



Sen. Kimberly A. Lightford

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LRB095 04777 NHT 38251 a

1 AMENDMENT TO SENATE BILL 1

2 AMENDMENT NO. _____. Amend Senate Bill 1 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 FY2008 Budget Implementation (Education) Act.

6 Section 5. Purpose. It is the purpose of this Act to make
7 changes in State programs that are necessary to implement the
8 Governor's FY2008 budget recommendations concerning education.

9 Section 10. The State Finance Act is amended by adding
10 Section 5.675 as follows:

11 (30 ILCS 105/5.675 new)

12 Sec. 5.675. The STEM Education Center Grant Fund.

13 Section 15. The Illinois Pension Code is amended by

1 changing Section 16-158 as follows:

2 (40 ILCS 5/16-158) (from Ch. 108 1/2, par. 16-158)

3 Sec. 16-158. Contributions by State and other employing
4 units.

5 (a) The State shall make contributions to the System by
6 means of appropriations from the Common School Fund and other
7 State funds of amounts which, together with other employer
8 contributions, employee contributions, investment income, and
9 other income, will be sufficient to meet the cost of
10 maintaining and administering the System on a 90% funded basis
11 in accordance with actuarial recommendations.

12 The Board shall determine the amount of State contributions
13 required for each fiscal year on the basis of the actuarial
14 tables and other assumptions adopted by the Board and the
15 recommendations of the actuary, using the formula in subsection
16 (b-3).

17 (a-1) Annually, on or before November 15, the Board shall
18 certify to the Governor the amount of the required State
19 contribution for the coming fiscal year. The certification
20 shall include a copy of the actuarial recommendations upon
21 which it is based.

22 On or before May 1, 2004, the Board shall recalculate and
23 recertify to the Governor the amount of the required State
24 contribution to the System for State fiscal year 2005, taking
25 into account the amounts appropriated to and received by the

1 System under subsection (d) of Section 7.2 of the General
2 Obligation Bond Act.

3 On or before July 1, 2005, the Board shall recalculate and
4 recertify to the Governor the amount of the required State
5 contribution to the System for State fiscal year 2006, taking
6 into account the changes in required State contributions made
7 by this amendatory Act of the 94th General Assembly.

8 (b) Through State fiscal year 1995, the State contributions
9 shall be paid to the System in accordance with Section 18-7 of
10 the School Code.

11 (b-1) Beginning in State fiscal year 1996, on the 15th day
12 of each month, or as soon thereafter as may be practicable, the
13 Board shall submit vouchers for payment of State contributions
14 to the System, in a total monthly amount of one-twelfth of the
15 required annual State contribution certified under subsection
16 (a-1). From the effective date of this amendatory Act of the
17 93rd General Assembly through June 30, 2004, the Board shall
18 not submit vouchers for the remainder of fiscal year 2004 in
19 excess of the fiscal year 2004 certified contribution amount
20 determined under this Section after taking into consideration
21 the transfer to the System under subsection (a) of Section
22 6z-61 of the State Finance Act. These vouchers shall be paid by
23 the State Comptroller and Treasurer by warrants drawn on the
24 funds appropriated to the System for that fiscal year.

25 If in any month the amount remaining unexpended from all
26 other appropriations to the System for the applicable fiscal

1 year (including the appropriations to the System under Section
2 8.12 of the State Finance Act and Section 1 of the State
3 Pension Funds Continuing Appropriation Act) is less than the
4 amount lawfully vouchered under this subsection, the
5 difference shall be paid from the Common School Fund under the
6 continuing appropriation authority provided in Section 1.1 of
7 the State Pension Funds Continuing Appropriation Act.

8 (b-2) Allocations from the Common School Fund apportioned
9 to school districts not coming under this System shall not be
10 diminished or affected by the provisions of this Article.

11 (b-3) For State fiscal years 2011 through 2045, the minimum
12 contribution to the System to be made by the State for each
13 fiscal year shall be an amount determined by the System to be
14 sufficient to bring the total assets of the System up to 90% of
15 the total actuarial liabilities of the System by the end of
16 State fiscal year 2045. In making these determinations, the
17 required State contribution shall be calculated each year as a
18 level percentage of payroll over the years remaining to and
19 including fiscal year 2045 and shall be determined under the
20 projected unit credit actuarial cost method.

21 For State fiscal years 1996 through 2005, the State
22 contribution to the System, as a percentage of the applicable
23 employee payroll, shall be increased in equal annual increments
24 so that by State fiscal year 2011, the State is contributing at
25 the rate required under this Section; except that in the
26 following specified State fiscal years, the State contribution

1 to the System shall not be less than the following indicated
2 percentages of the applicable employee payroll, even if the
3 indicated percentage will produce a State contribution in
4 excess of the amount otherwise required under this subsection
5 and subsection (a), and notwithstanding any contrary
6 certification made under subsection (a-1) before the effective
7 date of this amendatory Act of 1998: 10.02% in FY 1999; 10.77%
8 in FY 2000; 11.47% in FY 2001; 12.16% in FY 2002; 12.86% in FY
9 2003; and 13.56% in FY 2004.

10 Notwithstanding any other provision of this Article, the
11 total required State contribution for State fiscal year 2006 is
12 \$534,627,700.

13 Notwithstanding any other provision of this Article, the
14 total required State contribution for State fiscal year 2007 is
15 \$738,014,500.

16 For each of State fiscal years 2008 through 2010, the State
17 contribution to the System, as a percentage of the applicable
18 employee payroll, shall be increased in equal annual increments
19 from the required State contribution for State fiscal year
20 2007, so that by State fiscal year 2011, the State is
21 contributing at the rate otherwise required under this Section.

22 Beginning in State fiscal year 2046, the minimum State
23 contribution for each fiscal year shall be the amount needed to
24 maintain the total assets of the System at 90% of the total
25 actuarial liabilities of the System.

26 Amounts received by the System pursuant to Section 25 of

1 the Budget Stabilization Act in any fiscal year do not reduce
2 and do not constitute payment of any portion of the minimum
3 State contribution required under this Article in that fiscal
4 year. Such amounts shall not reduce, and shall not be included
5 in the calculation of, the required State contributions under
6 this Article in any future year until the System has reached a
7 funding ratio of at least 90%. A reference in this Article to
8 the "required State contribution" or any substantially similar
9 term does not include or apply to any amounts payable to the
10 System under Section 25 of the Budget Stabilization Act.

11 Notwithstanding any other provision of this Section, the
12 required State contribution for State fiscal year 2005 and for
13 fiscal year 2008 and each fiscal year thereafter, as calculated
14 under this Section and certified under subsection (a-1), shall
15 not exceed an amount equal to (i) the amount of the required
16 State contribution that would have been calculated under this
17 Section for that fiscal year if the System had not received any
18 payments under subsection (d) of Section 7.2 of the General
19 Obligation Bond Act, minus (ii) the portion of the State's
20 total debt service payments for that fiscal year on the bonds
21 issued for the purposes of that Section 7.2, as determined and
22 certified by the Comptroller, that is the same as the System's
23 portion of the total moneys distributed under subsection (d) of
24 Section 7.2 of the General Obligation Bond Act. In determining
25 this maximum for State fiscal years 2008 through 2010, however,
26 the amount referred to in item (i) shall be increased, as a

1 percentage of the applicable employee payroll, in equal
2 increments calculated from the sum of the required State
3 contribution for State fiscal year 2007 plus the applicable
4 portion of the State's total debt service payments for fiscal
5 year 2007 on the bonds issued for the purposes of Section 7.2
6 of the General Obligation Bond Act, so that, by State fiscal
7 year 2011, the State is contributing at the rate otherwise
8 required under this Section.

9 (c) Payment of the required State contributions and of all
10 pensions, retirement annuities, death benefits, refunds, and
11 other benefits granted under or assumed by this System, and all
12 expenses in connection with the administration and operation
13 thereof, are obligations of the State.

14 If members are paid from special trust or federal funds
15 which are administered by the employing unit, whether school
16 district or other unit, the employing unit shall pay to the
17 System from such funds the full accruing retirement costs based
18 upon that service, as determined by the System. Employer
19 contributions, based on salary paid to members from federal
20 funds, may be forwarded by the distributing agency of the State
21 of Illinois to the System prior to allocation, in an amount
22 determined in accordance with guidelines established by such
23 agency and the System.

24 (d) Effective July 1, 1986, any employer of a teacher as
25 defined in paragraph (8) of Section 16-106 shall pay the
26 employer's normal cost of benefits based upon the teacher's

1 service, in addition to employee contributions, as determined
2 by the System. Such employer contributions shall be forwarded
3 monthly in accordance with guidelines established by the
4 System.

5 However, with respect to benefits granted under Section
6 16-133.4 or 16-133.5 to a teacher as defined in paragraph (8)
7 of Section 16-106, the employer's contribution shall be 12%
8 (rather than 20%) of the member's highest annual salary rate
9 for each year of creditable service granted, and the employer
10 shall also pay the required employee contribution on behalf of
11 the teacher. For the purposes of Sections 16-133.4 and
12 16-133.5, a teacher as defined in paragraph (8) of Section
13 16-106 who is serving in that capacity while on leave of
14 absence from another employer under this Article shall not be
15 considered an employee of the employer from which the teacher
16 is on leave.

17 (e) Beginning July 1, 1998, every employer of a teacher
18 shall pay to the System an employer contribution computed as
19 follows:

20 (1) Beginning July 1, 1998 through June 30, 1999, the
21 employer contribution shall be equal to 0.3% of each
22 teacher's salary.

23 (2) Beginning July 1, 1999 and thereafter, the employer
24 contribution shall be equal to 0.58% of each teacher's
25 salary.

26 The school district or other employing unit may pay these

1 employer contributions out of any source of funding available
2 for that purpose and shall forward the contributions to the
3 System on the schedule established for the payment of member
4 contributions.

5 These employer contributions are intended to offset a
6 portion of the cost to the System of the increases in
7 retirement benefits resulting from this amendatory Act of 1998.

8 Each employer of teachers is entitled to a credit against
9 the contributions required under this subsection (e) with
10 respect to salaries paid to teachers for the period January 1,
11 2002 through June 30, 2003, equal to the amount paid by that
12 employer under subsection (a-5) of Section 6.6 of the State
13 Employees Group Insurance Act of 1971 with respect to salaries
14 paid to teachers for that period.

15 The additional 1% employee contribution required under
16 Section 16-152 by this amendatory Act of 1998 is the
17 responsibility of the teacher and not the teacher's employer,
18 unless the employer agrees, through collective bargaining or
19 otherwise, to make the contribution on behalf of the teacher.

20 If an employer is required by a contract in effect on May
21 1, 1998 between the employer and an employee organization to
22 pay, on behalf of all its full-time employees covered by this
23 Article, all mandatory employee contributions required under
24 this Article, then the employer shall be excused from paying
25 the employer contribution required under this subsection (e)
26 for the balance of the term of that contract. The employer and

1 the employee organization shall jointly certify to the System
2 the existence of the contractual requirement, in such form as
3 the System may prescribe. This exclusion shall cease upon the
4 termination, extension, or renewal of the contract at any time
5 after May 1, 1998.

6 (f) If the amount of a teacher's salary for any school year
7 used to determine final average salary exceeds the member's
8 annual full-time salary rate with the same employer for the
9 previous school year by more than 6%, the teacher's employer
10 shall pay to the System, in addition to all other payments
11 required under this Section and in accordance with guidelines
12 established by the System, the present value of the increase in
13 benefits resulting from the portion of the increase in salary
14 that is in excess of 6%. This present value shall be computed
15 by the System on the basis of the actuarial assumptions and
16 tables used in the most recent actuarial valuation of the
17 System that is available at the time of the computation. If a
18 teacher's salary for the 2005-2006 school year is used to
19 determine final average salary under this subsection (f), then
20 the changes made to this subsection (f) by Public Act 94-1057
21 shall apply in calculating whether the increase in his or her
22 salary is in excess of 6%. For the purposes of this Section,
23 change in employment under Section 10-21.12 of the School Code
24 on or after June 1, 2005 shall constitute a change in employer.
25 The System may require the employer to provide any pertinent
26 information or documentation. The changes made to this

1 subsection (f) by this amendatory Act of the 94th General
2 Assembly apply without regard to whether the teacher was in
3 service on or after its effective date.

4 Whenever it determines that a payment is or may be required
5 under this subsection, the System shall calculate the amount of
6 the payment and bill the employer for that amount. The bill
7 shall specify the calculations used to determine the amount
8 due. If the employer disputes the amount of the bill, it may,
9 within 30 days after receipt of the bill, apply to the System
10 in writing for a recalculation. The application must specify in
11 detail the grounds of the dispute and, if the employer asserts
12 that the calculation is subject to subsection (g) or (h) of
13 this Section, must include an affidavit setting forth and
14 attesting to all facts within the employer's knowledge that are
15 pertinent to the applicability of that subsection. Upon
16 receiving a timely application for recalculation, the System
17 shall review the application and, if appropriate, recalculate
18 the amount due.

19 The employer contributions required under this subsection
20 (f) may be paid in the form of a lump sum within 90 days after
21 receipt of the bill. If the employer contributions are not paid
22 within 90 days after receipt of the bill, then interest will be
23 charged at a rate equal to the System's annual actuarially
24 assumed rate of return on investment compounded annually from
25 the 91st day after receipt of the bill. Payments must be
26 concluded within 3 years after the employer's receipt of the

1 bill.

2 (g) This subsection (g) applies only to payments made or
3 salary increases given on or after June 1, 2005 but before July
4 1, 2011. The changes made by Public Act 94-1057 shall not
5 require the System to refund any payments received before July
6 31, 2006 (the effective date of Public Act 94-1057).

7 When assessing payment for any amount due under subsection
8 (f), the System shall exclude salary increases paid to teachers
9 under contracts or collective bargaining agreements entered
10 into, amended, or renewed before June 1, 2005.

11 When assessing payment for any amount due under subsection
12 (f), the System shall exclude salary increases paid to a
13 teacher at a time when the teacher is 10 or more years from
14 retirement eligibility under Section 16-132 or 16-133.2.

15 When assessing payment for any amount due under subsection
16 (f), the System shall exclude salary increases resulting from
17 overload work, including summer school, when the school
18 district has certified to the System, and the System has
19 approved the certification, that (i) the overload work is for
20 the sole purpose of classroom instruction in excess of the
21 standard number of classes for a full-time teacher in a school
22 district during a school year and (ii) the salary increases are
23 equal to or less than the rate of pay for classroom instruction
24 computed on the teacher's current salary and work schedule.

25 When assessing payment for any amount due under subsection
26 (f), the System shall exclude a salary increase resulting from

1 a promotion (i) for which the employee is required to hold a
2 certificate or supervisory endorsement issued by the State
3 Teacher Certification Board that is a different certification
4 or supervisory endorsement than is required for the teacher's
5 previous position and (ii) to a position that has existed and
6 been filled by a member for no less than one complete academic
7 year and the salary increase from the promotion is an increase
8 that results in an amount no greater than the lesser of the
9 average salary paid for other similar positions in the district
10 requiring the same certification or the amount stipulated in
11 the collective bargaining agreement for a similar position
12 requiring the same certification.

13 When assessing payment for any amount due under subsection
14 (f), the System shall exclude any payment to the teacher from
15 the State of Illinois or the State Board of Education over
16 which the employer does not have discretion or which is paid to
17 a mentor teacher or principal from funds provided to the
18 employer by the State Board of Education for the purpose of
19 mentoring a new teacher or principal, notwithstanding that the
20 payment is included in the computation of final average salary.

21 (h) When assessing payment for any amount due under
22 subsection (f), the System shall exclude any salary increase
23 described in subsection (g) of this Section given on or after
24 July 1, 2011 but before July 1, 2014 under a contract or
25 collective bargaining agreement entered into, amended, or
26 renewed on or after June 1, 2005 but before July 1, 2011.

1 Notwithstanding any other provision of this Section, any
2 payments made or salary increases given after June 30, 2014
3 shall be used in assessing payment for any amount due under
4 subsection (f) of this Section.

5 (i) The System shall prepare a report and file copies of
6 the report with the Governor and the General Assembly by
7 January 1, 2007 that contains all of the following information:

8 (1) The number of recalculations required by the
9 changes made to this Section by Public Act 94-1057 for each
10 employer.

11 (2) The dollar amount by which each employer's
12 contribution to the System was changed due to
13 recalculations required by Public Act 94-1057.

14 (3) The total amount the System received from each
15 employer as a result of the changes made to this Section by
16 Public Act 94-4.

17 (4) The increase in the required State contribution
18 resulting from the changes made to this Section by Public
19 Act 94-1057.

20 (Source: P.A. 93-2, eff. 4-7-03; 93-665, eff. 3-5-04; 94-4,
21 eff. 6-1-05; 94-839, eff. 6-6-06; 94-1057, eff. 7-31-06;
22 94-1111, eff. 2-27-07.)

23 Section 20. The School Code is amended by changing Sections
24 2-3.131 (as added by Public Act 93-21), 10-17a, 10-20.20,
25 10-21.4a, 10-22.23a, 14-13.01, 17-1.5, 18-8.05, 18-17, 21-27,

1 21A-5, 21A-10, 21A-15, 21A-20, 21A-25, 21A-30, 21A-35, 24-12,
2 24A-1, 24A-3, 24A-4, 24A-5, 24A-6, 24A-8, and 24A-15 and by
3 adding Sections 2-3.25p, 2-3.53b, 2-3.64b, 2-3.142, 2-3.144,
4 2-3.145, 2-3.146, 2-3.148, 2-3.149, 2-3.151, 3-6.5, 10-16.10,
5 10-17b, 10-20.40, 10-20.41, 10-20.43, 21-29, 21-30, 21-31, and
6 21A-3 as follows:

7 (105 ILCS 5/2-3.25p new)

8 Sec. 2-3.25p. Targeted intervention strategies.

9 (a) The State Board of Education is authorized to make
10 rules necessary to define and implement strategies to support
11 school districts. Moneys appropriated under this Section must
12 be used to undertake targeted interventions in eligible schools
13 to improve student achievement.

14 (b) School districts with schools that remain on academic
15 watch status after a third annual calculation are eligible to
16 participate in targeted intervention strategies. The State
17 Board of Education shall select participating schools through a
18 prioritization process that considers the following, in
19 addition to other factors defined by Board rule:

20 (1) the number of years the school has remained in
21 academic watch status; and

22 (2) the overall percentage of students in the school
23 with State assessment scores demonstrating proficiency.

24 (c) The State Board of Education shall provide school
25 districts with schools eligible to participate the opportunity

1 to accept or decline participation in targeted intervention
2 strategies designed in cooperation with the school district,
3 the State Board of Education, and a designated State
4 Intervention Team.

5 (d) If a school district with schools eligible to
6 participate in an intervention strategy declines
7 participation, then that school district must demonstrate
8 academic improvement within the eligible schools over a 2-year
9 period as measured by the State Board of Education. If a school
10 district cannot demonstrate such improvement, the State Board
11 of Education is authorized to take actions as set forth in
12 subsection (b) of Section 2-3.25f of this Code.

13 (e) State Intervention Teams established under this
14 Section shall work with school districts to identify other
15 State, federal, and local funds that may be used to carry out
16 targeted intervention strategies as identified in the targeted
17 intervention plan developed under this Section.

18 (f) Subject to appropriation, the State Board of Education
19 shall make funds available to school districts implementing
20 targeted intervention strategies as identified in the targeted
21 intervention plan developed under this Section.

22 (g) A school district participating in targeted
23 intervention strategies shall be assigned a State Intervention
24 Team, assembled by the State Board of Education, that includes
25 an academic improvement specialist appointed by the State Board
26 of Education and representatives from various State agencies,

1 including, as appropriate, the Department of Human Services,
2 the Department of Healthcare and Family Services, the
3 Department of State Police, and the Department of Children and
4 Family Services, among others.

5 (h) A State Intervention Team shall cooperate with
6 representatives of the participating school district, which
7 may include the school board, district superintendent, school
8 administration, school professional staff, school parents, and
9 the school community.

10 (i) In cooperation with the other members of the State
11 Intervention Team and those entities listed in subsection (h)
12 of this Section, the academic improvement specialist shall
13 develop a targeted intervention plan in accordance with rules
14 adopted by the State Board of Education.

15 (j) The targeted intervention plan must be completed within
16 60 days after the designation of the academic improvement
17 specialist and formation of the rest of the State Intervention
18 Team and must be filed with the State Board of Education.

19 (1) The academic improvement specialist is responsible
20 for creating the plan, in consultation with the other
21 members of the State Intervention Team.

22 (2) The academic improvement specialist shall attempt
23 to reach consensus on the plan with representatives from
24 the school district.

25 (k) The targeted intervention plan developed under this
26 Section may include the following, among other appropriate

1 strategies for school improvement:

2 (1) A plan for school participation in an extended
3 school year or summer school services or both for
4 low-achieving students.

5 (2) A plan to implement after-school tutoring and
6 alternative enrichment activities for low-achieving
7 students.

8 (3) A plan to increase the integration of technology in
9 classroom instruction and the use of technology to
10 encourage parental and community involvement.

11 (4) Improvements to services made available to
12 students, parents, and guardians through the school
13 library.

14 (5) Professional development opportunities available
15 to school and district administrators and teachers.

16 (6) Improvements to school curriculum and school
17 materials, including textbooks, software, and other
18 technology.

19 (l) The targeted intervention plan developed under this
20 Section shall cover a minimum of 2 school years and must
21 identify strategies for academic improvement that can be
22 sustained by the school district in subsequent years.

23 (m) The academic improvement specialist, in cooperation
24 with the State Board of Education, shall assess the
25 participating schools' progress throughout the course of the
26 intervention period, including the participating schools'

1 capacity to sustain academic improvement without participation
2 in the program.

3 (105 ILCS 5/2-3.53b new)

4 Sec. 2-3.53b. New superintendent mentoring program.

5 (a) Beginning on July 1, 2008 and subject to an annual
6 appropriation by the General Assembly, to establish a new
7 superintendent mentoring program for new superintendents. Any
8 individual who begins serving as a superintendent in this State
9 on or after July 1, 2008 and has not previously served as a
10 school district superintendent in this State shall participate
11 in the new superintendent mentoring program for the duration of
12 his or her first 2 school years as a superintendent and must
13 complete the program in accordance with the requirements
14 established by the State Board of Education by rule. The new
15 superintendent mentoring program shall match an experienced
16 superintendent who meets the requirements of subsection (b) of
17 this Section with each new superintendent in his or her first 2
18 school years in that position in order to assist the new
19 superintendent in the development of his or her professional
20 growth and to provide guidance during the new superintendent's
21 first 2 school years of service.

22 (b) Any individual who has actively served as a school
23 district superintendent in this State for 3 or more years and
24 who has demonstrated success as an instructional leader, as
25 determined by the State Board of Education by rule, is eligible

1 to apply to be a mentor under the new superintendent mentoring
2 program. Mentors shall complete mentoring training through a
3 provider selected by the State Board of Education and shall
4 meet any other requirements set forth by the State Board and by
5 the school district employing the mentor.

6 (c) Under the new superintendent mentoring program, a
7 provider selected by the State Board of Education shall assign
8 a mentor to a new superintendent based on (i) similarity of
9 grade level or type of school district, (ii) learning needs of
10 the new superintendent, and (iii) geographical proximity of the
11 mentor to the new superintendent. The new superintendent, in
12 collaboration with the mentor, shall identify areas for
13 improvement of the new superintendent's professional growth,
14 including, but not limited to, each of the following:

15 (1) Analyzing data and applying it to practice.

16 (2) Aligning professional development and
17 instructional programs.

18 (3) Building a professional learning community.

19 (4) Effective school board relations.

20 (5) Facilitating effective meetings.

21 (6) Developing distributive leadership practices.

22 (7) Facilitating organizational change.

23 The mentor must not be required to provide an evaluation of
24 the new superintendent on the basis of the mentoring
25 relationship.

26 (d) From January 1, 2009 until May 15, 2009 and from

1 January 1 until May 15 each year thereafter, each mentor and
2 each new superintendent shall complete a survey of progress of
3 the new superintendent on a form developed by the school
4 district. On or before September 1, 2009 and on or before
5 September 1 of each year thereafter, the provider selected by
6 the State Board of Education shall submit a detailed annual
7 report to the State Board of how the appropriation for the new
8 superintendent mentoring program was spent, details on each
9 mentor-mentee relationship, and a qualitative evaluation of
10 the outcomes. The provider shall develop a verification form
11 that each new superintendent and his or her mentor must
12 complete and submit to the provider to certify completion of
13 each year of the new superintendent mentoring program by July
14 15 immediately following the school year just completed.

15 (e) The requirements of this Section do not apply to any
16 individual who has previously served as an assistant
17 superintendent in a school district in this State acting under
18 an administrative certificate for 5 or more years and who, on
19 or after July 1, 2008, begins serving as a superintendent in
20 the school district where he or she had served as an assistant
21 superintendent immediately prior to being named
22 superintendent, although such an individual may choose to
23 participate in the new superintendent mentoring program or may
24 be required to participate by the school district. The
25 requirements of this Section do not apply to any superintendent
26 or chief executive officer of a school district organized under

1 Article 34 of this Code.

2 (f) The State Board may adopt any rules that are necessary
3 for the implementation of this Section.

4 (105 ILCS 5/2-3.64b new)

5 Sec. 2-3.64b. Performance measures.

6 (a) In this Section, "growth model assessment" means a
7 statistical system for educational outcome assessment that
8 uses measures of student learning to enable the estimation of
9 teacher, school, and school district statistical
10 distributions. The statistical system shall use available and
11 appropriate data, as defined by the State Board of Education,
12 as input to account for differences in prior student
13 attainment, such that the impact that the teacher, school, and
14 school district have on the educational progress of students
15 may be estimated on a student attainment constant basis. The
16 impact that a teacher, school, or school district has on the
17 progress or lack of progress in educational advancement or
18 learning of a student is referred to in this Section as the
19 "effect" of the teacher, school, or school district on the
20 educational progress of students.

21 (b) No later than July 1, 2008, the State Board of
22 Education shall establish a statewide growth model assessment
23 system to measure the annual increase or growth in each
24 student's performance relative to a standard year of academic
25 growth on the assessments provided for in Section 2-3.64 of

1 this Code and other performance indicators that the State Board
2 may identify. In establishing the statewide growth model
3 assessment system, the State Board of Education must take into
4 consideration current school district assessment plans
5 concerning student performance.

