

1 AMENDMENT TO SENATE BILL 980

2 AMENDMENT NO. _____. Amend Senate Bill 980, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

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

7 (55 ILCS 5/3-14002.5 new)

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

9 (a) Upon receipt of notice from the comptroller of a
10 municipality with a population of 500,000 or more, the Cook
11 County Forest Preserve District, the Chicago Park District,
12 the Metropolitan Water Reclamation District, the Chicago
13 Transit Authority, the Chicago Board of Education, or a
14 housing authority of a municipality with a population of
15 500,000 or more that a debt is due and owing the
16 municipality, the Cook County Forest Preserve District, the
17 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 county with a population of 3,000,000 or more, the county may
21 withhold, from the compensation of that employee, the amount
22 of the debt that is due and owing and pay the amount withheld

1 to the municipality, 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 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.

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

22 (c) For purposes of this Section:

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

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

1 District, the Metropolitan Water Reclamation District,
2 the Chicago Transit Authority, the Chicago Board of
3 Education, or the housing authority pursuant to a court
4 order or order of an administrative hearing officer after
5 the exhaustion of, or the failure to exhaust, judicial
6 review.

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

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

12 (65 ILCS 5/10-4-8 new)

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

14 (a) Upon receipt of notice from the comptroller of a
15 county with a population of 3,000,000 or more, the Cook
16 County Forest Preserve District, the Chicago Park District,
17 the Metropolitan Water Reclamation District, the Chicago
18 Transit Authority, the Chicago Board of Education, or a
19 housing authority of a municipality with a population of
20 500,000 or more that a debt is due and owing the county, the
21 Cook County Forest Preserve District, the Chicago Park
22 District, the Metropolitan Water Reclamation District, the
23 Chicago Transit Authority, the Chicago Board of Education, or
24 the housing authority by an employee of a municipality with a
25 population of 500,000 or more, the municipality may withhold,
26 from the compensation of that employee, the amount of the
27 debt that is due and owing and pay the amount withheld to the
28 county, the Cook County Forest Preserve District, the Chicago
29 Park District, the Metropolitan Water Reclamation District,
30 the Chicago Transit Authority, the Chicago Board of
31 Education, or the housing authority; provided, however that
32 the amount deducted from any one salary or wage payment shall

1 not exceed 25% of the net amount of the payment.

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

16 (c) For purposes of this Section:

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

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

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

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

7 (70 ILCS 810/17.5 new)

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

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

28 (b) Before the District deducts any amount from any
29 salary or wage of an employee under this Section, the
30 municipality, the county, the Chicago Park District, the
31 Metropolitan Water Reclamation District, the Chicago Transit
32 Authority, the Chicago Board of Education, or the housing

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

10 (c) For purposes of this Section:

11 (1) "Net amount" means that 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 municipality, the county, the
 16 Chicago Park District, the Metropolitan Water Reclamation
 17 District, the Chicago Transit Authority, the Chicago
 18 Board of Education, or the housing authority for
 19 services, work, or goods, after the period granted for
 20 payment has expired, or (ii) a specified sum of money
 21 owed to the municipality, the county, the Chicago Park
 22 District, the Metropolitan Water Reclamation District,
 23 the Chicago Transit Authority, the Chicago Board of
 24 Education, or the housing authority pursuant to a court
 25 order or order of an administrative hearing officer after
 26 the exhaustion of, or the failure to exhaust, judicial
 27 review.

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

30 (70 ILCS 1505/16b)

31 Sec. 16b. Power to deduct wages for municipal debts.
 32 Upon receipt of notice from the comptroller of a municipality

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

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

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

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

17 (70 ILCS 2605/4.39 new)

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

19 (a) Upon receipt of notice from the comptroller of a
 20 municipality with a population of 500,000 or more, a county
 21 with a population of 3,000,000 or more, the Cook County
 22 Forest Preserve District, the Chicago Park District, the
 23 Chicago Transit Authority, the Chicago Board of Education, or
 24 a housing authority of a municipality with a population of
 25 500,000 or more that a debt is due and owing the
 26 municipality, the county, the Cook County Forest Preserve
 27 District, the Chicago Park District, the Chicago Transit
 28 Authority, the Chicago Board of Education, or the housing
 29 authority by an employee of the District, the District may
 30 withhold, from the compensation of that employee, the amount
 31 of the debt that is due and owing and pay the amount withheld
 32 to the municipality, the county, the Cook County Forest

