



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5827

Introduced 2/16/2012, by Rep. Linda Chapa LaVia

SYNOPSIS AS INTRODUCED:

See Index

Amends the School Code. Makes changes concerning the legal adviser of school officers, budgets and accounting practices, the new principal mentoring program, a task force concerning the inspection and review of school facilities, a task force concerning school wellness policies, joint educational program agreements, supervisory expenses, State aid claims, dropouts, charter school proposals, and reporting on the number of Chicago high school students enrolled in courses at a community college. Repeals Sections concerning a block grant report, granting and suspending teachers' certificates, visiting charitable institutions, information furnished by regional superintendents, service evaluation 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 19947 AMC 65239 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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, 2-3.22, 2-3.27, 2-3.53a, 2-3.137, 2-3.139, 10-22.31a,
6 18-6, 18-12, 26-2a, 27A-7, 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 5/2-3.22) (from Ch. 122, par. 2-3.22)

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

22 (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 5/2-3.137)

2 Sec. 2-3.137. Inspection and review of school facilities~~+~~
3 ~~task force.~~

4 (a) The State Board of Education shall adopt rules for the
5 documentation of school plan reviews and inspections of school
6 facilities, including the responsible individual's signature.
7 Such documents shall be kept on file by the regional
8 superintendent of schools. The State Board of Education shall
9 also adopt rules for the qualifications of persons performing
10 the reviews and inspections, which must be consistent with the
11 recommendations in the task force's report issued to the
12 Governor and the General Assembly under subsection (b) of this
13 Section. Those qualifications shall include requirements for
14 training, education, and at least 2 years of relevant
15 experience.

16 (a-5) Rules adopted by the State Board of Education in
17 accordance with subsection (a) of this Section shall require
18 fees to be collected for use in defraying costs associated with
19 the administration of these and other provisions contained in
20 the Health/Life Safety Code for Public Schools required by
21 Section 2-3.12 of this Code.

22 (b) (Blank). ~~The State Board of Education shall convene a~~
23 ~~task force for the purpose of reviewing the documents required~~
24 ~~under rules adopted under subsection (a) of this Section and~~
25 ~~making recommendations regarding training and accreditation of~~

1 ~~individuals performing reviews or inspections required under~~
2 ~~Section 2-3.12, 3-14.20, 3-14.21, or 3-14.22 of this Code,~~
3 ~~including regional superintendents of schools and others~~
4 ~~performing reviews or inspections under the authority of a~~
5 ~~regional superintendent (such as consultants, municipalities,~~
6 ~~and fire protection districts).~~

7 ~~The task force shall consist of all of the following~~
8 ~~members:~~

9 ~~(1) The Executive Director of the Capital Development~~
10 ~~Board or his or her designee and a staff representative of~~
11 ~~the Division of Building Codes and Regulations.~~

12 ~~(2) The State Superintendent of Education or his or her~~
13 ~~designee.~~

14 ~~(3) A person appointed by the State Board of Education.~~

15 ~~(4) A person appointed by an organization representing~~
16 ~~school administrators.~~

17 ~~(5) A person appointed by an organization representing~~
18 ~~suburban school administrators and school board members.~~

19 ~~(6) A person appointed by an organization representing~~
20 ~~architects.~~

21 ~~(7) A person appointed by an organization representing~~
22 ~~regional superintendents of schools.~~

23 ~~(8) A person appointed by an organization representing~~
24 ~~fire inspectors.~~

25 ~~(9) A person appointed by an organization representing~~
26 ~~Code administrators.~~

1 ~~(10) A person appointed by an organization~~
2 ~~representing plumbing inspectors.~~

3 ~~(11) A person appointed by an organization that~~
4 ~~represents both parents and teachers.~~

5 ~~(12) A person appointed by an organization~~
6 ~~representing municipal governments in the State.~~

7 ~~(13) A person appointed by the State Fire Marshal from~~
8 ~~his or her office.~~

9 ~~(14) A person appointed by an organization~~
10 ~~representing fire chiefs.~~

11 ~~(15) The Director of Public Health or his or her~~
12 ~~designee.~~

13 ~~(16) A person appointed by an organization~~
14 ~~representing structural engineers.~~

15 ~~(17) A person appointed by an organization~~
16 ~~representing professional engineers.~~

17 ~~The task force shall issue a report of its findings to the~~
18 ~~Governor and the General Assembly no later than January 1,~~
19 ~~2006.~~

20 (Source: P.A. 95-331, eff. 8-21-07; 96-734, eff. 8-25-09.)

