

1 AMENDMENT TO HOUSE BILL 3066

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3066 on page 1,  
3 line 5, by replacing "Section 2" with "Sections 2 and 4.5";  
4 and

5 on page 4, immediately below line 26, by inserting the  
6 following:

7 "(115 ILCS 5/4.5)

8 Sec. 4.5. Prohibited subjects of collective bargaining.

9 (a) Notwithstanding the existence of any other provision  
10 in this Act or other law, collective bargaining between the  
11 board of education of a public school district organized  
12 under Article 34 of the School Code ~~an educational employer~~  
13 ~~whose territorial boundaries are coterminous with those of a~~  
14 ~~city having a population in excess of 500,000~~ and an  
15 exclusive representative of its employees shall not include  
16 any of the following subjects:

17 (1) Decisions to grant or deny a charter school  
18 proposal under Section 27A-8 of the Charter Schools Law,  
19 to renew or revoke a charter under Section 27A-9 of the  
20 Charter Schools Law, or to grant or deny a leave of  
21 absence to an employee of a school district to become an  
22 employee of a charter school, and the impact of these

1 decisions on individual employees or the bargaining unit.

2 (2) Decisions to contract with a third party for  
3 one or more services otherwise performed by employees in  
4 a bargaining unit, the procedures for obtaining such  
5 contract or the identity of the third party, and the  
6 impact of these decisions on individual employees or the  
7 bargaining unit.

8 (3) Decisions to layoff or reduce in force  
9 employees (including but not limited to reserve teachers  
10 or teachers who are no longer on an administrative  
11 payroll) due to lack of work or funds, including but not  
12 limited to decline in student enrollment, change in  
13 subject requirements within the attendance center  
14 organization, closing of an attendance center, or  
15 contracts with third parties for the performance of  
16 services, and the impact of these decisions on individual  
17 employees or the bargaining unit.

18 (4) Decisions to determine class size, class  
19 staffing and assignment, class schedules, academic  
20 calendar, hours and places of instruction, or pupil  
21 assessment policies, and the impact of these decisions on  
22 individual employees or the bargaining unit.

23 (5) Decisions concerning use and staffing of  
24 experimental or pilot programs, decisions concerning use  
25 of technology to deliver educational programs and  
26 services and staffing to provide the technology, and the  
27 impact of these decisions on individual employees or the  
28 bargaining unit.

29 (b) The subject or matters described in subsection (a)  
30 are prohibited subjects of bargaining between the board of  
31 education of a public school district organized under Article  
32 34 of the School Code an--educational--employer and an  
33 exclusive representative of its employees and, for the  
34 purpose of this Act, are within the sole authority of the the

1 board of education of that school district educational  
2 employer to decide.

3 (c) This Section shall apply to collective bargaining  
4 agreements that become effective after the effective date of  
5 this amendatory Act of 1995 and shall render a provision  
6 involving a prohibited subject in such agreement null and  
7 void.

8 (Source: P.A. 89-15, eff. 5-30-95.)

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law, except that the changes to Section 2 of the  
11 Illinois Educational Labor Relations Act take effect on  
12 January 1, 2002."