

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 1. This Act may be referred to as the Religious
5 Hair and Facial Hair Protections Act. This Act may also be
6 referred to as the Jett Hawkins Law.

7 Section 5. The School Code is amended by changing Sections
8 2-3.25o, 10-22.25b, and 34-2.3 as follows:

9 (105 ILCS 5/2-3.25o)

10 Sec. 2-3.25o. Registration and recognition of non-public
11 elementary and secondary schools.

12 (a) Findings. The General Assembly finds and declares (i)
13 that the Constitution of the State of Illinois provides that a
14 "fundamental goal of the People of the State is the
15 educational development of all persons to the limits of their
16 capacities" and (ii) that the educational development of every
17 school student serves the public purposes of the State. In
18 order to ensure that all Illinois students and teachers have
19 the opportunity to enroll and work in State-approved
20 educational institutions and programs, the State Board of
21 Education shall provide for the voluntary registration and
22 recognition of non-public elementary and secondary schools.

1 (b) Registration. All non-public elementary and secondary
2 schools in the State of Illinois may voluntarily register with
3 the State Board of Education on an annual basis. Registration
4 shall be completed in conformance with procedures prescribed
5 by the State Board of Education. Information required for
6 registration shall include assurances of compliance (i) with
7 federal and State laws regarding health examination and
8 immunization, attendance, length of term, and
9 nondiscrimination, including assurances that the school will
10 not prohibit hairstyles historically associated with race,
11 ethnicity, or hair texture, including, but not limited to,
12 protective hairstyles such as braids, locks, and twists, or
13 religious hairstyles, hair-related religious practices, or
14 facial hair worn in accordance with a student's or employee's
15 sincerely held religious beliefs, observance, or practice,
16 including, but not limited to, uncut hair or sidelocks (known
17 as payot or peyos), or beards, mustaches, or other facial
18 hair, and (ii) with applicable fire and health safety
19 requirements.

20 (c) Recognition. All non-public elementary and secondary
21 schools in the State of Illinois may voluntarily seek the
22 status of "Non-public School Recognition" from the State Board
23 of Education. This status may be obtained by compliance with
24 administrative guidelines and review procedures as prescribed
25 by the State Board of Education. The guidelines and procedures
26 must recognize that some of the aims and the financial bases of

1 non-public schools are different from public schools and will
2 not be identical to those for public schools, nor will they be
3 more burdensome. The guidelines and procedures must also
4 recognize the diversity of non-public schools and shall not
5 impinge upon the noneducational relationships between those
6 schools and their clientele.

7 (c-5) Prohibition against recognition. A non-public
8 elementary or secondary school may not obtain "Non-public
9 School Recognition" status unless the school requires all
10 certified and non-certified applicants for employment with the
11 school, after July 1, 2007, to authorize a fingerprint-based
12 criminal history records check as a condition of employment to
13 determine if such applicants have been convicted of any of the
14 enumerated criminal or drug offenses set forth in Section
15 21B-80 of this Code or have been convicted, within 7 years of
16 the application for employment, of any other felony under the
17 laws of this State or of any offense committed or attempted in
18 any other state or against the laws of the United States that,
19 if committed or attempted in this State, would have been
20 punishable as a felony under the laws of this State.

21 Authorization for the check shall be furnished by the
22 applicant to the school, except that if the applicant is a
23 substitute teacher seeking employment in more than one
24 non-public school, a teacher seeking concurrent part-time
25 employment positions with more than one non-public school (as
26 a reading specialist, special education teacher, or

1 otherwise), or an educational support personnel employee
2 seeking employment positions with more than one non-public
3 school, then only one of the non-public schools employing the
4 individual shall request the authorization. Upon receipt of
5 this authorization, the non-public school shall submit the
6 applicant's name, sex, race, date of birth, social security
7 number, fingerprint images, and other identifiers, as
8 prescribed by the Illinois State Police, to the Illinois State
9 Police.