6 (c) The growth model assessment system shall reliably
7 estimate school district, school, and teacher effects on
8 students' academic achievement over time, control for student
9 characteristics, and use an independently verifiable
10 statistical methodology to produce such estimates.

11 (d) A specific teacher's effect on the educational progress
12 of students may not be used as a part of a formal personnel
13 evaluation until data from 3 complete academic years are
14 obtained and unless the district and the exclusive bargaining
15 representative of the district's teachers, if any, have agreed
16 to its use as part of an alternative evaluation plan under
17 Section 24A-5 or 24A-8 of this Code. Teacher effect data must
18 not be retained for use in evaluations for more than the most
19 recent 5 years. A student must have been present for 150 days
20 of classroom instruction per year or 75 days of classroom
21 instruction per semester before that student's record is
22 attributable to a specific teacher. Records from any student
23 who is eligible for special education services under federal
24 law must not be used as part of the growth model assessment.

25 (e) The State Board of Education shall provide growth model
26 assessment data to each school district as soon as practicable

1 after receipt of such data, but in no case later than August 1.
2 The aggregate growth model assessment estimates for each school
3 district and school shall also be included in each school
4 district's report card under Section 10-17a of this Code.

5 (f) All identifiable individual student performance data,
6 information, and reports shall be deemed confidential, shall
7 not be a public record, and shall not be disclosed; provided
8 that such information shall be made available only to a
9 student's classroom teacher and other appropriate educational
10 personnel and to the student's parent or guardian.

11 (g) All identifiable teacher effects data, information,
12 and reports shall be deemed confidential, shall not be a public
13 record, and shall not be disclosed without the teacher's
14 consent, except to appropriate personnel in the district in
15 which the teacher is employed.

16 (h) As provided in Section 2-3.25d of this Code, the State
17 Board of Education shall establish a coherent and sustained
18 system of assistance and support for schools not meeting
19 identified levels of achievement or not showing specified
20 levels of progress, as determined by the State Board based upon
21 the schools' growth model assessment results. As provided in
22 Section 2-3.25f of this Code, the State Board of Education
23 shall specify appropriate levels of assistance and
24 intervention for schools that receive an unacceptable rating on
25 student performance for the absolute student achievement
26 standard or on progress on improved student achievement.

1 (105 ILCS 5/2-3.131)

2 Sec. 2-3.131. Transitional assistance payments.

3 (a) If the amount that the State Board of Education will
4 pay to a school district from fiscal year 2004 appropriations,
5 as estimated by the State Board of Education on April 1, 2004,
6 is less than the amount that the State Board of Education paid
7 to the school district from fiscal year 2003 appropriations,
8 then, subject to appropriation, the State Board of Education
9 shall make a fiscal year 2004 transitional assistance payment
10 to the school district in an amount equal to the difference
11 between the estimated amount to be paid from fiscal year 2004
12 appropriations and the amount paid from fiscal year 2003
13 appropriations.

14 (b) If the amount that the State Board of Education will
15 pay to a school district from fiscal year 2005 appropriations,
16 as estimated by the State Board of Education on April 1, 2005,
17 is less than the amount that the State Board of Education paid
18 to the school district from fiscal year 2004 appropriations,
19 then the State Board of Education shall make a fiscal year 2005
20 transitional assistance payment to the school district in an
21 amount equal to the difference between the estimated amount to
22 be paid from fiscal year 2005 appropriations and the amount
23 paid from fiscal year 2004 appropriations.

24 (c) If the amount that the State Board of Education will
25 pay to a school district from fiscal year 2006 appropriations,

1 as estimated by the State Board of Education on April 1, 2006,
2 is less than the amount that the State Board of Education paid
3 to the school district from fiscal year 2005 appropriations,
4 then the State Board of Education shall make a fiscal year 2006
5 transitional assistance payment to the school district in an
6 amount equal to the difference between the estimated amount to
7 be paid from fiscal year 2006 appropriations and the amount
8 paid from fiscal year 2005 appropriations.

9 (d) If the amount that the State Board of Education will
10 pay to a school district from fiscal year 2007 appropriations,
11 as estimated by the State Board of Education on April 1, 2007,
12 is less than the amount that the State Board of Education paid
13 to the school district from fiscal year 2006 appropriations,
14 then the State Board of Education, subject to appropriation,
15 shall make a fiscal year 2007 transitional assistance payment
16 to the school district in an amount equal to the difference
17 between the estimated amount to be paid from fiscal year 2007
18 appropriations and the amount paid from fiscal year 2006
19 appropriations.

20 (e) If the amount that the State Board of Education will
21 pay to a school district from fiscal year 2008 appropriations,
22 as estimated by the State Board of Education on April 1, 2008,
23 is less than the amount that the State Board of Education paid
24 to the school district from fiscal year 2007 appropriations,
25 then the State Board of Education, subject to appropriation,
26 shall make a fiscal year 2008 transitional assistance payment

1 to the school district in an amount equal to the difference
2 between the estimated amount to be paid from fiscal year 2008
3 appropriations and the amount paid from fiscal year 2007
4 appropriations.

5 (Source: P.A. 93-21, eff. 7-1-03; 93-838, eff. 7-30-04; 94-69,
6 eff. 7-1-05; 94-835, eff. 6-6-06.)

7 (105 ILCS 5/2-3.142 new)

8 Sec. 2-3.142. Rural Learning Initiative.

9 (a) Subject to appropriation, the State Board of Education
10 shall by rule establish a Rural Learning Initiative to upgrade
11 computer lab facilities and associated components, upgrade
12 classroom materials, and fund professional development.

13 (b) The State Board of Education shall select the
14 participating school districts and schools based on each
15 district's or school's need. In selecting participants, the
16 State Board shall consider all of the following criteria:

17 (1) The district's size, student population, and
18 location.

19 (2) Documented teacher shortages in critical areas for
20 which teaching and learning could be provided by access to
21 the Illinois Virtual High School.

22 (3) Limited access to advanced placement courses.

23 (4) Low rates of satisfactory performance on
24 assessment instruments under Section 2-3.64 of this Code.

25 (5) The methods the district or school will use to

1 measure the outcomes of the grant in the district or
2 school.

3 (6) Whether the district or school has limited system
4 capabilities, resource needs, and professional development
5 support.

6 (105 ILCS 5/2-3.144 new)

7 Sec. 2-3.144. Enhanced teacher compensation.

8 (a) Subject to appropriation, an enhanced teacher
9 compensation system is established, beginning with the
10 2008-2009 school year, to provide new incentives to improve
11 student learning and to recruit and retain highly qualified
12 teachers, encourage highly qualified teachers to undertake
13 challenging assignments, and support teachers' roles in
14 improving students' educational achievement.

15 (b) To be eligible to participate in an enhanced teacher
16 compensation system, a school district or school building, at
17 least in the school year before it expects to fully implement
18 the system (i) must submit to the State Board of Education a
19 letter of intent executed by the school district and the
20 exclusive representative of the district's teachers to
21 complete a plan preparing for full implementation, consistent
22 with subsection (d) of this Section, that may include, among
23 other activities, training to evaluate teacher performance, a
24 restructured school day to develop integrated ongoing
25 building-based professional development activities, release

1 time to develop an enhanced teacher compensation system
2 agreement, and teacher and staff training on using multiple
3 data sources; and (ii) may agree to use the State funds it
4 receives under Section 10-20.41 of this Code for staff
5 development purposes to develop the enhanced teacher
6 compensation system agreement under this Section.

7 (c) The State Superintendent of Education may waive the
8 planning year if he or she determines, based on the criteria
9 set forth under subsection (d) of this Section, that the school
10 district or school building is ready to fully implement an
11 alternative pay system.

12 (d) To participate in the program established under this
13 Section, a school district or school building must have an
14 educational improvement plan under Section 10-20.43 of this
15 Code and an enhanced teacher compensation system agreement
16 under this Section.

17 The enhanced teacher compensation system agreement must be
18 negotiated with, agreed to, and ratified by the exclusive
19 representative of the district's teachers. In addition, the
20 agreement must do the following:

21 (1) describe how teachers can achieve career
22 advancement and additional compensation;

23 (2) describe how the school district or school building
24 will provide teachers with career advancement options that
25 allow teachers to retain primary roles in student
26 instruction and facilitate site-focused professional

1 development that helps other teachers improve their
2 skills;

3 (3) prevent any teacher's compensation paid before
4 implementing the compensation system from being reduced as
5 a result of participating in this system;

6 (4) for school districts having a population not
7 exceeding 500,000, base at least 60% of any compensation
8 increase on teacher performance using the following:

9 (A) school-wide student achievement gains;

10 (B) measures of achievement by a teacher's
11 students; and

12 (C) an objective evaluation program that includes
13 the following:

14 (i) individual teacher evaluations aligned
15 with the educational improvement plan under
16 Section 10-20.43 of this Code and the staff
17 development plan under Section 10-20.40 of this
18 Code; and

19 (ii) objective evaluations using multiple
20 criteria conducted by a locally developed and
21 periodically trained evaluation team that
22 understands teaching and learning.

23 Standardized test scores shall not be used as a basis for
24 determining compensation under the system;

25 (5) provide integrated ongoing building-based
26 professional development activities to improve

1 instructional skills and learning that are aligned with
2 student needs under Section 10-20.43 of this Code,
3 consistent with the staff development plan under Section
4 10-20.40 of this Code and led during the school day by
5 trained teacher leaders such as master or mentor teachers;

6 (6) allow any teacher in a participating school
7 district or school building that implements an enhanced
8 teacher compensation system to participate in that system
9 without any quota or other limit; and

10 (7) encourage collaboration rather than competition
11 among teachers.

12 (e) Consistent with the requirements of this Section and
13 Sections 2-3.145 and 10-20.43 of this Code, the State Board of
14 Education must prepare and transmit to interested school
15 districts and school buildings a standard form for applying to
16 participate in the enhanced teacher compensation system. An
17 interested school district or school building must submit to
18 the State Superintendent a completed application executed by
19 the district superintendent and the exclusive bargaining
20 representative of the teachers. The application must include
21 the proposed enhanced teacher compensation system agreement
22 under this Section. The State Board of Education must convene a
23 review committee that at least includes teachers and
24 administrators within 30 days after receiving a completed
25 application to recommend to the State Superintendent of
26 Education whether to approve or disapprove the application. The

1 State Superintendent must approve applications on a
2 first-come, first-served basis. The applicant's enhanced
3 teacher compensation system agreement must be legally binding
4 on the applicant and the exclusive bargaining representative
5 before the applicant receives enhanced compensation revenue.
6 The State Superintendent must approve or disapprove an
7 application based on the requirements under subsection (d) of
8 this Section.

9 If the State Superintendent of Education disapproves an
10 application, the State Superintendent must give the applicant
11 timely notice of the specific reasons in detail for
12 disapproving the application. The applicant may revise and
13 resubmit its application and related documents to the State
14 Superintendent within 30 days after receiving notice of the
15 State Superintendent's disapproval and the State
16 Superintendent must approve or disapprove the revised
17 application, consistent with this subsection (e). Applications
18 that are revised and then approved are considered submitted on
19 the date the applicant initially submitted the application.

20 (f) Participating school districts and school buildings
21 must report on the implementation and effectiveness of the
22 enhanced teacher professional pay system, particularly
23 addressing each requirement under subsection (d) of this
24 Section, and make annual recommendations by June 15 to their
25 school boards. The school board shall transmit a copy of the
26 report with a summary of the findings and recommendations of

1 the school district or school building to the State
2 Superintendent of Education.

3 If the State Superintendent of Education determines that a
4 school district or school building that receives enhanced
5 teacher compensation revenue is not complying with the
6 requirements of this Section, the State Superintendent may
7 withhold funding from that participant. Before making the
8 determination, the State Superintendent must notify the
9 participant of any deficiencies and provide the participant an
10 opportunity to comply.

11 (g) A school district that qualifies to participate in the
12 enhanced teacher compensation system transitional planning
13 year under this Section may use the State funds it receives
14 under Section 10-20.41 of this Code for complying with the
15 planning and staff development activities under this Section.

16 (105 ILCS 5/2-3.145 new)

17 Sec. 2-3.145. Enhanced compensation revenue.

18 (a) Subject to appropriation, a school district or school
19 building that meets the conditions of Section 2-3.144 of this
20 Code and submits an application approved by the State
21 Superintendent of Education is eligible for enhanced teacher
22 compensation revenue.

23 (b) The State Superintendent of Education must consider
24 only those applications to participate that are submitted
25 jointly by a school district and the exclusive bargaining

1 representative of the teachers, if any. The application must
2 contain an enhanced teacher compensation system agreement as
3 set forth in Section 2-3.144 of this Code.

4 (c) Enhanced teacher compensation revenue for a qualifying
5 school district or school building shall equal \$260 times the
6 number of pupils enrolled in the district or school building on
7 October 1 of the previous fiscal year.

8 For a newly combined or consolidated school district, the
9 revenue shall be computed using the sum of pupils enrolled on
10 October 1 of the previous year in the districts entering into
11 the combination or consolidation. The State Superintendent of
12 Education may adjust the revenue computed for a school building
13 using prior year data to reflect changes attributable to school
14 closings, school openings, or grade level reconfigurations
15 between the prior year and the current year.

16 The revenue shall be available only to school districts and
17 school buildings that fully implement an enhanced teacher
18 compensation system by October 1 of the current school year.

19 (d) School districts and school buildings with approved
20 applications must receive enhanced teacher compensation
21 revenue for each school year that the district or school
22 building implements an enhanced teacher compensation system
23 under this subsection (d) and Section 2-3.144 of this Code. For
24 the 2009-2010 school year and later, a qualifying district or
25 school building that received enhanced teacher compensation
26 aid for the previous school year must receive at least an

1 amount of enhanced teacher compensation revenue equal to the
2 lesser of the amount it received for the previous school year
3 or the amount it qualifies for under subsection (c) of this
4 Section for the current school year, if the district or school
5 building submits a timely application and the State
6 Superintendent determines that the district or school building
7 continues to implement an enhanced teacher compensation
8 system, consistent with its application under this Section.

9 The State Superintendent of Education shall approve
10 applications that comply with this Section, select applicants
11 that qualify for the program, notify school districts and
12 school buildings about the program, develop and disseminate
13 application materials, and carry out other activities needed to
14 implement this Section.

15 (105 ILCS 5/2-3.146 new)

16 Sec. 2-3.146. The Salary Incentive Program for
17 Hard-to-staff Schools.

18 (a) As used in this Section:

19 "Eligible school principal" means a person who is a
20 principal of a hard-to-staff school for a full school year.

21 "Eligible school teacher" means a person who teaches in a
22 hard-to-staff school for a full school year.

23 "Hard-to-staff school" means an elementary or secondary
24 school that ranks in the upper 20% of schools in this State in
25 the number of teachers who leave their positions. The State

1 Board of Education shall rank schools for this purpose based on
2 student mobility and teacher attrition over a 5-year average.

3 (b) Subject to appropriation, the Salary Incentive Program
4 for Hard-to-staff Schools is established to provide
5 categorical funding for monetary incentives and bonuses for
6 teachers and school administrators who are employed by school
7 districts designated as having hard-to-staff schools by the
8 State Board of Education. The State Board of Education shall
9 allocate and distribute to qualifying school districts an
10 amount as annually appropriated by the General Assembly for the
11 Salary Incentive Program for Hard-to-staff Schools. The State
12 Board of Education's annual budget must set out by separate
13 line item the appropriation for the program.

14 (c) Unless otherwise provided by appropriation, each
15 school district's annual allocation under the Salary Incentive
16 Program for Hard-to-staff Schools shall be the sum of the
17 following incentives and bonuses:

18 (1) An annual payment of \$3,000 to be paid to each
19 certificated teacher employed as an eligible school
20 teacher by a school district. The school district shall
21 distribute this payment to each eligible school teacher who
22 teaches at a hard-to-staff school as a single payment or in
23 more than 3 payments.

24 (2) An annual payment of \$5,000 to each certificated
25 principal that is employed as an eligible school principal
26 by a school district. The school district shall distribute

1 this payment to each eligible school principal as a single
2 payment or in not more than 3 payments.

3 (d) Each regional superintendent of schools shall provide
4 information about the Salary Incentive Program for
5 Hard-to-staff Schools to each individual seeking to register or
6 renew a teaching certificate.

7 (e) The State Board of Education shall report to the
8 General Assembly on the effectiveness of the Salary Incentive
9 Program for Hard-to-staff Schools on or before September 1,
10 2009.

11 (105 ILCS 5/2-3.148 new)

12 Sec. 2-3.148. Resource management service.

13 (a) The State Board of Education shall establish and
14 maintain an Internet web-based resource management service for
15 all school districts on or before October 1, 2008.

16 (b) The resource management service shall identify
17 resource configurations that contribute to improving internal
18 resources for student achievement, provide action-oriented
19 analysis and solutions, and give school districts the ability
20 to explore different scenarios of resource allocation.

21 (c) Annually, by the first day of October, an Internet
22 web-based preliminary resource allocation report must be
23 generated for each school district and delivered via the
24 Internet to each district superintendent for use by the
25 management team and the exclusive bargaining agents of the

1 school district's employees. This report shall identify
2 potential cost savings or resource reallocation opportunities
3 for the district in 5 core areas of school district spending.
4 These core areas are instruction, operation and maintenance,
5 transportation, foodservice, and central services. This
6 analysis shall show district spending in detailed
7 subcategories compared to demographically or operationally
8 similar peer school districts.

9 (d) Each school district shall have the ability through the
10 on-line resource allocation report to test various resource
11 allocation scenarios relative to pre-defined peers as well as
12 geographic peers and the most efficient peers statewide. Each
13 district shall have the ability to choose specific combinations
14 of districts for comparison.

15 (e) The resource management service shall contain, based on
16 the spending and demographic profile of the school district,
17 action-oriented information, such as effective best practices
18 in schools districts, diagnostic questions, and other
19 management or community considerations that may be implemented
20 to capture savings identified in the resource allocation
21 report.

22 (f) Subject to appropriation, the resource management
23 service may be initiated and maintained through a contract
24 between the State Board of Education and an independent third
25 party specializing in school market research within this State.
26 Costs to establish and maintain this service and train school

1 district personnel in the use of this service shall be supplied
2 by the General Assembly to the State Board of Education through
3 an annual appropriation of no less than \$0.75 per student based
4 on the prior year total of enrolled students in public schools
5 in this State. Up to 25% of the annual appropriation may be
6 allocated by the State Board of Education to hire personnel and
7 facilitate data collection. No less than 25% of the annual
8 appropriation shall be utilized by the State Board of Education
9 to deliver training to school district personnel in the use of
10 the management service. Such training shall be delivered by
11 certificated school business officials or State Board of
12 Education trained personnel and may be provided through
13 administrator academies and mentoring programs. The State
14 Board of Education may establish contracts with other
15 organizations to provide such training and mentoring.

16 In the event that a district does not employ a certificated
17 school business official, a least one employee must be trained
18 and certified in the use of the resource management service. In
19 addition, a representative of the exclusive bargaining agent of
20 the school district's employees shall be invited to be trained
21 and certified. Such resource management service training shall
22 be valid for 2 years.

23 (g) The State Board of Education shall identify the data
24 required to implement the resource management service and
25 develop annual data reporting instruments designed to collect
26 the information from each school district. Failure of a school

1 district to annually report required data may result in the
2 withholding of general State aid or other resources provided to
3 the school district through the State Board of Education.

4 (h) Annually, the certificated school business official or
5 resource management service trained employee in each school
6 district shall review and certify that the resource allocation
7 report has been received and reviewed by the management team
8 and the exclusive bargaining agent of the district.
9 Subsequently, a report must be filed with the State Board of
10 Education identifying the considerations that will be studied
11 as a result of such analysis. In addition, any implementation
12 of strategies or reallocation of resources associated with the
13 resource management service must be annually reported to the
14 Board of Education, the exclusive bargaining agent of the
15 school district's employees, and, subsequently, the State
16 Board of Education. The State Board shall annually prepare a
17 cumulative report to be posted electronically containing those
18 initiatives studied and implemented on a statewide basis.

19 (105 ILCS 5/2-3.149 new)

20 Sec. 2-3.149. Small school support grant pilot program.

21 (a) Subject to appropriation, by the beginning of the
22 2007-2008 school year or as soon as possible thereafter, the
23 State Board of Education shall by rule establish a small school
24 support grant pilot program to provide grants to school
25 districts with at least one school that meets the criteria

1 outlined in this Section and enable those districts to create
2 small school projects serving no more than 500 students. The
3 small school support grant pilot program is subject to
4 appropriation.

5 (b) School districts selected to receive funds under this
6 Section shall create a small school community within a school
7 that is separate from the school's larger student body.

8 (c) Grants under this Section shall be awarded pursuant to
9 application to the State Board of Education. The form and
10 manner of applications and the criteria for the award of grants
11 shall be prescribed by the State Board of Education. Any school
12 district with at least one school with an enrollment that
13 exceeds 2,000 students or an enrollment at any grade level of
14 500 or more students may apply for grant funds.

15 (d) In year one, a maximum of 25 eligible school districts
16 may receive grants under this Section to fund activities
17 related to planning their small school projects, and no one
18 grant may exceed \$250,000.

19 If a district receiving year-one planning funds is approved
20 to proceed and implement a small school project, then the
21 district may qualify for 4-year, \$1,000 per pupil
22 implementation funds to fund the costs of implementing the
23 small school project, including additional staff,
24 administrative, and other operational expenses associated with
25 offering a small school project. Prior to approving
26 implementation funds, the State Board of Education may require

1 districts to submit planning phase progress reports, which may
2 include, among other information, the school enrollment
3 policy, the school administration's objectives, assessment
4 tools used to track student progress, and both a community and
5 parental participation plan. School districts participating in
6 the program must provide quarterly progress reports to the
7 State Board of Education based on Board rule. The State Board
8 of Education is authorized to evaluate schools participating in
9 the program to determine the effectiveness of the program on
10 educational outcomes.

11 (105 ILCS 5/2-3.151 new)

12 Sec. 2-3.151. The Science, Technology, Engineering, and
13 Mathematics Education Center Grant Program.

14 (a) As used in this Section, unless the context otherwise
15 requires:

16 "Grant program" means the science, technology, engineering
17 and mathematics education center grant program created in this
18 Article.

19 "Science, technology, engineering, and mathematics
20 education" or "STEM" means learning experiences that integrate
21 innovative curricular, instructional, and assessment
22 strategies and materials, laboratory and mentorship
23 experiences, and authentic inquiry-based and problem centered
24 instruction to stimulate learning in the areas of science,
25 technology, engineering, and mathematics.

1 "Science, technology, engineering, and mathematics
2 education innovation center" means a center operated by a
3 public school district, charter school, or joint collaborative
4 partnership that provides STEM teaching and learning
5 experiences, materials, laboratory and mentorship experiences,
6 and educational seminars, institutes or workshops for students
7 and teachers.

8 (b) The State Board of Education, in consultation and
9 partnership with the Illinois Mathematics and Science Academy,
10 the Board of Higher Education, the business community, the
11 entrepreneurial technology community, and professionals,
12 including teachers, in the field of science, technology,
13 engineering, and mathematics shall create a strategic plan for
14 developing a whole systems approach to redesigning
15 prekindergarten through grade 12 STEM education in this State,
16 including, but not limited to, designing and creating
17 integrative teaching and learning networks among science,
18 technology, engineering, and mathematics innovation education
19 centers, university and corporate research facilities, and
20 established STEM laboratories, businesses, and the Illinois
21 Mathematics and Science Academy.

22 (c) At a minimum, the plan shall provide direction for
23 program design and development, including the following:

24 (1) continuous generation and sharing of curricular,
25 instructional, assessment, and program development
26 materials and information about STEM teaching and learning

1 throughout the network;

2 (2) identification of curricular, instructional, and
3 assessment goals that reflect the research in cognition and
4 the development of creativity in STEM fields and the
5 systemic changes in STEM education, so as to be consistent
6 with inquiry-based and problem-centered instruction in
7 science, technology, engineering, and mathematics. Such
8 goals shall also reflect current frameworks, standards,
9 and guidelines, such as those defined by the National
10 Research Council (National Academy of Science), the
11 American Association for the Advancement of Science, the
12 National Council of Teachers of Mathematics, the National
13 Science Teachers Association, and professional
14 associations in STEM fields;

15 (3) identification of essential teacher competencies
16 and a comprehensive plan for recruiting, mentoring, and
17 retaining STEM teachers, especially those in
18 under-resourced schools and school districts; creation of
19 a community of practice among STEM center educators and
20 other teachers of science, technology, engineering, and
21 mathematics as part of a network of promising practices in
22 teaching; and the establishment of recruitment, mentoring,
23 and retention plans for Golden Apple teachers in STEM
24 fields and Illinois STEM teachers who have received
25 national board certification and are also part of the STEM
26 innovation network;

1 (4) a statement of desired competencies for STEM
2 learning by students;

3 (5) a description of recommended courses of action to
4 improve educational experiences, programs, practices, and
5 service;

6 (6) the improvement of access and availability of STEM
7 courses, especially for rural school districts and
8 particularly to those groups which are traditionally
9 underrepresented through the Illinois Virtual High School;
10 the plan shall include goals for using telecommunications
11 facilities as recommended by the telecommunications
12 advisory commission;

13 (7) expectations and guidelines for designing and
14 developing a dynamic, creative, and engaged teaching
15 network;

16 (8) a description of the laboratory and incubator model
17 for the STEM centers;

18 (9) support for innovation and entrepreneurship in
19 curriculum, instruction, assessment, and professional
20 development; and

21 (10) cost estimates.

22 (d) The plan shall provide a framework that enables the
23 teachers, school districts, and institutions of higher
24 education to operate as an integrated system. The plan shall
25 provide innovative mechanisms and incentives to the following:

26 (1) educational providers, as well as professional

1 associations, business and university partners, and
2 educational receivers (students and teachers) at the
3 prekindergarten through grade 12 and postsecondary levels
4 to design and implement innovative curricula, including
5 experiences, mentorships, institutes, and seminars and to
6 develop new materials and activities for these;

7 (2) course providers and receivers for leveraging
8 distance learning technologies through the Illinois
9 Virtual High School and applying distance learning
10 instructional design techniques, taking into consideration
11 the work of the telecommunications advisory commission;

12 (3) prekindergarten through grade 12 teachers to
13 encourage them to take graduate STEM courses and degree
14 programs; such incentives may include a tuition matching
15 program;

16 (4) appropriate State agencies, federal agencies,
17 professional organizations, public television stations,
18 and businesses and industries to involve them in the
19 development of the strategic plan; and

20 (5) businesses, industries, and individuals for
21 volunteering their time and community resources.

