

AN ACT concerning education.

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

Section 1. Legislative intent. It is the intent of the General Assembly that State assessments be rooted in classroom content and best practices and be used as an opportunity to demonstrate learning and feedback. It is also the intent of the General Assembly that assessments used for accountability should support learning opportunities that inform instruction.

Section 5. The School Code is amended by changing Sections 2-3.25a, 2-3.25n, 2-3.52A, 2-3.61a, 2-3.64a-5, 2-3.136, 2-3.153, 10-21.3a, 10-29, 34-1.1, 34-3.5, 34-18, and 34-18.24 as follows:

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

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

(a) For the purposes of State accountability in this Section and Sections 3.25b, 3.25c, ~~3.25d~~, 3.25e, and 3.25f of this Code, "school district" includes other public entities responsible for administering public schools, such as cooperatives, joint agreements, charter schools, special charter districts, regional offices of education, local

agencies, and the Department of Human Services.

(b) In addition to the standards established pursuant to Section 2-3.25, the State Board of Education shall develop recognition standards for student performance and school improvement for all school districts and their individual schools, ~~which must be an outcomes based, balanced accountability measure.~~ The State Board of Education is prohibited from having separate performance standards for students based on race or ethnicity.

The accountability measure shall be outlined in the State Plan that the State Board of Education submits to the federal Department of Education pursuant to the federal Every Student Succeeds Act. If the federal Every Student Succeeds Act ceases to require a State Plan, the State Board of Education shall develop a written plan in consultation with the Balanced Accountability Committee created under subsection (b-5) of this Section.

~~Subject to the availability of federal, State, public, or private funds, the balanced accountability measure must be designed to focus on 2 components, student performance and professional practice. The student performance component shall count for 30% of the total balanced accountability measure, and the professional practice component shall count for 70% of the total balanced accountability measure. The student performance component shall focus on student outcomes and closing the achievement gaps within each school district and its individual~~

~~schools using a Multiple Measure Index and Annual Measurable Objectives, as set forth in Section 2-3.25d of this Code. The professional practice component shall focus on the degree to which a school district, as well as its individual schools, is implementing evidence based, best professional practices and exhibiting continued improvement. Beginning with the 2015-2016 school year, the balanced accountability measure shall consist of only the student performance component, which shall account for 100% of the total balanced accountability measure. From the 2017-2018 school year through the 2022-2023 school year, the State Board of Education and a Balanced Accountability Measure Committee shall identify a number of school districts per the designated school years to begin implementing the balanced accountability measure, which includes both the student performance and professional practice components. By the 2022-2023 school year, all school districts must be implementing the balanced accountability measure, which includes both components.~~

(b-5) The Balanced Accountability Measure Committee is created and shall consist of the following individuals: a representative of a statewide association representing regional superintendents of schools, a representative of a statewide association representing principals, a representative of an association representing principals in a city having a population exceeding 500,000, a representative of a statewide association representing school administrators, a

representative of a statewide professional teachers' organization, a representative of a different statewide professional teachers' organization, an additional representative from either statewide professional teachers' organization, a representative of a professional teachers' organization in a city having a population exceeding 500,000, a representative of a statewide association representing school boards, and a representative of a school district organized under Article 34 of this Code. The head of each association or entity listed in this paragraph shall appoint its respective representative. The State Superintendent of Education, in consultation with the Committee, may appoint no more than 2 additional individuals to the Committee, which individuals shall serve in an advisory role and must not have voting or other decision-making rights. ~~The Committee is abolished on June 1, 2023.~~

The Balanced Accountability Measure Committee shall meet no less than 4 times per year to discuss the accountability standards set forth in the State Plan pursuant to the federal Every Student Succeeds Act and to provide stakeholder feedback and recommendations to the State Board of Education with regard to the State Plan, which the State Board shall take into consideration. Upon completion of the 2019-2020 school year, the Balanced Accountability Measure Committee shall assess the implementation of the State Plan and, if necessary, make recommendations to the State Board for any changes. The

Committee shall consider accountability recommendations made by the Illinois P-20 Council established under Section 22-45 of this Code, the Illinois Early Learning Council created under the Illinois Early Learning Council Act, and any other stakeholder group established by the State Board in relation to the federal Every Student Succeeds Act. The State Board shall provide to the Committee an annual report with data and other information collected from entities identified by the State Board as learning partners, including, but not limited to, data and information on the learning partners' effectiveness, geographic distribution, and cost to serve as part of a comprehensive statewide system of support.

~~Using a Multiple Measure Index consistent with subsection (a) of Section 2-3.25d of this Code, the student performance component shall consist of the following subcategories, each of which must be valued at 10%:~~

- ~~(1) achievement status;~~
- ~~(2) achievement growth; and~~
- ~~(3) Annual Measurable Objectives, as set forth in subsection (b) of Section 2-3.25d of this Code.~~

~~Achievement status shall measure and assess college and career readiness, as well as the graduation rate. Achievement growth shall measure the school district's and its individual schools' student growth via this State's growth value tables. Annual Measurable Objectives shall measure the degree to which school districts, as well as their individual schools, are closing~~

~~their achievement gaps among their student population and subgroups.~~

~~The professional practice component shall consist of the following subcategories:~~

- ~~(A) compliance;~~
- ~~(B) evidence based best practices; and~~
- ~~(C) contextual improvement.~~

~~Compliance, which shall count for 10%, shall measure the degree to which a school district and its individual schools meet the current State compliance requirements. Evidence based best practices, which shall count for 30%, shall measure the degree to which school districts and their individual schools are adhering to a set of evidence-based quality standards and best practice for effective schools that include (i) continuous improvement, (ii) culture and climate, (iii) shared leadership, (iv) governance, (v) education and employee quality, (vi) family and community connections, and (vii) student and learning development and are further developed in consultation with the State Board of Education and the Balanced Accountability Measure Committee set forth in this subsection (b). Contextual improvement, which shall count for 30%, shall provide school districts and their individual schools the opportunity to demonstrate improved outcomes through local data, including without limitation school climate, unique characteristics, and barriers that impact the educational environment and hinder the development and implementation of~~

~~action plans to address areas of school district and individual school improvement. Each school district, in good faith cooperation with its teachers or, where applicable, the exclusive bargaining representatives of its teachers, shall develop 2 measurable objectives to demonstrate contextual improvement, each of which must be equally weighted. Each school district shall begin such good faith cooperative development of these objectives no later than 6 months prior to the beginning of the school year in which the school district is to implement the professional practice component of the balanced accountability measure. The professional practice component must be scored using trained peer review teams that observe and verify school district practices using an evidence-based framework.~~

~~The balanced accountability measure shall combine the student performance and professional practice components into one summative score based on 100 points at the school district and individual school level. A school district shall be designated as "Exceeds Standards Exemplar" if the overall score is 100 to 90, "Meets Standards Proficient" if the overall score is 89 to 75, "Approaching Standards Needs Improvement" if the overall score is 74 to 60, and "Below Standards Unsatisfactory" if the overall score is 59 to 0. The balanced accountability measure shall also detail both incentives that reward school districts for continued improved performance, as provided in Section 2 3.25c of this Code, and~~

~~consequences for school districts that fail to provide evidence of continued improved performance, which may include presentation of a barrier analysis, additional school board and administrator training, or additional State assistance. Based on its summative score, a school district may be exempt from the balanced accountability measure for one or more school years.~~ The State Board of Education, in collaboration with the Balanced Accountability Measure Committee set forth in this subsection (b-5) ~~(b)~~, shall adopt rules that further implementation in accordance with the requirements of this Section.

