. These
13 inspections must be based on the building code authorized in
14 Section 2-3.12 of this Code. The inspections must be at no cost
15 to the school district.

16 (Source: P.A. 94-225, eff. 7-14-05; 94-973, eff. 1-1-07.)

17 (105 ILCS 5/10-20.26) (from Ch. 122, par. 10-20.26)

18 Sec. 10-20.26. Report of teacher dismissals. To send an
19 annual report, on or before October ~~September~~ 15, to the State
20 Board of Education which discloses the number of probationary
21 teachers and the number of teachers in contractual continued
22 service who have been dismissed or removed as a result of the
23 board's decision to decrease the number of teachers employed or
24 to discontinue any type of teaching service. The report will
25 also list the number in each teacher category which were

1 subsequently reemployed by the board.

2 (Source: P.A. 82-980.)

3 (105 ILCS 5/18-3) (from Ch. 122, par. 18-3)

4 Sec. 18-3. Tuition of children from orphanages and
5 children's homes. When the children from any home for orphans,
6 dependent, abandoned or maladjusted children maintained by any
7 organization or association admitting to such home children
8 from the State in general or when children residing in a school
9 district wherein the State of Illinois maintains and operates
10 any welfare or penal institution on property owned by the State
11 of Illinois, which contains houses, housing units or housing
12 accommodations within a school district, attend grades
13 kindergarten through 12 of the public schools maintained by
14 that school district, the State Superintendent of Education
15 shall direct the State Comptroller to pay a specified amount
16 sufficient to pay the annual tuition cost of such children who
17 attended such public schools during the regular school year
18 ending on June 30. The Comptroller shall pay the amount after
19 receipt of a voucher submitted by the State Superintendent of
20 Education.

21 The amount of the tuition for such children attending the
22 public schools of the district shall be determined by the State
23 Superintendent of Education by multiplying the number of such
24 children in average daily attendance in such schools by 1.2
25 times the total annual per capita cost of administering the

1 schools of the district. Such total annual per capita cost
2 shall be determined by totaling all expenses of the school
3 district in the educational, operations and maintenance, bond
4 and interest, transportation, Illinois municipal retirement,
5 and rent funds for the school year preceding the filing of such
6 tuition claims less expenditures not applicable to the regular
7 K-12 program, less offsetting revenues from State sources
8 except those from the common school fund, less offsetting
9 revenues from federal sources except those from federal
10 impaction aid, less student and community service revenues,
11 plus a depreciation allowance; and dividing such total by the
12 average daily attendance for the year.

13 Annually on or before July 15 the superintendent of the
14 district shall certify to the State Superintendent of Education
15 the following:

16 1. The name of the home and of the organization or
17 association maintaining it; or the legal description of the
18 real estate upon which the house, housing units, or housing
19 accommodations are located and that no taxes or service
20 charges or other payments authorized by law to be made in
21 lieu of taxes were collected therefrom or on account
22 thereof during either of the calendar years included in the
23 school year for which claim is being made;

24 2. The number of children from the home or living in
25 such houses, housing units or housing accommodations and
26 attending the schools of the district;

1 3. The total number of children attending the schools
2 of the district;

3 4. The per capita tuition charge of the district; and

4 5. The computed amount of the tuition payment claimed
5 as due.

6 Whenever the persons in charge of such home for orphans,
7 dependent, abandoned or maladjusted children have received
8 from the parent or guardian of any such child or by virtue of
9 an order of court a specific allowance for educating such
10 child, such persons shall pay to the school board in the
11 district where the child attends school such amount of the
12 allowance as is necessary to pay the tuition required by such
13 district for the education of the child. If the allowance is
14 insufficient to pay the tuition in full the State
15 Superintendent of Education shall direct the Comptroller to pay
16 to the district the difference between the total tuition
17 charged and the amount of the allowance.

18 Whenever the facilities of a school district in which such
19 house, housing units or housing accommodations are located, are
20 limited, pupils may be assigned by that district to the schools
21 of any adjacent district to the limit of the facilities of the
22 adjacent district to properly educate such pupils as shall be
23 determined by the school board of the adjacent district, and
24 the State Superintendent of Education shall direct the
25 Comptroller to pay a specified amount sufficient to pay the
26 annual tuition of the children so assigned to and attending

1 public schools in the adjacent districts and the Comptroller
2 shall draw his warrant upon the State Treasurer for the payment
3 of such amount for the benefit of the adjacent school districts
4 in the same manner as for districts in which the houses,
5 housing units or housing accommodations are located.

6 The school district shall certify to the State
7 Superintendent of Education the report of claims due for such
8 tuition payments on or before July 15. The State Superintendent
9 of Education shall direct the Comptroller to pay to the
10 district, on or before August 15, the amount due the district
11 for the school year in accordance with the calculation of the
12 claim as set forth in this Section.

13 Summer session costs shall be reimbursed based on the
14 actual expenditures for providing these services. On or before
15 November 1 of each year, the superintendent of each eligible
16 school district shall certify to the State Superintendent of
17 Education the claim of the district for the summer session
18 following the regular school year just ended. The State
19 Superintendent of Education shall transmit to the Comptroller
20 no later than December 15th of each year vouchers for payment
21 of amounts due to school districts for summer session.

22 Claims for tuition for children from any home for orphans
23 or dependent, abandoned, or maladjusted children beginning
24 with the 1993-1994 school year shall be paid on a current year
25 basis. On September 30, December 31, and March 31, the State
26 Board of Education shall voucher payments for districts with

1 those students based on an estimated cost calculated from the
2 prior year's claim. Final claims for those students for the
3 regular school term must be received at the State Board of
4 Education by July 15 following the end of the regular school
5 year. Final claims for those students shall be vouchered by
6 August 15. During fiscal year 1994 both the 1992-1993 school
7 year and the 1993-1994 school year shall be paid in order to
8 change the cycle of payment from a reimbursement basis to a
9 current year funding basis of payment. However,
10 notwithstanding any other provisions of this Section or the
11 School Code, beginning with fiscal year 1994 and each fiscal
12 year thereafter, if the amount appropriated for any fiscal year
13 is less than the amount required for purposes of this Section,
14 the amount required to eliminate any insufficient
15 reimbursement for each district claim under this Section shall
16 be reimbursed on August 30 of the next fiscal year. Payments
17 required to eliminate any insufficiency for prior fiscal year
18 claims shall be made before any claims are paid for the current
19 fiscal year.

