



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB6044

Introduced 2/11/2016, by Rep. Linda Chapa LaVia

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/7-2a	from Ch. 122, par. 7-2a
105 ILCS 5/7-14A	from Ch. 122, par. 7-14A
105 ILCS 5/10-22.22b	from Ch. 122, par. 10-22.22b
105 ILCS 5/10-22.22c	from Ch. 122, par. 10-22.22c
105 ILCS 5/10-22.22d	
105 ILCS 5/11E-110	
105 ILCS 5/18-12	from Ch. 122, par. 18-12
105 ILCS 5/21B-30	
105 ILCS 125/9	from Ch. 122, par. 712.9

Amends the School Code and the School Breakfast and Lunch Program Act. Changes references relating to contractual continued service and the State aid formula in provisions concerning boundary changes, the deactivation of school facilities, cooperative high schools, a pilot cooperative elementary school and pilot cooperative high school, and school district conversions. Makes changes concerning the filing of State aid claims. Makes changes concerning the assessment of professional teaching. Provides for the certification and payment of claims for reimbursement for school breakfast and lunch programs on a quarterly (instead of monthly) basis. Effective July 1, 2016.

LRB099 16896 NHT 44979 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 7-2a, 7-14A, 10-22.22b, 10-22.22c, 10-22.22d, 11E-110, 18-12,  
6 and 21B-30 as follows:

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

8 Sec. 7-2a. (a) Except as provided in subsection (b) of this  
9 Section, any petition for dissolution filed under this Article  
10 must specify the school district or districts to which all of  
11 the territory of the district proposed to be dissolved will be  
12 annexed. Any petition for dissolution may be made by the board  
13 of education of the district or a majority of the legal voters  
14 residing in the district proposed to be dissolved. No petition  
15 from any other district affected by the proposed dissolution  
16 shall be required.

17 (b) Any school district with a population of less than  
18 5,000 residents or an enrollment of less than 750 students, as  
19 determined by the district's current fall housing report filed  
20 with the State Board of Education, shall be dissolved and its  
21 territory annexed as provided in Section 7-11 by the regional  
22 board of school trustees upon the filing with the regional  
23 board of school trustees of a petition adopted by resolution of

1 the board of education or a petition signed by a majority of  
2 the registered voters of the district seeking such dissolution.  
3 No petition shall be adopted or signed under this subsection  
4 until the board of education or the petitioners, as the case  
5 may be, shall have given at least 10 days' notice to be  
6 published once in a newspaper having general circulation in the  
7 district and shall have conducted a public informational  
8 meeting to inform the residents of the district of the proposed  
9 dissolution and to answer questions concerning the proposed  
10 dissolution. The petition shall be filed with and decided  
11 solely by the regional board of school trustees of the region  
12 in which the regional superintendent of schools has supervision  
13 of the school district being dissolved. The regional board of  
14 school trustees shall not act on a petition filed by a board of  
15 education if within 45 days after giving notice of the hearing  
16 required under Section 7-11 a petition in opposition to the  
17 petition of the board to dissolve, signed by a majority of the  
18 registered voters of the district, is filed with the regional  
19 board of school trustees. The regional board of school trustees  
20 shall have no authority to deny dissolution requested in a  
21 proper petition for dissolution filed under this subsection  
22 (b), but shall exercise its discretion in accordance with  
23 Section 7-11 on the issue of annexing the territory of a  
24 district being dissolved, giving consideration to but not being  
25 bound by the wishes expressed by the residents of the various  
26 school districts that may be affected by such annexation.

1           When dissolution and annexation become effective for  
2 purposes of administration and attendance as determined  
3 pursuant to Section 7-11, the positions of teachers in  
4 contractual continued service in the district being dissolved  
5 are transferred to an annexing district or to annexing  
6 districts pursuant to the provisions of subsection (h) of  
7 Section 24-11 of this Code ~~Section 24-12~~ relative to teachers  
8 having contractual continued service status whose positions  
9 are transferred from one board to the control of a different  
10 board, and those said provisions of subsection (h) of Section  
11 24-11 of this Code ~~Section 24-12~~ shall apply to said  
12 transferred teachers. In the event that the territory is added  
13 to 2 or more districts, the decision on which positions shall  
14 be transferred to which annexing districts shall be made giving  
15 consideration to the proportionate percent of pupils  
16 transferred and the annexing districts' staffing needs, and the  
17 transfer of specific individuals into such positions shall be  
18 based upon the request of those teachers in order of seniority  
19 in the dissolving district. The contractual continued service  
20 status of any teacher thereby transferred to an annexing  
21 district is not lost and the different board is subject to this  
22 Act with respect to such transferred teacher in the same manner  
23 as if such teacher was that district's employee and had been  
24 its employee during the time such teacher was actually employed  
25 by the board of the dissolving district from which the position  
26 was transferred.

1 (Source: P.A. 98-125, eff. 8-2-13.)

2 (105 ILCS 5/7-14A) (from Ch. 122, par. 7-14A)

3 Sec. 7-14A. Annexation Compensation. There shall be no  
4 accounting made after a mere change in boundaries when no new  
5 district is created, except that those districts whose  
6 enrollment increases by 90% or more as a result of annexing  
7 territory detached from another district pursuant to this  
8 Article are eligible for supplementary State aid payments in  
9 accordance with Section 11E-135 of this Code. Eligible annexing  
10 districts shall apply to the State Board of Education for  
11 supplementary State aid payments by submitting enrollment  
12 figures for the year immediately preceding and the year  
13 immediately following the effective date of the boundary change  
14 for both the district gaining territory and the district losing  
15 territory. Copies of any intergovernmental agreements between  
16 the district gaining territory and the district losing  
17 territory detailing any transfer of fund balances and staff  
18 must also be submitted. In all instances of changes in  
19 boundaries, the district losing territory shall not count the  
20 average daily attendance of pupils living in the territory  
21 during the year preceding the effective date of the boundary  
22 change in its claim for reimbursement under Section 18-8.05 of  
23 this Code ~~18-8~~ for the school year following the effective date  
24 of the change in boundaries and the district receiving the  
25 territory shall count the average daily attendance of pupils

1 living in the territory during the year preceding the effective  
2 date of the boundary change in its claim for reimbursement  
3 under Section 18-8.05 of this Code ~~18-8~~ for the school year  
4 following the effective date of the change in boundaries. The  
5 changes to this Section made by this amendatory Act of the 95th  
6 General Assembly are intended to be retroactive and applicable  
7 to any annexation taking effect on or after July 1, 2004.

8 (Source: P.A. 95-707, eff. 1-11-08.)

