

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 2-3.25a, 7-2a, 7-14A, 10-22.22b, 10-22.22c, 10-22.22d,
6 11E-110, 18-12, and 21B-30 as follows:

7 (105 ILCS 5/2-3.25a) (from Ch. 122, par. 2-3.25a)

8 Sec. 2-3.25a. "School district" defined; additional
9 standards.

10 (a) For the purposes of this Section and Sections 3.25b,
11 3.25c, 3.25d, 3.25e, and 3.25f of this Code, "school district"
12 includes other public entities responsible for administering
13 public schools, such as cooperatives, joint agreements,
14 charter schools, special charter districts, regional offices
15 of education, local agencies, and the Department of Human
16 Services.

17 (b) In addition to the standards established pursuant to
18 Section 2-3.25, the State Board of Education shall develop
19 recognition standards for student performance and school
20 improvement for all school districts and their individual
21 schools, which must be an outcomes-based, balanced
22 accountability measure. The State Board of Education is
23 prohibited from having separate performance standards for

1 students based on race or ethnicity.

2 Subject to the availability of federal, State, public, or
3 private funds, the balanced accountability measure must be
4 designed to focus on 2 components, student performance and
5 professional practice. The student performance component shall
6 count for 30% of the total balanced accountability measure, and
7 the professional practice component shall count for 70% of the
8 total balanced accountability measure. The student performance
9 component shall focus on student outcomes and closing the
10 achievement gaps within each school district and its individual
11 schools using a Multiple Measure Index and Annual Measurable
12 Objectives, as set forth in Section 2-3.25d of this Code. The
13 professional practice component shall focus on the degree to
14 which a school district, as well as its individual schools, is
15 implementing evidence-based, best professional practices and
16 exhibiting continued improvement. Beginning with the 2015-2016
17 school year, the balanced accountability measure shall consist
18 of only the student performance component, which shall account
19 for 100% of the total balanced accountability measure. From the
20 2017-2018 ~~2016-2017~~ school year through the 2022-2023
21 ~~2021-2022~~ school year, the State Board of Education and a
22 Balanced Accountability Measure Committee shall identify a
23 number of school districts per the designated school years to
24 begin implementing the balanced accountability measure, which
25 includes both the student performance and professional
26 practice components. By the 2022-2023 ~~2021-2022~~ school year,

1 all school districts must be implementing the balanced
2 accountability measure, which includes both components. The
3 Balanced Accountability Measure Committee shall consist of the
4 following individuals: a representative of a statewide
5 association representing regional superintendents of schools,
6 a representative of a statewide association representing
7 principals, a representative of an association representing
8 principals in a city having a population exceeding 500,000, a
9 representative of a statewide association representing school
10 administrators, a representative of a statewide professional
11 teachers' organization, a representative of a different
12 statewide professional teachers' organization, an additional
13 representative from either statewide professional teachers'
14 organization, a representative of a professional teachers'
15 organization in a city having a population exceeding 500,000, a
16 representative of a statewide association representing school
17 boards, and a representative of a school district organized
18 under Article 34 of this Code. The head of each association or
19 entity listed in this paragraph shall appoint its respective
20 representative. The State Superintendent of Education, in
21 consultation with the Committee, may appoint no more than 2
22 additional individuals to the Committee, which individuals
23 shall serve in an advisory role and must not have voting or
24 other decision-making rights. The Committee is abolished on
25 June 1, 2023 ~~2022~~.

26 Using a Multiple Measure Index consistent with subsection

1 (a) of Section 2-3.25d of this Code, the student performance
2 component shall consist of the following subcategories, each of
3 which must be valued at 10%:

4 (1) achievement status;

5 (2) achievement growth; and

6 (3) Annual Measurable Objectives, as set forth in
7 subsection (b) of Section 2-3.25d of this Code.

8 Achievement status shall measure and assess college and career
9 readiness, as well as the graduation rate. Achievement growth
10 shall measure the school district's and its individual schools'
11 student growth via this State's growth value tables. Annual
12 Measurable Objectives shall measure the degree to which school
13 districts, as well as their individual schools, are closing
14 their achievement gaps among their student population and
15 subgroups.

16 The professional practice component shall consist of the
17 following subcategories:

18 (A) compliance;

19 (B) evidence-based best practices; and

20 (C) contextual improvement.

21 Compliance, which shall count for 10%, shall measure the degree
22 to which a school district and its individual schools meet the
23 current State compliance requirements. Evidence-based best
24 practices, which shall count for 30%, shall measure the degree
25 to which school districts and their individual schools are
26 adhering to a set of evidence-based quality standards and best

1 practice for effective schools that include (i) continuous
2 improvement, (ii) culture and climate, (iii) shared
3 leadership, (iv) governance, (v) education and employee
4 quality, (vi) family and community connections, and (vii)
5 student and learning development and are further developed in
6 consultation with the State Board of Education and the Balanced
7 Accountability Measure Committee set forth in this subsection
8 (b). Contextual improvement, which shall count for 30%, shall
9 provide school districts and their individual schools the
10 opportunity to demonstrate improved outcomes through local
11 data, including without limitation school climate, unique
12 characteristics, and barriers that impact the educational
13 environment and hinder the development and implementation of
14 action plans to address areas of school district and individual
15 school improvement. Each school district, in good faith
16 cooperation with its teachers or, where applicable, the
17 exclusive bargaining representatives of its teachers, shall
18 develop 2 measurable objectives to demonstrate contextual
19 improvement, each of which must be equally weighted. Each
20 school district shall begin such good faith cooperative
21 development of these objectives no later than 6 months prior to
22 the beginning of the school year in which the school district
23 is to implement the professional practice component of the
24 balanced accountability measure. The professional practice
25 component must be scored using trained peer review teams that
26 observe and verify school district practices using an

1 evidence-based framework.

