

2019 Legislative Update: Summary of Changes in School Law

By: [John Swinney](#), [Kendra Yoch](#), [Scott Metcalf](#)

ADMINISTRATIVE

- Service Member Posthumous Diplomas
- Equitable Restroom Access
- Cannabis Control Act Violations on School Grounds
- School Door Security Locks
- Special Education Joint Agreement Withdrawal
- Threat Assessment Protocol
- School Visitation
- Class Size Reporting
- Working Cash Fund
- Mental Health Database
- School District Registry

BOARD OF EDUCATION

- School Board Member Vacancy
- Charter School Board Members
- Sexual Harassment Policy

BUSINESS AND FINANCE

- School Closure Financial Report
- Lottery Scratch-Off School Funding
- Contract Bidding
- Budget for 2020
- Construction Funding
- Budget Implementation
- Transfer of Park District Property
- Sustainable Investment Policy
- Automatic Contract Renewal

CURRICULUM

- Civics Courses
- Illinois History
- LGBT History
- Distance Learning Driver's Education
- Hunting Safety Instruction
- Workplace Preparation Course
- Public and Private School Biliteracy Seal
- Biliteracy Seal Evidence
- Sex Education Consent Instruction
- Required Math Courses

DCFS

- Mandated Reporter
- Child Abuse Report Law Enforcement Referral

EMPLOYMENT

- Notice to Schools of Employee Sex Offense
- Evaluation Appeals Process
- Illinois Teaching Excellence Program Incentives
- Minimum Teacher Salary
- Substitute Teacher Criminal Background Check
- Student Teachers, Basic Skills Test
- Speech Pathologist Licensure
- Drivers Education Instructors
- Human Rights—Employer Definition
- Disclosable Payment Includes Sick Leave
- Wage History
- Cannabis Legalization
- Bus Driver Employment-Prior Offenses
- Minimum Wage

INSURANCE

- Breast Milk
- Skin Examinations
- Epinephrine Injectors

ISBE

- Agriculture Education Pre-Service Teacher Program
- Charter School Commission Abolished
- Safe School & Healthy Learning Environment Grant
- IEP Meeting Interpreters
- Emotional Intelligence and Social/Emotional Learning Task Force
- Work-Based Learning
- Office of School Safety
- State Report Card—Career and Technical Education

OMA/FOIA

- Contract Schools FOIA and OMA
- Open Meeting Act Exceptions
- FOIA Public Body Credit Cards

PROPERTY TAX

- Property Tax Formula
- Water Treatment Facilities
- Property Tax Relief Task Force
- TIF Information on Tax Bills
- Assessing Officials Qualifications
- Election of Assessing Officials

SPECIAL EDUCATION

- Special Education Complaints
- Special Education Services

STUDENT HEALTH

- Asthma Medication Self-Administration
- Epilepsy Seizure Plan
- Medicinal Cannabis Use
- Undesignated Glucagon

STUDENT ISSUES

- School Counselor Post-Secondary Opportunities Discussions
- Student Record Destruction Notice
- Minor Student Threats Against Schools/Personnel
- Parental Notification of Detention/Questioning on School Grounds
- Daily Pupil Attendance
- FAFSA Completion
- Student Online Protection

TEACHER PENSIONS/RETIREMENT

- Downstate Teacher-Shortage Pension Revisions
- IMRF Disability Benefits
- TRS Survivor Benefits
- Chicago Teacher Return to Work Pension Revisions
- TRS Benefit Refund
- Sick Leave Credit, Multiple Employers

ADMINISTRATIVE

[Public Act 101-0131](#)

Service Member Posthumous Diplomas

Effective July 26, 2019

Allows a high school district board to award a service member killed in action a diploma posthumously if he or she (1) lived in the district, (2) entered the armed forces before graduating high school, and (3) did not receive a high school diploma.

[Public Act 101-0165](#)

Equitable Restroom Access

Effective January 1, 2020

Requires places of public accommodation, including elementary schools and high schools, to identify every single-occupancy restroom as “all-gender” designated for use by no more than one person at a time or for family or assisted use. The all-gender restroom must be outfitted with an exterior sign that marks the single-occupancy restroom as a restroom without indicating any specific gender marker.