9 (105 ILCS 5/10-22.22b) (from Ch. 122, par. 10-22.22b)

10 Sec. 10-22.22b. (a) The provisions of this subsection shall  
11 not apply to the deactivation of a high school facility under  
12 subsection (c). Where in its judgment the interests of the  
13 district and of the students therein will be best served, to  
14 deactivate any high school facility or elementary school  
15 facility in the district and send the students of such high  
16 school in grades 9 through 12 or such elementary school in  
17 grades kindergarten through 8, as applicable, to schools in  
18 other districts. Such action may be taken only with the  
19 approval of the voters in the district and the approval, by  
20 proper resolution, of the school board of the receiving  
21 district. The board of the district contemplating deactivation  
22 shall, by proper resolution, cause the proposition to  
23 deactivate the school facility to be submitted to the voters of  
24 the district at a regularly scheduled election. Notice shall be  
25 published at least 10 days prior to the date of the election at

1 least once in one or more newspapers published in the district  
 2 or, if no newspaper is published in the district, in one or  
 3 more newspapers with a general circulation within the district.  
 4 The notice shall be substantially in the following form:

5 NOTICE OF REFERENDUM TO  
 6 DEACTIVATE THE ... SCHOOL FACILITY  
 7 IN SCHOOL DISTRICT NO. ....

8 Notice is hereby given that on (insert date), a referendum  
 9 will be held in ..... County (Counties) for the purpose of  
 10 voting for or against the proposition to deactivate the .....  
 11 School facility in School District No. .... and to send  
 12 pupils in ..... School to School District(s) No. ....

13 The polls will be open at .... o'clock ... m., and close at  
 14 .... o'clock ... m. of the same day.

15 .....

16 Dated (insert date).

17 The proposition shall be in substantially the following form:

18 -----

19 Shall the Board  
 20 of Education of School  
 21 District No. ....,  
 22 ..... County, Illinois, be  
 23 authorized to deactivate  
 24 the .... School facility  
 25 and to send pupils in .....

YES

-----

NO

1 School to School

2 District(s) No. ....?

3 -----

4 If the majority of those voting upon the proposition in the  
5 district contemplating deactivation vote in favor of the  
6 proposition, the board of that district, upon approval of the  
7 board of the receiving district, shall execute a contract with  
8 the receiving district providing for the reassignment of  
9 students to the receiving district. If the deactivating  
10 district seeks to send its students to more than one district,  
11 it shall execute a contract with each receiving district. The  
12 length of the contract shall be for 2 school years, but the  
13 districts may renew the contract for additional one year or 2  
14 year periods. Contract renewals shall be executed by January 1  
15 of the year in which the existing contract expires. If the  
16 majority of those voting upon the proposition do not vote in  
17 favor of the proposition, the school facility may not be  
18 deactivated.

19 The sending district shall pay to the receiving district an  
20 amount agreed upon by the 2 districts.

21 When the deactivation of school facilities becomes  
22 effective pursuant to this Section, the provisions of  
23 subsection (h) of Section 24-11 of this Code ~~Section 24-12~~  
24 relative to the contractual continued service status of  
25 teachers having contractual continued service whose positions  
26 are transferred from one board to the control of a different



1 board shall apply, and the positions at the school facilities  
2 being deactivated held by teachers, as that term is defined in  
3 subsection (a) of Section 24-11 of this Code, having  
4 contractual continued service with the school district at the  
5 time of the deactivation shall be transferred to the control of  
6 the board or boards who shall be receiving the district's  
7 students on the following basis:

8 (1) positions of such teachers in contractual  
9 continued service that were full time positions shall be  
10 transferred to the control of whichever of such boards such  
11 teachers shall request with the teachers making such  
12 requests proceeding in the order of those with the greatest  
13 length of continuing service with the board to those with  
14 the shortest length of continuing service with the board,  
15 provided that the number selecting one board over another  
16 board or other boards shall not exceed that proportion of  
17 the school students going to such board or boards; and

18 (2) positions of such teachers in contractual  
19 continued service that were full time positions and as to  
20 which there is no selection left under subparagraph 1  
21 hereof shall be transferred to the appropriate board.

22 The contractual continued service status of any teacher  
23 thereby transferred to another district is not lost and the  
24 receiving board is subject to the School Code with respect to  
25 such transferred teacher in the same manner as if such teacher  
26 was the district's employee during the time such teacher was

1 actually employed by the board of the deactivating district  
2 from which the position was transferred.

3 When the deactivation of school facilities becomes  
4 effective pursuant to this Section, the provisions of  
5 subsection (b) of Section 10-23.5 of this Code relative to the  
6 transfer of educational support personnel employees shall  
7 apply, and the positions at the school facilities being  
8 deactivated that are held by educational support personnel  
9 employees at the time of the deactivation shall be transferred  
10 to the control of the board or boards that will be receiving  
11 the district's students on the following basis:

12 (A) positions of such educational support personnel  
13 employees that were full-time positions shall be  
14 transferred to the control of whichever of the boards the  
15 employees request, with the educational support personnel  
16 employees making these requests proceeding in the order of  
17 those with the greatest length of continuing service with  
18 the board to those with the shortest length of continuing  
19 service with the board, provided that the number selecting  
20 one board over another board or other boards must not  
21 exceed that proportion of students going to such board or  
22 boards; and

23 (B) positions of such educational support personnel  
24 employees that were full-time positions and as to which  
25 there is no selection left under subdivision (A) shall be  
26 transferred to the appropriate board.

1 The length of continuing service of any educational support  
2 personnel employee thereby transferred to another district is  
3 not lost and the receiving board is subject to this Code with  
4 respect to that transferred educational support personnel  
5 employee in the same manner as if the educational support  
6 personnel employee was the district's employee during the time  
7 the educational support personnel employee was actually  
8 employed by the board of the deactivating district from which  
9 the position was transferred.

10 (b) The provisions of this subsection shall not apply to  
11 the reactivation of a high school facility which is deactivated  
12 under subsection (c). The sending district may, with the  
13 approval of the voters in the district, reactivate the school  
14 facility which was deactivated. The board of the district  
15 seeking to reactivate the school facility shall, by proper  
16 resolution, cause the proposition to reactivate to be submitted  
17 to the voters of the district at a regularly scheduled  
18 election. Notice shall be published at least 10 days prior to  
19 the date of the election at least once in one or more  
20 newspapers published in the district or, if no newspaper is  
21 published in the district, in one or more newspapers with a  
22 general circulation within the district. The notice shall be  
23 substantially in the following form:

24 NOTICE OF REFERENDUM TO  
25 REACTIVATE THE ..... SCHOOL FACILITY  
26 IN SCHOOL DISTRICT NO. ....

1 Notice is hereby given that on (insert date), a referendum  
 2 will be held in ..... County (Counties) for the purpose of  
 3 voting for or against the proposition to reactivate the .....  
 4 School facility in School District No. .... and to discontinue  
 5 sending pupils of School District No. .... to School  
 6 District(s) No. ....

7 The polls will be opened at ... o'clock .. m., and closed  
 8 at ... o'clock .. m. of the same day.

9 .....

10 Dated (insert date).

11 The proposition shall be in substantially the following form:

12 -----

13	Shall the Board	
14	of Education of School	YES
15	District No. ....,	
16	..... County, Illinois,	
17	be authorized to	-----
18	reactivate the .... School	
19	facility and to discontinue sending	
20	pupils of School District No. ....	NO
21	to School District(s) No. ....?	