(Source: P.A. 99-84, eff. 1-1-16; 99-193, eff. 7-30-15; 99-642, eff. 7-28-16; 99-657, eff. 7-28-16.)

(105 ILCS 5/2-3.25n)

Sec. 2-3.25n. Every Student Succeeds ~~No Child Left Behind~~ Act; requirements and construction.

(a) ~~The changes in the State accountability system made by this amendatory Act of the 93rd General Assembly are a direct result of the federal~~ Every Student Succeeds Act ~~No Child Left Behind Act of 2001 (Public Law 107-110), which~~ requires that each state develop and implement a single, statewide accountability system applicable to all schools and school districts.

(b) As provided in the federal Every Student Succeeds Act ~~No Child Left Behind Act of 2001 (Public Law 107-110)~~, nothing

in this amendatory Act of the 93rd General Assembly shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school district or school employees under federal, State, or local law (including applicable rules, regulations, or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.

(c) The State Board of Education may identify a school district as eligible for targeted and comprehensive services under the federal Every Student Succeeds Act.

(Source: P.A. 93-470, eff. 8-8-03.)

(105 ILCS 5/2-3.52A) (from Ch. 122, par. 2-3.52A)

Sec. 2-3.52A. Pilot programs. ~~The To improve the quality of teaching as a profession the~~ State Board of Education may, pursuant to the federal Every Student Succeeds Act and appropriations for such purposes, establish educator preparation pilot programs ~~for teachers relating to clinical schools, restructuring the teaching workplace, and providing special assistance and support to beginning teachers.~~ Such programs shall be conducted in accordance with rules adopted by the State Board of Education. Such rules shall provide for, but not be limited to, advisory councils and annual reports on the progress of the pilot programs.

(Source: P.A. 85-322.)

(105 ILCS 5/2-3.61a)

Sec. 2-3.61a. 21st Century Community Learning Center Grant Program.

(a) The State Board of Education shall be the designated agency responsible for the administration of programs under Part I of Subchapter X of Chapter 70 of the federal Elementary and Secondary Education Act of 1965.

(b) The State Board of Education shall establish and implement a 21st Century Community Learning Center Grant Program, in accordance with federal guidelines, to provide grants to support whole child-focused ~~academically focused~~ after-school programs that are aligned with the regular academic programs of a school and the academic needs of students. These grants shall be used to help those students who attend high-poverty, low-performing schools meet State and local performance standards in core academic subjects and, if applicable, increase school day attendance and improve social-emotional skills ~~for students who attend high poverty, low performing schools. These grants shall be used to help those students who attend high poverty, low performing schools meet State and local performance standards in core academic subjects~~ and to offer opportunities for families of participating students to have meaningful engagement in their children's education that are linked to learning and healthy development outcomes ~~opportunities for improved literacy and related educational development. If appropriate, external~~

stakeholder feedback shall be gathered and used to inform the grant application.

The State Board of Education shall award grants to eligible applicants that are of sufficient size and scope to implement ~~support high quality,~~ effective after-school programs, to ensure reasonable success of achieving the goals identified in the grant application, and to offer those activities that are necessary to achieve these goals and performance indicators and measures with a direct link to student achievement.

(c) Using State funds, subject to appropriation, and any federal funds received for this purpose, the State Board of Education may establish any other grant programs that are necessary to establish high-quality, academically based, after-school programs that include family-centered education activities.

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

(Source: P.A. 93-374, eff. 7-24-03.)

(105 ILCS 5/2-3.64a-5)

Sec. 2-3.64a-5. State goals and assessment.

(a) For the assessment and accountability purposes of this Section, "students" includes those students enrolled in a public or State-operated elementary school, secondary school, or cooperative or joint agreement with a governing body or board of control, a charter school operating in compliance with

the Charter Schools Law, a school operated by a regional office of education under Section 13A-3 of this Code, or a public school administered by a local public agency or the Department of Human Services.

(b) The State Board of Education shall establish the academic standards that are to be applicable to students who are subject to State assessments under this Section. The State Board of Education shall not establish any such standards in final form without first providing opportunities for public participation and local input in the development of the final academic standards. Those opportunities shall include a well-publicized period of public comment and opportunities to file written comments.

(c) Beginning no later than the 2014-2015 school year, the State Board of Education shall annually assess all students enrolled in grades 3 through 8 in English language arts and mathematics.

Beginning no later than the 2017-2018 school year, the State Board of Education shall annually assess all students in science at one grade in grades 3 through 5, at one grade in grades 6 through 8, and at one grade in grades 9 through 12.

The State Board of Education shall annually assess schools that operate a secondary education program, as defined in Section 22-22 of this Code, in English language arts and mathematics. The State Board of Education shall administer no more than 3 assessments, per student, of English language arts

and mathematics for students in a secondary education program. One of these assessments shall ~~include a college and career ready determination that shall be~~ recognized ~~accepted~~ by this State's public institutions of higher education, as defined in the Board of Higher Education Act, for the purpose of student application or admissions consideration. The assessment administered by the State Board of Education for the purpose of student application to or admissions consideration by institutions of higher education must be administered on a school day during regular student attendance hours.

Students who do ~~are~~ not take the State's final accountability assessment or its approved alternate assessment ~~assessed for college and career ready determinations~~ may not receive a regular high school diploma unless the student is exempted from taking the State assessments under subsection (d) of this Section because ~~(i) the student's individualized educational program developed under Article 14 of this Code identifies the State assessment as inappropriate for the student,~~ ~~(ii) the student is enrolled in a program of adult and continuing education, as defined in the Adult Education Act,~~ ~~(iii) the school district is not required to assess the individual student for purposes of accountability under federal No Child Left Behind Act of 2001 requirements,~~ ~~(iv) the student has been determined to be an English learner and has been enrolled in schools in the United States for less than 12 months,~~ or ~~(v) the student is otherwise identified by the State~~

Board of Education, through rules, as being exempt from the assessment.

The State Board of Education shall not assess students under this Section in subjects not required by this Section.

Districts shall inform their students of the timelines and procedures applicable to their participation in every yearly administration of the State assessments. The State Board of Education shall establish periods of time in each school year during which State assessments shall occur to meet the objectives of this Section.

(d) Every individualized educational program as described in Article 14 shall identify if the State assessment or components thereof require accommodation ~~are appropriate~~ for the student. The State Board of Education shall develop rules governing the administration of an alternate assessment that may be available to students for whom participation in this State's regular assessments is not appropriate, even with accommodations as allowed under this Section.

