



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3022

Introduced 2/23/2011, by Rep. Linda Chapa LaVia

SYNOPSIS AS INTRODUCED:

See Index

Amends the School Code. Makes changes concerning the legal adviser of school officers, the teacher supply and demand report, budgets and accounting practices, the new principal mentoring program, reporting on the number of high school students enrolled in courses at a community college, the identification, evaluation, and placement of children with disabilities, State aid claims, and dropouts. Repeals Sections concerning granting and suspending teachers' certificates, visiting charitable institutions, information furnished by regional superintendents, alcohol and substance abuse education and prevention programs, a catalogue of reports, racial reports, the Committee of Cooperative Services, and alternative learning opportunities program funding. Amends the Critical Health Problems and Comprehensive Health Education Act to repeal a Section concerning an advisory committee. Repeals the Chicago Community Schools Study Commission Act.

LRB097 00297 NHT 40315 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Sections
5 2-3.7, 2-3.11c, 2-3.22, 2-3.27, 2-3.53a, 10-21.4, 14-8.02,
6 18-12, 26-2a, and 34-8 as follows:

7 (105 ILCS 5/2-3.7) (from Ch. 122, par. 2-3.7)

8 Sec. 2-3.7. Legal adviser; opinions ~~of school officers~~
9 ~~Opinions~~. To be the legal adviser of regional offices of
10 education ~~school officers~~, and, when requested ~~by any school~~
11 ~~officer~~, to give an opinion in writing upon any question
12 arising under the school laws of the State.

13 (Source: P.A. 81-1508.)

14 (105 ILCS 5/2-3.11c)

15 Sec. 2-3.11c. Teacher supply and demand report. Through
16 January 1, 2009, to report annually, on or before January 1, on
17 the relative supply and demand for education staff of the
18 public schools to the Governor, to the General Assembly, and to
19 institutions of higher education that prepare teachers,
20 administrators, school service personnel, other certificated
21 individuals, and other professionals employed by school
22 districts or joint agreements. After the report due on January

1 1, 2009 is submitted, future reports shall be submitted once
2 every 3 years, with the first report being submitted on or
3 before January 1, 2012 ~~2011~~. The report shall contain the
4 following information:

5 (1) the relative supply and demand for teachers,
6 administrators, and other certificated and
7 non-certificated personnel by field, content area, and
8 levels;

9 (2) State and regional analyses of fields, content
10 areas, and levels with an over-supply or under-supply of
11 educators; and

12 (3) projections of likely high demand and low demand
13 for educators, in a manner sufficient to advise the public,
14 individuals, and institutions regarding career
15 opportunities in education.

16 (Source: P.A. 96-734, eff. 8-25-09.)

17 (105 ILCS 5/2-3.22) (from Ch. 122, par. 2-3.22)

18 Sec. 2-3.22. Withholding school funds or compensation of
19 regional superintendent of schools. To require the State
20 Comptroller to withhold from the regional superintendent of
21 schools the amount due the regional superintendent of schools
22 for his compensation, until the reports, statements, books,
23 vouchers and other records provided for in Sections ~~2-3.17,~~
24 2-3.17a and 3-15.8 have been furnished.

25 (Source: P.A. 88-641, eff. 9-9-94.)

1 (105 ILCS 5/2-3.27) (from Ch. 122, par. 2-3.27)

2 Sec. 2-3.27. Budgets and accounting practices-Forms and
3 procedures.

4 To formulate and approve forms, procedure and regulations
5 for school district accounts and budgets required by this Act
6 reflecting the gross amount of income and expenses, receipts
7 and disbursements and extending a net surplus or deficit on
8 operating items, to advise and assist the officers of any
9 district in respect to budgets and accounting practices and in
10 the formulation and use of such books, records and accounts or
11 other forms as may be required to comply with the provisions of
12 this Act; to ~~publish and~~ keep current information ~~pamphlets or~~
13 ~~manuals in looseleaf form~~ relating to budgetary and accounting
14 procedure or similar topics; to make all rules and regulations
15 as may be necessary to carry into effect the provisions of this
16 Act relating to budgetary procedure and accounting, such rules
17 and regulations to include but not to be limited to the
18 establishment of a decimal classification of accounts; to
19 confer with various district, county and State officials or
20 take such other action as may be reasonably required to carry
21 out the provisions of this Act relating to budgets and
22 accounting.

23 (Source: Laws 1961, p. 31.)