22 (e) The plan shall provide a mechanism for incorporating
23 the cost for accomplishing these goals into the ongoing
24 operating budget beginning in 2008.

25 (f) There is created the Science and Technology Education
26 Center Grant Program to provide development and operating

1 moneys in the form of matching funds for existing or proposed
2 nonprofit STEM education centers. At a minimum, each STEM
3 center that receives a grant shall not only provide STEM
4 education activities to students enrolled in the school
5 district and materials and educational workshops to teachers
6 employed by the school district, but also, as part of
7 generative and innovative teaching and learning network, shall
8 share information with all STEM centers, the Illinois
9 Mathematics and Science Academy, and partner associations or
10 businesses.

11 (g) School districts may establish science and technology
12 education centers or may contract with regional offices of
13 education, intermediate service centers, public community
14 colleges, non-profit or for-profit education providers, youth
15 service agencies, community-based organizations, or other
16 appropriate entities to establish science and technology
17 education centers within the public school system. Districts
18 may individually operate alternative learning opportunities
19 programs or may collaborate with 2 or more districts or both to
20 create and operate science and technology education centers.

21 (h) Beginning with the 2007-2008 school year, the State
22 Board of Education shall, subject to available appropriations,
23 annually award one or more science, technology, engineering,
24 and mathematics education center grants for the development and
25 operation of STEM centers.

26 A school district may apply for a STEM center grant

1 pursuant to procedures and time lines specified by rule of the
2 State Board of Education.

3 (i) The State Board of Education, in selecting one or more
4 school districts for receipt of a grant, shall give priority to
5 applicants that are geographically located farthest from other
6 STEM centers or applicants that have less opportunity for
7 science, technology, engineering, and mathematics resource
8 support. The State Board shall also consider the following
9 factors:

10 (1) the facility, equipment, and technology that are or
11 will be provided and the activities and range of programs
12 that are or will be offered by the STEM education center;

13 (2) the strength and capacity of the school district to
14 work as a network cooperatively with the Illinois
15 Mathematics and Science Academy, other STEM centers,
16 universities and STEM laboratories, businesses, and
17 industries; and

18 (3) recommendations of the P-20 Council and the
19 Illinois Mathematics and Science Academy.

20 (j) A STEM center grant shall be payable from moneys
21 appropriated to the STEM Education Center Grant Fund.

22 The State Board of Education shall specify the amount to be
23 awarded to each school district that is selected to receive a
24 grant. The amount awarded to a new STEM center for start-up
25 costs shall not exceed \$1,000,000 for the first fiscal year and
26 may not be renewed. The amount awarded to an operating STEM

1 center for operating costs shall not exceed \$500,000 for one
2 fiscal year and shall be renewed annually for 5 consecutive
3 years if the STEM center is meeting its accountability goals
4 and its role as an active partner in a generative teaching and
5 learning network.

6 (k) Each school district that receives a grant pursuant to
7 the grant program shall demonstrate, prior to receiving any
8 actual moneys, that the center has received or has a written
9 commitment for matching funds from other public or private
10 sources in the amount of a dollar-for-dollar match with the
11 amount of the grant. This requirement may be waived upon
12 application to and approval by the State Board of Education
13 based on a showing of continued need or financial hardship.

14 (l) The State Board of Education shall promulgate such
15 rules as are required in this Section and such additional rules
16 as may be required for implementation of the grant program.

17 (m) Each school district that receives a grant through the
18 grant program shall, by the close of each school year for which
19 the grant was awarded, submit to the Illinois Mathematics and
20 Science Academy and the State Board of Education a report
21 specifying the following information:

22 (1) the manner in which the grant money was used;

23 (2) the progress made toward achieving the goals and
24 producing the deliverables specified in the grant
25 recipient's application;

26 (3) any additional entities and businesses with whom

1 the grant recipient has contracted or partnered with the
2 goal of achieving greater integration of information
3 technology education in prekindergarten through grade 12
4 curriculum;

5 (4) the recipient school district's plan for
6 continuing the integration of information technology
7 education into the curriculum, regardless of whether the
8 grant is renewed;

9 (5) the documentation demonstrating effective digital
10 collaboration and networking, technological cooperation
11 and sharing, and personal networking via innovative,
12 entrepreneurial networks;

13 (6) a description of innovative instructional methods;

14 (7) evidence of staff training and outreach to teachers
15 beyond those working in the STEM education center; and

16 (8) any other information specified by rule of the
17 State Board of Education.

18 (n) Notwithstanding the other provisions of this Section,
19 the State Board of Education need not submit a report for any
20 academic year in which no grants are made through the grant
21 program.

22 (o) The STEM Education Center Grant Fund is created as a
23 special fund in the State treasury. All money in the Fund shall
24 be used, subject to appropriation, by the State Board of
25 Education for the purpose of funding science, technology,
26 engineering, and mathematics education center grants awarded

1 under this Section. The Fund shall consist of all money
2 appropriated to the Fund by the General Assembly and any gifts,
3 grants, donations, and other moneys received by the State Board
4 of Education for implementation of the grant program. Any
5 unexpended or unencumbered moneys remaining in the Fund at the
6 end of any fiscal year shall remain in the Fund. The primary
7 purpose of the fund is to assist school districts in providing
8 programs designed to improve educational opportunities for
9 students who are interested in pursuing careers in science,
10 technology, engineering, and mathematics.

11 (p) The State Board of Education may solicit and accept
12 money in the form of gifts, contributions, and grants to be
13 deposited in the STEM Education Center Grant Fund. The
14 acceptance of federal grants for purposes of this Section does
15 not commit State funds nor place an obligation upon the General
16 Assembly to continue the purposes for which the federal funds
17 are made available.

18 (105 ILCS 5/3-6.5 new)

19 Sec. 3-6.5. Regional office evaluation and accountability.

20 (a) The State Board of Education shall establish
21 performance standards and indicators for regional education
22 service centers. Performance standards and indicators must
23 include the following:

24 (1) district effectiveness and efficiency in districts
25 served resulting from technical assistance and program

1 support;

2 (2) direct services provided or regionally shared
3 services arranged by the service center that produce more
4 economical and efficient school operations;

5 (3) direct services provided or regionally shared
6 services arranged by the service center that provide for
7 assistance in core services; and

8 (4) grants received for implementation of State
9 initiatives and the results achieved by the service center
10 under the terms of the grant contract.

11 (b) The regional superintendent of schools shall report, in
12 writing, to the county board, on or before January 1 of each
13 year, stating (i) the balance on hand at the time of the last
14 report and all receipts since that date, with the sources from
15 which they were derived; (ii) the amount distributed to each of
16 the school treasurers in the county; and (iii) any balance on
17 hand. At the same time the regional superintendent shall
18 present for inspection his or her books and vouchers for all
19 expenditures, and submit in writing a statement of the
20 condition of the institute fund and of any other funds in his
21 or her care, custody, or control.

22 (c) Each regional superintendent of schools, whether for a
23 multi-county or for a single county educational service region,
24 shall present for inspection or otherwise make available to the
25 Auditor General, or to the agents designated by the Auditor
26 General, all financial statements, books, vouchers, and other

1 records required to be so presented or made available pursuant
2 to Section 2-3.17a of this Code and the rules of the Auditor
3 General pursuant to that Section.

4 (d) The State Board of Education shall conduct an annual
5 evaluation of each regional office of education and educational
6 service center and publish its evaluation report online. The
7 State Board of Education shall develop rules that address how
8 the evaluation will be conducted and what factors will be
9 considered. Each evaluation must be published by the State
10 Board of Education in a format that allows for comparison
11 between the regional offices. Each evaluation must include the
12 following:

13 (1) an audit of the office's finances;

14 (2) a review of the office's performance on the
15 indicators adopted under subsection (a) of this Section;
16 and

17 (3) the results of the service evaluation report
18 annually made pursuant to Section 2-3.112 of this Code.

19 (105 ILCS 5/10-16.10 new)

20 Sec. 10-16.10. Board member leadership training.

21 (a) This Section shall apply to all school board members
22 serving pursuant to Section 10-10 of this Code who have been
23 elected on or after the effective date of this amendatory Act
24 of the 95th General Assembly or appointed to fill a vacancy of
25 at least one year's duration on or after the effective date of

1 this amendatory Act of the 95th General Assembly.

2 (b) Every voting member of a board of education of a school
3 district elected or appointed for a term beginning on or after
4 the effective date of this amendatory Act of the 95th General
5 Assembly shall, on or before September 1 of the first year of
6 his or her term, successfully complete a minimum of 6 hours of
7 professional development leadership training covering topics
8 in education and labor law, financial oversight and
9 accountability, and fiduciary responsibilities of a school
10 board member. Upon demonstration of compliance, no member of a
11 board of education shall be required to repeat this training
12 requirement.

13 (c) In each succeeding year on or before September 1, each
14 school board member shall successfully complete a minimum of 6
15 additional hours of professional development leadership
16 training in ethics, open meetings laws, public and student
17 records, powers, duties, and responsibilities of school
18 officials, standards-based education, growth-model assessment,
19 change theory, and data-driven decision-making.

20 (d) The curriculum used for training on financial
21 oversight, accountability, and fiduciary responsibilities must
22 be approved by the State Board of Education. This curriculum
23 may be offered as part of a general course of training for the
24 purpose of educating board members on their powers, functions,
25 and duties. The training required by this Section may be
26 offered by providers approved by the State Board of Education.

1 In approving other providers for this training, the State Board
2 of Education shall consider the potential provider's
3 understanding of the educational environment and the roles of
4 boards of education and the experience of the provider in
5 delivering such training.

6 (e) Each board member shall demonstrate compliance with the
7 requirements of this Section by filing with the district
8 superintendent a certificate of completion of such course
9 issued by the provider. Actual and necessary expenses incurred
10 by a board member in complying with the foregoing requirement
11 shall be charged to the school district. If the district
12 superintendent does not receive the certificate of completion
13 on or before August 15 of a given year, he or she shall send the
14 board member notice of this fact.

15 (f) As long as the district superintendent annually
16 certifies to the State Board of Education, in accordance with
17 rules established by the State Board of Education for this
18 purpose, that the school district has a training program that
19 meets or exceeds the requirements of this Section, the
20 provisions of this Section shall not apply to the school
21 district.

22 (g) The professional development requirements under this
23 Section may be provided by the school district, the regional
24 office of education, the State's association of school boards,
25 or by colleges, universities, or other professional
26 development providers approved by the State Board of Education.

1 (h) Failure to meet the requirements in subsection (b) of
2 this Section shall result in ineligibility for or forfeiture of
3 office.

4 (i) Subject to appropriation, the State Board of Education
5 shall make grants for program support for the requirements of
6 this Section.

7 (105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)

8 Sec. 10-17a. Better schools accountability.

9 (1) Policy and Purpose. It shall be the policy of the State
10 of Illinois that each school district in this State, including
11 special charter districts and districts subject to the
12 provisions of Article 34, shall submit to parents, taxpayers of
13 such district, the Governor, the General Assembly, and the
14 State Board of Education a school report card assessing the
15 performance of its schools and students. The report card shall
16 be an index of school performance measured against statewide
17 and local standards and will provide information to make prior
18 year comparisons and to set future year targets through the
19 school improvement plan.

20 (2) Reporting Requirements. Each school district shall
21 prepare a report card in accordance with the guidelines set
22 forth in this Section which describes the performance of its
23 students by school attendance centers and by district and the
24 district's financial resources and use of financial resources.
25 Such report card shall be presented at a regular school board

1 meeting subject to applicable notice requirements, posted on
2 the school district's Internet web site, if the district
3 maintains an Internet web site, made available to a newspaper
4 of general circulation serving the district, and, upon request,
5 sent home to a parent (unless the district does not maintain an
6 Internet web site, in which case the report card shall be sent
7 home to parents without request). If the district posts the
8 report card on its Internet web site, the district shall send a
9 written notice home to parents stating (i) that the report card
10 is available on the web site, (ii) the address of the web site,
11 (iii) that a printed copy of the report card will be sent to
12 parents upon request, and (iv) the telephone number that
13 parents may call to request a printed copy of the report card.
14 In addition, each school district shall submit the completed
15 report card to the office of the district's Regional
16 Superintendent which shall make copies available to any
17 individuals requesting them.

18 The report card shall be completed and disseminated prior
19 to October 31 in each school year. The report card shall
20 contain, but not be limited to, actual local school attendance
21 center, school district and statewide data indicating the
22 present performance of the school, the State norms and the
23 areas for planned improvement for the school and school
24 district.

25 (3) (a) The report card shall include the following
26 applicable indicators of attendance center, district, and

1 statewide student performance: percent of students who exceed,
2 meet, or do not meet standards established by the State Board
3 of Education pursuant to Section 2-3.25a; the average scale
4 score for every area tested on the ISAT at every grade level
5 tested on the ISAT; growth model assessment estimates for each
6 district; composite and subtest means on nationally normed
7 achievement tests for college bound students; student
8 attendance rates; chronic truancy rate; dropout rate;
9 graduation rate; and student mobility, turnover shown as a
10 percent of transfers out and a percent of transfers in.

11 (b) The report card shall include the following
12 descriptions for the school, district, and State: average class
13 size; amount of time per day devoted to mathematics, science,
14 English and social science at primary, middle and junior high
15 school grade levels; number of students taking the Prairie
16 State Achievement Examination under subsection (c) of Section
17 2-3.64, the number of those students who received a score of
18 excellent, and the average score by school of students taking
19 the examination; pupil-teacher ratio; pupil-administrator
20 ratio; operating expenditure per pupil; district expenditure
21 by fund; average administrator salary; and average teacher
22 salary. The report card shall also specify the amount of money
23 that the district receives from all sources, including without
24 limitation subcategories specifying the amount from local
25 property taxes, the amount from general State aid, the amount
26 from other State funding, and the amount from other income. The

1 report card shall also include the 5 components of the
2 financial rating and the total financial rating scores from the
3 State Financial Profile.

4 (c) The report card shall include applicable indicators of
5 parental involvement in each attendance center. The parental
6 involvement component of the report card shall include the
7 percentage of students whose parents or guardians have had one
8 or more personal contacts with the students' teachers during
9 the school year concerning the students' education, and such
10 other information, commentary, and suggestions as the school
11 district desires. For the purposes of this paragraph, "personal
12 contact" includes, but is not limited to, parent-teacher
13 conferences, parental visits to school, school visits to home,
14 telephone conversations, and written correspondence. The
15 parental involvement component shall not single out or identify
16 individual students, parents, or guardians by name.

17 (d) The report card form shall be prepared by the State
18 Board of Education and provided to school districts by the most
19 efficient, economic, and appropriate means.

20 (e) The report card shall include an indicator describing
21 whether the school district has improved, declined, or remained
22 stable in the aggregate percentage of students making at least
23 one-year's academic growth each year.

24 (f) The report card shall include a comparison of the
25 following indicators to a benchmark group of at least 10
26 schools that have similar demographics as defined by the State

1 Board of Education, including the size of the school, the
2 percentage of minority enrollment in the school, per pupil
3 expenditures, and student mobility:

4 (1) percentage of students in the aggregate making one
5 year's progress in one year's time in reading, writing, and
6 mathematics;

7 (2) State Financial Profile rating; and

8 (3) instruction per pupil expenditures.

9 (Source: P.A. 92-604, eff. 7-1-02; 92-631, eff. 7-11-02;
10 revised 7-26-02.)

11 (105 ILCS 5/10-17b new)

12 Sec. 10-17b. Better schools financial accountability.

13 (a) This Section applies to all school districts, including
14 a school district organized under Article 34 of this Code.

15 (b) The school authorities of each school district shall
16 obtain an annual audit of its records by an independent
17 certified public accountant or an independent public
18 accountant. The annual audit shall include (i) development of a
19 risk assessment of district operations, including, but not
20 limited to, a review of financial policies and procedures and
21 the testing and evaluation of district internal controls; (ii)
22 an annual review and update of such risk assessment; and (iii)
23 an annual management letter that analyzes significant risk
24 assessment findings, recommends changes for strengthening
25 controls and reducing identified risks, and specifies

1 timeframes for implementation of such recommendations. The
2 report of such annual audit shall be presented to the school
3 board by such accountant.

4 The school board of a school district with a population
5 exceeding 500,000 inhabitants shall obtain an annual audit by
6 an independent certified public accountant or an independent
7 public accountant. Such a school district audit shall include,
8 but not be limited to, transactions processed at the level of
9 the central administrative office, the district, and the
10 individual school.

11 (c) A copy of the audit report in form prescribed by the
12 State Board of Education and certified by the accountant shall
13 be furnished to the State Board of Education on or before
14 October 15 following the end of the fiscal year audited, except
15 that such report shall be furnished to the State Board of
16 Education on or before February 15 following the end of the
17 fiscal year audited for school districts with a population
18 exceeding 500,000.

19 (d) Beginning on July 1, 2008, all school districts, except
20 a school district with a population exceeding 500,000, shall
21 utilize a competitive request for proposal process when
22 contracting for such an annual audit. Beginning on July 1, 2008
23 for all school districts, no audit engagement shall be for a
24 term longer than 5 consecutive years, provided that nothing in
25 this subsection (d) shall preclude a district, in its
26 discretion, from permitting an independent certified public

1 accountant or an independent public accountant engaged under an
2 existing contract for such services to (i) submit a proposal
3 for such services in response to a request for competitive
4 proposals or (ii) be awarded a contract to provide such
5 services under a request for proposal process. School district
6 procurement policies and procedures adopted pursuant to
7 Section 10-20.21 of this Code shall be amended, if necessary,
8 to be consistent with this requirement.

9 (e) Notwithstanding any other provisions of this Section,
10 each school district shall (i) prepare a corrective action plan
11 in response to any findings contained in the annual independent
12 audit report or management letter or any final audit report
13 issued by the State comptroller, within 90 days of receipt of
14 such report or letter, and (ii) to the extent practicable,
15 begin implementation of such corrective action plan no later
16 than the end of the next fiscal year.

17 (f) The State Board of Education shall adopt rules as
18 necessary for the implementation and administration of this
19 Section.

20 (105 ILCS 5/10-20.20) (from Ch. 122, par. 10-20.20)

21 Sec. 10-20.20. Protection from suit.† To indemnify and
22 protect school districts, members of school boards, employees,
23 volunteer personnel authorized in Sections 10-22.34, 10-22.34a
24 and 10-22.34b of this Code, mentors of certified staff as
25 authorized in Article 21A and Sections 2-3.53a, 2-3.53b, and

1 34-18.33 of this Code, and student teachers against civil
2 rights damage claims and suits, constitutional rights damage
3 claims and suits and death and bodily injury and property
4 damage claims and suits, including defense thereof, when
5 damages are sought for negligent or wrongful acts alleged to
6 have been committed in the scope of employment or under the
7 direction of the board or related to any mentoring services
8 provided to certified staff of the school district. Such
9 indemnification and protection shall extend to persons who were
10 members of school boards, employees of school boards,
11 authorized volunteer personnel, mentors of certified staff, or
12 student teachers at the time of the incident from which a claim
13 arises. No agent may be afforded indemnification or protection
14 unless he was a member of a school board, an employee of a
15 board, an authorized volunteer, a mentor of certified staff, or
16 a student teacher at the time of the incident from which the
17 claim arises.

18 (Source: P.A. 79-210.)

19 (105 ILCS 5/10-20.40 new)

20 Sec. 10-20.40. Staff professional development program.

21 (a) This Section applies to all school districts, including
22 a school district organized under Article 34 of this Code. A
23 school district must use the funds provided in Section 10-20.41
24 of this Code for staff development plans under this Section or
25 for staff development plans developed in school improvement

1 plans under Section 34-2.4 of this Code. "Staff" means all
2 instructional staff within the district, including principals,
3 other administrators, and other school personnel that have
4 direct contact with students. A district must establish a staff
5 professional development committee to develop the plan, assist
6 building professional development teams in developing a
7 building plan consistent with the goals of the district plan,
8 and evaluate staff development plans at the building level. A
9 majority of the committee and each building's professional
10 development team must be teachers representing various grade
11 levels, subject areas, and special education, selected by the
12 exclusive bargaining representative, if any, of the district's
13 teachers, or by majority vote of the district's or building's
14 teachers, as appropriate, if no exclusive bargaining
15 representative exists. The committee must also include
16 non-teaching staff and administrators.

17 (b) Staff professional development activities must meet
18 elements (1) through (7) of this subsection (b) and may meet
19 element (8) of this subsection (b):

20 (1) Focus on the school classroom and research-based
21 strategies that improve student learning.

22 (2) Provide opportunities for teachers to practice and
23 improve their instructional skills over time.

24 (3) Provide opportunities for teachers to use student
25 data as part of their daily work to increase student
26 achievement.

1 (4) Enhance teacher content knowledge and
2 instructional skills.

3 (5) Align with State and local academic standards.

4 (6) Provide opportunities to build professional
5 relationships, foster collaboration among principals and
6 other staff who provide instruction, and provide
7 opportunities for teacher-to-teacher mentoring.

8 (7) Align with the educational improvement plans of a
9 district and building required under Section 10-20.43 of
10 this Code.

11 (8) Align with the professional development standards
12 of the National Staff Development Council.

13 (c) Staff professional development activities may include
14 curriculum development and curriculum training programs and
15 activities that provide teachers and other members of
16 building-based teams training to enhance team performance. The
17 school district also may implement other staff professional
18 development activities required by law and activities
19 associated with enhanced teacher compensation models.

20 (d) Release time provided for teachers to supervise
21 students on field trips and school activities or independent
22 tasks not associated with enhancing the teacher's knowledge and
23 instructional skills, such as preparing report cards,
24 calculating grades, or organizing classroom materials, may not
25 be counted as staff development time that is financed with
26 staff development funds under Section 10-20.41 of this Code.

1 (e) The plan must include the staff professional
2 development outcomes under subsection (f) of this Section, the
3 means to achieve the outcomes, and procedures for evaluating
4 progress at each school building toward meeting educational
5 outcomes.

6 (f) The staff professional development committee must
7 adopt a staff professional development plan for improving
8 student achievement. The plan must be consistent with education
9 outcomes that the school district determines. The plan must
10 include ongoing staff professional development activities that
11 contribute toward continuous improvement in achievement of the
12 following goals:

13 (1) improving student achievement of State and local
14 education standards in all areas of the curriculum by using
15 best practices methods;

16 (2) effectively meeting the needs of a diverse student
17 population, including at-risk children, children with
18 disabilities, and gifted children, within the regular
19 classroom and other settings;

20 (3) providing an inclusive curriculum for a racially,
21 ethnically, and culturally diverse student population;

22 (4) improving staff collaboration and developing
23 mentoring and peer coaching programs for teachers and
24 principals new to the school or district;

25 (5) effectively teaching and modeling violence
26 prevention policies and curriculum that address early

1 intervention alternatives, issues of harassment, and teach
2 nonviolent alternatives for conflict resolution; and

3 (6) providing teachers and principals and other
4 members of building-based management teams with
5 appropriate management and financial management skills.

6 (g) On or before October 15 of each year, the school
7 district and building staff professional development
8 committees shall write and submit a report of staff
9 professional development activities and expenditures for the
10 previous year, in the form and manner determined by the State
11 Superintendent of Education. The report, signed by the district
12 superintendent and staff professional development committee
13 chairperson, must include assessment and evaluation data
14 indicating progress toward district and building staff
15 professional development goals based on teaching and learning
16 outcomes, including the percentage of teachers and other staff
17 involved in instruction who participate in effective staff
18 development activities under subsection (f) of this Section.

19 The report must break down expenditures for the following:

20 (1) curriculum development and curriculum training
21 programs; and

22 (2) staff professional development training models,
23 workshops and conferences, and the cost of releasing
24 teachers or providing substitute teachers for staff
25 professional development purposes.

26 The report also must indicate whether the expenditures were

1 incurred at the district level or the school building level and
2 whether the school building expenditures were made possible by
3 grants to school buildings that demonstrate exemplary use of
4 allocated staff professional development revenue. These
5 expenditures must be reported using the uniform financial and
6 accounting and reporting standards.

7 The State Superintendent of Education shall report the
8 staff professional development progress and expenditure data
9 to the General Assembly on or before February 15 of each year.

10 (105 ILCS 5/10-20.41 new)

11 Sec. 10-20.41. State funds for staff professional
12 development. Subject to appropriation, a school district shall
13 receive annually from the State an amount equal to \$100 times
14 the number of full-time certified teachers and administrators
15 it employs for staff professional development plans, including
16 plans for challenging instructional activities and experiences
17 under Section 10-20.40 of this Code, and for curriculum
18 development and programs, other in-service education, teacher
19 workshops, teacher conferences, the cost of substitute
20 teachers for staff professional development purposes,
21 pre-service and in-service education for special education
22 professionals and paraprofessionals, and other related costs
23 for staff development efforts. Districts may expend an
24 additional amount of revenue for staff professional
25 development based on their needs. Fifty percent of the funds

1 shall be used for building level staff professional development
2 activities, provided that the amount of these funds allocated
3 to each school building shall be based upon the number of
4 teachers in that building. The district may retain 25% to be
5 used for district-wide staff professional development efforts.
6 The remaining 25% of the funds must be used to make grants to
7 school buildings for best practice methods. A grant may be used
8 for any purpose authorized under Section 10-20.40 of this Code
9 or for the costs of curriculum development and programs, other
10 in-service education, teachers' workshops, teacher
11 conferences, substitute teachers for staff professional
12 development purposes, and other staff professional development
13 efforts, as determined by the building professional
14 development team. The building professional development team
15 must demonstrate to the district the extent to which staff at
16 the building have met the outcomes of the program. The district
17 may withhold from a school building a portion of the initial
18 allocation of funds if the staff professional development
19 outcomes are not being met.