2 The balanced accountability measure shall combine the
3 student performance and professional practice components into
4 one summative score based on 100 points at the school district
5 and individual-school level. A school district shall be
6 designated as "Exceeds Standards - Exemplar" if the overall
7 score is 100 to 90, "Meets Standards - Proficient" if the
8 overall score is 89 to 75, "Approaching Standards - Needs
9 Improvement" if the overall score is 74 to 60, and "Below
10 Standards - Unsatisfactory" if the overall score is 59 to 0.
11 The balanced accountability measure shall also detail both
12 incentives that reward school districts for continued improved
13 performance, as provided in Section 2-3.25c of this Code, and
14 consequences for school districts that fail to provide evidence
15 of continued improved performance, which may include
16 presentation of a barrier analysis, additional school board and
17 administrator training, or additional State assistance. Based
18 on its summative score, a school district may be exempt from
19 the balanced accountability measure for one or more school
20 years. The State Board of Education, in collaboration with the
21 Balanced Accountability Measure Committee set forth in this
22 subsection (b), shall adopt rules that further implementation
23 in accordance with the requirements of this Section.

24 (Source: P.A. 99-84, eff. 1-1-16; 99-193, eff. 7-30-15; revised
25 10-9-15.)

1 (105 ILCS 5/7-2a) (from Ch. 122, par. 7-2a)

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

11 (b) Any school district with a population of less than
12 5,000 residents or an enrollment of less than 750 students, as
13 determined by the district's current fall housing report filed
14 with the State Board of Education, shall be dissolved and its
15 territory annexed as provided in Section 7-11 by the regional
16 board of school trustees upon the filing with the regional
17 board of school trustees of a petition adopted by resolution of
18 the board of education or a petition signed by a majority of
19 the registered voters of the district seeking such dissolution.
20 No petition shall be adopted or signed under this subsection
21 until the board of education or the petitioners, as the case
22 may be, shall have given at least 10 days' notice to be
23 published once in a newspaper having general circulation in the
24 district and shall have conducted a public informational
25 meeting to inform the residents of the district of the proposed
26 dissolution and to answer questions concerning the proposed

1 dissolution. The petition shall be filed with and decided
2 solely by the regional board of school trustees of the region
3 in which the regional superintendent of schools has supervision
4 of the school district being dissolved. The regional board of
5 school trustees shall not act on a petition filed by a board of
6 education if within 45 days after giving notice of the hearing
7 required under Section 7-11 a petition in opposition to the
8 petition of the board to dissolve, signed by a majority of the
9 registered voters of the district, is filed with the regional
10 board of school trustees. The regional board of school trustees
11 shall have no authority to deny dissolution requested in a
12 proper petition for dissolution filed under this subsection
13 (b), but shall exercise its discretion in accordance with
14 Section 7-11 on the issue of annexing the territory of a
15 district being dissolved, giving consideration to but not being
16 bound by the wishes expressed by the residents of the various
17 school districts that may be affected by such annexation.

18 When dissolution and annexation become effective for
19 purposes of administration and attendance as determined
20 pursuant to Section 7-11, the positions of teachers in
21 contractual continued service in the district being dissolved
22 are transferred to an annexing district or to annexing
23 districts pursuant to the provisions of subsection (h) of
24 Section 24-11 of this Code ~~Section 24-12~~ relative to teachers
25 having contractual continued service status whose positions
26 are transferred from one board to the control of a different

1 board, and those said provisions of subsection (h) of Section
2 24-11 of this Code ~~Section 24-12~~ shall apply to said
3 transferred teachers. In the event that the territory is added
4 to 2 or more districts, the decision on which positions shall
5 be transferred to which annexing districts shall be made giving
6 consideration to the proportionate percent of pupils
7 transferred and the annexing districts' staffing needs, and the
8 transfer of specific individuals into such positions shall be
9 based upon the request of those teachers in order of seniority
10 in the dissolving district. The contractual continued service
11 status of any teacher thereby transferred to an annexing
12 district is not lost and the different board is subject to this
13 Act with respect to such transferred teacher in the same manner
14 as if such teacher was that district's employee and had been
15 its employee during the time such teacher was actually employed
16 by the board of the dissolving district from which the position
17 was transferred.

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

19 (105 ILCS 5/7-14A) (from Ch. 122, par. 7-14A)

20 Sec. 7-14A. Annexation Compensation. There shall be no
21 accounting made after a mere change in boundaries when no new
22 district is created, except that those districts whose
23 enrollment increases by 90% or more as a result of annexing
24 territory detached from another district pursuant to this
25 Article are eligible for supplementary State aid payments in

1 accordance with Section 11E-135 of this Code. Eligible annexing
2 districts shall apply to the State Board of Education for
3 supplementary State aid payments by submitting enrollment
4 figures for the year immediately preceding and the year
5 immediately following the effective date of the boundary change
6 for both the district gaining territory and the district losing
7 territory. Copies of any intergovernmental agreements between
8 the district gaining territory and the district losing
9 territory detailing any transfer of fund balances and staff
10 must also be submitted. In all instances of changes in
11 boundaries, the district losing territory shall not count the
12 average daily attendance of pupils living in the territory
13 during the year preceding the effective date of the boundary
14 change in its claim for reimbursement under Section 18-8.05 of
15 this Code ~~18-8~~ for the school year following the effective date
16 of the change in boundaries and the district receiving the
17 territory shall count the average daily attendance of pupils
18 living in the territory during the year preceding the effective
19 date of the boundary change in its claim for reimbursement
20 under Section 18-8.05 of this Code ~~18-8~~ for the school year
21 following the effective date of the change in boundaries. The
22 changes to this Section made by this amendatory Act of the 95th
23 General Assembly are intended to be retroactive and applicable
24 to any annexation taking effect on or after July 1, 2004.