20 If a school district makes a claim for reimbursement under
21 Section ~~18-4~~ or 14-7.03 it shall not include in any claim filed
22 under this Section children residing on the property of State
23 institutions included in its claim under Section ~~18-4~~ or
24 14-7.03.

25 Any child who is not a resident of Illinois who is placed
26 in a child welfare institution, private facility, State

1 operated program, orphanage or children's home shall have the
2 payment for his educational tuition and any related services
3 assured by the placing agent.

4 In order to provide services appropriate to allow a student
5 under the legal guardianship or custodianship of the State to
6 participate in local school district educational programs,
7 costs may be incurred in appropriate cases by the district that
8 are in excess of 1.2 times the district per capita tuition
9 charge allowed under the provisions of this Section. In the
10 event such excess costs are incurred, they must be documented
11 in accordance with cost rules established under the authority
12 of this Section and may then be claimed for reimbursement under
13 this Section.

14 Planned services for students eligible for this funding
15 must be a collaborative effort between the appropriate State
16 agency or the student's group home or institution and the local
17 school district.

18 (Source: P.A. 95-793, eff. 1-1-09.)

19 (105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

20 Sec. 18-12. Dates for filing State aid claims. The school
21 board of each school district shall require teachers,
22 principals, or superintendents to furnish from records kept by
23 them such data as it needs in preparing and certifying to the
24 regional superintendent its school district report of claims
25 provided in Sections 18-8.05 through 18-9 as required by the

1 State Superintendent of Education. The district claim shall be
2 based on the latest available equalized assessed valuation and
3 tax rates, as provided in Section 18-8.05 and shall use the
4 average daily attendance as determined by the method outlined
5 in Section 18-8.05 and shall be certified and filed with the
6 regional superintendent by June 21 for districts with an
7 official school calendar end date before June 15 or within 2
8 weeks following the official school calendar end date for
9 districts with a school year end date of June 15 or later. The
10 regional superintendent shall certify and file with the State
11 Superintendent of Education district State aid claims by July 1
12 for districts with an official school calendar end date before
13 June 15 or no later than July 15 for districts with an official
14 school calendar end date of June 15 or later. Failure to so
15 file by these deadlines constitutes a forfeiture of the right
16 to receive payment by the State until such claim is filed and
17 vouchered for payment. The regional superintendent of schools
18 shall certify the county report of claims by July 15; and the
19 State Superintendent of Education shall voucher for payment
20 those claims to the State Comptroller as provided in Section
21 18-11.

22 Except as otherwise provided in this Section, if any school
23 district fails to provide the minimum school term specified in
24 Section 10-19, the State aid claim for that year shall be
25 reduced by the State Superintendent of Education in an amount
26 equivalent to 1/176 or .56818% for each day less than the

1 number of days required by this Code.

2 If the State Superintendent of Education determines that
3 the failure to provide the minimum school term was occasioned
4 by an act or acts of God, or was occasioned by conditions
5 beyond the control of the school district which posed a
6 hazardous threat to the health and safety of pupils, the State
7 aid claim need not be reduced.

8 If a school district is precluded from providing the
9 minimum hours of instruction required for a full day of
10 attendance due to an adverse weather condition or a condition
11 beyond the control of the school district that poses a
12 hazardous threat to the health and safety of students, then the
13 partial day of attendance may be counted if (i) the school
14 district has provided at least one hour of instruction prior to
15 the closure of the school district, (ii) a school building has
16 provided at least one hour of instruction prior to the closure
17 of the school building, or (iii) the normal start time of the
18 school district is delayed.

19 If, prior to providing any instruction, a school district
20 must close one or more but not all school buildings after
21 consultation with a local emergency response agency or due to a
22 condition beyond the control of the school district, then the
23 school district may claim attendance for up to 2 school days
24 based on the average attendance of the 3 school days
25 immediately preceding the closure of the affected school
26 building. The partial or no day of attendance described in this

1 Section and the reasons therefore shall be certified within a
2 month of the closing or delayed start by the school district
3 superintendent to the regional superintendent of schools for
4 forwarding to the State Superintendent of Education for
5 approval.

6 ~~If the State Superintendent of Education determines that~~
7 ~~the failure to provide the minimum school term was due to a~~
8 ~~school being closed on or after September 11, 2001 for more~~
9 ~~than one half day of attendance due to a bioterrorism or~~
10 ~~terrorism threat that was investigated by a law enforcement~~
11 ~~agency, the State aid claim shall not be reduced.~~

12 ~~If, during any school day, (i) a school district has~~
13 ~~provided at least one clock hour of instruction but must close~~
14 ~~the schools due to adverse weather conditions or due to a~~
15 ~~condition beyond the control of the school district that poses~~
16 ~~a hazardous threat to the health and safety of pupils prior to~~
17 ~~providing the minimum hours of instruction required for a full~~
18 ~~day of attendance, (ii) the school district must delay the~~
19 ~~start of the school day due to adverse weather conditions and~~
20 ~~this delay prevents the district from providing the minimum~~
21 ~~hours of instruction required for a full day of attendance, or~~
22 ~~(iii) a school district has provided at least one clock hour of~~
23 ~~instruction but must dismiss students from one or more~~
24 ~~recognized school buildings due to a condition beyond the~~
25 ~~control of the school district, the partial day of attendance~~
26 ~~may be counted as a full day of attendance. If a school~~