Students receiving special education services whose individualized educational programs identify them as eligible for the alternative State assessments nevertheless shall have the option of also taking this State's regular final accountability assessment ~~that includes a college and career ready determination~~, which shall be administered in accordance with the eligible accommodations appropriate for meeting these students' respective needs.

All students determined to be English learners shall participate in the State assessments. The scores of, ~~excepting~~ those students who have been enrolled in schools in the United States for less than 12 months may not be used for the purposes of accountability. ~~Such students may be exempted from participation in one annual administration of the English language arts assessment.~~ Any student determined to be an English learner shall receive appropriate assessment accommodations, including language supports, which shall be established by rule. Approved assessment accommodations must be provided until the student's English language skills develop to the extent that the student is no longer considered to be an English learner, as demonstrated through a State-identified English language proficiency assessment.

(e) The results or scores of each assessment taken under this Section shall be made available to the parents of each student.

In each school year, the scores attained by a student on the final accountability State assessment ~~that includes a college and career ready determination~~ must be placed in the student's permanent record pursuant to rules that the State Board of Education shall adopt for that purpose in accordance with Section 3 of the Illinois School Student Records Act. In each school year, the scores attained by a student on the State assessments administered in grades 3 through 8 must be placed in the student's temporary record.

(f) All schools shall administer the State's ~~an~~ academic assessment of English language proficiency ~~in oral language (listening and speaking) and reading and writing skills~~ to all children determined to be English learners.

(g) All schools in this State that are part of the sample drawn by the National Center for Education Statistics, in collaboration with their school districts and the State Board of Education, shall administer the ~~biennial~~ academic assessments under the National Assessment of Educational Progress carried out under Section 411(b)(2) of the federal National Education Statistics Act of 1994 (20 U.S.C. 9010) if the U.S. Secretary of Education pays the costs of administering the assessments.

(h) (Blank). ~~Subject to available funds to this State for the purpose of student assessment, the State Board of Education shall provide additional assessments and assessment resources that may be used by school districts for local assessment purposes. The State Board of Education shall annually distribute a listing of these additional resources.~~

(i) For the purposes of this subsection (i), "academically based assessments" means assessments consisting of questions and answers that are measurable and quantifiable to measure the knowledge, skills, and ability of students in the subject matters covered by the assessments. All assessments administered pursuant to this Section must be academically based assessments. The scoring of academically based

assessments shall be reliable, valid, and fair and shall meet the guidelines for assessment development and use prescribed by the American Psychological Association, the National Council on Measurement in Education, and the American Educational Research Association.

The State Board of Education shall review the use of all assessment item types in order to ensure that they are valid and reliable indicators of student performance aligned to the learning standards being assessed and that the development, administration, and scoring of these item types are justifiable in terms of cost.

(j) The State Superintendent of Education shall appoint a committee of no more than 21 members, consisting of parents, teachers, school administrators, school board members, assessment experts, regional superintendents of schools, and citizens, to review the State assessments administered by the State Board of Education. The Committee shall select one of its members as its chairperson. The Committee shall meet on an ongoing basis to review the content and design of the assessments (including whether the requirements of subsection (i) of this Section have been met), the time and money expended at the local and State levels to prepare for and administer the assessments, the collective results of the assessments as measured against the stated purpose of assessing student performance, and other issues involving the assessments identified by the Committee. The Committee shall make periodic

recommendations to the State Superintendent of Education and the General Assembly concerning the assessments.

(k) The State Board of Education may adopt rules to implement this Section.

(Source: P.A. 99-30, eff. 7-10-15; 99-185, eff. 1-1-16; 99-642, eff. 7-28-16; 100-7, eff. 7-1-17; 100-222, eff. 8-18-17; revised 9-22-17.)

(105 ILCS 5/2-3.136)

Sec. 2-3.136. Funding for class ~~Class~~ size reduction ~~grant~~ ~~programs~~.

(a) Class size reduction funding shall assist ~~A K-3 class size reduction grant program is created. The program shall be implemented and administered by the State Board of Education. From appropriations made for purposes of this Section, the State Board shall award grants to~~ schools that meet the criteria established by this Section ~~subsection (a)~~ for the award of funds ~~those grants~~.

(a-5) Funds Grants shall be awarded pursuant to application. The form and manner of applications and the criteria for the award of funds ~~grants~~ shall be prescribed by the State Board of Education. ~~The grant criteria as so prescribed, however, shall provide that only those schools that are identified as priority schools under Section 2-3.25d-5 of this Code and that maintain grades kindergarten through 3 are grant eligible.~~

Funding Grants awarded to eligible schools under this Section subsection (a) shall be used and applied by the schools to defray the costs and expenses of reducing class size to a level that is evidence-based. If a school's facilities are inadequate to allow for the specified class size, then funding may be used for, but is not limited to, support for professional learning. ~~operating and maintaining classes in grades kindergarten through 3 with an average class size within a specific grade of no more than 20 pupils. If a school's facilities are inadequate to allow for this specified class size, then a school may use the grant funds for teacher aides instead.~~

(b) (Blank). ~~A K-3 pilot class size reduction grant program is created. The program shall be implemented and administered by the State Board of Education. From appropriations made for purposes of this subsection (b), the State Board shall award grants to schools that meet the criteria established by this Section for the award of those grants.~~

~~Grants shall be awarded pursuant to application. The form and manner of application and the criteria for the award of grants shall be prescribed by the State Board of Education.~~

~~Grants awarded to eligible schools under this subsection (b) shall be used and applied by the schools to defray the costs and expenses of operating and maintaining classes in grades kindergarten through 3 of no more than 15 pupils per teacher per class. A teacher aide may not be used to meet this~~

~~requirement.~~

(c) (Blank). ~~If a school board determines that a school is using funds awarded under this Section for purposes not authorized by this Section, then the school board, rather than the school, shall determine how the funds are used.~~

(d) The State Board of Education shall adopt any rules, consistent with the requirements of this Section, that are necessary to implement and administer this Section ~~the class size reduction grant programs.~~

(Source: P.A. 99-193, eff. 7-30-15.)

(105 ILCS 5/2-3.153)

Sec. 2-3.153. Survey of learning conditions.

