

1 district must be detached from that district and annexed to
2 an adjoining school district to which the portion is also
3 contiguous (herein referred to as "the Territory") upon a
4 petition or petitions filed under this Section if all of the
5 following conditions are met with respect to each petition:

6 (1) The Territory is to be detached from a school
7 district that is located predominantly (meaning more than
8 50% of the district's area) in a county of not less
9 than 2,000,000 and is to be annexed into a school
10 district located overwhelmingly (meaning more than 75% of
11 its area) in a county of not less than 750,000 and not
12 more than 1,500,000, and, on the effective date of this
13 amendatory Act of the 92nd General Assembly, the
14 Territory consists of not more than 500 acres of which
15 not more than 300 acres is vacant land and of which not
16 more than 200 acres is either platted for or improved
17 with residences and is located predominately (meaning
18 more than 50% of its area) within a municipality that is
19 (i) located predominantly (meaning more than 50% of the
20 area of the municipality) outside the elementary or high
21 school district from which the Territory is to be
22 detached and (ii) located partly or wholly within the
23 territorial boundaries of the adjoining elementary or
24 high school district to which the Territory is to be
25 annexed. Conclusive proof of the boundaries of each
26 school district and the municipality is a document or
27 documents setting forth the boundaries and certified by
28 the county clerk of each county or by the clerk of the
29 municipality as being a correct copy of records on file
30 with the county clerk or the clerk of the municipality as
31 of a date not more than 60 days before the filing of a
32 petition under this Section. If the records of the
33 respective clerks show boundaries as of different dates,
34 those records are deemed contemporaneous for purposes of
35 this Section.

1 (2) The equalized assessed valuation of the taxable
2 property of the Territory constitutes less than 5% of
3 the equalized assessed valuation of the taxable property
4 of the school district from which it is to be detached.
5 Conclusive proof of the equalized assessed valuation of
6 each district is a document or documents stating the
7 equalized assessed valuation and certified, by the county
8 clerk of a county of not less than 2,000,000 and by the
9 county assessor or township assessor in a county of not
10 less than 750,000 and not more than 1,500,000, as correct
11 by the certifying office as of a date not more than 60
12 days before the filing of a petition under this Section.
13 If the records from the 2 counties show equalized
14 assessed valuation as of different dates, those records
15 are deemed contemporaneous for purposes of this Section.

16 (3) The Territory is predominately (meaning more
17 than 50% of its area) within a municipality that is
18 predominantly (meaning more than 50% of the area of the
19 municipality) within a county of not less than 750,000
20 and not more than 1,500,000. Conclusive proof of
21 boundaries of the municipality is a document or
22 documents setting forth the boundaries and certified by
23 the county clerk of the county in which the municipality
24 is located or by the clerk of the municipality as correct
25 as of a date not more than 60 days before the filing of a
26 petition under this Section.

27 (4) The Territory, as of a date not more than 60
28 days before the filing of a petition, has not been
29 developed with structures for commercial, office, or
30 industrial uses, except for temporary buildings or
31 structures constructed pursuant to a permit or permits by
32 the applicable permitting authority for an initial term
33 of not more than 15 years. Conclusive proof of the
34 development of the land is a notarized statement, as of a
35 date not more than 60 days before the filing of a

1 petition under this Section, by a specially qualified
2 professional land surveyor licensed by the State of
3 Illinois.

4 (5) The area of the Territory is 5% or less of the
5 area of the school district from which it is to be
6 detached. Conclusive proof of the areas is a notarized
7 written statement by a specially qualified professional
8 land surveyor licensed by the State of Illinois.

9 (6) Travel on public roads within 5 miles from the
10 Territory to schools in the school district from which
11 the Territory is to be detached requires crossing an
12 interstate highway. Travel on public roads within 5 miles
13 from the Territory to schools in the school district to
14 which the Territory is to be annexed does not require
15 crossing an interstate highway. Conclusive proof of the
16 facts in this paragraph (6) is a notarized written
17 statement by a specially qualified professional land
18 surveyor licensed by the State of Illinois.

