7

1 AN ACT concerning education.

Be it enacted by the People of the State of Illinois,represented in the General Assembly:

4 Section 5. The School Code is amended by changing
5 Section 1A-4 as follows:

6 (105 ILCS 5/1A-4) (from Ch. 122, par. 1A-4)

Sec. 1A-4. Powers and duties of the Board.

A. Upon the appointment of new Board members as provided in subsection (b) of Section 1A-1 <u>of this Code</u> and every 2 years thereafter, the chairperson of the Board shall be selected by the Governor, with the advice and consent of the Senate, from the membership of the Board to serve as chairperson for 2 years.

The Board shall determine the qualifications of and 14 в. appoint a chief education officer to be known as the State 15 16 Superintendent of Education who shall serve at the pleasure of the Board and pursuant to a performance-based contract 17 statewide student performance and academic 18 linked to improvement within Illinois schools. No performance-based 19 20 contract issued for the employment of the State Superintendent of Education shall be for a term longer than 3 21 years and no contract shall be extended or renewed prior to 22 its scheduled expiration unless the performance 23 and improvement goals contained in the contract have been met. 24 The State Superintendent of Education shall not serve as a 25 member of the State Board of Education. The Board shall set 26 27 the compensation of the State Superintendent of Education who shall serve as the Board's chief executive officer. The Board 28 29 shall also establish the duties, powers and responsibilities of the State Superintendent, which shall be included in the 30 State Superintendent's performance-based contract along with 31

1 the goals and indicators of student performance and academic 2 improvement used to measure the performance and effectiveness of the State Superintendent. The State Board of Education may 3 4 delegate to the State Superintendent of Education the 5 authority to act on the Board's behalf, provided such б delegation is made pursuant to adopted board policy or the 7 powers delegated are ministerial in nature. The State Board 8 may not delegate authority under this Section to the State 9 Superintendent to (1) nonrecognize school districts, (2) withhold State payments as a penalty, or (3) make final 10 11 decisions under the contested case provisions of the Illinois 12 Administrative Procedure Act unless otherwise provided by 13 law.

C. The powers and duties of the State Board of Education 14 15 shall encompass all duties delegated to the Office of 16 Superintendent of Public Instruction on January 12, 1975, except as the law providing for such powers and duties 17 is 18 thereafter amended, and such other powers and duties as the General Assembly shall designate. 19 The Board shall be responsible for the educational policies and guidelines for 20 21 public schools, pre-school through grade 12 and Vocational Education in the State of Illinois. The Board shall analyze 22 23 the present and future aims, needs, and requirements of education in the State of Illinois and recommend to the 24 25 General Assembly the powers which should be exercised by the 26 Board. The Board shall recommend the passage and the legislation 27 necessary to determine the appropriate relationship between the Board and local boards of education 28 29 and the various State agencies and shall recommend desirable 30 modifications in the laws which affect schools.

D. Two members of the Board shall be appointed by the chairperson to serve on a standing joint Education Committee, Joint Shall be appointed from the Board of Higher Education, 2 others shall be appointed by the chairperson of

1 the Illinois Community College Board, and 2 others shall be 2 appointed by the chairperson of the Human Resource Investment The Committee shall be responsible for making 3 Council. 4 recommendations concerning the submission of any workforce 5 development plan or workforce training program required by 6 federal law or under any block grant authority. The 7 Committee will be responsible for developing policy on matters of mutual concern to elementary, secondary and higher 8 9 education such as Occupational and Career Education, Teacher Preparation and Certification, 10 Educational Finance, 11 Articulation between Elementary, Secondary and Higher Education and Research and Planning. The joint Education 12 Committee shall meet at least quarterly and submit an annual 13 report of its findings, conclusions, and recommendations to 14 the State Board of Education, the Board of Higher Education, 15 16 the Illinois Community College Board, the Human Resource Investment Council, the Governor, and the General Assembly. 17 18 All meetings of this Committee shall be official meetings for 19 reimbursement under this Act.

Five members of the Board shall constitute a quorum. 20 Ε. 21 A majority vote of the members appointed, confirmed and 22 serving on the Board is required to approve any action.

23 The Board shall prepare and submit to the General Assembly and the Governor on or before January 14, 1976 and 24 25 annually thereafter a report or reports of its findings and recommendations. Such annual report shall contain a separate 26 section which provides a critique and analysis of the status 27 of education in Illinois and which identifies its specific 28 29 problems and recommends express solutions therefor. Such 30 annual report also shall contain the following information for the preceding year ending on June 30: each act or 31 omission of a school district of which the State Board of 32 Education has knowledge as a consequence of scheduled, 33 34 approved visits and which constituted a failure by the

1 district to comply with applicable State or federal laws or 2 regulations relating to public education, the name of such district, the date or dates on which the State Board of 3 4 Education notified the school district of such act or omission, and what action, if any, the school district took 5 6 with respect thereto after being notified thereof by the 7 State Board of Education. The report shall also include the 8 statewide high school dropout rate by grade level, sex and 9 race and the annual student dropout rate of and the number of students who graduate from, transfer from or otherwise leave 10 11 bilingual programs. The Auditor General shall annually perform a compliance audit of the State Board of Education's 12 performance of the reporting duty imposed by this amendatory 13 1986. A regular system of communication with other 14 Act of directly related State agencies shall be implemented. 15

16 The requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the 17 18 Speaker, the Minority Leader and the Clerk of the House of 19 Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Council, 20 as 21 required by Section 3.1 of the General Assembly Organization 22 Act, and filing such additional copies with the State 23 Government Report Distribution Center for the General Assembly as is required under paragraph (t) of Section 7 of 24 25 the State Library Act.

26 (Source: P.A. 89-430, eff. 12-15-95; 89-610, eff. 8-6-96;
27 89-698, eff. 1-14-97; 90-548, eff. 1-1-98.)