10 The Illinois State Police and Federal Bureau of
11 Investigation shall furnish, pursuant to a fingerprint-based
12 criminal history records check, records of convictions,
13 forever and hereafter, until expunged, to the president or
14 principal of the non-public school that requested the check.
15 The Illinois State Police shall charge that school a fee for
16 conducting such check, which fee must be deposited into the
17 State Police Services Fund and must not exceed the cost of the
18 inquiry. Subject to appropriations for these purposes, the
19 State Superintendent of Education shall reimburse non-public
20 schools for fees paid to obtain criminal history records
21 checks under this Section.

22 A non-public school may not obtain recognition status
23 unless the school also performs a check of the Statewide Sex
24 Offender Database, as authorized by the Sex Offender Community
25 Notification Law, and the Statewide Murderer and Violent
26 Offender Against Youth Database, as authorized by the Murderer

1 and Violent Offender Against Youth Registration Act, for each
2 applicant for employment, after July 1, 2007, to determine
3 whether the applicant has been adjudicated of a sex offense or
4 of a murder or other violent crime against youth. The checks of
5 the Statewide Sex Offender Database and the Statewide Murderer
6 and Violent Offender Against Youth Database must be conducted
7 by the non-public school once for every 5 years that an
8 applicant remains employed by the non-public school.

9 Any information concerning the record of convictions
10 obtained by a non-public school's president or principal under
11 this Section is confidential and may be disseminated only to
12 the governing body of the non-public school or any other
13 person necessary to the decision of hiring the applicant for
14 employment. A copy of the record of convictions obtained from
15 the Illinois State Police shall be provided to the applicant
16 for employment. Upon a check of the Statewide Sex Offender
17 Database, the non-public school shall notify the applicant as
18 to whether or not the applicant has been identified in the Sex
19 Offender Database as a sex offender. Any information
20 concerning the records of conviction obtained by the
21 non-public school's president or principal under this Section
22 for a substitute teacher seeking employment in more than one
23 non-public school, a teacher seeking concurrent part-time
24 employment positions with more than one non-public school (as
25 a reading specialist, special education teacher, or
26 otherwise), or an educational support personnel employee

1 seeking employment positions with more than one non-public
2 school may be shared with another non-public school's
3 principal or president to which the applicant seeks
4 employment. Any unauthorized release of confidential
5 information may be a violation of Section 7 of the Criminal
6 Identification Act.

7 No non-public school may obtain recognition status that
8 knowingly employs a person, hired after July 1, 2007, for whom
9 an Illinois State Police and Federal Bureau of Investigation
10 fingerprint-based criminal history records check and a
11 Statewide Sex Offender Database check has not been initiated
12 or who has been convicted of any offense enumerated in Section
13 21B-80 of this Code or any offense committed or attempted in
14 any other state or against the laws of the United States that,
15 if committed or attempted in this State, would have been
16 punishable as one or more of those offenses. No non-public
17 school may obtain recognition status under this Section that
18 knowingly employs a person who has been found to be the
19 perpetrator of sexual or physical abuse of a minor under 18
20 years of age pursuant to proceedings under Article II of the
21 Juvenile Court Act of 1987.

22 In order to obtain recognition status under this Section,
23 a non-public school must require compliance with the
24 provisions of this subsection (c-5) from all employees of
25 persons or firms holding contracts with the school, including,
26 but not limited to, food service workers, school bus drivers,

1 and other transportation employees, who have direct, daily
2 contact with pupils. Any information concerning the records of
3 conviction or identification as a sex offender of any such
4 employee obtained by the non-public school principal or
5 president must be promptly reported to the school's governing
6 body.

7 Prior to the commencement of any student teaching
8 experience or required internship (which is referred to as
9 student teaching in this Section) in any non-public elementary
10 or secondary school that has obtained or seeks to obtain
11 recognition status under this Section, a student teacher is
12 required to authorize a fingerprint-based criminal history
13 records check. Authorization for and payment of the costs of
14 the check must be furnished by the student teacher to the chief
15 administrative officer of the non-public school where the
16 student teaching is to be completed. Upon receipt of this
17 authorization and payment, the chief administrative officer of
18 the non-public school shall submit the student teacher's name,
19 sex, race, date of birth, social security number, fingerprint
20 images, and other identifiers, as prescribed by the Illinois
21 State Police, to the Illinois State Police. The Illinois State
22 Police and the Federal Bureau of Investigation shall furnish,
23 pursuant to a fingerprint-based criminal history records
24 check, records of convictions, forever and hereinafter, until
25 expunged, to the chief administrative officer of the
26 non-public school that requested the check. The Illinois State

