

1 AMENDMENT TO HOUSE BILL 3069

2 AMENDMENT NO. _____. Amend House Bill 3069 by replacing
3 everything after the enacting clause with the following:

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

1 Metropolitan Water Reclamation District, the Chicago Transit
2 Authority, the Chicago Board of Education, or the housing
3 authority; provided, however, that the amount deducted from
4 any one salary or wage payment shall not exceed 25% of the
5 net amount of the payment.

6 (b) Before the county deducts any amount from any salary
7 or wage of an employee under this Section, the municipality,
8 the Cook County Forest Preserve District, the Chicago Park
9 District, the Metropolitan Water Reclamation District, the
10 Chicago Transit Authority, the Chicago Board of Education, or
11 the housing authority shall certify that the employee has
12 been afforded an opportunity for a hearing to dispute the
13 debt that is due and owing the municipality, the Cook County
14 Forest Preserve District, the Chicago Park District, the
15 Metropolitan Water Reclamation District, the Chicago Transit
16 Authority, the Chicago Board of Education, or the housing
17 authority.

18 (c) For purposes of this Section:

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

22 (2) "Debt due and owing" means (i) a specified sum
23 of money owed to the municipality, the Cook County Forest
24 Preserve District, the Chicago Park District, the
25 Metropolitan Water Reclamation District, the Chicago
26 Transit Authority, the Chicago Board of Education, or the
27 housing authority for services, work, or goods, after the
28 period granted for payment has expired, or (ii) a
29 specified sum of money owed to the municipality, the Cook
30 County Forest Preserve District, the Chicago Park
31 District, the Metropolitan Water Reclamation District,
32 the Chicago Transit Authority, the Chicago Board of
33 Education, or the housing authority pursuant to a court
34 order or order of an administrative hearing officer after

1 the exhaustion of, or the failure to exhaust, judicial
2 review.

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

6 Section 10. The Illinois Municipal Code is amended by
7 adding Section 10-4-8 as follows:

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

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

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

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

1 District, the Metropolitan Water Reclamation District, the
2 Chicago Transit Authority, the Chicago Board of Education, or
3 the housing authority shall certify that the employee has
4 been afforded an opportunity for a hearing to dispute the
5 debt that is due and owing the county, the Cook County
6 Forest Preserve District, the Chicago Park District, the
7 Metropolitan Water Reclamation District, the Chicago Transit
8 Authority, the Chicago Board of Education, or the housing
9 authority.

10 (c) For purposes of this Section:

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

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

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

33 Section 15. The Cook County Forest Preserve District Act

1 is amended by adding Section 17.5 as follows:

2 (70 ILCS 810/17.5 new)

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

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

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

1 (c) For purposes of this Section:

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

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

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

21 (70 ILCS 1505/16b)

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

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

1 hearing officer after the exhaustion of, or the failure to
2 exhaust, judicial review.

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

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

6 (70 ILCS 2605/4.39 new)

7 Sec. 4.39. 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, a county
10 with a population of 3,000,000 or more, the Chicago Park
11 District, the Metropolitan Water Reclamation District, the
12 Chicago Transit Authority, the Chicago Board of Education, or
13 a housing authority of a municipality with a population of
14 500,000 or more that a debt is due and owing the
15 municipality, the county, the Cook County Forest Preserve
16 District, the Chicago Park District, the Chicago Transit
17 Authority, the Chicago Board of Education, or the housing
18 authority by an employee of the District, the District may
19 withhold, from the compensation of that employee, the amount
20 of the debt that is due and owing and pay the amount withheld
21 to the municipality, the county, the Cook County Forest
22 Preserve District, the Chicago Park District, the Chicago
23 Transit Authority, the Chicago Board of Education, or the
24 housing authority; provided, however, that the amount
25 deducted from any one salary or wage payment shall not exceed
26 25% of the net amount of the payment.

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

1 an opportunity for a hearing to dispute the debt that is due
 2 and owing the municipality, the county, the Cook County
 3 Forest Preserve District, the Chicago Park District, the
 4 Chicago Transit Authority, the Chicago Board of Education, or
 5 the housing authority.

