



2013 LEGISLATIVE UPDATE: SUMMARY OF CHANGES IN SCHOOL LAW

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** This Legislative Update was compiled with assistance from Jamel Greer, a third-year law student at Loyola University Chicago School of Law, and Caitlyn Sharrow, a second-year law student at Loyola University Chicago School of Law, both of whom serve[d] as Loyola Education Practicum Students at Franczek Radelet. The Practicum, part of Loyola's education law curriculum, was created to provide law students with practical experience at education law firms and organizations. Students receive academic credit for their Practicum experience.*



Administration

HAZING

[Public Act 98-0393](#)

Effective Date: August 16, 2013

The failure to report a hazing incident is now a crime. The failure to report hazing occurs when a school official observes an act not sanctioned by the school that results in bodily harm and the school official knowingly fails to report the incident to supervising educational authorities or, if the event resulted in death or great bodily harm, to law enforcement. The law applies to all paid school administrators, teachers, counselors, support staff, and coaches and any and all volunteer coaches employed by a school, college, university, or other educational institution of this State. Violation of the statute is a Class B misdemeanor, unless the act the person failed to report results in death or great bodily harm, in which case it is a Class A misdemeanor.

FIREARM CONCEALED CARRY ACT

[Public Act 98-00063](#)

Effective Date: July 9, 2013

The Firearm Concealed Carry Act contains a section entitled “School Administrator Reporting of Mental Health Clear and Present Danger Determinations Law.” The law requires principals to report to the State Police when a student is determined to pose a clear and present danger to himself, herself, or others within 24 hours of the determination. “Clear and present danger” means a person who communicates a serious threat of physical violence against a reasonably identifiable victim or poses a clear and imminent risk of serious physical injury to himself, herself, or another person as determined by a physician, clinical psychologist, or qualified examiner; or who demonstrates threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions, or other behavior, as determined by a physician, clinical psychologist, qualified examiner, school administrator, or law

enforcement official. Our prior FR Alert on this legislation can be accessed [here](#).

SCHOOL SAFETY DRILLS

[Public Act 98-0048](#)

Effective Date: July 1, 2013

School evacuation drills involving law enforcement must now include shooting incidents. During each academic year a law enforcement drill involving a shooting incident must be conducted at each school building that houses school children. Our prior FR Alert on this legislation can be accessed [here](#).

MEDICAL INSURANCE FOR INTERSCHOLASTIC ATHLETES

[Public Act 98-0166](#)

Effective Date: August 5, 2013

Public school districts and non-public schools maintaining grades 9 through 12 are now required to provide catastrophic accident insurance coverage, with aggregate benefit limits of \$3 million or 5 years, whichever occurs first, for eligible students who sustain an accidental injury while participating in a school sponsored or supervised IHSA event that results in medical expenses in excess of \$50,000. Public school districts and non-public schools that require students participating in such activities to be covered under an individual or group policy of accident or health insurance are exempt from this requirement. The IHSA has been given the exclusive authority to establish a plan of coverage that ensures compliance with this requirement and provide a group policy providing the necessary coverage. Any school not purchasing coverage through the IHSA must submit to the IHSA a certificate of insurance establishing compliance with the requirements 60 days before the inception of coverage.



INSURANCE

[Public Act 98-0189](#)

Effective Date: January 1, 2014

A company that issues, delivers, amends, or renews an individual or group policy of accident and health insurance on or after January 1, 2014, must now accommodate a reasonable request to receive communications of claim-related information by alternative means or at alternative locations if the person, or the parent or guardian of a child covered by the policy, clearly states that disclosure of all or part of the information could endanger the person or the child covered by the policy. The company may require such requests to be made in writing. Except with the express consent of the person making such a request, a company may not disclose to the policyholder the address, telephone number, or any other personally identifying information of the person who made the request or child for whose benefit a request was made, the nature of the health care services provided, or the name or address of the provider of the health care services.

DUTIES OF A PRINCIPAL

[Public Act 98-0059](#)

Effective Date: January 1, 2014

The duties of principals in school districts other than the Chicago Public Schools (CPS) as defined in Section 10-21.4a have been amended to include the utilization of law enforcement agencies when the safety and welfare of students and teachers are threatened by illegal use or possession of weapons, or by illegal gang activity. The School Code already addressed these Duties of a Principal for CPS. Also, all courts and law enforcement agencies must now report to the principal of any public school whenever a child enrolled in the principal's school is detained for illegal gang activity.