[Public Act 101-0429](#)

Cannabis Control Act Violations on School Grounds

Effective August 20, 2019

Amends the Cannabis Control Act to clarify that increased penalties for bringing cannabis on school grounds do not apply to a facility that is designated as a school but is no longer operational or active.

[Public Act 101-0548](#)

School Door Security Locks

Effective July 1, 2019

Allows schools to install certain security measures to lock doors from outside intruders. However, the door locking measures may only be used by a school

employee who has been trained and only during an emergency that threatens the health and safety of staff and students or during a drill and when area law enforcement and fire departments have been informed that it has been installed.

[Public Act 101-0164](#)

Special Education Joint Agreement Withdrawal

Effective July 26, 2019

Provides that under no circumstances may a petition for withdrawal from a joint special education agreement be presented to other member districts less than 12 (rather than 18) months from the date of the proposed withdrawal. Upon approval and written resolution of all remaining member districts, the petitioning member district must submit its comprehensive plan to the State Board of Education for review. If the petition for withdrawal is not approved by the other member districts, prior to an appeal hearing, the withdrawing district must provide written notice to all parents of student with disabilities residing in the district of the intent to withdraw, hold a public hearing to allow interested parties to review the plan for educating students after withdrawal, and prepare and provide a comprehensive plan demonstrating its ability to provide support and services for a wide range of students with disabilities.

[Public Act 101-0455](#)

Threat Assessment Protocol

Effective August 26, 2019

Amends the School Safety Act to require additional funding for mental health professionals, allows for additional taxation or bonds to fund school safety, requires the creation of a threat assessment team in

every district, and exempts the records of the threat assessment team from disclosure under FOIA.

[Public Act 101-0486](#)

School Visitation

Effective August 1, 2020

Provides that employees may use school visitation privileges for purposes of academic and behavioral meetings in addition to school conferences, but not for classroom activities. Prohibits an employer from terminating an employee for using school visitation privileges.

[Public Act 101-0451](#)

Class Size Reporting

Effective January 1, 2020

Amends the School Code to require that no later than November 16, 2020 and annually thereafter, school districts must report to ISBE information on: (i) the total number of teachers actively employed, listed by individual school; (ii) the pupil-teacher ratio; (iii) the number of class instructors, by grade level and subject; and (iv) the class size for each class and class section at each school within the district and the total number of classes or class sections in each school that exceed the guidelines of the evidence-based funding formula. ISBE is further required to annually make this information available on its website.

[Public Act 101-0416](#)

Working Cash Fund

Effective August 16, 2019

Amends the School Code with regard to issuing bonds for the purpose of creating, recreating, or increasing a working cash fund. Adds to that amount 85% of the most recent amount of funding received by the school district under the evidence-based

funding formula. Further, money in the working cash fund may be used by a school board for any and all school purposes and may be transferred in whole or in part to the general funds of the school district and disbursed in anticipation of funding received by the district under the evidence-based funding formula.

[Public Act 101-0045](#)

Mental Health Database

Effective July 12, 2019

Requires the Department of Public Health to create and maintain an online database and resource page on its website containing mental health resources related to bullying and school shootings specifically geared toward school social workers, school counselors, parents, teachers, and school support personnel.

[Public Act 101-0034](#)

School District Registry

Effective June 28, 2019

Requires the county clerk to provide the State Comptroller with information for the local government and school district registry within 60 days following the creation or dissolution of a local government or school district.

BOARD OF EDUCATION

[Public Act 101-0067](#)

School Board Member Vacancy

Effective January 1, 2020

Provides school boards of districts of 1,000 – 500,000 people 60 days (increased from 45) to fill a vacancy.

[Public Act 101-0291](#)

Charter School Board Members

Effective January 1, 2020

Requires a charter school's board of directors or other governing body to include at least one parent of a student currently enrolled in the school. Also requires that every voting member of a charter school's board of directors complete a minimum of 4 hours of professional development leadership training in their first year and a minimum of 2 hours of professional development in subsequent years.

[Public Act 101-0418](#)

Sexual Harassment Policy

Effective January 1, 2020

Requires districts to create, maintain, and implement age appropriate sexual harassment policies and post them on the district's website and in the district's student code of conduct handbook.

BUSINESS AND FINANCE

[Public Act 101-0133](#)

School Closure Financial Report

Effective July 26, 2019

For cities over 500,000 inhabitants, requires that within 8 months after notice of a school closure is given, the district post a financial report on its website that includes an analysis of the closure's costs and benefits to the district.