6 (c) For purposes of this Section:

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

10 (2) "Debt due and owing" means (i) a specified sum
 11 of money owed to the municipality, the county, the Cook
 12 County Forest Preserve District, the Chicago Park
 13 District, the Chicago Transit Authority, the Chicago
 14 Board of Education, or the housing authority for
 15 services, work, or goods, after the period granted for
 16 payment has expired, or (ii) a specified sum of money
 17 owed to the municipality, the county, the Cook County
 18 Forest Preserve District, the Chicago Park District, the
 19 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 Section 22. The Metropolitan Transit Authority Act is
 25 amended by changing Section 28c as follows:

26 (70 ILCS 3605/28c)

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

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

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

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

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

10 (105 ILCS 5/34-18) (from Ch. 122, par. 34-18)

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

16 1. To make suitable provision for the establishment
17 and maintenance throughout the year or for such portion
18 thereof as it may direct, not less than 9 months, of
19 schools of all grades and kinds, including normal
20 schools, high schools, night schools, schools for
21 defectives and delinquents, parental and truant schools,
22 schools for the blind, the deaf and the crippled, schools
23 or classes in manual training, constructural and
24 vocational teaching, domestic arts and physical culture,
25 vocation and extension schools and lecture courses, and
26 all other educational courses and facilities, including
27 establishing, equipping, maintaining and operating
28 playgrounds and recreational programs, when such programs
29 are conducted in, adjacent to, or connected with any
30 public school under the general supervision and
31 jurisdiction of the board; provided, however, that in
32 allocating funds from year to year for the operation of

1 all attendance centers within the district, the board
2 shall ensure that supplemental general State aid funds
3 are allocated and applied in accordance with Section 18-8
4 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
8 in apprenticeship programs in trade schools operated by
9 the board, whether those programs are union-sponsored or
10 not. No student shall be refused admission into or be
11 excluded from any course of instruction offered in the
12 common schools by reason of that student's sex. No
13 student shall be denied equal access to physical
14 education and interscholastic athletic programs supported
15 from school district funds or denied participation in
16 comparable physical education and athletic programs
17 solely by reason of the student's sex. Equal access to
18 programs supported from school district funds and
19 comparable programs will be defined in rules promulgated
20 by the State Board of Education in consultation with the
21 Illinois High School Association. Notwithstanding any
22 other provision of this Article, neither the board of
23 education nor any local school council or other school
24 official shall recommend that children with disabilities
25 be placed into regular education classrooms unless those
26 children with disabilities are provided with
27 supplementary services to assist them so that they
28 benefit from the regular classroom instruction and are
29 included on the teacher's regular education class
30 register;

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

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

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

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

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

16 7. To apportion the pupils to the several schools;
17 provided that no pupil shall be excluded from or
18 segregated in any such school on account of his color,
19 race, sex, or nationality. The board shall take into
20 consideration the prevention of segregation and the
21 elimination of separation of children in public schools
22 because of color, race, sex, or nationality. Except that
23 children may be committed to or attend parental and
24 social adjustment schools established and maintained
25 either for boys or girls only. All records pertaining to
26 the creation, alteration or revision of attendance areas
27 shall be open to the public. Nothing herein shall limit
28 the board's authority to establish multi-area attendance
29 centers or other student assignment systems for
30 desegregation purposes or otherwise, and to apportion the
31 pupils to the several schools. Furthermore, beginning in
32 school year 1994-95, pursuant to a board plan adopted by
33 October 1, 1993, the board shall offer, commencing on a
34 phased-in basis, the opportunity for families within the

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

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

24 9. Subject to the limitations in this Article, to
25 establish and approve system-wide curriculum objectives
26 and standards, including graduation standards, which
27 reflect the multi-cultural diversity in the city and are
28 consistent with State law, provided that for all purposes
29 of this Article courses or proficiency in American Sign
30 Language shall be deemed to constitute courses or
31 proficiency in a foreign language; and to employ
32 principals and teachers, appointed as provided in this
33 Article, and fix their compensation. The board shall
34 prepare such reports related to minimal competency