1 ~~district closes one or more recognized school buildings due to~~
2 ~~a condition beyond the control of the district prior to~~
3 ~~providing any instruction, then the district may claim a full~~
4 ~~day of attendance for a maximum of 2 school days based on the~~
5 ~~average of the 3 prior school days of attendance immediately~~
6 ~~preceding the closure of the school building. The partial or no~~
7 ~~day of attendance and the reasons therefor shall be certified~~
8 ~~in writing within a month of the closing or delayed start by~~
9 ~~the local school district superintendent to the Regional~~
10 ~~Superintendent of Schools for forwarding to the State~~
11 ~~Superintendent of Education for approval.~~

12 ~~If a school building is ordered to be closed by the school~~
13 ~~board, in consultation with a local emergency response agency,~~
14 ~~due to a condition that poses a hazardous threat to the health~~
15 ~~and safety of pupils, then the school district shall have a~~
16 ~~grace period of 4 days in which the general State aid claim~~
17 ~~shall not be reduced so that alternative housing of the pupils~~
18 ~~may be located.~~

19 No exception to the requirement of providing a minimum
20 school term may be approved by the State Superintendent of
21 Education pursuant to this Section unless a school district has
22 first used all emergency days provided for in its regular
23 calendar.

24 If the State Superintendent of Education declares that an
25 energy shortage exists during any part of the school year for
26 the State or a designated portion of the State, a district may

1 operate the school attendance centers within the district 4
2 days of the week during the time of the shortage by extending
3 each existing school day by one clock hour of school work, and
4 the State aid claim shall not be reduced, nor shall the
5 employees of that district suffer any reduction in salary or
6 benefits as a result thereof. A district may operate all
7 attendance centers on this revised schedule, or may apply the
8 schedule to selected attendance centers, taking into
9 consideration such factors as pupil transportation schedules
10 and patterns and sources of energy for individual attendance
11 centers.

12 ~~No State aid claim may be filed for any district unless the~~
13 ~~district superintendent executes and files with the State~~
14 ~~Superintendent of Education, in the method prescribed by the~~
15 ~~Superintendent, certification that the district has complied~~
16 ~~with the requirements of Section 10-22.5 in regard to the~~
17 ~~nonsegregation of pupils on account of color, creed, race, sex~~
18 ~~or nationality.~~

19 ~~No State aid claim may be filed for any district unless the~~
20 ~~district superintendent executes and files with the State~~
21 ~~Superintendent of Education, in the method prescribed by the~~
22 ~~Superintendent, a sworn statement that to the best of his or~~
23 ~~her knowledge or belief the employing or assigning personnel~~
24 ~~have complied with Section 24-4 in all respects.~~

25 Electronically submitted State aid claims shall be
26 submitted by duly authorized district or regional individuals

1 over a secure network that is password protected. The
2 electronic submission of a State aid claim must be accompanied
3 with an affirmation that all of the provisions of Sections
4 18-8.05 through 18-9, 10-22.5, and 24-4 of this Code are met in
5 all respects.

6 (Source: P.A. 94-1105, eff. 6-1-07; 95-152, eff. 8-14-07;
7 95-811, eff. 8-13-08; 95-876, eff. 8-21-08.)

8 (105 ILCS 5/26-3d) (from Ch. 122, par. 26-3d)

9 Sec. 26-3d. All regional superintendents, ~~and all~~ district
10 superintendents, and special education joint agreement
11 directors in any municipality of 500,000 or more inhabitants
12 shall collect data concerning truants, chronic truants, and
13 truant minor pupils ~~from school districts and truant officers~~
14 as designated by the State Board of Education. On or before
15 August 15 of each year, this data must be submitted to the
16 State Board of Education.

17 (Source: P.A. 84-1420.)

18 (105 ILCS 5/27-13.3)

19 Sec. 27-13.3. Internet safety education curriculum.

20 (a) The purpose of this Section is to inform and protect
21 students from inappropriate or illegal communications and
22 solicitation and to encourage school districts to provide
23 education about Internet threats and risks, including without
24 limitation child predators, fraud, and other dangers.

1 (b) The General Assembly finds and declares the following:

2 (1) it is the policy of this State to protect consumers
3 and Illinois residents from deceptive and unsafe
4 communications that result in harassment, exploitation, or
5 physical harm;

6 (2) children have easy access to the Internet at home,
7 school, and public places;

8 (3) the Internet is used by sexual predators and other
9 criminals to make initial contact with children and other
10 vulnerable residents in Illinois; and

11 (4) education is an effective method for preventing
12 children from falling prey to online predators, identity
13 theft, and other dangers.

14 (c) Each school may adopt an age-appropriate curriculum for
15 Internet safety instruction of students in grades kindergarten
16 through 12. However, beginning with the 2009-2010 school year,
17 a school district must incorporate into the school curriculum a
18 component on Internet safety to be taught at least once each
19 school year to students in grades ~~grade~~ 3 through 12 ~~or above~~.
20 The school board shall determine the scope and duration of this
21 unit of instruction. The age-appropriate unit of instruction
22 may be incorporated into the current courses of study regularly
23 taught in the district's schools, as determined by the school
24 board, and it is recommended that the unit of instruction
25 include the following topics:

26 (1) Safe and responsible use of social networking

1 websites, chat rooms, electronic mail, bulletin boards,
2 instant messaging, and other means of communication on the
3 Internet.

4 (2) Recognizing, avoiding, and reporting online
5 solicitations of students, their classmates, and their
6 friends by sexual predators.

7 (3) Risks of transmitting personal information on the
8 Internet.

9 (4) Recognizing and avoiding unsolicited or deceptive
10 communications received online.

11 (5) Recognizing and reporting online harassment and
12 cyber-bullying.

13 (6) Reporting illegal activities and communications on
14 the Internet.

15 (7) Copyright laws on written materials, photographs,
16 music, and video.