19 (c) No school district may lose more than 5% of its
20 equalized assessed valuation nor more than 5% of its
21 territory through petitions filed under this Section. If a
22 petition seeks to detach territory that would result in a
23 cumulative total of more than 5% of the district's equalized
24 assessed valuation or more than 5% of the district's
25 territory being detached under this Section, the petition
26 shall be denied without prejudice to its being filed pursuant
27 to Section 7-6 of this Code.

28 (d) Conclusive proof of the population of a county is
29 the most recent federal decennial census.

30 (e) A petition filed under this Section with respect to
31 the Territory must be filed with the regional board of school
32 trustees of the county where the Territory is located (herein
33 referred to as the Regional Board) at its regular offices not
34 later than the 24 months after the effective date of this
35 amendatory Act of the 92nd General Assembly and (i) in the

1 case of any portion of the Territory not developed with
2 residences, signed by or on behalf of the taxpayers of record
3 of properties constituting 60% or more of the land not so
4 developed and (ii) in the case of any portion of the
5 Territory developed by residences, signed by 60% or more of
6 registered voters residing in the residences. Conclusive
7 proof of who are the taxpayers of record is a document
8 certified by the assessor of the county or township in which
9 the property is located as of a date not more than 60 days
10 before the filing of a petition under this Section.
11 Conclusive proof of who are registered voters is a document
12 certified by the board of election commissioners for the
13 county in which the registered voters reside as of a date not
14 earlier than 60 days before the filing of the petition.
15 Conclusive proof of the area of the Territory and the area of
16 properties within the Territory is a survey or notarized
17 statement, as of a date not more than 60 days before the
18 filing of the petition, by a specially qualified professional
19 land surveyor licensed by the State of Illinois.

20 (f) The Regional Board must (1) hold a hearing on each
21 petition at its regular offices within 90 days after the date
22 of filing; (2) render a decision granting or denying the
23 petition within 30 days after the hearing; and (3) within 14
24 days after the decision, serve a copy of the decision by
25 certified mail, return receipt requested, upon the
26 petitioners and upon the school boards of the school
27 districts from which the territory described in the petition
28 is sought to be detached and to which the territory is sought
29 to be annexed. If petitions are filed pertaining to an
30 elementary school district and a high school district
31 described in this Section, if the petitions pertain to land
32 not developed with residences, and if the 2 petitions are
33 filed within 28 days of each other, the petitions must be
34 consolidated for hearing and heard at the same hearing. If
35 petitions are filed pertaining to an elementary school

1 district and a high school district described in this
2 Section, if the petitions pertain to land developed with
3 residences, and if the petitions are filed within 28 days of
4 each other, the 2 petitions must be consolidated for hearing
5 and heard at the same hearing. If the Regional Board does not
6 serve a copy of the decision within the time and in the
7 manner required, any petitioner has the right to obtain, in
8 the circuit court of the county in which the petition was
9 filed, a mandamus requiring the Regional Board to serve the
10 decision immediately to the parties in the manner required.
11 Upon proof that the Regional Board has not served the
12 decision to the parties or in the manner required, the
13 circuit court must immediately issue the order.

14 The Regional Board has no authority or discretion to hear
15 any evidence or consider any issues at the hearing except
16 those that may be necessary to determine whether the
17 conditions and limitations of this Section have been met. If
18 the Regional Board finds that such conditions and limitations
19 have been met, the Regional Board must grant the petition.

20 The Regional Board must (i) give written notice of the
21 time and place of the hearing not less than 30 days prior to
22 the date of the hearing to the school board of the school
23 district from which the territory described in the petition
24 is to be detached and to the school board of the school
25 district to which the territory is to be annexed and (ii)
26 publish notice of the hearing in a newspaper that is
27 circulated within the county in which the territory described
28 in the petition is located and is circulated within the
29 school districts whose school boards are entitled to notice.