CPR & AED TRAINING VIDEO

[Public Act 98-0305](#)

Effective Date: August 12, 2013

The IHSA is now required to post a training video on its website providing instruction on hands-only CPR and the use of AEDs, but only if the video is provided to the IHSA free of charge and is less than 15 minutes in length. School districts are required to notify parents and staff in newsletters, bulletins, calendars, or other correspondence of the video and encourage parents and staff to view the video.

MENTAL ILLNESS TRAINING

[Public Act 98-0471](#)

Effective Date: January 1, 2014

School guidance counselors, teachers, school social workers, and other school personnel who work with pupils in grades 7 through 12 must now be trained to identify the warning signs of mental illness in addition to suicidal behavior.

SCHOOL SECURITY AND STANDARDS TASK FORCE

[Public Act 98-0578](#)

Effective Date: August 27, 2013

A Task Force has been established to report to the General Assembly by January 1, 2014, on minimum standards for securing schools. In addition to considering physical structures, security staffing, and security equipment, the Task Force is charged with developing a model security plan policy and suggesting funding recommendations for schools to access for use in implementing enhanced security measures.

YOUNG ADULTS HEROIN USE TASK FORCE

[Public Act 98-0374](#)

Effective Date: August 16, 2013

A Task Force has been established to study the heroin use problem in high schools and suggest programs for high schools to use to address the problem. The Task Force must report its findings by June 30, 2014.



Board of Education

TEEN DATING VIOLENCE POLICY

[Public Act 98-0190](#)

Effective Date: August 6, 2013

The school board of every public school district is now required to adopt a policy that states teen dating violence is unacceptable and prohibited and that each student has a right to a safe learning environment. The policy must also incorporate age-appropriate education about teen dating violence into new or existing programs for school employees and students in grades 7 through 12. The policy must establish procedures for the manner in which school employees are to respond to incidents of teen dating violence that take place at the school, at school sponsored activities, and in vehicles used for school-provided transportation. The school officials responsible for receiving reports of teen dating violence must be identified by job title. Finally, the policy must provide notification to students and parents of the teen dating violence policy adopted by the board. Our prior FR Alert on this legislation can be accessed [here](#).

NOMINATING PETITIONS

[Public Act 98-0115](#)

Effective Date: July 29, 2013; some parts effective October 1, 2013

Nominating petitions will no longer be filed with the secretary of the board of education, and school board members will no longer hear objections to nominating petitions. Nominating petitions will now be filed with the county clerk or county board of election commissioners in the county in which the principal office of the school district is located. The county officers' electoral board or county board of election commissioners, rather than an education officers' electoral board made up of current board members, will now hear objections to nominating petitions. This change affects only school districts.

AUTOMATED TRAFFIC LAW ENFORCEMENT

[Public Act 98-0556](#)

Effective Date: January 1, 2014

School boards, acting in conjunction with a municipality or county, may now install automated traffic law enforcement systems on their buses. An automated traffic law enforcement system is a system of recording images of motor vehicles that fail to stop before meeting or overtaking a school bus stopped for the purpose of receiving or discharging pupils. Any school bus equipped with an automated traffic law enforcement system must have a sign posted on it stating that the school bus is being monitored.

BRING YOUR PARENTS TO SCHOOL DAY

[Public Act 98-0304](#)

Effective Date: January 1, 2014

A school board may now designate the first Monday in October as "Bring Your Parents to School Day" to promote parental involvement and student success. On this day, school boards may permit parents or guardians of students to attend class with their children and meet with teachers and administrators.

IRAQ AND AFGHANISTAN VETERANS REMEMBRANCE DAY

[Public Act 98-0156](#)

Effective Date: August 2, 2013

Iraq and Afghanistan Veterans Remembrance Day has been added to the school calendar as a commemorative holiday. A school board may choose to observe the day on October 7.

