



Rep. Barbara Flynn Currie

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1 AMENDMENT TO SENATE BILL 3681

2 AMENDMENT NO. _____. Amend Senate Bill 3681 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Criminal Justice Information Act
5 is amended by changing Sections 2, 4, and 7 and by adding
6 Section 10.1 and 10.2 as follows:

7 (20 ILCS 3930/2) (from Ch. 38, par. 210-2)

8 Sec. 2. Purpose of Act. The purpose of this Act is to
9 coordinate the use of information in the criminal justice
10 system; to promulgate effective criminal justice information
11 policy; to encourage the improvement of criminal justice agency
12 procedures and practices with respect to information; to
13 provide new information technologies; to permit the evaluation
14 of information practices and programs; to stimulate research
15 and development of new methods and uses of criminal justice
16 information for the improvement of the criminal justice system

1 and the reduction of crime; ~~and~~ to protect the integrity of
2 criminal history record information, while protecting the
3 citizen's right to privacy; and, through the Violence
4 Prevention Bureau of the Authority, to coordinate statewide
5 violence prevention efforts and develop a statewide plan that
6 includes public health and public safety approaches to violence
7 prevention in families, communities, and schools.

8 (Source: P.A. 82-1039.)

9 (20 ILCS 3930/4) (from Ch. 38, par. 210-4)

10 Sec. 4. Illinois Criminal Justice Information Authority;
11 creation, membership, and meetings. There is created an
12 Illinois Criminal Justice Information Authority consisting of
13 28 ~~23~~ members. The membership of the Authority shall consist of
14 the Illinois Attorney General, or his or her designee, the
15 Director of ~~the Illinois Department of~~ Corrections, the
16 Director of ~~the Illinois Department of~~ State Police, the
17 Director of Public Health, the Director of Aging, the Director
18 of Children and Family Services, the Secretary of Human
19 Services, the State Superintendent of Education, the Sheriff of
20 Cook County, the State's Attorney of Cook County, the clerk of
21 the circuit court of Cook County, the President of the Cook
22 County Board of Commissioners, the Superintendent of the
23 Chicago Police Department, the Director of the Office of the
24 State's Attorneys Appellate Prosecutor, the Executive Director
25 of the Illinois Law Enforcement Training Standards Board, the

1 State Appellate Defender, the Public Defender of Cook County,
2 and the following additional members, each of whom shall be
3 appointed by the Governor: a circuit court clerk, a sheriff, a
4 State's Attorney of a county other than Cook, a Public Defender
5 of a county other than Cook, a chief of police, and 6 members
6 of the general public.

7 The Governor from time to time shall designate a Chairman
8 of the Authority from the membership. All members of the
9 Authority appointed by the Governor shall serve at the pleasure
10 of the Governor for a term not to exceed 4 years. The initial
11 appointed members of the Authority shall serve from January,
12 1983 until the third Monday in January, 1987 or until their
13 successors are appointed.

14 The Authority shall meet at least quarterly, and all
15 meetings of the Authority shall be called by the Chairman.

16 (Source: P.A. 96-1343, eff. 1-1-11.)

17 (20 ILCS 3930/7) (from Ch. 38, par. 210-7)

18 Sec. 7. Powers and Duties. The Authority shall have the
19 following powers, duties and responsibilities:

20 (a) To develop and operate comprehensive information
21 systems for the improvement and coordination of all aspects
22 of law enforcement, prosecution and corrections;

23 (b) To define, develop, evaluate and correlate State
24 and local programs and projects associated with the
25 improvement of law enforcement and the administration of

1 criminal justice;

2 (b-1) To coordinate, through its Violence Prevention
3 Bureau, Statewide violence prevention efforts and
4 development of a Statewide plan that incorporates public
5 health and public safety approaches to violence prevention
6 in families, communities, and schools;

7 (b-2) To seek and receive, through its Violence
8 Prevention Bureau, funds that may be available from private
9 and public sources for violence prevention efforts;

