

1 AN ACT concerning local governments.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Counties Code is amended by adding
5 Section 3-14002.5 as follows:

6 (55 ILCS 5/3-14002.5 new)

7 Sec. 3-14002.5. Power to deduct wages for debts.

8 (a) Upon receipt of notice from the comptroller of a
9 municipality with a population of 500,000 or more, the Cook
10 County Forest Preserve District, the Chicago Park District,
11 the Metropolitan Water Reclamation District, the Chicago
12 Board of Education, or a housing authority of a municipality
13 with a population of 500,000 or more that a debt is due and
14 owing the municipality, the Cook County Forest Preserve
15 District, the Chicago Park District, the Metropolitan Water
16 Reclamation District, the Chicago Transit Authority, the
17 Chicago Board of Education, or the housing authority by an
18 employee of a county with a population of 3,000,000 or more,
19 the county may withhold, from the compensation of that
20 employee, the amount of the debt that is due and owing and
21 pay the amount withheld to the municipality, the Cook County
22 Forest Preserve District, the Chicago Park District, the
23 Metropolitan Water Reclamation District, the Chicago Transit
24 Authority, the Chicago Board of Education, or the housing
25 authority; provided, however, that the amount deducted from
26 any one salary or wage payment shall not exceed 25% of the
27 net amount of the payment.

28 (b) Before the county deducts any amount from any salary
29 or wage of an employee under this Section, the municipality,
30 the Cook County Forest Preserve District, the Chicago Park
31 District, the Metropolitan Water Reclamation District, the

1 Chicago Transit Authority, the Chicago Board of Education, or
2 the housing authority shall certify that (i) the employee
3 has been afforded an opportunity for a hearing to dispute the
4 debt that is due and owing the municipality, the Cook County
5 Forest Preserve District, the Chicago Park District, the
6 Metropolitan Water Reclamation District, the Chicago Transit
7 Authority, the Chicago Board of Education, or the housing
8 authority and (ii) the employee has received notice of a wage
9 deduction order and has been afforded an opportunity for a
10 hearing to object to the order.

11 (c) For purposes of this Section:

12 (1) "Net amount" means that part of the salary or
13 wage payment remaining after the deduction of any amounts
14 required by law to be deducted.

15 (2) "Debt due and owing" means (i) a specified sum
16 of money owed to the municipality, the Cook County Forest
17 Preserve District, the Chicago Park District, the
18 Metropolitan Water Reclamation District, the Chicago
19 Transit Authority, the Chicago Board of Education, or the
20 housing authority for services, work, or goods, after the
21 period granted for payment has expired, or (ii) a
22 specified sum of money owed to the municipality, the Cook
23 County Forest Preserve District, the Chicago Park
24 District, the Metropolitan Water Reclamation District,
25 the Chicago Transit Authority, the Chicago Board of
26 Education, or the housing authority pursuant to a court
27 order or order of an administrative hearing officer after
28 the exhaustion of, or the failure to exhaust, judicial
29 review.

30 (d) Nothing in this Section is intended to affect the
31 power of a county to withhold the amount of any debt that is
32 due and owing the county by any of its employees.

33 Section 10. The Illinois Municipal Code is amended by

1 adding Section 10-4-8 as follows:

2 (65 ILCS 5/10-4-8 new)

3 Sec. 10-4-8. Power to deduct wages for debts.

4 (a) Upon receipt of notice from the comptroller of a
5 county with a population of 3,000,000 or more, the Cook
6 County Forest Preserve District, the Chicago Park District,
7 the Metropolitan Water Reclamation District, the Chicago
8 Board of Education, or a housing authority of a municipality
9 with a population of 500,000 or more that a debt is due and
10 owing the county, the Cook County Forest Preserve District,
11 the Chicago Park District, the Metropolitan Water Reclamation
12 District, the Chicago Transit Authority, the Chicago Board of
13 Education, or the housing authority by an employee of a
14 municipality with a population of 500,000 or more, the
15 municipality may withhold, from the compensation of that
16 employee, the amount of the debt that is due and owing and
17 pay the amount withheld to the county, the Cook County Forest
18 Preserve District, the Chicago Park District, the
19 Metropolitan Water Reclamation District, the Chicago Transit
20 Authority, the Chicago Board of Education, or the housing
21 authority; provided, however that the amount deducted from
22 any one salary or wage payment shall not exceed 25% of the
23 net amount of the payment.

24 (b) Before the municipality deducts any amount from any
25 salary or wage of an employee under this Section, the county,
26 the Cook County Forest Preserve District, the Chicago Park
27 District, the Metropolitan Water Reclamation District, the
28 Chicago Transit Authority, the Chicago Board of Education, or
29 the housing authority shall certify that (i) the employee
30 has been afforded an opportunity for a hearing to dispute the
31 debt that is due and owing the county, the Cook County Forest
32 Preserve District, the Chicago Park District, the
33 Metropolitan Water Reclamation District, the Chicago Transit

1 Authority, the Chicago Board of Education, or the housing
2 authority and (ii) the employee has received notice of a
3 wage deduction order and has been afforded an opportunity for
4 a hearing to object to the order.