[Public Act 101-0561](#)

Lottery Scratch-Off School Funding

Effective August 23, 2019

Amends the Illinois Lottery Law to allow a special instant scratch off to benefit the School STEAM Grant Program Fund from January 1, 2020 through

December 31, 2020. All revenue will be appropriated by the State Board of Education.

[Public Act 101-0570](#)

Contract Bidding

Effective August 23, 2019

Amends the lowest responsible bidding law to exempt contracts for fuel, including diesel fuel, gasoline, oil, aviation, natural gas, propane, lubricants, or other petroleum products.

[Public Act 101-0007](#)

Budget for 2020

Effective June 5, 2019

Increases FY2020 appropriations for elementary and secondary education by \$375 Million. Provides various other appropriations such as Special Education Reimbursement, set at \$80.5 million.

[Public Act 101-0029](#)

Construction Funding

Effective July 1, 2019

Bonding and appropriation bill for the funding of construction projects for roads and schools.

[Public Act 101-0010](#)

Budget Implementation

Effective June 5, 2019

Creates the FY2020 Budget Implementation Act to make necessary changes in State programs to implement the FY2020 budget. Notably, provides for increasing the current 3% end-of-career salary limit to 6% for members of TRS in the last 10 years of their career without the district picking up the excess pension cost.

[Public Act 101-0322](#)**Transfer of Park District Property***Effective August 9, 2019*

Permits park districts to sell real estate to units of local government or school districts if the park district board approves the sale and specified conditions are met.

[Public Act 101-0473](#)**Sustainable Investment Policy***Effective January 1, 2020*

Requires the investment policies of public agencies and board of trustees of pension funds to include a statement that material, relevant, and decision-useful sustainability factors are regularly considered by the agency within the bounds of financial prudence.

[Public Act 101-0412](#)**Automatic Contract Renewal***Effective August 16, 2019*

Removes school districts from the list of exempt entities under the Automatic Contract Renewal Act.

CURRICULUM**[Public Act 101-0245](#)****Civics Courses***Effective July 1, 2020*

Requires public elementary schools with 6th, 7th, or 8th grades to include at least one semester of civics education focused on government institutions, the discussion of current and societal issues, service learning, and simulations of the democratic process.

[Public Act 101-0341](#)**Illinois History***Effective January 1, 2020*

Mandates that Illinois history is included in required US history courses.

[Public Act 101-0227](#)**LGBT History***Effective July 1, 2020*

Requires textbooks purchased with funds from the State Board of Education to include the roles and contributions of all people protected under the Illinois Human Rights Act. Further requires history courses to include a study of the roles and contributions of lesbian, gay, bisexual, and transgender people in the history of the country and the State.

[Public Act 101-0183](#)**Distance Learning Driver's Education***Effective August 2, 2019*

Allows a portion of driver education courses to be taken, on a case-by-case basis, through distance learning as approved by school administration and the student's parent or guardian.

[Public Act 101-0152](#)**Hunting Safety Instruction***Effective July 1, 2019*

Amends the School Code to allow a school district to add a unit of instruction on hunting safety to its curriculum as part of the school day or an after-school program. Also permits the State Board of Education to prepare and make available resources on hunting safety that may be used for the development of such courses.

Public Act 101-0347**Workplace Preparation Course***Effective January 1, 2020*

Permits high school curriculum to include a unit of instruction on workplace preparation that covers legal protection against sexual harassment and racial and other forms of discrimination. School boards may determine the minimum amount of instructional time that qualifies as a unit of instruction under this provision.

Public Act 101-0222**Public and Private School Biliteracy Seal***Effective January 1, 2020*

Allows both public and nonpublic high school graduates to be awarded the State Seal of Biliteracy for obtaining a high level of proficiency in one or more languages in addition to English.

Public Act 101-0503**Biliteracy Seal Evidence***Effective August 23, 2019*

Allows students to provide evidence of English language proficiency for eligibility to receive a State Seal of Biliteracy through completion of: (i) an AP English Language and Composition exam; (ii) an English language arts dual credit course; or (iii) transitional coursework in English with a community college partner.

Public Act 101-0579**Sex Education Consent Instruction***Effective January 1, 2020*

Mandates sex education courses in grades 6-12 include age appropriate discussions of the meaning

of consent and recognizing what constitutes and does not constitute consent.