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

1 (105 ILCS 5/10-22.22b) (from Ch. 122, par. 10-22.22b)

2 Sec. 10-22.22b. (a) The provisions of this subsection shall
3 not apply to the deactivation of a high school facility under
4 subsection (c). Where in its judgment the interests of the
5 district and of the students therein will be best served, to
6 deactivate any high school facility or elementary school
7 facility in the district and send the students of such high
8 school in grades 9 through 12 or such elementary school in
9 grades kindergarten through 8, as applicable, to schools in
10 other districts. Such action may be taken only with the
11 approval of the voters in the district and the approval, by
12 proper resolution, of the school board of the receiving
13 district. The board of the district contemplating deactivation
14 shall, by proper resolution, cause the proposition to
15 deactivate the school facility to be submitted to the voters of
16 the district at a regularly scheduled election. Notice shall be
17 published at least 10 days prior to the date of the election at
18 least once in one or more newspapers published in the district
19 or, if no newspaper is published in the district, in one or
20 more newspapers with a general circulation within the district.
21 The notice shall be substantially in the following form:

22 NOTICE OF REFERENDUM TO
23 DEACTIVATE THE ... SCHOOL FACILITY
24 IN SCHOOL DISTRICT NO.

25 Notice is hereby given that on (insert date), a referendum
26 will be held in County (Counties) for the purpose of

1 voting for or against the proposition to deactivate the
 2 School facility in School District No. and to send
 3 pupils in School to School District(s) No.

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

6

7 Dated (insert date).

8 The proposition shall be in substantially the following form:

9 -----

10 Shall the Board	
11 of Education of School	
12 District No.,	YES
13 County, Illinois, be	
14 authorized to deactivate	-----
15 the School facility	
16 and to send pupils in	NO
17 School to School	
18 District(s) No.?	

19 -----

20 If the majority of those voting upon the proposition in the
 21 district contemplating deactivation vote in favor of the
 22 proposition, the board of that district, upon approval of the
 23 board of the receiving district, shall execute a contract with
 24 the receiving district providing for the reassignment of
 25 students to the receiving district. If the deactivating

1 district seeks to send its students to more than one district,
2 it shall execute a contract with each receiving district. The
3 length of the contract shall be for 2 school years, but the
4 districts may renew the contract for additional one year or 2
5 year periods. Contract renewals shall be executed by January 1
6 of the year in which the existing contract expires. If the
7 majority of those voting upon the proposition do not vote in
8 favor of the proposition, the school facility may not be
9 deactivated.

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

12 When the deactivation of school facilities becomes
13 effective pursuant to this Section, the provisions of
14 subsection (h) of Section 24-11 of this Code ~~Section 24-12~~
15 relative to the contractual continued service status of
16 teachers having contractual continued service whose positions
17 are transferred from one board to the control of a different
18 board shall apply, and the positions at the school facilities
19 being deactivated held by teachers, as that term is defined in
20 subsection (a) of Section 24-11 of this Code, having
21 contractual continued service with the school district at the
22 time of the deactivation shall be transferred to the control of
23 the board or boards who shall be receiving the district's
24 students on the following basis:

25 (1) positions of such teachers in contractual
26 continued service that were full time positions shall be

1 transferred to the control of whichever of such boards such
2 teachers shall request with the teachers making such
3 requests proceeding in the order of those with the greatest
4 length of continuing service with the board to those with
5 the shortest length of continuing service with the board,
6 provided that the number selecting one board over another
7 board or other boards shall not exceed that proportion of
8 the school students going to such board or boards; and

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

13 The contractual continued service status of any teacher
14 thereby transferred to another district is not lost and the
15 receiving board is subject to the School Code with respect to
16 such transferred teacher in the same manner as if such teacher
17 was the district's employee during the time such teacher was
18 actually employed by the board of the deactivating district
19 from which the position was transferred.

20 When the deactivation of school facilities becomes
21 effective pursuant to this Section, the provisions of
22 subsection (b) of Section 10-23.5 of this Code relative to the
23 transfer of educational support personnel employees shall
24 apply, and the positions at the school facilities being
25 deactivated that are held by educational support personnel
26 employees at the time of the deactivation shall be transferred

1 to the control of the board or boards that will be receiving
2 the district's students on the following basis:

3 (A) positions of such educational support personnel
4 employees that were full-time positions shall be
5 transferred to the control of whichever of the boards the
6 employees request, with the educational support personnel
7 employees making these requests proceeding in the order of
8 those with the greatest length of continuing service with
9 the board to those with the shortest length of continuing
10 service with the board, provided that the number selecting
11 one board over another board or other boards must not
12 exceed that proportion of students going to such board or
13 boards; and

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

18 The length of continuing service of any educational support
19 personnel employee thereby transferred to another district is
20 not lost and the receiving board is subject to this Code with
21 respect to that transferred educational support personnel
22 employee in the same manner as if the educational support
23 personnel employee was the district's employee during the time
24 the educational support personnel employee was actually
25 employed by the board of the deactivating district from which
26 the position was transferred.

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

15 NOTICE OF REFERENDUM TO
 16 REACTIVATE THE SCHOOL FACILITY
 17 IN SCHOOL DISTRICT NO.

18 Notice is hereby given that on (insert date), a referendum
 19 will be held in County (Counties) for the purpose of
 20 voting for or against the proposition to reactivate the
 21 School facility in School District No. and to discontinue
 22 sending pupils of School District No. to School
 23 District(s) No.

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

26

1 Dated (insert date).

2 The proposition shall be in substantially the following form:

3 -----

4 Shall the Board

5 of Education of School

YES

6 District No.,

7 County, Illinois,

8 be authorized to

9 reactivate the School

10 facility and to discontinue sending

11 pupils of School District No.

NO

12 to School District(s) No.?