10 (b-3) Through its Violence Prevention Bureau, to
11 distribute, pursuant to Authority rules and subject to
12 available appropriations and other funds received for the
13 purposes of this Act or the Illinois Violence Prevention
14 Act of 1995, grants to community or Statewide organizations
15 that address violence prevention in a comprehensive and
16 collaborative manner, including, but not limited to, (i)
17 community-based youth violence prevention programs, such
18 as mentoring programs, after-school programs, and job
19 training or development programs, (ii) programs for the
20 implementation and evaluation of comprehensive
21 school-based violence prevention programs from
22 prekindergarten through 12th grade, (iii) early childhood
23 intervention programs designed to prevent violence and
24 identify and serve young children and families at risk,
25 (iv) family violence and sexual assault prevention
26 initiatives, (v) programs that integrate violence

1 prevention initiatives with alcohol and substance abuse
2 prevention efforts, (vi) programs that integrate violence
3 prevention services with health care provision, and (vii)
4 programs to support innovative community policing or law
5 enforcement approaches to violence prevention;

6 (b-4) To provide, through its Violence Prevention
7 Bureau, technical assistance and training to help build the
8 capacity of communities, organizations, and systems to
9 develop, implement, and evaluate violence prevention
10 programs;

11 (c) To act as a central repository and clearing house
12 for federal, state and local research studies, plans,
13 projects, proposals and other information relating to all
14 aspects of criminal justice system improvement and to
15 encourage educational programs for citizen support of
16 State and local efforts to make such improvements;

17 (d) To undertake research studies to aid in
18 accomplishing its purposes;

19 (e) To monitor the operation of existing criminal
20 justice information systems in order to protect the
21 constitutional rights and privacy of individuals about
22 whom criminal history record information has been
23 collected;

24 (f) To provide an effective administrative forum for
25 the protection of the rights of individuals concerning
26 criminal history record information;

1 (g) To issue regulations, guidelines and procedures
2 which ensure the privacy and security of criminal history
3 record information consistent with State and federal laws;

4 (h) To act as the sole administrative appeal body in
5 the State of Illinois to conduct hearings and make final
6 determinations concerning individual challenges to the
7 completeness and accuracy of criminal history record
8 information;

9 (i) To act as the sole, official, criminal justice body
10 in the State of Illinois to conduct annual and periodic
11 audits of the procedures, policies, and practices of the
12 State central repositories for criminal history record
13 information to verify compliance with federal and state
14 laws and regulations governing such information;

15 (j) To advise the Authority's Statistical Analysis
16 Center;

17 (k) To apply for, receive, establish priorities for,
18 allocate, disburse and spend grants of funds that are made
19 available by and received on or after January 1, 1983 from
20 private sources or from the United States pursuant to the
21 federal Crime Control Act of 1973, as amended, and similar
22 federal legislation, and to enter into agreements with the
23 United States government to further the purposes of this
24 Act, or as may be required as a condition of obtaining
25 federal funds;

26 (l) To receive, expend and account for such funds of

1 the State of Illinois as may be made available to further
2 the purposes of this Act;

3 (m) To enter into contracts and to cooperate with units
4 of general local government or combinations of such units,
5 State agencies, and criminal justice system agencies of
6 other states for the purpose of carrying out the duties of
7 the Authority imposed by this Act or by the federal Crime
8 Control Act of 1973, as amended;

9 (n) To enter into contracts and cooperate with units of
10 general local government outside of Illinois, other
11 states' agencies, and private organizations outside of
12 Illinois to provide computer software or design that has
13 been developed for the Illinois criminal justice system, or
14 to participate in the cooperative development or design of
15 new software or systems to be used by the Illinois criminal
16 justice system. Revenues received as a result of such
17 arrangements shall be deposited in the Criminal Justice
18 Information Systems Trust Fund.