24 (105 ILCS 5/2-3.53a)

1 Sec. 2-3.53a. New principal mentoring program.

2 (a) Beginning on July 1, 2007, and subject to an annual
3 appropriation by the General Assembly, to establish a new
4 principal mentoring program for new principals. Any individual
5 who is first hired as a principal on or after July 1, 2007
6 shall participate in a new principal mentoring program for the
7 duration of his or her first year as a principal and must
8 complete the program in accordance with the requirements
9 established by the State Board of Education by rule or, for a
10 school district created by Article 34 of this Code, in
11 accordance with the provisions of Section 34-18.33 ~~34-18.27~~ of
12 this Code. School districts created by Article 34 are not
13 subject to the requirements of subsection (b), (c), (d), (e),
14 (f), or (g) of this Section. Any individual who is first hired
15 as a principal on or after July 1, 2008 may participate in a
16 second year of mentoring if it is determined by the State
17 Superintendent of Education that sufficient funding exists for
18 such participation. The new principal mentoring program shall
19 match an experienced principal who meets the requirements of
20 subsection (b) of this Section with each new principal in order
21 to assist the new principal in the development of his or her
22 professional growth and to provide guidance.

23 (b) Any individual who has been a principal in Illinois for
24 3 or more years and who has demonstrated success as an
25 instructional leader, as determined by the State Board by rule,
26 is eligible to apply to be a mentor under a new principal

1 mentoring program. Mentors shall complete mentoring training
2 by entities approved by the State Board and meet any other
3 requirements set forth by the State Board and by the school
4 district employing the mentor.

5 (c) The State Board shall certify an entity or entities
6 approved to provide training of mentors.

7 (d) A mentor shall be assigned to a new principal based on
8 (i) similarity of grade level or type of school, (ii) learning
9 needs of the new principal, and (iii) geographical proximity of
10 the mentor to the new principal. The principal, in
11 collaboration with the mentor, shall identify areas for
12 improvement of the new principal's professional growth,
13 including, but not limited to, each of the following:

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

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

17 (3) Building a professional learning community.

18 (4) Observing classroom practices and providing
19 feedback.

20 (5) Facilitating effective meetings.

21 (6) Developing distributive leadership practices.

22 (7) Facilitating organizational change.

23 The mentor shall not be required to provide an evaluation of
24 the new principal on the basis of the mentoring relationship.

25 (e) On or before July 1, 2008 and on or after July 1 of each
26 year thereafter, the State Board shall facilitate a review and

1 evaluate the mentoring training program in collaboration with
2 the approved providers. Each new principal and his or her
3 mentor must complete a verification form developed by the State
4 Board in order to certify their completion of a new principal
5 mentoring program.

6 (f) The requirements of this Section do not apply to any
7 individual who has previously served as an assistant principal
8 in Illinois acting under an administrative certificate for 5 or
9 more years and who is hired, on or after July 1, 2007, as a
10 principal by the school district in which the individual last
11 served as an assistant principal, although such an individual
12 may choose to participate in this program or shall be required
13 to participate by the school district.

14 (g) The State Board may adopt any rules necessary for the
15 implementation of this Section.

16 (h) On an annual basis, the State Superintendent of
17 Education shall determine whether appropriations are likely to
18 be sufficient to require operation of the mentoring program for
19 the coming year. In doing so, the State Superintendent of
20 Education shall first determine whether it is likely that funds
21 will be sufficient to require operation of the mentoring
22 program for individuals in their first year as principal and
23 shall then determine whether it is likely that funds will be
24 sufficient to require operation of the mentoring program for
25 individuals in their second year as principal.

26 (Source: P.A. 96-373, eff. 8-13-09.)

1 (105 ILCS 5/10-21.4) (from Ch. 122, par. 10-21.4)

2 Sec. 10-21.4. Superintendent - Duties. Except in districts
3 in which there is only one school with less than four teachers,
4 to employ a superintendent who shall have charge of the
5 administration of the schools under the direction of the board
6 of education. In addition to the administrative duties, the
7 superintendent shall make recommendations to the board
8 concerning the budget, building plans, the locations of sites,
9 the selection, retention and dismissal of teachers and all
10 other employees, the selection of textbooks, instructional
11 material and courses of study. However, in districts under a
12 Financial Oversight Panel pursuant to Section 1A-8 for
13 violating a financial plan, the duties and responsibilities of
14 the superintendent in relation to the financial and business
15 operations of the district shall be approved by the Panel. In
16 the event the Board refuses or fails to follow a directive or
17 comply with an information request of the Panel, the
18 performance of those duties shall be subject to the direction
19 of the Panel. The superintendent shall also notify the State
20 Board of Education, the board and the chief administrative
21 official, other than the alleged perpetrator himself, in the
22 school where the alleged perpetrator serves, that any person
23 who is employed in a school or otherwise comes into frequent
24 contact with children in the school has been named as a
25 perpetrator in an indicated report filed pursuant to the Abused

1 and Neglected Child Reporting Act, approved June 26, 1975, as
2 amended. The superintendent shall keep or cause to be kept the
3 records and accounts as directed and required by the board, aid
4 in making reports required by the board, and perform such other
5 duties as the board may delegate to him.