13 -----

14 (c) The school board of any unit school district which
15 experienced a strike by a majority of its certified employees
16 that endured for over 6 months during the regular school term
17 of the 1986-1987 school year, and which during the ensuing
18 1987-1988 school year had an enrollment in grades 9 through 12
19 of less than 125 students may, when in its judgment the
20 interests of the district and of the students therein will be
21 best served thereby, deactivate the high school facilities
22 within the district for the regular term of the 1988-1989
23 school year and, for that school year only, send the students
24 of such high school in grades 9 through 12 to schools in
25 adjoining or adjacent districts. Such action may only be taken:

1 (a) by proper resolution of the school board deactivating its
2 high school facilities and the approval, by proper resolution,
3 of the school board of the receiving district or districts, and
4 (b) pursuant to a contract between the sending and each
5 receiving district, which contract or contracts: (i) shall
6 provide for the reassignment of all students of the deactivated
7 high school in grades 9 through 12 to the receiving district or
8 districts; (ii) shall apply only to the regular school term of
9 the 1988-1989 school year; (iii) shall not be subject to
10 renewal or extension; and (iv) shall require the sending
11 district to pay to the receiving district the cost of educating
12 each student who is reassigned to the receiving district, such
13 costs to be an amount agreed upon by the sending and receiving
14 district but not less than the per capita cost of maintaining
15 the high school in the receiving district during the 1987-1988
16 school year. Any high school facility deactivated pursuant to
17 this subsection for the regular school term of the 1988-1989
18 school year shall be reactivated by operation of law as of the
19 end of the regular term of the 1988-1989 school year. The
20 status as a unit school district of a district which
21 deactivates its high school facilities pursuant to this
22 subsection shall not be affected by reason of such deactivation
23 of its high school facilities and such district shall continue
24 to be deemed in law a school district maintaining grades
25 kindergarten through 12 for all purposes relating to the levy,
26 extension, collection and payment of the taxes of the district

1 under Article 17 for the 1988-1989 school year.

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

8 (Source: P.A. 94-213, eff. 7-14-05; 95-110, eff. 1-1-08;
9 95-148, eff. 8-14-07; 95-876, eff. 8-21-08.)

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

11 Sec. 10-22.22c. (a) Subject to the following provisions of
12 this Section two or more contiguous school districts each of
13 which has an enrollment in grades 9 through 12 of less than 600
14 students may, when in their judgment the interest of the
15 districts and of the students therein will be best served,
16 jointly operate one or more cooperative high schools. Such
17 action shall be taken for a minimum period of 20 school years,
18 and may be taken only with the approval of the voters of each
19 district. A district with 600 or more students enrolled in
20 grades 9 through 12 may qualify for inclusion with one or more
21 districts having less than 600 such students by receiving a
22 size waiver from the State Board of Education based on a
23 finding that such inclusion would significantly increase the
24 educational opportunities of the district's students, and by
25 meeting the other prerequisites of this Section. The board of

1 each district contemplating such joint operation shall, by
 2 proper resolution, cause the proposition to enter into such
 3 joint operation to be submitted to the voters of the district
 4 at a regularly scheduled election. Notice shall be published at
 5 least 10 days prior to the date of the election at least once
 6 in one or more newspapers published in the district or, if no
 7 newspaper is published in the district, in one or more
 8 newspapers with a general circulation within the district. The
 9 notice shall be substantially in the following form:

10 NOTICE OF REFERENDUM FOR SCHOOL DISTRICT

11 NO. AND SCHOOL DISTRICT NO.

12 TO JOINTLY OPERATE (A) COOPERATIVE HIGH
 13 SCHOOL (SCHOOLS)

14 Notice is hereby given that on (insert date), a referendum
 15 will be held in County (Counties) for the purpose of
 16 voting for or against the proposition for School District No.
 17 and School District No. to jointly operate (a)
 18 cooperative high school (schools).

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

21 A B

22 Dated (insert date).

23 Regional Superintendent of Schools

24 The proposition shall be in substantially the following
 25 form:

1 -----

2 Shall the Board of Education of

3 School District No., YES

4 County (Counties), Illinois be

5 authorized to enter with

6 into an agreement with School -----

7 District No., County

8 (Counties), Illinois to jointly

9 operate (a) cooperative high NO

10 school (schools)?

11 -----

12 If the majority of those voting on the proposition in each
13 district vote in favor of the proposition, the school boards of
14 the participating districts may, if they agree on terms,
15 execute a contract for such joint operation subject to the
16 following provisions of this Section.

17 (b) The agreement for joint operation of any such
18 cooperative high school shall include, but not be limited to,
19 provisions for administration, staff, programs, financing,
20 facilities, and transportation. Such agreements may be
21 modified, extended, or terminated by approval of each of the
22 participating districts, provided that a district may withdraw
23 from the agreement during its initial 20-year term only if the
24 district is reorganizing with one or more districts under other
25 provisions of this Code. Even if 2 or more of the participating
26 district boards approve an extension of the agreement, any

1 other participating district shall, upon failure of its board
2 to approve such extension, disengage from such participation at
3 the end of the then current agreement term.

4 (c) A governing board, which shall govern the operation of
5 any such cooperative high school, shall be composed of an equal
6 number of board members from each of the participating
7 districts, except that where all participating district boards
8 concur, membership on the governing board may be apportioned to
9 reflect the number of students in each respective district who
10 attend the cooperative high school. The membership of the
11 governing board shall be not less than 6 nor more than 10 and
12 shall be set by the agreement entered into by the participating
13 districts. The school board of each participating district
14 shall select, from its membership, its representatives on the
15 governing board. The governing board shall prepare and adopt a
16 budget for the cooperative high school. The governing board
17 shall administer the cooperative high school in accordance with
18 the agreement of the districts and shall have the power to
19 hire, supervise, and terminate staff; to enter into contracts;
20 to adopt policies for the school; and to take all other actions
21 necessary and proper for the operation of the school. However,
22 the governing board may not levy taxes or incur any
23 indebtedness except within the annual budget approved by the
24 participating districts.

25 (d) (Blank).

26 (e) Each participating district shall pay its per capita

1 cost of educating the students residing in its district and
2 attending any such cooperative high school into the budget for
3 the maintenance and operation of the cooperative high school.