(a) The State Board of Education shall administer a climate survey, identified by and paid for by the State Board of Education, ~~select for statewide administration an instrument to provide feedback from, at a minimum, students in grades 4 ~~6~~ through 12 and teachers on the instructional environment within a school. Each ~~after giving consideration to the recommendations of the Performance Evaluation Advisory Council made pursuant to subdivision (6) of subsection (a) of Section 24A-20 of this Code. Subject to appropriation to the State Board of Education for the State's cost of development and administration and, subject to subsections (b) and (c) of this Section,~~ each school district shall annually ~~at least biennially,~~ the climate survey instrument in every public~~

school attendance center by a date specified by the State Superintendent of Education, and data resulting from the instrument's administration must be provided to the State Board of Education. The survey component that requires completion by the teachers must be administered during teacher meetings or professional development days or at other times that would not interfere with the teachers' regular classroom and direct instructional duties. The State Superintendent, ~~following consultation with teachers, principals, and other appropriate stakeholders,~~ shall publicly report on the survey selected indicators of learning conditions resulting from administration of the instrument at the individual school, district, and State levels and shall identify whether the indicators result from an anonymous administration of the instrument. ~~If in any year the appropriation to the State Board of Education is insufficient for the State's costs associated with statewide administration of the instrument, the State Board of Education shall give priority to districts with low performing schools and a representative sample of other districts.~~

(b) A school district may elect to use, on a district-wide basis and at the school district's sole cost and expense, an alternate climate survey of learning conditions instrument pre-approved by the State Superintendent under subsection (c) of this Section in lieu of the State-adopted climate survey ~~statewide survey instrument selected under subsection (a) of~~

~~this Section~~, provided that:

(1) the school district notifies the State Board of Education, on a form provided by the State Superintendent, of its intent to administer an alternate climate survey instrument on or before a date established by the State Superintendent for ~~the 2014-2015 school year and August 1 of each subsequent school year during which the instrument will be administered;~~

(2) the notification submitted to the State Board under paragraph (1) of this subsection (b) must be accompanied by a certification signed by the president of the local teachers' exclusive bargaining representative and president of the school board indicating that the alternate survey has been agreed to by the teachers' exclusive bargaining representative and the school board;

(3) the school district's administration of the alternate instrument, including providing to the State Board of Education data and reports suitable to be published on school report cards and the State School Report Card Internet website, is performed in accordance with the requirements of subsection (a) of this Section; and

(4) the alternate instrument is administered each school year ~~that the statewide survey instrument is administered; if the statewide survey is not administered in a given school year, the school district is not required~~

~~to provide the alternative instrument in that given school year.~~

(c) The State Superintendent, in consultation with teachers, principals, superintendents, and other appropriate stakeholders, shall administer an approval process through which at least 2, but not more than 3, alternate survey of learning conditions instruments will be approved by the State Superintendent following a determination by the State Superintendent that each approved instrument:

(1) meets all requirements of subsection (a) of this Section;

(2) provides a summation of indicator results of the alternative survey by a date established by the State Superintendent in a manner that allows the indicator results to be included on school report cards pursuant to Section 10-17a of this Code by October 31 of the school year following the instrument's administration;

(3) provides summary reports for each district and attendance center intended for parents and community stakeholders;

(4) meets scale reliability requirements using accepted testing measures;

(5) provides research-based evidence linking instrument content to one or more improved student outcomes; and

(6) has undergone and documented testing to prove

validity and reliability.

The State Superintendent shall periodically review and update the list of approved alternate survey instruments, provided that at least 2, but no more than 3, alternate survey instruments shall be approved for use during any school year.

(d) Nothing contained in this amendatory Act of the 98th General Assembly repeals, supersedes, invalidates, or nullifies final decisions in lawsuits pending on the effective date of this amendatory Act of the 98th General Assembly in Illinois courts involving the interpretation of Public Act 97-8.

(Source: P.A. 97-8, eff. 6-13-11; 97-813, eff. 7-13-12; 98-648, eff. 7-1-14.)

(105 ILCS 5/10-21.3a)

Sec. 10-21.3a. Transfer of students.

(a) Each school board shall establish and implement a policy governing the transfer of a student from one attendance center to another within the school district upon the request of the student's parent or guardian. ~~Any request by a parent or guardian to transfer his or her child from one attendance center to another within the school district pursuant to Section 1116 of the federal Elementary and Secondary Education Act of 1965 (20 U.S.C. Sec. 6316) must be made no later than 30 days after the parent or guardian receives notice of the right to transfer pursuant to that law.~~ A student may not transfer to

any of the following attendance centers, except by change in residence if the policy authorizes enrollment based on residence in an attendance area or unless approved by the board on an individual basis:

(1) An attendance center that exceeds or as a result of the transfer would exceed its attendance capacity.

(2) An attendance center for which the board has established academic criteria for enrollment if the student does not meet the criteria, ~~provided that the transfer must be permitted if the attendance center is the only attendance center serving the student's grade that has not been identified for school improvement, corrective action, or restructuring under Section 1116 of the federal Elementary and Secondary Education Act of 1965 (20 U.S.C. Sec. 6316).~~

(3) Any attendance center if the transfer would prevent the school district from meeting its obligations under a State or federal law, court order, or consent decree applicable to the school district.

(b) Each school board shall establish and implement a policy governing the transfer of students within a school district from a persistently dangerous school to another public school in that district that is not deemed to be persistently dangerous. In order to be considered a persistently dangerous school, the school must meet all of the following criteria for 2 consecutive years:

(1) Have greater than 3% of the students enrolled in the school expelled for violence-related conduct.

(2) Have one or more students expelled for bringing a firearm to school as defined in 18 U.S.C. 921.

(3) Have at least 3% of the students enrolled in the school exercise the individual option to transfer schools pursuant to subsection (c) of this Section.

(c) A student may transfer from one public school to another public school in that district if the student is a victim of a violent crime as defined in Section 3 of the Rights of Crime Victims and Witnesses Act. The violent crime must have occurred on school grounds during regular school hours or during a school-sponsored event.

(d) (Blank). ~~Transfers made pursuant to subsections (b) and (c) of this Section shall be made in compliance with the federal No Child Left Behind Act of 2001 (Public Law 107-110).~~

(Source: P.A. 96-328, eff. 8-11-09.)

(105 ILCS 5/10-29)

Sec. 10-29. Remote educational programs.

(a) For purposes of this Section, "remote educational program" means an educational program delivered to students in the home or other location outside of a school building that meets all of the following criteria:

(1) A student may participate in the program only after the school district, pursuant to adopted school board

policy, and a person authorized to enroll the student under Section 10-20.12b of this Code determine that a remote educational program will best serve the student's individual learning needs. The adopted school board policy shall include, but not be limited to, all of the following:

(A) Criteria for determining that a remote educational program will best serve a student's individual learning needs. The criteria must include consideration of, at a minimum, a student's prior attendance, disciplinary record, and academic history.

(B) Any limitations on the number of students or grade levels that may participate in a remote educational program.

(C) A description of the process that the school district will use to approve participation in the remote educational program. The process must include without limitation a requirement that, for any student who qualifies to receive services pursuant to the federal Individuals with Disabilities Education Improvement Act of 2004, the student's participation in a remote educational program receive prior approval from the student's individualized education program team.

(D) A description of the process the school district will use to develop and approve a written remote educational plan that meets the requirements of

subdivision (5) of this subsection (a).

(E) A description of the system the school district will establish to determine student participation ~~calculate the number of clock hours a student is participating~~ in instruction in accordance with the remote educational program.

(F) A description of the process for renewing a remote educational program at the expiration of its term.

(G) Such other terms and provisions as the school district deems necessary to provide for the establishment and delivery of a remote educational program.

(2) The school district has determined that the remote educational program's curriculum is aligned to State learning standards and that the program offers instruction and educational experiences consistent with those given to students at the same grade level in the district.