5 (c) For purposes of this Section:

6 (1) "Net amount" means the part of the salary or
7 wage payment remaining after the deduction of any amounts
8 required by law to be deducted.

9 (2) "Debt due and owing" means (i) a specified sum
10 of money owed to the county, the Cook County Forest
11 Preserve District, the Chicago Park District, the
12 Metropolitan Water Reclamation District, the Chicago
13 Transit Authority, the Chicago Board of Education, or the
14 housing authority for services, work, or goods, after the
15 period granted for payment has expired, or (ii) a
16 specified sum of money owed to the county, the Cook
17 County Forest Preserve District, the Chicago Park
18 District, the Metropolitan Water Reclamation District,
19 the Chicago Transit Authority, the Chicago Board of
20 Education, or the housing authority pursuant to a court
21 order or order of an administrative hearing officer after
22 the exhaustion of, or the failure to exhaust, judicial
23 review.

24 (d) Nothing in this Section is intended to affect the
25 power of a municipality to withhold the amount of any debt
26 that is due and owing the municipality by any of its
27 employees.

28 Section 15. The Cook County Forest Preserve District Act
29 is amended by adding Section 17.5 as follows:

30 (70 ILCS 810/17.5 new)

31 Sec. 17.5. Power to deduct wages for debts.

32 (a) Upon receipt of notice from the comptroller of a

1 municipality with a population of 500,000 or more, a county
 2 with a population of 3,000,000 or more, the Chicago Park
 3 District, the Metropolitan Water Reclamation District, the
 4 Chicago Transit Authority, the Chicago Board of Education, or
 5 a housing authority of a municipality with a population of
 6 500,000 or more that a debt is due and owing the
 7 municipality, the county, the Chicago Park District, the
 8 Metropolitan Water Reclamation District, the Chicago Transit
 9 Authority, the Chicago Board of Education, or the housing
 10 authority by an employee of the District, the District may
 11 withhold, from the compensation of that employee, the amount
 12 of the debt that is due and owing and pay the amount withheld
 13 to the municipality, the county, the Chicago Park District,
 14 the Metropolitan Water Reclamation District, the Chicago
 15 Transit Authority, the Chicago Board of Education, or the
 16 housing authority; provided, however, that the amount
 17 deducted from any one salary or wage payment shall not exceed
 18 25% of the net amount of the payment.

19 (b) Before the District deducts any amount from any
 20 salary or wage of an employee under this Section, the
 21 municipality, the county, the Chicago Park District, the
 22 Metropolitan Water Reclamation District, the Chicago Transit
 23 Authority, the Chicago Board of Education, or the housing
 24 authority shall certify that (i) the employee has been
 25 afforded an opportunity for a hearing to dispute the debt
 26 that is due and owing the municipality, the county, the
 27 Chicago Park District, the Metropolitan Water Reclamation
 28 District, the Chicago Transit Authority, the Chicago Board of
 29 Education, or the housing authority and (ii) the employee
 30 has received notice of a wage deduction order and has been
 31 afforded an opportunity for a hearing to object to the order.

32 (c) For purposes of this Section:
 33 (1) "Net amount" means that part of the salary or
 34 wage payment remaining after the deduction of any amounts

1 required by law to be deducted.

2 (2) "Debt due and owing" means (i) a specified sum
 3 of money owed to the municipality, the county, the
 4 Chicago Park District, the Metropolitan Water Reclamation
 5 District, the Chicago Transit Authority, the Chicago
 6 Board of Education, or the housing authority for
 7 services, work, or goods, after the period granted for
 8 payment has expired, or (ii) a specified sum of money
 9 owed to the municipality, the county, the Chicago Park
 10 District, the Metropolitan Water Reclamation District,
 11 the Chicago Transit Authority, the Chicago Board of
 12 Education, or the housing authority pursuant to a court
 13 order or order of an administrative hearing officer after
 14 the exhaustion of, or the failure to exhaust, judicial
 15 review.

16 Section 17. The Chicago Park District Act is amended by
 17 changing Section 16b as follows:

18 (70 ILCS 1505/16b)

19 Sec. 16b. Power to deduct wages for municipal debts.
 20 Upon receipt of notice from the comptroller of a municipality
 21 with a population of 500,000 or more, a county with a
 22 population of 3,000,000 or more, the Cook County Forest
 23 Preserve District, the Metropolitan Water Reclamation
 24 District, the Chicago Transit Authority, the Chicago Board of
 25 Education, or a housing authority of a municipality with a
 26 population of 500,000 or more that a debt is due and owing
 27 the municipality, the county, the Cook County Forest Preserve
 28 District, the Metropolitan Water Reclamation District, the
 29 Chicago Transit Authority, the Chicago Board of Education, or
 30 the housing authority by an employee of the Chicago Park
 31 District, the District may withhold, from the compensation of
 32 that employee, the amount of the debt that is due and owing

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

1 the failure to exhaust, judicial review.