17 (d) Curricula devised in accordance with subsection (c) of
18 this Section may be submitted for review to the Office of the
19 Illinois Attorney General.

20 (e) The State Board of Education shall make available
21 resource materials for educating children regarding child
22 online safety and may take into consideration the curriculum on
23 this subject developed by other states, as well as any other
24 curricular materials suggested by education experts, child
25 psychologists, or technology companies that work on child
26 online safety issues. Materials may include without limitation

1 safe online communications, privacy protection,
2 cyber-bullying, viewing inappropriate material, file sharing,
3 and the importance of open communication with responsible
4 adults. The State Board of Education shall make these resource
5 materials available on its Internet website.

6 (Source: P.A. 95-509, eff. 8-28-07; 95-869, eff. 1-1-09.)

7 (105 ILCS 5/27-17) (from Ch. 122, par. 27-17)

8 Sec. 27-17. Safety education. School boards of public
9 schools and all boards in charge of educational institutions
10 supported wholly or partially by the State may provide
11 instruction in safety education in all grades and include such
12 instruction in the courses of study regularly taught therein.

13 In this section "safety education" means and includes
14 instruction in the following:

15 1. automobile safety, including traffic regulations,
16 highway safety, and the consequences of alcohol consumption and
17 the operation of a motor vehicle;

18 2. safety in the home;

19 3. safety in connection with recreational activities;

20 4. safety in and around school buildings;

21 5. safety in connection with vocational work or training;

22 and

23 6. cardio-pulmonary resuscitation for students ~~pupils~~
24 enrolled in grades 9 through 11.

25 Such boards may make suitable provisions in the schools and

1 institutions under their jurisdiction for instruction in
2 safety education for not less than 16 hours during each school
3 year.

4 The curriculum in all State universities shall contain
5 instruction in safety education for teachers that is
6 appropriate to the grade level of the teaching certificate.
7 This instruction may be by specific courses in safety education
8 or may be incorporated in existing subjects taught in the
9 university.

10 (Source: P.A. 95-168, eff. 8-14-07; 95-371, eff. 8-23-07;
11 95-876, eff. 8-21-08.)

12 (105 ILCS 5/27-24.2) (from Ch. 122, par. 27-24.2)

13 Sec. 27-24.2. Safety education; driver ~~Driver~~ education
14 course. Instruction shall be given in safety education in each
15 of grades one through 8, equivalent to one class period each
16 week, and any~~Any~~ school district which maintains grades 9
17 through 12 shall offer a driver education course in any such
18 school which it operates. Its curriculum shall include content
19 dealing with Chapters 11, 12, 13, 15, and 16 of the Illinois
20 Vehicle Code, the rules adopted pursuant to those Chapters
21 insofar as they pertain to the operation of motor vehicles, and
22 the portions of the Litter Control Act relating to the
23 operation of motor vehicles. The course of instruction given in
24 grades 10 through 12 shall include an emphasis on the
25 development of knowledge, attitudes, habits, and skills

1 necessary for the safe operation of motor vehicles, including
2 motorcycles insofar as they can be taught in the classroom, and
3 instruction on distracted driving as a major traffic safety
4 issue. In addition, the course shall include instruction on
5 special hazards existing at and required safety and driving
6 precautions that must be observed at emergency situations,
7 highway construction and maintenance zones, and railroad
8 crossings and the approaches thereto. The course of instruction
9 required of each eligible student at the high school level
10 shall consist of a minimum of 30 clock hours of classroom
11 instruction and a minimum of 6 clock hours of individual
12 behind-the-wheel instruction in a dual control car on public
13 roadways taught by a driver education instructor endorsed by
14 the State Board of Education. Both the classroom instruction
15 part and the practice driving part of such driver education
16 course shall be open to a resident or non-resident student
17 ~~pupil~~ attending a non-public school in the district wherein the
18 course is offered ~~and to each resident of the district who~~
19 ~~acquires or holds a currently valid driver's license during the~~
20 ~~term of the course and who is at least 15 but has not reached 21~~
21 ~~years of age, without regard to whether any such person is~~
22 ~~enrolled in any other course offered in any school that the~~
23 ~~district operates.~~ Each student attending any public or
24 non-public high school in the district must receive a passing
25 grade in at least 8 courses during the previous 2 semesters
26 prior to enrolling in a driver education course, or the student

1 shall not be permitted to enroll in the course; provided that
2 the local superintendent of schools (with respect to a student
3 attending a public high school in the district) or chief school
4 administrator (with respect to a student attending a non-public
5 high school in the district) may waive the requirement if the
6 superintendent or chief school administrator, as the case may
7 be, deems it to be in the best interest of the student. A ~~Any~~
8 ~~school district required to offer a driver education course or~~
9 ~~courses as provided in this Section also is authorized to offer~~
10 ~~either the classroom instruction part or the practice driving~~
11 ~~part or both such parts of a driver education course to any~~
12 ~~resident of the district who is over age 55; provided that any~~
13 ~~such school district which elects to offer either or both parts~~
14 ~~of such course to such residents shall be entitled to make~~
15 ~~either or both parts of such course available to such residents~~
16 ~~at any attendance center or centers within the district~~
17 ~~designated by the school board; and provided further that no~~
18 ~~part of any such driver education course shall be offered to~~
19 ~~any resident of the district over age 55 unless space therein~~
20 ~~remains available after all persons to whom such part of the~~
21 ~~driver education course is required to be open as provided in~~
22 ~~this Section and who have requested such course have registered~~
23 ~~therefor, and unless such resident of the district over age 55~~
24 ~~is a person who has not previously been licensed as a driver~~
25 ~~under the laws of this or any other state or country. However,~~
26 ~~a~~ student may be allowed to commence the classroom instruction

1 part of such driver education course prior to reaching age 15
2 if such student then will be eligible to complete the entire
3 course within 12 months after being allowed to commence such
4 classroom instruction.