(3) The remote educational program is delivered by instructors that meet the following qualifications:

(A) they are certificated under Article 21 of this Code;

(B) (blank); and ~~they meet applicable highly qualified criteria under the federal No Child Left Behind Act of 2001; and~~

(C) they have responsibility for all of the

following elements of the program: planning instruction, diagnosing learning needs, prescribing content delivery through class activities, assessing learning, reporting outcomes to administrators and parents and guardians, and evaluating the effects of instruction.

(4) During the period of time from and including the opening date to the closing date of the regular school term of the school district established pursuant to Section 10-19 of this Code, participation in a remote educational program may be claimed for ~~general State aid purposes under Section 18-8.05 of this Code or~~ evidence-based funding purposes under Section 18-8.15 of this Code on any calendar day, notwithstanding whether the day is a day of pupil attendance or institute day on the school district's calendar or any other provision of law restricting instruction on that day. If the district holds year-round classes in some buildings, the district shall classify each student's participation in a remote educational program as either on a year-round or a non-year-round schedule for purposes of claiming ~~general State aid or~~ evidence-based funding. Outside of the regular school term of the district, the remote educational program may be offered as part of any summer school program authorized by this Code.

(5) Each student participating in a remote educational program must have a written remote educational plan that

has been approved by the school district and a person authorized to enroll the student under Section 10-20.12b of this Code. The school district and a person authorized to enroll the student under Section 10-20.12b of this Code must approve any amendment to a remote educational plan. The remote educational plan must include, but is not limited to, all of the following:

(A) Specific achievement goals for the student aligned to State learning standards.

(B) A description of all assessments that will be used to measure student progress, which description shall indicate the assessments that will be administered at an attendance center within the school district.

(C) A description of the progress reports that will be provided to the school district and the person or persons authorized to enroll the student under Section 10-20.12b of this Code.

(D) Expectations, processes, and schedules for interaction between a teacher and student.

(E) A description of the specific responsibilities of the student's family and the school district with respect to equipment, materials, phone and Internet service, and any other requirements applicable to the home or other location outside of a school building necessary for the delivery of the remote educational

program.

(F) If applicable, a description of how the remote educational program will be delivered in a manner consistent with the student's individualized education program required by Section 614(d) of the federal Individuals with Disabilities Education Improvement Act of 2004 or plan to ensure compliance with Section 504 of the federal Rehabilitation Act of 1973.

(G) A description of the procedures and opportunities for participation in academic and extra-curricular activities and programs within the school district.

(H) The identification of a parent, guardian, or other responsible adult who will provide direct supervision of the program. The plan must include an acknowledgment by the parent, guardian, or other responsible adult that he or she may engage only in non-teaching duties not requiring instructional judgment or the evaluation of a student. The plan shall designate the parent, guardian, or other responsible adult as non-teaching personnel or volunteer personnel under subsection (a) of Section 10-22.34 of this Code.

(I) The identification of a school district administrator who will oversee the remote educational program on behalf of the school district and who may be contacted by the student's parents with respect to any

issues or concerns with the program.

(J) The term of the student's participation in the remote educational program, which may not extend for longer than 12 months, unless the term is renewed by the district in accordance with subdivision (7) of this subsection (a).

(K) A description of the specific location or locations in which the program will be delivered. If the remote educational program is to be delivered to a student in any location other than the student's home, the plan must include a written determination by the school district that the location will provide a learning environment appropriate for the delivery of the program. The location or locations in which the program will be delivered shall be deemed a long distance teaching reception area under subsection (a) of Section 10-22.34 of this Code.

(L) Certification by the school district that the plan meets all other requirements of this Section.

(6) Students participating in a remote educational program must be enrolled in a school district attendance center pursuant to the school district's enrollment policy or policies. A student participating in a remote educational program must be tested as part of all assessments administered by the school district pursuant to Section 2-3.64a-5 of this Code at the attendance center

in which the student is enrolled and in accordance with the attendance center's assessment policies and schedule. The student must be included within all accountability determinations for the school district and attendance center under State and federal law.

(7) The term of a student's participation in a remote educational program may not extend for longer than 12 months, unless the term is renewed by the school district. The district may only renew a student's participation in a remote educational program following an evaluation of the student's progress in the program, a determination that the student's continuation in the program will best serve the student's individual learning needs, and an amendment to the student's written remote educational plan addressing any changes for the upcoming term of the program.

For purposes of this Section, a remote educational program does not include instruction delivered to students through an e-learning program approved under Section 10-20.56 of this Code.

(b) A school district may, by resolution of its school board, establish a remote educational program.

(c) (Blank). ~~Clock hours of instruction by students in a remote educational program meeting the requirements of this Section may be claimed by the school district and shall be counted as school work for general State aid purposes in accordance with and subject to the limitations of Section~~

~~18-8.05 of this Code or evidence-based funding purposes in accordance with and subject to the limitations of Section 18-8.15 of this Code.~~

(d) The impact of remote educational programs on wages, hours, and terms and conditions of employment of educational employees within the school district shall be subject to local collective bargaining agreements.

(e) The use of a home or other location outside of a school building for a remote educational program shall not cause the home or other location to be deemed a public school facility.

(f) A remote educational program may be used, but is not required, for instruction delivered to a student in the home or other location outside of a school building that is not claimed for ~~general State aid purposes under Section 18-8.05 of this Code~~ or evidence-based funding purposes under Section 18-8.15 of this Code.

(g) School districts that, pursuant to this Section, adopt a policy for a remote educational program must submit to the State Board of Education a copy of the policy and any amendments thereto, as well as data on student participation in a format specified by the State Board of Education. The State Board of Education may perform or contract with an outside entity to perform an evaluation of remote educational programs in this State.

(h) The State Board of Education may adopt any rules necessary to ensure compliance by remote educational programs

with the requirements of this Section and other applicable legal requirements.

(Source: P.A. 99-193, eff. 7-30-15; 99-194, eff. 7-30-15; 99-642, eff. 7-28-16; 100-465, eff. 8-31-17.)

(105 ILCS 5/34-1.1) (from Ch. 122, par. 34-1.1)

Sec. 34-1.1. Definitions. As used in this Article:

"Academic Accountability Council" means the Chicago Schools Academic Accountability Council created under Section 34-3.4.

"Local School Council" means a local school council established under Section 34-2.1.

"School" and "attendance center" are used interchangeably to mean any attendance center operated pursuant to this Article and under the direction of one principal.

"Secondary Attendance Center" means a school which has students enrolled in grades 9 through 12 (although it may also have students enrolled in grades below grade 9).

"Local Attendance Area School" means a school which has a local attendance area established by the board.

"Multi-area school" means a school other than a local attendance area school.

"Contract school" means an attendance center managed and operated by a for-profit or not-for-profit private entity retained by the board to provide instructional and other services to a majority of the pupils enrolled in the attendance

center.

"Contract turnaround school" means an experimental contract school created by the board to implement alternative governance in an attendance center subject to restructuring or similar intervention ~~under federal law that has not made adequate yearly progress for 5 consecutive years or a time period set forth in federal law.~~

"Parent" means a parent or legal guardian of an enrolled student of an attendance center.