21 (105 ILCS 5/2-3.139)

22 Sec. 2-3.139. School wellness policies; ~~taskforce.~~

23 (a) The State Board of Education shall establish a State
24 goal that all school districts have a wellness policy that is
25 consistent with recommendations of the Centers for Disease

1 Control and Prevention (CDC), which recommendations include
2 the following:

3 (1) nutrition guidelines for all foods sold on school
4 campus during the school day;

5 (2) setting school goals for nutrition education and
6 physical activity;

7 (3) establishing community participation in creating
8 local wellness policies; and

9 (4) creating a plan for measuring implementation of
10 these wellness policies.

11 The Department of Public Health, the Department of Human
12 Services, and the State Board of Education shall form an
13 interagency working group to publish model wellness policies
14 and recommendations. Sample policies shall be based on CDC
15 recommendations for nutrition and physical activity. The State
16 Board of Education shall distribute the model wellness policies
17 to all school districts before June 1, 2006.

18 (b) (Blank). ~~There is created the School Wellness Policy~~
19 ~~Taskforce, consisting of the following members:~~

20 ~~(1) One member representing the State Board of~~
21 ~~Education, appointed by the State Board of Education.~~

22 ~~(2) One member representing the Department of Public~~
23 ~~Health, appointed by the Director of Public Health.~~

24 ~~(3) One member representing the Department of Human~~
25 ~~Services, appointed by the Secretary of Human Services.~~

26 ~~(4) One member of an organization representing the~~

1 ~~interests of school nurses in this State, appointed by the~~
2 ~~interagency working group.~~

3 ~~(5) One member of an organization representing the~~
4 ~~interests of school administrators in this State,~~
5 ~~appointed by the interagency working group.~~

6 ~~(6) One member of an organization representing the~~
7 ~~interests of school boards in this State, appointed by the~~
8 ~~interagency working group.~~

9 ~~(7) One member of an organization representing the~~
10 ~~interests of regional superintendents of schools in this~~
11 ~~State, appointed by the interagency working group.~~

12 ~~(8) One member of an organization representing the~~
13 ~~interests of parent teacher associations in this State,~~
14 ~~appointed by the interagency working group.~~

15 ~~(9) One member of an organization representing the~~
16 ~~interests of pediatricians in this State, appointed by the~~
17 ~~interagency working group.~~

18 ~~(10) One member of an organization representing the~~
19 ~~interests of dentists in this State, appointed by the~~
20 ~~interagency working group.~~

21 ~~(11) One member of an organization representing the~~
22 ~~interests of dieticians in this State, appointed by the~~
23 ~~interagency working group.~~

24 ~~(12) One member of an organization that has an interest~~
25 ~~and expertise in heart disease, appointed by the~~
26 ~~interagency working group.~~

1 ~~(13) One member of an organization that has an interest~~
2 ~~and expertise in cancer, appointed by the interagency~~
3 ~~working group.~~

4 ~~(14) One member of an organization that has an interest~~
5 ~~and expertise in childhood obesity, appointed by the~~
6 ~~interagency working group.~~

7 ~~(15) One member of an organization that has an interest~~
8 ~~and expertise in the importance of physical education and~~
9 ~~recreation in preventing disease, appointed by the~~
10 ~~interagency working group.~~

11 ~~(16) One member of an organization that has an interest~~
12 ~~and expertise in school food service, appointed by the~~
13 ~~interagency working group.~~

14 ~~(17) One member of an organization that has an interest~~
15 ~~and expertise in school health, appointed by the~~
16 ~~interagency working group.~~

17 ~~(18) One member of an organization that campaigns for~~
18 ~~programs and policies for healthier school environments,~~
19 ~~appointed by the interagency working group.~~

20 ~~(19) One at large member with a doctorate in nutrition,~~
21 ~~appointed by the State Board of Education.~~

22 ~~Members of the taskforce shall serve without compensation.~~
23 ~~The taskforce shall meet at the call of the State Board of~~
24 ~~Education. The taskforce shall report its identification of~~
25 ~~barriers to implementing school wellness policies and its~~
26 ~~recommendations to reduce those barriers to the General~~