1 testing as may be requested by the State Board of
2 Education, and in addition shall monitor and approve
3 special education and bilingual education programs and
4 policies within the district to assure that appropriate
5 services are provided in accordance with applicable State
6 and federal laws to children requiring services and
7 education in those areas;

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

28 11. To provide television studio facilities in not
29 to exceed one school building and to provide programs for
30 educational purposes, provided, however, that the board
31 shall not construct, acquire, operate, or maintain a
32 television transmitter; to grant the use of its studio
33 facilities to a licensed television station located in
34 the school district; and to maintain and operate not to

1 exceed one school radio transmitting station and provide
2 programs for educational purposes;

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

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

16 14. To insure against any loss or liability of the
17 board, the former School Board Nominating Commission,
18 Local School Councils, the Chicago Schools Academic
19 Accountability Council, or the former Subdistrict
20 Councils or of any member, officer, agent or employee
21 thereof, resulting from alleged violations of civil
22 rights arising from incidents occurring on or after
23 September 5, 1967 or from the wrongful or negligent act
24 or omission of any such person whether occurring within
25 or without the school premises, provided the officer,
26 agent or employee was, at the time of the alleged
27 violation of civil rights or wrongful act or omission,
28 acting within the scope of his employment or under
29 direction of the board, the former School Board
30 Nominating Commission, the Chicago Schools Academic
31 Accountability Council, Local School Councils, or the
32 former Subdistrict Councils; and to provide for or
33 participate in insurance plans for its officers and
34 employees, including but not limited to retirement

1 annuities, medical, surgical and hospitalization benefits
2 in such types and amounts as may be determined by the
3 board; provided, however, that the board shall contract
4 for such insurance only with an insurance company
5 authorized to do business in this State. Such insurance
6 may include provision for employees who rely on treatment
7 by prayer or spiritual means alone for healing, in
8 accordance with the tenets and practice of a recognized
9 religious denomination;

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

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

28 17. (a) To sell or market any computer program
29 developed by an employee of the school district, provided
30 that such employee developed the computer program as a
31 direct result of his or her duties with the school
32 district or through the utilization of the school
33 district resources or facilities. The employee who
34 developed the computer program shall be entitled to share

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

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

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

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

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

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

25 19. Upon the written request of an employee, to
26 withhold from the compensation of that employee any dues,
27 payments or contributions payable by such employee to any
28 labor organization as defined in the Illinois Educational
29 Labor Relations Act. Under such arrangement, an amount
30 shall be withheld from each regular payroll period which
31 is equal to the pro rata share of the annual dues plus
32 any payments or contributions, and the board shall
33 transmit such withholdings to the specified labor
34 organization within 10 working days from the time of the

1 withholding;

2 19a. Upon receipt of notice from the comptroller of
3 a municipality with a population of 500,000 or more, a
4 county with a population of 3,000,000 or more, the Cook
5 County Forest Preserve District, the Chicago Park
6 District, the Metropolitan Water Reclamation District,
7 the Chicago Transit Authority, or a housing authority of
8 a municipality with a population of 500,000 or more that
9 a debt is due and owing the municipality, the county, the
10 Cook County Forest Preserve District, the Chicago Park
11 District, the Metropolitan Water Reclamation District,
12 the Chicago Transit Authority, or the housing authority
13 by an employee of the Chicago Board of Education School
14 Reform---Board---of---Trustees, to withhold, from the
15 compensation of that employee, the amount of the debt
16 that is due and owing and pay the amount withheld to the
17 municipality, the county, the Cook County Forest Preserve
18 District, the Chicago Park District, the Metropolitan
19 Water Reclamation District, the Chicago Transit
20 Authority, or the housing authority; provided, however,
21 that the amount deducted from any one salary or wage
22 payment shall not exceed 25% of the net amount of the
23 payment. Before the Board deducts any amount from any
24 salary or wage of an employee under this paragraph, the
25 municipality, the county, the Cook County Forest Preserve
26 District, the Chicago Park District, the Metropolitan
27 Water Reclamation District, the Chicago Transit
28 Authority, or the housing authority shall certify that
29 the employee has been afforded an opportunity for a
30 hearing to dispute the debt that is due and owing the
31 municipality, the county, the Cook County Forest Preserve
32 District, the Chicago Park District, the Metropolitan
33 Water Reclamation District, the Chicago Transit
34 Authority, or the housing authority. For purposes of