30 (g) If the granting of a petition filed under this
31 Section has become final either through failure to seek
32 administrative review or by the final decision of a court on
33 review, the change in boundaries becomes effective forthwith
34 and for all purposes, except that if granting of the petition
35 becomes final between September 1 of any year and June 30 of

1 the following year, the administration of and attendance at
2 the schools are not affected until July 1 of the following
3 year, at which time the change becomes effective for all
4 purposes. After the granting of the petition becomes final,
5 the date when the change becomes effective for purposes of
6 administration and attendance may, in the case of land
7 improved with residences, be accelerated or postponed either
8 (i) by stipulation of the school boards of the school
9 districts from which the territory described in the petition
10 is detached and to which the territory is annexed or (ii) by
11 stipulation of the registered voters who signed the
12 petition. Their stipulation may be contained in the petition
13 or a separate document signed by them. Their stipulation must
14 be filed with the Regional Board not later than 120 days
15 after approval of their petition.

16 (h) The decision of the Regional Board is a final
17 "administrative decision" as defined in Section 3-101 of the
18 Code of Civil Procedure, and any petitioner or the school
19 board of the school district from which the land is to be
20 detached or of the school district to which the land is to be
21 annexed may, within 35 days after a copy of the decision
22 sought to be reviewed was served by certified mail upon the
23 affected party thereby or upon an attorney of record for such
24 party, apply for a review of the decision in accordance with
25 the Administrative Review Law and the rules adopted pursuant
26 to the Administrative Review Law. Standing to apply for or in
27 any manner seek review of the decision is limited exclusively
28 to a petitioner or school district described in this Section.

29 The commencement of any action for review operates as a
30 supersedeas, and no further proceedings are allowed until
31 final disposition of the review. The circuit court of the
32 county in which the petition is filed with the Regional Board
33 has sole jurisdiction to entertain a complaint for review.

34 (i) This Section (i) is not limited by and operates
35 independently of all other provisions of this Article and

1 (ii) constitutes complete authority for the granting or
2 denial by the Regional Board of a petition filed under this
3 Section when the conditions prescribed by this Section for
4 the filing of that petition are met or not met as the case
5 may be.

6 (105 ILCS 5/10-21.9) (from Ch. 122, par. 10-21.9)

7 Sec. 10-21.9. Criminal background investigations.

8 (a) Except as otherwise provided in subsection (a-5) of
9 this Section After-August-17-1985, certified and noncertified
10 applicants for employment with a school district, (except
11 school bus driver applicants) and student teachers assigned
12 to the district, are required, as a condition of employment
13 or student teaching in that district, to authorize an
14 investigation to determine if such applicants or student
15 teachers have been convicted of any of the enumerated
16 criminal or drug offenses in subsection (c) of this Section
17 or have been convicted, within 7 years of the application for
18 employment with the school district or of being assigned as a
19 student teacher to that district, of any other felony under
20 the laws of this State or of any offense committed or
21 attempted in any other state or against the laws of the
22 United States that, if committed or attempted in this State,
23 would have been punishable as a felony under the laws of this
24 State. Authorization for the investigation shall be furnished
25 by the applicant or student teacher to the school district,
26 except that if the applicant is a substitute teacher seeking
27 employment in more than one school district, a teacher
28 seeking concurrent part-time employment positions with more
29 than one school district (as a reading specialist, special
30 education teacher or otherwise), or an educational support
31 personnel employee seeking employment positions with more
32 than one district, any such district may require the
33 applicant to furnish authorization for the investigation to
34 the regional superintendent of the educational service region