1 ~~Assembly and the Governor on or before January 1, 2006. The~~
2 ~~taskforce shall report its recommendations on statewide school~~
3 ~~nutrition standards to the General Assembly and the Governor on~~
4 ~~or before January 1, 2007. The taskforce shall report its~~
5 ~~evaluation of the effectiveness of school wellness policies to~~
6 ~~the General Assembly and the Governor on or before January 1,~~
7 ~~2008. The evaluation shall review a sample size of 5 to 10~~
8 ~~school districts. Reports shall be made to the General Assembly~~
9 ~~by filing copies of each report as provided in Section 3.1 of~~
10 ~~the General Assembly Organization Act. Upon the filing of the~~
11 ~~last report, the taskforce is dissolved.~~

12 (c) The State Board of Education may adopt any rules
13 necessary to implement this Section.

14 (d) Nothing in this Section may be construed as a
15 curricular mandate on any school district.

16 (Source: P.A. 94-199, eff. 7-12-05; 95-331, eff. 8-21-07.)

17 (105 ILCS 5/10-22.31a) (from Ch. 122, par. 10-22.31a)

18 Sec. 10-22.31a. Joint educational programs. To enter into
19 joint agreements with other school boards or public
20 institutions of higher education to establish any type of
21 educational program which any district may establish
22 individually, to provide the needed educational facilities and
23 to employ a director and other professional workers for such
24 program. The director and other professional workers may be
25 employed by one district which shall be reimbursed on a

1 mutually agreed basis by other districts that are parties to
2 the joint agreement. Such agreements may provide that one
3 district may supply professional workers for a joint program
4 conducted in another district. Such agreement shall ~~be executed~~
5 ~~on forms provided by the State Board of Education and shall~~
6 include, but not be limited to, provisions for administration,
7 staff, programs, financing, housing, transportation and
8 advisory body and provide for the withdrawal of districts from
9 the joint agreement by petition to the regional board of school
10 trustees. Such petitions for withdrawal shall be made to the
11 regional board of school trustees of the region having
12 supervision and control over the administrative district and
13 shall be acted upon in the manner provided in Article 7 for the
14 detachment of territory from a school district.

15 To designate an administrative district to act as fiscal
16 and legal agent for the districts that are parties to such a
17 joint agreement.

18 (Source: P.A. 86-198; 86-1318.)

19 (105 ILCS 5/18-6) (from Ch. 122, par. 18-6)

20 Sec. 18-6. Supervisory expenses. The State Board of
21 Education shall annually request an appropriation ~~from the~~
22 ~~common school fund~~ for regional office of education expenses,
23 aggregating \$1,000 per county per year for each educational
24 service region. The State Board of Education shall present
25 vouchers to the Comptroller as soon as may be after the first

1 day of August each year for each regional office of education.
2 Each regional office of education may draw upon these funds
3 ~~this fund~~ for the expenses necessarily incurred in providing
4 for supervisory services in the region.

5 (Source: P.A. 88-9; 89-397, eff. 8-20-95.)

6 (105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

7 Sec. 18-12. Dates for filing State aid claims. The school
8 board of each school district shall require teachers,
9 principals, or superintendents to furnish from records kept by
10 them such data as it needs in preparing and certifying to the
11 State Superintendent of Education ~~regional superintendent~~ its
12 school district report of claims provided in Sections 18-8.05
13 through 18-9 ~~as required by the State Superintendent of~~
14 ~~Education~~. The district claim shall be based on the latest
15 available equalized assessed valuation and tax rates, as
16 provided in Section 18-8.05 and shall use the average daily
17 attendance as determined by the method outlined in Section
18 18-8.05 and shall be certified and filed with the State
19 Superintendent of Education ~~regional superintendent~~ by June 21
20 for districts with an official school calendar end date before
21 June 15 or within 2 weeks following the official school
22 calendar end date for districts with a school year end date of
23 June 15 or later. ~~The regional superintendent shall certify and~~
24 ~~file with the State Superintendent of Education district State~~
25 ~~aid claims by July 1 for districts with an official school~~

1 ~~calendar end date before June 15 or no later than July 15 for~~
2 ~~districts with an official school calendar end date of June 15~~
3 ~~or later.~~ Failure to so file by these deadlines constitutes a
4 forfeiture of the right to receive payment by the State until
5 such claim is filed and vouchered for payment. The ~~regional~~
6 ~~superintendent of schools shall certify the county report of~~
7 ~~claims by July 15; and the~~ State Superintendent of Education
8 shall voucher for payment those claims to the State Comptroller
9 as provided in Section 18-11.