2 (Source: P.A. 90-22, eff. 6-20-97.)

3 Section 20. The Metropolitan Water Reclamation District
4 Act is amended by adding Section 4.39 as follows:

5 (70 ILCS 2605/4.39 new)

6 Sec. 4.39. Power to deduct wages for debts.

7 (a) Upon receipt of notice from the comptroller of a
8 municipality with a population of 500,000 or more, a county
9 with a population of 3,000,000 or more, the Chicago Park
10 District, the Metropolitan Water Reclamation District, the
11 Chicago Transit Authority, the Chicago Board of Education, or
12 a housing authority of a municipality with a population of
13 500,000 or more that a debt is due and owing the
14 municipality, the county, the Cook County Forest Preserve
15 District, the Chicago Park District, the Chicago Transit
16 Authority, the Chicago Board of Education, or the housing
17 authority by an employee of the District, the District may
18 withhold, from the compensation of that employee, the amount
19 of the debt that is due and owing and pay the amount withheld
20 to the municipality, the county, the Cook County Forest
21 Preserve District, the Chicago Park District, the Chicago
22 Transit Authority, the Chicago Board of Education, or the
23 housing authority; provided, however, that the amount
24 deducted from any one salary or wage payment shall not exceed
25 25% of the net amount of the payment.

26 (b) Before the District deducts any amount from any
27 salary or wage of an employee under this Section, the
28 municipality, the county, the Cook County Forest Preserve
29 District, the Chicago Park District, the Chicago Transit
30 Authority, the Chicago Board of Education, or the housing
31 authority shall certify that (i) the employee has been
32 afforded an opportunity for a hearing to dispute the debt

1 that is due and owing the municipality, the county, the Cook
 2 County Forest Preserve District, the Chicago Park District,
 3 the Chicago Transit Authority, the Chicago Board of
 4 Education, or the housing authority and (ii) the employee
 5 has received notice of a wage deduction order and has been
 6 afforded an opportunity for a hearing to object to the order.

7 (c) For purposes of this Section:

8 (1) "Net amount" means that part of the salary or
 9 wage payment remaining after the deduction of any amounts
 10 required by law to be deducted.

11 (2) "Debt due and owing" means (i) a specified sum
 12 of money owed to the municipality, the county, the Cook
 13 County Forest Preserve District, the Chicago Park
 14 District, the Chicago Transit Authority, the Chicago
 15 Board of Education, or the housing authority for
 16 services, work, or goods, after the period granted for
 17 payment has expired, or (ii) a specified sum of money
 18 owed to the municipality, the county, the Cook County
 19 Forest Preserve District, the Chicago Park District, the
 20 Chicago Transit Authority, the Chicago Board of
 21 Education, or the housing authority pursuant to a court
 22 order or order of an administrative hearing officer after
 23 the exhaustion of, or the failure to exhaust, judicial
 24 review.

25 Section 22. The Metropolitan Transit Authority Act is
 26 amended by changing Section 28c as follows:

27 (70 ILCS 3605/28c)

28 Sec. 28c. Power to deduct wages for ~~municipal~~ debts.
 29 Upon receipt of notice from the comptroller of a municipality
 30 with a population of 500,000 or more, a county with a
 31 population of 3,000,000 or more, the Cook County Forest
 32 Preserve District, the Chicago Park District, the

1 Metropolitan Water Reclamation District, the Chicago Board of
2 Education, or a housing authority of a municipality with a
3 population of 500,000 or more that a debt is due and owing
4 the municipality, the county, the Cook County Forest Preserve
5 District, the Chicago Park District, the Metropolitan Water
6 Reclamation District, the Chicago Board of Education, or the
7 housing authority by an employee of the Authority, the
8 Authority may withhold, from the compensation of that
9 employee, the amount of the debt that is due and owing and
10 pay the amount withheld to the municipality, the county, the
11 Cook County Forest Preserve District, the Chicago Park
12 District, the Metropolitan Water Reclamation District, the
13 Chicago Board of Education, or the housing authority;
14 provided, however, that the amount deducted from any one
15 salary or wage payment shall not exceed 25% of the net amount
16 of the payment. Before the Authority deducts any amount from
17 any salary or wage of an employee under this Section, the
18 municipality, the county, the Cook County Forest Preserve
19 District, the Chicago Park District, the Metropolitan Water
20 Reclamation District, the Chicago Board of Education, or the
21 housing authority shall certify that (i) the employee has
22 been afforded an opportunity for a hearing to dispute the
23 debt that is due and owing the municipality, the county, the
24 Cook County Forest Preserve District, the Chicago Park
25 District, the Metropolitan Water Reclamation District, the
26 Chicago Board of Education, or the housing authority and (ii)
27 the employee has received notice of a wage deduction order
28 and has been afforded an opportunity for a hearing to object
29 to the order. For purposes of this Section, "net amount"
30 means that part of the salary or wage payment remaining after
31 the deduction of any amounts required by law to be deducted
32 and "debt due and owing" means (i) a specified sum of money
33 owed to the municipality, the county, the Cook County Forest
34 Preserve District, the Chicago Park District, the