22 -----

23 (c) The school board of any unit school district which  
 24 experienced a strike by a majority of its certified employees  
 25 that endured for over 6 months during the regular school term

1 of the 1986-1987 school year, and which during the ensuing  
2 1987-1988 school year had an enrollment in grades 9 through 12  
3 of less than 125 students may, when in its judgment the  
4 interests of the district and of the students therein will be  
5 best served thereby, deactivate the high school facilities  
6 within the district for the regular term of the 1988-1989  
7 school year and, for that school year only, send the students  
8 of such high school in grades 9 through 12 to schools in  
9 adjoining or adjacent districts. Such action may only be taken:  
10 (a) by proper resolution of the school board deactivating its  
11 high school facilities and the approval, by proper resolution,  
12 of the school board of the receiving district or districts, and  
13 (b) pursuant to a contract between the sending and each  
14 receiving district, which contract or contracts: (i) shall  
15 provide for the reassignment of all students of the deactivated  
16 high school in grades 9 through 12 to the receiving district or  
17 districts; (ii) shall apply only to the regular school term of  
18 the 1988-1989 school year; (iii) shall not be subject to  
19 renewal or extension; and (iv) shall require the sending  
20 district to pay to the receiving district the cost of educating  
21 each student who is reassigned to the receiving district, such  
22 costs to be an amount agreed upon by the sending and receiving  
23 district but not less than the per capita cost of maintaining  
24 the high school in the receiving district during the 1987-1988  
25 school year. Any high school facility deactivated pursuant to  
26 this subsection for the regular school term of the 1988-1989

1 school year shall be reactivated by operation of law as of the  
2 end of the regular term of the 1988-1989 school year. The  
3 status as a unit school district of a district which  
4 deactivates its high school facilities pursuant to this  
5 subsection shall not be affected by reason of such deactivation  
6 of its high school facilities and such district shall continue  
7 to be deemed in law a school district maintaining grades  
8 kindergarten through 12 for all purposes relating to the levy,  
9 extension, collection and payment of the taxes of the district  
10 under Article 17 for the 1988-1989 school year.

11 (d) Whenever a school facility is reactivated pursuant to  
12 the provisions of this Section, then all teachers in  
13 contractual continued service who were honorably dismissed or  
14 transferred as part of the deactivation process, in addition to  
15 other rights they may have under the School Code, shall be  
16 recalled or transferred back to the original district.

17 (Source: P.A. 94-213, eff. 7-14-05; 95-110, eff. 1-1-08;  
18 95-148, eff. 8-14-07; 95-876, eff. 8-21-08.)

19 (105 ILCS 5/10-22.22c) (from Ch. 122, par. 10-22.22c)

20 Sec. 10-22.22c. (a) Subject to the following provisions of  
21 this Section two or more contiguous school districts each of  
22 which has an enrollment in grades 9 through 12 of less than 600  
23 students may, when in their judgment the interest of the  
24 districts and of the students therein will be best served,  
25 jointly operate one or more cooperative high schools. Such

1 action shall be taken for a minimum period of 20 school years,  
 2 and may be taken only with the approval of the voters of each  
 3 district. A district with 600 or more students enrolled in  
 4 grades 9 through 12 may qualify for inclusion with one or more  
 5 districts having less than 600 such students by receiving a  
 6 size waiver from the State Board of Education based on a  
 7 finding that such inclusion would significantly increase the  
 8 educational opportunities of the district's students, and by  
 9 meeting the other prerequisites of this Section. The board of  
 10 each district contemplating such joint operation shall, by  
 11 proper resolution, cause the proposition to enter into such  
 12 joint operation to be submitted to the voters of the district  
 13 at a regularly scheduled election. Notice shall be published at  
 14 least 10 days prior to the date of the election at least once  
 15 in one or more newspapers published in the district or, if no  
 16 newspaper is published in the district, in one or more  
 17 newspapers with a general circulation within the district. The  
 18 notice shall be substantially in the following form:

19 NOTICE OF REFERENDUM FOR SCHOOL DISTRICT

20 NO. .... AND SCHOOL DISTRICT NO. ....

21 TO JOINTLY OPERATE (A) COOPERATIVE HIGH

22 SCHOOL (SCHOOLS)

23 Notice is hereby given that on (insert date), a referendum  
 24 will be held in ..... County (Counties) for the purpose of  
 25 voting for or against the proposition for School District No.  
 26 ..... and School District No. .... to jointly operate (a)

1 cooperative high school (schools).

2 The polls will be open at ..... o'clock ... m., and close  
3 at ..... o'clock ... m., of the same day.

4 A ..... B .....

5 Dated (insert date).

6 Regional Superintendent of Schools

7 The proposition shall be in substantially the following  
8 form:

9 -----

10 Shall the Board of Education of

11 School District No. ...., ..... YES

12 County (Counties), Illinois be

13 authorized to enter with

14 into an agreement with School -----

15 District No. ...., .... County

16 (Counties), Illinois to jointly

17 operate (a) cooperative high NO

18 school (schools)?

19 -----

20 If the majority of those voting on the proposition in each  
21 district vote in favor of the proposition, the school boards of  
22 the participating districts may, if they agree on terms,  
23 execute a contract for such joint operation subject to the  
24 following provisions of this Section.

25 (b) The agreement for joint operation of any such



1 cooperative high school shall include, but not be limited to,  
2 provisions for administration, staff, programs, financing,  
3 facilities, and transportation. Such agreements may be  
4 modified, extended, or terminated by approval of each of the  
5 participating districts, provided that a district may withdraw  
6 from the agreement during its initial 20-year term only if the  
7 district is reorganizing with one or more districts under other  
8 provisions of this Code. Even if 2 or more of the participating  
9 district boards approve an extension of the agreement, any  
10 other participating district shall, upon failure of its board  
11 to approve such extension, disengage from such participation at  
12 the end of the then current agreement term.

13 (c) A governing board, which shall govern the operation of  
14 any such cooperative high school, shall be composed of an equal  
15 number of board members from each of the participating  
16 districts, except that where all participating district boards  
17 concur, membership on the governing board may be apportioned to  
18 reflect the number of students in each respective district who  
19 attend the cooperative high school. The membership of the  
20 governing board shall be not less than 6 nor more than 10 and  
21 shall be set by the agreement entered into by the participating  
22 districts. The school board of each participating district  
23 shall select, from its membership, its representatives on the  
24 governing board. The governing board shall prepare and adopt a  
25 budget for the cooperative high school. The governing board  
26 shall administer the cooperative high school in accordance with

1 the agreement of the districts and shall have the power to  
2 hire, supervise, and terminate staff; to enter into contracts;  
3 to adopt policies for the school; and to take all other actions  
4 necessary and proper for the operation of the school. However,  
5 the governing board may not levy taxes or incur any  
6 indebtedness except within the annual budget approved by the  
7 participating districts.

8 (d) (Blank).

9 (e) Each participating district shall pay its per capita  
10 cost of educating the students residing in its district and  
11 attending any such cooperative high school into the budget for  
12 the maintenance and operation of the cooperative high school.

13 The manner of determining per capita cost shall be set  
14 forth in the agreement. Each district shall pay the amount owed  
15 the governing board under the terms of the agreement from the  
16 fund that the district would have used if the district had  
17 incurred the costs directly and may levy taxes and issue bonds  
18 as otherwise authorized for these purposes in order to make  
19 payments to the governing board.