6 In addition, each year at a time designated by the State
7 Superintendent of Education ~~in January of each year~~, each
8 superintendent shall report to the State Board of Education the
9 number of high school students in the district who are enrolled
10 in accredited courses (for which high school credit will be
11 awarded upon successful completion of the courses) at any
12 community college, together with the name and number of the
13 course or courses which each such student is taking.

14 The provisions of this section shall also apply to board of
15 director districts.

16 Notice of intent not to renew a contract must be given in
17 writing stating the specific reason therefor by April 1 of the
18 contract year unless the contract specifically provides
19 otherwise. Failure to do so will automatically extend the
20 contract for an additional year. Within 10 days after receipt
21 of notice of intent not to renew a contract, the superintendent
22 may request a closed session hearing on the dismissal. At the
23 hearing the superintendent has the privilege of presenting
24 evidence, witnesses and defenses on the grounds for dismissal.
25 The provisions of this paragraph shall not apply to a district
26 under a Financial Oversight Panel pursuant to Section 1A-8 for

1 violating a financial plan.

2 (Source: P.A. 95-496, eff. 8-28-07.)

3 (105 ILCS 5/14-8.02) (from Ch. 122, par. 14-8.02)

4 Sec. 14-8.02. Identification, Evaluation and Placement of
5 Children.

6 (a) The State Board of Education shall make rules under
7 which local school boards shall determine the eligibility of
8 children to receive special education. Such rules shall ensure
9 that a free appropriate public education be available to all
10 children with disabilities as defined in Section 14-1.02. The
11 State Board of Education shall require local school districts
12 to administer non-discriminatory procedures or tests to
13 limited English proficiency students coming from homes in which
14 a language other than English is used to determine their
15 eligibility to receive special education. The placement of low
16 English proficiency students in special education programs and
17 facilities shall be made in accordance with the test results
18 reflecting the student's linguistic, cultural and special
19 education needs. For purposes of determining the eligibility of
20 children the State Board of Education shall include in the
21 rules definitions of "case study", "staff conference",
22 "individualized educational program", and "qualified
23 specialist" appropriate to each category of children with
24 disabilities as defined in this Article. For purposes of
25 determining the eligibility of children from homes in which a

1 language other than English is used, the State Board of
2 Education shall include in the rules definitions for "qualified
3 bilingual specialists" and "linguistically and culturally
4 appropriate individualized educational programs". For purposes
5 of this Section, as well as Sections 14-8.02a, 14-8.02b, and
6 14-8.02c of this Code, "parent" means a parent as defined in
7 the federal Individuals with Disabilities Education Act (20
8 U.S.C. 1401(23)).

9 (b) No child shall be eligible for special education
10 facilities except with a carefully completed case study fully
11 reviewed by professional personnel in a multidisciplinary
12 staff conference and only upon the recommendation of qualified
13 specialists or a qualified bilingual specialist, if available.
14 At the conclusion of the multidisciplinary staff conference,
15 the parent of the child shall be given a copy of the
16 multidisciplinary conference summary report and
17 recommendations, which includes options considered, and be
18 informed of their right to obtain an independent educational
19 evaluation if they disagree with the evaluation findings
20 conducted or obtained by the school district. If the school
21 district's evaluation is shown to be inappropriate, the school
22 district shall reimburse the parent for the cost of the
23 independent evaluation. The State Board of Education shall,
24 with advice from the State Advisory Council on Education of
25 Children with Disabilities on the inclusion of specific
26 independent educational evaluators, prepare a list of

1 suggested independent educational evaluators. The State Board
2 of Education shall include on the list clinical psychologists
3 licensed pursuant to the Clinical Psychologist Licensing Act.
4 Such psychologists shall not be paid fees in excess of the
5 amount that would be received by a school psychologist for
6 performing the same services. The State Board of Education
7 shall supply school districts with such list and make the list
8 available to parents at their request. School districts shall
9 make the list available to parents at the time they are
10 informed of their right to obtain an independent educational
11 evaluation. However, the school district may initiate an
12 impartial due process hearing under this Section within 5 days
13 of any written parent request for an independent educational
14 evaluation to show that its evaluation is appropriate. If the
15 final decision is that the evaluation is appropriate, the
16 parent still has a right to an independent educational
17 evaluation, but not at public expense. An independent
18 educational evaluation at public expense must be completed
19 within 30 days of a parent written request unless the school
20 district initiates an impartial due process hearing or the
21 parent or school district offers reasonable grounds to show
22 that such 30 day time period should be extended. If the due
23 process hearing decision indicates that the parent is entitled
24 to an independent educational evaluation, it must be completed
25 within 30 days of the decision unless the parent or the school
26 district offers reasonable grounds to show that such 30 day