1 Police shall charge the school a fee for conducting the check,
2 which fee must be passed on to the student teacher, must not
3 exceed the cost of the inquiry, and must be deposited into the
4 State Police Services Fund. The school shall further perform a
5 check of the Statewide Sex Offender Database, as authorized by
6 the Sex Offender Community Notification Law, and of the
7 Statewide Murderer and Violent Offender Against Youth
8 Database, as authorized by the Murderer and Violent Offender
9 Against Youth Registration Act, for each student teacher. No
10 school that has obtained or seeks to obtain recognition status
11 under this Section may knowingly allow a person to student
12 teach for whom a criminal history records check, a Statewide
13 Sex Offender Database check, and a Statewide Murderer and
14 Violent Offender Against Youth Database check have not been
15 completed and reviewed by the chief administrative officer of
16 the non-public school.

17 A copy of the record of convictions obtained from the
18 Illinois State Police must be provided to the student teacher.
19 Any information concerning the record of convictions obtained
20 by the chief administrative officer of the non-public school
21 is confidential and may be transmitted only to the chief
22 administrative officer of the non-public school or his or her
23 designee, the State Superintendent of Education, the State
24 Educator Preparation and Licensure Board, or, for
25 clarification purposes, the Illinois State Police or the
26 Statewide Sex Offender Database or Statewide Murderer and

1 Violent Offender Against Youth Database. Any unauthorized
2 release of confidential information may be a violation of
3 Section 7 of the Criminal Identification Act.

4 No school that has obtained or seeks to obtain recognition
5 status under this Section may knowingly allow a person to
6 student teach who has been convicted of any offense that would
7 subject him or her to license suspension or revocation
8 pursuant to Section 21B-80 of this Code or who has been found
9 to be the perpetrator of sexual or physical abuse of a minor
10 under 18 years of age pursuant to proceedings under Article II
11 of the Juvenile Court Act of 1987.

12 Any school that has obtained or seeks to obtain
13 recognition status under this Section may not prohibit
14 hairstyles historically associated with race, ethnicity, or
15 hair texture, including, but not limited to, protective
16 hairstyles such as braids, locks, and twists, or religious
17 hairstyles, hair-related religious practices, or facial hair
18 worn in accordance with a student's or employee's sincerely
19 held religious beliefs, observance, or practice, including,
20 but not limited to, uncut hair or sidelocks (known as payot or
21 peyos), or beards, mustaches, or other facial hair.

22 (c-10) Exemption. Notwithstanding any other provision of
23 this Section to the contrary, a non-public, sectarian school
24 that has registered or seeks to register under this Section or
25 that has obtained or seeks to obtain recognition status under
26 this Section is not subject to those requirements of this

1 Section that restrict a school's ability to adopt, enforce, or
2 apply policies regarding religious hairstyles, hair-related
3 religious practices, or facial hair worn in accordance with a
4 student's or employee's sincerely held religious beliefs,
5 observance, or practice.

6 (d) Public purposes. The provisions of this Section are in
7 the public interest, for the public benefit, and serve secular
8 public purposes.

9 (e) Definition. For purposes of this Section, a non-public
10 school means any non-profit, non-home-based, and non-public
11 elementary or secondary school that is in compliance with
12 Title VI of the Civil Rights Act of 1964 and attendance at
13 which satisfies the requirements of Section 26-1 of this Code.

14 (Source: P.A. 102-360, eff. 1-1-22; 102-538, eff. 8-20-21;
15 102-813, eff. 5-13-22; 103-111, eff. 6-29-23; 103-605, eff.
16 7-1-24.)

17 (105 ILCS 5/10-22.25b) (from Ch. 122, par. 10-22.25b)

18 Sec. 10-22.25b. School uniforms.

19 (a) In this Section, "religious hairstyles, hair-related
20 religious practices, or facial hair" means hair length, hair
21 arrangement, head hair, or facial hair maintained, worn, or
22 displayed in accordance with a student's sincerely held
23 religious beliefs, observance, or practice, including, but not
24 limited to, uncut hair, sidelocks (known as payot or peyos),
25 or beards, mustaches, or other facial hair.