20 (105 ILCS 5/10-20.43 new)

21 Sec. 10-20.43. Educational improvement plan.

22 (a) This Section applies to all school districts, including
23 a school district organized under Article 34 of this Code. Each
24 school district shall develop an educational improvement plan
25 that must include measures for improving school district,

1 school building, teacher, and individual student performance.
2 The district shall establish a committee for the purpose of
3 developing the plan. A majority of the committee must be
4 teachers representing various grade levels, subject areas, and
5 special education, selected by the exclusive bargaining
6 representative, if any, of the district's teachers, or by
7 majority vote of the district's teachers, if no exclusive
8 bargaining representative exists. The committee must also
9 include non-teaching staff, parents, and administrators.

10 (b) The educational improvement plan must be approved by
11 the school board and shall at least include elements (1)
12 through (6) of this subsection (b) and may include elements (7)
13 through (9) of this subsection (b), but only if the exclusive
14 bargaining representative of the district's teachers agrees:

15 (1) Assessment and evaluation tools to measure student
16 performance and progress.

17 (2) Performance goals and benchmarks for improvement.

18 (3) Measures of student attendance and completion
19 rates.

20 (4) A rigorous professional development system that is
21 aligned with educational improvement and the staff
22 development plan under Section 10-20.40 of this Code,
23 designed to achieve teaching quality improvement and
24 consistent with clearly defined research-based standards.

25 (5) Measures of student, family, and community
26 involvement and satisfaction.

1 (6) A data system about students and their academic
2 progress that provides parents and the public with
3 understandable information.

4 (7) A teacher induction and mentoring program for
5 probationary teachers, as set forth in Article 21A of this
6 Code, that provides continuous learning and sustained
7 teacher support.

8 (8) A teacher peer assistance and review program to
9 assist tenured teachers for whom assessment of the
10 performance goals and benchmarks set under element (2) of
11 this subsection (b) indicate a need for such interventions.

12 (9) An objective evaluation program, which may be
13 implemented as an alternative to the evaluation plan set
14 forth in Article 24A of this Code, that includes the
15 following:

16 (A) individual formative and summative teacher
17 evaluations aligned with the educational improvement
18 plan and the staff development plan under Section
19 10-20.40 of this Code; and

20 (B) objective evaluations using multiple criteria
21 conducted by a locally selected and periodically
22 trained evaluation team that understands teaching and
23 learning.

24 Individual teacher and administrator data based upon
25 student performance and progress shall be confidential and
26 shall not be a public record.

1 (c) Subject to appropriation, a school district shall
2 receive annually from the State an amount equal to \$50 times
3 the number of full-time certified teachers and administrators
4 it employs for developing and implementing its education
5 improvement plan for certified school district employees.
6 Districts may expend an additional amount of revenue for
7 educational improvement based on their needs.

8 (d) A district that develops a plan under subsections (a)
9 and (b) of this Section must ensure that each school building
10 develops a board-approved educational improvement plan that is
11 aligned with the district educational improvement plan and
12 developed with and agreed to by the exclusive representative of
13 the teachers. While a building plan must be consistent with the
14 district educational improvement plan, it may establish
15 performance goals and benchmarks that meet or exceed those of
16 the district.

17 (e) A school improvement plan developed under Section
18 34-2.4 of this Code is deemed to satisfy the requirements of
19 this Section.

20 (105 ILCS 5/10-21.4a) (from Ch. 122, par. 10-21.4a)

21 Sec. 10-21.4a. Principals - Duties. To employ principals
22 who hold valid supervisory or administrative certificates who
23 shall supervise the operation of attendance centers as the
24 board shall determine necessary. In an attendance center having
25 fewer than 4 teachers, a head teacher who does not qualify as a

1 principal may be assigned in the place of a principal.

2 The principal shall assume administrative responsibilities
3 and instructional leadership, under the supervision of the
4 superintendent, and in accordance with reasonable rules and
5 regulations of the board, for the planning, operation and
6 evaluation of the educational program of the attendance area to
7 which he or she is assigned. However, in districts under a
8 Financial Oversight Panel pursuant to Section 1A-8 for
9 violating a financial plan, the duties and responsibilities of
10 principals in relation to the financial and business operations
11 of the district shall be approved by the Panel. In the event
12 the Board refuses or fails to follow a directive or comply with
13 an information request of the Panel, the performance of those
14 duties shall be subject to the direction of the Panel.

15 School boards shall specify in their formal job description
16 for principals that his or her primary responsibility is in the
17 improvement of instruction. A majority of the time spent by a
18 principal shall be spent on curriculum and staff development
19 through both formal and informal activities, establishing
20 clear lines of communication regarding school goals,
21 accomplishments, practices and policies with parents and
22 teachers.

23 Unless residency within a school district is made an
24 express condition of a person's employment or continued
25 employment as a principal of that school district at the time
26 of the person's initial employment as a principal of that

1 district, residency within that school district may not at any
2 time thereafter be made a condition of that person's employment
3 or continued employment as a principal of the district, without
4 regard to whether the person's initial employment as a
5 principal of the district began before or begins on or after
6 the effective date of this amendatory Act of 1996 and without
7 regard to whether that person's residency within or outside of
8 the district began or was changed before or begins or changes
9 on or after that effective date. In no event shall residency
10 within a school district be considered in determining the
11 compensation of a principal or the assignment or transfer of a
12 principal to an attendance center of the district.

13 School boards shall ensure that their principals are
14 evaluated on their instructional leadership ability and their
15 ability to maintain a positive education and learning climate
16 pursuant to Section 24A-15 of this Code.

17 It shall also be the responsibility of the principal to
18 utilize resources of proper law enforcement agencies when the
19 safety and welfare of students and teachers are threatened by
20 illegal use of drugs and alcohol.

21 The principal shall submit recommendations to the
22 superintendent concerning the appointment, retention,
23 promotion and assignment of all personnel assigned to the
24 attendance center.

25 If a principal is absent due to extended illness or leave
26 of absence, an assistant principal may be assigned as acting

1 principal for a period not to exceed 60 school days.

2 (Source: P.A. 89-572, eff. 7-30-96; 89-622, eff. 8-9-96; 90-14,
3 eff. 7-1-97.)

4 (105 ILCS 5/10-22.23a) (from Ch. 122, par. 10-22.23a)

5 Sec. 10-22.23a. Chief school business official. To employ a
6 chief school business official and define the duties of the
7 chief school business official. Any chief school business
8 official first employed on or after July 1, 1977 shall be
9 certificated under Section 21-7.1. For the purposes of this
10 Section, experience as a school business official in an
11 Illinois public school district prior to July 1, 1977 shall be
12 deemed the equivalent of certification. School districts shall
13 employ a chief school business official or collaboratively
14 share in the employment of a chief school business official
15 with another school district.

16 (Source: P.A. 82-387.)

17 (105 ILCS 5/14-13.01) (from Ch. 122, par. 14-13.01)

18 Sec. 14-13.01. Reimbursement payable by State; Amounts.
19 Reimbursement for furnishing special educational facilities in
20 a recognized school to the type of children defined in Section
21 14-1.02 shall be paid to the school districts in accordance
22 with Section 14-12.01 for each school year ending June 30 by
23 the State Comptroller out of any money in the treasury
24 appropriated for such purposes on the presentation of vouchers

1 by the State Board of Education.

2 The reimbursement shall be limited to funds expended for
3 construction and maintenance of special education facilities
4 designed and utilized to house instructional programs,
5 diagnostic services, other special education services for
6 children with disabilities and reimbursement as provided in
7 Section 14-13.01. There shall be no reimbursement for
8 construction and maintenance of any administrative facility
9 separated from special education facilities designed and
10 utilized to house instructional programs, diagnostic services
11 and other special education services for children with
12 disabilities.

13 (a) For children who have not been identified as eligible
14 for special education and for eligible children with physical
15 disabilities, including all eligible children whose placement
16 has been determined under Section 14-8.02 in hospital or home
17 instruction, 1/2 of the teacher's salary but not more than
18 \$1,000 annually per child or \$8,000 per teacher for the
19 1985-1986 school year through the 2005-2006 school year and
20 \$1,000 per child or \$9,000 per teacher for the 2006-2007 school
21 year and for each school year ~~and~~ thereafter, whichever is
22 less. Children to be included in any reimbursement under this
23 paragraph must regularly receive a minimum of one hour of
24 instruction each school day, or in lieu thereof of a minimum of
25 5 hours of instruction in each school week in order to qualify
26 for full reimbursement under this Section. If the attending

1 physician for such a child has certified that the child should
2 not receive as many as 5 hours of instruction in a school week,
3 however, reimbursement under this paragraph on account of that
4 child shall be computed proportionate to the actual hours of
5 instruction per week for that child divided by 5.

6 (b) For children described in Section 14-1.02, 4/5 of the
7 cost of transportation for each such child, whom the State
8 Superintendent of Education determined in advance requires
9 special transportation service in order to take advantage of
10 special educational facilities. Transportation costs shall be
11 determined in the same fashion as provided in Section 29-5. For
12 purposes of this subsection (b), the dates for processing
13 claims specified in Section 29-5 shall apply.

14 (c) For each professional worker excluding those included
15 in subparagraphs (a), (d), (e), and (f) of this Section, the
16 annual sum of \$8,000 for the 1985-1986 school year through the
17 2005-2006 school year and \$9,000 for the 2006-2007 school year
18 and for each school year ~~and~~ thereafter.

19 (d) For one full time qualified director of the special
20 education program of each school district which maintains a
21 fully approved program of special education the annual sum of
22 \$8,000 for the 1985-1986 school year through the 2005-2006
23 school year and \$9,000 for the 2006-2007 school year and for
24 each school year ~~and~~ thereafter. Districts participating in a
25 joint agreement special education program shall not receive
26 such reimbursement if reimbursement is made for a director of

1 the joint agreement program.

2 (e) For each school psychologist as defined in Section
3 14-1.09 the annual sum of \$8,000 for the 1985-1986 school year
4 through the 2005-2006 school year and \$9,000 for the 2006-2007
5 school year and for each school year ~~and~~ thereafter.

6 (f) For each qualified teacher working in a fully approved
7 program for children of preschool age who are deaf or
8 hard-of-hearing the annual sum of \$8,000 for the 1985-1986
9 school year through the 2005-2006 school year and \$9,000 for
10 the 2006-2007 school year and for each school year ~~and~~
11 thereafter.

12 (g) For readers, working with blind or partially seeing
13 children 1/2 of their salary but not more than \$400 annually
14 per child. Readers may be employed to assist such children and
15 shall not be required to be certified but prior to employment
16 shall meet standards set up by the State Board of Education.

17 (h) For necessary non-certified employees working in any
18 class or program for children defined in this Article, 1/2 of
19 the salary paid or \$2,800 annually per employee through the
20 2005-2006 school year and \$3,500 per employee for the 2006-2007
21 school year and for each school year thereafter, whichever is
22 less.

23 The State Board of Education shall set standards and
24 prescribe rules for determining the allocation of
25 reimbursement under this section on less than a full time basis
26 and for less than a school year.

1 When any school district eligible for reimbursement under
2 this Section operates a school or program approved by the State
3 Superintendent of Education for a number of days in excess of
4 the adopted school calendar but not to exceed 235 school days,
5 such reimbursement shall be increased by 1/185 of the amount or
6 rate paid hereunder for each day such school is operated in
7 excess of 185 days per calendar year.

8 Notwithstanding any other provision of law, any school
9 district receiving a payment under this Section or under
10 Section 14-7.02, 14-7.02b, or 29-5 of this Code may classify
11 all or a portion of the funds that it receives in a particular
12 fiscal year or from general State aid pursuant to Section
13 18-8.05 of this Code as funds received in connection with any
14 funding program for which it is entitled to receive funds from
15 the State in that fiscal year (including, without limitation,
16 any funding program referenced in this Section), regardless of
17 the source or timing of the receipt. The district may not
18 classify more funds as funds received in connection with the
19 funding program than the district is entitled to receive in
20 that fiscal year for that program. Any classification by a
21 district must be made by a resolution of its board of
22 education. The resolution must identify the amount of any
23 payments or general State aid to be classified under this
24 paragraph and must specify the funding program to which the
25 funds are to be treated as received in connection therewith.
26 This resolution is controlling as to the classification of

1 funds referenced therein. A certified copy of the resolution
2 must be sent to the State Superintendent of Education. The
3 resolution shall still take effect even though a copy of the
4 resolution has not been sent to the State Superintendent of
5 Education in a timely manner. No classification under this
6 paragraph by a district shall affect the total amount or timing
7 of money the district is entitled to receive under this Code.
8 No classification under this paragraph by a district shall in
9 any way relieve the district from or affect any requirements
10 that otherwise would apply with respect to that funding
11 program, including any accounting of funds by source, reporting
12 expenditures by original source and purpose, reporting
13 requirements, or requirements of providing services.

14 (Source: P.A. 92-568, eff. 6-26-02; 93-1022, eff. 8-24-04.)

15 (105 ILCS 5/17-1.5)

16 Sec. 17-1.5. Limitation of administrative costs.

17 (a) It is the purpose of this Section to establish
18 limitations on the growth of administrative expenditures in
19 order to maximize the proportion of school district resources
20 available for ~~the~~ instructional programs ~~program~~, building
21 maintenance, and safety services for the students of each
22 district and to commit to ensuring district resources are
23 maximized to improve student and school achievement.

24 (b) Definitions. For the purposes of this Section:

25 "Administrative expenditures" mean the annual expenditures

1 of school districts properly attributable to expenditure
2 functions defined by the rules of the State Board of Education
3 as: 2320 (Executive Administration Services); 2330 (Special
4 Area Administration Services); 2490 (Other Support Services -
5 School Administration); 2510 (Direction of Business Support
6 Services); 2570 (Internal Services); and 2610 (Direction of
7 Central Support Services); provided, however, that
8 "administrative expenditures" shall not include early
9 retirement or other pension system obligations required by
10 State law.

11 "School district" means all school districts having a
12 population of less than 500,000.

13 (c) For the 1998-99 school year and each school year
14 thereafter, each school district shall undertake budgetary and
15 expenditure control actions so that the increase in
16 administrative expenditures for that school year over the prior
17 school year does not exceed 5%. School districts with
18 administrative expenditures per pupil in the 25th percentile
19 and below for all districts of the same type, as defined by the
20 State Board of Education, may waive the limitation imposed
21 under this Section for any year following a public hearing and
22 with the affirmative vote of at least two-thirds of the members
23 of the school board of the district. Any district waiving the
24 limitation shall notify the State Board within 45 days of such
25 action.

26 (d) School districts shall file with the State Board of

1 Education by November 15, 1998 and by each November 15th
2 thereafter a one-page report that lists (i) the actual
3 administrative expenditures for the prior year from the
4 district's audited Annual Financial Report, and (ii) the
5 projected administrative expenditures for the current year
6 from the budget adopted by the school board pursuant to Section
7 17-1 of this Code.

8 If a school district that is ineligible to waive the
9 limitation imposed by subsection (c) of this Section by board
10 action exceeds the limitation solely because of circumstances
11 beyond the control of the district and the district has
12 exhausted all available and reasonable remedies to comply with
13 the limitation, the district may request a waiver pursuant to
14 Section 2-3.25g. The waiver application shall specify the
15 amount, nature, and reason for the relief requested, as well as
16 all remedies the district has exhausted to comply with the
17 limitation. Any emergency relief so requested shall apply only
18 to the specific school year for which the request is made. The
19 State Board of Education shall analyze all such waivers
20 submitted and shall recommend that the General Assembly
21 disapprove any such waiver requested that is not due solely to
22 circumstances beyond the control of the district and for which
23 the district has not exhausted all available and reasonable
24 remedies to comply with the limitation. The State
25 Superintendent shall have no authority to impose any sanctions
26 pursuant to this Section for any expenditures for which a

1 waiver has been requested until such waiver has been reviewed
2 by the General Assembly.

3 If the report and information required under this
4 subsection (d) are not provided by the school district in a
5 timely manner, or are subsequently determined by the State
6 Superintendent of Education to be incomplete or inaccurate, the
7 State Superintendent shall notify the district in writing of
8 reporting deficiencies. The school district shall, within 60
9 days of the notice, address the reporting deficiencies
10 identified.

11 (d-5) Notwithstanding any other provision of this Section,
12 for a school district receiving general State financial aid due
13 to the district under Section 18-8.05 of this Code in any
14 school year, the school district's administrative
15 expenditures, excluding expenditures made under Sections
16 2-3.64b, 2-3.147, 10-17b, 10-20.40, and 10-22.23a of this Code,
17 may not exceed 5% for that school year.

18 (e) If the State Superintendent determines that a school
19 district has failed to comply with the administrative
20 expenditure limitation imposed in subsection (c) or (d-5) of
21 this Section, the State Superintendent shall notify the
22 district of the violation and direct the district to undertake
23 corrective action to bring the district's budget into
24 compliance with the administrative expenditure limitation. The
25 district shall, within 60 days of the notice, provide adequate
26 assurance to the State Superintendent that appropriate

1 corrective actions have been or will be taken. If the district
2 fails to provide adequate assurance or fails to undertake the
3 necessary corrective actions, the State Superintendent may
4 impose progressive sanctions against the district that may
5 culminate in withholding all subsequent payments of general
6 State aid due the district under Section 18-8.05 of this Code
7 until the assurance is provided or the corrective actions
8 taken.

9 (f) The State Superintendent shall publish a list each year
10 of the school districts that violate the limitation imposed by
11 subsection (c) or (d-5) of this Section and a list of the
12 districts that waive the limitation by board action as provided
13 in subsection (c) of this Section.

14 (Source: P.A. 90-548, eff. 1-1-98; 90-653, eff. 7-29-98.)

15 (105 ILCS 5/18-8.05)

16 Sec. 18-8.05. Basis for apportionment of general State
17 financial aid and supplemental general State aid to the common
18 schools for the 1998-1999 and subsequent school years.

19 (A) General Provisions.

20 (1) The provisions of this Section apply to the 1998-1999
21 and subsequent school years. The system of general State
22 financial aid provided for in this Section is designed to
23 assure that, through a combination of State financial aid and
24 required local resources, the financial support provided each

1 pupil in Average Daily Attendance equals or exceeds a
2 prescribed per pupil Foundation Level. This formula approach
3 imputes a level of per pupil Available Local Resources and
4 provides for the basis to calculate a per pupil level of
5 general State financial aid that, when added to Available Local
6 Resources, equals or exceeds the Foundation Level. The amount
7 of per pupil general State financial aid for school districts,
8 in general, varies in inverse relation to Available Local
9 Resources. Per pupil amounts are based upon each school
10 district's Average Daily Attendance as that term is defined in
11 this Section.

12 (2) In addition to general State financial aid, school
13 districts with specified levels or concentrations of pupils
14 from low income households are eligible to receive supplemental
15 general State financial aid grants as provided pursuant to
16 subsection (H). The supplemental State aid grants provided for
17 school districts under subsection (H) shall be appropriated for
18 distribution to school districts as part of the same line item
19 in which the general State financial aid of school districts is
20 appropriated under this Section.

21 (3) To receive financial assistance under this Section,
22 school districts are required to file claims with the State
23 Board of Education, subject to the following requirements:

24 (a) Any school district which fails for any given
25 school year to maintain school as required by law, or to
26 maintain a recognized school is not eligible to file for

1 such school year any claim upon the Common School Fund. In
2 case of nonrecognition of one or more attendance centers in
3 a school district otherwise operating recognized schools,
4 the claim of the district shall be reduced in the
5 proportion which the Average Daily Attendance in the
6 attendance center or centers bear to the Average Daily
7 Attendance in the school district. A "recognized school"
8 means any public school which meets the standards as
9 established for recognition by the State Board of
10 Education. A school district or attendance center not
11 having recognition status at the end of a school term is
12 entitled to receive State aid payments due upon a legal
13 claim which was filed while it was recognized.

14 (b) School district claims filed under this Section are
15 subject to Sections 18-9 and 18-12, except as otherwise
16 provided in this Section.

17 (c) If a school district operates a full year school
18 under Section 10-19.1, the general State aid to the school
19 district shall be determined by the State Board of
20 Education in accordance with this Section as near as may be
21 applicable.

22 (d) (Blank).

23 (4) Except as provided in subsections (H) and (L), the
24 board of any district receiving any of the grants provided for
25 in this Section may apply those funds to any fund so received
26 for which that board is authorized to make expenditures by law.

1 School districts are not required to exert a minimum
2 Operating Tax Rate in order to qualify for assistance under
3 this Section.

4 (5) As used in this Section the following terms, when
5 capitalized, shall have the meaning ascribed herein:

6 (a) "Average Daily Attendance": A count of pupil
7 attendance in school, averaged as provided for in
8 subsection (C) and utilized in deriving per pupil financial
9 support levels.

10 (b) "Available Local Resources": A computation of
11 local financial support, calculated on the basis of Average
12 Daily Attendance and derived as provided pursuant to
13 subsection (D).

14 (c) "Corporate Personal Property Replacement Taxes":
15 Funds paid to local school districts pursuant to "An Act in
16 relation to the abolition of ad valorem personal property
17 tax and the replacement of revenues lost thereby, and
18 amending and repealing certain Acts and parts of Acts in
19 connection therewith", certified August 14, 1979, as
20 amended (Public Act 81-1st S.S.-1).

21 (d) "Foundation Level": A prescribed level of per pupil
22 financial support as provided for in subsection (B).

23 (e) "Operating Tax Rate": All school district property
24 taxes extended for all purposes, except Bond and Interest,
25 Summer School, Rent, Capital Improvement, and Vocational
26 Education Building purposes.

1 (B) Foundation Level.

2 (1) The Foundation Level is a figure established by the
3 State representing the minimum level of per pupil financial
4 support that should be available to provide for the basic
5 education of each pupil in Average Daily Attendance. As set
6 forth in this Section, each school district is assumed to exert
7 a sufficient local taxing effort such that, in combination with
8 the aggregate of general State financial aid provided the
9 district, an aggregate of State and local resources are
10 available to meet the basic education needs of pupils in the
11 district.

12 (2) For the 1998-1999 school year, the Foundation Level of
13 support is \$4,225. For the 1999-2000 school year, the
14 Foundation Level of support is \$4,325. For the 2000-2001 school
15 year, the Foundation Level of support is \$4,425. For the
16 2001-2002 school year and 2002-2003 school year, the Foundation
17 Level of support is \$4,560. For the 2003-2004 school year, the
18 Foundation Level of support is \$4,810. For the 2004-2005 school
19 year, the Foundation Level of support is \$4,964. For the
20 2005-2006 school year, the Foundation Level of support is
21 \$5,164. For the 2006-2007 school year, the Foundation Level of
22 support is \$5,334.

23 (3) For the 2007-2008 ~~2006-2007~~ school year and each school
24 year thereafter, the Foundation Level of support is \$5,888
25 ~~\$5,334~~ or such greater amount as may be established by law by

1 the General Assembly.

2 (C) Average Daily Attendance.

3 (1) For purposes of calculating general State aid pursuant
4 to subsection (E), an Average Daily Attendance figure shall be
5 utilized. The Average Daily Attendance figure for formula
6 calculation purposes shall be the monthly average of the actual
7 number of pupils in attendance of each school district, as
8 further averaged for the best 3 months of pupil attendance for
9 each school district. In compiling the figures for the number
10 of pupils in attendance, school districts and the State Board
11 of Education shall, for purposes of general State aid funding,
12 conform attendance figures to the requirements of subsection
13 (F).

14 (2) The Average Daily Attendance figures utilized in
15 subsection (E) shall be the requisite attendance data for the
16 school year immediately preceding the school year for which
17 general State aid is being calculated or the average of the
18 attendance data for the 3 preceding school years, whichever is
19 greater. The Average Daily Attendance figures utilized in
20 subsection (H) shall be the requisite attendance data for the
21 school year immediately preceding the school year for which
22 general State aid is being calculated.

23 (D) Available Local Resources.

24 (1) For purposes of calculating general State aid pursuant

1 to subsection (E), a representation of Available Local
2 Resources per pupil, as that term is defined and determined in
3 this subsection, shall be utilized. Available Local Resources
4 per pupil shall include a calculated dollar amount representing
5 local school district revenues from local property taxes and
6 from Corporate Personal Property Replacement Taxes, expressed
7 on the basis of pupils in Average Daily Attendance. Calculation
8 of Available Local Resources shall exclude any tax amnesty
9 funds received as a result of Public Act 93-26.

10 (2) In determining a school district's revenue from local
11 property taxes, the State Board of Education shall utilize the
12 equalized assessed valuation of all taxable property of each
13 school district as of September 30 of the previous year. The
14 equalized assessed valuation utilized shall be obtained and
15 determined as provided in subsection (G).

16 (3) For school districts maintaining grades kindergarten
17 through 12, local property tax revenues per pupil shall be
18 calculated as the product of the applicable equalized assessed
19 valuation for the district multiplied by 3.00%, and divided by
20 the district's Average Daily Attendance figure. For school
21 districts maintaining grades kindergarten through 8, local
22 property tax revenues per pupil shall be calculated as the
23 product of the applicable equalized assessed valuation for the
24 district multiplied by 2.30%, and divided by the district's
25 Average Daily Attendance figure. For school districts
26 maintaining grades 9 through 12, local property tax revenues

1 per pupil shall be the applicable equalized assessed valuation
2 of the district multiplied by 1.05%, and divided by the
3 district's Average Daily Attendance figure.

4 For partial elementary unit districts created pursuant to
5 Article 11E of this Code, local property tax revenues per pupil
6 shall be calculated as the product of the equalized assessed
7 valuation for property within the elementary and high school
8 classification of the partial elementary unit district
9 multiplied by 2.06% and divided by the Average Daily Attendance
10 figure for grades kindergarten through 8, plus the product of
11 the equalized assessed valuation for property within the high
12 school only classification of the partial elementary unit
13 district multiplied by 0.94% and divided by the Average Daily
14 Attendance figure for grades 9 through 12.

15 (4) The Corporate Personal Property Replacement Taxes paid
16 to each school district during the calendar year 2 years before
17 the calendar year in which a school year begins, divided by the
18 Average Daily Attendance figure for that district, shall be
19 added to the local property tax revenues per pupil as derived
20 by the application of the immediately preceding paragraph (3).
21 The sum of these per pupil figures for each school district
22 shall constitute Available Local Resources as that term is
23 utilized in subsection (E) in the calculation of general State
24 aid.

25 (E) Computation of General State Aid.

1 (1) For each school year, the amount of general State aid
2 allotted to a school district shall be computed by the State
3 Board of Education as provided in this subsection.