"Community resident" means a person, 18 years of age or older, residing within an attendance area served by a school, excluding any person who is a parent of a student enrolled in that school; provided that with respect to any multi-area school, community resident means any person, 18 years of age or older, residing within the voting district established for that school pursuant to Section 34-2.1c, excluding any person who is a parent of a student enrolled in that school.

"School staff" means all certificated and uncertificated school personnel, including all teaching and administrative staff (other than the principal) and including all custodial, food service and other civil service employees, who are employed at and assigned to perform the majority of their employment duties at one attendance center served by the same local school council.

"Regular meetings" means the meeting dates established by the local school council at its annual organizational meeting.

(Source: P.A. 96-105, eff. 7-30-09.)

(105 ILCS 5/34-18) (from Ch. 122, par. 34-18)

Sec. 34-18. Powers of the board. The board shall exercise general supervision and jurisdiction over the public education and the public school system of the city, and, except as otherwise provided by this Article, shall have power:

1. To make suitable provision for the establishment and maintenance throughout the year or for such portion thereof as it may direct, not less than 9 months, of schools of all grades and kinds, including normal schools, high schools, night schools, schools for defectives and delinquents, parental and truant schools, schools for the blind, the deaf and persons with physical disabilities, schools or classes in manual training, constructural and vocational teaching, domestic arts and physical culture, vocation and extension schools and lecture courses, and all other educational courses and facilities, including establishing, equipping, maintaining and operating playgrounds and recreational programs, when such programs are conducted in, adjacent to, or connected with any public school under the general supervision and jurisdiction of the board; provided that the calendar for the school term and any changes must be submitted to and approved by the State Board of Education before the calendar or changes may take effect, and provided that in allocating funds from

year to year for the operation of all attendance centers within the district, the board shall ensure that supplemental general State aid or supplemental grant funds are allocated and applied in accordance with Section 18-8, 18-8.05, or 18-8.15. To admit to such schools without charge foreign exchange students who are participants in an organized exchange student program which is authorized by the board. The board shall permit all students to enroll in apprenticeship programs in trade schools operated by the board, whether those programs are union-sponsored or not. No student shall be refused admission into or be excluded from any course of instruction offered in the common schools by reason of that student's sex. No student shall be denied equal access to physical education and interscholastic athletic programs supported from school district funds or denied participation in comparable physical education and athletic programs solely by reason of the student's sex. Equal access to programs supported from school district funds and comparable programs will be defined in rules promulgated by the State Board of Education in consultation with the Illinois High School Association. Notwithstanding any other provision of this Article, neither the board of education nor any local school council or other school official shall recommend that children with disabilities be placed into regular education classrooms unless those children with

disabilities are provided with supplementary services to assist them so that they benefit from the regular classroom instruction and are included on the teacher's regular education class register;

2. To furnish lunches to pupils, to make a reasonable charge therefor, and to use school funds for the payment of such expenses as the board may determine are necessary in conducting the school lunch program;

3. To co-operate with the circuit court;

4. To make arrangements with the public or quasi-public libraries and museums for the use of their facilities by teachers and pupils of the public schools;

5. To employ dentists and prescribe their duties for the purpose of treating the pupils in the schools, but accepting such treatment shall be optional with parents or guardians;

6. To grant the use of assembly halls and classrooms when not otherwise needed, including light, heat, and attendants, for free public lectures, concerts, and other educational and social interests, free of charge, under such provisions and control as the principal of the affected attendance center may prescribe;

7. To apportion the pupils to the several schools; provided that no pupil shall be excluded from or segregated in any such school on account of his color, race, sex, or nationality. The board shall take into consideration the

prevention of segregation and the elimination of separation of children in public schools because of color, race, sex, or nationality. Except that children may be committed to or attend parental and social adjustment schools established and maintained either for boys or girls only. All records pertaining to the creation, alteration or revision of attendance areas shall be open to the public. Nothing herein shall limit the board's authority to establish multi-area attendance centers or other student assignment systems for desegregation purposes or otherwise, and to apportion the pupils to the several schools. Furthermore, beginning in school year 1994-95, pursuant to a board plan adopted by October 1, 1993, the board shall offer, commencing on a phased-in basis, the opportunity for families within the school district to apply for enrollment of their children in any attendance center within the school district which does not have selective admission requirements approved by the board. The appropriate geographical area in which such open enrollment may be exercised shall be determined by the board of education. Such children may be admitted to any such attendance center on a space available basis after all children residing within such attendance center's area have been accommodated. If the number of applicants from outside the attendance area exceed the space available, then successful applicants shall be selected by lottery.

The board of education's open enrollment plan must include provisions that allow low income students to have access to transportation needed to exercise school choice. Open enrollment shall be in compliance with the provisions of the Consent Decree and Desegregation Plan cited in Section 34-1.01;

8. To approve programs and policies for providing transportation services to students. Nothing herein shall be construed to permit or empower the State Board of Education to order, mandate, or require busing or other transportation of pupils for the purpose of achieving racial balance in any school;

9. Subject to the limitations in this Article, to establish and approve system-wide curriculum objectives and standards, including graduation standards, which reflect the multi-cultural diversity in the city and are consistent with State law, provided that for all purposes of this Article courses or proficiency in American Sign Language shall be deemed to constitute courses or proficiency in a foreign language; and to employ principals and teachers, appointed as provided in this Article, and fix their compensation. The board shall prepare such reports related to minimal competency testing as may be requested by the State Board of Education, and in addition shall monitor and approve special education and bilingual education programs and policies within the district to

assure that appropriate services are provided in accordance with applicable State and federal laws to children requiring services and education in those areas;

10. To employ non-teaching personnel or utilize volunteer personnel for: (i) non-teaching duties not requiring instructional judgment or evaluation of pupils, including library duties; and (ii) supervising study halls, long distance teaching reception areas used incident to instructional programs transmitted by electronic media such as computers, video, and audio, detention and discipline areas, and school-sponsored extracurricular activities. The board may further utilize volunteer non-certificated personnel or employ non-certificated personnel to assist in the instruction of pupils under the immediate supervision of a teacher holding a valid certificate, directly engaged in teaching subject matter or conducting activities; provided that the teacher shall be continuously aware of the non-certificated persons' activities and shall be able to control or modify them. The general superintendent shall determine qualifications of such personnel and shall prescribe rules for determining the duties and activities to be assigned to such personnel;

10.5. To utilize volunteer personnel from a regional School Crisis Assistance Team (S.C.A.T.), created as part of the Safe to Learn Program established pursuant to

Section 25 of the Illinois Violence Prevention Act of 1995, to provide assistance to schools in times of violence or other traumatic incidents within a school community by providing crisis intervention services to lessen the effects of emotional trauma on individuals and the community; the School Crisis Assistance Team Steering Committee shall determine the qualifications for volunteers;

11. To provide television studio facilities in not to exceed one school building and to provide programs for educational purposes, provided, however, that the board shall not construct, acquire, operate, or maintain a television transmitter; to grant the use of its studio facilities to a licensed television station located in the school district; and to maintain and operate not to exceed one school radio transmitting station and provide programs for educational purposes;