1 Metropolitan Water Reclamation District, the Chicago Board of
 2 Education, or the housing authority for city services, work,
 3 or goods, after the period granted for payment has expired,
 4 or (ii) a specified sum of money owed to the municipality,
 5 the county, the Cook County Forest Preserve District, the
 6 Chicago Park District, the Metropolitan Water Reclamation
 7 District, the Chicago Board of Education, or the housing
 8 authority pursuant to a court order or order of an
 9 administrative hearing officer after the exhaustion of, or
 10 the failure to exhaust, judicial review.
 11 (Source: P.A. 90-22, eff. 6-20-97.)

12 Section 23. The School Code is amended by changing
 13 Section 34-18 as follows:

14 (105 ILCS 5/34-18) (from Ch. 122, par. 34-18)

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

- 20 1. To make suitable provision for the establishment
 21 and maintenance throughout the year or for such portion
 22 thereof as it may direct, not less than 9 months, of
 23 schools of all grades and kinds, including normal
 24 schools, high schools, night schools, schools for
 25 defectives and delinquents, parental and truant schools,
 26 schools for the blind, the deaf and the crippled, schools
 27 or classes in manual training, constructural and
 28 vocational teaching, domestic arts and physical culture,
 29 vocation and extension schools and lecture courses, and
 30 all other educational courses and facilities, including
 31 establishing, equipping, maintaining and operating
 32 playgrounds and recreational programs, when such programs

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

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

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

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

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

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

20 7. To apportion the pupils to the several schools;
21 provided that no pupil shall be excluded from or
22 segregated in any such school on account of his color,
23 race, sex, or nationality. The board shall take into
24 consideration the prevention of segregation and the
25 elimination of separation of children in public schools
26 because of color, race, sex, or nationality. Except that
27 children may be committed to or attend parental and
28 social adjustment schools established and maintained
29 either for boys or girls only. All records pertaining to
30 the creation, alteration or revision of attendance areas
31 shall be open to the public. Nothing herein shall limit
32 the board's authority to establish multi-area attendance
33 centers or other student assignment systems for
34 desegregation purposes or otherwise, and to apportion the

1 pupils to the several schools. Furthermore, beginning in
2 school year 1994-95, pursuant to a board plan adopted by
3 October 1, 1993, the board shall offer, commencing on a
4 phased-in basis, the opportunity for families within the
5 school district to apply for enrollment of their children
6 in any attendance center within the school district which
7 does not have selective admission requirements approved
8 by the board. The appropriate geographical area in which
9 such open enrollment may be exercised shall be determined
10 by the board of education. Such children may be admitted
11 to any such attendance center on a space available basis
12 after all children residing within such attendance
13 center's area have been accommodated. If the number of
14 applicants from outside the attendance area exceed the
15 space available, then successful applicants shall be
16 selected by lottery. The board of education's open
17 enrollment plan must include provisions that allow low
18 income students to have access to transportation needed
19 to exercise school choice. Open enrollment shall be in
20 compliance with the provisions of the Consent Decree and
21 Desegregation Plan cited in Section 34-1.01;

22 8. To approve programs and policies for providing
23 transportation services to students. Nothing herein shall
24 be construed to permit or empower the State Board of
25 Education to order, mandate, or require busing or other
26 transportation of pupils for the purpose of achieving
27 racial balance in any school;

28 9. Subject to the limitations in this Article, to
29 establish and approve system-wide curriculum objectives
30 and standards, including graduation standards, which
31 reflect the multi-cultural diversity in the city and are
32 consistent with State law, provided that for all purposes
33 of this Article courses or proficiency in American Sign
34 Language shall be deemed to constitute courses or

1 proficiency in a foreign language; and to employ
2 principals and teachers, appointed as provided in this
3 Article, and fix their compensation. The board shall
4 prepare such reports related to minimal competency
5 testing as may be requested by the State Board of
6 Education, and in addition shall monitor and approve
7 special education and bilingual education programs and
8 policies within the district to assure that appropriate
9 services are provided in accordance with applicable State
10 and federal laws to children requiring services and
11 education in those areas;

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

32 11. To provide television studio facilities in not
33 to exceed one school building and to provide programs for
34 educational purposes, provided, however, that the board