1 **(b)** The school board may adopt a school uniform or dress
2 code policy that governs all or certain individual attendance
3 centers and that is necessary to maintain the orderly process
4 of a school function or prevent endangerment of student health
5 or safety. A school uniform or dress code policy adopted by a
6 school board: (i) shall not be applied in such manner as to
7 discipline or deny attendance to a transfer student or any
8 other student for noncompliance with that policy during such
9 period of time as is reasonably necessary to enable the
10 student to acquire a school uniform or otherwise comply with
11 the dress code policy that is in effect at the attendance
12 center or in the district into which the student's enrollment
13 is transferred; (ii) shall include criteria and procedures
14 under which the school board will accommodate the needs of or
15 otherwise provide appropriate resources to assist a student
16 from an indigent family in complying with an applicable school
17 uniform or dress code policy; (iii) shall not include or apply
18 to hairstyles, including hairstyles historically associated
19 with race, ethnicity, or hair texture, including, but not
20 limited to, protective hairstyles such as braids, locks, and
21 twists, or religious hairstyles, hair-related religious
22 practices, or facial hair worn in accordance with a student's
23 sincerely held religious beliefs, observance, or practice,
24 including, but not limited to, uncut hair or sidelocks (known
25 as payot or peyos), or beards, mustaches, or other facial
26 hair; and (iv) shall not prohibit the right of a student to

1 wear or accessorize the student's graduation attire with items
2 associated with the student's cultural, ethnic, or religious
3 identity or any other protected characteristic or category
4 identified in subsection (Q) of Section 1-103 of the Illinois
5 Human Rights Act.

6 Nothing in item (iii) of this subsection (b) prohibits a
7 school from requiring that hair or facial hair be secured,
8 covered, or otherwise controlled during a specific activity if
9 necessary to prevent endangerment of student health or safety,
10 as long as the requirement is applied in the least restrictive
11 manner practicable and does not require cutting, shaving, or
12 other permanent alteration.

13 (c) A student whose parents or legal guardians object on
14 religious grounds to the student's compliance with an
15 applicable school uniform or dress code policy shall not be
16 required to comply with that policy if the student's parents
17 or legal guardians present to the school board a signed
18 statement of objection detailing the grounds for the
19 objection. This Section applies to school boards of all
20 districts, including special charter districts and districts
21 organized under Article 34. If a school board does not comply
22 with the requirements and prohibitions set forth in this
23 Section, the school district is subject to the penalty imposed
24 pursuant to subsection (a) of Section 2-3.25.

25 (d) ~~The By no later than July 1, 2022, the~~ State Board of
26 Education shall make available to schools resource materials

1 developed in consultation with stakeholders regarding
2 hairstyles, including hairstyles historically associated with
3 race, ethnicity, or hair texture, including, but not limited
4 to, protective hairstyles such as braids, locks, and twists,
5 and regarding religious hairstyles, hair-related religious
6 practices, or facial hair worn in accordance with a student's
7 sincerely held religious beliefs, observance, or practice. The
8 State Board of Education shall make the resource materials
9 available on its Internet website.

10 (Source: P.A. 102-360, eff. 1-1-22; 103-463, eff. 8-4-23.)

11 (105 ILCS 5/34-2.3) (from Ch. 122, par. 34-2.3)

12 Sec. 34-2.3. Local school councils; powers and duties.
13 Each local school council shall have and exercise, consistent
14 with the provisions of this Article and the powers and duties
15 of the board of education, the following powers and duties:

16 1. (A) To annually evaluate the performance of the
17 principal of the attendance center using a Board-approved
18 ~~Board-approved~~ principal evaluation form, which shall
19 include the evaluation of (i) student academic
20 improvement, as defined by the school improvement plan,
21 (ii) student absenteeism rates at the school, (iii)
22 instructional leadership, (iv) the effective
23 implementation of programs, policies, or strategies to
24 improve student academic achievement, (v) school
25 management, and (vi) any other factors deemed relevant by