CONSOLIDATION

[Public Act 98-0125](#)

Effective Date: August 2, 2013

Any school district with an enrollment of less than 750 students can now be dissolved and its territory annexed through a petition adopted by a board of education resolution or by a petition signed by a majority of the registered voters of the district. If the distance between the administrative offices is less than 30 miles and the districts contiguous to the dissolving district adopt a



school board resolution and send a letter to the regional board of school trustees that they are not interested in the petition, the annexing district and the annexed district need not be contiguous. Also, two or more high school districts each with enrollments of 600 students or less in grades 9 through 12 may now operate one or more cooperative high schools and two or more unit districts may be organized into a combined school district if those same requirements are met and documented. Finally, if such a petition requires a new school building, the change is granted and approved at an election, and no appeal is taken, then with the approval of the regional superintendent of schools the change may become effective after one or more school districts have been awarded school construction grants.

Charter Schools

MORATORIUM ON VIRTUAL CHARTER SCHOOLS

[Public Act 98-0016](#)

Effective Date: May 24, 2013

From April 1, 2013 through April 2, 2014, there is a moratorium on the establishment of charter schools with virtual-schooling components in school districts other than the Chicago Public Schools. This does not apply to charter schools with virtual-schooling components already approved prior to April 1, 2013. On or before March 1, 2014, the State Charter School Commission shall submit to the General Assembly a report on the effect of virtual-schooling.

CHARTER SCHOOLS NEAR MILITARY BASES

[Public Act 98-0474](#)

Effective Date: August 16, 2013

If a charter school is located in a school district in which all or part of a federal military base is also located, the charter school may now set aside 33 percent of its enrollment for students with parents assigned to the military base. If a student with a parent assigned to the military base withdraws, students with parents assigned to the military base must be given preference in filling the vacancy.

Curriculum

SEX EDUCATION

[Public Act 98-0441](#)

Effective Date: January 1, 2014

To the extent they are offered, sex education courses must now include age appropriate, evidence-based, and medically accurate course material and instruction. Classes must include instruction on both abstinence and contraception for the prevention of pregnancy and sexually transmitted diseases, including HIV/AIDS. The course material must emphasize that abstinence is the ensured method of avoiding unintended pregnancy, sexually transmitted diseases, and HIV/AIDS.

STATE SEAL OF BILITERACY

[Public Act 98-0560](#)

Effective Date: August 27, 2013

Beginning with the 2014-2015 school year, school districts will be allowed to voluntarily participate in a program to designate on diplomas and transcripts a State Seal of Biliteracy. The seal is to recognize students who have attained a high level of proficiency in one or more languages other than English. ISBE is required to adopt rules establishing the criteria that must be met to earn the seal.

STREPTOCOCCAL INFECTIONS

[Public Act 98-0236](#)

Effective Date: August 9, 2013

The Illinois Department of Public Health in conjunction with ISBE is required to develop educational materials on streptococcal infection for distribution in elementary and secondary schools. The material must include a process to notify parents and guardians of an outbreak in the school; a process to provide information on all of the symptoms of streptococcal to teachers, parents, and students; and guidelines for schools to control the spread of streptococcal infections.



FR Report: Education

CIVIC EDUCATION

[Public Act 98-0301](#)

Effective Date: August 9, 2013

A Task Force has been established to report to the General Assembly by May 31, 2014, to analyze the current state of civic education in the State and the current civic education laws in other states, to make recommendations on increasing civic literacy in the State, and to make funding recommendations if the recommendations would require a fiscal commitment.

ERADICATE DOMESTIC VIOLENCE TASK FORCE

[Public Act 98-0188](#)

Effective Date: August 6, 2013

The Eradicate Domestic Violence Task Force is charged with developing content for school curricula aimed at preventing domestic violence. The deadline for the Task Force report has been extended from April 1, 2013 to April 1, 2014.

EMPLOYMENT

TENURE, LAYOFF, AND IMPASSE BARGAINING

[Public Act 98-0513](#)

Effective Date: January 1, 2014

Public Act 98-0513 amends Section 24-11 of the School Code to require teachers seeking to attain tenure within two consecutive school terms to follow certain procedures when providing proof of their two most recent overall evaluations from their prior school district. The Act also makes several amendments to the reduction-in-force procedures under Section 24-12, including requiring districts to place part-time teachers, as well as teachers employed for one school term or less to replace a teacher on leave, in Grouping 1.