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

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

22 If a school district is precluded from providing the
23 minimum hours of instruction required for a full day of
24 attendance due to an adverse weather condition or a condition
25 beyond the control of the school district that poses a
26 hazardous threat to the health and safety of students, then the

1 partial day of attendance may be counted if (i) the school
2 district has provided at least one hour of instruction prior to
3 the closure of the school district, (ii) a school building has
4 provided at least one hour of instruction prior to the closure
5 of the school building, or (iii) the normal start time of the
6 school district is delayed.

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

20 No exception to the requirement of providing a minimum
21 school term may be approved by the State Superintendent of
22 Education pursuant to this Section unless a school district has
23 first used all emergency days provided for in its regular
24 calendar.

25 If the State Superintendent of Education declares that an
26 energy shortage exists during any part of the school year for

1 the State or a designated portion of the State, a district may
2 operate the school attendance centers within the district 4
3 days of the week during the time of the shortage by extending
4 each existing school day by one clock hour of school work, and
5 the State aid claim shall not be reduced, nor shall the
6 employees of that district suffer any reduction in salary or
7 benefits as a result thereof. A district may operate all
8 attendance centers on this revised schedule, or may apply the
9 schedule to selected attendance centers, taking into
10 consideration such factors as pupil transportation schedules
11 and patterns and sources of energy for individual attendance
12 centers.

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

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

22 (105 ILCS 5/26-2a) (from Ch. 122, par. 26-2a)

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

1 "Valid cause" for absence shall be illness, observance of a
2 religious holiday, death in the immediate family, family
3 emergency, and shall include such other situations beyond the
4 control of the student as determined by the board of education
5 in each district, or such other circumstances which cause
6 reasonable concern to the parent for the safety or health of
7 the student.

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

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

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

1 "Religion" for the purposes of this Article, includes all
2 aspects of religious observance and practice, as well as
3 belief.

4 (Source: P.A. 96-1423, eff. 8-3-10; 97-218, eff. 7-28-11.)

5 (105 ILCS 5/27A-7)

6 Sec. 27A-7. Charter submission.

7 (a) A proposal to establish a charter school shall be
8 submitted to the State Board and the local school board in the
9 form of a proposed contract entered into between the local
10 school board and the governing body of a proposed charter
11 school. The charter school proposal as submitted to the State
12 Board shall include:

13 (1) The name of the proposed charter school, which must
14 include the words "Charter School".

15 (2) The age or grade range, areas of focus, minimum and
16 maximum numbers of pupils to be enrolled in the charter
17 school, and any other admission criteria that would be
18 legal if used by a school district.

19 (3) A description of and address for the physical plant
20 in which the charter school will be located; provided that
21 nothing in the Article shall be deemed to justify delaying
22 or withholding favorable action on or approval of a charter
23 school proposal because the building or buildings in which
24 the charter school is to be located have not been acquired
25 or rented at the time a charter school proposal is

1 submitted or approved or a charter school contract is
2 entered into or submitted for certification or certified,
3 so long as the proposal or submission identifies and names
4 at least 2 sites that are potentially available as a
5 charter school facility by the time the charter school is
6 to open.

7 (4) The mission statement of the charter school, which
8 must be consistent with the General Assembly's declared
9 purposes; provided that nothing in this Article shall be
10 construed to require that, in order to receive favorable
11 consideration and approval, a charter school proposal
12 demonstrate unequivocally that the charter school will be
13 able to meet each of those declared purposes, it being the
14 intention of the Charter Schools Law that those purposes be
15 recognized as goals that charter schools must aspire to
16 attain.

17 (5) The goals, objectives, and pupil performance
18 standards to be achieved by the charter school.

19 (6) In the case of a proposal to establish a charter
20 school by converting an existing public school or
21 attendance center to charter school status, evidence that
22 the proposed formation of the charter school has received
23 the approval of certified teachers, parents and guardians,
24 and, if applicable, a local school council as provided in
25 subsection (b) of Section 27A-8.