5 ~~Such a driver education course shall include classroom~~
6 ~~instruction on distracted driving as a major traffic safety~~
7 ~~issue. Such a driver education course may include classroom~~
8 ~~instruction on the safety rules and operation of motorcycles or~~
9 ~~motor driven cycles.~~

10 Such a course may be commenced immediately after the
11 completion of a prior course. Teachers of such courses shall
12 meet the certification requirements of this Act and regulations
13 of the State Board as to qualifications.

14 Subject to rules of the State Board of Education, the
15 school district may charge a reasonable fee, not to exceed \$50,
16 to students who participate in the course, unless a student is
17 unable to pay for such a course, in which event the fee for
18 such a student must be waived. The total amount from driver
19 education fees and reimbursement from the State for driver
20 education must not exceed the total cost of the driver
21 education program in any year and must be deposited into the
22 school district's driver education fund as a separate line item
23 budget entry. All moneys deposited into the school district's
24 driver education fund must be used solely for the funding of a
25 high school driver education program approved by the State
26 Board of Education that uses driver education instructors

1 endorsed by the State Board of Education.

2 (Source: P.A. 95-339, eff. 8-21-07.)

3 (105 ILCS 5/27-24.4) (from Ch. 122, par. 27-24.4)

4 Sec. 27-24.4. Reimbursement amount. Each school district
5 shall be entitled to reimbursement⁷ for each student pupil⁷
6 ~~excluding each resident of the district over age 55,~~ who
7 finishes either the classroom instruction part or the practice
8 driving part of a driver education course that meets the
9 minimum requirements of this Act. Reimbursement under this Act
10 is payable from the Drivers Education Fund in the State
11 treasury.

12 Each year all funds appropriated from the Drivers Education
13 Fund to the State Board of Education, with the exception of
14 those funds necessary for administrative purposes of the State
15 Board of Education, shall be distributed in the manner provided
16 in this paragraph to school districts by the State Board of
17 Education for reimbursement of claims from the previous school
18 year. As soon as may be after each quarter of the year, if
19 moneys are available in the Drivers Education Fund in the State
20 treasury for payments under this Section, the State Comptroller
21 shall draw his or her warrants upon the State Treasurer as
22 directed by the State Board of Education. The warrant for each
23 quarter shall be in an amount equal to one-fourth of the total
24 amount to be distributed to school districts for the year.
25 Payments shall be made to school districts as soon as may be

1 after receipt of the warrants.

2 The base reimbursement amount shall be calculated by the
3 State Board by dividing the total amount appropriated for
4 distribution by the total of: (a) the number of students,
5 ~~excluding residents of the district over age 55,~~ who have
6 completed the classroom instruction part for whom valid claims
7 have been made times 0.2; plus (b) the number of students,
8 ~~excluding residents of the district over age 55,~~ who have
9 completed the practice driving instruction part for whom valid
10 claims have been made times 0.8.

11 The amount of reimbursement to be distributed on each claim
12 shall be 0.2 times the base reimbursement amount for each
13 validly claimed student, ~~excluding residents of the district~~
14 ~~over age 55,~~ who has completed the classroom instruction part,
15 plus 0.8 times the base reimbursement amount for each validly
16 claimed student, ~~excluding residents of the district over age~~
17 ~~55,~~ who has completed the practice driving instruction part.
18 The school district which is the residence of a student ~~pupil~~
19 who attends a nonpublic school in another district that has
20 furnished the driver education course shall reimburse the
21 district offering the course, the difference between the actual
22 per capita cost of giving the course the previous school year
23 and the amount reimbursed by the State.

24 By April 1 the nonpublic school shall notify the district
25 offering the course of the names and district numbers of the
26 nonresident students desiring to take such course the next

1 school year. The district offering such course shall notify the
2 district of residence of those students affected by April 15.
3 The school district furnishing the course may claim the
4 nonresident student ~~pupil~~ for the purpose of making a claim for
5 State reimbursement under this Act.

6 (Source: P.A. 94-440, eff. 8-4-05; 94-525, eff. 1-1-06; 95-331,
7 eff. 8-21-07; 95-793, eff. 1-1-09.)

8 (105 ILCS 5/27-24.5) (from Ch. 122, par. 27-24.5)

9 Sec. 27-24.5. Submission of claims. The district shall
10 report on forms prescribed by the State Board, on an ongoing
11 basis, a list of students by name, birth date and sex, with the
12 date the behind-the-wheel instruction or the classroom
13 instruction or both were completed and with the status of the
14 course completion.

15 The State shall not reimburse any district for any student
16 who has repeated any part of the course more than once or who
17 did not meet the age requirements of this Act during the period
18 that the student was instructed in any part of the drivers
19 education course; ~~nor shall the State reimburse any district~~
20 ~~for any resident of the district over age 55.~~

21 (Source: P.A. 94-440, eff. 8-4-05.)

22 (105 ILCS 5/27-24.6) (from Ch. 122, par. 27-24.6)

23 Sec. 27-24.6. Attendance records. The school board shall
24 require the teachers of drivers education courses to keep daily

1 attendance records for students ~~pupils, excluding residents of~~
2 ~~the district over age 55,~~ attending such courses in the same
3 manner as is prescribed in Section 24-18 of this Act and such
4 records shall be used to prepare and certify claims made under
5 the Driver Education Act. Claims for reimbursement shall be
6 made under oath or affirmation of the chief school
7 administrator for the district employed by the school board or
8 authorized driver education personnel employed by the school
9 board.

10 Whoever submits a false claim under the Driver Education
11 Act or makes a false record upon which a claim is based shall
12 be fined in an amount equal to the sum falsely claimed.

13 (Source: P.A. 93-55, eff. 7-1-03.)