1 period should be extended. If a parent disagrees with the
2 summary report or recommendations of the multidisciplinary
3 conference or the findings of any educational evaluation which
4 results therefrom, the school district shall not proceed with a
5 placement based upon such evaluation and the child shall remain
6 in his or her regular classroom setting. ~~No child shall be~~
7 ~~eligible for admission to a special class for the educable~~
8 ~~mentally disabled or for the trainable mentally disabled except~~
9 ~~with a psychological evaluation and recommendation by a school~~
10 ~~psychologist.~~ Consent shall be obtained from the parent of a
11 child before any evaluation is conducted. If consent is not
12 given by the parent or if the parent disagrees with the
13 findings of the evaluation, then the school district may
14 initiate an impartial due process hearing under this Section.
15 The school district may evaluate the child if that is the
16 decision resulting from the impartial due process hearing and
17 the decision is not appealed or if the decision is affirmed on
18 appeal. The determination of eligibility shall be made and the
19 IEP meeting shall be completed within 60 school days from the
20 date of written parental consent. In those instances when
21 written parental consent is obtained with fewer than 60 pupil
22 attendance days left in the school year, the eligibility
23 determination shall be made and the IEP meeting shall be
24 completed prior to the first day of the following school year.
25 ~~After a child has been determined to be eligible for a special~~
26 ~~education class, such child must be placed in the appropriate~~

1 ~~program pursuant to the individualized educational program by~~
2 ~~or no later than the beginning of the next school semester.~~ The
3 appropriate program pursuant to the individualized educational
4 program of students whose native tongue is a language other
5 than English shall reflect the special education, cultural and
6 linguistic needs. No later than September 1, 1993, the State
7 Board of Education shall establish standards for the
8 development, implementation and monitoring of appropriate
9 bilingual special individualized educational programs. The
10 State Board of Education shall further incorporate appropriate
11 monitoring procedures to verify implementation of these
12 standards. The district shall indicate to the parent and the
13 State Board of Education the nature of the services the child
14 will receive for the regular school term while waiting
15 placement in the appropriate special education class.

16 If the child is deaf, hard of hearing, blind, or visually
17 impaired and he or she might be eligible to receive services
18 from the Illinois School for the Deaf or the Illinois School
19 for the Visually Impaired, the school district shall notify the
20 parents, in writing, of the existence of these schools and the
21 services they provide and shall make a reasonable effort to
22 inform the parents of the existence of other, local schools
23 that provide similar services and the services that these other
24 schools provide. This notification shall include without
25 limitation information on school services, school admissions
26 criteria, and school contact information.

1 In the development of the individualized education program
2 for a student who has a disability on the autism spectrum
3 (which includes autistic disorder, Asperger's disorder,
4 pervasive developmental disorder not otherwise specified,
5 childhood disintegrative disorder, and Rett Syndrome, as
6 defined in the Diagnostic and Statistical Manual of Mental
7 Disorders, fourth edition (DSM-IV, 2000)), the IEP team shall
8 consider all of the following factors:

9 (1) The verbal and nonverbal communication needs of the
10 child.

11 (2) The need to develop social interaction skills and
12 proficiencies.

13 (3) The needs resulting from the child's unusual
14 responses to sensory experiences.

15 (4) The needs resulting from resistance to
16 environmental change or change in daily routines.

17 (5) The needs resulting from engagement in repetitive
18 activities and stereotyped movements.

19 (6) The need for any positive behavioral
20 interventions, strategies, and supports to address any
21 behavioral difficulties resulting from autism spectrum
22 disorder.

23 (7) Other needs resulting from the child's disability
24 that impact progress in the general curriculum, including
25 social and emotional development.

26 Public Act 95-257 does not create any new entitlement to a

1 service, program, or benefit, but must not affect any
2 entitlement to a service, program, or benefit created by any
3 other law.

4 If the student may be eligible to participate in the
5 Home-Based Support Services Program for Mentally Disabled
6 Adults authorized under the Developmental Disability and
7 Mental Disability Services Act upon becoming an adult, the
8 student's individualized education program shall include plans
9 for (i) determining the student's eligibility for those
10 home-based services, (ii) enrolling the student in the program
11 of home-based services, and (iii) developing a plan for the
12 student's most effective use of the home-based services after
13 the student becomes an adult and no longer receives special
14 educational services under this Article. The plans developed
15 under this paragraph shall include specific actions to be taken
16 by specified individuals, agencies, or officials.