4 (2) For any school district for which Available Local
5 Resources per pupil is less than the product of 0.93 times the
6 Foundation Level, general State aid for that district shall be
7 calculated as an amount equal to the Foundation Level minus
8 Available Local Resources, multiplied by the Average Daily
9 Attendance of the school district.

10 (3) For any school district for which Available Local
11 Resources per pupil is equal to or greater than the product of
12 0.93 times the Foundation Level and less than the product of
13 1.75 times the Foundation Level, the general State aid per
14 pupil shall be a decimal proportion of the Foundation Level
15 derived using a linear algorithm. Under this linear algorithm,
16 the calculated general State aid per pupil shall decline in
17 direct linear fashion from 0.07 times the Foundation Level for
18 a school district with Available Local Resources equal to the
19 product of 0.93 times the Foundation Level, to 0.05 times the
20 Foundation Level for a school district with Available Local
21 Resources equal to the product of 1.75 times the Foundation
22 Level. The allocation of general State aid for school districts
23 subject to this paragraph 3 shall be the calculated general
24 State aid per pupil figure multiplied by the Average Daily
25 Attendance of the school district.

26 (4) For any school district for which Available Local

1 Resources per pupil equals or exceeds the product of 1.75 times
2 the Foundation Level, the general State aid for the school
3 district shall be calculated as the product of \$218 multiplied
4 by the Average Daily Attendance of the school district.

5 (5) The amount of general State aid allocated to a school
6 district for the 1999-2000 school year meeting the requirements
7 set forth in paragraph (4) of subsection (G) shall be increased
8 by an amount equal to the general State aid that would have
9 been received by the district for the 1998-1999 school year by
10 utilizing the Extension Limitation Equalized Assessed
11 Valuation as calculated in paragraph (4) of subsection (G) less
12 the general State aid allotted for the 1998-1999 school year.
13 This amount shall be deemed a one time increase, and shall not
14 affect any future general State aid allocations.

15 (F) Compilation of Average Daily Attendance.

16 (1) Each school district shall, by July 1 of each year,
17 submit to the State Board of Education, on forms prescribed by
18 the State Board of Education, attendance figures for the school
19 year that began in the preceding calendar year. The attendance
20 information so transmitted shall identify the average daily
21 attendance figures for each month of the school year. Beginning
22 with the general State aid claim form for the 2002-2003 school
23 year, districts shall calculate Average Daily Attendance as
24 provided in subdivisions (a), (b), and (c) of this paragraph
25 (1).

1 (a) In districts that do not hold year-round classes,
2 days of attendance in August shall be added to the month of
3 September and any days of attendance in June shall be added
4 to the month of May.

5 (b) In districts in which all buildings hold year-round
6 classes, days of attendance in July and August shall be
7 added to the month of September and any days of attendance
8 in June shall be added to the month of May.

9 (c) In districts in which some buildings, but not all,
10 hold year-round classes, for the non-year-round buildings,
11 days of attendance in August shall be added to the month of
12 September and any days of attendance in June shall be added
13 to the month of May. The average daily attendance for the
14 year-round buildings shall be computed as provided in
15 subdivision (b) of this paragraph (1). To calculate the
16 Average Daily Attendance for the district, the average
17 daily attendance for the year-round buildings shall be
18 multiplied by the days in session for the non-year-round
19 buildings for each month and added to the monthly
20 attendance of the non-year-round buildings.

21 Except as otherwise provided in this Section, days of
22 attendance by pupils shall be counted only for sessions of not
23 less than 5 clock hours of school work per day under direct
24 supervision of: (i) teachers, or (ii) non-teaching personnel or
25 volunteer personnel when engaging in non-teaching duties and
26 supervising in those instances specified in subsection (a) of

1 Section 10-22.34 and paragraph 10 of Section 34-18, with pupils
2 of legal school age and in kindergarten and grades 1 through
3 12.

4 Days of attendance by tuition pupils shall be accredited
5 only to the districts that pay the tuition to a recognized
6 school.

7 (2) Days of attendance by pupils of less than 5 clock hours
8 of school shall be subject to the following provisions in the
9 compilation of Average Daily Attendance.

10 (a) Pupils regularly enrolled in a public school for
11 only a part of the school day may be counted on the basis
12 of 1/6 day for every class hour of instruction of 40
13 minutes or more attended pursuant to such enrollment,
14 unless a pupil is enrolled in a block-schedule format of 80
15 minutes or more of instruction, in which case the pupil may
16 be counted on the basis of the proportion of minutes of
17 school work completed each day to the minimum number of
18 minutes that school work is required to be held that day.

19 (b) Days of attendance may be less than 5 clock hours
20 on the opening and closing of the school term, and upon the
21 first day of pupil attendance, if preceded by a day or days
22 utilized as an institute or teachers' workshop.

23 (c) A session of 4 or more clock hours may be counted
24 as a day of attendance upon certification by the regional
25 superintendent, and approved by the State Superintendent
26 of Education to the extent that the district has been

1 forced to use daily multiple sessions.

2 (d) A session of 3 or more clock hours may be counted
3 as a day of attendance (1) when the remainder of the school
4 day or at least 2 hours in the evening of that day is
5 utilized for an in-service training program for teachers,
6 up to a maximum of 5 days per school year of which a
7 maximum of 4 days of such 5 days may be used for
8 parent-teacher conferences, provided a district conducts
9 an in-service training program for teachers which has been
10 approved by the State Superintendent of Education; or, in
11 lieu of 4 such days, 2 full days may be used, in which
12 event each such day may be counted as a day of attendance;
13 and (2) when days in addition to those provided in item (1)
14 are scheduled by a school pursuant to its school
15 improvement plan adopted under Article 34 or its revised or
16 amended school improvement plan adopted under Article 2,
17 provided that (i) such sessions of 3 or more clock hours
18 are scheduled to occur at regular intervals, (ii) the
19 remainder of the school days in which such sessions occur
20 are utilized for in-service training programs or other
21 staff development activities for teachers, and (iii) a
22 sufficient number of minutes of school work under the
23 direct supervision of teachers are added to the school days
24 between such regularly scheduled sessions to accumulate
25 not less than the number of minutes by which such sessions
26 of 3 or more clock hours fall short of 5 clock hours. Any

1 full days used for the purposes of this paragraph shall not
2 be considered for computing average daily attendance. Days
3 scheduled for in-service training programs, staff
4 development activities, or parent-teacher conferences may
5 be scheduled separately for different grade levels and
6 different attendance centers of the district.

7 (e) A session of not less than one clock hour of
8 teaching hospitalized or homebound pupils on-site or by
9 telephone to the classroom may be counted as 1/2 day of
10 attendance, however these pupils must receive 4 or more
11 clock hours of instruction to be counted for a full day of
12 attendance.

13 (f) A session of at least 4 clock hours may be counted
14 as a day of attendance for first grade pupils, and pupils
15 in full day kindergartens, and a session of 2 or more hours
16 may be counted as 1/2 day of attendance by pupils in
17 kindergartens which provide only 1/2 day of attendance.

18 (g) For children with disabilities who are below the
19 age of 6 years and who cannot attend 2 or more clock hours
20 because of their disability or immaturity, a session of not
21 less than one clock hour may be counted as 1/2 day of
22 attendance; however for such children whose educational
23 needs so require a session of 4 or more clock hours may be
24 counted as a full day of attendance.

25 (h) A recognized kindergarten which provides for only
26 1/2 day of attendance by each pupil shall not have more

1 than 1/2 day of attendance counted in any one day. However,
2 kindergartens may count 2 1/2 days of attendance in any 5
3 consecutive school days. When a pupil attends such a
4 kindergarten for 2 half days on any one school day, the
5 pupil shall have the following day as a day absent from
6 school, unless the school district obtains permission in
7 writing from the State Superintendent of Education.
8 Attendance at kindergartens which provide for a full day of
9 attendance by each pupil shall be counted the same as
10 attendance by first grade pupils. Only the first year of
11 attendance in one kindergarten shall be counted, except in
12 case of children who entered the kindergarten in their
13 fifth year whose educational development requires a second
14 year of kindergarten as determined under the rules and
15 regulations of the State Board of Education.

16 (i) On the days when the Prairie State Achievement
17 Examination is administered under subsection (c) of
18 Section 2-3.64 of this Code, the day of attendance for a
19 pupil whose school day must be shortened to accommodate
20 required testing procedures may be less than 5 clock hours
21 and shall be counted towards the 176 days of actual pupil
22 attendance required under Section 10-19 of this Code,
23 provided that a sufficient number of minutes of school work
24 in excess of 5 clock hours are first completed on other
25 school days to compensate for the loss of school work on
26 the examination days.

1 (G) Equalized Assessed Valuation Data.

2 (1) For purposes of the calculation of Available Local
3 Resources required pursuant to subsection (D), the State Board
4 of Education shall secure from the Department of Revenue the
5 value as equalized or assessed by the Department of Revenue of
6 all taxable property of every school district, together with
7 (i) the applicable tax rate used in extending taxes for the
8 funds of the district as of September 30 of the previous year
9 and (ii) the limiting rate for all school districts subject to
10 property tax extension limitations as imposed under the
11 Property Tax Extension Limitation Law.

12 The Department of Revenue shall add to the equalized
13 assessed value of all taxable property of each school district
14 situated entirely or partially within a county that is or was
15 subject to the alternative general homestead exemption
16 provisions of Section 15-176 of the Property Tax Code (a) an
17 amount equal to the total amount by which the homestead
18 exemption allowed under Section 15-176 of the Property Tax Code
19 for real property situated in that school district exceeds the
20 total amount that would have been allowed in that school
21 district if the maximum reduction under Section 15-176 was (i)
22 \$4,500 in Cook County or \$3,500 in all other counties in tax
23 year 2003 or (ii) \$5,000 in all counties in tax year 2004 and
24 thereafter and (b) an amount equal to the aggregate amount for
25 the taxable year of all additional exemptions under Section

1 15-175 of the Property Tax Code for owners with a household
2 income of \$30,000 or less. The county clerk of any county that
3 is or was subject to the alternative general homestead
4 exemption provisions of Section 15-176 of the Property Tax Code
5 shall annually calculate and certify to the Department of
6 Revenue for each school district all homestead exemption
7 amounts under Section 15-176 of the Property Tax Code and all
8 amounts of additional exemptions under Section 15-175 of the
9 Property Tax Code for owners with a household income of \$30,000
10 or less. It is the intent of this paragraph that if the general
11 homestead exemption for a parcel of property is determined
12 under Section 15-176 of the Property Tax Code rather than
13 Section 15-175, then the calculation of Available Local
14 Resources shall not be affected by the difference, if any,
15 between the amount of the general homestead exemption allowed
16 for that parcel of property under Section 15-176 of the
17 Property Tax Code and the amount that would have been allowed
18 had the general homestead exemption for that parcel of property
19 been determined under Section 15-175 of the Property Tax Code.
20 It is further the intent of this paragraph that if additional
21 exemptions are allowed under Section 15-175 of the Property Tax
22 Code for owners with a household income of less than \$30,000,
23 then the calculation of Available Local Resources shall not be
24 affected by the difference, if any, because of those additional
25 exemptions.

26 This equalized assessed valuation, as adjusted further by

1 the requirements of this subsection, shall be utilized in the
2 calculation of Available Local Resources.

3 (2) The equalized assessed valuation in paragraph (1) shall
4 be adjusted, as applicable, in the following manner:

5 (a) For the purposes of calculating State aid under
6 this Section, with respect to any part of a school district
7 within a redevelopment project area in respect to which a
8 municipality has adopted tax increment allocation
9 financing pursuant to the Tax Increment Allocation
10 Redevelopment Act, Sections 11-74.4-1 through 11-74.4-11
11 of the Illinois Municipal Code or the Industrial Jobs
12 Recovery Law, Sections 11-74.6-1 through 11-74.6-50 of the
13 Illinois Municipal Code, no part of the current equalized
14 assessed valuation of real property located in any such
15 project area which is attributable to an increase above the
16 total initial equalized assessed valuation of such
17 property shall be used as part of the equalized assessed
18 valuation of the district, until such time as all
19 redevelopment project costs have been paid, as provided in
20 Section 11-74.4-8 of the Tax Increment Allocation
21 Redevelopment Act or in Section 11-74.6-35 of the
22 Industrial Jobs Recovery Law. For the purpose of the
23 equalized assessed valuation of the district, the total
24 initial equalized assessed valuation or the current
25 equalized assessed valuation, whichever is lower, shall be
26 used until such time as all redevelopment project costs

1 have been paid.

2 (b) The real property equalized assessed valuation for
3 a school district shall be adjusted by subtracting from the
4 real property value as equalized or assessed by the
5 Department of Revenue for the district an amount computed
6 by dividing the amount of any abatement of taxes under
7 Section 18-170 of the Property Tax Code by 3.00% for a
8 district maintaining grades kindergarten through 12, by
9 2.30% for a district maintaining grades kindergarten
10 through 8, or by 1.05% for a district maintaining grades 9
11 through 12 and adjusted by an amount computed by dividing
12 the amount of any abatement of taxes under subsection (a)
13 of Section 18-165 of the Property Tax Code by the same
14 percentage rates for district type as specified in this
15 subparagraph (b).

16 (3) For the 1999-2000 school year and each school year
17 thereafter, if a school district meets all of the criteria of
18 this subsection (G) (3), the school district's Available Local
19 Resources shall be calculated under subsection (D) using the
20 district's Extension Limitation Equalized Assessed Valuation
21 as calculated under this subsection (G) (3).

22 For purposes of this subsection (G) (3) the following terms
23 shall have the following meanings:

24 "Budget Year": The school year for which general State
25 aid is calculated and awarded under subsection (E).

26 "Base Tax Year": The property tax levy year used to

1 calculate the Budget Year allocation of general State aid.

2 "Preceding Tax Year": The property tax levy year
3 immediately preceding the Base Tax Year.

4 "Base Tax Year's Tax Extension": The product of the
5 equalized assessed valuation utilized by the County Clerk
6 in the Base Tax Year multiplied by the limiting rate as
7 calculated by the County Clerk and defined in the Property
8 Tax Extension Limitation Law.

9 "Preceding Tax Year's Tax Extension": The product of
10 the equalized assessed valuation utilized by the County
11 Clerk in the Preceding Tax Year multiplied by the Operating
12 Tax Rate as defined in subsection (A).

13 "Extension Limitation Ratio": A numerical ratio,
14 certified by the County Clerk, in which the numerator is
15 the Base Tax Year's Tax Extension and the denominator is
16 the Preceding Tax Year's Tax Extension.

17 "Operating Tax Rate": The operating tax rate as defined
18 in subsection (A).

19 If a school district is subject to property tax extension
20 limitations as imposed under the Property Tax Extension
21 Limitation Law, the State Board of Education shall calculate
22 the Extension Limitation Equalized Assessed Valuation of that
23 district. For the 1999-2000 school year, the Extension
24 Limitation Equalized Assessed Valuation of a school district as
25 calculated by the State Board of Education shall be equal to
26 the product of the district's 1996 Equalized Assessed Valuation

1 and the district's Extension Limitation Ratio. For the
2 2000-2001 school year and each school year thereafter, the
3 Extension Limitation Equalized Assessed Valuation of a school
4 district as calculated by the State Board of Education shall be
5 equal to the product of the Equalized Assessed Valuation last
6 used in the calculation of general State aid and the district's
7 Extension Limitation Ratio. If the Extension Limitation
8 Equalized Assessed Valuation of a school district as calculated
9 under this subsection (G)(3) is less than the district's
10 equalized assessed valuation as calculated pursuant to
11 subsections (G)(1) and (G)(2), then for purposes of calculating
12 the district's general State aid for the Budget Year pursuant
13 to subsection (E), that Extension Limitation Equalized
14 Assessed Valuation shall be utilized to calculate the
15 district's Available Local Resources under subsection (D).

16 Partial elementary unit districts created in accordance
17 with Article 11E of this Code shall not be eligible for the
18 adjustment in this subsection (G)(3) until the fifth year
19 following the effective date of the reorganization.

20 (4) For the purposes of calculating general State aid for
21 the 1999-2000 school year only, if a school district
22 experienced a triennial reassessment on the equalized assessed
23 valuation used in calculating its general State financial aid
24 apportionment for the 1998-1999 school year, the State Board of
25 Education shall calculate the Extension Limitation Equalized
26 Assessed Valuation that would have been used to calculate the

1 district's 1998-1999 general State aid. This amount shall equal
2 the product of the equalized assessed valuation used to
3 calculate general State aid for the 1997-1998 school year and
4 the district's Extension Limitation Ratio. If the Extension
5 Limitation Equalized Assessed Valuation of the school district
6 as calculated under this paragraph (4) is less than the
7 district's equalized assessed valuation utilized in
8 calculating the district's 1998-1999 general State aid
9 allocation, then for purposes of calculating the district's
10 general State aid pursuant to paragraph (5) of subsection (E),
11 that Extension Limitation Equalized Assessed Valuation shall
12 be utilized to calculate the district's Available Local
13 Resources.

14 (5) For school districts having a majority of their
15 equalized assessed valuation in any county except Cook, DuPage,
16 Kane, Lake, McHenry, or Will, if the amount of general State
17 aid allocated to the school district for the 1999-2000 school
18 year under the provisions of subsection (E), (H), and (J) of
19 this Section is less than the amount of general State aid
20 allocated to the district for the 1998-1999 school year under
21 these subsections, then the general State aid of the district
22 for the 1999-2000 school year only shall be increased by the
23 difference between these amounts. The total payments made under
24 this paragraph (5) shall not exceed \$14,000,000. Claims shall
25 be prorated if they exceed \$14,000,000.

1 (H) Supplemental General State Aid.

2 (1) In addition to the general State aid a school district
3 is allotted pursuant to subsection (E), qualifying school
4 districts shall receive a grant, paid in conjunction with a
5 district's payments of general State aid, for supplemental
6 general State aid based upon the concentration level of
7 children from low-income households within the school
8 district. Supplemental State aid grants provided for school
9 districts under this subsection shall be appropriated for
10 distribution to school districts as part of the same line item
11 in which the general State financial aid of school districts is
12 appropriated under this Section. If the appropriation in any
13 fiscal year for general State aid and supplemental general
14 State aid is insufficient to pay the amounts required under the
15 general State aid and supplemental general State aid
16 calculations, then the State Board of Education shall ensure
17 that each school district receives the full amount due for
18 general State aid and the remainder of the appropriation shall
19 be used for supplemental general State aid, which the State
20 Board of Education shall calculate and pay to eligible
21 districts on a prorated basis.

22 (1.5) This paragraph (1.5) applies only to those school
23 years preceding the 2003-2004 school year. For purposes of this
24 subsection (H), the term "Low-Income Concentration Level"
25 shall be the low-income eligible pupil count from the most
26 recently available federal census divided by the Average Daily

1 Attendance of the school district. If, however, (i) the
2 percentage decrease from the 2 most recent federal censuses in
3 the low-income eligible pupil count of a high school district
4 with fewer than 400 students exceeds by 75% or more the
5 percentage change in the total low-income eligible pupil count
6 of contiguous elementary school districts, whose boundaries
7 are coterminous with the high school district, or (ii) a high
8 school district within 2 counties and serving 5 elementary
9 school districts, whose boundaries are coterminous with the
10 high school district, has a percentage decrease from the 2 most
11 recent federal censuses in the low-income eligible pupil count
12 and there is a percentage increase in the total low-income
13 eligible pupil count of a majority of the elementary school
14 districts in excess of 50% from the 2 most recent federal
15 censuses, then the high school district's low-income eligible
16 pupil count from the earlier federal census shall be the number
17 used as the low-income eligible pupil count for the high school
18 district, for purposes of this subsection (H). The changes made
19 to this paragraph (1) by Public Act 92-28 shall apply to
20 supplemental general State aid grants for school years
21 preceding the 2003-2004 school year that are paid in fiscal
22 year 1999 or thereafter and to any State aid payments made in
23 fiscal year 1994 through fiscal year 1998 pursuant to
24 subsection 1(n) of Section 18-8 of this Code (which was
25 repealed on July 1, 1998), and any high school district that is
26 affected by Public Act 92-28 is entitled to a recomputation of

1 its supplemental general State aid grant or State aid paid in
2 any of those fiscal years. This recomputation shall not be
3 affected by any other funding.

4 (1.10) This paragraph (1.10) applies to the 2003-2004
5 school year and each school year thereafter. For purposes of
6 this subsection (H), the term "Low-Income Concentration Level"
7 shall, for each fiscal year, be the low-income eligible pupil
8 count as of July 1 of the immediately preceding fiscal year (as
9 determined by the Department of Human Services based on the
10 number of pupils who are eligible for at least one of the
11 following low income programs: Medicaid, KidCare, TANF, or Food
12 Stamps, excluding pupils who are eligible for services provided
13 by the Department of Children and Family Services, averaged
14 over the 2 immediately preceding fiscal years for fiscal year
15 2004 and over the 3 immediately preceding fiscal years for each
16 fiscal year thereafter) divided by the Average Daily Attendance
17 of the school district.

18 (2) Supplemental general State aid pursuant to this
19 subsection (H) shall be provided as follows for the 1998-1999,
20 1999-2000, and 2000-2001 school years only:

21 (a) For any school district with a Low Income
22 Concentration Level of at least 20% and less than 35%, the
23 grant for any school year shall be \$800 multiplied by the
24 low income eligible pupil count.

25 (b) For any school district with a Low Income
26 Concentration Level of at least 35% and less than 50%, the

1 grant for the 1998-1999 school year shall be \$1,100
2 multiplied by the low income eligible pupil count.

3 (c) For any school district with a Low Income
4 Concentration Level of at least 50% and less than 60%, the
5 grant for the 1998-99 school year shall be \$1,500
6 multiplied by the low income eligible pupil count.

7 (d) For any school district with a Low Income
8 Concentration Level of 60% or more, the grant for the
9 1998-99 school year shall be \$1,900 multiplied by the low
10 income eligible pupil count.

11 (e) For the 1999-2000 school year, the per pupil amount
12 specified in subparagraphs (b), (c), and (d) immediately
13 above shall be increased to \$1,243, \$1,600, and \$2,000,
14 respectively.

15 (f) For the 2000-2001 school year, the per pupil
16 amounts specified in subparagraphs (b), (c), and (d)
17 immediately above shall be \$1,273, \$1,640, and \$2,050,
18 respectively.

19 (2.5) Supplemental general State aid pursuant to this
20 subsection (H) shall be provided as follows for the 2002-2003
21 school year:

22 (a) For any school district with a Low Income
23 Concentration Level of less than 10%, the grant for each
24 school year shall be \$355 multiplied by the low income
25 eligible pupil count.

26 (b) For any school district with a Low Income

1 Concentration Level of at least 10% and less than 20%, the
2 grant for each school year shall be \$675 multiplied by the
3 low income eligible pupil count.

4 (c) For any school district with a Low Income
5 Concentration Level of at least 20% and less than 35%, the
6 grant for each school year shall be \$1,330 multiplied by
7 the low income eligible pupil count.

8 (d) For any school district with a Low Income
9 Concentration Level of at least 35% and less than 50%, the
10 grant for each school year shall be \$1,362 multiplied by
11 the low income eligible pupil count.

12 (e) For any school district with a Low Income
13 Concentration Level of at least 50% and less than 60%, the
14 grant for each school year shall be \$1,680 multiplied by
15 the low income eligible pupil count.

16 (f) For any school district with a Low Income
17 Concentration Level of 60% or more, the grant for each
18 school year shall be \$2,080 multiplied by the low income
19 eligible pupil count.

20 (2.10) Except as otherwise provided, supplemental general
21 State aid pursuant to this subsection (H) shall be provided as
22 follows for the 2003-2004 school year and each school year
23 thereafter:

24 (a) For any school district with a Low Income
25 Concentration Level of 15% or less, the grant for each
26 school year shall be \$355 multiplied by the low income

1 eligible pupil count.

2 (b) For any school district with a Low Income
3 Concentration Level greater than 15%, the grant for each
4 school year shall be \$294.25 added to the product of \$2,700
5 and the square of the Low Income Concentration Level, all
6 multiplied by the low income eligible pupil count.

7 For the 2003-2004 school year and each school year through
8 the 2007-2008 school year, ~~2004-2005 school year, 2005-2006~~
9 ~~school year, and 2006-2007 school year~~ only, the grant shall be
10 no less than the grant for the 2002-2003 school year. For the
11 2008-2009 ~~2007-2008~~ school year only, the grant shall be no
12 less than the grant for the 2002-2003 school year multiplied by
13 0.66. For the 2009-2010 ~~2008-2009~~ school year only, the grant
14 shall be no less than the grant for the 2002-2003 school year
15 multiplied by 0.33. Notwithstanding the provisions of this
16 paragraph to the contrary, if for any school year supplemental
17 general State aid grants are prorated as provided in paragraph
18 (1) of this subsection (H), then the grants under this
19 paragraph shall be prorated.

20 For the 2003-2004 school year only, the grant shall be no
21 greater than the grant received during the 2002-2003 school
22 year added to the product of 0.25 multiplied by the difference
23 between the grant amount calculated under subsection (a) or (b)
24 of this paragraph (2.10), whichever is applicable, and the
25 grant received during the 2002-2003 school year. For the
26 2004-2005 school year only, the grant shall be no greater than

1 the grant received during the 2002-2003 school year added to
2 the product of 0.50 multiplied by the difference between the
3 grant amount calculated under subsection (a) or (b) of this
4 paragraph (2.10), whichever is applicable, and the grant
5 received during the 2002-2003 school year. For the 2005-2006
6 school year only, the grant shall be no greater than the grant
7 received during the 2002-2003 school year added to the product
8 of 0.75 multiplied by the difference between the grant amount
9 calculated under subsection (a) or (b) of this paragraph
10 (2.10), whichever is applicable, and the grant received during
11 the 2002-2003 school year.

12 (3) School districts with an Average Daily Attendance of
13 more than 1,000 and less than 50,000 that qualify for
14 supplemental general State aid pursuant to this subsection
15 shall submit a plan to the State Board of Education prior to
16 October 30 of each year for the use of the funds resulting from
17 this grant of supplemental general State aid for the
18 improvement of instruction in which priority is given to
19 meeting the education needs of disadvantaged children. Such
20 plan shall be submitted in accordance with rules and
21 regulations promulgated by the State Board of Education.