Public Act 101-0464**Required Math Courses***Effective January 1, 2020*

Amends the high school diploma graduation requirements to allow a mathematics course that includes geometry content to be offered as an integrated, applied, interdisciplinary, or career and technical education course that prepares a student for a career readiness path. Permits a student to enroll in an Advanced Placement computer science course without having to successfully complete Algebra II.

DCFS**Public Act 101-0564****Mandated Reporter***Effective January 1, 2020*

Amends the Abused and Neglected Child Reporting Act (ANCRA) to elaborate on the categories of professionals designated as mandated reporters of child abuse and neglect to DCFS. Provides guidance on reporting procedures where 2 or more mandated reporters within the same workplace suspect abuse or neglect. Requires mandated reporters to undergo specified training within 3 months of their date of employment and at least every 3 years thereafter.

Public Act 101-0583**Child Abuse Report Law Enforcement Referral***Effective January 1, 2020*

Amends the Abused and Neglected Child Reporting Act to require immediate referral to the appropriate law enforcement agency from the Department of Children and Family Services for reports of alleged

abuse or neglect of a child by someone who is not a parent, immediate family member, cohabitor, person responsible for the child’s welfare, or parent’s paramour (*i.e.* when the report makes allegations against someone DCFS would not investigate for abuse or neglect).

EMPLOYMENT

[Public Act 101-0046](#)

Educational Support Personnel Maintenance of Accrued Rights

Effective July 12, 2019

Requires that if an educational support personnel employee is removed or dismissed as a result of a decision of the school board to decrease the number of educational support personnel or to discontinue some particular type of educational support service and the support personnel employee accepts the tender of a vacancy within one calendar year from the beginning of the following school term, the employee shall maintain any rights accrued during his or her previous service with the school district.

[Public Act 101-0521](#)

Notice to Schools of Employee Sex Offense

Effective August 23, 2019

Amends the Code of Criminal Procedure to require that, upon commencement of a prosecution for a sex offense against a person known to be an employee of a school district, a student teacher, or an employee of a contractor that provides services to students or in schools, the State’s Attorney will immediately provide the superintendent of schools or school administrator that employs the employee with a copy of the complaint, information, or indictment.

[Public Act 101-0591](#)

Evaluation Appeals Process

Effective August 27, 2019

Requires districts, bargaining with the exclusive representative of its teachers, to develop and implement a local appeal process for teachers who receive a rating of “unsatisfactory.” The appeal process must include, but is not limited to, an assessment of the original rating by a panel of qualified evaluators agreed to by the joint committee.

[Public Act 101-0333](#)

Illinois Teaching Excellence Program Incentives

Effective January 1, 2020

Amends the School Code with regard to the Illinois Teaching Excellence Program. Provides that incentives under the Program must include, if funds are available: (i) a one-time incentive of \$3,000 payable to National Board-certified teachers in Tier 1 rural or remote school districts; (ii) an annual incentive of \$3,200 for National Board-certified teacher rural or remote candidate cohort facilitators; and (iii) an annual incentive of \$2,500 for National Board-certified teacher rural or remote liaisons. Opens the program to educators who are retired from school districts and who have or are in the process of obtaining licensure through the National Board for Professional Teaching Standards.

[Public Act 101-0443](#)

Minimum Teacher Salary

Effective June 1, 2020

Increases full-time teacher salaries to at least \$32,076 for the 2020-2021 school year; \$34,576 for the 2021-2022 school year; \$37,076 for the 2022-2023 school year; and \$40,000 for the 2023-2024 school year.

Salary increases after that point shall be equal to the increase in the Consumer Price Index For All Urban Consumers for all items published by the U.S. DOL for the previous school year.

[Public Act 101-0072](#)

Substitute Teacher Criminal Background Check *Effective July 12, 2019*

Provides that if a criminal history records check or check of the Statewide Sex Offender or Murder and Violent Offender Against Youth Databases is performed by a regional superintendent for an applicant seeking employment as a substitute teacher with a school district, the regional superintendent may disclose to the State Board of Education whether the applicant has been issued a certificate based on those checks. The State Board of Education is then required to indicate on the Educator Licensure Information System for 90 days whether the applicant was or was not issued a certificate.