17 (c) In the development of the individualized education
18 program for a student who is functionally blind, it shall be
19 presumed that proficiency in Braille reading and writing is
20 essential for the student's satisfactory educational progress.
21 For purposes of this subsection, the State Board of Education
22 shall determine the criteria for a student to be classified as
23 functionally blind. Students who are not currently identified
24 as functionally blind who are also entitled to Braille
25 instruction include: (i) those whose vision loss is so severe
26 that they are unable to read and write at a level comparable to

1 their peers solely through the use of vision, and (ii) those
2 who show evidence of progressive vision loss that may result in
3 functional blindness. Each student who is functionally blind
4 shall be entitled to Braille reading and writing instruction
5 that is sufficient to enable the student to communicate with
6 the same level of proficiency as other students of comparable
7 ability. Instruction should be provided to the extent that the
8 student is physically and cognitively able to use Braille.
9 Braille instruction may be used in combination with other
10 special education services appropriate to the student's
11 educational needs. The assessment of each student who is
12 functionally blind for the purpose of developing the student's
13 individualized education program shall include documentation
14 of the student's strengths and weaknesses in Braille skills.
15 Each person assisting in the development of the individualized
16 education program for a student who is functionally blind shall
17 receive information describing the benefits of Braille
18 instruction. The individualized education program for each
19 student who is functionally blind shall specify the appropriate
20 learning medium or media based on the assessment report.

21 (d) To the maximum extent appropriate, the placement shall
22 provide the child with the opportunity to be educated with
23 children who are not disabled; provided that children with
24 disabilities who are recommended to be placed into regular
25 education classrooms are provided with supplementary services
26 to assist the children with disabilities to benefit from the

1 regular classroom instruction and are included on the teacher's
2 regular education class register. Subject to the limitation of
3 the preceding sentence, placement in special classes, separate
4 schools or other removal of the disabled child from the regular
5 educational environment shall occur only when the nature of the
6 severity of the disability is such that education in the
7 regular classes with the use of supplementary aids and services
8 cannot be achieved satisfactorily. The placement of limited
9 English proficiency students with disabilities shall be in
10 non-restrictive environments which provide for integration
11 with non-disabled peers in bilingual classrooms. Annually,
12 each January, school districts shall report data on students
13 from non-English speaking backgrounds receiving special
14 education and related services in public and private facilities
15 as prescribed in Section 2-3.30. If there is a disagreement
16 between parties involved regarding the special education
17 placement of any child, either in-state or out-of-state, the
18 placement is subject to impartial due process procedures
19 described in Article 10 of the Rules and Regulations to Govern
20 the Administration and Operation of Special Education.

21 (e) No child who comes from a home in which a language
22 other than English is the principal language used may be
23 assigned to any class or program under this Article until he
24 has been given, in the principal language used by the child and
25 used in his home, tests reasonably related to his cultural
26 environment. All testing and evaluation materials and

1 procedures utilized for evaluation and placement shall not be
2 linguistically, racially or culturally discriminatory.

3 (f) Nothing in this Article shall be construed to require
4 any child to undergo any physical examination or medical
5 treatment whose parents object thereto on the grounds that such
6 examination or treatment conflicts with his religious beliefs.

7 (g) School boards or their designee shall provide to the
8 parents of a child prior written notice of any decision (a)
9 proposing to initiate or change, or (b) refusing to initiate or
10 change, the identification, evaluation, or educational
11 placement of the child or the provision of a free appropriate
12 public education to their child, and the reasons therefor. Such
13 written notification shall also inform the parent of the
14 opportunity to present complaints with respect to any matter
15 relating to the educational placement of the student, or the
16 provision of a free appropriate public education and to have an
17 impartial due process hearing on the complaint. The notice
18 shall inform the parents in the parents' native language,
19 unless it is clearly not feasible to do so, of their rights and
20 all procedures available pursuant to this Act and the federal
21 Individuals with Disabilities Education Improvement Act of
22 2004 (Public Law 108-446); it shall be the responsibility of
23 the State Superintendent to develop uniform notices setting
24 forth the procedures available under this Act and the federal
25 Individuals with Disabilities Education Improvement Act of
26 2004 (Public Law 108-446) to be used by all school boards. The

1 notice shall also inform the parents of the availability upon
2 request of a list of free or low-cost legal and other relevant
3 services available locally to assist parents in initiating an
4 impartial due process hearing. Any parent who is deaf, or does
5 not normally communicate using spoken English, who
6 participates in a meeting with a representative of a local
7 educational agency for the purposes of developing an
8 individualized educational program shall be entitled to the
9 services of an interpreter.

10 (g-5) For purposes of this subsection (g-5), "qualified
11 professional" means an individual who holds credentials to
12 evaluate the child in the domain or domains for which an
13 evaluation is sought or an intern working under the direct
14 supervision of a qualified professional, including a master's
15 or doctoral degree candidate.