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

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

20 (c) For purposes of this Section:

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

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

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

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

6 (70 ILCS 3605/28c)

7 Sec. 28c. Power to deduct wages for municipal debts.
8 Upon receipt of notice from the comptroller of a municipality
9 with a population of 500,000 or more, a county with a
10 population of 3,000,000 or more, the Cook County Forest
11 Preserve District, the Chicago Park District, the
12 Metropolitan Water Reclamation District, the Chicago Board of
13 Education, or a housing authority of a municipality with a
14 population of 500,000 or more that a debt is due and owing
15 the municipality, the county, the Cook County Forest Preserve
16 District, the Chicago Park District, the Metropolitan Water
17 Reclamation District, the Chicago Board of Education, or the
18 housing authority by an employee of the Authority, the
19 Authority 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 county, the
22 Cook County Forest Preserve District, the Chicago Park
23 District, the Metropolitan Water Reclamation District, the
24 Chicago Board of Education, or the housing authority;
25 provided, however, that the amount deducted from any one
26 salary or wage payment shall not exceed 25% of the net amount
27 of the payment. Before the Authority deducts any amount from
28 any 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 Metropolitan Water
31 Reclamation District, the Chicago Board of Education, or the
32 housing authority shall certify that (i) the employee has

1 been afforded an opportunity for a hearing to dispute the
2 debt that is due and owing the municipality, the county, the
3 Cook County Forest Preserve District, the Chicago Park
4 District, the Metropolitan Water Reclamation District, the
5 Chicago Board of Education, or the housing authority and (ii)
6 the employee has received notice of a wage deduction order
7 and has been afforded an opportunity for a hearing to object
8 to the order. For purposes of this Section, "net amount"
9 means that part of the salary or wage payment remaining after
10 the deduction of any amounts required by law to be deducted
11 and "debt due and owing" means (i) a specified sum of money
12 owed to the municipality, the county, the Cook County Forest
13 Preserve District, the Chicago Park District, the
14 Metropolitan Water Reclamation District, the Chicago Board of
15 Education, or the housing authority for city services, work,
16 or goods, after the period granted for payment has expired,
17 or (ii) a specified sum of money owed to the municipality,
18 the county, the Cook County Forest Preserve District, the
19 Chicago Park District, the Metropolitan Water Reclamation
20 District, the Chicago Board of Education, or the housing
21 authority pursuant to a court order or order of an
22 administrative hearing officer after the exhaustion of, or
23 the failure to exhaust, judicial review.
24 (Source: P.A. 90-22, eff. 6-20-97.)

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

27 (105 ILCS 5/34-18) (from Ch. 122, par. 34-18)
28 Sec. 34-18. Powers of the board. The board shall
29 exercise general supervision and jurisdiction over the public
30 education and the public school system of the city, and,
31 except as otherwise provided by this Article, shall have
32 power:

1 1. To make suitable provision for the establishment
2 and maintenance throughout the year or for such portion
3 thereof as it may direct, not less than 9 months, of
4 schools of all grades and kinds, including normal
5 schools, high schools, night schools, schools for
6 defectives and delinquents, parental and truant schools,
7 schools for the blind, the deaf and the crippled, schools
8 or classes in manual training, constructural and
9 vocational teaching, domestic arts and physical culture,
10 vocation and extension schools and lecture courses, and
11 all other educational courses and facilities, including
12 establishing, equipping, maintaining and operating
13 playgrounds and recreational programs, when such programs
14 are conducted in, adjacent to, or connected with any
15 public school under the general supervision and
16 jurisdiction of the board; provided, however, that in
17 allocating funds from year to year for the operation of
18 all attendance centers within the district, the board
19 shall ensure that supplemental general State aid funds
20 are allocated and applied in accordance with Section 18-8
21 or 18-8.05. To admit to such schools without charge
22 foreign exchange students who are participants in an
23 organized exchange student program which is authorized by
24 the board. The board shall permit all students to enroll
25 in apprenticeship programs in trade schools operated by
26 the board, whether those programs are union-sponsored or
27 not. No student shall be refused admission into or be
28 excluded from any course of instruction offered in the
29 common schools by reason of that student's sex. No
30 student shall be denied equal access to physical
31 education and interscholastic athletic programs supported
32 from school district funds or denied participation in
33 comparable physical education and athletic programs
34 solely by reason of the student's sex. Equal access to