1 the local school council, including, without limitation,
2 the principal's communication skills and ability to create
3 and maintain a student-centered learning environment, to
4 develop opportunities for professional development, and to
5 encourage parental involvement and community partnerships
6 to achieve school improvement;

7 (B) to determine in the manner provided by subsection
8 (c) of Section 34-2.2 and subdivision 1.5 of this Section
9 whether the performance contract of the principal shall be
10 renewed; and

11 (C) to directly select, in the manner provided by
12 subsection (c) of Section 34-2.2, a new principal
13 (including a new principal to fill a vacancy) -- without
14 submitting any list of candidates for that position to the
15 general superintendent as provided in subdivision
16 ~~paragraph~~ 2 of this Section -- to serve under a 4 year
17 performance contract; provided that (i) the determination
18 of whether the principal's performance contract is to be
19 renewed, based upon the evaluation required by subdivision
20 1.5 of this Section, shall be made no later than 150 days
21 prior to the expiration of the current performance-based
22 contract of the principal, (ii) in cases where such
23 performance contract is not renewed -- a direct selection
24 of a new principal -- to serve under a 4 year performance
25 contract shall be made by the local school council no
26 later than 45 days prior to the expiration of the current

1 performance contract of the principal, and (iii) a
2 selection by the local school council of a new principal
3 to fill a vacancy under a 4-year ~~4-year~~ performance
4 contract shall be made within 90 days after the date such
5 vacancy occurs. A council ~~Council~~ shall be required, if
6 requested by the principal, to provide in writing the
7 reasons for the council's not renewing the principal's
8 contract.

9 1.5. The local school council's determination of
10 whether to renew the principal's contract shall be based
11 on an evaluation to assess the educational and
12 administrative progress made at the school during the
13 principal's current performance-based contract. The local
14 school council shall base its evaluation on (i) student
15 academic improvement, as defined by the school improvement
16 plan, (ii) student absenteeism rates at the school, (iii)
17 instructional leadership, (iv) the effective
18 implementation of programs, policies, or strategies to
19 improve student academic achievement, (v) school
20 management, and (vi) any other factors deemed relevant by
21 the local school council, including, without limitation,
22 the principal's communication skills and ability to create
23 and maintain a student-centered learning environment, to
24 develop opportunities for professional development, and to
25 encourage parental involvement and community partnerships
26 to achieve school improvement. If a local school council

1 fails to renew the performance contract of a principal
2 rated by the general superintendent, or his or her
3 designee, in the previous years' evaluations as meeting or
4 exceeding expectations, the principal, within 15 days
5 after the local school council's decision not to renew the
6 contract, may request a review of the local school
7 council's principal non-retention decision by a hearing
8 officer appointed by the American Arbitration Association.
9 A local school council member or members or the general
10 superintendent may support the principal's request for
11 review. During the period of the hearing officer's review
12 of the local school council's decision on whether or not
13 to retain the principal, the local school council shall
14 maintain all authority to search for and contract with a
15 person to serve as interim or acting principal, or as the
16 principal of the attendance center under a 4-year
17 performance contract, provided that any performance
18 contract entered into by the local school council shall be
19 voidable or modified in accordance with the decision of
20 the hearing officer. The principal may request review only
21 once while at that attendance center. If a local school
22 council renews the contract of a principal who failed to
23 obtain a rating of "meets" or "exceeds expectations" in
24 the general superintendent's evaluation for the previous
25 year, the general superintendent, within 15 days after the
26 local school council's decision to renew the contract, may

1 request a review of the local school council's principal
2 retention decision by a hearing officer appointed by the
3 American Arbitration Association. The general
4 superintendent may request a review only once for that
5 principal at that attendance center. All requests to
6 review the retention or non-retention of a principal shall
7 be submitted to the general superintendent, who shall, in
8 turn, forward such requests, within 14 days of receipt, to
9 the American Arbitration Association. The general
10 superintendent shall send a contemporaneous copy of the
11 request that was forwarded to the American Arbitration
12 Association to the principal and to each local school
13 council member and shall inform the local school council
14 of its rights and responsibilities under the arbitration
15 process, including the local school council's right to
16 representation and the manner and process by which the
17 Board shall pay the costs of the council's representation.
18 If the local school council retains the principal and the
19 general superintendent requests a review of the retention
20 decision, the local school council and the general
21 superintendent shall be considered parties to the
22 arbitration, a hearing officer shall be chosen between
23 those 2 parties pursuant to procedures promulgated by the
24 State Board of Education, and the principal may retain
25 counsel and participate in the arbitration. If the local
26 school council does not retain the principal and the