14 (105 ILCS 5/27A-5)

15 Sec. 27A-5. Charter school; legal entity; requirements.

16 (a) A charter school shall be a public, nonsectarian,
17 nonreligious, non-home based, and non-profit school. A charter
18 school shall be organized and operated as a nonprofit
19 corporation or other discrete, legal, nonprofit entity
20 authorized under the laws of the State of Illinois.

21 (b) A charter school may be established under this Article
22 by creating a new school or by converting an existing public
23 school or attendance center to charter school status. Beginning
24 on the effective date of this amendatory Act of the 93rd
25 General Assembly, in all new applications submitted to the

1 State Board or a local school board to establish a charter
2 school in a city having a population exceeding 500,000,
3 operation of the charter school shall be limited to one campus.
4 The changes made to this Section by this amendatory Act of the
5 93rd General Assembly do not apply to charter schools existing
6 or approved on or before the effective date of this amendatory
7 Act.

8 (c) A charter school shall be administered and governed by
9 its board of directors or other governing body in the manner
10 provided in its charter. The governing body of a charter school
11 shall be subject to the Freedom of Information Act and the Open
12 Meetings Act.

13 (d) A charter school shall comply with all applicable
14 health and safety requirements applicable to public schools
15 under the laws of the State of Illinois.

16 (e) Except as otherwise provided in the School Code, a
17 charter school shall not charge tuition; provided that a
18 charter school may charge reasonable fees for textbooks,
19 instructional materials, and student activities.

20 (f) A charter school shall be responsible for the
21 management and operation of its fiscal affairs including, but
22 not limited to, the preparation of its budget. An audit of each
23 charter school's finances shall be conducted annually by an
24 outside, independent contractor retained by the charter
25 school.

26 (g) A charter school shall comply with all provisions of

1 this Article and its charter. A charter school is exempt from
2 all other State laws and regulations in the School Code
3 governing public schools and local school board policies,
4 except the following:

5 (1) Sections 10-21.9 and 34-18.5 of the School Code
6 regarding criminal history records checks and checks of the
7 Statewide Sex Offender Database and Statewide Child
8 Murderer and Violent Offender Against Youth Database of
9 applicants for employment;

10 (2) Sections 24-24 and 34-84A of the School Code
11 regarding discipline of students;

12 (3) The Local Governmental and Governmental Employees
13 Tort Immunity Act;

14 (4) Section 108.75 of the General Not For Profit
15 Corporation Act of 1986 regarding indemnification of
16 officers, directors, employees, and agents;

17 (5) The Abused and Neglected Child Reporting Act;

18 (6) The Illinois School Student Records Act; and

19 (7) Section 10-17a of the School Code regarding school
20 report cards.

21 (h) A charter school may negotiate and contract with a
22 school district, the governing body of a State college or
23 university or public community college, or any other public or
24 for-profit or nonprofit private entity for: (i) the use of a
25 school building and grounds or any other real property or
26 facilities that the charter school desires to use or convert

1 for use as a charter school site, (ii) the operation and
2 maintenance thereof, and (iii) the provision of any service,
3 activity, or undertaking that the charter school is required to
4 perform in order to carry out the terms of its charter.
5 However, a charter school that is established on or after the
6 effective date of this amendatory Act of the 93rd General
7 Assembly and that operates in a city having a population
8 exceeding 500,000 may not contract with a for-profit entity to
9 manage or operate the school during the period that commences
10 on the effective date of this amendatory Act of the 93rd
11 General Assembly and concludes at the end of the 2004-2005
12 school year. Except as provided in subsection (i) of this
13 Section, a school district may charge a charter school
14 reasonable rent for the use of the district's buildings,
15 grounds, and facilities. Any services for which a charter
16 school contracts with a school district shall be provided by
17 the district at cost. Any services for which a charter school
18 contracts with a local school board or with the governing body
19 of a State college or university or public community college
20 shall be provided by the public entity at cost.

21 (i) In no event shall a charter school that is established
22 by converting an existing school or attendance center to
23 charter school status be required to pay rent for space that is
24 deemed available, as negotiated and provided in the charter
25 agreement, in school district facilities. However, all other
26 costs for the operation and maintenance of school district

1 facilities that are used by the charter school shall be subject
2 to negotiation between the charter school and the local school
3 board and shall be set forth in the charter.

4 (j) A charter school may limit student enrollment by age or
5 grade level.

6 (Source: P.A. 93-3, eff. 4-16-03; 93-909, eff. 8-12-04; 94-219,
7 eff. 7-14-05.)

8 (105 ILCS 5/27A-8)

9 Sec. 27A-8. Evaluation of charter proposals.

10 (a) This Section does not apply to a charter school
11 established by referendum under Section 27A-6.5. In evaluating
12 any charter school proposal submitted to it, the local school
13 board shall give preference to proposals that:

14 (1) demonstrate a high level of local pupil, parental,
15 community, business, and school personnel support;

16 (2) set rigorous levels of expected pupil achievement
17 and demonstrate feasible plans for attaining those levels
18 of achievement; and

19 (3) are designed to enroll and serve a substantial
20 proportion of at-risk children; provided that nothing in
21 the Charter Schools Law shall be construed as intended to
22 limit the establishment of charter schools to those that
23 serve a substantial portion of at-risk children or to in
24 any manner restrict, limit, or discourage the
25 establishment of charter schools that enroll and serve

1 other pupil populations under a nonexclusive,
2 nondiscriminatory admissions policy.