16 To ensure that a parent can participate fully and
17 effectively with school personnel in the development of
18 appropriate educational and related services for his or her
19 child, the parent, an independent educational evaluator, or a
20 qualified professional retained by or on behalf of a parent or
21 child must be afforded reasonable access to educational
22 facilities, personnel, classrooms, and buildings and to the
23 child as provided in this subsection (g-5). The requirements of
24 this subsection (g-5) apply to any public school facility,
25 building, or program and to any facility, building, or program
26 supported in whole or in part by public funds. Prior to

1 visiting a school, school building, or school facility, the
2 parent, independent educational evaluator, or qualified
3 professional may be required by the school district to inform
4 the building principal or supervisor in writing of the proposed
5 visit, the purpose of the visit, and the approximate duration
6 of the visit. The visitor and the school district shall arrange
7 the visit or visits at times that are mutually agreeable.
8 Visitors shall comply with school safety, security, and
9 visitation policies at all times. School district visitation
10 policies must not conflict with this subsection (g-5). Visitors
11 shall be required to comply with the requirements of applicable
12 privacy laws, including those laws protecting the
13 confidentiality of education records such as the federal Family
14 Educational Rights and Privacy Act and the Illinois School
15 Student Records Act. The visitor shall not disrupt the
16 educational process.

17 (1) A parent must be afforded reasonable access of
18 sufficient duration and scope for the purpose of observing
19 his or her child in the child's current educational
20 placement, services, or program or for the purpose of
21 visiting an educational placement or program proposed for
22 the child.

23 (2) An independent educational evaluator or a
24 qualified professional retained by or on behalf of a parent
25 or child must be afforded reasonable access of sufficient
26 duration and scope for the purpose of conducting an

1 evaluation of the child, the child's performance, the
2 child's current educational program, placement, services,
3 or environment, or any educational program, placement,
4 services, or environment proposed for the child, including
5 interviews of educational personnel, child observations,
6 assessments, tests or assessments of the child's
7 educational program, services, or placement or of any
8 proposed educational program, services, or placement. If
9 one or more interviews of school personnel are part of the
10 evaluation, the interviews must be conducted at a mutually
11 agreed upon time, date, and place that do not interfere
12 with the school employee's school duties. The school
13 district may limit interviews to personnel having
14 information relevant to the child's current educational
15 services, program, or placement or to a proposed
16 educational service, program, or placement.

17 (h) (Blank).

18 (i) (Blank).

19 (j) (Blank).

20 (k) (Blank).

21 (l) (Blank).

22 (m) (Blank).

23 (n) (Blank).

24 (o) (Blank).

25 (Source: P.A. 95-257, eff. 1-1-08; 95-876, eff. 8-21-08;
26 96-657, eff. 8-25-09.)

1 (105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

2 Sec. 18-12. Dates for filing State aid claims. The school
3 board of each school district shall require teachers,
4 principals, or superintendents to furnish from records kept by
5 them such data as it needs in preparing and certifying to the
6 State Superintendent of Education ~~regional superintendent~~ its
7 school district report of claims provided in Sections 18-8.05
8 through 18-9 as required by the State Superintendent of
9 Education. The district claim shall be based on the latest
10 available equalized assessed valuation and tax rates, as
11 provided in Section 18-8.05 and shall use the average daily
12 attendance as determined by the method outlined in Section
13 18-8.05 and shall be certified and filed with the State
14 Superintendent of Education ~~regional superintendent~~ by June 21
15 for districts with an official school calendar end date before
16 June 15 or within 2 weeks following the official school
17 calendar end date for districts with a school year end date of
18 June 15 or later. ~~The regional superintendent shall certify and~~
19 ~~file with the State Superintendent of Education district State~~
20 ~~aid claims by July 1 for districts with an official school~~
21 ~~calendar end date before June 15 or no later than July 15 for~~
22 ~~districts with an official school calendar end date of June 15~~
23 ~~or later.~~ Failure to so file by these deadlines constitutes a
24 forfeiture of the right to receive payment by the State until
25 such claim is filed and vouchered for payment. The ~~regional~~

1 ~~superintendent of schools shall certify the county report of~~
2 ~~claims by July 15; and the~~ State Superintendent of Education
3 shall voucher for payment those claims to the State Comptroller
4 as provided in Section 18-11.

5 Except as otherwise provided in this Section, if any school
6 district fails to provide the minimum school term specified in
7 Section 10-19, the State aid claim for that year shall be
8 reduced by the State Superintendent of Education in an amount
9 equivalent to 1/176 or .56818% for each day less than the
10 number of days required by this Code.

11 If the State Superintendent of Education determines that
12 the failure to provide the minimum school term was occasioned
13 by an act or acts of God, or was occasioned by conditions
14 beyond the control of the school district which posed a
15 hazardous threat to the health and safety of pupils, the State
16 aid claim need not be reduced.

17 If a school district is precluded from providing the
18 minimum hours of instruction required for a full day of
19 attendance due to an adverse weather condition or a condition
20 beyond the control of the school district that poses a
21 hazardous threat to the health and safety of students, then the
22 partial day of attendance may be counted if (i) the school
23 district has provided at least one hour of instruction prior to
24 the closure of the school district, (ii) a school building has
25 provided at least one hour of instruction prior to the closure
26 of the school building, or (iii) the normal start time of the

1 school district is delayed.