1 principal requests a review of the retention decision, the
2 local school council and the principal shall be considered
3 parties to the arbitration and a hearing officer shall be
4 chosen between those 2 parties pursuant to procedures
5 promulgated by the State Board of Education. The hearing
6 shall begin (i) within 45 days after the initial request
7 for review is submitted by the principal to the general
8 superintendent or (ii) if the initial request for review
9 is made by the general superintendent, within 45 days
10 after that request is mailed to the American Arbitration
11 Association. The hearing officer shall render a decision
12 within 45 days after the hearing begins and within 90 days
13 after the initial request for review. The Board shall
14 contract with the American Arbitration Association for all
15 of the hearing officer's reasonable and necessary costs.
16 In addition, the Board shall pay any reasonable costs
17 incurred by a local school council for representation
18 before a hearing officer.

19 1.10. The hearing officer shall conduct a hearing,
20 which shall include (i) a review of the principal's
21 performance, evaluations, and other evidence of the
22 principal's service at the school, (ii) reasons provided
23 by the local school council for its decision, and (iii)
24 documentation evidencing views of interested persons,
25 including, without limitation, students, parents, local
26 school council members, school faculty and staff, the

1 principal, the general superintendent or his or her
2 designee, and members of the community. The burden of
3 proof in establishing that the local school council's
4 decision was arbitrary and capricious shall be on the
5 party requesting the arbitration, and this party shall
6 sustain the burden by a preponderance of the evidence. The
7 hearing officer shall set the local school council
8 decision aside if that decision, in light of the record
9 developed at the hearing, is arbitrary and capricious. The
10 decision of the hearing officer may not be appealed to the
11 Board or the State Board of Education. If the hearing
12 officer decides that the principal shall be retained, the
13 retention period shall not exceed 2 years.

14 2. In the event (i) the local school council does not
15 renew the performance contract of the principal, or the
16 principal fails to receive a satisfactory rating as
17 provided in subsection (h) of Section 34-8.3, or the
18 principal is removed for cause during the term of his or
19 her performance contract in the manner provided by Section
20 34-85, or a vacancy in the position of principal otherwise
21 occurs prior to the expiration of the term of a
22 principal's performance contract, and (ii) the local
23 school council fails to directly select a new principal to
24 serve under a 4-year ~~4-year~~ performance contract, the
25 local school council in such event shall submit to the
26 general superintendent a list of 3 candidates -- listed in

1 the local school council's order of preference -- for the
2 position of principal, one of which shall be selected by
3 the general superintendent to serve as principal of the
4 attendance center. If the general superintendent fails or
5 refuses to select one of the candidates on the list to
6 serve as principal within 30 days after being furnished
7 with the candidate list, the general superintendent shall
8 select and place a principal on an interim basis (i) for a
9 period not to exceed one year or (ii) until the local
10 school council selects a new principal with 7 affirmative
11 votes as provided in subsection (c) of Section 34-2.2,
12 whichever occurs first. If the local school council fails
13 or refuses to select and appoint a new principal, as
14 specified by subsection (c) of Section 34-2.2, the general
15 superintendent may select and appoint a new principal on
16 an interim basis for an additional year or until a new
17 contract principal is selected by the local school
18 council. There shall be no discrimination on the basis of
19 race, sex, creed, color, or disability unrelated to
20 ability to perform in connection with the submission of
21 candidates for, and the selection of a candidate to serve
22 as principal of an attendance center. No person shall be
23 directly selected, listed as a candidate for, or selected
24 to serve as principal of an attendance center (i) if such
25 person has been removed for cause from employment by the
26 Board or (ii) if such person does not hold a valid