3 (b) In the case of a proposal to establish a charter school
4 by converting an existing public school or attendance center to
5 charter school status, evidence that the proposed formation of
6 the charter school has received majority support from certified
7 teachers and from parents and guardians in the school or
8 attendance center affected by the proposed charter, and, if
9 applicable, from a local school council, shall be demonstrated
10 by a petition in support of the charter school signed by
11 certified teachers and a petition in support of the charter
12 school signed by parents and guardians and, if applicable, by a
13 vote of the local school council held at a public meeting. In
14 the case of all other proposals to establish a charter school,
15 evidence of sufficient support to fill the number of pupil
16 seats set forth in the proposal may be demonstrated by a
17 petition in support of the charter school signed by parents and
18 guardians of students eligible to attend the charter school. In
19 all cases, the individuals, organizations, or entities who
20 initiate the proposal to establish a charter school may elect,
21 in lieu of including any petition referred to in this
22 subsection as a part of the proposal submitted to the local
23 school board, to demonstrate that the charter school has
24 received the support referred to in this subsection by other
25 evidence and information presented at the public meeting that
26 the local school board is required to convene under this

1 Section.

2 (c) Within 45 days of receipt of a charter school proposal,
3 the local school board shall convene a public meeting to obtain
4 information to assist the board in its decision to grant or
5 deny the charter school proposal.

6 (d) Notice of the public meeting required by this Section
7 shall be published in a community newspaper published in the
8 school district in which the proposed charter is located and,
9 if there is no such newspaper, then in a newspaper published in
10 the county and having circulation in the school district. The
11 notices shall be published not more than 10 days nor less than
12 5 days before the meeting and shall state that information
13 regarding a charter school proposal will be heard at the
14 meeting. Copies of the notice shall also be posted at
15 appropriate locations in the school or attendance center
16 proposed to be established as a charter school, the public
17 schools in the school district, and the local school board
18 office.

19 (e) Within 30 days of the public meeting, the local school
20 board shall vote, in a public meeting, to either grant or deny
21 the charter school proposal.

22 (f) Within 7 days of the public meeting required under
23 subsection (e), the local school board shall file a report with
24 the State Board granting or denying the proposal. Within 30 ~~14~~
25 days of receipt of the local school board's report, the State
26 Board shall determine whether the approved charter proposal is

1 consistent with the provisions of this Article and, if the
2 approved proposal complies, certify the proposal pursuant to
3 Section 27A-6.

4 (Source: P.A. 90-548, eff. 1-1-98; 91-407, eff. 8-3-99.)

5 Section 10. The Childhood Hunger Relief Act is amended by
6 changing Section 20 as follows:

7 (105 ILCS 126/20)

8 Sec. 20. Summer food service program.

9 (a) The State Board of Education shall promulgate a State
10 plan for summer food service programs, in accordance with 42
11 U.S.C. Sec. 1761 and any other applicable federal laws and
12 regulations, by February 1, 2008.

13 (b) On or before February 15, 2008, and each year
14 thereafter, a school district must promulgate a plan to have a
15 summer breakfast or lunch (or both) food service program for
16 each school (i) in which at least 50% of the students are
17 eligible for free or reduced-price school meals and (ii) that
18 has a summer school program. The plan must be implemented
19 during the summer of 2008 and each year thereafter as long as
20 the school district has a school or schools that meet the above
21 criteria. Each summer food service program must operate for the
22 duration of the school's summer school program. If the school
23 district has one or more elementary schools that qualify, the
24 summer food service program must be operated in a manner that

1 ensures all eligible students receive services. If a school in
2 which at least 50% of the students are eligible for free or
3 reduced-price school meals is not open during the summer
4 months, the school shall provide information regarding the
5 number of children in the school who are eligible for free or
6 reduced-price school meals upon request by a not-for-profit
7 entity.

8 (c) Summer food service programs established under this
9 Section shall be supported by federal funds and commodities and
10 other available State and local resources.

11 (d) A school district shall be allowed to opt out of the
12 summer food service program requirement of this Section if it
13 is determined that, due to circumstances specific to that
14 school district, the expense reimbursement would not fully
15 cover the costs of implementing and operating a summer food
16 service program. The school district shall petition its
17 regional superintendent of schools by January 15 to request to
18 be exempt from the summer food service program requirement. The
19 petition shall include all legitimate costs associated with
20 implementing and operating a summer food service program, the
21 estimated reimbursement from State and federal sources, and any
22 unique circumstances the school district can verify that exist
23 that would cause the implementation and operation of such a
24 program to be cost prohibitive.

25 The regional superintendent of schools shall review the
26 petition. He or she shall convene a public hearing to hear

1 testimony from the school district and interested community
2 members. The regional superintendent shall, by March 1, inform
3 the school district of his or her decision, along with the
4 reasons why the exemption was granted or denied, in writing. If
5 the regional superintendent grants an exemption to the school
6 district, then the school district is relieved from the
7 requirement to establish and implement a summer food service
8 program.

9 If the regional superintendent of schools does not grant an
10 exemption to the school district, then the school district
11 shall implement and operate a summer food service program in
12 accordance with this Section the summer following the current
13 school year. However, the school district or a resident of the
14 school district may appeal the decision of the regional
15 superintendent to the State Superintendent of Education. No
16 later than April 1 of each year, the State Superintendent shall
17 hear appeals on the decisions of regional superintendents of
18 schools. The State Superintendent shall make a final decision
19 at the conclusion of the hearing on the school district's
20 request for an exemption from the summer food service program
21 requirement. If the State Superintendent grants an exemption to
22 the school district, then the school district is relieved from
23 the requirement to implement and operate a summer food service
24 program. If the State Superintendent does not grant an
25 exemption to the school district, then the school district
26 shall implement and operate a summer food service program in

1 accordance with this Section the summer following the current
2 school year.

3 (Source: P.A. 95-155, eff. 8-14-07.)

4 Section 15. The School Safety Drill Act is amended by
5 changing Section 25 as follows:

6 (105 ILCS 128/25)

7 Sec. 25. Annual review.

8 (a) Each public school district, through its school board
9 or the board's designee, shall conduct a minimum of one annual
10 meeting at which it will review each school building's
11 emergency and crisis response plans, protocols, and procedures
12 and each building's compliance with the school safety drill
13 programs. The purpose of this annual review shall be to review
14 and update the emergency and crisis response plans, protocols,
15 and procedures and the school safety drill programs of the
16 district and each of its school buildings.