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

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

17 (g) Upon formation of the cooperative high school, the
18 school board of each participating district shall:

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

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

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

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

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

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

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

15 The provisions of subsection (h) of Section 24-11 ~~Section~~
16 ~~24-12~~ of this Code concerning teachers whose positions are
17 transferred from one board to the control of a different board
18 shall apply to the teachers who are transferred. The
19 contractual continued service of any transferred teacher is not
20 lost and the governing board is subject to this Code with
21 respect to the teacher in the same manner as if the teacher had
22 been the governing board's employee during the time the teacher
23 was actually employed by the board of the district from which
24 the position and the teacher's employment were transferred. The
25 time spent in employment with a participating district by any
26 teacher who has not yet entered upon contractual continued

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

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

16 (h) Upon formation of the cooperative high school, the
17 school board of each 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 needs for educational support personnel
21 for the cooperative high school;

22 (2) in consultation with any exclusive employee
23 representative or bargaining agent and the governing
24 board, if the governing board is then in existence,
25 establish a combined list of educational support personnel
26 in participating districts, categorized by positions,

1 showing the length of continuing service of each full-time
2 educational support personnel employee who is qualified to
3 hold any such position at the cooperative high school, and
4 then distribute this list to the exclusive employee
5 representative or bargaining agent on or before February 1
6 of the school year prior to the commencement of the
7 operation of the cooperative high school or within 30 days
8 after the date of the referendum election if the
9 proposition receives a majority of those voting in each
10 district, whichever occurs first; and

11 (3) transfer to the governing board of the cooperative
12 high school the employment and the positions of so many of
13 the full-time educational support personnel employees
14 employed by a participating district as are jointly
15 determined by the school boards of the participating
16 districts and the governing board, if the governing board
17 is then in existence, to be needed at the cooperative high
18 school, provided that the full-time educational personnel
19 employee transfers shall be done by categories on the
20 seniority list mentioned in subdivision (2) of this
21 subsection (h) and done in order from greatest seniority
22 first through lesser amounts of seniority.

23 If there are more full-time educational support personnel
24 employees than there are available positions at the cooperative
25 high school or in the participating district, a school board
26 shall first remove or dismiss those educational support

1 personnel employees with the shorter length of continuing
2 service in any of the participating districts, within the
3 respective category of position. The governing board is subject
4 to this Code with respect to the educational support personnel
5 employee as if the educational support personnel employee had
6 been the governing board's employee during the time the
7 educational support personnel employee was actually employed
8 by the school board of the district from which the employment
9 and position were transferred. Any educational support
10 personnel employee dismissed as a result of such a decrease
11 shall be paid all earned compensation on or before the third
12 business day following his or her last day of employment. If
13 the school board that has dismissed the educational support
14 personnel employee or the governing board has any vacancies for
15 the following school term or within one calendar year from the
16 beginning of the following school term, the positions thereby
17 becoming available within a specific category of position shall
18 be tendered to the employees so removed or dismissed from that
19 category of position so far as they are legally qualified to
20 hold such positions. If the cooperative high school is
21 dissolved, any educational support personnel employee who was
22 transferred from a participating district shall be transferred
23 back to the district and Section 10-23.5 of this Code shall
24 apply. In that case, a district is subject to this Code in the
25 same manner as if the educational support personnel employee
26 transferred back had been continuously in the service of the

1 receiving district.

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

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

10 (2) every district contiguous to the district wishing
11 to operate one or more cooperative high schools under the
12 provisions of this Section determines that it is not
13 interested in participating in such joint operation,
14 through a vote of its school board, and documents that
15 non-interest in a letter to the districts wishing to form
16 the cooperative high school containing approved minutes
17 that record the school board vote;

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

21 (4) all other provisions of this Section are followed.

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

23 (105 ILCS 5/10-22.22d)

24 Sec. 10-22.22d. Pilot cooperative elementary school and
25 pilot cooperative high school.

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

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

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

17 (b) The agreement for joint operation of any such
18 cooperative elementary school or cooperative high school, or
19 both, shall include, but not be limited to, provisions for
20 administration, staff, programs, financing, facilities, and
21 transportation. Agreements may be modified, by approval of each
22 of the participating districts, provided that a district may
23 withdraw from the agreement only if the district is
24 reorganizing with one or more districts under other provisions
25 of this Code.

26 (c) A governing board, which shall govern the operation of

1 any such cooperative elementary school or cooperative high
2 school, or both, shall be apportioned to reflect the number of
3 students in each respective district who attend the cooperative
4 elementary school or cooperative high school, or both. The
5 membership of the governing board shall be 5 members. The
6 school board of each participating district shall select, from
7 its membership, its representatives on the governing board. The
8 governing board shall prepare and adopt a budget for the
9 cooperative elementary school or cooperative high school, or
10 both. The governing board shall administer the cooperative
11 elementary school or cooperative high school, or both, in
12 accordance with the agreement of the districts and shall have
13 the power to hire, supervise, and terminate staff; to enter
14 into contracts; to adopt policies for the school or schools;
15 and to take all other actions necessary and proper for the
16 operation of the school or schools. The governing board may not
17 levy taxes or incur any indebtedness except within the annual
18 budget approved by the participating districts.

19 (d) Each participating district shall pay its per capita
20 cost of educating the students residing in its district and
21 attending any cooperative elementary school or cooperative
22 high school into the budget for the maintenance and operation
23 of the cooperative elementary school or cooperative high
24 school, or both.

25 The manner of determining per capita cost shall be set
26 forth in the agreement. Each district shall pay the amount owed

1 the governing board under the terms of the agreement from the
2 fund that the district would have used if the district had
3 incurred the costs directly and may levy taxes and issue bonds
4 as otherwise authorized for these purposes in order to make
5 payments to the governing board.

6 (e) Upon formation of the cooperative elementary school or
7 cooperative high school, or both, the school board of each
8 participating district shall:

9 (1) confer and coordinate with each other and the
10 governing board, if the governing board is then in
11 existence, as to staffing needs for the cooperative
12 elementary school or cooperative high school, or both;

13 (2) in consultation with any exclusive employee
14 representatives and the governing board, if the governing
15 board is then in existence, establish a combined list of
16 teachers in all participating districts, categorized by
17 positions, showing the length of service and the
18 contractual continued service status, if any, of each
19 teacher in each participating district who is qualified to
20 hold any positions at the cooperative elementary school or
21 cooperative high school, or both, and then distribute this
22 list to the exclusive employee representatives on or before
23 February 1 of the school year prior to the commencement of
24 the operation of the cooperative elementary school or
25 cooperative high school, or both, or within 30 days after
26 the date of the board resolutions, whichever occurs first;

1 this list is in addition to and not a substitute for the
2 list mandated by Section 24-12 of this Code; and

3 (3) transfer to the governing board of the cooperative
4 elementary school or cooperative high school, or both, the
5 employment and the position of so many of the full-time or
6 part-time school teachers employed by a participating
7 district as are jointly determined by the school boards of
8 the participating districts and the governing board, if the
9 governing board is then in existence, to be needed at the
10 cooperative school or schools, provided that these teacher
11 transfers shall be done:

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

14 (B) in each category, by having teachers in
15 contractual continued service being transferred before
16 any teachers who are not in contractual continued
17 service; and

18 (C) in order from greatest seniority first through
19 lesser amounts of seniority.