The Act also requires boards of education, in consultation with the union, to annually establish a list showing the length of continuing service of each teacher qualified to hold any of the positions listed on the sequence of honorable dismissal, and to provide copies of such list to the union at least 75 days before

the end of the school term. In addition, the Act clarifies that the RIF Joint Committee must be established and meet on an annual basis, with the first meeting required to be held no later than December 1 of each year.

Finally, the Act changes the impasse bargaining procedures under the IELRA that must be followed before employees may engage in a strike. Instead of “declaring an impasse” anytime 15 days after mediation has commenced, the parties and the mediator may now initiate “the public posting process” anytime 15 days after mediation has commenced. The amended IELRA requires each party to submit their most recent offers, rather than their final offers, within seven days after the initiation of the public posting process, requires the IELRB to make the offers public rather than the mediator, and requires the offers to remain on the IELRB’s website until the parties have reached and ratified an agreement.

RIGHT TO PRIVACY IN THE WORKPLACE ACT

[Public Act 98-0501](#)

Effective Date: January 1, 2014

The Right to Privacy in the Workplace Act has been amended to allow employers to access the social network account of an employee if the social network account is used for professional purposes. A “professional account” means an account, service, or profile created, maintained, used, or accessed by a current or prospective employee for business purposes of the employer.

PROFESSIONAL EDUCATOR LICENSES

[Public Act 98-0361](#)

Effective Date: January 1, 2014

Student teachers and those in an internship must now pass the State Board of Education’s basic skills test before starting their student teaching assignment or the final semester of their internship, unless they have been previously required to pass the basic skills test. Additionally, all applicants seeking a Professional Educator License or an Educator License with



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Stipulations are now required to pass a basic skills test before the license is issued.

PROVISIONAL CAREER AND TECHNICAL EDUCATOR ENDORSEMENTS

[Public Act 98-0028](#)

Effective Date: July 1, 2013

Limits have been placed on the part-time provisional career and technical educator endorsement and the provisional career and technical educator endorsement for an Educator License with Stipulations. The endorsements may be issued for teaching no more than two courses of study for grades 6 through 12. Once issued the endorsement is valid until June 30 in the fifth year after being issued.

MANDATED CHILD ABUSE REPORTER TRAINING

[Public Act 98-0408](#)

Effective Date: July 1, 2014

School personnel required by the Abused and Neglected Child Reporting Act to report to DCFS must now within one year after initial employment and at least every five years thereafter complete mandated reporter training by a provider or agency with expertise in recognizing and reporting child abuse.

SCHOOL SERVICE PERSONNEL CERTIFICATES

[Public Act 98-0413](#)

Effective Date: August 16, 2013

Marriage and family therapist has been added to the school support personnel endorsement areas for a Professional Educator License. Additionally, the continuing education requirement to renew a school service personnel certificate are now satisfied if a person holds an active license issued by the State as a marriage and family therapist.

TEACHER EVALUATIONS

[Public Act 98-0470](#)

Effective Date: August, 16, 2013

The amendment states that in a school district where evaluation plan provides for a teacher in contractual continued service to be evaluated every two years, evaluation by a first-year principal requires establishment of a new two-year evaluation plan.

TEACHER CERTIFICATION FEES

[Public Act 98-0144](#)

Effective Date: August 2, 2013

Beginning on August 2, 2013, penalty amounts for lapsed teacher certificates must be deposited by the State Board of Education into the Teacher Certificate Fee Revolving Fund. All back registration fees are to be deposited in the regional superintendent's institute fund.

TEACHER LICENSING

[Public Act 98-0581](#)

Effective Date: August 27, 2013

While out-of-state applicants for a Professional Educator License must meet certain requirements specified in Section 21B-35 of the School Code, that section has been amended to require school service personnel trained in out-of-state programs meet only the same coursework requirements as those trained in Illinois.



Pensions

EARLY RETIREMENT

[Public Act 98-0042](#)

Effective Date: June 28, 2013

The TRS early retirement option (ERO) for public school teachers and school administrators has been extended for another three years. The required employee and employer contributions necessary for ERO have also been significantly increased. For employees participating in the “new” ERO, the employer’s contribution will be 29.3 percent of the employee’s highest annual salary rate for each year the employee is under age 60. Employees will be required to contribute 14.4 percent of their highest annual salary rate for each year that they are under age 60 or have less than 35 years of service (whichever is less). These amounts are increased from the previous amounts of 23.5 percent and 11.5 percent, respectively. Additionally, ERO may now be elected by an employee if the employee’s last employer before retirement grants the employee’s application. Nothing in the law requires employers to grant an employee’s application, though employers who elect to do so must adopt criteria with the “mutual consent” of the teachers’ union for the school district.