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

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

24 21. To make available to students vocational and
25 career counseling and to establish 5 special career
26 counseling days for students and parents. On these days
27 representatives of local businesses and industries shall
28 be invited to the school campus and shall inform students
29 of career opportunities available to them in the various
30 businesses and industries. Special consideration shall
31 be given to counseling minority students as to career
32 opportunities available to them in various fields. For
33 the purposes of this paragraph, minority student means a
34 person who is:

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

3 (b) Hispanic (a person of Spanish or
4 Portuguese culture with origins in Mexico, South or
5 Central America, or the Caribbean islands,
6 regardless of race);

7 (c) Asian American (a person having origins in
8 any of the original peoples of the Far East,
9 Southeast Asia, the Indian Subcontinent or the
10 Pacific Islands); or

11 (d) American Indian or Alaskan Native (a
12 person having origins in any of the original peoples
13 of North America).

14 Counseling days shall not be in lieu of regular
15 school days;

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

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

30 24. To develop a policy, based on the current state
31 of existing school facilities, projected enrollment and
32 efficient utilization of available resources, for capital
33 improvement of schools and school buildings within the
34 district, addressing in that policy both the relative

1 priority for major repairs, renovations and additions to
2 school facilities, and the advisability or necessity of
3 building new school facilities or closing existing
4 schools to meet current or projected demographic patterns
5 within the district;

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

10 26. To encourage mid-career changes into the
11 teaching profession, whereby qualified professionals
12 become certified teachers, by allowing credit for
13 professional employment in related fields when
14 determining point of entry on teacher pay scale;

15 27. To provide or contract out training programs
16 for administrative personnel and principals with revised
17 or expanded duties pursuant to this Act in order to
18 assure they have the knowledge and skills to perform
19 their duties;

20 28. To establish a fund for the prioritized special
21 needs programs, and to allocate such funds and other lump
22 sum amounts to each attendance center in a manner
23 consistent with the provisions of part 4 of Section
24 34-2.3. Nothing in this paragraph shall be construed to
25 require any additional appropriations of State funds for
26 this purpose;

27 29. (Blank);

28 30. Notwithstanding any other provision of this Act
29 or any other law to the contrary, to contract with third
30 parties for services otherwise performed by employees,
31 including those in a bargaining unit, and to layoff those
32 employees upon 14 days written notice to the affected
33 employees. Those contracts may be for a period not to
34 exceed 5 years and may be awarded on a system-wide basis;

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

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

13 The specifications of the powers herein granted are not
14 to be construed as exclusive but the board shall also
15 exercise all other powers that they may be requisite or
16 proper for the maintenance and the development of a public
17 school system, not inconsistent with the other provisions of
18 this Article or provisions of this Code which apply to all
19 school districts.

20 In addition to the powers herein granted and authorized
21 to be exercised by the board, it shall be the duty of the
22 board to review or to direct independent reviews of special
23 education expenditures and services. The board shall file a
24 report of such review with the General Assembly on or before
25 May 1, 1990.

26 (Source: P.A. 89-15, eff. 5-30-95; 89-397, eff. 8-20-95;
27 89-626, eff. 8-9-96; 90-22, eff. 6-20-97; 90-548, eff.
28 1-1-98.)

29 Section 25. The Housing Authorities Act is amended by
30 adding Section 6.1 as follows:

31 (310 ILCS 10/6.1 new)

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

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

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

33 (c) For purposes of this Section:

34 (1) "Net amount" means that part of the salary or

1 wage payment remaining after the deduction of any amounts
2 required by law to be deducted.