19 (o) To establish general policies concerning criminal
20 justice information systems and to promulgate such rules,
21 regulations and procedures as are necessary to the
22 operation of the Authority and to the uniform consideration
23 of appeals and audits;

24 (p) To advise and to make recommendations to the
25 Governor and the General Assembly on policies relating to
26 criminal justice information systems;

1 (q) To direct all other agencies under the jurisdiction
2 of the Governor to provide whatever assistance and
3 information the Authority may lawfully require to carry out
4 its functions;

5 (r) To exercise any other powers that are reasonable
6 and necessary to fulfill the responsibilities of the
7 Authority under this Act and to comply with the
8 requirements of applicable federal law or regulation;

9 (s) To exercise the rights, powers and duties which
10 have been vested in the Authority by the "Illinois Uniform
11 Conviction Information Act", enacted by the 85th General
12 Assembly, as hereafter amended;

13 (t) To exercise the rights, powers and duties which
14 have been vested in the Authority by the Illinois Motor
15 Vehicle Theft Prevention Act;

16 (u) To exercise the rights, powers, and duties vested
17 in the Authority by the Illinois Public Safety Agency
18 Network Act; and

19 (v) To provide technical assistance in the form of
20 training to local governmental entities within Illinois
21 requesting such assistance for the purposes of procuring
22 grants for gang intervention and gang prevention programs
23 or other criminal justice programs from the United States
24 Department of Justice.

25 The requirement for reporting to the General Assembly shall
26 be satisfied by filing copies of the report with the Speaker,

1 the Minority Leader and the Clerk of the House of
2 Representatives and the President, the Minority Leader and the
3 Secretary of the Senate and the Legislative Research Unit, as
4 required by Section 3.1 of "An Act to revise the law in
5 relation to the General Assembly", approved February 25, 1874,
6 as amended, and filing such additional copies with the State
7 Government Report Distribution Center for the General Assembly
8 as is required under paragraph (t) of Section 7 of the State
9 Library Act.

10 (Source: P.A. 97-435, eff. 1-1-12.)

11 (20 ILCS 3930/10.1 new)

12 Sec. 10.1. Violence Prevention Bureau.

13 (a) A Violence Prevention Bureau is hereby created within
14 the Authority for the purpose of exercising the powers, duties,
15 rights, and responsibilities transferred from the Illinois
16 Violence Prevention Authority to the Illinois Criminal Justice
17 Information Authority on the effective date of this amendatory
18 Act of the 97th General Assembly. The Violence Prevention
19 Bureau shall report to the Executive Director of the Authority
20 and shall be advised by the Violence Prevention Bureau Advisory
21 Board and the Violence Prevention Bureau Youth Advisory Board,
22 as provided in this Section.

23 (b) The Violence Prevention Bureau Advisory Board is hereby
24 created to advise the Violence Prevention Bureau on violence
25 prevention policies. The Violence Prevention Bureau Advisory

1 Board shall consist of:

2 (1) 10 public members, appointed by the Director of
3 Public Health, to represent health, criminal justice, and
4 civic associations or organizations working in the area of
5 violence prevention; and

6 (2) the following 7 ex officio members or their
7 designees: the Director of Public Health, the Director of
8 Human Services, the Director of State Police, the Director
9 of Children and Family Services, the Director of Aging, the
10 State Superintendent of Education, and the Chair of the
11 Violence Prevention Bureau Youth Advisory Board, who is
12 entitled to vote as a member of the Violence Prevention
13 Advisory Board if 16 years of age or older.

14 The initial 10 public members appointed to the Violence
15 Prevention Advisory Board by the Director of Public Health
16 shall be the 10 public members serving on the Illinois Violence
17 Prevention Authority on the effective date of this amendatory
18 Act of the 97th General Assembly. Each of those persons shall
19 serve on the Violence Prevention Bureau Advisory Board for the
20 portion of his or her term on the Illinois Violence Prevention
21 Authority that remained unexpired on the day before the
22 effective date of this amendatory Act of the 97th General
23 Assembly. After the initial term, each person subsequently
24 appointed to the Violence Prevention Advisory Board shall be
25 appointed for a term of 3 years. Upon expiration of his or her
26 term of office, each public member of the Violence Prevention

1 Advisory Board shall continue to serve until his or her
2 successor is appointed by the Director of Public Health. In
3 case of a vacancy, the Director of Public Health shall appoint
4 a successor to serve for the unexpired portion of the term.