20 (f) Additional school districts having an enrollment in  
21 grades 9 through 12 of less than 600 students may be added to  
22 the agreement in accordance with the process described in  
23 subsection (a) of this Section. In the event additional  
24 districts are added, a new contract shall be executed in  
25 accordance with the provisions of this Section.

26 (g) Upon formation of the cooperative high school, the

1 school board of each participating district shall:

2 (1) confer and coordinate with each other and the  
3 governing board, if the governing board is then in  
4 existence, as to staffing needs for the cooperative high  
5 school;

6 (2) in consultation with any exclusive employee  
7 representatives and the governing board, if the governing  
8 board is then in existence, establish a combined list of  
9 teachers in all participating districts, categorized by  
10 positions, showing the length of service and the  
11 contractual continued service status, if any, of each  
12 teacher in each participating district who is qualified to  
13 hold any such positions at the cooperative high school, and  
14 then distribute this list to the exclusive employee  
15 representatives on or before February 1 of the school year  
16 prior to the commencement of the operation of the  
17 cooperative high school or within 30 days after the date of  
18 the referendum election if the proposition receives a  
19 majority of those voting in each district, whichever occurs  
20 first. This list is in addition to and not a substitute for  
21 any ~~the~~ list mandated by Section 24-12 of this Code; and

22 (3) transfer to the governing board of the cooperative  
23 high school the employment and the position of so many of  
24 the full-time or part-time high school teachers employed by  
25 a participating district as are jointly determined by the  
26 school boards of the participating districts and the

1 governing board, if the governing board is then in  
2 existence, to be needed at the cooperative high school,  
3 provided that these teacher transfers shall be done:

4 (A) by categories listed on the seniority list  
5 mentioned in subdivision (2) of this subsection (g);

6 (B) in each category, by having teachers in  
7 contractual continued service being transferred before  
8 any teachers who are not in contractual continued  
9 service; and

10 (C) in order from greatest seniority first through  
11 lesser amounts of seniority.

12 A teacher who is not in contractual continued service shall  
13 not be transferred if there is a teacher in contractual  
14 continued service in the same category who is qualified to hold  
15 the position that is to be filled.

16 If there are more teachers who have entered upon  
17 contractual continued service than there are available  
18 positions at the cooperative high school or within other  
19 assignments in the district, a school board shall first remove  
20 or dismiss all teachers who have not entered upon contractual  
21 continued service before removing or dismissing any teacher who  
22 has entered upon contractual continued service and who is  
23 legally qualified (i) to hold a position at the cooperative  
24 high school planned to be held by a teacher who has not entered  
25 upon contractual continued service or (ii) to hold another  
26 position in the participating district. As between teachers who

1 have entered upon contractual continued service, the teacher or  
2 teachers with the shorter length of continuing service in any  
3 of the participating districts shall be dismissed first. Any  
4 teacher dismissed as a result of such a decrease shall be paid  
5 all earned compensation on or before the third business day  
6 following the last day of pupil attendance in the regular  
7 school term. If the school board that has dismissed a teacher  
8 or the governing board has any vacancies for the following  
9 school term or within one calendar year from the beginning of  
10 the following school term, the positions thereby becoming  
11 available shall be tendered to the teachers so removed or  
12 dismissed so far as they are legally qualified to hold such  
13 positions. However, if the number of honorable dismissal  
14 notices in all participating districts exceeds 15% of full-time  
15 equivalent positions filled by certified employees (excluding  
16 principals and administrative personnel) during the preceding  
17 school year in all participating districts and if the school  
18 board that has dismissed a teacher or the governing board has  
19 any vacancies for the following school term or within 2  
20 calendar years from the beginning of the following school term,  
21 the positions so becoming available shall be tendered to the  
22 teachers who were so notified, removed, or dismissed whenever  
23 these teachers are legally qualified to hold such positions.

24 The provisions of subsection (h) of Section 24-11 ~~Section~~  
25 ~~24-12~~ of this Code concerning teachers whose positions are  
26 transferred from one board to the control of a different board

1 shall apply to the teachers who are transferred. The  
2 contractual continued service of any transferred teacher is not  
3 lost and the governing board is subject to this Code with  
4 respect to the teacher in the same manner as if the teacher had  
5 been the governing board's employee during the time the teacher  
6 was actually employed by the board of the district from which  
7 the position and the teacher's employment were transferred. The  
8 time spent in employment with a participating district by any  
9 teacher who has not yet entered upon contractual continued  
10 service and who is transferred to the governing board is not  
11 lost when computing the time necessary for the teacher to enter  
12 upon contractual continued service, and the governing board is  
13 subject to this Code with respect to the teacher in the same  
14 manner as if the teacher had been the governing board's  
15 employee during the time the teacher was actually employed by  
16 the school board from which the position and the teacher's  
17 employment were transferred.

18 If the cooperative high school is dissolved, any teacher  
19 who was transferred from a participating district shall be  
20 transferred back to the district and subsection (h) of Section  
21 24-11 ~~Section 24-12~~ of this Code shall apply. In that case, a  
22 district is subject to this Code in the same manner as if the  
23 teacher transferred back had been continuously in the service  
24 of the receiving district.

25 (h) Upon formation of the cooperative high school, the  
26 school board of each participating district shall:

1           (1) confer and coordinate with each other and the  
2 governing board, if the governing board is then in  
3 existence, as to needs for educational support personnel  
4 for the cooperative high school;

5           (2) in consultation with any exclusive employee  
6 representative or bargaining agent and the governing  
7 board, if the governing board is then in existence,  
8 establish a combined list of educational support personnel  
9 in participating districts, categorized by positions,  
10 showing the length of continuing service of each full-time  
11 educational support personnel employee who is qualified to  
12 hold any such position at the cooperative high school, and  
13 then distribute this list to the exclusive employee  
14 representative or bargaining agent on or before February 1  
15 of the school year prior to the commencement of the  
16 operation of the cooperative high school or within 30 days  
17 after the date of the referendum election if the  
18 proposition receives a majority of those voting in each  
19 district, whichever occurs first; and

20           (3) transfer to the governing board of the cooperative  
21 high school the employment and the positions of so many of  
22 the full-time educational support personnel employees  
23 employed by a participating district as are jointly  
24 determined by the school boards of the participating  
25 districts and the governing board, if the governing board  
26 is then in existence, to be needed at the cooperative high

1 school, provided that the full-time educational personnel  
2 employee transfers shall be done by categories on the  
3 seniority list mentioned in subdivision (2) of this  
4 subsection (h) and done in order from greatest seniority  
5 first through lesser amounts of seniority.