26 (7) A description of the charter school's educational

1 program, pupil performance standards, curriculum, school
2 year, school days, and hours of operation.

3 (8) A description of the charter school's plan for
4 evaluating pupil performance, the types of assessments
5 that will be used to measure pupil progress towards
6 achievement of the school's pupil performance standards,
7 the timeline for achievement of those standards, and the
8 procedures for taking corrective action in the event that
9 pupil performance at the charter school falls below those
10 standards.

11 (9) Evidence that the terms of the charter as proposed
12 are economically sound for both the charter school and the
13 school district, a proposed budget for the term of the
14 charter, a description of the manner in which an annual
15 audit of the financial and administrative operations of the
16 charter school, including any services provided by the
17 school district, are to be conducted, and a plan for the
18 displacement of pupils, teachers, and other employees who
19 will not attend or be employed in the charter school.

20 (10) A description of the governance and operation of
21 the charter school, including the nature and extent of
22 parental, professional educator, and community involvement
23 in the governance and operation of the charter school.

24 (11) An explanation of the relationship that will exist
25 between the charter school and its employees, including
26 evidence that the terms and conditions of employment have

1 been addressed with affected employees and their
2 recognized representative, if any. However, a bargaining
3 unit of charter school employees shall be separate and
4 distinct from any bargaining units formed from employees of
5 a school district in which the charter school is located.

6 (12) An agreement between the parties regarding their
7 respective legal liability and applicable insurance
8 coverage.

9 (13) A description of how the charter school plans to
10 meet the transportation needs of its pupils, and a plan for
11 addressing the transportation needs of low-income and
12 at-risk pupils.

13 (14) The proposed effective date and term of the
14 charter; provided that the first day of the first academic
15 year ~~and the first day of the fiscal year~~ shall be no
16 earlier than August 15 and the first day of the fiscal year
17 shall be July 1 ~~no later than September 15~~ of a calendar
18 year.

19 (15) Any other information reasonably required by the
20 State Board of Education.

21 (b) A proposal to establish a charter school may be
22 initiated by individuals or organizations that will have
23 majority representation on the board of directors or other
24 governing body of the corporation or other discrete legal
25 entity that is to be established to operate the proposed
26 charter school, by a board of education or an intergovernmental

1 agreement between or among boards of education, or by the board
2 of directors or other governing body of a discrete legal entity
3 already existing or established to operate the proposed charter
4 school. The individuals or organizations referred to in this
5 subsection may be school teachers, school administrators,
6 local school councils, colleges or universities or their
7 faculty members, public community colleges or their
8 instructors or other representatives, corporations, or other
9 entities or their representatives. The proposal shall be
10 submitted to the local school board for consideration and, if
11 appropriate, for development of a proposed contract to be
12 submitted to the State Board for certification under Section
13 27A-6.

14 (c) The local school board may not without the consent of
15 the governing body of the charter school condition its approval
16 of a charter school proposal on acceptance of an agreement to
17 operate under State laws and regulations and local school board
18 policies from which the charter school is otherwise exempted
19 under this Article.

20 (Source: P.A. 90-548, eff. 1-1-98; 91-405, eff. 8-3-99.)

21 (105 ILCS 5/34-8) (from Ch. 122, par. 34-8)

22 Sec. 34-8. Powers and duties of general superintendent. The
23 general superintendent of schools shall prescribe and control,
24 subject to the approval of the board and to other provisions of
25 this Article, the courses of study mandated by State law,

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

12 The general superintendent may be granted the authority by
13 the board to hire a specific number of employees to assist in
14 meeting immediate responsibilities. Conditions of employment
15 for such personnel shall not be subject to the provisions of
16 Section 34-85.

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

20 Pursuant to other provisions of this Article, sites shall
21 be selected, schoolhouses located thereon and plans therefor
22 approved, and textbooks and educational apparatus and
23 equipment shall be adopted and purchased by the board only upon
24 the recommendation of the general superintendent of schools or
25 by a majority vote of the full membership of the board and, in
26 the case of textbooks, subject to Article 28 of this Act. The

1 board may furnish free textbooks to pupils and may publish its
2 own textbooks and manufacture its own apparatus, equipment and
3 supplies.