5 (c) The Violence Prevention Bureau Youth Advisory Board is
6 hereby created to advise the Violence Prevention Bureau on, and
7 make recommendations to it concerning, violence prevention and
8 the impact of violence on individuals under the age of 21. The
9 Violence Prevention Bureau Youth Advisory Board shall meet at
10 least once each year. The Authority shall adopt rules regarding
11 membership on, and nomination to, the Violence Prevention
12 Bureau Youth Advisory Board.

13 (d) As soon as practicable after the effective date of this
14 amendatory Act of the 97th General Assembly, the personnel of
15 the Illinois Violence Prevention Authority shall be
16 transferred to the Illinois Criminal Justice Information
17 Authority. The status and rights of those employees under the
18 Personnel Code shall not be affected by the transfer. The
19 rights of the employees and the State of Illinois and its
20 agencies under the Personnel Code and applicable collective
21 bargaining agreements or under any pension, retirement, or
22 annuity plan shall not be affected by this amendatory Act.

23 (e) As soon as practicable after the effective date of this
24 amendatory Act of the 97th General Assembly, all books,
25 records, papers, documents, property (real and personal),
26 contracts, causes of action, and pending business pertaining to

1 the powers, duties, rights, and responsibilities transferred
2 by this amendatory Act of the 97th General Assembly from the
3 Illinois Violence Prevention Authority to the Illinois
4 Criminal Justice Information Authority, including, but not
5 limited to, material in electronic or magnetic format and
6 necessary computer hardware and software, shall be transferred
7 to the Illinois Criminal Justice Information Authority.

8 (f) As soon as practicable after the effective date of this
9 amendatory Act of the 97th General Assembly, all unexpended
10 appropriations and balances and other funds available for use
11 by the Illinois Violence Prevention Authority shall be
12 transferred for use by the Illinois Criminal Justice
13 Information Authority. Unexpended balances so transferred
14 shall be expended only for the purpose for which the
15 appropriations were originally made.

16 (g) The powers, duties, rights, and responsibilities
17 transferred from the Illinois Violence Prevention Authority by
18 this amendatory Act of the 97th General Assembly shall be
19 vested in and shall be exercised by the Illinois Criminal
20 Justice Information Authority.

21 (h) Whenever reports or notices are now required to be made
22 or given or papers or documents furnished or served by any
23 person to or upon the Illinois Violence Prevention Authority in
24 connection with any of the powers, duties, rights, and
25 responsibilities transferred by this amendatory Act of the 97th
26 General Assembly, the same shall be made, given, furnished, or

1 served in the same manner to or upon the Illinois Criminal
2 Justice Information Authority.

3 (i) This amendatory Act of the 97th General Assembly does
4 not affect any act done, ratified, or canceled or any right
5 occurring or established or any action or proceeding had or
6 commenced in an administrative, civil, or criminal cause by the
7 Illinois Violence Prevention Authority before this amendatory
8 Act of the 97th General Assembly takes effect; such actions or
9 proceedings may be prosecuted and continued by the Illinois
10 Criminal Justice Information Authority.

11 (j) Any rules of the Illinois Violence Prevention Authority
12 that relate to its powers, duties, rights, and responsibilities
13 and are in full force on the effective date of this amendatory
14 Act of the 97th General Assembly shall become the rules of the
15 Illinois Criminal Justice Information Authority. This
16 amendatory Act of the 97th General Assembly does not affect the
17 legality of any such rules in the Illinois Administrative Code.