1 shall not construct, acquire, operate, or maintain a
2 television transmitter; to grant the use of its studio
3 facilities to a licensed television station located in
4 the school district; and to maintain and operate not to
5 exceed one school radio transmitting station and provide
6 programs for educational purposes;

7 12. To offer, if deemed appropriate, outdoor
8 education courses, including field trips within the State
9 of Illinois, or adjacent states, and to use school
10 educational funds for the expense of the said outdoor
11 educational programs, whether within the school district
12 or not;

13 13. During that period of the calendar year not
14 embraced within the regular school term, to provide and
15 conduct courses in subject matters normally embraced in
16 the program of the schools during the regular school term
17 and to give regular school credit for satisfactory
18 completion by the student of such courses as may be
19 approved for credit by the State Board of Education;

20 14. To insure against any loss or liability of the
21 board, the former School Board Nominating Commission,
22 Local School Councils, the Chicago Schools Academic
23 Accountability Council, or the former Subdistrict
24 Councils or of any member, officer, agent or employee
25 thereof, resulting from alleged violations of civil
26 rights arising from incidents occurring on or after
27 September 5, 1967 or from the wrongful or negligent act
28 or omission of any such person whether occurring within
29 or without the school premises, provided the officer,
30 agent or employee was, at the time of the alleged
31 violation of civil rights or wrongful act or omission,
32 acting within the scope of his employment or under
33 direction of the board, the former School Board
34 Nominating Commission, the Chicago Schools Academic

1 Accountability Council, Local School Councils, or the
2 former Subdistrict Councils; and to provide for or
3 participate in insurance plans for its officers and
4 employees, including but not limited to retirement
5 annuities, medical, surgical and hospitalization benefits
6 in such types and amounts as may be determined by the
7 board; provided, however, that the board shall contract
8 for such insurance only with an insurance company
9 authorized to do business in this State. Such insurance
10 may include provision for employees who rely on treatment
11 by prayer or spiritual means alone for healing, in
12 accordance with the tenets and practice of a recognized
13 religious denomination;

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

21 16. To provide, on an equal basis, access to the
22 school campus to the official recruiting representatives
23 of the armed forces of Illinois and the United States for
24 the purposes of informing students of the educational and
25 career opportunities available in the military if the
26 board has provided such access to persons or groups whose
27 purpose is to acquaint students with educational or
28 occupational opportunities available to them. The board
29 is not required to give greater notice regarding the
30 right of access to recruiting representatives than is
31 given to other persons and groups;

32 17. (a) To sell or market any computer program
33 developed by an employee of the school district, provided
34 that such employee developed the computer program as a

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

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

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

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

23 (3) "Proceeds" means profits derived from
24 marketing or sale of a product after deducting the
25 expenses of developing and marketing such product;

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

29 19. Upon the written request of an employee, to
30 withhold from the compensation of that employee any dues,
31 payments or contributions payable by such employee to any
32 labor organization as defined in the Illinois Educational
33 Labor Relations Act. Under such arrangement, an amount
34 shall be withheld from each regular payroll period which

1 is equal to the pro rata share of the annual dues plus
2 any payments or contributions, and the board shall
3 transmit such withholdings to the specified labor
4 organization within 10 working days from the time of the
5 withholding;

6 19a. Upon receipt of notice from the comptroller of
7 a municipality with a population of 500,000 or more, a
8 county with a population of 3,000,000 or more, the Cook
9 County Forest Preserve District, the Chicago Park
10 District, the Metropolitan Water Reclamation District,
11 the Chicago Transit Authority, or a housing authority of
12 a municipality with a population of 500,000 or more that
13 a debt is due and owing the municipality, the county, the
14 Cook County Forest Preserve District, the Chicago Park
15 District, the Metropolitan Water Reclamation District,
16 the Chicago Transit Authority, or the housing authority
17 by an employee of the Chicago Board of Education School
18 Reform---Board---of---Trustees, to withhold, from the
19 compensation of that employee, the amount of the debt
20 that is due and owing and pay the amount withheld to the
21 municipality, the county, the Cook County Forest Preserve
22 District, the Chicago Park District, the Metropolitan
23 Water Reclamation District, the Chicago Transit
24 Authority, or the housing authority; provided, however,
25 that the amount deducted from any one salary or wage
26 payment shall not exceed 25% of the net amount of the
27 payment. Before the Board deducts any amount from any
28 salary or wage of an employee under this paragraph, the
29 municipality, the county, the Cook County Forest Preserve
30 District, the Chicago Park District, the Metropolitan
31 Water Reclamation District, the Chicago Transit
32 Authority, or the housing authority shall certify that
33 (i) the employee has been afforded an opportunity for a
34 hearing to dispute the debt that is due and owing the