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

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

19 (820 ILCS 115/9) (from Ch. 48, par. 39m-9)

20 Sec. 9. Except as hereinafter provided, deductions by
21 employers from wages or final compensation are prohibited
22 unless such deductions are (1) required by law; (2) to the
23 benefit of the employee; (3) in response to a valid wage
24 assignment or wage deduction order; (4) made with the express
25 written consent of the employee, given freely at the time the
26 deduction is made; (5) made by a municipality with a
27 population of 500,000 or more, a county with a population of
28 3,000,000 or more, a community college district in a city
29 with a population of 500,000 or more, a housing authority in
30 a municipality with a population of 500,000 or more, the
31 Chicago Park District, the Metropolitan Transit Authority, ~~or~~
32 the Chicago School-Reform Board of Education, the Cook County

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

1 District, the Chicago Park District, the Metropolitan Water
2 Reclamation District, the Chicago Transit Authority, the
3 Chicago Board of Education, or a housing authority of a
4 municipality with a population of 500,000 or more shall
5 certify that the employee has been afforded an opportunity
6 for a hearing to dispute the debt that is due and owing the
7 municipality, the county, the Cook County Forest Preserve
8 District, the Chicago Park District, the Metropolitan Water
9 Reclamation District, the Chicago Transit Authority, the
10 Chicago Board of Education, or a housing authority of a
11 municipality with a population of 500,000 or more. Before a
12 housing authority in a municipality with a population of
13 500,000 or more or a municipality with a population of
14 500,000 or more, a county with a population of 3,000,000 or
15 more, the Cook County Forest Preserve District, the Chicago
16 Park District, the Metropolitan Water Reclamation District,
17 the Chicago Transit Authority, the Chicago Board of
18 Education, or a housing authority of a municipality with a
19 population of 500,000 or more deducts any amount from any
20 salary or wage of an employee to pay a debt owed to a housing
21 authority in a municipality with a population of 500,000 or
22 more under this Section, the housing authority shall certify
23 that the employee has been afforded an opportunity for a
24 hearing to dispute the debt that is due and owing the housing
25 authority. For purposes of this Section, "net amount" means
26 that part of the salary or wage payment remaining after the
27 deduction of any amounts required by law to be deducted and
28 "debt due and owing" means (i) a specified sum of money owed
29 to the municipality, county, the Cook County Forest Preserve
30 District, the Chicago Park District, the Metropolitan Water
31 Reclamation District, the Chicago Transit Authority, the
32 Chicago Board of Education, or housing authority for
33 services, work, or goods, after the period granted for
34 payment has expired, or (ii) a specified sum of money owed to

1 the municipality, county, the Cook County Forest Preserve
2 District, the Chicago Park District, the Metropolitan Water
3 Reclamation District, the Chicago Transit Authority, the
4 Chicago Board of Education or 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, judicial
7 review. Where the legitimacy of any deduction from wages is
8 in dispute, the amount in question may be withheld if the
9 employer notifies the Department of Labor on the date the
10 payment is due in writing of the amount that is being
11 withheld and stating the reasons for which the payment is
12 withheld. Upon such notification the Department of Labor
13 shall conduct an investigation and render a judgment as
14 promptly as possible, and shall complete such investigation
15 within 30 days of receipt of the notification by the employer
16 that wages have been withheld. The employer shall pay the
17 wages due upon order of the Department of Labor within 15
18 calendar days of issuance of a judgment on the dispute.

19 The Department shall establish rules to protect the
20 interests of both parties in cases of disputed deductions
21 from wages. Such rules shall include reasonable limitations
22 on the amount of deductions beyond those required by law
23 which may be made during any pay period by any employer.

24 In case of a dispute over wages, the employer shall pay,
25 without condition and within the time set by this Act, all
26 wages or parts thereof, conceded by him to be due, leaving to
27 the employee all remedies to which he may otherwise be
28 entitled as to any balance claimed. The acceptance by an
29 employee of a disputed paycheck shall not constitute a
30 release as to the balance of his claim and any release or
31 restrictive endorsement required by an employer as a
32 condition to payment shall be a violation of this Act and
33 shall be void.

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

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".