18 Any proposed rules filed with the Secretary of State by the
19 Illinois Violence Prevention Authority that are pending in the
20 rulemaking process on the effective date of this amendatory Act
21 of the 97th General Assembly and pertain to the powers, duties,
22 rights, and responsibilities transferred, shall be deemed to
23 have been filed by the Illinois Criminal Justice Information
24 Authority. As soon as practicable after the effective date of
25 this amendatory Act of the 97th General Assembly, the Illinois
26 Criminal Justice Information Authority shall revise and

1 clarify the rules transferred to it under this amendatory Act
2 to reflect the reorganization of powers, duties, rights, and
3 responsibilities affected by this amendatory Act, using the
4 procedures for recodification of rules available under the
5 Illinois Administrative Procedure Act, except that existing
6 title, part, and section numbering for the affected rules may
7 be retained. The Illinois Criminal Justice Information
8 Authority may propose and adopt under the Illinois
9 Administrative Procedure Act such other rules of the Illinois
10 Violence Prevention Authority that will now be administered by
11 the Illinois Criminal Justice Information Authority.

12 (k) To the extent that, prior to the effective date of this
13 amendatory Act of the 97th General Assembly, the Executive
14 Director of the Illinois Violence Prevention Authority had been
15 empowered to prescribe rules with regard to the powers, duties,
16 rights, and responsibilities of the Illinois Violence
17 Prevention Authority, such duties shall be exercised solely by
18 the Executive Director of the Illinois Criminal Justice
19 Information Authority, beginning on the effective date of this
20 amendatory Act of the 97th General Assembly.

21 (20 ILCS 3930/10.2 new)

22 Sec. 10.2. Violence Prevention Bureau Fund.

23 (a) The Violence Prevention Bureau Fund is hereby
24 established as a special fund in the State Treasury into which
25 funds received from private, state, or federal sources

1 specifically for violence prevention may be deposited, and from
2 which funds shall be appropriated to the Authority for the
3 purpose of exercising the powers specified in subsections (b-1)
4 through (b-4) of Section 7 of this Act.

5 (b) As soon as practicable after the effective date of this
6 amendatory Act of the 97th General Assembly, but no later than
7 June 30, 2013, the Comptroller shall order transferred and the
8 Treasurer shall transfer all moneys in the Violence Prevention
9 Fund into the Violence Prevention Bureau Fund.

10 (c) Unexpended balances transferred by this amendatory Act
11 of the 97th General may be expended by the Authority but only
12 for the purpose for which the appropriation was originally
13 made.

14 (20 ILCS 4027/5 rep.)

15 (20 ILCS 4027/10 rep.)

16 (20 ILCS 4027/15 rep.)

17 Section 10. The Illinois Violence Prevention Act of 1995 is
18 amended by repealing Sections 5, 10, and 15.

19 (20 ILCS 4027/Act rep.)

20 Section 15. The Illinois Violence Prevention Act of 1995 is
21 repealed.

22 Section 20. The State Finance Act is amended by adding
23 Section 5.811 as follows:

1 (30 ILCS 105/5.811 new)

2 Sec. 5.811. The Violence Prevention Bureau Fund.

3 (30 ILCS 105/5.424 rep.)

4 Section 25. The State Finance Act is amended by repealing
5 Section 5.424.

6 Section 30. The School Code is amended by changing Sections
7 10-22.34 and 34-18 as follows:

8 (105 ILCS 5/10-22.34) (from Ch. 122, par. 10-22.34)

9 Sec. 10-22.34. Non-certificated personnel.

10 (a) School Boards may employ non-teaching personnel or
11 utilize volunteer personnel for: (1) non-teaching duties not
12 requiring instructional judgment or evaluation of pupils; and
13 (2) supervising study halls, long distance teaching reception
14 areas used incident to instructional programs transmitted by
15 electronic media such as computers, video, and audio, and
16 detention and discipline areas, and school-sponsored
17 extracurricular activities.

18 (b) School boards may further utilize volunteer
19 non-certificated personnel or employ non-certificated
20 personnel to assist in the instruction of pupils under the
21 immediate supervision of a teacher, holding a valid
22 certificate, directly engaged in teaching subject matter or

1 conducting activities. The teacher shall be continuously aware
2 of the non-certificated persons' activities and shall be able
3 to control or modify them. The State Board of Education, in
4 consultation with the State Teacher Certification Board, shall
5 determine qualifications of such personnel and shall prescribe
6 rules for determining the duties and activities to be assigned
7 to such personnel. In the determination of qualifications of
8 such personnel, the State Board of Education shall accept
9 coursework earned in a recognized institution or from an
10 institution of higher learning accredited by the North Central
11 Association or other comparable regional accrediting
12 association and shall accept qualifications based on relevant
13 life experiences as determined by the State Board of Education
14 by rule.