[Public Act 101-0220](#)

Student Teachers, Basic Skills Test *Effective August 7, 2019*

Eliminates the requirement of the test of basic skills for licensure. Permits student teaching in a setting with children from birth to grade 2 for an early education endorsement. Allows districts to pay student teachers. Provides that individuals who hold a Professional Educator License and are employed in Tier 1 school districts can apply for a refund of costs associated with the teacher performance assessment.

[Public Act 101-0094](#)

Speech Pathologist Licensure *Effective January 1, 2020*

Amends the Children with Disabilities Article of the School Code to provide a Professional Educator License with a school support personnel endorsement for nonteaching speech-language pathologist to a speech pathologist with a regular license pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act and a current Certificate of Clinical Competence in speech-language pathology from the American Speech-Language-Hearing Association.

[Public Act 101-0450](#)

Drivers Education Instructors *Effective August 23, 2019*

Requires driver education instructors at facilities that contract with school districts to meet licensure and evaluation requirements—utilizing the same requirements that apply to non-tenured teachers.

[Public Act 101-0430](#)

Human Rights—Employer Definition *Effective July 1, 2020*

Changes the definition of “employer” under the Illinois Human Rights Act to include any person who employs 1, as opposed to 15, employee in Illinois during 20 or more calendar weeks in the calendar year.

Public Act 101-0228**Disclosable Payment Includes Sick Leave***Effective August 9, 2019*

Changes the definition of “disclosable payment” under the Local Government Wage Increase Transparency Act to include accumulated sick leave as disclosable payment.

Public Act 101-0177**Wage History***Effective September 29, 2019*

Prohibits employers from inquiring into or seeking out the current or prior wages or salary histories, including benefits or other compensation, of job applicants. With respect to discrimination in wages, replaces the “equal” skill, effort, and responsibility standard with a “substantially similar” standard. Prohibits employers from requiring employees to sign an agreement that would prohibit the employee from disclosing information about the employee’s wages, salary, benefits, or other compensation.

Public Act 101-0027**Cannabis Legalization***Effective June 25, 2019*

Legalizes the recreational use of cannabis for individuals 21 years of age or older and provides guidance for the expungement of arrest records of minor cannabis offenses.

Public Act 101-0458**Bus Driver Employment-Prior Offenses***Effective January 1, 2020*

Specifies that individuals may be eligible applicants for school bus driver permits if they have not been convicted of committing a misdemeanor offense

under the Cannabis Control Act within the last 20 years. Further adds criminal offenses that disqualify an individual from being eligible to obtain a school bus driver permit.

Public Act 101-0001**Minimum Wage***Effective February 19, 2019*

Increases the minimum wage to \$15/hour by 2025 in the following increments: \$9.25/hour by January 1, 2020; \$10/hour by July 1, 2020; then, an additional \$1/hour raise per year beginning each January 1 until 2025.

INSURANCE**Public Act 101-0511****Breast Milk***Effective January 1, 2020*

Requires health insurance plans to cover the purchase of human breast milk, if prescribed by a licensed medical practitioner and specified conditions are met.

Public Act 101-0500**Skin Examinations***Effective January 1, 2020*

Requires individual or group health insurance policies to cover one annual whole-body skin examination for skin cancer.

Public Act 101-0281**Epinephrine Injectors***Effective January 1, 2020*

Mandates group or individual health insurance policies to provide coverage for medically necessary epinephrine injectors for individuals 18 and under.

ISBE**[Public Act 101-0554](#)****Agriculture Education Pre-Service Teacher Program**
Effective August 23, 2019

Requires the State Board of Education to develop an Agricultural Education Pre-Service Teacher Internship Program in consultation with the Board of Higher Education.

[Public Act 101-0543](#)**Charter School Commission Abolished**
Effective August 23, 2019

Abolishes the State Charter School Commission and transfers all responsibilities to the State Board of Education.

[Public Act 101-0438](#)**Safe School and Healthy Learning Environment Grant**
Effective August 20, 2019

Creates the Safe Schools and Healthy Learning Environments Grant to provide resources to implement restorative justice interventions and resolution strategies as alternatives to exclusionary discipline and to address the full range of students' needs. Sets forth requirements for applicants and fund appropriation.

[Public Act 101-0124](#)**IEP Meeting Interpreters**
Effective January 1, 2020

Requires ISBE to adopt rules to establish the criteria, standards, and competencies for bilingual language interpreters who attend IEP meetings.