6 If there are more full-time educational support personnel  
7 employees than there are available positions at the cooperative  
8 high school or in the participating district, a school board  
9 shall first remove or dismiss those educational support  
10 personnel employees with the shorter length of continuing  
11 service in any of the participating districts, within the  
12 respective category of position. The governing board is subject  
13 to this Code with respect to the educational support personnel  
14 employee as if the educational support personnel employee had  
15 been the governing board's employee during the time the  
16 educational support personnel employee was actually employed  
17 by the school board of the district from which the employment  
18 and position were transferred. Any educational support  
19 personnel employee dismissed as a result of such a decrease  
20 shall be paid all earned compensation on or before the third  
21 business day following his or her last day of employment. If  
22 the school board that has dismissed the educational support  
23 personnel employee or the governing board has any vacancies for  
24 the following school term or within one calendar year from the  
25 beginning of the following school term, the positions thereby  
26 becoming available within a specific category of position shall



1 be tendered to the employees so removed or dismissed from that  
2 category of position so far as they are legally qualified to  
3 hold such positions. If the cooperative high school is  
4 dissolved, any educational support personnel employee who was  
5 transferred from a participating district shall be transferred  
6 back to the district and Section 10-23.5 of this Code shall  
7 apply. In that case, a district is subject to this Code in the  
8 same manner as if the educational support personnel employee  
9 transferred back had been continuously in the service of the  
10 receiving district.

11 (i) Two or more school districts not contiguous to each  
12 other, each of which has an enrollment in grades 9 through 12  
13 of less than 600 students, may jointly operate one or more  
14 cooperative high schools if the following requirements are met  
15 and documented within 2 calendar years prior to the proposition  
16 filing date, pursuant to subsection (a) of this Section:

17 (1) the distance between each district administrative  
18 office is documented as no more than 30 miles;

19 (2) every district contiguous to the district wishing  
20 to operate one or more cooperative high schools under the  
21 provisions of this Section determines that it is not  
22 interested in participating in such joint operation,  
23 through a vote of its school board, and documents that  
24 non-interest in a letter to the districts wishing to form  
25 the cooperative high school containing approved minutes  
26 that record the school board vote;

1           (3) documentation of meeting these requirements is  
2           attached to the board resolution required under subsection  
3           (a) of this Section; and

4           (4) all other provisions of this Section are followed.  
5           (Source: P.A. 98-125, eff. 8-2-13.)

6           (105 ILCS 5/10-22.22d)

7           Sec. 10-22.22d. Pilot cooperative elementary school and  
8           pilot cooperative high school.

9           (a) Subject to the provisions of this Section, 2 contiguous  
10          school districts that are (i) located all or in part in  
11          Vermilion County; (ii) have an enrollment in grades 6-8 of less  
12          than 150 during the 2008-2009 school year and in grades 9-12 of  
13          less than 400 during the 2008-2009 school year; and (iii) have  
14          a Junior High School serving grades 6, 7, and 8 in one of the  
15          districts may, when in their judgment the interest of the  
16          districts and of the students will be best served, jointly  
17          pilot a cooperative elementary school or cooperative high  
18          school, or both.

19          The board of each district contemplating a joint operation  
20          shall, by proper resolution, cause the proposition to enter  
21          into such joint operation for a period not to exceed 3 years.

22          The school boards of the participating districts may, if  
23          they agree on terms, execute a contract for such joint  
24          operation subject to the provisions of this Section.

25          (b) The agreement for joint operation of any such

1 cooperative elementary school or cooperative high school, or  
2 both, shall include, but not be limited to, provisions for  
3 administration, staff, programs, financing, facilities, and  
4 transportation. Agreements may be modified, by approval of each  
5 of the participating districts, provided that a district may  
6 withdraw from the agreement only if the district is  
7 reorganizing with one or more districts under other provisions  
8 of this Code.

9 (c) A governing board, which shall govern the operation of  
10 any such cooperative elementary school or cooperative high  
11 school, or both, shall be apportioned to reflect the number of  
12 students in each respective district who attend the cooperative  
13 elementary school or cooperative high school, or both. The  
14 membership of the governing board shall be 5 members. The  
15 school board of each participating district shall select, from  
16 its membership, its representatives on the governing board. The  
17 governing board shall prepare and adopt a budget for the  
18 cooperative elementary school or cooperative high school, or  
19 both. The governing board shall administer the cooperative  
20 elementary school or cooperative high school, or both, in  
21 accordance with the agreement of the districts and shall have  
22 the power to hire, supervise, and terminate staff; to enter  
23 into contracts; to adopt policies for the school or schools;  
24 and to take all other actions necessary and proper for the  
25 operation of the school or schools. The governing board may not  
26 levy taxes or incur any indebtedness except within the annual

1 budget approved by the participating districts.

2 (d) Each participating district shall pay its per capita  
3 cost of educating the students residing in its district and  
4 attending any cooperative elementary school or cooperative  
5 high school into the budget for the maintenance and operation  
6 of the cooperative elementary school or cooperative high  
7 school, or both.

8 The manner of determining per capita cost shall be set  
9 forth in the agreement. Each district shall pay the amount owed  
10 the governing board under the terms of the agreement from the  
11 fund that the district would have used if the district had  
12 incurred the costs directly and may levy taxes and issue bonds  
13 as otherwise authorized for these purposes in order to make  
14 payments to the governing board.

15 (e) Upon formation of the cooperative elementary school or  
16 cooperative high school, or both, the school board of each  
17 participating district shall:

18 (1) confer and coordinate with each other and the  
19 governing board, if the governing board is then in  
20 existence, as to staffing needs for the cooperative  
21 elementary school or cooperative high school, or both;

22 (2) in consultation with any exclusive employee  
23 representatives and the governing board, if the governing  
24 board is then in existence, establish a combined list of  
25 teachers in all participating districts, categorized by  
26 positions, showing the length of service and the

1 contractual continued service status, if any, of each  
2 teacher in each participating district who is qualified to  
3 hold any positions at the cooperative elementary school or  
4 cooperative high school, or both, and then distribute this  
5 list to the exclusive employee representatives on or before  
6 February 1 of the school year prior to the commencement of  
7 the operation of the cooperative elementary school or  
8 cooperative high school, or both, or within 30 days after  
9 the date of the board resolutions, whichever occurs first;  
10 this list is in addition to and not a substitute for the  
11 list mandated by Section 24-12 of this Code; and

12 (3) transfer to the governing board of the cooperative  
13 elementary school or cooperative high school, or both, the  
14 employment and the position of so many of the full-time or  
15 part-time school teachers employed by a participating  
16 district as are jointly determined by the school boards of  
17 the participating districts and the governing board, if the  
18 governing board is then in existence, to be needed at the  
19 cooperative school or schools, provided that these teacher  
20 transfers shall be done:

21 (A) by categories listed on the seniority list  
22 mentioned in item (2) of this subsection (e);

23 (B) in each category, by having teachers in  
24 contractual continued service being transferred before  
25 any teachers who are not in contractual continued  
26 service; and

1           (C) in order from greatest seniority first through  
2           lesser amounts of seniority.

3           A teacher who is not in contractual continued service shall  
4           not be transferred if there is a teacher in contractual  
5           continued service in the same category who is qualified to hold  
6           the position that is to be filled.