IMRF

[Public Act 98-0389](#)

Effective Date: August 16, 2013

This law clarifies the hourly standard rules for retirees who have returned to work. It requires the retiree to be re-enrolled in IMRF and that the retiree’s pension be suspended when the actual hours worked reach the employer’s hourly standard, rather than when the retiree’s position is “normally expected” to exceed the hourly standard.

Property Taxes

HOMEOWNERS’ EXEMPTIONS

[Public Act 98-0007](#)

Effective Date: April 23, 2013

The Senior Citizens Homestead Exemption in Cook County has been increased from \$4,000 to \$5,000 for tax year 2012. For tax year 2013 and beyond, the exemption will be \$5,000 in all counties. In addition, for tax years 2012 and beyond, the General Homestead Exemption will be increased to \$7,000 in Cook County and \$6,000 in all other counties.

FARMLAND ASSESSMENTS

[Public Act 98-0109](#)

Effective Date: July 25, 2013

The annual change in the equalized assessed value of farmland will be limited to 10 percent of the median soil productivity index for the entire State instead of 10 percent over or under the prior year’s assessment. The anticipated result is that the disparity in farmland assessments will be diminished considerably over the next 15 to 20 years.

TIF AUDITS & COMPTROLLER’S REGISTRY

[Public Act 98-0497](#)

Effective Date: August 16, 2013

TIF Districts are now required to electronically file audits with the Illinois Comptroller’s Office within 180 days of the close of the municipal fiscal year or as soon thereafter as the audit becomes available. The Comptroller may grant an extension if the municipality provides evidence that the report is in the process of being completed. If the report is not filed, the Comptroller’s Office may impose fees for every day the report is past due. The Comptroller’s Office will also now be required to maintain a registry of all school districts in the State.



School Business

PREVAILING WAGE ACT

[Public Act 98-0173](#)

Effective Date: January 1, 2014

Public bodies no longer need to file certified copies of their determinations of the prevailing rate of wages with the Secretary of State's Office. Certified copies must still be filed with the Illinois Department of Labor.

PREVAILING WAGE ACT

[Public Act 98-0482](#)

Effective Date: January 1, 2014

In addition to the information they were previously required to maintain, contractors and subcontractors on public works must now maintain records of each worker's gross and net wage, hourly wage rate, hourly overtime rate, hourly fringe benefit rates, the name and address of each fringe benefit fund, and the plan sponsor, as well as the administrator of each fringe benefit fund. Subject to appropriation, the Act now allows for filing records with the Illinois Department of Labor electronically.

INTERFUND TRANSFERS

[Public Act 98-0026](#)

Effective Date: June 21, 2013

The time period in which school districts are allowed to transfer money among various funds or to the fund determined by the board of education to be most in need has been extended to June 30, 2016. The time period in which life safety taxes and interest earnings may be transferred to the Operations and Maintenance Fund for building repair work has also been extended to June 30, 2016.

JOINT INSURANCE POOLS

[Public Act 98-0504](#)

Effective Date: January 1, 2014

Joint insurance pools are now required to annually file with the Director of Insurance a statement of actuarial opinion by an independent actuary who is an associate or fellow in a casualty actuarial society that the pool's reserves are in accordance with sound loss-reserving standards and adequate for the payment of claims. The statement must be filed no later than 150 days after the end of each fiscal year. A joint insurance pool can be exempted from filing the statement if the joint insurance pool files with the Director, by the reporting deadline, a statement of actuarial opinion from the provider of the pool's aggregate coverage, reinsurance, or other similar excess insurance coverage. The Director of Insurance has also been given authority to impose penalties of \$500 per day up to a maximum of \$10,000 for noncompliance as well as to audit noncompliant joint insurance pools. For joint insurance pool agreements entered into, modified, or renewed after January 1, 2014, the period within which a member must provide written notice of its intent to withdraw may not be greater than 120 days.