1 Professional Educator License issued under Article 21B and
2 endorsed as required by that Article for the position of
3 principal. A principal whose performance contract is not
4 renewed as provided under subsection (c) of Section 34-2.2
5 may nevertheless, if otherwise qualified and licensed as
6 herein provided and if he or she has received a
7 satisfactory rating as provided in subsection (h) of
8 Section 34-8.3, be included by a local school council as
9 one of the 3 candidates listed in order of preference on
10 any candidate list from which one person is to be selected
11 to serve as principal of the attendance center under a new
12 performance contract. The initial candidate list required
13 to be submitted by a local school council to the general
14 superintendent in cases where the local school council
15 does not renew the performance contract of its principal
16 and does not directly select a new principal to serve
17 under a 4-year ~~4-year~~ performance contract shall be
18 submitted not later than 30 days prior to the expiration
19 of the current performance contract. In cases where the
20 local school council fails or refuses to submit the
21 candidate list to the general superintendent no later than
22 30 days prior to the expiration of the incumbent
23 principal's contract, the general superintendent may
24 appoint a principal on an interim basis for a period not to
25 exceed one year, during which time the local school
26 council shall be able to select a new principal with 7

1 affirmative votes as provided in subsection (c) of Section
2 34-2.2. In cases where a principal is removed for cause or
3 a vacancy otherwise occurs in the position of principal
4 and the vacancy is not filled by direct selection by the
5 local school council, the candidate list shall be
6 submitted by the local school council to the general
7 superintendent within 90 days after the date such removal
8 or vacancy occurs. In cases where the local school council
9 fails or refuses to submit the candidate list to the
10 general superintendent within 90 days after the date of
11 the vacancy, the general superintendent may appoint a
12 principal on an interim basis for a period of one year,
13 during which time the local school council shall be able
14 to select a new principal with 7 affirmative votes as
15 provided in subsection (c) of Section 34-2.2.

16 2.5. Whenever a vacancy in the office of a principal
17 occurs for any reason, the vacancy shall be filled in the
18 manner provided by this Section by the selection of a new
19 principal to serve under a 4-year ~~4-year~~ performance
20 contract.

21 3. To establish additional criteria to be included as
22 part of the performance contract of its principal,
23 provided that such additional criteria shall not
24 discriminate on the basis of race, sex, creed, color, or
25 disability unrelated to ability to perform, and shall not
26 be inconsistent with the uniform 4-year ~~4-year~~ performance

1 contract for principals developed by the board as provided
2 in Section 34-8.1 of this ~~the School~~ Code or with other
3 provisions of this Article governing the authority and
4 responsibility of principals.

5 4. To approve the expenditure plan prepared by the
6 principal with respect to all funds allocated and
7 distributed to the attendance center by the Board. The
8 expenditure plan shall be administered by the principal.
9 Notwithstanding any other provision of this Code ~~Act~~ or
10 any other law, any expenditure plan approved and
11 administered under this Section 34-2.3 shall be consistent
12 with and subject to the terms of any contract for services
13 with a third party entered into by the Chicago School
14 Reform Board of Trustees or the board under this Code ~~Act~~.

15 Via a supermajority vote of 8 members of a local
16 school council enrolling students through the 8th grade or
17 9 members of a local school council at a secondary
18 attendance center or an attendance center enrolling
19 students in grades 7 through 12, the Council may transfer
20 allocations pursuant to this Section 34-2.3 within funds;
21 provided that such a transfer is consistent with
22 applicable law and collective bargaining agreements.

23 Beginning in fiscal year 1991 and in each fiscal year
24 thereafter, the Board may reserve up to 1% of its total
25 fiscal year budget for distribution on a prioritized basis
26 to schools throughout the school system in order to assure

1 adequate programs to meet the needs of special student
2 populations as determined by the Board. This distribution
3 shall take into account the needs catalogued in the
4 Systemwide Plan and the various local school improvement
5 plans of the local school councils. Information about
6 these centrally funded programs shall be distributed to
7 the local school councils so that their subsequent
8 planning and programming will account for these
9 provisions.