1 municipality, the county, the Cook County Forest Preserve
2 District, the Chicago Park District, the Metropolitan
3 Water Reclamation District, the Chicago Transit
4 Authority, or the housing authority and (ii) the employee
5 has received notice of a wage deduction order and has
6 been afforded an opportunity for a hearing to object to
7 the order. For purposes of this paragraph, "net amount"
8 means that part of the salary or wage payment remaining
9 after the deduction of any amounts required by law to be
10 deducted and "debt due and owing" means (i) a specified
11 sum of money owed to the municipality, the county, the
12 Cook County Forest Preserve District, the Chicago Park
13 District, the Metropolitan Water Reclamation District,
14 the Chicago Transit Authority, or the housing authority
15 for city services, work, or goods, after the period
16 granted for payment has expired, or (ii) a specified sum
17 of money owed to the municipality, the county, the Cook
18 County Forest Preserve District, the Chicago Park
19 District, the Metropolitan Water Reclamation District,
20 the Chicago Transit Authority, or the housing authority
21 pursuant to a court order or order of an administrative
22 hearing officer after the exhaustion of, or the failure
23 to exhaust, judicial review;

24 20. The board is encouraged to employ a sufficient
25 number of certified school counselors to maintain a
26 student/counselor ratio of 250 to 1 by July 1, 1990.
27 Each counselor shall spend at least 75% of his work time
28 in direct contact with students and shall maintain a
29 record of such time;

30 21. To make available to students vocational and
31 career counseling and to establish 5 special career
32 counseling days for students and parents. On these days
33 representatives of local businesses and industries shall
34 be invited to the school campus and shall inform students

1 of career opportunities available to them in the various
 2 businesses and industries. Special consideration shall
 3 be given to counseling minority students as to career
 4 opportunities available to them in various fields. For
 5 the purposes of this paragraph, minority student means a
 6 person who is:

7 (a) Black (a person having origins in any of
 8 the black racial groups in Africa);

9 (b) Hispanic (a person of Spanish or
 10 Portuguese culture with origins in Mexico, South or
 11 Central America, or the Caribbean islands,
 12 regardless of race);

13 (c) Asian American (a person having origins in
 14 any of the original peoples of the Far East,
 15 Southeast Asia, the Indian Subcontinent or the
 16 Pacific Islands); or

17 (d) American Indian or Alaskan Native (a
 18 person having origins in any of the original peoples
 19 of North America).

20 Counseling days shall not be in lieu of regular
 21 school days;

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

26 23. Except as otherwise provided in the Abused and
 27 Neglected Child Reporting Act or other applicable State
 28 or federal law, to permit school officials to withhold,
 29 from any person, information on the whereabouts of any
 30 child removed from school premises when the child has
 31 been taken into protective custody as a victim of
 32 suspected child abuse. School officials shall direct
 33 such person to the Department of Children and Family
 34 Services, or to the local law enforcement agency if

1 appropriate;

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

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

16 26. To encourage mid-career changes into the
17 teaching profession, whereby qualified professionals
18 become certified teachers, by allowing credit for
19 professional employment in related fields when
20 determining point of entry on teacher pay scale;

21 27. To provide or contract out training programs
22 for administrative personnel and principals with revised
23 or expanded duties pursuant to this Act in order to
24 assure they have the knowledge and skills to perform
25 their duties;

26 28. To establish a fund for the prioritized special
27 needs programs, and to allocate such funds and other lump
28 sum amounts to each attendance center in a manner
29 consistent with the provisions of part 4 of Section
30 34-2.3. Nothing in this paragraph shall be construed to
31 require any additional appropriations of State funds for
32 this purpose;

33 29. (Blank);

34 30. Notwithstanding any other provision of this Act

1 or any other law to the contrary, to contract with third
2 parties for services otherwise performed by employees,
3 including those in a bargaining unit, and to layoff those
4 employees upon 14 days written notice to the affected
5 employees. Those contracts may be for a period not to
6 exceed 5 years and may be awarded on a system-wide basis;

7 31. To promulgate rules establishing procedures
8 governing the layoff or reduction in force of employees
9 and the recall of such employees, including, but not
10 limited to, criteria for such layoffs, reductions in
11 force or recall rights of such employees and the weight
12 to be given to any particular criterion. Such criteria
13 shall take into account factors including, but not be
14 limited to, qualifications, certifications, experience,
15 performance ratings or evaluations, and any other factors
16 relating to an employee's job performance; and

17 32. To develop a policy to prevent nepotism in the
18 hiring of personnel or the selection of contractors.

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

26 In addition to the powers herein granted and authorized
27 to be exercised by the board, it shall be the duty of the
28 board to review or to direct independent reviews of special
29 education expenditures and services. The board shall file a
30 report of such review with the General Assembly on or before
31 May 1, 1990.

32 (Source: P.A. 89-15, eff. 5-30-95; 89-397, eff. 8-20-95;
33 89-626, eff. 8-9-96; 90-22, eff. 6-20-97; 90-548, eff.
34 1-1-98.)