PUBLIC CONSTRUCTION BOND ACT

[Public Act 98-0216](#)

Effective Date: August 9, 2013

The Public Construction Bond Act has been amended to increase the threshold for requiring contractors on public works to provide surety bonds. The prior threshold was a public work of any kind costing more than \$5,000. The new threshold is public work of any kind costing more than \$50,000.



LOCAL DEBT RECOVERY PROGRAM

[Public Act 98-0272](#)

Effective Date: August 9, 2013

The Illinois Comptroller’s Office has been previously authorized to enter into intergovernmental agreements with school districts, public institutions of higher education, clerks of the circuit courts, and units of local government to offset debts owed to those institutions from State payments to the debtors. The statute has now been amended to allow the Comptroller’s Office to use a third-party vendor to provide enhanced identification services and to charge the debtors \$20 per transaction for offsets processed with the assistance of third party vendors.

FEES FOR FINGERPRINTING SERVICES

[Public Act 98-0294](#)

Effective Date: August 9, 2013

Local law enforcement agencies are now allowed to charge a reasonable fee related to the cost of offering fingerprinting services.

PUBLIC FUNDS INVESTMENT ACT

[Public Act 98-0297](#)

Effective Date: January 1, 2014

School districts are now allowed to invest their funds in interest bearing bonds of any county, township, city, village, incorporated town, municipal corporation, or school district, of the State of Illinois, of any other state, or of any political subdivision or agency of the State of Illinois or of any other state. Previously only municipalities and counties were allowed to make such investments.

LOCAL GOVERNMENT PROFESSIONAL SERVICES SELECTION ACT

[Public Act 98-0420](#)

Effective Date: August 16, 2013

Now, whenever a project requiring architectural, engineering, or land surveying services is proposed, a school district must place an advertisement on its website requesting a statement of interest in the specific project. The advertisement must include a description of each project and state the time and place for submission of a letter of interest, statement of qualifications, and performance data. Also, a notice requesting a statement of interest may now be emailed to firms who have a current statement of qualifications and performance data on file with a school district.

Special Education

DUE PROCESS HEARINGS

[Public Act 98-0383](#)

Effective Date: August 16, 2013

The “stay-put” provisions regarding a student’s present educational placement will now also apply to mediation proceedings, if a school district has voluntarily agreed to the mediation. If mediation fails to resolve the dispute, the parent will have 10 days after the mediation concludes to file a request for a due process hearing in order to continue to invoke the “stay-put” provisions. ISBE is also required to adopt complaint procedures requiring a school district to submit a written response to a complaint. The response and all supporting documentation must be simultaneously provided to the complainant or the attorney representing the complainant. If a complaint is filed by an individual other than a parent, adult student, or emancipated minor, and the complaint is about a specific identifiable child or children, the signed releases must be obtained prior to release of any documents or information to the complainant or attorney representing the complainant.



IEPS

[Public Act 98-0219](#)

Effective Date: August 9, 2013

Special education and related services must now be provided in accordance with a student’s IEP no later than 10 school attendance days after notice is provided to the parents under federal regulations and State administrative rules.

SOCIAL WORKERS

[Public Act 98-0338](#)

Effective Date: August 13, 2013

The Children with Disabilities Article of the School Code and the Children’s Mental Health Act of 2003 have been amended so that school social work services may now be provided by the holder of a Professional Educator License with a school support personnel endorsement in social work. The definition of school social work has been expanded to include implementing social and emotional education programs and services, implementing bullying prevention and intervention programs, and evaluating program effectiveness.

TRANSITION SERVICES

[Public Act 98-0517](#)

Effective Date: August 22, 2013

The first IEP in effect when a student turns 14½ must now measure post-secondary goals based upon age-appropriate transition assessments and other information available regarding the student that are related to independent living skills. Previously, these components of the IEP were required only where appropriate.

EXCUSED FROM PHYSICAL EDUCATION

[Public Act 98-0116](#)

Effective Date: July 29, 2013

If requested, a school district is now authorized to excuse a pupil from engaging in a physical education course if the pupil has an IEP, is participating in an adaptive athletic program outside of the school setting, and provides the documents required by the school board to demonstrate such participation.