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

13 The general superintendent shall also have the authority to
14 monitor the performance of attendance centers, to identify and
15 place an attendance center on remediation and probation, and to
16 recommend to the board that the attendance center be placed on
17 intervention and be reconstituted, subject to the provisions of
18 Sections 34-8.3 and 8.4.

19 The general superintendent, or his or her designee, shall
20 conduct an annual evaluation of each principal in the district
21 pursuant to guidelines promulgated by the Board and the Board
22 approved principal evaluation form. The evaluation shall be
23 based on factors, including the following: (i) student academic
24 improvement, as defined by the school improvement plan; (ii)
25 student absenteeism rates at the school; (iii) instructional
26 leadership; (iv) effective implementation of programs,

1 policies, or strategies to improve student academic
2 achievement; (v) school management; and (vi) other factors,
3 including, without limitation, the principal's communication
4 skills and ability to create and maintain a student-centered
5 learning environment, to develop opportunities for
6 professional development, and to encourage parental
7 involvement and community partnerships to achieve school
8 improvement.

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

15 (1) Provide for annual evaluation of all principals
16 employed under a performance contract by the general
17 superintendent or his or her designee, no later than July
18 1st of each year.

19 (2) Consider the principal's specific duties,
20 responsibilities, management, and competence as a
21 principal.

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

24 (4) Align with research-based standards.

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

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

2 (105 ILCS 5/1C-4 rep.)

3 (105 ILCS 5/2-3.9 rep.)

4 (105 ILCS 5/2-3.10 rep.)

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

6 (105 ILCS 5/2-3.112 rep.)

7 (105 ILCS 5/13B-35.10 rep.)

8 (105 ILCS 5/13B-35.15 rep.)

9 (105 ILCS 5/13B-35.20 rep.)

10 (105 ILCS 5/13B-40 rep.)

11 Section 10. The School Code is amended by repealing
12 Sections 1C-4, 2-3.9, 2-3.10, 2-3.17, 2-3.112, 13B-35.10,
13 13B-35.15, 13B-35.20, and 13B-40.

14 Section 15. The Critical Health Problems and Comprehensive
15 Health Education Act is amended by changing Section 6 as
16 follows:

17 (105 ILCS 110/6) (from Ch. 122, par. 866)

18 Sec. 6. Rules and Regulations. In carrying out the powers
19 and duties of the State Board of Education ~~and the advisory~~
20 ~~committee established by this Act~~, the State Board is ~~and such~~
21 ~~committee are~~ authorized to promulgate rules and regulations in
22 order to implement the provisions of this Act.

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

1 (105 ILCS 110/5 rep.)

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

4 (105 ILCS 215/Act rep.)

5 Section 25. The Chicago Community Schools Study Commission
6 Act is repealed.

1	INDEX	
2	Statutes amended in order of appearance	
3	105 ILCS 5/2-3.7	from Ch. 122, par. 2-3.7
4	105 ILCS 5/2-3.22	from Ch. 122, par. 2-3.22
5	105 ILCS 5/2-3.27	from Ch. 122, par. 2-3.27
6	105 ILCS 5/2-3.53a	
7	105 ILCS 5/2-3.137	
8	105 ILCS 5/2-3.139	
9	105 ILCS 5/10-22.31a	from Ch. 122, par. 10-22.31a
10	105 ILCS 5/18-6	from Ch. 122, par. 18-6
11	105 ILCS 5/18-12	from Ch. 122, par. 18-12
12	105 ILCS 5/26-2a	from Ch. 122, par. 26-2a
13	105 ILCS 5/27A-7	
14	105 ILCS 5/34-8	from Ch. 122, par. 34-8
15	105 ILCS 5/1C-4 rep.	
16	105 ILCS 5/2-3.9 rep.	
17	105 ILCS 5/2-3.10 rep.	
18	105 ILCS 5/2-3.17 rep.	
19	105 ILCS 5/2-3.112 rep.	
20	105 ILCS 5/13B-35.10 rep.	
21	105 ILCS 5/13B-35.15 rep.	
22	105 ILCS 5/13B-35.20 rep.	
23	105 ILCS 5/13B-40 rep.	
24	105 ILCS 110/6	from Ch. 122, par. 866
25	105 ILCS 110/5 rep.	

1 105 ILCS 215/Act rep.