15 (b-5) (Blank) ~~A school board may utilize volunteer~~
16 ~~personnel from a regional School Crisis Assistance Team~~
17 ~~(S.C.A.T.), created as part of the Safe to Learn Program~~
18 ~~established pursuant to Section 25 of the Illinois Violence~~
19 ~~Prevention Act of 1995, to provide assistance to schools in~~
20 ~~times of violence or other traumatic incidents within a school~~
21 ~~community by providing crisis intervention services to lessen~~
22 ~~the effects of emotional trauma on individuals and the~~
23 ~~community. The School Crisis Assistance Team Steering~~
24 ~~Committee shall determine the qualifications for volunteers.~~

25 (c) School boards may also employ students holding a
26 bachelor's degree from a recognized institution of higher

1 learning as teaching interns when such students are enrolled in
2 a college or university internship program, which has prior
3 approval by the State Board of Education, in consultation with
4 the State Teacher Certification Board, leading to a masters
5 degree.

6 Regional offices of education have the authority to
7 initiate and collaborate with institutions of higher learning
8 to establish internship programs referenced in this subsection
9 (c). The State Board of Education has 90 days from receiving a
10 written proposal to establish the internship program to seek
11 the State Teacher Certification Board's consultation on the
12 internship program. If the State Board of Education does not
13 consult the State Teacher Certification Board within 90 days,
14 the regional office of education may seek the State Teacher
15 Certification Board's consultation without the State Board of
16 Education's approval.

17 (d) Nothing in this Section shall require constant
18 supervision of a student teacher enrolled in a student teaching
19 course at a college or university, provided such activity has
20 the prior approval of the representative of the higher
21 education institution and teaching plans have previously been
22 discussed with and approved by the supervising teacher and
23 further provided that such teaching is within guidelines
24 established by the State Board of Education in consultation
25 with the State Teacher Certification Board.

26 (Source: P.A. 92-200, eff. 1-1-02; 92-724, eff. 7-25-02;

1 93-332, eff. 1-1-04.)

2 (105 ILCS 5/34-18) (from Ch. 122, par. 34-18)

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

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

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

1 assist them so that they benefit from the regular classroom
2 instruction and are included on the teacher's regular
3 education class register;

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

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

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

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

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

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

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

1 provisions that allow low income students to have access to
2 transportation needed to exercise school choice. Open
3 enrollment shall be in compliance with the provisions of
4 the Consent Decree and Desegregation Plan cited in Section
5 34-1.01;

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

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

1 accordance with applicable State and federal laws to
2 children requiring services and education in those areas;

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

23 10.5. (Blank) ~~To utilize volunteer personnel from a~~
24 ~~regional School Crisis Assistance Team (S.C.A.T.), created~~
25 ~~as part of the Safe to Learn Program established pursuant~~
26 ~~to Section 25 of the Illinois Violence Prevention Act of~~

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

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

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

22 13. During that period of the calendar year not
23 embraced within the regular school term, to provide and
24 conduct courses in subject matters normally embraced in the
25 program of the schools during the regular school term and
26 to give regular school credit for satisfactory completion

1 by the student of such courses as may be approved for
2 credit by the State Board of Education;

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

1 spiritual means alone for healing, in accordance with the
2 tenets and practice of a recognized religious
3 denomination;

4 15. To contract with the corporate authorities of any
5 municipality or the county board of any county, as the case
6 may be, to provide for the regulation of traffic in parking
7 areas of property used for school purposes, in such manner
8 as is provided by Section 11-209 of The Illinois Vehicle
9 Code, approved September 29, 1969, as amended;

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

24 (b) If a student or his or her parent or guardian
25 submits a signed, written request to the high school before
26 the end of the student's sophomore year (or if the student

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

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

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

22 17. (a) To sell or market any computer program
23 developed by an employee of the school district, provided
24 that such employee developed the computer program as a
25 direct result of his or her duties with the school district
26 or through the utilization of the school district resources

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

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

12 (1) "Computer" means an internally programmed,
13 general purpose digital device capable of
14 automatically accepting data, processing data and
15 supplying the results of the operation.