Students

COMPULSORY SCHOOL AGE

[Public Act 98-0544](#)

Effective Date: July 1, 2014

Beginning with the 2014-2015 school year, the compulsory school age will be lowered from 7 years to 6 years old.

SOCIAL NETWORK PASSWORDS

[Public Act 98-0129](#)

Effective Date: January 1, 2014

The “Right to Privacy in the School Setting Act” requires elementary and secondary schools to notify a student and his or her parent or guardian, through publication in a student handbook or similar means, that the school may request or require the student to provide a password or other related account information in order to gain access to the student’s account or profile on a social networking website if the school has reasonable cause to believe that the student’s account contains evidence that the student has violated a disciplinary rule or policy.



IMMUNIZATIONS

[Public Act 98-0480](#)

Effective Date: January 1, 2014

The Department of Public Health must adopt a rule requiring students entering grades 6 and 12 to receive immunization containing meningococcal conjugate vaccine. The requirement does not apply until six months after final rules are approved. Existing standards for parental or legal guardian objections or medical objections will apply to the new requirement.

ABUSED AND NEGLECTED CHILD REPORTING ACT

[Public Act 98-0487](#)

Effective Date: January 1, 2014

The Abused and Neglected Child Reporting Act has been amended to replace the term “subject of a report” to “the perpetrator.” Subject to a hearing, the perpetrator named in the notification of the completion of an investigation is now allowed to request to amend or remove the record of the report up to 60 days after the conclusion of any criminal or juvenile court action concerning the circumstances giving rise to the report. Rather than providing for a hearing if the Department does not act within 10 days, the perpetrator is now given the opportunity only for a timely hearing. A perpetrator will not be entitled to a hearing, however, if there is a criminal finding of the perpetrator’s guilt. The changes also give any minor named in the report the right to participate in the hearing.

ABUSED AND NEGLECTED CHILD REPORTING ACT

[Public Act 98-0453](#)

Effective Date: August 16, 2013

By January 1, 2014, DCFS is required to establish rules setting criteria and standards for labeling an unfounded report as an intentional false report in the central register. The rules must permit the reporter to submit a statement, unless the reporter has been convicted of knowingly transmitting a false report. The Act has been further amended to require transmission of a report to the guardian ad litem of a child subject to a

juvenile court action within 45 days after the report being classified as “indicated,” “unfounded,” or “undetermined.” Whenever the Department determines a report of child abuse or neglect to be “unfounded,” the child’s attorney or guardian ad litem may request a review of the investigation within 10 days after the notice of final finding and receipt of the report.

COMMUNICABLE DISEASE PREVENTION ACT

[Public Act 98-0353](#)

Effective Date: January 1, 2014

The section of the Communicable Disease Prevention Act requiring notice to the school principal and superintendent of the school district of any school age child reported to the Department of Public Health or a local health department as having been diagnosed with HIV or AIDS has been repealed.

Resolutions

TEACHER RECRUITING AND RETENTION TASK FORCE

[HJR0027](#)

The General Assembly created the Teacher Recruiting and retention Task Force to study the impact of Tier 2 pension benefits on the ability of school districts to recruit and retain teachers in public school classrooms. The Task Force must report its findings to the General Assembly by January 1, 2014.

TASK FORCE ON CHARTER SCHOOL FUNDING

[HJR0036](#)

The General Assembly created the Task Force on Charter School Funding to examine Illinois charter school funding in comparison to charter school funding in other parts of the United States. The Task Force must report its findings to the General Assembly by January 15, 2014.



ADVISORY COMMITTEE ON EDUCATION FUNDING

[SJR0032](#)

The General Assembly created the Advisory Committee on Education Funding to conduct a thorough review of the existing distribution methods and expenditures of education funding and make recommendations to implement an education funding system. The Advisory Committee is required to share its legislative and administrative recommendations no later than February 1, 2014.

SCHOOL CODE WAIVERS

[SJR0025](#)

The General Assembly adopted this resolution disapproving certain school district requests for waivers relating to length of school term, evaluation training and pre-qualification, evaluation plan for principals, compilation of average daily attendance, petitions, and school board members' leadership training.

SCHOOL CRIME WATCH PROGRAMS

[SR0091](#)

The Illinois State Senate expressed its belief through this resolution that a school crime watch program should be established in order to make schools safer for children.