[Public Act 101-0498](#)**Emotional Intelligence and Social and Emotional Learning Task Force**
Effective June 1, 2020

Directs the Emotional Intelligence and Social and Emotional Learning Task Force to provide curriculum and assessment guidelines and best practices to address the social and emotional needs of students, including those with anger management issues.

[Public Act 101-0389](#)**Work-Based Learning**
Effective August 16, 2019

Requires the State Board of Education to develop a work-based learning database to help facilitate relationships between school districts and businesses and expand work-based learning.

[Public Act 101-0413](#)**Office of School Safety**
Effective January 1, 2020

Allows the State Board of Education to provide grants for school security improvement including professional development; safety-related upgrades to school buildings; equipment, including metal detectors and x-ray machines; and facilities, including school-based health centers. Requires that grants be prioritized to Tier 1 and Tier 2 schools.

[Public Act 101-0068](#)**State Report Card—Career and Technical Education**
Effective January 1, 2020

Amends the School Code to require the State Board of Education's school report cards to report whether the school offers career and technical education as well as the percentage of students who participated

in workplace learning experiences such as internships or job shadowing.

OMA/FOIA

[Public Act 101-0088](#)

Contract Schools FOIA and OMA *Effective January 1, 2020*

Amends the Chicago School District Article of the School Code to provide that the governing bodies of contract schools are subject to the Freedom of Information Act and Open Meetings Act.

[Public Act 101-0459](#)

Open Meeting Act Exceptions *Effective August 23, 2019*

Permits public bodies to hold closed session meetings to discuss the appointment, employment, compensation, discipline, performance, or dismissal of individuals who serve as independent contractors or volunteers for the public body.

[Public Act 101-0434](#)

FOIA Public Body Credit Cards *Effective January 1, 2020*

Exempts disclosure of a public body's credit card numbers, debit card numbers, bank account numbers, Federal Employer ID Number, security code numbers, passwords, and similar account information, the disclosure of which could result in identity theft or defrauding of a governmental entity.

PROPERTY TAX

[Public Act 101-0017](#)

Property Tax Formula *Effective June 14, 2019*

Amends the School Code with regard to funding including adjustments to the property tax relief pool grants and an evaluative study of the evidence-based funding model every 5 years. Specifically, property tax relief may be no greater than 1% of the EAV for a unit district, .69% of the EAV for an elementary district, or .31% of the EAV for a high school district, multiplied by the school district's local capacity percentage multiplier.

[Public Act 101-0199](#)

Water Treatment Facilities *Effective August 2, 2019*

Property tax assessments of water treatment facilities will now be handled by the Illinois Department of Revenue, rather than local assessing officials, after the Illinois EPA issues reviews the facility's qualifications and issues a facility number.

[Public Act 101-0181](#)

Property Tax Relief Task Force *Effective August 2, 2019*

The task force is directed to utilize a racial and economic lens to identify causes of burdensome property taxes, review best practices, and recommend changes that create property tax relief for homeowners. The task force is to issue its initial report by October 31 and its final report by December 31.

Public Act 101-0134**TIF Information on Tax Bills***Effective July 26, 2019*

Property tax bills must now include a list of each tax increment financing (TIF) district in which the property is located and the dollar amount of tax due that is allocable to the TIF district.

Public Act 101-0467**Assessing Officials Qualifications***Effective August 23, 2019*

This amendment to the Property Tax Code clarifies and updates the minimum certifications and qualification an individual must possess to run for or fill a vacancy in the office of either the township assessor or the countywide supervisor of assessments.

Public Act 101-0150**Election of Assessing Officials***Effective July 26, 2019*

In counties with less than 3,000,000 inhabitants, county assessors or supervisors of assessments may now be either elected or appointed after the county board adopts such an ordinance or a referendum is approved by the voters in the county.

SPECIAL EDUCATION**Public Act 101-0507****Special Education Complaints***Effective August 23, 2019*

Permits complaints against the Chicago Public Schools alleging a delay or denial of special education or related services from the 2016-2017 and 2017-2018 school years as a result of the adoption of policies and procedures identified by the State Board of Education as unlawful to be filed any time before

September 30, 2021. Further requires the District provide notification of this change to parents and students within 30 days of the first day of the 2019-2020 school year and post the notification on the home page of its public website.