7           If there are more teachers who have entered upon  
8           contractual continued service than there are available  
9           positions at the cooperative elementary school or cooperative  
10          high school, or both or within other assignments in the  
11          district, a school board shall first remove or dismiss all  
12          teachers who have not entered upon contractual continued  
13          service before removing or dismissing any teacher who has  
14          entered upon contractual continued service and who is legally  
15          qualified (i) to hold a position at the cooperative elementary  
16          school or cooperative high school, or both planned to be held  
17          by a teacher who has not entered upon contractual continued  
18          service or (ii) to hold another position in the participating  
19          district. As between teachers who have entered upon contractual  
20          continued service, the teacher or teachers with the shorter  
21          length of continuing service in any of the participating  
22          districts shall be dismissed first. Any teacher dismissed as a  
23          result of such a decrease shall be paid all earned compensation  
24          on or before the third business day following the last day of  
25          pupil attendance in the regular school term. If the school  
26          board that has dismissed a teacher or the governing board has

1 any vacancies for the following school term or within one  
2 calendar year from the beginning of the following school term,  
3 then the positions thereby becoming available shall be tendered  
4 to the teachers so removed or dismissed so far as they are  
5 legally qualified to hold such positions. If the number of  
6 honorable dismissal notices in all participating districts  
7 exceeds 15% of full-time equivalent positions filled by  
8 certified employees (excluding principals and administrative  
9 personnel) during the preceding school year in all  
10 participating districts and if the school board that has  
11 dismissed a teacher or the governing board has any vacancies  
12 for the following school term or within 2 calendar years from  
13 the beginning of the following school term, the positions so  
14 becoming available shall be tendered to the teachers who were  
15 so notified, removed, or dismissed whenever these teachers are  
16 legally qualified to hold those positions.

17 The provisions of subsection (h) of Section 24-11 ~~Section~~  
18 ~~24-12~~ of this Code concerning teachers whose positions are  
19 transferred from one board to the control of a different board  
20 shall apply to the teachers who are transferred. The  
21 contractual continued service of any transferred teacher is not  
22 lost and the governing board is subject to this Code with  
23 respect to the teacher in the same manner as if the teacher had  
24 been the governing board's employee during the time the teacher  
25 was actually employed by the board of the district from which  
26 the position and the teacher's employment were transferred. The

1 time spent in employment with a participating district by any  
2 teacher who has not yet entered upon contractual continued  
3 service and who is transferred to the governing board is not  
4 lost when computing the time necessary for the teacher to enter  
5 upon contractual continued service, and the governing board is  
6 subject to this Code with respect to the teacher in the same  
7 manner as if the teacher had been the governing board's  
8 employee during the time the teacher was actually employed by  
9 the school board from which the position and the teacher's  
10 employment were transferred.

11 At the conclusion of the pilot program, any teacher who was  
12 transferred from a participating district shall be transferred  
13 back to the district and subsection (h) of Section 24-11  
14 ~~Section 24-12~~ of this Code shall apply. In that case, a  
15 district is subject to this Code in the same manner as if the  
16 teacher transferred back had been continuously in the service  
17 of the receiving district.

18 (f) Upon formation of the cooperative elementary school or  
19 cooperative high school, or both, the school board of each  
20 participating district shall:

21 (1) confer and coordinate with each other and the  
22 governing board, if the governing board is then in  
23 existence, as to needs for educational support personnel  
24 for the cooperative elementary school or cooperative high  
25 school, or both;

26 (2) in consultation with any exclusive employee



1 representative or bargaining agent and the governing  
2 board, if the governing board is then in existence,  
3 establish a combined list of educational support personnel  
4 in participating districts, categorized by positions,  
5 showing the length of continuing service of each full-time  
6 educational support personnel employee who is qualified to  
7 hold any such position at the cooperative elementary school  
8 or cooperative high school, or both, and then distribute  
9 this list to the exclusive employee representative or  
10 bargaining agent on or before February 1 of the school year  
11 prior to the commencement of the operation of the  
12 cooperative elementary school or cooperative high school,  
13 or both or within 30 days after the date of the board  
14 resolutions, whichever occurs first; and

15 (3) transfer to the governing board of the cooperative  
16 elementary school or cooperative high school, or both the  
17 employment and the positions of so many of the full-time  
18 educational support personnel employees employed by a  
19 participating district as are jointly determined by the  
20 school boards of the participating districts and the  
21 governing board, if the governing board is then in  
22 existence, to be needed at the cooperative elementary  
23 school or cooperative high school, or both, provided that  
24 the full-time educational personnel employee transfers  
25 shall be done by categories on the seniority list mentioned  
26 in item (2) of this subsection (f) and done in order from

1           greatest seniority first through lesser amounts of  
2           seniority.

3           If there are more full-time educational support personnel  
4           employees than there are available positions at the cooperative  
5           elementary school or cooperative high school, or both or in the  
6           participating district, then a school board shall first remove  
7           or dismiss those educational support personnel employees with  
8           the shorter length of continuing service in any of the  
9           participating districts, within the respective category of  
10          position. The governing board is subject to this Code with  
11          respect to the educational support personnel employee as if the  
12          educational support personnel employee had been the governing  
13          board's employee during the time the educational support  
14          personnel employee was actually employed by the school board of  
15          the district from which the employment and position were  
16          transferred. Any educational support personnel employee  
17          dismissed as a result of such a decrease shall be paid all  
18          earned compensation on or before the third business day  
19          following his or her last day of employment. If the school  
20          board that has dismissed the educational support personnel  
21          employee or the governing board has any vacancies for the  
22          following school term or within one calendar year from the  
23          beginning of the following school term, then the positions  
24          thereby becoming available within a specific category of  
25          position shall be tendered to the employees so removed or  
26          dismissed from that category of position so far as they are

1 legally qualified to hold such positions. At the conclusion of  
2 the pilot, any educational support personnel employee who was  
3 transferred from a participating district shall be transferred  
4 back to the district and Section 10-23.5 of this Code shall  
5 apply. In that case, a district is subject to this Code in the  
6 same manner as if the educational support personnel employee  
7 transferred back had been continuously in the service of the  
8 receiving district.

9 (g) This Section repeals 3 years after the beginning date  
10 of operation of a pilot cooperative elementary school or a  
11 pilot cooperative high school.

12 (Source: P.A. 96-1328, eff. 7-27-10.)