1 in which are located the school districts in which the
2 applicant is seeking employment as a substitute or concurrent
3 part-time teacher or concurrent educational support personnel
4 employee. Upon receipt of this authorization, the school
5 district or the appropriate regional superintendent, as the
6 case may be, shall submit the applicant's or student
7 teacher's name, sex, race, date of birth and social security
8 number to the Department of State Police on forms prescribed
9 by the Department. The regional superintendent submitting the
10 requisite information to the Department of State Police shall
11 promptly notify the school districts in which the applicant
12 is seeking employment as a substitute or concurrent part-time
13 teacher or concurrent educational support personnel employee
14 that the investigation of the applicant has been requested.
15 The Department of State Police shall conduct an investigation
16 to ascertain if the applicant being considered for employment
17 or student teacher has been convicted of any of the
18 enumerated criminal or drug offenses in subsection (c) or has
19 been convicted, within 7 years of the application for
20 employment with the school district or of being assigned as a
21 student teacher to that district, of any other felony under
22 the laws of this State or of any offense committed or
23 attempted in any other state or against the laws of the
24 United States that, if committed or attempted in this State,
25 would have been punishable as a felony under the laws of this
26 State. The Department shall charge the school district or
27 the appropriate regional superintendent a fee for conducting
28 such investigation, which fee shall be deposited in the State
29 Police Services Fund and shall not exceed the cost of the
30 inquiry; and the applicant or student teacher shall not be
31 charged a fee for such investigation by the school district
32 or by the regional superintendent. The regional
33 superintendent may seek reimbursement from the State Board of
34 Education or the appropriate school district or districts for
35 fees paid by the regional superintendent to the Department

1 for the criminal background investigations required by this
2 Section.

3 (a-5) If a student teacher has undergone a criminal
4 background investigation under this Section and, within 18
5 months after the investigation is conducted, that former
6 student teacher is hired as a full-time employee with the
7 school district, then the former student teacher shall not be
8 required to undergo another criminal background investigation
9 under this Section.

10 (b) The Department shall furnish, pursuant to positive
11 identification, records of convictions, until expunged, to
12 the president of the school board for the school district
13 which requested the investigation, or to the regional
14 superintendent who requested the investigation. Any
15 information concerning the record of convictions obtained by
16 the president of the school board or the regional
17 superintendent shall be confidential and may only be
18 transmitted to the superintendent of the school district or
19 his designee, the appropriate regional superintendent if the
20 investigation was requested by the school district, the
21 presidents of the appropriate school boards if the
22 investigation was requested from the Department of State
23 Police by the regional superintendent, the State
24 Superintendent of Education, the State Teacher Certification
25 Board or any other person necessary to the decision of hiring
26 the applicant for employment or assigning the student teacher
27 to a school district. A copy of the record of convictions
28 obtained from the Department of State Police shall be
29 provided to the applicant for employment or student teacher.
30 If an investigation of an applicant for employment as a
31 substitute or concurrent part-time teacher or concurrent
32 educational support personnel employee in more than one
33 school district was requested by the regional superintendent,
34 and the Department of State Police upon investigation
35 ascertains that the applicant has not been convicted of any

1 of the enumerated criminal or drug offenses in subsection (c)
2 or has not been convicted, within 7 years of the application
3 for employment with the school district, of any other felony
4 under the laws of this State or of any offense committed or
5 attempted in any other state or against the laws of the
6 United States that, if committed or attempted in this State,
7 would have been punishable as a felony under the laws of this
8 State and so notifies the regional superintendent, then the
9 regional superintendent shall issue to the applicant a
10 certificate evidencing that as of the date specified by the
11 Department of State Police the applicant has not been
12 convicted of any of the enumerated criminal or drug offenses
13 in subsection (c) or has not been convicted, within 7 years
14 of the application for employment with the school district,
15 of any other felony under the laws of this State or of any
16 offense committed or attempted in any other state or against
17 the laws of the United States that, if committed or attempted
18 in this State, would have been punishable as a felony under
19 the laws of this State. The school board of any school
20 district located in the educational service region served by
21 the regional superintendent who issues such a certificate to
22 an applicant for employment as a substitute teacher in more
23 than one such district may rely on the certificate issued by
24 the regional superintendent to that applicant, or may
25 initiate its own investigation of the applicant through the
26 Department of State Police as provided in subsection (a). Any
27 person who releases any confidential information concerning
28 any criminal convictions of an applicant for employment or
29 student teacher shall be guilty of a Class A misdemeanor,
30 unless the release of such information is authorized by this
31 Section.