17 (b) Each school board or the board's designee is required
18 to participate in the annual review and to invite each of the
19 following parties to the annual review and provide each party
20 with a minimum of 30-days' notice before the date of the annual
21 review:

22 (1) The principal of each school within the school
23 district or his or her official designee.

24 (2) Representatives from any other education-related

1 organization or association deemed appropriate by the
2 school district.

3 (3) Representatives from all local first responder
4 organizations to participate, advise, and consult in the
5 review process, including, but not limited to:

6 (A) the appropriate local fire department or
7 district;

8 (B) the appropriate local law enforcement agency;

9 (C) the appropriate local emergency medical
10 services agency if the agency is a separate, local
11 first responder unit; and

12 (D) any other member of the first responder or
13 emergency management community that has contacted the
14 district superintendent or his or her designee during
15 the past year to request involvement in a school's
16 emergency planning or drill process.

17 (4) The school board or its designee may also choose to
18 invite to the annual review any other persons whom it
19 believes will aid in the review process, including, but not
20 limited to, any members of any other education-related
21 organization or the first responder or emergency
22 management community.

23 (c) Upon the conclusion of the annual review, the school
24 board or the board's designee shall sign a one page report,
25 which may be in either a check-off format or a narrative
26 format, that does the following:

1 (1) summarizes the review's recommended changes to the
2 existing school safety plans and drill plans;

3 (2) lists the parties that participated in the annual
4 review, and includes the annual review's attendance
5 record;

6 (3) certifies that an effective review of the emergency
7 and crisis response plans, protocols, and procedures and
8 the school safety drill programs of the district and each
9 of its school buildings has occurred;

10 (4) states that the school district will implement
11 those plans, protocols, procedures, and programs, during
12 the academic year; and

13 (5) includes the authorization of the school board or
14 the board's designee.

15 (d) The school board or its designee shall send a copy of
16 the report to each party that participates in the annual review
17 process and to the appropriate regional superintendent of
18 schools. If any of the participating parties have comments on
19 the certification document, those parties shall submit their
20 comments in writing to the appropriate regional
21 superintendent. The regional superintendent shall maintain a
22 record of these comments. The certification document may be in
23 a check-off format or narrative format, at the discretion of
24 the district superintendent.

25 (e) The review must occur at least once during the fiscal
26 ~~calendar~~ year, at a specific time chosen at the school district

1 superintendent's discretion.

2 (Source: P.A. 94-600, eff. 8-16-05.)

3 Section 20. The Higher Education Student Assistance Act is
4 amended by changing Section 65.60 as follows:

5 (110 ILCS 947/65.60)

6 Sec. 65.60. Administration of federal scholarship
7 programs. The State Board of Education shall be the
8 administrator of the Robert C. Byrd federal scholarship
9 program. The State Board of Education is not precluded from
10 establishing an agreement with the Illinois Student Assistance
11 Commission or any other State agency or other entity to perform
12 tasks pertaining to the Robert C. Byrd federal scholarship
13 program. There are hereby transferred to the Commission from
14 the State Board of Education all authority and responsibility
15 previously exercised by the State Board of Education with
16 respect to the administration within this State of the Christa
17 McAuliffe and Robert C. Byrd federal scholarship programs, and
18 the Commission hereafter shall administer on behalf of the
19 State of Illinois and in accordance with all applicable rules
20 and regulations the conduct and operation of the Christa
21 McAuliffe and Robert C. Byrd federal scholarship programs
22 within this State.

23 ~~The State Board of Education shall transfer to the~~
24 ~~Commission, as the successor to the State Board of Education~~

1 ~~for all purposes of administering the Christa McAuliffe and~~
2 ~~Robert C. Byrd federal scholarship programs, all books,~~
3 ~~accounts, records, papers, documents, contracts, agreements,~~
4 ~~and pending business in the possession or under the control of~~
5 ~~the State Board of Education and relating to its administration~~
6 ~~of those programs in this State. All pending applications made~~
7 ~~prior to the effective date of this amendatory Act of 1993 for~~
8 ~~scholarship awards under those programs and all scholarships~~
9 ~~awarded under those programs prior to the effective date of~~
10 ~~this amendatory Act of 1993 shall be unaffected by the transfer~~
11 ~~to the Commission of all responsibilities and authority~~
12 ~~formerly exercised by the State Board of Education with respect~~
13 ~~to those programs. The State Board of Education shall furnish~~
14 ~~to the Commission such other information as the Commission may~~
15 ~~request to assist it in administering this Section.~~

16 (Source: P.A. 88-228.)

17 (105 ILCS 5/2-3.13 rep.)

18 (105 ILCS 5/3-15.16 rep.)

19 (105 ILCS 5/10-20.29 rep.)

20 (105 ILCS 5/Art. 14B rep.)

21 (105 ILCS 5/14B-1 rep.)

22 (105 ILCS 5/14B-2 rep.)

23 (105 ILCS 5/14B-3 rep.)

24 (105 ILCS 5/14B-4 rep.)

25 (105 ILCS 5/14B-5 rep.)

1 (105 ILCS 5/14B-6 rep.)

2 (105 ILCS 5/14B-7 rep.)

3 (105 ILCS 5/14B-8 rep.)

4 (105 ILCS 5/27-23 rep.)

5 Section 25. The School Code is amended by repealing
6 Sections 2-3.13, 3-15.16, 10-20.29, and 27-23 and Article 14B.

7 (105 ILCS 130/Act rep.)

8 Section 30. The Sex Education Act is repealed.

9 (105 ILCS 430/Act rep.)

10 Section 35. The Recognized Normal School Act is repealed.

11 Section 99. Effective date. This Act takes effect July 1,
12 2009.

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- 1 105 ILCS 5/2-3.13 rep.
- 2 105 ILCS 5/3-15.16 rep.
- 3 105 ILCS 5/10-20.29 rep.
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- 5 105 ILCS 5/14B-1 rep.
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