22 (4) School districts with an Average Daily Attendance of
23 50,000 or more that qualify for supplemental general State aid
24 pursuant to this subsection shall be required to distribute
25 from funds available pursuant to this Section, no less than
26 \$261,000,000 in accordance with the following requirements:

1 (a) The required amounts shall be distributed to the
2 attendance centers within the district in proportion to the
3 number of pupils enrolled at each attendance center who are
4 eligible to receive free or reduced-price lunches or
5 breakfasts under the federal Child Nutrition Act of 1966
6 and under the National School Lunch Act during the
7 immediately preceding school year.

8 (b) The distribution of these portions of supplemental
9 and general State aid among attendance centers according to
10 these requirements shall not be compensated for or
11 contravened by adjustments of the total of other funds
12 appropriated to any attendance centers, and the Board of
13 Education shall utilize funding from one or several sources
14 in order to fully implement this provision annually prior
15 to the opening of school.

16 (c) Each attendance center shall be provided by the
17 school district a distribution of noncategorical funds and
18 other categorical funds to which an attendance center is
19 entitled under law in order that the general State aid and
20 supplemental general State aid provided by application of
21 this subsection supplements rather than supplants the
22 noncategorical funds and other categorical funds provided
23 by the school district to the attendance centers.

24 (d) Any funds made available under this subsection that
25 by reason of the provisions of this subsection are not
26 required to be allocated and provided to attendance centers

1 may be used and appropriated by the board of the district
2 for any lawful school purpose.

3 (e) Funds received by an attendance center pursuant to
4 this subsection shall be used by the attendance center at
5 the discretion of the principal and local school council
6 for programs to improve educational opportunities at
7 qualifying schools through the following programs and
8 services: early childhood education, reduced class size or
9 improved adult to student classroom ratio, enrichment
10 programs, remedial assistance, attendance improvement, and
11 other educationally beneficial expenditures which
12 supplement the regular and basic programs as determined by
13 the State Board of Education. Funds provided shall not be
14 expended for any political or lobbying purposes as defined
15 by board rule.

16 (f) Each district subject to the provisions of this
17 subdivision (H) (4) shall submit an acceptable plan to meet
18 the educational needs of disadvantaged children, in
19 compliance with the requirements of this paragraph, to the
20 State Board of Education prior to July 15 of each year.
21 This plan shall be consistent with the decisions of local
22 school councils concerning the school expenditure plans
23 developed in accordance with part 4 of Section 34-2.3. The
24 State Board shall approve or reject the plan within 60 days
25 after its submission. If the plan is rejected, the district
26 shall give written notice of intent to modify the plan

1 within 15 days of the notification of rejection and then
2 submit a modified plan within 30 days after the date of the
3 written notice of intent to modify. Districts may amend
4 approved plans pursuant to rules promulgated by the State
5 Board of Education.

6 Upon notification by the State Board of Education that
7 the district has not submitted a plan prior to July 15 or a
8 modified plan within the time period specified herein, the
9 State aid funds affected by that plan or modified plan
10 shall be withheld by the State Board of Education until a
11 plan or modified plan is submitted.

12 If the district fails to distribute State aid to
13 attendance centers in accordance with an approved plan, the
14 plan for the following year shall allocate funds, in
15 addition to the funds otherwise required by this
16 subsection, to those attendance centers which were
17 underfunded during the previous year in amounts equal to
18 such underfunding.

19 For purposes of determining compliance with this
20 subsection in relation to the requirements of attendance
21 center funding, each district subject to the provisions of
22 this subsection shall submit as a separate document by
23 December 1 of each year a report of expenditure data for
24 the prior year in addition to any modification of its
25 current plan. If it is determined that there has been a
26 failure to comply with the expenditure provisions of this

1 subsection regarding contravention or supplanting, the
2 State Superintendent of Education shall, within 60 days of
3 receipt of the report, notify the district and any affected
4 local school council. The district shall within 45 days of
5 receipt of that notification inform the State
6 Superintendent of Education of the remedial or corrective
7 action to be taken, whether by amendment of the current
8 plan, if feasible, or by adjustment in the plan for the
9 following year. Failure to provide the expenditure report
10 or the notification of remedial or corrective action in a
11 timely manner shall result in a withholding of the affected
12 funds.

13 The State Board of Education shall promulgate rules and
14 regulations to implement the provisions of this
15 subsection. No funds shall be released under this
16 subdivision (H) (4) to any district that has not submitted a
17 plan that has been approved by the State Board of
18 Education.

19 (I) (Blank).

20 (J) Supplementary Grants in Aid.

21 (1) Notwithstanding any other provisions of this Section,
22 the amount of the aggregate general State aid in combination
23 with supplemental general State aid under this Section for
24 which each school district is eligible shall be no less than

1 the amount of the aggregate general State aid entitlement that
2 was received by the district under Section 18-8 (exclusive of
3 amounts received under subsections 5(p) and 5(p-5) of that
4 Section) for the 1997-98 school year, pursuant to the
5 provisions of that Section as it was then in effect. If a
6 school district qualifies to receive a supplementary payment
7 made under this subsection (J), the amount of the aggregate
8 general State aid in combination with supplemental general
9 State aid under this Section which that district is eligible to
10 receive for each school year shall be no less than the amount
11 of the aggregate general State aid entitlement that was
12 received by the district under Section 18-8 (exclusive of
13 amounts received under subsections 5(p) and 5(p-5) of that
14 Section) for the 1997-1998 school year, pursuant to the
15 provisions of that Section as it was then in effect.

16 (2) If, as provided in paragraph (1) of this subsection
17 (J), a school district is to receive aggregate general State
18 aid in combination with supplemental general State aid under
19 this Section for the 1998-99 school year and any subsequent
20 school year that in any such school year is less than the
21 amount of the aggregate general State aid entitlement that the
22 district received for the 1997-98 school year, the school
23 district shall also receive, from a separate appropriation made
24 for purposes of this subsection (J), a supplementary payment
25 that is equal to the amount of the difference in the aggregate
26 State aid figures as described in paragraph (1).

1 (3) (Blank).

2 (K) Grants to Laboratory and Alternative Schools.

3 In calculating the amount to be paid to the governing board
4 of a public university that operates a laboratory school under
5 this Section or to any alternative school that is operated by a
6 regional superintendent of schools, the State Board of
7 Education shall require by rule such reporting requirements as
8 it deems necessary.

9 As used in this Section, "laboratory school" means a public
10 school which is created and operated by a public university and
11 approved by the State Board of Education. The governing board
12 of a public university which receives funds from the State
13 Board under this subsection (K) may not increase the number of
14 students enrolled in its laboratory school from a single
15 district, if that district is already sending 50 or more
16 students, except under a mutual agreement between the school
17 board of a student's district of residence and the university
18 which operates the laboratory school. A laboratory school may
19 not have more than 1,000 students, excluding students with
20 disabilities in a special education program.

21 As used in this Section, "alternative school" means a
22 public school which is created and operated by a Regional
23 Superintendent of Schools and approved by the State Board of
24 Education. Such alternative schools may offer courses of
25 instruction for which credit is given in regular school

1 programs, courses to prepare students for the high school
2 equivalency testing program or vocational and occupational
3 training. A regional superintendent of schools may contract
4 with a school district or a public community college district
5 to operate an alternative school. An alternative school serving
6 more than one educational service region may be established by
7 the regional superintendents of schools of the affected
8 educational service regions. An alternative school serving
9 more than one educational service region may be operated under
10 such terms as the regional superintendents of schools of those
11 educational service regions may agree.

12 Each laboratory and alternative school shall file, on forms
13 provided by the State Superintendent of Education, an annual
14 State aid claim which states the Average Daily Attendance of
15 the school's students by month. The best 3 months' Average
16 Daily Attendance shall be computed for each school. The general
17 State aid entitlement shall be computed by multiplying the
18 applicable Average Daily Attendance by the Foundation Level as
19 determined under this Section.

20 (L) Payments, Additional Grants in Aid and Other Requirements.

21 (1) For a school district operating under the financial
22 supervision of an Authority created under Article 34A, the
23 general State aid otherwise payable to that district under this
24 Section, but not the supplemental general State aid, shall be
25 reduced by an amount equal to the budget for the operations of

1 the Authority as certified by the Authority to the State Board
2 of Education, and an amount equal to such reduction shall be
3 paid to the Authority created for such district for its
4 operating expenses in the manner provided in Section 18-11. The
5 remainder of general State school aid for any such district
6 shall be paid in accordance with Article 34A when that Article
7 provides for a disposition other than that provided by this
8 Article.

9 (2) (Blank).

10 (3) Summer school. Summer school payments shall be made as
11 provided in Section 18-4.3.

12 (M) Education Funding Advisory Board.

13 The Education Funding Advisory Board, hereinafter in this
14 subsection (M) referred to as the "Board", is hereby created.
15 The Board shall consist of 5 members who are appointed by the
16 Governor, by and with the advice and consent of the Senate. The
17 members appointed shall include representatives of education,
18 business, and the general public. One of the members so
19 appointed shall be designated by the Governor at the time the
20 appointment is made as the chairperson of the Board. The
21 initial members of the Board may be appointed any time after
22 the effective date of this amendatory Act of 1997. The regular
23 term of each member of the Board shall be for 4 years from the
24 third Monday of January of the year in which the term of the
25 member's appointment is to commence, except that of the 5

1 initial members appointed to serve on the Board, the member who
2 is appointed as the chairperson shall serve for a term that
3 commences on the date of his or her appointment and expires on
4 the third Monday of January, 2002, and the remaining 4 members,
5 by lots drawn at the first meeting of the Board that is held
6 after all 5 members are appointed, shall determine 2 of their
7 number to serve for terms that commence on the date of their
8 respective appointments and expire on the third Monday of
9 January, 2001, and 2 of their number to serve for terms that
10 commence on the date of their respective appointments and
11 expire on the third Monday of January, 2000. All members
12 appointed to serve on the Board shall serve until their
13 respective successors are appointed and confirmed. Vacancies
14 shall be filled in the same manner as original appointments. If
15 a vacancy in membership occurs at a time when the Senate is not
16 in session, the Governor shall make a temporary appointment
17 until the next meeting of the Senate, when he or she shall
18 appoint, by and with the advice and consent of the Senate, a
19 person to fill that membership for the unexpired term. If the
20 Senate is not in session when the initial appointments are
21 made, those appointments shall be made as in the case of
22 vacancies.

23 The Education Funding Advisory Board shall be deemed
24 established, and the initial members appointed by the Governor
25 to serve as members of the Board shall take office, on the date
26 that the Governor makes his or her appointment of the fifth

1 initial member of the Board, whether those initial members are
2 then serving pursuant to appointment and confirmation or
3 pursuant to temporary appointments that are made by the
4 Governor as in the case of vacancies.

5 The State Board of Education shall provide such staff
6 assistance to the Education Funding Advisory Board as is
7 reasonably required for the proper performance by the Board of
8 its responsibilities.

9 For school years after the 2000-2001 school year, the
10 Education Funding Advisory Board, in consultation with the
11 State Board of Education, shall make recommendations as
12 provided in this subsection (M) to the General Assembly for the
13 foundation level under subdivision (B)(3) of this Section and
14 for the supplemental general State aid grant level under
15 subsection (H) of this Section for districts with high
16 concentrations of children from poverty. The recommended
17 foundation level shall be determined based on a methodology
18 which incorporates the basic education expenditures of
19 low-spending schools exhibiting high academic performance. The
20 Education Funding Advisory Board shall make such
21 recommendations to the General Assembly on January 1 of odd
22 numbered years, beginning January 1, 2001.

23 (N) (Blank).

24 (O) References.

1 (1) References in other laws to the various subdivisions of
2 Section 18-8 as that Section existed before its repeal and
3 replacement by this Section 18-8.05 shall be deemed to refer to
4 the corresponding provisions of this Section 18-8.05, to the
5 extent that those references remain applicable.

6 (2) References in other laws to State Chapter 1 funds shall
7 be deemed to refer to the supplemental general State aid
8 provided under subsection (H) of this Section.

9 (P) Public Act 93-838 and Public Act 93-808 make inconsistent
10 changes to this Section. Under Section 6 of the Statute on
11 Statutes there is an irreconcilable conflict between Public Act
12 93-808 and Public Act 93-838. Public Act 93-838, being the last
13 acted upon, is controlling. The text of Public Act 93-838 is
14 the law regardless of the text of Public Act 93-808.

15 (Source: P.A. 93-21, eff. 7-1-03; 93-715, eff. 7-12-04; 93-808,
16 eff. 7-26-04; 93-838, eff. 7-30-04; 93-875, eff. 8-6-04; 94-69,
17 eff. 7-1-05; 94-438, eff. 8-4-05; 94-835, eff. 6-6-06; 94-1019,
18 eff. 7-10-06; 94-1105, eff. 6-1-07; revised 2-18-07.)

19 (105 ILCS 5/18-17) (from Ch. 122, par. 18-17)

20 Sec. 18-17. The State Board of Education shall provide the
21 loan of secular textbooks listed for use by the State Board of
22 Education free of charge to any student in this State who is
23 enrolled in grades kindergarten through 12 at a public school,
24 ~~or~~ at a school other than a public school which is in

1 compliance with the compulsory attendance laws of this State
2 and Title VI of the Civil Rights Act of 1964 and is recognized
3 by the State Board of Education in accordance with Section
4 2-3.25o of this Code, or at a residential school operated by
5 the Department of Human Services under Section 10 of the
6 Disabled Persons Rehabilitation Act or the Department of
7 Juvenile Justice under Article 2.5 of Chapter III of the
8 Unified Code of Corrections. The foregoing service shall be
9 provided directly to the students at their request or at the
10 request of their parents or guardians.

11 The goal of the loan program shall be to ensure that,
12 insofar as possible, all students have access to textbooks that
13 are no more than 6 years old on average in public schools for
14 the teaching and learning of science, social sciences, physical
15 development and health, and social and emotional learning.

16 Each fiscal year's appropriation for the loan of secular
17 textbooks under this Section shall be designated for use in
18 specific grade levels, in accordance with the following
19 replacement cycle:

20 (1) Grades 9 through 12 in Fiscal Year 2008.

21 (2) Grades kindergarten through 4 in Fiscal Year 2009.

22 (3) Grades 5 through 8 in Fiscal Year 2010.

23 (4) Thereafter, beginning with Fiscal Year 2011, the
24 replacement cycle shall be repeated.

25 Each school district shall maintain an average textbook age
26 of 6 years or less for each grade level served; provided that

1 (i) school districts are not required to meet the average
2 textbook age for a given grade level until the end of the first
3 school year during which replacement is available in accordance
4 with the replacement schedule provided in this Section, and
5 (ii) school districts that make adequate yearly progress under
6 Section 2-3.25a of this Code for each of the 3 preceding school
7 years are exempt from this requirement.

8 The State Board of Education shall adopt appropriate
9 regulations to administer this Section and to facilitate the
10 equitable participation of all students eligible for benefits
11 hereunder, including provisions authorizing the exchange,
12 trade or transfer of loaned secular textbooks between schools
13 or school districts for students enrolled in such schools or
14 districts. The bonding requirements of Sections 28-1 and 28-2
15 of this Code do not apply to the loan of secular textbooks
16 under this Section. After secular textbooks have been on loan
17 under this Section for a period of 5 years or more, such
18 textbooks may be disposed of by school districts in such manner
19 as their respective school boards shall determine following
20 written notification to the State Board of Education and
21 expiration of a reasonable waiting period not to exceed 30
22 days. Loaned textbooks may not be disposed of out-of-State or
23 sold without the prior approval of the State Board of
24 Education.

25 As used in this Section in the context of items eligible to
26 be loaned, "textbook" means any book or book substitute which a

1 pupil uses as a text or text substitute in a particular class
2 or program. It shall include books, reusable workbooks,
3 manuals, whether bound or in loose leaf form, and instructional
4 computer software, intended as a principal source of study
5 material for a given class or group of students. "Textbook"
6 also includes science curriculum materials in a kit format that
7 includes pre-packaged consumable materials if (i) it is shown
8 that the materials serve as a textbook substitute, (ii) the
9 materials are for use by pupils as a principal learning
10 resource, (iii) each component of the materials is integrally
11 necessary to teach the requirements of the intended course,
12 (iv) the kit includes teacher guidance materials, and (v) the
13 purchase of individual consumable materials is not allowed.
14 Software licensing fees are allowed under this Section for
15 licenses of 5 years or greater.

16 The State Board of Education shall, by rule, specify those
17 items included in the definition of "textbook" in this Section
18 that must be included in each school district's calculation of
19 the average textbook age.

20 (Source: P.A. 93-212, eff. 7-18-03; 94-927, eff. 1-1-07.)

21 (105 ILCS 5/21-27)

22 Sec. 21-27. The Illinois Teaching Excellence Program. The
23 Illinois Teaching Excellence Program is hereby established to
24 provide categorical funding for monetary incentives and
25 bonuses for teachers and school counselors who are employed by

1 school districts and who hold a Master Certificate. The State
2 Board of Education shall allocate and distribute to each school
3 district an amount as annually appropriated by the General
4 Assembly from federal funds for the Illinois Teaching
5 Excellence Program. The State Board of Education's annual
6 budget must set out by separate line item the appropriation for
7 the program. Unless otherwise provided by appropriation, each
8 school district's annual allocation shall be the sum of the
9 amounts earned for the following incentives and bonuses:

10 (1) An annual payment of \$3,000 to be paid to (A) each
11 teacher who successfully completes the program leading to
12 and who receives a Master Certificate and is employed as a
13 teacher by a school district and (B) each school counselor
14 who successfully completes the program leading to and who
15 receives a Master Certificate and is employed as a school
16 counselor by a school district. The school district shall
17 distribute this payment to each eligible teacher or school
18 counselor as a single payment or in not more than 3
19 payments.

20 (2) An annual incentive equal to \$1,000 shall be paid
21 to each teacher who holds a Master Certificate, who is
22 employed as a teacher by a school district, and who agrees,
23 in writing, to provide 60 hours of mentoring during that
24 year to classroom teachers. This mentoring may include,
25 either singly or in combination, (i) providing high quality
26 professional development for new and experienced teachers,

1 and (ii) assisting National Board for Professional
2 Teaching Standards (NBPTS) candidates through the NBPTS
3 certification process. The school district shall
4 distribute 50% of each annual incentive payment upon
5 completion of 30 hours of the required mentoring and the
6 remaining 50% of the incentive upon completion of the
7 required 60 hours of mentoring. Credit may not be granted
8 by a school district for mentoring or related services
9 provided during a regular school day or during the total
10 number of days of required service for the school year.

11 (3) An annual incentive equal to \$3,000 shall be paid
12 to each teacher who holds a Master Certificate, who is
13 employed as a teacher by a school district, and who agrees,
14 in writing, to provide 60 hours of mentoring during that
15 year to classroom teachers in schools on academic early
16 warning status or in schools in which 50% or more of the
17 students receive free or reduced price lunches, or both.
18 The school district shall distribute 50% of each annual
19 incentive payment upon completion of 30 hours of the
20 required mentoring and the remaining 50% of the incentive
21 upon completion of the required 60 hours of mentoring.
22 Credit may not be granted by a school district for
23 mentoring or related services provided during a regular
24 school day or during the total number of days of required
25 service for the school year.

26 (4) Subject to appropriation, a one-time incentive

1 equal to the application fee expense for National Board for
2 Professional Teaching Standards certification for a group
3 of 3 or more teachers from the same targeted intervention
4 school, as specified in Section 2-3.25p of this Code, who
5 undertake to achieve Master Certification and an
6 additional one-time incentive of \$1,000 for each teacher
7 when all teachers in the group receive a Master
8 Certificate. Subject to appropriations for this purpose,
9 the State Board of Education may make grants to
10 organizations to provide outreach and support services to
11 assist teachers in receiving a Master Certificate.

12 Each regional superintendent of schools shall provide
13 information about the Master Certificate Program of the
14 National Board for Professional Teaching Standards (NBPTS) and
15 this amendatory Act of the 91st General Assembly to each
16 individual seeking to register or renew a certificate under
17 Section 21-14 of this Code.

18 (Source: P.A. 93-470, eff. 8-8-03; 94-105, eff. 7-1-05; 94-901,
19 eff. 6-22-06.)

20 (105 ILCS 5/21-29 new)

21 Sec. 21-29. The Transition to Teaching Program.

22 (a) As used in this Section, "hard-to-staff school" means
23 an elementary or secondary school that ranks in the upper 20%
24 of schools in this State in the number of teachers who leave
25 their positions. The State Board of Education shall rank

1 schools for this purpose based on student mobility and teacher
2 attrition over a 5-year average.

3 (b) The Transition to Teaching Program is created to
4 encourage and assist mid-career professionals who want to
5 become teachers in hard-to-staff schools.

6 (c) The State Superintendent of Education shall design the
7 process for receiving and evaluating grant proposals in
8 accordance with State and federal appropriations guidelines.
9 Grants may be awarded only to the extent that funding is
10 provided.

11 (d) The State Superintendent of Education shall request
12 proposals from eligible applicants to participate in the
13 program. Each application must do all of the following:

14 (1) Meet the standards for alternative certification
15 as established in Section 21-5b of this Code.

16 (2) Describe the target group of career-changing
17 professionals upon which the applicant will focus in
18 carrying out its program, including a description of the
19 characteristics of the target group that shows how the
20 knowledge and experience of its members are likely to
21 improve their ability to become effective teachers.

22 (3) Describe how the applicant will identify and
23 recruit program participants.

24 (4) Describe how the applicant will ensure that program
25 participants are placed and are teaching in hard-to-staff
26 schools in this State.

1 (5) Describe the teacher support services that program
2 participants will receive throughout at least their first
3 year of teaching.

4 (6) Describe how the applicant will collaborate with
5 other institutions, agencies, or organizations to recruit,
6 train, place, and support program participants, including
7 evidence of the commitment of those institutions,
8 agencies, or organizations to the applicant's program.

9 (e) The State Superintendent of Education must require an
10 evaluation process to measure the progress and effectiveness of
11 the program. This evaluation must include all of the following:

12 (1) The program's goals and objectives.

13 (2) The performance indicators that the applicant will
14 use to measure the program's progress.

15 (3) The outcome measures that will be used to determine
16 the program's effectiveness.

17 (4) An assurance that the applicant will provide the
18 State Board of Education with information the State Board
19 of Education finds necessary to determine the overall
20 effectiveness of the programs.

21 (f) An applicant shall estimate the funds required for the
22 proposed program. All funds provided for a program must be used
23 as authorized in State guidelines.

24 Eligible applicants are encouraged to implement the
25 program using the following components:

26 (1) Recruiting program participants, including

1 informing them of opportunities under the program and
2 putting them in contact with other institutions, agencies,
3 or organizations that will train, place, and support them
4 in the teaching profession.

5 (2) Assisting providers of teacher training to tailor
6 their training to meet the particular needs of
7 professionals who are changing their careers to teaching.

8 (3) Placement activities, including identifying
9 eligible local education agencies with a need for the
10 skills and characteristics of the newly trained program
11 participants and assisting those participants to obtain
12 employment in those school districts.

13 (4) Post-placement support activities for program
14 participants.

15 (g) Each participant who receives a grant from the program
16 to pursue a teacher preparation program must agree to teach in
17 a hard-to-staff school in this State for at least 3 years after
18 certification. To be eligible, a school must be a hard-to-staff
19 school as defined in this Section.

20 (h) The State Board of Education shall establish conditions
21 under which a participant must repay all or a portion of the
22 training stipend if the participant fails to complete his or
23 her service obligation.

24 (105 ILCS 5/21-30 new)

25 Sec. 21-30. Quality reports on teacher and administrator

1 preparation programs.

2 (a) The State Board of Education, in collaboration with the
3 Board of Higher Education, shall issue an annual report on the
4 quality of Illinois higher educational institutions offering
5 educator preparation programs, subject to approval or review by
6 the Board of Higher Education. The State Board shall prepare
7 the report in collaboration with the Board of Higher Education
8 and the teacher and administrator quality partnership under
9 Section 21-31 of this Code and shall use data collected by the
10 partnership and other educational agencies as the basis for the
11 information contained in the report. The report shall include
12 at least the following information:

13 (1) Identification of best practices in the
14 preparation of teachers and administrators drawn from
15 research conducted by the teacher and administrator
16 quality partnership and other regional and national
17 educational research efforts.

18 (2) A plan for implementing best practices in approved
19 teacher and administrator preparation institutions.

20 (3) The number of graduates of approved teacher
21 preparation institutions who graduated with a subject area
22 specialty and teach in grades 7 through 12. The number
23 shall be disaggregated according to the subject areas of
24 mathematics, science, foreign language, special education
25 and related services, and any other subject area determined
26 by the State Board.

1 (4) A plan to be implemented by the teacher preparation
2 programs, subject to approval or review by the Board of
3 Higher Education, for increasing the number of classroom
4 teachers in science, mathematics, special education, and
5 foreign language toward meeting the identified needs for
6 teachers in those subject areas throughout the State, but
7 especially in hard-to-staff schools.

8 (b) The State Board of Education shall submit the report to
9 the Governor, the Speaker and Minority Leader of the House of
10 Representatives, the President and Minority Leader of the
11 Senate, the chairpersons and ranking minority members of the
12 standing committees of the House of Representatives and the
13 Senate that consider education legislation, and the Board of
14 Higher Education.

15 (105 ILCS 5/21-31 new)

16 Sec. 21-31. Teacher and administrator quality partnership;
17 duties. The teacher and administrator quality partnership, a
18 consortium of teacher and administrator preparation programs
19 that are subject to approval or review by the Board of Higher
20 Education shall study the relationship of teacher and
21 administrator performance on educator licensure assessments,
22 teacher effectiveness in the classroom, and administrator
23 effectiveness in the school district or school building, as
24 applicable. Not later than September 1, 2008, the partnership
25 shall begin submitting annual data reports, along with any

1 other data on teacher and administrator effectiveness , the
2 partnership determines appropriate to the Governor, the
3 Speaker and Minority Leader of the House of Representatives,
4 the President and Minority Leader of the Senate, the
5 chairpersons and ranking minority members of the standing
6 committees of the House of Representatives and the Senate that
7 consider education legislation, the State Superintendent of
8 Education, the State Board of Education, and the Board of
9 Higher Education.