1 Section 25. The Housing Authorities Act is amended by
2 adding Section 6.1 as follows:

3 (310 ILCS 10/6.1 new)

4 Sec. 6.1. Power to deduct wages for debts.

5 (a) Upon receipt of notice from the comptroller of a
6 municipality with a population of 500,000 or more, a county
7 with a population of 3,000,000 or more, the Cook County
8 Forest Preserve District, the Chicago Park District, the
9 Metropolitan Water Reclamation District, the Chicago Transit
10 Authority, or the Chicago Board of Education that a debt is
11 due and owing the municipality, the county, the Cook County
12 Forest Preserve District, the Chicago Park District, the
13 Metropolitan Water Reclamation District, the Chicago Transit
14 Authority, or the Chicago Board of Education by an employee
15 of the housing authority of a municipality with a population
16 of 500,000 or more, that authority may withhold, from the
17 compensation of that employee, the amount of the debt that is
18 due and owing and pay the amount withheld to the
19 municipality, the county, the Cook County Forest Preserve
20 District, the Chicago Park District, the Metropolitan Water
21 Reclamation District, the Chicago Transit Authority, or the
22 Chicago Board of Education; provided, however, that the
23 amount deducted from any one salary or wage payment shall not
24 exceed 25% of the net amount of the payment.

25 (b) Before the housing authority of a municipality with
26 a population of 500,000 or more deducts any amount from any
27 salary or wage of an employee under this Section, the
28 municipality, the county, the Cook County Forest Preserve
29 District, the Chicago Park District, the Metropolitan Water
30 Reclamation District, the Chicago Transit Authority, or the
31 Chicago Board of Education shall certify that (i) the
32 employee has been afforded an opportunity for a hearing to
33 dispute the debt that is due and owing the municipality, the

1 county, the Cook County Forest Preserve District, the Chicago
 2 Park District, the Metropolitan Water Reclamation District,
 3 the Chicago Transit Authority, or the Chicago Board of
 4 Education and (ii) the employee has received notice of a wage
 5 deduction order and has been afforded an opportunity for a
 6 hearing to object to the order.

7 (c) For purposes of this Section:

8 (1) "Net amount" means that part of the salary or
 9 wage payment remaining after the deduction of any amounts
 10 required by law to be deducted.

11 (2) "Debt due and owing" means (i) a specified sum
 12 of money owed to the municipality, the county, the Cook
 13 County Forest Preserve District, the Chicago Park
 14 District, the Metropolitan Water Reclamation District,
 15 the Chicago Transit Authority, or the Chicago Board of
 16 Education for services, work, or goods, after the period
 17 granted for payment has expired, or (ii) a specified sum
 18 of money owed to the municipality, the county, the Cook
 19 County Forest Preserve District, the Chicago Park
 20 District, the Metropolitan Water Reclamation District,
 21 the Chicago Transit Authority, or the Chicago Board of
 22 Education pursuant to a court order or order of an
 23 administrative hearing officer after the exhaustion of,
 24 or the failure to exhaust, judicial review.

25 Section 30. The Illinois Wage Payment and Collection Act
 26 is amended by changing Section 9 as follows:

27 (820 ILCS 115/9) (from Ch. 48, par. 39m-9)

28 Sec. 9. Except as hereinafter provided, deductions by
 29 employers from wages or final compensation are prohibited
 30 unless such deductions are (1) required by law; (2) to the
 31 benefit of the employee; (3) in response to a valid wage
 32 assignment or wage deduction order; (4) made with the express

1 written consent of the employee, given freely at the time the
2 deduction is made; (5) made by a municipality with a
3 population of 500,000 or more, a county with a population of
4 3,000,000 or more, a community college district in a city
5 with a population of 500,000 or more, a housing authority in
6 a municipality with a population of 500,000 or more, the
7 Chicago Park District, the Metropolitan Transit Authority, ~~or~~
8 the Chicago School-Reform Board of Education, the Cook County
9 Forest Preserve District, or the Metropolitan Water
10 Reclamation District ~~of-Trustees~~ to pay a debt owed by the
11 employee to a municipality with a population of 500,000 or
12 more, a county with a population of 3,000,000 or more, the
13 Cook County Forest Preserve, the Chicago Park District, the
14 Metropolitan Water Reclamation District, the Chicago Transit
15 Authority, the Chicago Board of Education, or a housing
16 authority of a municipality with a population of 500,000 or
17 more; provided, however, that the amount deducted from any
18 one salary or wage payment shall not exceed 25% of the net
19 amount of the payment; or (6) made by a housing authority in
20 a municipality with a population of 500,000 or more or a
21 municipality with a population of 500,000 or more to pay a
22 debt owed by the employee to a housing authority in a
23 municipality with a population of 500,000 or more; provided,
24 however, that the amount deducted from any one salary or wage
25 payment shall not exceed 25% of the net amount of the
26 payment. Before the municipality with a population of 500,000
27 or more, the community college district in a city with a
28 population of 500,000 or more, the Chicago Park District, the
29 Metropolitan Transit Authority, a housing authority in a
30 municipality with a population of 500,000 or more, ~~or~~ the
31 Chicago Board of Education, the county with a population of
32 3,000,000 or more, the Cook County Forest Preserve District,
33 or the Metropolitan Water Reclamation District ~~School--Reform~~
34 ~~Board--of-Trustees~~ deducts any amount from any salary or wage