13 (105 ILCS 5/11E-110)

14 Sec. 11E-110. Teachers in contractual continued service;  
15 educational support personnel employees.

16 (a) When a school district conversion or multi-unit  
17 conversion becomes effective for purposes of administration  
18 and attendance, as determined pursuant to Section 11E-70 of  
19 this Code, the provisions of subsection (h) of Section 24-11  
20 ~~Section 24-12~~ of this Code relative to the contractual  
21 continued service status of teachers having contractual  
22 continued service whose positions are transferred from one  
23 school board to the control of a new or different school board  
24 shall apply, and the positions held by teachers, as that term  
25 is defined in subsection (a) of Section 24-11 of this Code,

1 having contractual continued service with the unit district at  
2 the time of its dissolution shall be transferred on the  
3 following basis:

4 (1) positions of teachers in contractual continued  
5 service that, during the 5 school years immediately  
6 preceding the effective date of the change, as determined  
7 under Section 11E-70 of this Code, were full-time positions  
8 in which all of the time required of the position was spent  
9 in one or more of grades 9 through 12 shall be transferred  
10 to the control of the school board of the new high school  
11 district or combined high school - unit district, as the  
12 case may be;

13 (2) positions of teachers in contractual continued  
14 service that, during the 5 school years immediately  
15 preceding the effective date of the change, as determined  
16 under Section 11E-70 of this Code, were full-time positions  
17 in which all of the time required of the position was spent  
18 in one or more of grades kindergarten through 8 shall be  
19 transferred to the control of the school board of the newly  
20 created successor elementary district; and

21 (3) positions of teachers in contractual continued  
22 service that were full-time positions not required to be  
23 transferred to the control of the school board of the new  
24 high school district or combined high school - unit  
25 district, as the case may be, or the school board of the  
26 newly created successor elementary district under the

1 provisions of subdivision (1) or (2) of this subsection (a)  
2 shall be transferred to the control of whichever of the  
3 boards the teacher shall request.

4 With respect to each position to be transferred under the  
5 provisions of this subsection (a), the amount of time required  
6 of each position to be spent in one or more of grades  
7 kindergarten through 8 and 9 through 12 shall be determined  
8 with reference to the applicable records of the unit district  
9 being dissolved pursuant to stipulation of the school board of  
10 the unit district prior to the effective date of its  
11 dissolution or thereafter of the school board of the newly  
12 created districts and with the approval in either case of the  
13 regional superintendent of schools of the educational service  
14 region in which the territory described in the petition filed  
15 under this Article or the greater percentage of equalized  
16 assessed evaluation of the territory is situated; however, if  
17 no such stipulation can be agreed upon, the regional  
18 superintendent of schools, after hearing any additional  
19 relevant and material evidence that any school board desires to  
20 submit, shall make the determination.

21 (a-5) When a school district conversion or multi-unit  
22 conversion becomes effective for purposes of administration  
23 and attendance, as determined pursuant to Section 11E-70 of  
24 this Code, the provisions of subsection (b) of Section 10-23.5  
25 of this Code relative to the transfer of educational support  
26 personnel employees shall apply, and the positions held by

1 educational support personnel employees shall be transferred  
2 on the following basis:

3 (1) positions of educational support personnel  
4 employees that, during the 5 school years immediately  
5 preceding the effective date of the change, as determined  
6 under Section 11E-70 of this Code, were full-time positions  
7 in which all of the time required of the position was spent  
8 in one or more of grades 9 through 12 shall be transferred  
9 to the control of the school board of the new high school  
10 district or combined high school - unit district, as the  
11 case may be;

12 (2) positions of educational support personnel  
13 employees that, during the 5 school years immediately  
14 preceding the effective date of the change, as determined  
15 under Section 11E-70 of this Code, were full-time positions  
16 in which all of the time required of the position was spent  
17 in one or more of grades kindergarten through 8 shall be  
18 transferred to the control of the school board of the newly  
19 created successor elementary district; and

20 (3) positions of educational support personnel  
21 employees that were full-time positions not required to be  
22 transferred to the control of the school board of the new  
23 high school district or combined high school - unit  
24 district, as the case may be, or the school board of the  
25 newly created successor elementary district under  
26 subdivision (1) or (2) of this subsection (a-5) shall be

1 transferred to the control of whichever of the boards the  
2 educational support personnel employee requests.

3 With respect to each position to be transferred under this  
4 subsection (a-5), the amount of time required of each position  
5 to be spent in one or more of grades kindergarten through 8 and  
6 9 through 12 shall be determined with reference to the  
7 applicable records of the unit district being dissolved  
8 pursuant to stipulation of the school board of the unit  
9 district prior to the effective date of its dissolution or  
10 thereafter of the school board of the newly created districts  
11 and with the approval in either case of the regional  
12 superintendent of schools of the educational service region in  
13 which the territory described in the petition filed under this  
14 Article or the greater percentage of equalized assessed  
15 evaluation of the territory is situated; however, if no such  
16 stipulation can be agreed upon, the regional superintendent of  
17 schools, after hearing any additional relevant and material  
18 evidence that any school board desires to submit, shall make  
19 the determination.

20 (b) When the creation of a unit district or a combined  
21 school district becomes effective for purposes of  
22 administration and attendance, as determined pursuant to  
23 Section 11E-70 of this Code, the positions of teachers in  
24 contractual continued service in the districts involved in the  
25 creation of the new district are transferred to the newly  
26 created district pursuant to the provisions of subsection (h)

1 of Section 24-11 ~~Section 24-12~~ of this Code relative to  
2 teachers having contractual continued service status whose  
3 positions are transferred from one board to the control of a  
4 different board, and those provisions of subsection (h) of  
5 Section 24-11 of this Code ~~Section 24-12~~ shall apply to these  
6 transferred teachers. The contractual continued service status  
7 of any teacher thereby transferred to the newly created  
8 district is not lost and the new school board is subject to  
9 this Code with respect to the transferred teacher in the same  
10 manner as if the teacher was that district's employee and had  
11 been its employee during the time the teacher was actually  
12 employed by the school board of the district from which the  
13 position was transferred.

14 (c) When the creation of a unit district or a combined  
15 school district becomes effective for purposes of  
16 administration and attendance, as determined pursuant to  
17 Section 11E-70 of this Code, the positions of educational  
18 support personnel employees in the districts involved in the  
19 creation of the new district shall be transferred to the newly  
20 created district pursuant to subsection (b) of Section 10-23.5  
21 of this Code. The length of continuing service of any  
22 educational support personnel employee thereby transferred to  
23 the newly created district is not lost and the new school board  
24 is subject to this Code with respect to the transferred  
25 educational support personnel employee in the same manner as if  
26 the educational support personnel employee had been that



1 district's employee during the time the educational support  
2 personnel employee was actually employed by the school board of  
3 the district from which the position was transferred.

4 (Source: P.A. 94-1019, eff. 7-10-06; 95-148, eff. 8-14-07;  
5 95-331, eff. 8-21-07.)

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

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

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

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

26 If a school district is precluded from providing the

1 minimum hours of instruction required for a full day of  
2 attendance due to an adverse weather condition or a condition  
3 beyond the control of the school district that poses a  
4 hazardous threat to the health and safety of students, then the  
5 partial day of attendance may be counted if (i) the school  
6 district has provided at least one hour of instruction prior to  
7 the closure of the school district, (ii) a school building has  
8 provided at least one hour of instruction prior to the closure  
9 of the school building, or (iii) the normal start time of the  
10 school district is delayed.

11 If, prior to providing any instruction, a school district  
12 must close one or more but not all school buildings after  
13 consultation with a local emergency response agency or due to a  
14 condition beyond the control of the school district, then the  
15 school district may claim attendance for up to 2 school days  
16 based on the average attendance of the 3 school days  
17 immediately preceding the closure of the affected school  
18 building or, if approved by the State Board of Education,  
19 utilize the provisions of an e-learning program for the  
20 affected school building as prescribed in Section 10-20.56 of  
21 this Code. The partial or no day of attendance described in  
22 this Section and the reasons therefore shall be certified  
23 within a month of the closing or delayed start by the school  
24 district superintendent to the regional superintendent of  
25 schools for forwarding to the State Superintendent of Education  
26 for approval.