32 (c) No school board shall knowingly employ a person or
33 knowingly allow a person to student teach who has been
34 convicted for committing attempted first degree murder or for
35 committing or attempting to commit first degree murder or a

1 Class X felony or any one or more of the following offenses:
2 (i) those defined in Sections 11-6, 11-9, 11-14, 11-15,
3 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20,
4 11-20.1, 11-21, 12-13, 12-14, 12-14.1, 12-15 and 12-16 of the
5 "Criminal Code of 1961"; (ii) those defined in the "Cannabis
6 Control Act" except those defined in Sections 4(a), 4(b) and
7 5(a) of that Act; (iii) those defined in the "Illinois
8 Controlled Substances Act"; and (iv) any offense committed or
9 attempted in any other state or against the laws of the
10 United States, which if committed or attempted in this State,
11 would have been punishable as one or more of the foregoing
12 offenses. Further, no school board shall knowingly employ a
13 person or knowingly allow a person to student teach who has
14 been found to be the perpetrator of sexual or physical abuse
15 of any minor under 18 years of age pursuant to proceedings
16 under Article II of the Juvenile Court Act of 1987.

17 (d) No school board shall knowingly employ a person or
18 knowingly allow a person to student teach for whom a criminal
19 background investigation has not been initiated.

20 (e) Upon receipt of the record of a conviction of or a
21 finding of child abuse by a holder of any certificate issued
22 pursuant to Article 21 or Section 34-8.1 or 34-83 of the
23 School Code, the appropriate regional superintendent of
24 schools or the State Superintendent of Education shall
25 initiate the certificate suspension and revocation
26 proceedings authorized by law.

27 (f) After January 1, 1990 the provisions of this Section
28 shall apply to all employees of persons or firms holding
29 contracts with any school district including, but not limited
30 to, food service workers, school bus drivers and other
31 transportation employees, who have direct, daily contact with
32 the pupils of any school in such district. For purposes of
33 criminal background investigations on employees of persons or
34 firms holding contracts with more than one school district
35 and assigned to more than one school district, the regional

1 superintendent of the educational service region in which the
 2 contracting school districts are located may, at the request
 3 of any such school district, be responsible for receiving the
 4 authorization for investigation prepared by each such
 5 employee and submitting the same to the Department of State
 6 Police. Any information concerning the record of conviction
 7 of any such employee obtained by the regional superintendent
 8 shall be promptly reported to the president of the
 9 appropriate school board or school boards.

10 (Source: P.A. 90-566, eff. 1-2-98; 91-885, eff. 7-6-00.)

11 (105 ILCS 5/34-18.5) (from Ch. 122, par. 34-18.5)

12 Sec. 34-18.5. Criminal background investigations.

13 (a) Except as otherwise provided in subsection (a-5) of
 14 this Section After-August-17-1985, certified and noncertified
 15 applicants for employment with the school district and
 16 student teachers assigned to the district are required, as a
 17 condition of employment or student teaching in that district,
 18 to authorize an investigation to determine if such applicants
 19 or student teachers have been convicted of any of the
 20 enumerated criminal or drug offenses in subsection (c) of
 21 this Section or have been convicted, within 7 years of the
 22 application for employment with the school district or of
 23 being assigned as a student teacher to that district, of any
 24 other felony under the laws of this State or of any offense
 25 committed or attempted in any other state or against the laws
 26 of the United States that, if committed or attempted in this
 27 State, would have been punishable as a felony under the laws
 28 of this State. Authorization for the investigation shall be
 29 furnished by the applicant or student teacher to the school
 30 district, except that if the applicant is a substitute
 31 teacher seeking employment in more than one school district,
 32 or a teacher seeking concurrent part-time employment
 33 positions with more than one school district (as a reading
 34 specialist, special education teacher or otherwise), or an