2 If, prior to providing any instruction, a school district
3 must close one or more but not all school buildings after
4 consultation with a local emergency response agency or due to a
5 condition beyond the control of the school district, then the
6 school district may claim attendance for up to 2 school days
7 based on the average attendance of the 3 school days
8 immediately preceding the closure of the affected school
9 building. The partial or no day of attendance described in this
10 Section and the reasons therefore shall be certified within a
11 month of the closing or delayed start by the school district
12 superintendent to the regional superintendent of schools for
13 forwarding to the State Superintendent of Education for
14 approval.

15 No exception to the requirement of providing a minimum
16 school term may be approved by the State Superintendent of
17 Education pursuant to this Section unless a school district has
18 first used all emergency days provided for in its regular
19 calendar.

20 If the State Superintendent of Education declares that an
21 energy shortage exists during any part of the school year for
22 the State or a designated portion of the State, a district may
23 operate the school attendance centers within the district 4
24 days of the week during the time of the shortage by extending
25 each existing school day by one clock hour of school work, and
26 the State aid claim shall not be reduced, nor shall the

1 employees of that district suffer any reduction in salary or
2 benefits as a result thereof. A district may operate all
3 attendance centers on this revised schedule, or may apply the
4 schedule to selected attendance centers, taking into
5 consideration such factors as pupil transportation schedules
6 and patterns and sources of energy for individual attendance
7 centers.

8 Electronically submitted State aid claims shall be
9 submitted by duly authorized district or regional individuals
10 over a secure network that is password protected. The
11 electronic submission of a State aid claim must be accompanied
12 with an affirmation that all of the provisions of Sections
13 18-8.05 through 18-9, 10-22.5, and 24-4 of this Code are met in
14 all respects.

15 (Source: P.A. 95-152, eff. 8-14-07; 95-811, eff. 8-13-08;
16 95-876, eff. 8-21-08; 96-734, eff. 8-25-09.)

17 (105 ILCS 5/26-2a) (from Ch. 122, par. 26-2a)

18 Sec. 26-2a. A "truant" is defined as a child subject to
19 compulsory school attendance and who is absent without valid
20 cause from such attendance for a school day or portion thereof.

21 "Valid cause" for absence shall be illness, observance of a
22 religious holiday, death in the immediate family, family
23 emergency, and shall include such other situations beyond the
24 control of the student as determined by the board of education
25 in each district, or such other circumstances which cause

1 reasonable concern to the parent for the safety or health of
2 the student.

3 "Chronic or habitual truant" shall be defined as a child
4 subject to compulsory school attendance and who is absent
5 without valid cause from such attendance for 10% or more of the
6 previous 180 regular attendance days.

7 "Truant minor" is defined as a chronic truant to whom
8 supportive services, including prevention, diagnostic,
9 intervention and remedial services, alternative programs and
10 other school and community resources have been provided and
11 have failed to result in the cessation of chronic truancy, or
12 have been offered and refused.

13 A "dropout" is defined as any child enrolled in grades one
14 ~~9~~ through 12 whose name has been removed from the district
15 enrollment roster for any reason other than the student's
16 death, extended illness, removal for medical non-compliance,
17 expulsion, ~~aging out,~~ graduation, or completion of a program of
18 studies and who has not transferred to another public or
19 private school or moved out of the United States ~~and is not~~
20 ~~known to be home schooled by his or her parents or guardians or~~
21 ~~continuing school in another country.~~

22 "Religion" for the purposes of this Article, includes all
23 aspects of religious observance and practice, as well as
24 belief.

25 (Source: P.A. 96-1423, eff. 8-3-10.)

1 (105 ILCS 5/34-8) (from Ch. 122, par. 34-8)

2 Sec. 34-8. Powers and duties of general superintendent. The
3 general superintendent of schools shall prescribe and control,
4 subject to the approval of the board and to other provisions of
5 this Article, the courses of study mandated by State law,
6 textbooks, educational apparatus and equipment, discipline in
7 and conduct of the schools, and shall perform such other duties
8 as the board may by rule prescribe. The superintendent shall
9 also notify the State Board of Education, the board and the
10 chief administrative official, other than the alleged
11 perpetrator himself, in the school where the alleged
12 perpetrator serves, that any person who is employed in a school
13 or otherwise comes into frequent contact with children in the
14 school has been named as a perpetrator in an indicated report
15 filed pursuant to the Abused and Neglected Child Reporting Act,
16 approved June 26, 1975, as amended.

17 The general superintendent may be granted the authority by
18 the board to hire a specific number of employees to assist in
19 meeting immediate responsibilities. Conditions of employment
20 for such personnel shall not be subject to the provisions of
21 Section 34-85.

22 The general superintendent may, pursuant to a delegation of
23 authority by the board and Section 34-18, approve contracts and
24 expenditures.