10 (105 ILCS 5/21A-3 new)

11 Sec. 21A-3. Goals. The New Teacher Induction and Mentoring
12 Program under this Article shall accomplish the following
13 goals:

14 (1) provide an effective transition into the teaching
15 career for first year and second-year teachers in Illinois;

16 (2) improve the educational performance of pupils
17 through improved training, information, and assistance for
18 new teachers;

19 (3) ensure professional success and retention of new
20 teachers;

21 (4) ensure that mentors provide intensive
22 individualized support and assistance to each
23 participating beginning teacher;

24 (5) ensure that an individual induction plan is in
25 place for each beginning teacher and is based on an ongoing

1 assessment of the development of the beginning teacher; and
2 (6) ensure continuous program improvement through
3 ongoing research, development and evaluation.

4 (105 ILCS 5/21A-5)

5 Sec. 21A-5. Definitions. In this Article:

6 "New teacher" or "beginning teacher" means the holder of an
7 Initial Teaching Certificate, as set forth in Section 21-2 of
8 this Code, who is employed by a public school and who has not
9 previously participated in a new teacher induction and
10 mentoring program required by this Article, except as provided
11 in Section 21A-25 of this Code.

12 "Public school" means any school operating pursuant to the
13 authority of this Code, including without limitation a school
14 district, a charter school, a cooperative or joint agreement
15 with a governing body or board of control, and a school
16 operated by a regional office of education or State agency.

17 (Source: P.A. 93-355, eff. 1-1-04.)

18 (105 ILCS 5/21A-10)

19 Sec. 21A-10. Development of program required. Prior to the
20 2010-2011 ~~During the 2003-2004~~ school year, each public school
21 or 2 or more public schools acting jointly shall develop, in
22 conjunction with its exclusive representative or their
23 exclusive representatives, if any, a new teacher induction and
24 mentoring program that meets the requirements set forth in

1 Section 21A-20 of this Code to assist new teachers in
2 developing the skills and strategies necessary for
3 instructional excellence, ~~provided that funding is made~~
4 ~~available by the State Board of Education from an appropriation~~
5 ~~made for this purpose. A public school that has an existing~~
6 ~~induction and mentoring program that does not meet the~~
7 ~~requirements set forth in Section 21A-20 of this Code may have~~
8 ~~school years 2003-2004 and 2004-2005 to develop a program that~~
9 ~~does meet those requirements and may receive funding as~~
10 ~~described in Section 21A-25 of this Code, provided that the~~
11 ~~funding is made available by the State Board of Education from~~
12 ~~an appropriation made for this purpose. A public school with~~
13 ~~such an existing induction and mentoring program may receive~~
14 ~~funding for the 2005-2006 school year for each new teacher in~~
15 ~~the second year of a 2 year program that does not meet the~~
16 ~~requirements set forth in Section 21A-20, as long as the public~~
17 ~~school has established the required new program by the~~
18 ~~beginning of that school year as described in Section 21A-15~~
19 ~~and provided that funding is made available by the State Board~~
20 ~~of Education from an appropriation made for this purpose as~~
21 ~~described in Section 21A-25.~~

22 (Source: P.A. 93-355, eff. 1-1-04.)

23 (105 ILCS 5/21A-15)

24 Sec. 21A-15. When program is to be established and
25 implemented. Notwithstanding any other provisions of this

1 Code, by the beginning of the 2010-2011 ~~2004-2005~~ school year
2 ~~(or by the beginning of the 2005-2006 school year for a public~~
3 ~~school that has been given an extension of time to develop a~~
4 ~~program under Section 21A-10 of this Code),~~ each public school
5 or 2 or more public schools acting jointly shall establish and
6 implement, in conjunction with its exclusive representative or
7 their exclusive representatives, if any, the new teacher
8 induction and mentoring program required to be developed under
9 Section 21A-10 of this Code, ~~provided that funding is made~~
10 ~~available by the State Board of Education, from an~~
11 ~~appropriation made for this purpose, as described in Section~~
12 ~~21A-25 of this Code.~~ A public school may contract with an
13 institution of higher education or other independent party to
14 assist in implementing the program.

15 (Source: P.A. 93-355, eff. 1-1-04.)

16 (105 ILCS 5/21A-20)

17 Sec. 21A-20. Program requirements. Each new teacher
18 induction and mentoring program must be based on a plan that at
19 least does all of the following:

20 (1) Assigns a mentor teacher to each new teacher to
21 provide structures and intensive mentoring for a period of
22 at least 2 school years.

23 (1.5) Ensures mentors are:

24 (A) carefully selected from experienced, exemplary
25 teachers using a clearly articulated, well-defined,

1 explicit criteria and open processes that may involve
2 key school partners;

3 (B) rigorously trained using best practices in the
4 field to ensure they are well prepared to assume their
5 responsibilities and are consistently supported in
6 their efforts to assist beginning teachers;

7 (C) provided with sufficient release time from
8 teaching to allow them to meet their responsibilities
9 as mentors, including regular contacts with their
10 beginning teachers and frequent observations of their
11 teaching practice; and

12 (D) equipped and selected to provide
13 classroom-focused and content-focused support whenever
14 possible.

15 (2) Aligns with the Illinois Professional Teaching
16 Standards, content area standards, and applicable local
17 school improvement and professional development plans, if
18 any.

19 (3) (Blank). ~~Addresses all of the following elements~~
20 ~~and how they will be provided:~~

21 ~~(A) Mentoring and support of the new teacher.~~

22 ~~(B) Professional development specifically designed~~
23 ~~to ensure the growth of the new teacher's knowledge and~~
24 ~~skills.~~

25 ~~(C) Formative assessment designed to ensure~~
26 ~~feedback and reflection, which must not be used in any~~

1 ~~evaluation of the new teacher.~~

2 (4) Describes the role of mentor teachers, the criteria
3 and process for their selection, and how they will be
4 trained, provided that each mentor teacher shall
5 demonstrate the best practices in teaching his or her
6 respective field of practice. A mentor teacher may not
7 directly or indirectly participate in the evaluation of a
8 new teacher pursuant to Article 24A of this Code or the
9 evaluation procedure of the public school, unless the
10 school district and exclusive bargaining representative of
11 its teachers negotiate and agree to it as part of an
12 alternative evaluation plan under Section 24A-5 24A-8 of
13 this Code.

14 (5) Provides ongoing professional development for both
15 beginning teachers and mentors.

16 (A) Beginning teachers shall participate in an
17 ongoing, formal network of novice colleagues for the
18 purpose of professional learning, problem-solving, and
19 mutual support. These regular learning opportunities
20 shall begin with an orientation to the induction and
21 mentoring program prior to the start of the school year
22 and continue throughout the academic year. The group
23 shall address issues of pedagogy, classroom management
24 and content knowledge, beginning teachers' assessed
25 needs, and local instructional needs or priorities.

26 (B) Mentors shall participate in an ongoing

1 professional learning community that supports their
2 practice and their use of mentoring tools, protocols,
3 and formative assessment in order to tailor and deepen
4 mentoring skills and advance induction practices,
5 support program implementation, provide for mentor
6 accountability in a supportive environment, and
7 provide support to each mentor's emerging leadership.

8 (6) Provides for ongoing assessment of beginning
9 teacher practice. Beginning teachers shall be subject to a
10 system of formative assessment in which the novice and
11 mentor collaboratively collect and analyze multiple
12 sources of data and reflect upon classroom practice in an
13 ongoing process. This assessment system shall be based on
14 the Illinois Professional Teaching Standards (IPTS), the
15 IPTS Continuum of Teacher Development, and evidence of
16 teacher practice, including student work. The assessment
17 information shall be used to determine the scope, focus,
18 and content of professional development activities that
19 are the basis of the beginning teacher's individual
20 learning plan. The program shall provide time to ensure
21 that the quality of the process (such as observations, data
22 collection, and reflective conversations) is not
23 compromised.

24 (7) Identifies clear roles and responsibilities for
25 both administrators and site mentor leaders who are to work
26 collectively to ensure induction practices are integrated

1 into existing professional development initiatives and to
2 secure assignments and establish working conditions for
3 beginning teachers that maximize their chances for
4 success. Administrators and site mentor leaders must have
5 sufficient knowledge and experience to understand the
6 needs of beginning teachers and the role of principals in
7 supporting each component of the program. Site
8 administrators must take time to meet and communicate
9 concerns with beginning teachers and their mentors.

10 (8) Provides for ongoing evaluation of the New Teacher
11 Induction and Mentoring Program pursuant to Section 21A-30
12 of this Code.

13 (Source: P.A. 93-355, eff. 1-1-04.)

14 (105 ILCS 5/21A-25)

15 Sec. 21A-25. Funding. From a separate appropriation made
16 for the purposes of this Article, for each new teacher
17 ~~participating in a new teacher induction and mentoring program~~
18 that meets the requirements set forth in Section 21A-20 of this
19 Code ~~or in an existing program that is in the process of~~
20 ~~transition to a program that meets those requirements,~~ the
21 State Board of Education shall pay the public school \$6,000
22 ~~\$1,200~~ annually for each of 2 school years for the purpose of
23 providing one or more of the following:

24 (1) Mentor teacher compensation.

25 (2) Mentor teacher training and other resources, ~~or~~ new

1 teacher training and other resources, or both.

2 (3) Release time, including costs associated with
3 replacing a mentor teacher or new teacher in his or her
4 regular classroom.

5 (4) Site-based program administration, not to exceed
6 10% of the total program cost.

7 However, if a new teacher, after participating in the new
8 teacher induction and mentoring program for one school year,
9 becomes employed by another public school, the State Board of
10 Education shall pay the teacher's new school \$1,200 for the
11 second school year and the teacher shall continue to be a new
12 teacher as defined in this Article. Each public school shall
13 determine, in conjunction with its exclusive representative,
14 if any, how the \$1,200 per school year for each new teacher
15 shall be used, provided that if a mentor teacher receives
16 additional release time to support a new teacher, the total
17 workload of other teachers regularly employed by the public
18 school shall not increase in any substantial manner. ~~If the~~
19 ~~appropriation is insufficient to cover the \$1,200 per school~~
20 ~~year for each new teacher, public schools are not required to~~
21 ~~develop or implement the program established by this Article.~~
22 ~~In the event of an insufficient appropriation, a public school~~
23 ~~or 2 or more schools acting jointly may submit an application~~
24 ~~for a grant administered by the State Board of Education and~~
25 ~~awarded on a competitive basis to establish a new teacher~~
26 ~~induction and mentoring program that meets the criteria set~~

1 ~~forth in Section 21A-20 of this Code. The State Board of~~
2 ~~Education may retain up to \$1,000,000 of the appropriation for~~
3 ~~new teacher induction and mentoring programs to train mentor~~
4 ~~teachers, administrators, and other personnel, to provide best~~
5 ~~practices information, and to conduct an evaluation of these~~
6 ~~programs' impact and effectiveness.~~

7 (Source: P.A. 93-355, eff. 1-1-04.)

8 (105 ILCS 5/21A-30)

9 Sec. 21A-30. Evaluation of programs. The State Board of
10 Education and the State Teacher Certification Board shall
11 jointly contract with an independent party to conduct a
12 comprehensive evaluation of new teacher induction and
13 mentoring programs established pursuant to this Article. The
14 first report of this evaluation shall be presented to the
15 General Assembly on or before January 1, 2012 ~~2009~~. Subsequent
16 evaluations shall be conducted and reports presented to the
17 General Assembly on or before January 1 of every third year
18 thereafter. Additionally, the State Board of Education shall
19 prepare an annual program report for the General Assembly on or
20 before December 31 each year. It shall summarize local program
21 design, indicate the number of teachers served, and document
22 rates of new teacher attrition and retention.

23 (Source: P.A. 93-355, eff. 1-1-04.)

24 (105 ILCS 5/21A-35)

1 Sec. 21A-35. Rules. The State Board of Education, in
2 consultation with the University of Illinois' Illinois New
3 Teacher Collaborative and the State Teacher Certification
4 Board, shall adopt rules for the implementation of this
5 Article.

6 (Source: P.A. 93-355, eff. 1-1-04.)

7 (105 ILCS 5/24-12) (from Ch. 122, par. 24-12)

8 Sec. 24-12. Removal or dismissal of teachers in contractual
9 continued service. If a teacher in contractual continued
10 service is removed or dismissed as a result of a decision of
11 the board to decrease the number of teachers employed by the
12 board or to discontinue some particular type of teaching
13 service, written notice shall be mailed to the teacher and also
14 given the teacher either by certified mail, return receipt
15 requested or personal delivery with receipt at least 60 days
16 before the end of the school term, together with a statement of
17 honorable dismissal and the reason therefor. Any teacher
18 dismissed as a result of such decrease or discontinuance shall
19 be paid all earned compensation on or before the third business
20 day following the last day of pupil attendance in the regular
21 school term. Whenever the number of honorable dismissal notices
22 based upon economic necessity exceeds 5 or 150% of the average
23 number of teachers honorably dismissed in the preceding 3
24 years, whichever is more, then the board shall also hold a
25 public hearing on the question of the dismissals. Following the

1 hearing and board review, the action to approve any such
2 reduction shall require a majority vote of the board members.
3 Each board shall, in consultation with any exclusive employee
4 representatives, each year establish a list, categorized by
5 positions, showing the length of continuing service of each
6 teacher who is qualified to hold any such positions, unless an
7 alternative method of determining a sequence of dismissal is
8 established as provided for in this Section, in which case a
9 list shall be made in accordance with the alternative method.
10 Copies of the list shall be distributed to the exclusive
11 employee representative on or before February 1 of each year.
12 In all such cases where a teacher in contractual continued
13 service is removed or dismissed as a result of a decision of
14 the board to decrease the number of teachers employed by the
15 board or to discontinue some particular type of teaching
16 service, and in all such cases the board shall first remove or
17 dismiss all teachers who have not entered upon contractual
18 continued service before removing or dismissing any teacher who
19 has entered upon contractual continued service and who is
20 legally qualified to hold a position currently held by a
21 teacher who has not entered upon contractual continued service.
22 As between teachers who have entered upon contractual continued
23 service, the teacher or teachers with the shorter length of
24 continuing service with the district shall be dismissed first
25 unless an alternative method of determining the sequence of
26 dismissal is established in a collective bargaining agreement

1 or contract between the board and a professional faculty
2 members' organization and except that this provision shall not
3 impair the operation of any affirmative action program in the
4 district, regardless of whether it exists by operation of law
5 or is conducted on a voluntary basis by the board. ~~Any teacher~~
6 ~~dismissed as a result of such decrease or discontinuance shall~~
7 ~~be paid all earned compensation on or before the third business~~
8 ~~day following the last day of pupil attendance in the regular~~
9 ~~school term.~~

10 If the board has any vacancies for the following school
11 term or within one calendar year from the beginning of the
12 following school term, the positions thereby becoming
13 available shall be tendered to the teachers so removed or
14 dismissed so far as they are legally qualified to hold such
15 positions; provided, however, that if the number of honorable
16 dismissal notices based on economic necessity exceeds 15% of
17 the number of full time equivalent positions filled by
18 certified employees (excluding principals and administrative
19 personnel) during the preceding school year, then if the board
20 has any vacancies for the following school term or within 2
21 calendar years from the beginning of the following school term,
22 the positions so becoming available shall be tendered to the
23 teachers who were so notified and removed or dismissed whenever
24 they are legally qualified to hold such positions. ~~Each board~~
25 ~~shall, in consultation with any exclusive employee~~
26 ~~representatives, each year establish a list, categorized by~~

1 ~~positions, showing the length of continuing service of each~~
2 ~~teacher who is qualified to hold any such positions, unless an~~
3 ~~alternative method of determining a sequence of dismissal is~~
4 ~~established as provided for in this Section, in which case a~~
5 ~~list shall be made in accordance with the alternative method.~~
6 ~~Copies of the list shall be distributed to the exclusive~~
7 ~~employee representative on or before February 1 of each year.~~
8 ~~Whenever the number of honorable dismissal notices based upon~~
9 ~~economic necessity exceeds 5, or 150% of the average number of~~
10 ~~teachers honorably dismissed in the preceding 3 years,~~
11 ~~whichever is more, then the board also shall hold a public~~
12 ~~hearing on the question of the dismissals. Following the~~
13 ~~hearing and board review the action to approve any such~~
14 ~~reduction shall require a majority vote of the board members.~~

15 If a dismissal or removal is sought for any other reason or
16 cause, including those under Section 10-22.4, the board must
17 first approve a motion containing specific charges by a
18 majority vote of all its members. Written notice of such
19 charges and the teacher's right to request a hearing shall be
20 mailed to the teacher and also given the teacher either by
21 certified mail, return receipt requested, or personal delivery
22 with receipt shall be served upon the teacher within 5 days of
23 the adoption of the motion. Such notice shall contain a bill of
24 particulars. Before setting a hearing on charges stemming from
25 causes that are considered remediable, a board must give the
26 teacher reasonable warning in writing, stating specifically

1 the causes that, if not removed, may result in charges;
2 however, no such written warning shall be required if the
3 causes have been the subject of a remediation plan pursuant to
4 Article 24A of this Code. If in the opinion of the board the
5 interests of the school require it, the board may suspend the
6 teacher pending the hearing, but if acquitted the teacher shall
7 not suffer the loss of any salary or benefits by reason of the
8 suspension if the board's dismissal or removal is not
9 sustained. No hearing upon the charges is required unless the
10 teacher within 10 days after receiving notice requests in
11 writing of the board that a hearing be scheduled, in which case
12 the board shall schedule a hearing on those charges before a
13 disinterested hearing officer on a date no less than 15 nor
14 more than 30 days after the enactment of the motion. The
15 secretary of the school board shall forward a copy of the
16 notice to the State Board of Education. Within 5 business days
17 after receiving this notice of hearing, the State Board of
18 Education shall provide a list of 5 prospective, impartial
19 hearing officers. Each person on the list must (i) be
20 accredited by a national arbitration organization and have had
21 a minimum of 5 years of experience directly related to labor
22 and employment relations matters between educational employers
23 and educational employees or their exclusive bargaining
24 representatives; (ii) not. ~~No one on the list may~~ be a resident
25 of the school district; (iii) have participated within the past
26 2 years in training provided or approved by the State Board of

1 Education for teacher dismissal hearing officers so that he or
2 she is familiar with issues generally involved in evaluative
3 and non-evaluative dismissals; (iv) be available to commence
4 the hearing within 90 days and conclude the hearing within 120
5 days after being selected by the parties as the hearing
6 officer; and (v) issue a decision as to whether the teacher
7 shall be dismissed and give a copy of that decision to both the
8 teacher and the school board within 30 days from the conclusion
9 of the hearing or closure of the record, whichever is later.

10 The Board and the teacher or their legal representatives within
11 3 business days shall alternately strike one name from the list
12 until only one name remains. Unless waived by the teacher, the
13 teacher shall have the right to proceed first with the
14 striking. Within 3 business days of receipt of the first list
15 provided by the State Board of Education, the board and the
16 teacher or their legal representatives shall each have the
17 right to reject all prospective hearing officers named on the
18 first list and to require the State Board of Education to
19 provide a second list of 5 prospective, impartial hearing
20 officers, none of whom were named on the first list. Within 5
21 business days after receiving this request for a second list,
22 the State Board of Education shall provide the second list of 5
23 prospective, impartial hearing officers. The procedure for
24 selecting a hearing officer from the second list shall be the
25 same as the procedure for the first list. In the alternative to
26 selecting a hearing officer from the first or second list

1 received from the State Board of Education or if the State
2 Board of Education cannot provide a list that meets the
3 foregoing requirements, the board and the teacher or their
4 legal representatives may mutually agree to select an impartial
5 hearing officer who is not on a list received from the State
6 Board of Education either by direct appointment by the parties
7 or by using procedures for the appointment of an arbitrator
8 established by the Federal Mediation and Conciliation Service
9 or the American Arbitration Association. The parties shall
10 notify the State Board of Education of their intent to select a
11 hearing officer using an alternative procedure within 3
12 business days of receipt of a list of prospective hearing
13 officers provided by the State Board of Education or receipt of
14 notice from the State Board of Education that it cannot provide
15 a list that meets the foregoing requirements. Any person
16 selected by the parties under this alternative procedure for
17 the selection of a hearing officer must meet the requirements
18 for a hearing officer to appear on ~~shall not be a resident of~~
19 ~~the school district and shall have the same qualifications and~~
20 ~~authority as a hearing officer selected from~~ a list provided by
21 the State Board of Education. The State Board of Education
22 shall promulgate uniform standards and rules of procedure for
23 such hearings. As to prehearing discovery, such rules and
24 regulations shall, at a minimum, allow for written
25 interrogatories, evidence depositions and requests for
26 production of documents. They shall also require each party to

1 provide to the other party, by no later than 45 days prior to
2 the commencement of the hearing: (1) ~~the discovery of~~ names and
3 addresses of persons who may be called as ~~expert~~ witnesses at
4 the hearing, with an indication of which of up to 3 witnesses
5 may be providing the most essential testimony and a detailed
6 summary of the facts or opinion each witness will testify to
7 ~~the omission of any such name to result in a preclusion of the~~
8 ~~testimony of such witness in the absence of a showing of good~~
9 ~~cause and the express permission of the hearing officer; (2)~~
10 (blank) bills of particulars; (3) (blank) written
11 interrogatories; and (4) all other ~~production of~~ relevant
12 documents and other materials, including information
13 maintained electronically, whether or not the party intends to
14 use them at the hearing. Subsequently, if a party discovers
15 additional materials or information that should be provided, he
16 or she shall promptly notify and provide the additional
17 materials to the other party or his or her counsel. If such
18 additional material or information is discovered during the
19 hearing, the hearing officer shall also be notified. If at any
20 time during the course of the hearing it is brought to the
21 attention of the hearing officer that a party has failed to
22 provide information as required by this Section, the hearing
23 officer may order such party to provide the material and
24 information, grant a continuance, exclude such evidence, or
25 enter such other order as it deems just under the
26 circumstances. The per diem allowance for the hearing officer

1 shall be determined and paid by the State Board of Education,
2 provided that the per diem allowance shall be no less than the
3 average per diem rate for Illinois arbitrators reported by the
4 Federal Mediation and Conciliation Service for the prior
5 calendar year. If the board and the teacher or their legal
6 representatives mutually agree to select an impartial hearing
7 officer who is not on a list received from the State Board of
8 Education, they may agree to supplement the per diem allowance
9 paid by the State Board to the hearing officer, at a rate
10 consistent with the hearing officer's published professional
11 fees. The hearing officer shall hold a hearing and render a
12 final decision. The hearing officer shall commence the hearing
13 within 90 days and conclude the hearing within 120 days after
14 being selected by the parties as the hearing officer, provided
15 that these timelines may be modified upon the showing of good
16 cause. Good cause shall mean the illness or otherwise
17 unavoidable emergency of the teacher, district superintendent,
18 their legal representatives, the hearing officer, or an
19 essential witness as indicated in each party's pre-hearing
20 submission. In a dismissal hearing, the hearing officer shall
21 consider and give weight to all of the teacher's evaluations
22 written pursuant to Article 24A of this Code. The teacher has
23 the privilege of being present at the hearing with counsel and
24 of cross-examining witnesses and may offer evidence and
25 witnesses and present defenses to the charges. The hearing
26 officer may issue subpoenas and subpoenas duces tecum requiring

1 the attendance of witnesses and, at the request of the teacher
2 against whom a charge is made or the board, shall issue such
3 subpoenas, but the hearing officer may limit the number of
4 witnesses to be subpoenaed in behalf of the teacher or the
5 board to not more than 10. All testimony at the hearing shall
6 be taken under oath administered by the hearing officer. The
7 hearing officer shall cause a record of the proceedings to be
8 kept and shall employ a competent reporter to take stenographic
9 or stenotype notes of all the testimony. The costs of the
10 reporter's attendance and services at the hearing shall be paid
11 by the State Board of Education. Either party desiring a
12 transcript of the hearing shall pay for the cost thereof. ~~If in~~
13 ~~the opinion of the board the interests of the school require~~
14 ~~it, the board may suspend the teacher pending the hearing, but~~
15 ~~if acquitted the teacher shall not suffer the loss of any~~
16 ~~salary by reason of the suspension.~~

17 ~~Before setting a hearing on charges stemming from causes~~
18 ~~that are considered remediable, a board must give the teacher~~
19 ~~reasonable warning in writing, stating specifically the causes~~
20 ~~which, if not removed, may result in charges; however, no such~~
21 ~~written warning shall be required if the causes have been the~~
22 ~~subject of a remediation plan pursuant to Article 24A. The~~
23 hearing officer shall consider and give weight to all of the
24 teacher's evaluations written pursuant to Article 24A. The
25 hearing officer shall, within 30 days from the conclusion of
26 the hearing or closure of the record, whichever is later, make

1 a decision as to whether or not the teacher shall be dismissed
2 and shall give a copy of the decision to both the teacher and
3 the school board. ~~If the hearing officer fails to render a~~
4 ~~decision within 30 days, the State Board of Education shall~~
5 ~~communicate with the hearing officer to determine the date that~~
6 ~~the parties can reasonably expect to receive the decision. The~~
7 ~~State Board of Education shall provide copies of all such~~
8 ~~communications to the parties. In the event the hearing officer~~
9 ~~fails without good cause to make a decision within the 30 day~~
10 ~~period, the name of such hearing officer shall be struck for a~~
11 ~~period of not more than 24 months from the master list of~~
12 ~~hearing officers maintained by the State Board of Education. If~~
13 a hearing officer fails without good cause, specifically
14 provided in writing to both parties and the State Board of
15 Education, to render a decision within 30 days ~~3 months~~ after
16 the hearing is concluded or the record is closed, whichever is
17 later, the State Board of Education shall provide the parties
18 with a new list of prospective, impartial hearing officers,
19 with the same qualifications provided herein, one of whom shall
20 be selected, as provided in this Section, to rehear the charges
21 heard by the hearing officer who failed to render a decision or
22 to review the record and render a decision. Good cause shall
23 mean the illness or otherwise unavoidable emergency of the
24 hearing officer. The parties may mutually agree to select a
25 hearing officer pursuant to the alternative procedure, as
26 provided in this Section, to rehear the charges heard by the

1 hearing officer who failed to render a decision or to review
2 the record and render a decision. If any ~~the~~ hearing officer
3 fails without good cause, specifically provided in writing to
4 both parties and the State Board of Education, to render a
5 decision within 3 months after the hearing is concluded or the
6 record is closed, whichever is later, the hearing officer shall
7 be removed from the master list of hearing officers maintained
8 by the State Board of Education for not more than 24 months.
9 The State Board of Education may also take such other actions
10 as it deems appropriate, including recovering, reducing, or
11 withholding any fees paid or to be paid to the hearing officer.
12 If any hearing officer repeats such failure, he or she shall be
13 permanently removed from the master list maintained by the
14 State Board of Education and may not be selected by parties
15 through the alternative selection process under this Section.
16 The board shall not lose jurisdiction to discharge a teacher if
17 the hearing officer fails to render a decision within the time
18 specified in this Section. If the decision of the hearing
19 officer is in favor of the teacher, he or she shall order
20 reinstatement to the same or a substantially equivalent
21 position and shall determine the amount for which the board is
22 liable, including, but not limited to, loss of income and
23 benefits. The decision of the hearing officer is final unless
24 reviewed as provided in Section 24-16 of this Act. In the event
25 such review is instituted, any costs of preparing and filing
26 the record of proceedings shall be paid by the board.