16 (2) "Computer program" means a series of coded
17 instructions or statements in a form acceptable to a
18 computer, which causes the computer to process data in
19 order to achieve a certain result.

20 (3) "Proceeds" means profits derived from
21 marketing or sale of a product after deducting the
22 expenses of developing and marketing such product;

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

26 19. Upon the written request of an employee, to

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

10 19a. Upon receipt of notice from the comptroller of a
11 municipality with a population of 500,000 or more, a county
12 with a population of 3,000,000 or more, the Cook County
13 Forest Preserve District, the Chicago Park District, the
14 Metropolitan Water Reclamation District, the Chicago
15 Transit Authority, or a housing authority of a municipality
16 with a population of 500,000 or more that a debt is due and
17 owing the municipality, the county, the Cook County Forest
18 Preserve District, the Chicago Park District, the
19 Metropolitan Water Reclamation District, the Chicago
20 Transit Authority, or the housing authority by an employee
21 of the Chicago Board of Education, to withhold, from the
22 compensation of that employee, the amount of the debt that
23 is due and owing and pay the amount withheld to the
24 municipality, the county, the Cook County Forest Preserve
25 District, the Chicago Park District, the Metropolitan
26 Water Reclamation District, the Chicago Transit Authority,

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

1 money owed to the municipality, the county, the Cook County
2 Forest Preserve District, the Chicago Park District, the
3 Metropolitan Water Reclamation District, the Chicago
4 Transit Authority, or the housing authority pursuant to a
5 court order or order of an administrative hearing officer
6 after the exhaustion of, or the failure to exhaust,
7 judicial review;

8 20. The board is encouraged to employ a sufficient
9 number of certified school counselors to maintain a
10 student/counselor ratio of 250 to 1 by July 1, 1990. Each
11 counselor shall spend at least 75% of his work time in
12 direct contact with students and shall maintain a record of
13 such time;

14 21. To make available to students vocational and career
15 counseling and to establish 5 special career counseling
16 days for students and parents. On these days
17 representatives of local businesses and industries shall
18 be invited to the school campus and shall inform students
19 of career opportunities available to them in the various
20 businesses and industries. Special consideration shall be
21 given to counseling minority students as to career
22 opportunities available to them in various fields. For the
23 purposes of this paragraph, minority student means a person
24 who is any of the following:

25 (a) American Indian or Alaska Native (a person having
26 origins in any of the original peoples of North and South

1 America, including Central America, and who maintains
2 tribal affiliation or community attachment).

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

8 (c) Black or African American (a person having origins
9 in any of the black racial groups of Africa). Terms such as
10 "Haitian" or "Negro" can be used in addition to "Black or
11 African American".

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

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

18 Counseling days shall not be in lieu of regular school
19 days;

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

24 23. Except as otherwise provided in the Abused and
25 Neglected Child Reporting Act or other applicable State or
26 federal law, to permit school officials to withhold, from

1 any person, information on the whereabouts of any child
2 removed from school premises when the child has been taken
3 into protective custody as a victim of suspected child
4 abuse. School officials shall direct such person to the
5 Department of Children and Family Services, or to the local
6 law enforcement agency if appropriate;

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

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

21 26. To encourage mid-career changes into the teaching
22 profession, whereby qualified professionals become
23 certified teachers, by allowing credit for professional
24 employment in related fields when determining point of
25 entry on teacher pay scale;

26 27. To provide or contract out training programs for

1 administrative personnel and principals with revised or
2 expanded duties pursuant to this Act in order to assure
3 they have the knowledge and skills to perform their duties;

