



Rep. Fred Crespo

Filed: 3/24/2016

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LRB099 14498 NHT 46257 a

1 AMENDMENT TO HOUSE BILL 4301

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4301 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections  
5 10-21.4 and 10-23.8 as follows:

6 (105 ILCS 5/10-21.4) (from Ch. 122, par. 10-21.4)

7 Sec. 10-21.4. Superintendent - Duties. Except in districts  
8 in which there is only one school with fewer ~~less~~ than 4 ~~four~~  
9 teachers, to employ a superintendent, who shall have charge of  
10 the administration of the schools under the direction of the  
11 board of education. However, in any school district that has  
12 boundaries that lie in 3 counties, one county of which has a  
13 population exceeding 1,000,000 inhabitants, that has an  
14 enrollment of more than 35,000 students, and that has on staff  
15 properly licensed assistant superintendents or directors in  
16 the areas of instruction, finance, special education,

1 assessments, and career and technology education, the school  
2 board may instead, by a vote of a majority of its full  
3 membership, appoint a chief executive officer to serve as its  
4 superintendent, who shall be a person of recognized  
5 administrative ability and management experience, hold a  
6 master's degree, have been employed with the school district  
7 for a minimum of 5 years in an administrative capacity, be  
8 responsible for the management of the district, and have all  
9 other powers and duties of a superintendent as set forth in  
10 this Code, but who shall be exempt from the provisions and  
11 requirements of Section 21B-15 of this Code for a period of 5  
12 years.

13 In addition to the administrative duties, the  
14 superintendent shall make recommendations to the board  
15 concerning the budget, building plans, the locations of sites,  
16 the selection, retention and dismissal of teachers and all  
17 other employees, the selection of textbooks, instructional  
18 material and courses of study. However, in districts under a  
19 Financial Oversight Panel pursuant to Section 1A-8 for  
20 violating a financial plan, the duties and responsibilities of  
21 the superintendent in relation to the financial and business  
22 operations of the district shall be approved by the Panel. In  
23 the event the Board refuses or fails to follow a directive or  
24 comply with an information request of the Panel, the  
25 performance of those duties shall be subject to the direction  
26 of the Panel. The superintendent shall also notify the State

1 Board of Education, the board and the chief administrative  
2 official, other than the alleged perpetrator himself, in the  
3 school where the alleged perpetrator serves, that any person  
4 who is employed in a school or otherwise comes into frequent  
5 contact with children in the school has been named as a  
6 perpetrator in an indicated report filed pursuant to the Abused  
7 and Neglected Child Reporting Act, approved June 26, 1975, as  
8 amended. The superintendent shall keep or cause to be kept the  
9 records and accounts as directed and required by the board, aid  
10 in making reports required by the board, and perform such other  
11 duties as the board may delegate to him.

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

20 The provisions of this Section ~~section~~ shall also apply to  
21 board of director districts.

22 Notice of intent not to renew a contract must be given in  
23 writing stating the specific reason therefor by April 1 of the  
24 contract year unless the contract specifically provides  
25 otherwise. Failure to do so will automatically extend the  
26 contract for an additional year. Within 10 days after receipt

1 of notice of intent not to renew a contract, the superintendent  
2 may request a closed session hearing on the dismissal. At the  
3 hearing the superintendent has the privilege of presenting  
4 evidence, witnesses and defenses on the grounds for dismissal.  
5 The provisions of this paragraph shall not apply to a district  
6 under a Financial Oversight Panel pursuant to Section 1A-8 for  
7 violating a financial plan.

8 (Source: P.A. 97-256, eff. 1-1-12.)

9 (105 ILCS 5/10-23.8) (from Ch. 122, par. 10-23.8)

10 Sec. 10-23.8. Superintendent contracts. After the  
11 effective date of this amendatory Act of 1997 and the  
12 expiration of contracts in effect on the effective date of this  
13 amendatory Act, school districts may only employ a  
14 superintendent or, if authorized by law, a chief executive  
15 officer under either a contract for a period not exceeding one  
16 year or a performance-based contract for a period not exceeding  
17 5 years.

18 Performance-based contracts shall be linked to student  
19 performance and academic improvement within the schools of the  
20 districts. No performance-based contract shall be extended or  
21 rolled-over prior to its scheduled expiration unless all the  
22 performance and improvement goals contained in the contract  
23 have been met. Each performance-based contract shall include  
24 the goals and indicators of student performance and academic  
25 improvement determined and used by the local school board to

1 measure the performance and effectiveness of the  
2 superintendent and such other information as the local school  
3 board may determine.

4 By accepting the terms of a multi-year contract, the  
5 superintendent or chief executive officer waives all rights  
6 granted him or her under Sections 24-11 through 24-16 of this  
7 Act only for the term of the multi-year contract. Upon  
8 acceptance of a multi-year contract, the superintendent or  
9 chief executive officer shall not lose any previously acquired  
10 tenure credit with the district.

11 (Source: P.A. 90-548, eff. 1-1-98; 91-314, eff. 1-1-00.)".