1 If a decision of the hearing officer is adjudicated upon
2 review or appeal in favor of the teacher, then the trial court
3 shall order reinstatement and shall determine the amount for
4 which the board is liable including but not limited to loss of
5 income, benefits, and costs incurred therein.

6 Any teacher who is reinstated by any hearing or
7 adjudication brought under this Section shall be assigned by
8 the board to a position substantially similar to the one which
9 that teacher held prior to that teacher's suspension or
10 dismissal.

11 If, by reason of any change in the boundaries of school
12 districts, or by reason of the creation of a new school
13 district, the position held by any teacher having a contractual
14 continued service status is transferred from one board to the
15 control of a new or different board, the contractual continued
16 service status of such teacher is not thereby lost, and such
17 new or different board is subject to this Act with respect to
18 such teacher in the same manner as if such teacher were its
19 employee and had been its employee during the time such teacher
20 was actually employed by the board from whose control the
21 position was transferred.

22 (Source: P.A. 89-618, eff. 8-9-96; 90-224, eff. 7-25-97.)

23 (105 ILCS 5/24A-1) (from Ch. 122, par. 24A-1)

24 Sec. 24A-1. Purpose. The purpose of this Article is to
25 improve the educational services of the elementary and

1 secondary public schools of Illinois by requiring that all
2 certified school district employees be evaluated in a manner
3 that is not arbitrary, capricious, or discriminatory on a
4 periodic basis and that the evaluations result in remedial
5 action being taken when deemed necessary.

6 (Source: P.A. 84-972.)

7 (105 ILCS 5/24A-3) (from Ch. 122, par. 24A-3)

8 Sec. 24A-3. Evaluation training. School ~~Beginning January~~
9 ~~1, 1986, school~~ boards shall require those administrators and
10 other school employees, or -- in school districts having a
11 population exceeding 500,000 -- assistant principals, who
12 evaluate other certified personnel to participate at least once
13 every year ~~2 years~~ in an inservice workshop of at least one day
14 on ~~either school improvement or~~ the evaluation of certified
15 personnel provided or approved by the State Board of Education.

16 (Source: P.A. 86-1477; 87-1076.)

17 (105 ILCS 5/24A-4) (from Ch. 122, par. 24A-4)

18 Sec. 24A-4. Development and submission of evaluation plan.
19 As used in this and the succeeding Sections, "teacher" means
20 any and all school district employees regularly required to be
21 certified under laws relating to the certification of teachers.
22 Each school district shall develop, in cooperation with its
23 teachers or, where applicable, the exclusive bargaining
24 representatives of its teachers, an evaluation plan for all

1 teachers ~~in contractual continued service~~. The district shall, ~~7~~
2 ~~no later than October 1, 1986,~~ submit a copy of its evaluation
3 plan to the State Board of Education, which shall review the
4 plan and make public its comments thereon, and the district
5 shall at the same time provide a copy to the exclusive
6 bargaining representatives. Whenever any substantive change is
7 made in a district's evaluation plan, the new plan shall be
8 submitted to the State Board of Education for review and
9 comment, and the district shall at the same time provide a copy
10 of any such new plan to the exclusive bargaining representative
11 representatives. Any substantive change in a district's
12 evaluation must be developed by the district at least in
13 cooperation with teachers or, where applicable, the exclusive
14 bargaining representative of its teachers.

15 (Source: P.A. 85-1163.)

16 (105 ILCS 5/24A-5) (from Ch. 122, par. 24A-5)

17 Sec. 24A-5. Content of evaluation plans for teachers in
18 contractual continued service. Each school district to which
19 this Article applies shall establish a teacher evaluation plan
20 which ensures that each teacher in contractual continued
21 service is evaluated at least once in the course of every 2
22 school years, ~~beginning with the 1986-87 school year.~~

23 The evaluation plan shall comply with the requirements of
24 this Section and of any rules adopted by the State Board of
25 Education pursuant to this Section.

1 The plan shall include a description of each teacher's
2 duties and responsibilities and of the standards to which that
3 teacher is expected to conform. Beginning with the 2007-2008
4 school year, these standards shall include the Illinois
5 Professional Teaching Standards, provided that in a district
6 subject to a collective bargaining agreement on of the
7 effective date of this amendatory Act of the 95th General
8 Assembly, any changes made by this amendatory Act of the 95th
9 General Assembly shall go into effect in that district only
10 upon expiration of that agreement, unless otherwise agreed to
11 by the district and the exclusive bargaining representative of
12 its teachers.

13 The plan may provide for evaluation of personnel whose
14 positions require administrative certification by independent
15 evaluators not employed by or affiliated with the school
16 district. The results of the school district administrators'
17 evaluations shall be reported to the employing school board,
18 together with such recommendations for remediation as the
19 evaluator or evaluators may deem appropriate.

20 The evaluation ~~Evaluation~~ of teachers whose positions do
21 not require administrative certification shall be conducted by
22 an administrator qualified under Section 24A-3, or -- in school
23 districts having a population exceeding 500,000 -- by either an
24 administrator qualified under Section 24A-3 or an assistant
25 principal under the supervision of an administrator qualified
26 under Section 24A-3, provided that some or all the duties of

1 administrators and assistant principals under this Section may
2 be delegated to other school employees if the school district
3 and exclusive bargaining representative of its teachers
4 negotiate and agree to it as part of an alternative evaluation
5 plan under this Section. The evaluation, and shall include at
6 least the following components:

7 (a) personal observation of the teacher in the
8 classroom ~~(on at least 2 different school days in school~~
9 ~~districts having a population exceeding 500,000)~~ by a
10 district administrator qualified under Section 24A-3, or
11 -- in school districts having a population exceeding
12 500,000 -- by either an administrator qualified under
13 Section 24A-3 or an assistant principal under the
14 supervision of an administrator qualified under Section
15 24A-3, unless the teacher has no classroom duties. A
16 written summary of the observation, in which any
17 deficiencies in performance and recommendations for
18 correction are identified, shall be provided to and
19 discussed with the teacher within 10 school days after the
20 date of the observation, unless an applicable collective
21 bargaining agreement provides to the contrary.

22 (b) consideration of the teacher's attendance,
23 planning, and instructional methods, classroom management,
24 where relevant, and competency in the subject matter
25 taught, where relevant.

26 (c) rating of the teacher's performance as

1 "excellent", "satisfactory" or "unsatisfactory".

2 (d) specification as to the teacher's strengths and
3 weaknesses, with details of specific examples and
4 supporting reasons for the comments made.

5 ~~(e) inclusion of a copy of the evaluation in the~~
6 ~~teacher's personnel file and~~ provision of a copy of the
7 evaluation to the teacher and inclusion of the copy and the
8 teacher's response to it in the teacher's personnel file.

9 (f) within 30 school days after completion of an
10 overall evaluation rating a teacher as "unsatisfactory",
11 development and commencement by the district, or by an
12 administrator qualified under Section 24A-3 or an
13 assistant principal under the supervision of an
14 administrator qualified under Section 24A-3 in school
15 districts having a population exceeding 500,000, the
16 teacher, and the consulting teacher of a remediation plan
17 designed to correct deficiencies cited, provided the
18 deficiencies are deemed remediable. In all school
19 districts the remediation plan for unsatisfactory, tenured
20 teachers shall provide for 90 school days of remediation
21 within the classroom. In all school districts evaluations
22 issued pursuant to this Section shall be issued within 10
23 days after the conclusion of the respective remediation
24 plan. However, the school board or other governing
25 authority of the district shall not lose jurisdiction to
26 discharge a teacher in the event the evaluation is not

1 issued within 10 days after the conclusion of the
2 respective remediation plan.

3 (g) participation in the remediation plan by the
4 teacher rated "unsatisfactory", a district administrator
5 qualified under Section 24A-3 (or -- in a school district
6 having a population exceeding 500,000 -- an administrator
7 qualified under Section 24A-3 or an assistant principal
8 under the supervision of an administrator qualified under
9 Section 24A-3), and a consulting teacher, selected by the
10 participating administrator or by the principal, or -- in
11 school districts having a population exceeding 500,000 --
12 by an administrator qualified under Section 24A-3 or by an
13 assistant principal under the supervision of an
14 administrator qualified under Section 24A-3, of the
15 teacher who was rated "unsatisfactory", which consulting
16 teacher is an educational employee as defined in the
17 Educational Labor Relations Act, has at least 5 years'
18 teaching experience and a reasonable familiarity with the
19 assignment of the teacher being evaluated, and who received
20 an "excellent" rating on his or her most recent evaluation.
21 Where no teachers who meet these criteria are available
22 within the district, the district shall request and the
23 State Board of Education shall supply, to participate in
24 the remediation process, an individual who meets these
25 criteria.

26 In a district having a population of less than 500,000

1 with an exclusive bargaining agent, the bargaining agent
2 may, if it so chooses, supply a roster of qualified
3 teachers from whom the consulting teacher is to be
4 selected. That roster shall, however, contain the names of
5 at least 5 teachers, each of whom meets the criteria for
6 consulting teacher with regard to the teacher being
7 evaluated, or the names of all teachers so qualified if
8 that number is less than 5. In the event of a dispute as to
9 qualification, the State Board shall determine
10 qualification.

11 (h) evaluations and ratings once every 30 school days
12 for the 90 school day remediation period immediately
13 following receipt of a remediation plan provided for under
14 subsections (f) and (g) of this Section; provided that in
15 school districts having a population exceeding 500,000
16 there shall be monthly evaluations and ratings for the
17 first 6 months and quarterly evaluations and ratings for
18 the next 6 months immediately following completion of the
19 remediation program of a teacher for whom a remediation
20 plan has been developed. Each evaluation shall assess the
21 teacher's performance during the time period since the
22 prior evaluation, provided that the last evaluation shall
23 also include an overall evaluation of the teacher's
24 performance during the remediation period. A written copy
25 of the evaluations and ratings, in which any deficiencies
26 in performance and recommendations for correction are

1 identified, shall be provided to and discussed with the
2 teacher within 10 school days of the date of the
3 evaluation, unless an applicable collective bargaining
4 agreement provides to the contrary. These subsequent
5 evaluations shall be conducted by the participating
6 administrator, or -- in school districts having a
7 population exceeding 500,000 -- by either the principal or
8 by an assistant principal under the supervision of an
9 administrator qualified under Section 24A-3. The
10 consulting teacher shall provide advice to the teacher
11 rated "unsatisfactory" on how to improve teaching skills
12 and to successfully complete the remediation plan. The
13 consulting teacher shall participate in developing the
14 remediation plan, but the final decision as to the
15 evaluation shall be done solely by the administrator, or --
16 in school districts having a population exceeding 500,000
17 -- by either the principal or by an assistant principal
18 under the supervision of an administrator qualified under
19 Section 24A-3, unless an applicable collective bargaining
20 agreement provides to the contrary. Teachers in the
21 remediation process in a school district having a
22 population exceeding 500,000 are not subject to the annual
23 evaluations described in paragraphs (a) through (e) of this
24 Section. Evaluations at the conclusion of the remediation
25 process shall be separate and distinct from the required
26 annual evaluations of teachers and shall not be subject to

1 the guidelines and procedures relating to those annual
2 evaluations. The evaluator may but is not required to use
3 the forms provided for the annual evaluation of teachers in
4 the district's evaluation plan.

5 (i) in school districts having a population of less
6 than 500,000, reinstatement to a schedule of biennial
7 evaluation for any teacher who completes the 90 school day
8 remediation plan with a "satisfactory" or better rating,
9 unless the district's plan regularly requires more
10 frequent evaluations; and in school districts having a
11 population exceeding 500,000, reinstatement to a schedule
12 of biennial evaluation for any teacher who completes the 90
13 school day remediation plan with a "satisfactory" or better
14 rating and the one year intensive review schedule as
15 provided in paragraph (h) of this Section with a
16 "satisfactory" or better rating, unless such district's
17 plan regularly requires more frequent evaluations.

18 (j) dismissal in accordance with Section 24-12 or 34-85
19 of The School Code of any teacher who fails to complete any
20 applicable remediation plan with a "satisfactory" or
21 better rating. Districts and teachers subject to dismissal
22 hearings are precluded from compelling the testimony of
23 consulting teachers at such hearings under Section 24-12 or
24 34-85, either as to the rating process or for opinions of
25 performances by teachers under remediation.

26 Notwithstanding paragraphs (a) through (i) of this

1 Section, each school district and the exclusive bargaining
2 representative of its teachers may negotiate and agree to an
3 alternative evaluation plan for its teachers that does not
4 include or modifies one or more of those components. The
5 alternative plan may in part use growth model assessment, peer
6 assistance, and peer review to evaluate teachers, provided that
7 individual teacher data based upon student performance and
8 progress shall be confidential and shall not be a public
9 record. ~~In a district subject to a collective bargaining~~
10 ~~agreement as of the effective date of this amendatory Act of~~
11 ~~1997, any changes made by this amendatory Act to the provisions~~
12 ~~of this Section that are contrary to the express terms and~~
13 ~~provisions of that agreement shall go into effect in that~~
14 ~~district only upon expiration of that agreement. Thereafter,~~
15 ~~collectively bargained evaluation plans shall at a minimum meet~~
16 ~~the standards of this Article. If such a district has an~~
17 ~~evaluation plan, however, whether pursuant to the collective~~
18 ~~bargaining agreement or otherwise, a copy of that plan shall be~~
19 ~~submitted to the State Board of Education for review and~~
20 ~~comment, in accordance with Section 24A-4.~~

21 Nothing in this Section shall be construed as preventing
22 immediate dismissal of a teacher for deficiencies which are
23 deemed irremediable or for actions which are injurious to or
24 endanger the health or person of students in the classroom or
25 school. Failure to strictly comply with the time requirements
26 contained in Section 24A-5 shall not invalidate the results of

1 the remediation plan.

2 (Source: P.A. 89-15, eff. 5-30-95; 90-548, eff. 1-1-98; 90-653,
3 eff. 7-29-98.)

4 (105 ILCS 5/24A-6) (from Ch. 122, par. 24A-6)

5 Sec. 24A-6. Alternative evaluations. The school board of
6 any school district which ~~has not evaluated all of its teachers~~
7 ~~by the end of the 1987-88 school year, or which~~ fails to
8 evaluate such teachers ~~within every 2 school years thereafter,~~
9 as provided for in this Article shall report the names and
10 titles of such employees and the reasons for the failure to
11 evaluate to the State Board of Education. In districts where a
12 collectively bargained plan already exists, that plan shall be
13 used to evaluate the teachers in that district, rather than
14 using the evaluation plan developed by the State Board of
15 Education unless the collectively bargained plan does not meet
16 the requirements of this Article ~~subsections (a) through (d) of~~
17 ~~Section 24A-5~~. In cases where an evaluation instrument is in
18 dispute, the State Board of Education shall postpone its
19 evaluation until the dispute is resolved. Upon receipt of such
20 reports or if otherwise made aware that such evaluations have
21 not been conducted, the State Board of Education shall enter
22 upon the district premises and evaluate the teachers in
23 accordance with an evaluation plan developed by the State Board
24 of Education, which plan shall parallel as closely as possible
25 the requirements of this Article ~~subsections (a) through (d) of~~

1 ~~Section 24A.5~~. The results of the State Board evaluation shall
2 be communicated to the school board, which shall supply a copy
3 to the teacher, place a copy in the teacher's personnel file,
4 and, where necessary, undertake a remediation program as
5 provided for in this Article ~~defined in subsections (f) through~~
6 ~~(j) of Section 24A-5~~.

7 (Source: P.A. 86-201.)

8 (105 ILCS 5/24A-8) (from Ch. 122, par. 24A-8)

9 Sec. 24A-8. Content of evaluation plans for ~~Evaluation of~~
10 teachers not in contractual continued service. Each school
11 district to which this Article applies shall establish a
12 teacher evaluation plan that ensures that each ~~Beginning with~~
13 ~~the 1987-88 school year each~~ teacher not in contractual
14 continued service shall be evaluated at least once each school
15 year; however, this Section does not apply to a school district
16 organized under Article 34 of this Code. The district's
17 evaluation plan and any substantive change in it must be
18 developed by the district at least in cooperation with its
19 teachers or, where applicable, the exclusive bargaining
20 representative of its teachers.

21 The evaluation plan shall comply with the requirements of
22 this Section and of any rules adopted by the State Board of
23 Education pursuant to this Section.

24 The plan shall include a description of each teacher's
25 duties and responsibilities and of the standards to which that

1 teacher is expected to conform. Beginning with the 2007-2008
2 school year, these standards may include the Illinois
3 Professional Teaching Standards, provided that in a district
4 subject to a collective bargaining agreement as of the
5 effective date of this amendatory Act of the 95th General
6 Assembly, any changes made by this amendatory Act of the 95th
7 General Assembly shall go into effect in that district only
8 upon expiration of that agreement, unless otherwise agreed to
9 by the district and the exclusive bargaining representative of
10 its teachers.

11 The evaluation of teachers shall be conducted by an
12 administrator qualified under Section 24A-3 of this Code,
13 provided that some or all the duties of administrators under
14 this Section may be delegated to other school employees if the
15 school district and exclusive bargaining representative of its
16 teachers negotiate and agree to it as part of an alternative
17 plan under this Section. The evaluation shall include at least
18 the following components:

19 (1) Personal observation of the teacher in the
20 classroom on at least 2 different school days by a district
21 administrator qualified under Section 24A-3 of this Code,
22 unless the teacher has no classroom duties. A written
23 summary of the observation, in which any deficiencies in
24 performance and recommendations for correction are
25 identified, shall be provided to and discussed with the
26 teacher within 10 school days after the date of the

1 observation, unless an applicable collective bargaining
2 agreement provides to the contrary.

3 (2) Consideration of the teacher's attendance,
4 planning, and instructional methods, classroom management,
5 where relevant, and competency in the subject matter
6 taught, where relevant.

7 (3) Specification as to the teacher's strengths and
8 weaknesses, with details of specific examples and
9 supporting reasons for the comments made.

10 (4) Provision of a summary of the evaluation to the
11 teacher and inclusion of the summary and the teacher's
12 response to it in the teacher's personnel file.

13 Notwithstanding subdivisions (1) through (4) of this
14 Section, each school district and the exclusive bargaining
15 representative of its teachers may negotiate and agree to an
16 alternative evaluation plan for its teachers that does not
17 include or modifies one or more of the foregoing components.
18 The alternative plan may in part use growth model assessment,
19 peer assistance and peer review to evaluate teachers, provided
20 that individual teacher data based upon student performance and
21 progress shall be confidential and shall not be a public
22 record. Furthermore, an alternative plan may provide that the
23 probationary period for a teacher who participates in the plan
24 shall be 2 consecutive school terms before the teacher shall
25 enter upon contractual continued service under Section 24-11 of
26 this Code.

1 A school district may not dismiss a teacher not in
2 contractual continued service for deficiencies that are deemed
3 correctible without first complying with the district
4 evaluation plan and any applicable collective bargaining
5 agreement between the district and the exclusive
6 representative of its teachers, if any. In the event of any
7 procedural violations of such collective bargaining agreement,
8 such violations may be redressed through the grievance and
9 arbitration procedures of that agreement. Mentor teachers
10 shall not be compelled to testify in such proceedings. In such
11 event, the arbitrator shall have the authority to reinstate the
12 teacher not in contractual continued service, extend the
13 probationary period for an additional year, or award
14 compensatory or other remedies deemed appropriate.

15 Nothing in this Section shall be construed as preventing
16 immediate dismissal of a teacher for deficiencies that are
17 deemed irremediable or for actions that are injurious to or
18 endanger the health or person of students in the classroom or
19 school. Failure to strictly comply with the time requirements
20 contained in this Section shall not invalidate the results of
21 the remediation plan.

22 (Source: P.A. 84-1419.)

23 (105 ILCS 5/24A-15)

24 Sec. 24A-15. Principal evaluations ~~Development and~~
25 ~~submission of evaluation plan for principals.~~

1 (a) The purpose of this Section is to improve the
2 educational services of elementary and secondary public
3 schools in this State by requiring that all principals be
4 evaluated annually and that the evaluations result in remedial
5 action being taken when deemed necessary.

6 ~~Each~~ ~~Beginning with the 2006-2007 school year and each~~
7 ~~school year thereafter, each~~ school district, except for a
8 school district organized under Article 34 of this Code, shall
9 develop ~~establish~~ a principal evaluation plan in accordance
10 with this Section. The district shall submit a copy of its
11 evaluation plan to the State Board of Education, which shall
12 review the plan and make public its comments thereon. Whenever
13 any substantive change is made in a district's evaluation plan,
14 the new plan shall be submitted to the State Board of Education
15 for review and comment. The plan must ensure that each
16 principal is evaluated as follows:

17 (1) For a principal on a single-year contract, the
18 evaluation must take place by February 1 of each year.

19 (2) For a principal on a multi-year contract under
20 Section 10-23.8a of this Code, the evaluation must take
21 place by February 1 of the final year of the contract.

22 Nothing in this Section prohibits a school district from
23 conducting additional evaluations of principals.

24 (b) The evaluation shall include a description of the
25 principal's duties and responsibilities and the standards to
26 which the principal is expected to conform.

1 (c) The evaluation must be performed by the district
2 superintendent, the superintendent's designee, or, in the
3 absence of the superintendent or his or her designee, an
4 individual appointed by the school board who holds a registered
5 Type 75 State administrative certificate. The evaluation must
6 be in writing and must at least do all of the following:

7 (1) Consider the principal's specific duties,
8 responsibilities, management, and competence as a
9 principal.

10 (2) Specify the principal's strengths and weaknesses,
11 with details of specific examples and supporting reasons.

12 (3) Align with the Illinois Professional Standards for
13 School Leaders or research-based district standards.

14 (4) Comply with the requirements of this Section and of
15 any rules adopted by the State Board of Education pursuant
16 to this Section.

17 (5) Rate the principal's performance as "excellent",
18 "satisfactory", or "unsatisfactory".

19 (c-5) Within 30 school days after completion of an overall
20 summative evaluation rating a principal as "unsatisfactory",
21 the district shall develop and commence a remediation plan
22 designed to correct the deficiencies cited.

23 (d) One copy of the evaluation must be included in the
24 principal's personnel file and one copy of the evaluation must
25 be provided to the principal.

26 (e) Failure by a district to evaluate a principal and to

1 provide the principal with a copy of the evaluation at least
2 once during the term of the principal's contract, in accordance
3 with this Section, is evidence that the principal is performing
4 duties and responsibilities in at least a satisfactory manner
5 and shall serve to automatically extend the principal's
6 contract for a period of one year after the contract would
7 otherwise expire, under the same terms and conditions as the
8 prior year's contract. The requirements in this Section are in
9 addition to the right of a school board to reclassify a
10 principal pursuant to Section 10-23.8b of this Code.

11 (f) Nothing in this Section prohibits a school board from
12 ordering lateral transfers of principals to positions of
13 similar rank and salary.

14 (Source: P.A. 94-1039, eff. 7-20-06.)

15 Section 25. The School Construction Law is amended by
16 changing Section 5-35 as follows:

17 (105 ILCS 230/5-35)

18 Sec. 5-35. School construction project grant amounts;
19 permitted use; prohibited use.

20 (a) The product of the district's grant index and the
21 recognized project cost, as determined by the Capital
22 Development Board, for an approved school construction project
23 shall equal the amount of the grant the Capital Development
24 Board shall provide to the eligible district. The grant index

1 shall not be used in cases where the General Assembly and the
2 Governor approve appropriations designated for specifically
3 identified school district construction projects.

4 (b) In each fiscal year in which school construction
5 project grants are awarded, 20% of the total amount awarded
6 statewide shall be awarded to a school district with a
7 population exceeding 500,000, provided such district complies
8 with the provisions of this Article. A portion of the amount
9 awarded to a school district with a population exceeding
10 500,000 shall be allocated for school construction projects
11 that relieve overcrowding at schools within the district. The
12 district shall utilize census tract data and other reliable
13 demographic data and existing school building capacity reports
14 to identify the schools with the greatest overcrowding. When
15 allocating funds for school construction projects that relieve
16 overcrowding under this subsection (b), the district shall give
17 consideration to the following without limitation:

18 (1) a school's existing school building capacity;

19 (2) the population density of the area served by the
20 school; and

21 (3) the extent to which funds would relieve
22 overcrowding.

23 In addition to the uses otherwise authorized by this Law,
24 any school district with a population exceeding 500,000 is
25 authorized to use any or all of the school construction project
26 grants (i) to pay debt service, as defined in the Local

1 Government Debt Reform Act, on bonds, as defined in the Local
2 Government Debt Reform Act, issued to finance one or more
3 school construction projects and (ii) to the extent that any
4 such bond is a lease or other installment or financing contract
5 between the school district and a public building commission
6 that has issued bonds to finance one or more qualifying school
7 construction projects, to make lease payments under the lease.

8 (c) No portion of a school construction project grant
9 awarded by the Capital Development Board shall be used by a
10 school district for any on-going operational costs.

11 (Source: P.A. 90-548, eff. 1-1-98; 91-38, eff. 6-15-99.)

12 (105 ILCS 5/3-6 rep.)

13 (105 ILCS 5/3-6.1 rep.)

14 Section 85. The School Code is amended by repealing
15 Sections 3-6 and 3-6.1.

16 Section 99. Effective date. This Act takes effect upon
17 becoming law."