1 programs supported from school district funds and
2 comparable programs will be defined in rules promulgated
3 by the State Board of Education in consultation with the
4 Illinois High School Association. Notwithstanding any
5 other provision of this Article, neither the board of
6 education nor any local school council or other school
7 official shall recommend that children with disabilities
8 be placed into regular education classrooms unless those
9 children with disabilities are provided with
10 supplementary services to assist them so that they
11 benefit from the regular classroom instruction and are
12 included on the teacher's regular education class
13 register;

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

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

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

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

26 6. To grant the use of assembly halls and
27 classrooms when not otherwise needed, including light,
28 heat, and attendants, for free public lectures, concerts,
29 and other educational and social interests, free of
30 charge, under such provisions and control as the
31 principal of the affected attendance center may
32 prescribe;

33 7. To apportion the pupils to the several schools;
34 provided that no pupil shall be excluded from or

1 segregated in any such school on account of his color,
2 race, sex, or nationality. The board shall take into
3 consideration the prevention of segregation and the
4 elimination of separation of children in public schools
5 because of color, race, sex, or nationality. Except that
6 children may be committed to or attend parental and
7 social adjustment schools established and maintained
8 either for boys or girls only. All records pertaining to
9 the creation, alteration or revision of attendance areas
10 shall be open to the public. Nothing herein shall limit
11 the board's authority to establish multi-area attendance
12 centers or other student assignment systems for
13 desegregation purposes or otherwise, and to apportion the
14 pupils to the several schools. Furthermore, beginning in
15 school year 1994-95, pursuant to a board plan adopted by
16 October 1, 1993, the board shall offer, commencing on a
17 phased-in basis, the opportunity for families within the
18 school district to apply for enrollment of their children
19 in any attendance center within the school district which
20 does not have selective admission requirements approved
21 by the board. The appropriate geographical area in which
22 such open enrollment may be exercised shall be determined
23 by the board of education. Such children may be admitted
24 to any such attendance center on a space available basis
25 after all children residing within such attendance
26 center's area have been accommodated. If the number of
27 applicants from outside the attendance area exceed the
28 space available, then successful applicants shall be
29 selected by lottery. The board of education's open
30 enrollment plan must include provisions that allow low
31 income students to have access to transportation needed
32 to exercise school choice. Open enrollment shall be in
33 compliance with the provisions of the Consent Decree and
34 Desegregation Plan cited in Section 34-1.01;

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

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

25 10. To employ non-teaching personnel or utilize
26 volunteer personnel for: (i) non-teaching duties not
27 requiring instructional judgment or evaluation of pupils,
28 including library duties; and (ii) supervising study
29 halls, long distance teaching reception areas used
30 incident to instructional programs transmitted by
31 electronic media such as computers, video, and audio,
32 detention and discipline areas, and school-sponsored
33 extracurricular activities. The board may further utilize
34 volunteer non-certificated personnel or employ

1 non-certificated personnel to assist in the instruction
2 of pupils under the immediate supervision of a teacher
3 holding a valid certificate, directly engaged in teaching
4 subject matter or conducting activities; provided that
5 the teacher shall be continuously aware of the
6 non-certificated persons' activities and shall be able to
7 control or modify them. The general superintendent shall
8 determine qualifications of such personnel and shall
9 prescribe rules for determining the duties and activities
10 to be assigned to such personnel;

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

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

26 13. During that period of the calendar year not
27 embraced within the regular school term, to provide and
28 conduct courses in subject matters normally embraced in
29 the program of the schools during the regular school term
30 and to give regular school credit for satisfactory
31 completion by the student of such courses as may be
32 approved for credit by the State Board of Education;