1 educational support personnel employee seeking employment
2 positions with more than one district, any such district may
3 require the applicant to furnish authorization for the
4 investigation to the regional superintendent of the
5 educational service region in which are located the school
6 districts in which the applicant is seeking employment as a
7 substitute or concurrent part-time teacher or concurrent
8 educational support personnel employee. Upon receipt of this
9 authorization, the school district or the appropriate
10 regional superintendent, as the case may be, shall submit the
11 applicant's or student teacher's name, sex, race, date of
12 birth and social security number to the Department of State
13 Police on forms prescribed by the Department. The regional
14 superintendent submitting the requisite information to the
15 Department of State Police shall promptly notify the school
16 districts in which the applicant is seeking employment as a
17 substitute or concurrent part-time teacher or concurrent
18 educational support personnel employee that the investigation
19 of the applicant has been requested. The Department of State
20 Police shall conduct an investigation to ascertain if the
21 applicant being considered for employment or student teacher
22 has been convicted of any of the enumerated criminal or drug
23 offenses in subsection (c) or has been convicted, within 7
24 years of the application for employment with the school
25 district or of being assigned as a student teacher to that
26 district, of any other felony under the laws of this State or
27 of any offense committed or attempted in any other state or
28 against the laws of the United States that, if committed or
29 attempted in this State, would have been punishable as a
30 felony under the laws of this State. The Department shall
31 charge the school district or the appropriate regional
32 superintendent a fee for conducting such investigation, which
33 fee shall be deposited in the State Police Services Fund and
34 shall not exceed the cost of the inquiry; and the applicant
35 or student teacher shall not be charged a fee for such

1 investigation by the school district or by the regional
2 superintendent. The regional superintendent may seek
3 reimbursement from the State Board of Education or the
4 appropriate school district or districts for fees paid by the
5 regional superintendent to the Department for the criminal
6 background investigations required by this Section.

7 (a-5) If a student teacher has undergone a criminal
8 background investigation under this Section and, within 18
9 months after the investigation is conducted, that former
10 student teacher is hired as a full-time employee with the
11 school district, then the former student teacher shall not be
12 required to undergo another criminal background investigation
13 under this Section.

14 (b) The Department shall furnish, pursuant to positive
15 identification, records of convictions, until expunged, to
16 the president of the board of education for the school
17 district which requested the investigation, or to the
18 regional superintendent who requested the investigation. Any
19 information concerning the record of convictions obtained by
20 the president of the board of education or the regional
21 superintendent shall be confidential and may only be
22 transmitted to the general superintendent of the school
23 district or his designee, the appropriate regional
24 superintendent if the investigation was requested by the
25 board of education for the school district, the presidents of
26 the appropriate board of education or school boards if the
27 investigation was requested from the Department of State
28 Police by the regional superintendent, the State
29 Superintendent of Education, the State Teacher Certification
30 Board or any other person necessary to the decision of hiring
31 the applicant for employment or assigning the student teacher
32 to a school district. A copy of the record of convictions
33 obtained from the Department of State Police shall be
34 provided to the applicant for employment or student teacher.
35 If an investigation of an applicant for employment as a

1 substitute or concurrent part-time teacher or concurrent
2 educational support personnel employee in more than one
3 school district was requested by the regional superintendent,
4 and the Department of State Police upon investigation
5 ascertains that the applicant has not been convicted of any
6 of the enumerated criminal or drug offenses in subsection (c)
7 or has not been convicted, within 7 years of the application
8 for employment with the school district, of any other felony
9 under the laws of this State or of any offense committed or
10 attempted in any other state or against the laws of the
11 United States that, if committed or attempted in this State,
12 would have been punishable as a felony under the laws of this
13 State and so notifies the regional superintendent, then the
14 regional superintendent shall issue to the applicant a
15 certificate evidencing that as of the date specified by the
16 Department of State Police the applicant has not been
17 convicted of any of the enumerated criminal or drug offenses
18 in subsection (c) or has not been convicted, within 7 years
19 of the application for employment with the school district,
20 of any other felony under the laws of this State or of any
21 offense committed or attempted in any other state or against
22 the laws of the United States that, if committed or attempted
23 in this State, would have been punishable as a felony under
24 the laws of this State. The school board of any school
25 district located in the educational service region served by
26 the regional superintendent who issues such a certificate to
27 an applicant for employment as a substitute or concurrent
28 part-time teacher or concurrent educational support personnel
29 employee in more than one such district may rely on the
30 certificate issued by the regional superintendent to that
31 applicant, or may initiate its own investigation of the
32 applicant through the Department of State Police as provided
33 in subsection (a). Any person who releases any confidential
34 information concerning any criminal convictions of an
35 applicant for employment or student teacher shall be guilty