20 A teacher who is not in contractual continued service shall
21 not be transferred if there is a teacher in contractual
22 continued service in the same category who is qualified to hold
23 the position that is to be filled.

24 If there are more teachers who have entered upon
25 contractual continued service than there are available
26 positions at the cooperative elementary school or cooperative

1 high school, or both or within other assignments in the
2 district, a school board shall first remove or dismiss all
3 teachers who have not entered upon contractual continued
4 service before removing or dismissing any teacher who has
5 entered upon contractual continued service and who is legally
6 qualified (i) to hold a position at the cooperative elementary
7 school or cooperative high school, or both planned to be held
8 by a teacher who has not entered upon contractual continued
9 service or (ii) to hold another position in the participating
10 district. As between teachers who have entered upon contractual
11 continued service, the teacher or teachers with the shorter
12 length of continuing service in any of the participating
13 districts shall be dismissed first. Any teacher dismissed as a
14 result of such a decrease shall be paid all earned compensation
15 on or before the third business day following the last day of
16 pupil attendance in the regular school term. If the school
17 board that has dismissed a teacher or the governing board has
18 any vacancies for the following school term or within one
19 calendar year from the beginning of the following school term,
20 then the positions thereby becoming available shall be tendered
21 to the teachers so removed or dismissed so far as they are
22 legally qualified to hold such positions. If the number of
23 honorable dismissal notices in all participating districts
24 exceeds 15% of full-time equivalent positions filled by
25 certified employees (excluding principals and administrative
26 personnel) during the preceding school year in all

1 participating districts and if the school board that has
2 dismissed a teacher or the governing board has any vacancies
3 for the following school term or within 2 calendar years from
4 the beginning of the following school term, the positions so
5 becoming available shall be tendered to the teachers who were
6 so notified, removed, or dismissed whenever these teachers are
7 legally qualified to hold those positions.

8 The provisions of subsection (h) of Section 24-11 ~~Section~~
9 ~~24-12~~ of this Code concerning teachers whose positions are
10 transferred from one board to the control of a different board
11 shall apply to the teachers who are transferred. The
12 contractual continued service of any transferred teacher is not
13 lost and the governing board is subject to this Code with
14 respect to the teacher in the same manner as if the teacher had
15 been the governing board's employee during the time the teacher
16 was actually employed by the board of the district from which
17 the position and the teacher's employment were transferred. The
18 time spent in employment with a participating district by any
19 teacher who has not yet entered upon contractual continued
20 service and who is transferred to the governing board is not
21 lost when computing the time necessary for the teacher to enter
22 upon contractual continued service, and the governing board is
23 subject to this Code with respect to the teacher in the same
24 manner as if the teacher had been the governing board's
25 employee during the time the teacher was actually employed by
26 the school board from which the position and the teacher's

1 employment were transferred.

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

9 (f) Upon formation of the cooperative elementary school or
10 cooperative high school, or both, the school board of each
11 participating district shall:

12 (1) confer and coordinate with each other and the
13 governing board, if the governing board is then in
14 existence, as to needs for educational support personnel
15 for the cooperative elementary school or cooperative high
16 school, or both;

17 (2) in consultation with any exclusive employee
18 representative or bargaining agent and the governing
19 board, if the governing board is then in existence,
20 establish a combined list of educational support personnel
21 in participating districts, categorized by positions,
22 showing the length of continuing service of each full-time
23 educational support personnel employee who is qualified to
24 hold any such position at the cooperative elementary school
25 or cooperative high school, or both, and then distribute
26 this list to the exclusive employee representative or

1 bargaining agent on or before February 1 of the school year
2 prior to the commencement of the operation of the
3 cooperative elementary school or cooperative high school,
4 or both or within 30 days after the date of the board
5 resolutions, whichever occurs first; and

6 (3) transfer to the governing board of the cooperative
7 elementary school or cooperative high school, or both the
8 employment and the positions of so many of the full-time
9 educational support personnel employees employed by a
10 participating district as are jointly determined by the
11 school boards of the participating districts and the
12 governing board, if the governing board is then in
13 existence, to be needed at the cooperative elementary
14 school or cooperative high school, or both, provided that
15 the full-time educational personnel employee transfers
16 shall be done by categories on the seniority list mentioned
17 in item (2) of this subsection (f) and done in order from
18 greatest seniority first through lesser amounts of
19 seniority.

20 If there are more full-time educational support personnel
21 employees than there are available positions at the cooperative
22 elementary school or cooperative high school, or both or in the
23 participating district, then a school board shall first remove
24 or dismiss those educational support personnel employees with
25 the shorter length of continuing service in any of the
26 participating districts, within the respective category of

1 position. The governing board is subject to this Code with
2 respect to the educational support personnel employee as if the
3 educational support personnel employee had been the governing
4 board's employee during the time the educational support
5 personnel employee was actually employed by the school board of
6 the district from which the employment and position were
7 transferred. Any educational support personnel employee
8 dismissed as a result of such a decrease shall be paid all
9 earned compensation on or before the third business day
10 following his or her last day of employment. If the school
11 board that has dismissed the educational support personnel
12 employee or the governing board has any vacancies for the
13 following school term or within one calendar year from the
14 beginning of the following school term, then the positions
15 thereby becoming available within a specific category of
16 position shall be tendered to the employees so removed or
17 dismissed from that category of position so far as they are
18 legally qualified to hold such positions. At the conclusion of
19 the pilot, any educational support personnel employee who was
20 transferred from a participating district shall be transferred
21 back to the district and Section 10-23.5 of this Code shall
22 apply. In that case, a district is subject to this Code in the
23 same manner as if the educational support personnel employee
24 transferred back had been continuously in the service of the
25 receiving district.