Public Act 101-0515**Special Education Services***Effective August 23, 2019*

Requires districts provide parents/guardians with copies of all written material that will be considered at an IEP meeting 3 school days prior to the meeting. Requires districts to maintain related services logs as student records and make them available at IEP meetings and upon parent request. Provides that if IEP services are not being implemented, the district must provide the parent notice as well as the ability to request compensatory services. Requires districts to use scientific, research-based interventions or multi-tiered systems of support as part of the evaluation procedure to determine if a student is eligible for special education services due to a learning disability and allows such data to be used to determine eligibility for other disability categories. Requires parental participation in these processes. Includes additional requirements specific to Chicago Public Schools.

STUDENT HEALTH**Public Act 101-0205****Asthma Medication Self-Administration***Effective January 1, 2020*

Mandates that school districts permit a student with an asthma action plan, Individual Health Care Action Plan, Illinois Food Allergy Emergency Action Plan and Treatment Authorization Form, a Section 504

plan, or Individualized Education Plan to self-administer medication (not limited to asthma medication) required by the plan if the parent or guardian submits written permission for self-administration and written authorization from the student's physician or nurse. Requires that school districts adopt an emergency action plan for a student who self-administers medication that provides an alternative response if the student is unable to do so and describes circumstances where the school must call 9-1-1.

[Public Act 101-0050](#)

Epilepsy Seizure Plan *Effective July 1, 2020*

Creates the Seizure Smart School Act. Provides for students with epilepsy to have seizure action plans to provide for their support at school and school activities. The plan must include reasonable accommodations and services and assign a delegated care aide to provide and supervise the services. Requires all school employees to receive training in the basics of seizure recognition and first aid and appropriate emergency protocols.

[Public Act 101-0370](#)

Medicinal Cannabis Use *Effective January 1, 2020*

Amends Ashley's Law to require a school district, public school, charter school, or nonpublic school to allow a school nurse or administrator to administer medical cannabis infused products to a student. Provides that medical cannabis infused products must be stored with the school nurse and only accessible to the school nurse or administrator. Requires the State Board of Education with the Department of Public Health to develop a training for

school nurses and administrators. Additionally, amends the Compassionate Use of Medical Cannabis Pilot Program Act to ensure that a school nurse cannot be arrested, prosecuted, or denied any right or privilege for administering or assisting with medical cannabis.

[Public Act 101-0428](#)

Undesignated Glucagon *Effective August 19, 2019*

Revises the Care of Students with Diabetes Act to permit schools to maintain a supply of undesignated glucagon in a secure location accessible to a school nurse or delegated care aide. A school nurse or delegated care aide may administer undesignated glucagon if he or she is authorized to do so through a student's diabetes care plan and if the student's prescribed glucagon is not available.

STUDENT ISSUES

[Public Act 101-0290](#)

School Counselor Post-Secondary Opportunities Discussions *Effective August 9, 2019*

Requires school counselors to discuss all post-secondary options including a 4-year college or university, community college, or vocational school when assisting students with a college or post-secondary education plan.

[Public Act 101-0161](#)

Student Record Destruction Notice *Effective January 1, 2020*

Amends the Illinois School Student Records Act to require that, when the rights under the Act have transferred from a parent/guardian to a student, the

school give reasonable notice to the student before destroying any information from the student's record. Notice can be through (1) the student or parent handbook, (2) newspaper publication, (3) US mail, (4) other means where notice is confirmed.

[Public Act 101-0238](#)

Minor Student Threats Against Schools/Personnel *Effective January 1, 2020*

States that a court may order a mental health evaluation for a minor adjudged delinquent for threatening a person, school, school function, or school event. Requires a person convicted of disorderly conduct to reimburse the public agency for the reasonable costs of emergency response to a false alarm of a threat that a bomb or explosive device has been placed in a school.

[Public Act 101-0478](#)

Parental Notification of Detention/Questioning on School Grounds *Effective August 23, 2019*

Amends the School Code to require that, before detaining and questioning a student who is under 18 on school grounds and who is suspected of committing a criminal act, a law enforcement officer, school resource officer, or other school security personnel must make reasonable efforts to ensure that the student's parents or guardians are present and to ensure that the law enforcement officer is trained in safe interaction and communication with youth. Provides exceptions when urgent and immediate action is necessary.