1 Other than the utilization of any e-learning days as  
2 prescribed in Section 10-20.56 of this Code, no exception to  
3 the requirement of providing a minimum school term may be  
4 approved by the State Superintendent of Education pursuant to  
5 this Section unless a school district has first used all  
6 emergency days provided for in its regular calendar.

7 If the State Superintendent of Education declares that an  
8 energy shortage exists during any part of the school year for  
9 the State or a designated portion of the State, a district may  
10 operate the school attendance centers within the district 4  
11 days of the week during the time of the shortage by extending  
12 each existing school day by one clock hour of school work, and  
13 the State aid claim shall not be reduced, nor shall the  
14 employees of that district suffer any reduction in salary or  
15 benefits as a result thereof. A district may operate all  
16 attendance centers on this revised schedule, or may apply the  
17 schedule to selected attendance centers, taking into  
18 consideration such factors as pupil transportation schedules  
19 and patterns and sources of energy for individual attendance  
20 centers.

21 Electronically submitted State aid claims shall be  
22 submitted by duly authorized district ~~or regional~~ individuals  
23 over a secure network that is password protected. The  
24 electronic submission of a State aid claim must be accompanied  
25 with an affirmation that all of the provisions of Sections  
26 18-8.05 ~~through 18-9~~, 10-22.5, and 24-4 of this Code are met in

1 all respects.

2 (Source: P.A. 99-194, eff. 7-30-15.)

3 (105 ILCS 5/21B-30)

4 Sec. 21B-30. Educator testing.

5 (a) This Section applies beginning on July 1, 2012.

6 (b) The State Board of Education, in consultation with the  
7 State Educator Preparation and Licensure Board, shall design  
8 and implement a system of examinations, which shall be required  
9 prior to the issuance of educator licenses. These examinations  
10 and indicators must be based on national and State professional  
11 teaching standards, as determined by the State Board of  
12 Education, in consultation with the State Educator Preparation  
13 and Licensure Board. The State Board of Education may adopt  
14 such rules as may be necessary to implement and administer this  
15 Section. No score on a test required under this Section, other  
16 than a test of basic skills, shall be more than 10 years old at  
17 the time that an individual makes application for an educator  
18 license or endorsement.

19 (c) Applicants seeking a Professional Educator License or  
20 an Educator License with Stipulations shall be required to pass  
21 a test of basic skills before the license is issued, unless the  
22 endorsement the individual is seeking does not require passage  
23 of the test. All applicants completing Illinois-approved,  
24 teacher education or school service personnel preparation  
25 programs shall be required to pass the State Board of

1 Education's recognized test of basic skills prior to starting  
2 their student teaching or starting the final semester of their  
3 internship, unless required earlier at the discretion of the  
4 recognized, Illinois institution in which they are completing  
5 their approved program. An individual who passes a test of  
6 basic skills does not need to do so again for subsequent  
7 endorsements or other educator licenses.

8 (d) All applicants seeking a State license shall be  
9 required to pass a test of content area knowledge for each area  
10 of endorsement for which there is an applicable test. There  
11 shall be no exception to this requirement. No candidate shall  
12 be allowed to student teach or serve as the teacher of record  
13 until he or she has passed the applicable content area test.

14 (e) All applicants seeking a State license endorsed in a  
15 teaching field and completing their student teaching  
16 experience no later than August 31, 2015 shall pass the  
17 assessment of professional teaching (APT). Prior to September  
18 1, 2015, passage ~~Passage~~ of the APT is required for completion  
19 of an approved Illinois educator preparation program. The APT  
20 shall be available through August 31, 2020.

21 (f) Beginning on September 1, 2015, all candidates  
22 completing teacher preparation programs in this State and all  
23 candidates subject to Section 21B-35 of this Code are required  
24 to pass an evidence-based assessment of teacher effectiveness  
25 approved by the State Board of Education, in consultation with  
26 the State Educator Preparation and Licensure Board. All

1 recognized institutions offering approved teacher preparation  
2 programs must begin phasing in the approved teacher performance  
3 assessment no later than July 1, 2013.

4 (g) Tests of basic skills and content area knowledge and  
5 the assessment of professional teaching shall be the tests that  
6 from time to time are designated by the State Board of  
7 Education, in consultation with the State Educator Preparation  
8 and Licensure Board, and may be tests prepared by an  
9 educational testing organization or tests designed by the State  
10 Board of Education, in consultation with the State Educator  
11 Preparation and Licensure Board. The areas to be covered by a  
12 test of basic skills shall include reading, language arts, and  
13 mathematics. The test of content area knowledge shall assess  
14 content knowledge in a specific subject field. The tests must  
15 be designed to be racially neutral to ensure that no person  
16 taking the tests is discriminated against on the basis of race,  
17 color, national origin, or other factors unrelated to the  
18 person's ability to perform as a licensed employee. The score  
19 required to pass the tests shall be fixed by the State Board of  
20 Education, in consultation with the State Educator Preparation  
21 and Licensure Board. The tests shall be administered not fewer  
22 than 3 times a year at such time and place as may be designated  
23 by the State Board of Education, in consultation with the State  
24 Educator Preparation and Licensure Board.

25 The State Board shall implement a test or tests to assess  
26 the speaking, reading, writing, and grammar skills of

1 applicants for an endorsement or a license issued under  
2 subdivision (G) of paragraph (2) of Section 21B-20 of this Code  
3 in the English language and in the language of the transitional  
4 bilingual education program requested by the applicant.

5 (h) Except as provided in Section 34-6 of this Code, the  
6 provisions of this Section shall apply equally in any school  
7 district subject to Article 34 of this Code.

8 (i) The rules developed to implement and enforce the  
9 testing requirements under this Section shall include without  
10 limitation provisions governing test selection, test  
11 validation and determination of a passing score,  
12 administration of the tests, frequency of administration,  
13 applicant fees, frequency of applicants taking the tests, the  
14 years for which a score is valid, and appropriate special  
15 accommodations. The State Board of Education shall develop such  
16 rules as may be needed to ensure uniformity from year to year  
17 in the level of difficulty for each form of an assessment.

18 (Source: P.A. 98-361, eff. 1-1-14; 98-581, eff. 8-27-13;  
19 98-756, eff. 7-16-14; 99-58, eff. 7-16-15.)

20 Section 10. The School Breakfast and Lunch Program Act is  
21 amended by changing Section 9 as follows:

22 (105 ILCS 125/9) (from Ch. 122, par. 712.9)

23 Sec. 9. Certification and payment of claims. The State  
24 Board of Education shall prepare and certify to the State



1 Comptroller at least quarterly ~~monthly~~ the amount due each  
2 board and welfare center, whereupon the Comptroller shall draw  
3 his warrants on the State Treasurer for the amounts certified  
4 for the various school boards and welfare centers.

5 (Source: P.A. 91-843, eff. 6-22-00.)

6 Section 99. Effective date. This Act takes effect July 1,  
7 2016.