26 (g) This Section repeals 3 years after the beginning date

1 of operation of a pilot cooperative elementary school or a
2 pilot cooperative high school.

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

4 (105 ILCS 5/11E-110)

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

7 (a) When a school district conversion or multi-unit
8 conversion becomes effective for purposes of administration
9 and attendance, as determined pursuant to Section 11E-70 of
10 this Code, the provisions of subsection (h) of Section 24-11
11 ~~Section 24-12~~ of this Code relative to the contractual
12 continued service status of teachers having contractual
13 continued service whose positions are transferred from one
14 school board to the control of a new or different school board
15 shall apply, and the positions held by teachers, as that term
16 is defined in subsection (a) of Section 24-11 of this Code,
17 having contractual continued service with the unit district at
18 the time of its dissolution shall be transferred on the
19 following basis:

20 (1) positions of teachers in contractual continued
21 service that, during the 5 school years immediately
22 preceding the effective date of the change, as determined
23 under Section 11E-70 of this Code, were full-time positions
24 in which all of the time required of the position was spent
25 in one or more of grades 9 through 12 shall be transferred

1 to the control of the school board of the new high school
2 district or combined high school - unit district, as the
3 case may be;

4 (2) 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 kindergarten through 8 shall be
10 transferred to the control of the school board of the newly
11 created successor elementary district; and

12 (3) positions of teachers in contractual continued
13 service that were full-time positions not required to be
14 transferred to the control of the school board of the new
15 high school district or combined high school - unit
16 district, as the case may be, or the school board of the
17 newly created successor elementary district under the
18 provisions of subdivision (1) or (2) of this subsection (a)
19 shall be transferred to the control of whichever of the
20 boards the teacher shall request.

21 With respect to each position to be transferred under the
22 provisions of this subsection (a), the amount of time required
23 of each position to be spent in one or more of grades
24 kindergarten through 8 and 9 through 12 shall be determined
25 with reference to the applicable records of the unit district
26 being dissolved pursuant to stipulation of the school board of

1 the unit district prior to the effective date of its
2 dissolution or thereafter of the school board of the newly
3 created districts and with the approval in either case of the
4 regional superintendent of schools of the educational service
5 region in which the territory described in the petition filed
6 under this Article or the greater percentage of equalized
7 assessed evaluation of the territory is situated; however, if
8 no such stipulation can be agreed upon, the regional
9 superintendent of schools, after hearing any additional
10 relevant and material evidence that any school board desires to
11 submit, shall make the determination.

12 (a-5) When a school district conversion or multi-unit
13 conversion becomes effective for purposes of administration
14 and attendance, as determined pursuant to Section 11E-70 of
15 this Code, the provisions of subsection (b) of Section 10-23.5
16 of this Code relative to the transfer of educational support
17 personnel employees shall apply, and the positions held by
18 educational support personnel employees shall be transferred
19 on the following basis:

20 (1) positions of educational support personnel
21 employees that, during the 5 school years immediately
22 preceding the effective date of the change, as determined
23 under Section 11E-70 of this Code, were full-time positions
24 in which all of the time required of the position was spent
25 in one or more of grades 9 through 12 shall be transferred
26 to the control of the school board of the new high school

1 district or combined high school - unit district, as the
2 case may be;

3 (2) 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 kindergarten through 8 shall be
9 transferred to the control of the school board of the newly
10 created successor elementary district; and

11 (3) positions of educational support personnel
12 employees that were full-time positions not required to be
13 transferred to the control of the school board of the new
14 high school district or combined high school - unit
15 district, as the case may be, or the school board of the
16 newly created successor elementary district under
17 subdivision (1) or (2) of this subsection (a-5) shall be
18 transferred to the control of whichever of the boards the
19 educational support personnel employee requests.

20 With respect to each position to be transferred under this
21 subsection (a-5), the amount of time required of each position
22 to be spent in one or more of grades kindergarten through 8 and
23 9 through 12 shall be determined with reference to the
24 applicable records of the unit district being dissolved
25 pursuant to stipulation of the school board of the unit
26 district prior to the effective date of its dissolution or

1 thereafter of the school board of the newly created districts
2 and with the approval in either case of the regional
3 superintendent of schools of the educational service region in
4 which the territory described in the petition filed under this
5 Article or the greater percentage of equalized assessed
6 evaluation of the territory is situated; however, if no such
7 stipulation can be agreed upon, the regional superintendent of
8 schools, after hearing any additional relevant and material
9 evidence that any school board desires to submit, shall make
10 the determination.

11 (b) When the creation of a unit district or a combined
12 school district becomes effective for purposes of
13 administration and attendance, as determined pursuant to
14 Section 11E-70 of this Code, the positions of teachers in
15 contractual continued service in the districts involved in the
16 creation of the new district are transferred to the newly
17 created district pursuant to the provisions of subsection (h)
18 of Section 24-11 ~~Section 24-12~~ of this Code relative to
19 teachers having contractual continued service status whose
20 positions are transferred from one board to the control of a
21 different board, and those provisions of subsection (h) of
22 Section 24-11 of this Code ~~Section 24-12~~ shall apply to these
23 transferred teachers. The contractual continued service status
24 of any teacher thereby transferred to the newly created
25 district is not lost and the new school board is subject to
26 this Code with respect to the transferred teacher in the same

1 manner as if the teacher was that district's employee and had
2 been its employee during the time the teacher was actually
3 employed by the school board of the district from which the
4 position was transferred.