[Public Act 101-0012](#)

Daily Pupil Attendance *Effective July 1, 2019*

Requires K-12th grade students to have no less than 5 clock hours of school work per day supervised by teaching or non-teaching personnel. Provides guidance for the calculation of school days. Outlines exceptions to the 5 hours of instruction, including: dual enrollment courses, career development guided by a licensed teacher, youth apprenticeships supervised by a licensed teacher, and blended learning supervised by a licensed teacher. Additionally, provides guidelines for counting e-learning programs towards days of attendance.

[Public Act 101-0180](#)

FAFSA Completion *Effective June 1, 2020*

Creates a new graduation requirement to complete the FAFSA unless parents or the student submit a waiver made available by the State Board of Education.

[Public Act 101-0516](#)

Student Online Protection *Effective July 1, 2021*

Amends the Student Online Personal Protection Act to require that school districts and technology providers enter into a written agreement before any personally identifiable student information may be collected. Places further requirements on school districts in safeguarding student data.

TEACHER PENSIONS/RETIREMENT

[Public Act 101-0049](#)

Downstate Teacher-Shortage Pension Revisions *Effective July 12, 2019*

Amends the Downstate Teachers Article of the Illinois Pension Code definition of “eligible employment” for the purpose of allowing a teacher to return to teaching in subject shortage areas without impairing retirement status. Permits the annuitant to return to teaching with an ending date of employment not later than June 30, 2021.

[Public Act 101-0151](#)

IMRF Disability Benefits *Effective July 26, 2019*

Regarding eligibility for disability benefits under the Illinois Pension Code, removes a requirement that an interruption in service for a specified period must have been with the same participating municipality or participating instrumentality.

[Public Act 101-0242](#)

TRS Survivor Benefits *Effective August 9, 2019*

Restores annuitant survivor benefits to the Teacher Retirement System’s (TRS) Tier I accelerated pension benefit program.

[Public Act 101-0340](#)

Chicago Teacher Return to Work Pension Revisions *Effective August 9, 2019*

Amends the Illinois Pension Code, Chicago Teacher Article, to state that a retirement pensioner may be re-employed without impacting their pension so long as the individual: (i) does not work as a teacher for more than 120 days in a school year; (ii) does not

accept gross compensation for the re-employment in a school year in excess of \$30,000 or, in the case of a person who retires with at least 5 years of service as a principal, an amount that is equal to the daily rate normally paid to retired principals multiplied by 100.

[Public Act 101-0483](#)

TRS Benefit Refund *Effective January 1, 2020*

Provides that, if an error is made in billing a TRS benefit recipient for health benefits, a refund for the overpaid amount must be paid as soon as practicable. TRS benefit recipients who have overpaid are entitled to a refund of overpayments for up to 7 years of past payments.

[Public Act 101-0492](#)

Sick Leave Credit, Multiple Employers *Effective August 23, 2019*

Amends the Illinois Municipal Retirement Fund (IMRF) Article of the Illinois Pension Code to provide that if an employee was in the service of more than one employer described in provisions concerning certain educational employers, then the sick leave days from all such employers, except for employers from which the employee terminated service before the effective date of the amendatory Act, shall be credited, as long as the creditable service attributed to those sick leave days does not exceed 12 months.

Public Act 101-0263**Chicago Teacher Pension Revisions***Effective August 9, 2019*

Revises the Chicago Teacher Article of the Illinois Pension Code related to the conditions that begin service retirement pensions and the acknowledgement that an eligible member must execute to receive a refund of contributions.

TRAINING**Public Act 101-0350****Mental Health Awareness***Effective January 1, 2020*

Amends the School Code to describe that in-service trainings may utilize the Illinois Mental Health First Aid training program to provide mental health training required under Illinois law. Licensed school personnel may also obtain mental health first aid credit outside of an in-service if they provide a certificate of completion.

Public Act 101-0085**Professional Development***Effective January 1, 2020*

Provides that an approved provider of professional development activities for the renewal of a Professional Educator License may make available a professional development opportunity that provides educators with training on inclusive practices in the classroom that examines instructional and behavioral strategies that improve academic and social-emotional outcomes for all students, with or without disabilities, in a general education setting.

TRANSPORTATION**Public Act 101-0055****School Bus Passing Violation***Effective January 1, 2020*

Doubles the fines for approaching, overtaking, and passing school buses.