33 14. To insure against any loss or liability of the
34 board, the former School Board Nominating Commission,

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

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

34 16. To provide, on an equal basis, access to the

1 school campus to the official recruiting representatives
2 of the armed forces of Illinois and the United States for
3 the purposes of informing students of the educational and
4 career opportunities available in the military if the
5 board has provided such access to persons or groups whose
6 purpose is to acquaint students with educational or
7 occupational opportunities available to them. The board
8 is not required to give greater notice regarding the
9 right of access to recruiting representatives than is
10 given to other persons and groups;

11 17. (a) To sell or market any computer program
12 developed by an employee of the school district, provided
13 that such employee developed the computer program as a
14 direct result of his or her duties with the school
15 district or through the utilization of the school
16 district resources or facilities. The employee who
17 developed the computer program shall be entitled to share
18 in the proceeds of such sale or marketing of the computer
19 program. The distribution of such proceeds between the
20 employee and the school district shall be as agreed upon
21 by the employee and the school district, except that
22 neither the employee nor the school district may receive
23 more than 90% of such proceeds. The negotiation for an
24 employee who is represented by an exclusive bargaining
25 representative may be conducted by such bargaining
26 representative at the employee's request.

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

28 (1) "Computer" means an internally programmed,
29 general purpose digital device capable of
30 automatically accepting data, processing data and
31 supplying the results of the operation.

32 (2) "Computer program" means a series of coded
33 instructions or statements in a form acceptable to a
34 computer, which causes the computer to process data

1 in order to achieve a certain result.

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

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

8 19. Upon the written request of an employee, to
9 withhold from the compensation of that employee any dues,
10 payments or contributions payable by such employee to any
11 labor organization as defined in the Illinois Educational
12 Labor Relations Act. Under such arrangement, an amount
13 shall be withheld from each regular payroll period which
14 is equal to the pro rata share of the annual dues plus
15 any payments or contributions, and the board shall
16 transmit such withholdings to the specified labor
17 organization within 10 working days from the time of the
18 withholding;

19 19a. Upon receipt of notice from the comptroller of
20 a municipality with a population of 500,000 or more, a
21 county with a population of 3,000,000 or more, the Cook
22 County Forest Preserve District, the Chicago Park
23 District, the Metropolitan Water Reclamation District,
24 the Chicago Transit Authority, or a housing authority of
25 a municipality with a population of 500,000 or more that
26 a debt is due and owing the municipality, the county, the
27 Cook County Forest Preserve District, the Chicago Park
28 District, the Metropolitan Water Reclamation District,
29 the Chicago Transit Authority, or the housing authority
30 by an employee of the Chicago Board of Education School
31 Reform---Board---of---Trustees, to withhold, from the
32 compensation of that employee, the amount of the debt
33 that is due and owing and pay the amount withheld to the
34 municipality, the county, the Cook County Forest Preserve

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

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

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

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

22 (b) Hispanic (a person of Spanish or
23 Portuguese culture with origins in Mexico, South or
24 Central America, or the Caribbean islands,
25 regardless of race);

26 (c) Asian American (a person having origins in
27 any of the original peoples of the Far East,
28 Southeast Asia, the Indian Subcontinent or the
29 Pacific Islands); or

30 (d) American Indian or Alaskan Native (a
31 person having origins in any of the original peoples
32 of North America).

33 Counseling days shall not be in lieu of regular
34 school days;

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

5 23. Except as otherwise provided in the Abused and
6 Neglected Child Reporting Act or other applicable State
7 or federal law, to permit school officials to withhold,
8 from any person, information on the whereabouts of any
9 child removed from school premises when the child has
10 been taken into protective custody as a victim of
11 suspected child abuse. School officials shall direct
12 such person to the Department of Children and Family
13 Services, or to the local law enforcement agency if
14 appropriate;

15 24. To develop a policy, based on the current state
16 of existing school facilities, projected enrollment and
17 efficient utilization of available resources, for capital
18 improvement of schools and school buildings within the
19 district, addressing in that policy both the relative
20 priority for major repairs, renovations and additions to
21 school facilities, and the advisability or necessity of
22 building new school facilities or closing existing
23 schools to meet current or projected demographic patterns
24 within the district;