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

10 29. (Blank);

11 30. Notwithstanding any other provision of this Act or
12 any other law to the contrary, to contract with third
13 parties for services otherwise performed by employees,
14 including those in a bargaining unit, and to layoff those
15 employees upon 14 days written notice to the affected
16 employees. Those contracts may be for a period not to
17 exceed 5 years and may be awarded on a system-wide basis.
18 The board may not operate more than 30 contract schools,
19 provided that the board may operate an additional 5
20 contract turnaround schools pursuant to item (5.5) of
21 subsection (d) of Section 34-8.3 of this Code;

22 31. To promulgate rules establishing procedures
23 governing the layoff or reduction in force of employees and
24 the recall of such employees, including, but not limited
25 to, criteria for such layoffs, reductions in force or
26 recall rights of such employees and the weight to be given

1 to any particular criterion. Such criteria shall take into
2 account factors including, but not be limited to,
3 qualifications, certifications, experience, performance
4 ratings or evaluations, and any other factors relating to
5 an employee's job performance;

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

8 33. To enter into a partnership agreement, as required
9 by Section 34-3.5 of this Code, and, notwithstanding any
10 other provision of law to the contrary, to promulgate
11 policies, enter into contracts, and take any other action
12 necessary to accomplish the objectives and implement the
13 requirements of that agreement; and

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

20 The specifications of the powers herein granted are not to
21 be construed as exclusive but the board shall also exercise all
22 other powers that they may be requisite or proper for the
23 maintenance and the development of a public school system, not
24 inconsistent with the other provisions of this Article or
25 provisions of this Code which apply to all school districts.

26 In addition to the powers herein granted and authorized to

1 be exercised by the board, it shall be the duty of the board to
2 review or to direct independent reviews of special education
3 expenditures and services. The board shall file a report of
4 such review with the General Assembly on or before May 1, 1990.

5 (Source: P.A. 96-105, eff. 7-30-09; 97-227, eff. 1-1-12;
6 97-396, eff. 1-1-12; 97-813, eff. 7-13-12.)

7 Section 35. The Illinois Vehicle Code is amended by
8 changing Section 3-630 as follows:

9 (625 ILCS 5/3-630)

10 Sec. 3-630. Violence prevention license plate.

11 (a) The Secretary, upon receipt of an application made in
12 the form prescribed by the Secretary of State, may issue
13 special registration plates designated to be Violence
14 Prevention plates. The special plates issued under this Section
15 shall be affixed only to passenger vehicles of the first
16 division or motor vehicles of the second division weighing not
17 more than 8,000 pounds. Plates issued under this Section shall
18 expire according to the multi-year procedure established by
19 Section 3-414.1 of this Code.

20 (b) The design and color of the plates shall be wholly
21 within the discretion of the Secretary of State. Appropriate
22 documentation, as determined by the Secretary, shall accompany
23 the application. Beginning January 1, 1999, the Secretary may,
24 in his or her discretion, allow the plates to be issued as

1 vanity plates or personalized in accordance with Section
2 3-405.1 of this Code.

3 (c) An applicant shall be charged a \$40 dollar fee for
4 original issuance in addition to the appropriate registration
5 fee, if applicable. Of this fee, \$25 shall be deposited into
6 the Violence Prevention Bureau Fund as created by this Act and
7 \$15 shall be deposited into the Secretary of State Special
8 License Plate Fund to be used by the Secretary of State to help
9 defray the administrative processing costs. For each
10 registration renewal period a \$27 fee, in addition to the
11 appropriate registration fee, shall be charged. Of this fee,
12 \$25 shall be deposited into the Violence Prevention Bureau Fund
13 and \$2 shall be deposited into the Secretary of State Special
14 License Plate Fund.

15 (Source: P.A. 89-353, eff. 8-17-95; 89-626, eff. 8-9-96;
16 90-619, eff. 1-1-99.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law, except that Sections 15 and 25 take effect on
19 June 30, 2013."