12. To offer, if deemed appropriate, outdoor education courses, including field trips within the State of Illinois, or adjacent states, and to use school educational funds for the expense of the said outdoor educational programs, whether within the school district or not;

13. During that period of the calendar year not embraced within the regular school term, to provide and conduct courses in subject matters normally embraced in the program of the schools during the regular school term and

to give regular school credit for satisfactory completion by the student of such courses as may be approved for credit by the State Board of Education;

14. To insure against any loss or liability of the board, the former School Board Nominating Commission, Local School Councils, the Chicago Schools Academic Accountability Council, or the former Subdistrict Councils or of any member, officer, agent or employee thereof, resulting from alleged violations of civil rights arising from incidents occurring on or after September 5, 1967 or from the wrongful or negligent act or omission of any such person whether occurring within or without the school premises, provided the officer, agent or employee was, at the time of the alleged violation of civil rights or wrongful act or omission, acting within the scope of his employment or under direction of the board, the former School Board Nominating Commission, the Chicago Schools Academic Accountability Council, Local School Councils, or the former Subdistrict Councils; and to provide for or participate in insurance plans for its officers and employees, including but not limited to retirement annuities, medical, surgical and hospitalization benefits in such types and amounts as may be determined by the board; provided, however, that the board shall contract for such insurance only with an insurance company authorized to do business in this State. Such insurance may include

provision for employees who rely on treatment by prayer or spiritual means alone for healing, in accordance with the tenets and practice of a recognized religious denomination;

15. To contract with the corporate authorities of any municipality or the county board of any county, as the case may be, to provide for the regulation of traffic in parking areas of property used for school purposes, in such manner as is provided by Section 11-209 of The Illinois Vehicle Code, approved September 29, 1969, as amended;

16. (a) To provide, on an equal basis, access to a high school campus and student directory information to the official recruiting representatives of the armed forces of Illinois and the United States for the purposes of informing students of the educational and career opportunities available in the military if the board has provided such access to persons or groups whose purpose is to acquaint students with educational or occupational opportunities available to them. The board is not required to give greater notice regarding the right of access to recruiting representatives than is given to other persons and groups. In this paragraph 16, "directory information" means a high school student's name, address, and telephone number.

(b) If a student or his or her parent or guardian submits a signed, written request to the high school before

the end of the student's sophomore year (or if the student is a transfer student, by another time set by the high school) that indicates that the student or his or her parent or guardian does not want the student's directory information to be provided to official recruiting representatives under subsection (a) of this Section, the high school may not provide access to the student's directory information to these recruiting representatives. The high school shall notify its students and their parents or guardians of the provisions of this subsection (b).

(c) A high school may require official recruiting representatives of the armed forces of Illinois and the United States to pay a fee for copying and mailing a student's directory information in an amount that is not more than the actual costs incurred by the high school.

(d) Information received by an official recruiting representative under this Section may be used only to provide information to students concerning educational and career opportunities available in the military and may not be released to a person who is not involved in recruiting students for the armed forces of Illinois or the United States;

17. (a) To sell or market any computer program developed by an employee of the school district, provided that such employee developed the computer program as a direct result of his or her duties with the school district

or through the utilization of the school district resources or facilities. The employee who developed the computer program shall be entitled to share in the proceeds of such sale or marketing of the computer program. The distribution of such proceeds between the employee and the school district shall be as agreed upon by the employee and the school district, except that neither the employee nor the school district may receive more than 90% of such proceeds. The negotiation for an employee who is represented by an exclusive bargaining representative may be conducted by such bargaining representative at the employee's request.

(b) For the purpose of this paragraph 17:

(1) "Computer" means an internally programmed, general purpose digital device capable of automatically accepting data, processing data and supplying the results of the operation.

(2) "Computer program" means a series of coded instructions or statements in a form acceptable to a computer, which causes the computer to process data in order to achieve a certain result.

(3) "Proceeds" means profits derived from marketing or sale of a product after deducting the expenses of developing and marketing such product;

18. To delegate to the general superintendent of schools, by resolution, the authority to approve contracts and expenditures in amounts of \$10,000 or less;

19. Upon the written request of an employee, to withhold from the compensation of that employee any dues, payments or contributions payable by such employee to any labor organization as defined in the Illinois Educational Labor Relations Act. Under such arrangement, an amount shall be withheld from each regular payroll period which is equal to the pro rata share of the annual dues plus any payments or contributions, and the board shall transmit such withholdings to the specified labor organization within 10 working days from the time of the withholding;

19a. Upon receipt of notice from the comptroller of a municipality with a population of 500,000 or more, a county with a population of 3,000,000 or more, the Cook County Forest Preserve District, the Chicago Park District, the Metropolitan Water Reclamation District, the Chicago Transit Authority, or a housing authority of a municipality with a population of 500,000 or more that a debt is due and owing the municipality, the county, the Cook County Forest Preserve District, the Chicago Park District, the Metropolitan Water Reclamation District, the Chicago Transit Authority, or the housing authority by an employee of the Chicago Board of Education, to withhold, from the compensation of that employee, the amount of the debt that is due and owing and pay the amount withheld to the municipality, the county, the Cook County Forest Preserve District, the Chicago Park District, the Metropolitan

Water Reclamation District, the Chicago Transit Authority, or the housing authority; provided, however, that the amount deducted from any one salary or wage payment shall not exceed 25% of the net amount of the payment. Before the Board deducts any amount from any salary or wage of an employee under this paragraph, the municipality, the county, the Cook County Forest Preserve District, the Chicago Park District, the Metropolitan Water Reclamation District, the Chicago Transit Authority, or the housing authority shall certify that (i) the employee has been afforded an opportunity for a hearing to dispute the debt that is due and owing the municipality, the county, the Cook County Forest Preserve District, the Chicago Park District, the Metropolitan Water Reclamation District, the Chicago Transit Authority, or the housing authority and (ii) the employee has received notice of a wage deduction order and has been afforded an opportunity for a hearing to object to the order. For purposes of this paragraph, "net amount" means that part of the salary or wage payment remaining after the deduction of any amounts required by law to be deducted and "debt due and owing" means (i) a specified sum of money owed to the municipality, the county, the Cook County Forest Preserve District, the Chicago Park District, the Metropolitan Water Reclamation District, the Chicago Transit Authority, or the housing authority for services, work, or goods, after the period

granted for payment has expired, or (ii) a specified sum of money owed to the municipality, the county, the Cook County Forest Preserve District, the Chicago Park District, the Metropolitan Water Reclamation District, the Chicago Transit Authority, or the housing authority pursuant to a court order or order of an administrative hearing officer after the exhaustion of, or the failure to exhaust, judicial review;

20. The board is encouraged to employ a sufficient number of certified school counselors to maintain a student/counselor ratio of 250 to 1 by July 1, 1990. Each counselor shall spend at least 75% of his work time in direct contact with students and shall maintain a record of such time;

21. To make available to students vocational and career counseling and to establish 5 special career counseling days for students and parents. On these days representatives of local businesses and industries shall be invited to the school campus and shall inform students of career opportunities available to them in the various businesses and industries. Special consideration shall be given to counseling minority students as to career opportunities available to them in various fields. For the purposes of this paragraph, minority student means a person who is any of the following:

(a) American Indian or Alaska Native (a person having

origins in any of the original peoples of North and South America, including Central America, and who maintains tribal affiliation or community attachment).