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

29 26. To encourage mid-career changes into the
30 teaching profession, whereby qualified professionals
31 become certified teachers, by allowing credit for
32 professional employment in related fields when
33 determining point of entry on teacher pay scale;

34 27. To provide or contract out training programs

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

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

12 29. (Blank);

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

20 31. To promulgate rules establishing procedures
21 governing the layoff or reduction in force of employees
22 and the recall of such employees, including, but not
23 limited to, criteria for such layoffs, reductions in
24 force or recall rights of such employees and the weight
25 to be given to any particular criterion. Such criteria
26 shall take into account factors including, but not be
27 limited to, qualifications, certifications, experience,
28 performance ratings or evaluations, and any other factors
29 relating to an employee's job performance; and

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

32 The specifications of the powers herein granted are not
33 to be construed as exclusive but the board shall also
34 exercise all other powers that they may be requisite or

1 proper for the maintenance and the development of a public
2 school system, not inconsistent with the other provisions of
3 this Article or provisions of this Code which apply to all
4 school districts.

5 In addition to the powers herein granted and authorized
6 to be exercised by the board, it shall be the duty of the
7 board to review or to direct independent reviews of special
8 education expenditures and services. The board shall file a
9 report of such review with the General Assembly on or before
10 May 1, 1990.

11 (Source: P.A. 89-15, eff. 5-30-95; 89-397, eff. 8-20-95;
12 89-626, eff. 8-9-96; 90-22, eff. 6-20-97; 90-548, eff.
13 1-1-98.)

14 Section 25. The Housing Authorities Act is amended by
15 adding Section 6.1 as follows:

16 (310 ILCS 10/6.1 new)

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

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

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

6 (b) Before the housing authority of a municipality with
7 a population of 500,000 or more deducts any amount from any
8 salary or wage of an employee under this Section, the
9 municipality, the county, the Cook County Forest Preserve
10 District, the Chicago Park District, the Metropolitan Water
11 Reclamation District, the Chicago Transit Authority, or the
12 Chicago Board of Education shall certify that (i) the
13 employee has been afforded an opportunity for a hearing to
14 dispute the debt that is due and owing the municipality, the
15 county, the Cook County Forest Preserve District, the Chicago
16 Park District, the Metropolitan Water Reclamation District,
17 the Chicago Transit Authority, or the Chicago Board of
18 Education and (ii) the employee has received notice of a wage
19 deduction order and has been afforded an opportunity for a
20 hearing to object to the order.

21 (c) For purposes of this Section:

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

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

1 the Chicago Transit Authority, or the Chicago Board of
 2 Education pursuant to a court order or order of an
 3 administrative hearing officer after the exhaustion of,
 4 or the failure to exhaust, judicial review.

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

7 (820 ILCS 115/9) (from Ch. 48, par. 39m-9)

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

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

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

1 employer notifies the Department of Labor on the date the
2 payment is due in writing of the amount that is being
3 withheld and stating the reasons for which the payment is
4 withheld. Upon such notification the Department of Labor
5 shall conduct an investigation and render a judgment as
6 promptly as possible, and shall complete such investigation
7 within 30 days of receipt of the notification by the employer
8 that wages have been withheld. The employer shall pay the
9 wages due upon order of the Department of Labor within 15
10 calendar days of issuance of a judgment on the dispute.

11 The Department shall establish rules to protect the
12 interests of both parties in cases of disputed deductions
13 from wages. Such rules shall include reasonable limitations
14 on the amount of deductions beyond those required by law
15 which may be made during any pay period by any employer.

16 In case of a dispute over wages, the employer shall pay,
17 without condition and within the time set by this Act, all
18 wages or parts thereof, conceded by him to be due, leaving to
19 the employee all remedies to which he may otherwise be
20 entitled as to any balance claimed. The acceptance by an
21 employee of a disputed paycheck shall not constitute a
22 release as to the balance of his claim and any release or
23 restrictive endorsement required by an employer as a
24 condition to payment shall be a violation of this Act and
25 shall be void.

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

27 Section 99. Effective date. This Act takes effect upon
28 becoming law."