25 Pursuant to other provisions of this Article, sites shall
26 be selected, schoolhouses located thereon and plans therefor

1 approved, and textbooks and educational apparatus and
2 equipment shall be adopted and purchased by the board only upon
3 the recommendation of the general superintendent of schools or
4 by a majority vote of the full membership of the board and, in
5 the case of textbooks, subject to Article 28 of this Act. The
6 board may furnish free textbooks to pupils and may publish its
7 own textbooks and manufacture its own apparatus, equipment and
8 supplies.

9 In addition, each year at a time designated by the State
10 Superintendent of Education ~~in January of each year,~~ the
11 general superintendent of schools shall report to the State
12 Board of Education the number of high school students in the
13 district who are enrolled in accredited courses (for which high
14 school credit will be awarded upon successful completion of the
15 courses) at any community college, together with the name and
16 number of the course or courses which each such student is
17 taking.

18 The general superintendent shall also have the authority to
19 monitor the performance of attendance centers, to identify and
20 place an attendance center on remediation and probation, and to
21 recommend to the board that the attendance center be placed on
22 intervention and be reconstituted, subject to the provisions of
23 Sections 34-8.3 and 8.4.

24 The general superintendent, or his or her designee, shall
25 conduct an annual evaluation of each principal in the district
26 pursuant to guidelines promulgated by the Board and the Board

1 approved principal evaluation form. The evaluation shall be
2 based on factors, including the following: (i) student academic
3 improvement, as defined by the school improvement plan; (ii)
4 student absenteeism rates at the school; (iii) instructional
5 leadership; (iv) effective implementation of programs,
6 policies, or strategies to improve student academic
7 achievement; (v) school management; and (vi) other factors,
8 including, without limitation, the principal's communication
9 skills and ability to create and maintain a student-centered
10 learning environment, to develop opportunities for
11 professional development, and to encourage parental
12 involvement and community partnerships to achieve school
13 improvement.

14 Effective no later than September 1, 2012, the general
15 superintendent or his or her designee shall develop a written
16 principal evaluation plan. The evaluation plan must be in
17 writing and shall supersede the evaluation requirements set
18 forth in this Section. The evaluation plan must do at least all
19 of the following:

20 (1) Provide for annual evaluation of all principals
21 employed under a performance contract by the general
22 superintendent or his or her designee, no later than July
23 1st of each year.

24 (2) Consider the principal's specific duties,
25 responsibilities, management, and competence as a
26 principal.

1 (3) Specify the principal's strengths and weaknesses,
2 with supporting reasons.

3 (4) Align with research-based standards.

4 (5) Use data and indicators on student growth as a
5 significant factor in rating principal performance.

6 (Source: P.A. 95-496, eff. 8-28-07; 96-861, eff. 1-15-10.)

7 (105 ILCS 5/2-3.9 rep.)

8 (105 ILCS 5/2-3.10 rep.)

9 (105 ILCS 5/2-3.17 rep.)

10 (105 ILCS 5/2-3.70 rep.)

11 (105 ILCS 5/2-3.87 rep.)

12 (105 ILCS 5/2-3.111 rep.)

13 (105 ILCS 5/13B-35.15 rep.)

14 (105 ILCS 5/13B-35.20 rep.)

15 (105 ILCS 5/13B-40 rep.)

16 Section 10. The School Code is amended by repealing
17 Sections 2-3.9, 2-3.10, 2-3.17, 2-3.70, 2-3.87, 2-3.111,
18 13B-35.15, 13B-35.20, and 13B-40.

19 Section 15. The Critical Health Problems and Comprehensive
20 Health Education Act is amended by changing Section 6 as
21 follows:

22 (105 ILCS 110/6) (from Ch. 122, par. 866)

23 Sec. 6. Rules and Regulations. In carrying out the powers

1 and duties of the State Board of Education ~~and the advisory~~
2 ~~committee established by this Act,~~ the State Board is ~~and such~~
3 ~~committee are~~ authorized to promulgate rules and regulations in
4 order to implement the provisions of this Act.

5 (Source: P.A. 81-1508.)

6 (105 ILCS 110/5 rep.)

7 Section 20. The Critical Health Problems and Comprehensive
8 Health Education Act is amended by repealing Section 5.

9 (105 ILCS 215/Act rep.)

10 Section 25. The Chicago Community Schools Study Commission
11 Act is repealed.

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4	105 ILCS 5/2-3.11c	
5	105 ILCS 5/2-3.22	from Ch. 122, par. 2-3.22
6	105 ILCS 5/2-3.27	from Ch. 122, par. 2-3.27
7	105 ILCS 5/2-3.53a	
8	105 ILCS 5/10-21.4	from Ch. 122, par. 10-21.4
9	105 ILCS 5/14-8.02	from Ch. 122, par. 14-8.02
10	105 ILCS 5/18-12	from Ch. 122, par. 18-12
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