(b) Asian (a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, but not limited to, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam).

(c) Black or African American (a person having origins in any of the black racial groups of Africa). Terms such as "Haitian" or "Negro" can be used in addition to "Black or African American".

(d) Hispanic or Latino (a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race).

(e) Native Hawaiian or Other Pacific Islander (a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands).

Counseling days shall not be in lieu of regular school days;

22. To report to the State Board of Education the annual student dropout rate and number of students who graduate from, transfer from or otherwise leave bilingual programs;

23. Except as otherwise provided in the Abused and Neglected Child Reporting Act or other applicable State or

federal law, to permit school officials to withhold, from any person, information on the whereabouts of any child removed from school premises when the child has been taken into protective custody as a victim of suspected child abuse. School officials shall direct such person to the Department of Children and Family Services, or to the local law enforcement agency if appropriate;

24. To develop a policy, based on the current state of existing school facilities, projected enrollment and efficient utilization of available resources, for capital improvement of schools and school buildings within the district, addressing in that policy both the relative priority for major repairs, renovations and additions to school facilities, and the advisability or necessity of building new school facilities or closing existing schools to meet current or projected demographic patterns within the district;

25. To make available to the students in every high school attendance center the ability to take all courses necessary to comply with the Board of Higher Education's college entrance criteria effective in 1993;

26. To encourage mid-career changes into the teaching profession, whereby qualified professionals become certified teachers, by allowing credit for professional employment in related fields when determining point of entry on teacher pay scale;

27. To provide or contract out training programs for administrative personnel and principals with revised or expanded duties pursuant to this Act in order to assure they have the knowledge and skills to perform their duties;

28. To establish a fund for the prioritized special needs programs, and to allocate such funds and other lump sum amounts to each attendance center in a manner consistent with the provisions of part 4 of Section 34-2.3. Nothing in this paragraph shall be construed to require any additional appropriations of State funds for this purpose;

29. (Blank);

30. Notwithstanding any other provision of this Act or any other law to the contrary, to contract with third parties for services otherwise performed by employees, including those in a bargaining unit, and to layoff those employees upon 14 days written notice to the affected employees. Those contracts may be for a period not to exceed 5 years and may be awarded on a system-wide basis. The board may not operate more than 30 contract schools, provided that the board may operate an additional 5 contract turnaround schools pursuant to item (5.5) of subsection (d) of Section 34-8.3 of this Code;

31. To promulgate rules establishing procedures governing the layoff or reduction in force of employees and the recall of such employees, including, but not limited to, criteria for such layoffs, reductions in force or

recall rights of such employees and the weight to be given to any particular criterion. Such criteria shall take into account factors including, but not be limited to, qualifications, certifications, experience, performance ratings or evaluations, and any other factors relating to an employee's job performance;

32. To develop a policy to prevent nepotism in the hiring of personnel or the selection of contractors;

33. (Blank); and ~~To enter into a partnership agreement, as required by Section 34 3.5 of this Code, and, notwithstanding any other provision of law to the contrary, to promulgate policies, enter into contracts, and take any other action necessary to accomplish the objectives and implement the requirements of that agreement; and~~

34. To establish a Labor Management Council to the board comprised of representatives of the board, the chief executive officer, and those labor organizations that are the exclusive representatives of employees of the board and to promulgate policies and procedures for the operation of the Council.

The specifications of the powers herein granted are not to be construed as exclusive but the board shall also exercise all other powers that they may be requisite or proper for the maintenance and the development of a public school system, not inconsistent with the other provisions of this Article or provisions of this Code which apply to all school districts.

In addition to the powers herein granted and authorized to be exercised by the board, it shall be the duty of the board to review or to direct independent reviews of special education expenditures and services. The board shall file a report of such review with the General Assembly on or before May 1, 1990.

(Source: P.A. 99-143, eff. 7-27-15; 100-465, eff. 8-31-17.)

(105 ILCS 5/34-18.24)

Sec. 34-18.24. Transfer of students.

(a) The board shall establish and implement a policy governing the transfer of a student from one attendance center to another within the school district upon the request of the student's parent or guardian. ~~Any request by a parent or guardian to transfer his or her child from one attendance center to another within the school district pursuant to Section 1116 of the federal Elementary and Secondary Education Act of 1965 (20 U.S.C. Sec. 6317) must be made no later than 30 days after the parent or guardian receives notice of the right to transfer pursuant to that law.~~ A student may not transfer to any of the following attendance centers, except by change in residence if the policy authorizes enrollment based on residence in an attendance area or unless approved by the board on an individual basis:

(1) An attendance center that exceeds or as a result of the transfer would exceed its attendance capacity.

(2) An attendance center for which the board has

~~established academic criteria for enrollment if the student does not meet the criteria, provided that the transfer must be permitted if the attendance center is the only attendance center serving the student's grade that has not been identified for school improvement, corrective action, or restructuring under Section 1116 of the federal Elementary and Secondary Education Act of 1965 (20 U.S.C. Sec. 6317).~~

(3) Any attendance center if the transfer would prevent the school district from meeting its obligations under a State or federal law, court order, or consent decree applicable to the school district.

(b) The board shall establish and implement a policy governing the transfer of students within the school district from a persistently dangerous attendance center to another attendance center in that district that is not deemed to be persistently dangerous. In order to be considered a persistently dangerous attendance center, the attendance center must meet all of the following criteria for 2 consecutive years:

(1) Have greater than 3% of the students enrolled in the attendance center expelled for violence-related conduct.

(2) Have one or more students expelled for bringing a firearm to school as defined in 18 U.S.C. 921.

(3) Have at least 3% of the students enrolled in the attendance center exercise the individual option to

transfer attendance centers pursuant to subsection (c) of this Section.

(c) A student may transfer from one attendance center to another attendance center within the district if the student is a victim of a violent crime as defined in Section 3 of the Rights of Crime Victims and Witnesses Act. The violent crime must have occurred on school grounds during regular school hours or during a school-sponsored event.

(d) (Blank). ~~Transfers made pursuant to subsections (b) and (c) of this Section shall be made in compliance with the federal No Child Left Behind Act of 2001 (Public Law 107-110).~~

(Source: P.A. 92-604, eff. 7-1-02; 93-633, eff. 12-23-03.)

(105 ILCS 5/2-3.25d rep.)

(105 ILCS 5/10-20.39 rep.)

(105 ILCS 5/21B-200 rep.)

(105 ILCS 5/34-3.5 rep.)

(105 ILCS 5/34-18.31 rep.)

Section 10. The School Code is amended by repealing Sections 2-3.25d, 10-20.39, 21B-200, 34-3.5, and 34-18.31.

Section 99. Effective date. This Act takes effect upon becoming law.