1 of an employee to pay a debt owed to a municipality with a
2 population of 500,000 or more, a county with a population of
3 3,000,000 or more, the Cook County Forest Preserve District,
4 the Chicago Park District, the Metropolitan Water Reclamation
5 District, the Chicago Transit Authority, the Chicago Board of
6 Education, or a housing authority of a municipality with a
7 population of 500,000 or more under this Section, the
8 municipality, the county, the Cook County Forest Preserve
9 District, the Chicago Park District, the Metropolitan Water
10 Reclamation District, the Chicago Transit Authority, the
11 Chicago Board of Education, or a housing authority of a
12 municipality with a population of 500,000 or more shall
13 certify that (i) the employee has been afforded an
14 opportunity for a hearing to dispute the debt that is due and
15 owing the municipality, the county, the Cook County Forest
16 Preserve District, the Chicago Park District, the
17 Metropolitan Water Reclamation District, the Chicago Transit
18 Authority, the Chicago Board of Education, or a housing
19 authority of a municipality with a population of 500,000 or
20 more and (ii) the employee has received notice of a wage
21 deduction order and has been afforded an opportunity for a
22 hearing to object to the order. Before a housing authority in
23 a municipality with a population of 500,000 or more or a
24 municipality with a population of 500,000 or more, a county
25 with a population of 3,000,000 or more, the Cook County
26 Forest Preserve District, the Chicago Park District, the
27 Metropolitan Water Reclamation District, the Chicago Transit
28 Authority, the Chicago Board of Education, or a housing
29 authority of a municipality with a population of 500,000 or
30 more deducts any amount from any salary or wage of an
31 employee to pay a debt owed to a housing authority in a
32 municipality with a population of 500,000 or more under this
33 Section, the housing authority shall certify that (i) the
34 employee has been afforded an opportunity for a hearing to

1 dispute the debt that is due and owing the housing authority
2 and (ii) the employee has received notice of a wage deduction
3 order and has been afforded an opportunity for a hearing to
4 object to the order. For purposes of this Section, "net
5 amount" means that part of the salary or wage payment
6 remaining after the deduction of any amounts required by law
7 to be deducted and "debt due and owing" means (i) a specified
8 sum of money owed to the municipality, county, the Cook
9 County Forest Preserve District, the Chicago Park District,
10 the Metropolitan Water Reclamation District, the Chicago
11 Transit Authority, the Chicago Board of Education, or housing
12 authority for services, work, or goods, after the period
13 granted for payment has expired, or (ii) a specified sum of
14 money owed to the municipality, county, the Cook County
15 Forest Preserve District, the Chicago Park District, the
16 Metropolitan Water Reclamation District, the Chicago Transit
17 Authority, the Chicago Board of Education or housing
18 authority pursuant to a court order or order of an
19 administrative hearing officer after the exhaustion of, or
20 the failure to exhaust, judicial review. Where the
21 legitimacy of any deduction from wages is in dispute, the
22 amount in question may be withheld if the employer notifies
23 the Department of Labor on the date the payment is due in
24 writing of the amount that is being withheld and stating the
25 reasons for which the payment is withheld. Upon such
26 notification the Department of Labor shall conduct an
27 investigation and render a judgment as promptly as possible,
28 and shall complete such investigation within 30 days of
29 receipt of the notification by the employer that wages have
30 been withheld. The employer shall pay the wages due upon
31 order of the Department of Labor within 15 calendar days of
32 issuance of a judgment on the dispute.

33 The Department shall establish rules to protect the
34 interests of both parties in cases of disputed deductions

1 from wages. Such rules shall include reasonable limitations
2 on the amount of deductions beyond those required by law
3 which may be made during any pay period by any employer.

4 In case of a dispute over wages, the employer shall pay,
5 without condition and within the time set by this Act, all
6 wages or parts thereof, conceded by him to be due, leaving to
7 the employee all remedies to which he may otherwise be
8 entitled as to any balance claimed. The acceptance by an
9 employee of a disputed paycheck shall not constitute a
10 release as to the balance of his claim and any release or
11 restrictive endorsement required by an employer as a
12 condition to payment shall be a violation of this Act and
13 shall be void.

14 (Source: P.A. 90-22, eff. 6-20-97; 91-443, eff. 8-6-99.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.