1 of a Class A misdemeanor, unless the release of such
2 information is authorized by this Section.

3 (c) The board of education shall not knowingly employ a
4 person or knowingly allow a person to student teach who has
5 been convicted for committing attempted first degree murder
6 or for committing or attempting to commit first degree murder
7 or a Class X felony or any one or more of the following
8 offenses: (i) those defined in Sections 11-6, 11-9, 11-14,
9 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2,
10 11-20, 11-20.1, 11-21, 12-13, 12-14, 12-14.1, 12-15 and 12-16
11 of the Criminal Code of 1961; (ii) those defined in the
12 Cannabis Control Act, except those defined in Sections 4(a),
13 4(b) and 5(a) of that Act; (iii) those defined in the
14 Illinois Controlled Substances Act; and (iv) any offense
15 committed or attempted in any other state or against the laws
16 of the United States, which if committed or attempted in this
17 State, would have been punishable as one or more of the
18 foregoing offenses. Further, the board of education shall not
19 knowingly employ a person or knowingly allow a person to
20 student teach who has been found to be the perpetrator of
21 sexual or physical abuse of any minor under 18 years of age
22 pursuant to proceedings under Article II of the Juvenile
23 Court Act of 1987.

24 (d) The board of education shall not knowingly employ a
25 person or knowingly allow a person to student teach for whom
26 a criminal background investigation has not been initiated.

27 (e) Upon receipt of the record of a conviction of or a
28 finding of child abuse by a holder of any certificate issued
29 pursuant to Article 21 or Section 34-8.1 or 34-83 of the
30 School Code, the board of education or the State
31 Superintendent of Education shall initiate the certificate
32 suspension and revocation proceedings authorized by law.

33 (f) After March 19, 1990, the provisions of this Section
34 shall apply to all employees of persons or firms holding
35 contracts with any school district including, but not limited

1 to, food service workers, school bus drivers and other
 2 transportation employees, who have direct, daily contact with
 3 the pupils of any school in such district. For purposes of
 4 criminal background investigations on employees of persons or
 5 firms holding contracts with more than one school district
 6 and assigned to more than one school district, the regional
 7 superintendent of the educational service region in which the
 8 contracting school districts are located may, at the request
 9 of any such school district, be responsible for receiving the
 10 authorization for investigation prepared by each such
 11 employee and submitting the same to the Department of State
 12 Police. Any information concerning the record of conviction
 13 of any such employee obtained by the regional superintendent
 14 shall be promptly reported to the president of the
 15 appropriate school board or school boards.

16 (Source: P.A. 90-566, eff. 1-2-98; 91-885, eff. 7-6-00.)

17 Section 99. Effective date. This Act takes effect upon
 18 becoming law, except that the changes to Sections 10-21.9 and
 19 34-18.5 of the School Code take effect on July 1, 2002."

20 Submitted on November 14, 2001.

21 s/Sen. Ed Petka

s/Rep. Calvin L. Giles

22 s/Sen. Dan Cronin

Rep. Barbara Flynn Currie

23 s/Sen. Peter Roskam

Rep. Gary Hannig

24 s/Sen. Lisa Madigan

Rep. Art Tenhouse

25 s/Sen. Vince Demuzio

Rep. Dan Rutherford

26 Committee for the Senate

Committee for the House