5 (c) When the creation of a unit district or a combined
6 school district becomes effective for purposes of
7 administration and attendance, as determined pursuant to
8 Section 11E-70 of this Code, the positions of educational
9 support personnel employees in the districts involved in the
10 creation of the new district shall be transferred to the newly
11 created district pursuant to subsection (b) of Section 10-23.5
12 of this Code. The length of continuing service of any
13 educational support personnel employee thereby transferred to
14 the newly created district is not lost and the new school board
15 is subject to this Code with respect to the transferred
16 educational support personnel employee in the same manner as if
17 the educational support personnel employee had been that
18 district's employee during the time the educational support
19 personnel employee was actually employed by the school board of
20 the district from which the position was transferred.

21 (Source: P.A. 94-1019, eff. 7-10-06; 95-148, eff. 8-14-07;
22 95-331, eff. 8-21-07.)

23 (105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

24 Sec. 18-12. Dates for filing State aid claims. The school
25 board of each school district, a regional office of education,

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

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

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

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

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

1 school district is delayed.

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

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

24 If the State Superintendent of Education declares that an
25 energy shortage exists during any part of the school year for
26 the State or a designated portion of the State, a district may

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

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

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

20 (105 ILCS 5/21B-30)

21 Sec. 21B-30. Educator testing.

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

23 (b) The State Board of Education, in consultation with the
24 State Educator Preparation and Licensure Board, shall design
25 and implement a system of examinations, which shall be required

1 prior to the issuance of educator licenses. These examinations
2 and indicators must be based on national and State professional
3 teaching standards, as determined by the State Board of
4 Education, in consultation with the State Educator Preparation
5 and Licensure Board. The State Board of Education may adopt
6 such rules as may be necessary to implement and administer this
7 Section. No score on a test required under this Section, other
8 than a test of basic skills, shall be more than 10 years old at
9 the time that an individual makes application for an educator
10 license or endorsement.

11 (c) Applicants seeking a Professional Educator License or
12 an Educator License with Stipulations shall be required to pass
13 a test of basic skills before the license is issued, unless the
14 endorsement the individual is seeking does not require passage
15 of the test. All applicants completing Illinois-approved,
16 teacher education or school service personnel preparation
17 programs shall be required to pass the State Board of
18 Education's recognized test of basic skills prior to starting
19 their student teaching or starting the final semester of their
20 internship, unless required earlier at the discretion of the
21 recognized, Illinois institution in which they are completing
22 their approved program. An individual who passes a test of
23 basic skills does not need to do so again for subsequent
24 endorsements or other educator licenses.

25 (d) All applicants seeking a State license shall be
26 required to pass a test of content area knowledge for each area

1 of endorsement for which there is an applicable test. There
2 shall be no exception to this requirement. No candidate shall
3 be allowed to student teach or serve as the teacher of record
4 until he or she has passed the applicable content area test.

5 (e) All applicants seeking a State license endorsed in a
6 teaching field and completing their student teaching
7 experience no later than August 31, 2015 shall pass the
8 assessment of professional teaching (APT). Prior to September
9 1, 2015, passage ~~Passage~~ of the APT is required for completion
10 of an approved Illinois educator preparation program. The APT
11 shall be available through August 31, 2020.

12 (f) Beginning on September 1, 2015, all candidates
13 completing teacher preparation programs in this State and all
14 candidates subject to Section 21B-35 of this Code are required
15 to pass an evidence-based assessment of teacher effectiveness
16 approved by the State Board of Education, in consultation with
17 the State Educator Preparation and Licensure Board. All
18 recognized institutions offering approved teacher preparation
19 programs must begin phasing in the approved teacher performance
20 assessment no later than July 1, 2013.

21 (g) Tests of basic skills and content area knowledge and
22 the assessment of professional teaching shall be the tests that
23 from time to time are designated by the State Board of
24 Education, in consultation with the State Educator Preparation
25 and Licensure Board, and may be tests prepared by an
26 educational testing organization or tests designed by the State

1 Board of Education, in consultation with the State Educator
2 Preparation and Licensure Board. The areas to be covered by a
3 test of basic skills shall include reading, language arts, and
4 mathematics. The test of content area knowledge shall assess
5 content knowledge in a specific subject field. The tests must
6 be designed to be racially neutral to ensure that no person
7 taking the tests is discriminated against on the basis of race,
8 color, national origin, or other factors unrelated to the
9 person's ability to perform as a licensed employee. The score
10 required to pass the tests shall be fixed by the State Board of
11 Education, in consultation with the State Educator Preparation
12 and Licensure Board. The tests shall be administered not fewer
13 than 3 times a year at such time and place as may be designated
14 by the State Board of Education, in consultation with the State
15 Educator Preparation and Licensure Board.

16 The State Board shall implement a test or tests to assess
17 the speaking, reading, writing, and grammar skills of
18 applicants for an endorsement or a license issued under
19 subdivision (G) of paragraph (2) of Section 21B-20 of this Code
20 in the English language and in the language of the transitional
21 bilingual education program requested by the applicant.

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

25 (i) The rules developed to implement and enforce the
26 testing requirements under this Section shall include without

1 limitation provisions governing test selection, test
2 validation and determination of a passing score,
3 administration of the tests, frequency of administration,
4 applicant fees, frequency of applicants taking the tests, the
5 years for which a score is valid, and appropriate special
6 accommodations. The State Board of Education shall develop such
7 rules as may be needed to ensure uniformity from year to year
8 in the level of difficulty for each form of an assessment.

9 (Source: P.A. 98-361, eff. 1-1-14; 98-581, eff. 8-27-13;
10 98-756, eff. 7-16-14; 99-58, eff. 7-16-15.)

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

13 (105 ILCS 125/9) (from Ch. 122, par. 712.9)

14 Sec. 9. Certification and payment of claims. The State
15 Board of Education shall prepare and certify to the State
16 Comptroller at least quarterly ~~monthly~~ the amount due each
17 board and welfare center, whereupon the Comptroller shall draw
18 his warrants on the State Treasurer for the amounts certified
19 for the various school boards and welfare centers.

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

21 Section 99. Effective date. This Act takes effect July 1,
22 2016, except that this Section and the changes to Section
23 2-3.25a of the School Code take effect upon becoming law.