10 Beginning in fiscal year 1991 and in each fiscal year
11 thereafter, from other amounts available in the applicable
12 fiscal year budget, the board shall allocate a lump sum
13 amount to each local school based upon such formula as the
14 board shall determine taking into account the special
15 needs of the student body. The local school principal
16 shall develop an expenditure plan in consultation with the
17 local school council, the professional personnel
18 leadership committee and with all other school personnel,
19 which reflects the priorities and activities as described
20 in the school's local school improvement plan and is
21 consistent with applicable law and collective bargaining
22 agreements and with board policies and standards; however,
23 the local school council shall have the right to request
24 waivers of board policy from the board of education and
25 waivers of employee collective bargaining agreements
26 pursuant to Section 34-8.1a.

1 The expenditure plan developed by the principal with
2 respect to amounts available from the fund for prioritized
3 special needs programs and the allocated lump sum amount
4 must be approved by the local school council.

5 The lump sum allocation shall take into account the
6 following principles:

7 a. Teachers: Each school shall be allocated funds
8 equal to the amount appropriated in the previous
9 school year for compensation for teachers (regular
10 grades kindergarten through 12th grade) plus whatever
11 increases in compensation have been negotiated
12 contractually or through longevity as provided in the
13 negotiated agreement. Adjustments shall be made due to
14 layoff or reduction in force, lack of funds or work,
15 change in subject requirements, enrollment changes, or
16 contracts with third parties for the performance of
17 services or to rectify any inconsistencies with
18 system-wide allocation formulas or for other
19 legitimate reasons.

20 b. Other personnel: Funds for other teacher
21 licensed and nonlicensed personnel paid through
22 non-categorical funds shall be provided according to
23 system-wide formulas based on student enrollment and
24 the special needs of the school as determined by the
25 Board.

26 c. Non-compensation items: Appropriations for all

1 non-compensation items shall be based on system-wide
2 formulas based on student enrollment and on the
3 special needs of the school or factors related to the
4 physical plant, including, but not limited to,
5 textbooks, electronic textbooks and the technological
6 equipment necessary to gain access to and use
7 electronic textbooks, supplies, electricity,
8 equipment, and routine maintenance.

9 d. Funds for categorical programs: Schools shall
10 receive personnel and funds based on, and shall use
11 such personnel and funds in accordance with State and
12 federal ~~Federal~~ requirements applicable to each
13 categorical program provided to meet the special needs
14 of the student body (including, but not limited to,
15 Federal Chapter I, Bilingual, and Special Education).

16 d.1. Funds for State Title I: Each school shall
17 receive funds based on State and Board requirements
18 applicable to each State Title I pupil provided to
19 meet the special needs of the student body. Each
20 school shall receive the proportion of funds as
21 provided in Section 18-8 or 18-8.15 to which they are
22 entitled. These funds shall be spent only with the
23 budgetary approval of the local school council ~~Local~~
24 ~~School Council~~ as provided in Section 34-2.3.

25 e. The local school council ~~Local School Council~~
26 shall have the right to request the principal to close

1 positions and open new ones consistent with the
2 provisions of the local school improvement plan
3 provided that these decisions are consistent with
4 applicable law and collective bargaining agreements.
5 If a position is closed, pursuant to this paragraph,
6 the local school shall have for its use the
7 system-wide average compensation for the closed
8 position.

9 f. Operating within existing laws and collective
10 bargaining agreements, the local school council shall
11 have the right to direct the principal to shift
12 expenditures within funds.

13 g. (Blank).

14 Any funds unexpended at the end of the fiscal year
15 shall be available to the board of education for use as
16 part of its budget for the following fiscal year.

17 5. To make recommendations to the principal concerning
18 textbook selection and concerning curriculum developed
19 pursuant to the school improvement plan which is
20 consistent with systemwide curriculum objectives in
21 accordance with Sections 34-8 and 34-18 of this ~~the School~~
22 Code and in conformity with the collective bargaining
23 agreement.

24 6. To advise the principal concerning the attendance
25 and disciplinary policies for the attendance center,
26 subject to the provisions of this Article and Article 26,

1 and consistent with the uniform system of discipline
2 established by the board pursuant to Section 34-19.

3 7. To approve a school improvement plan developed as
4 provided in Section 34-2.4. The process and schedule for
5 plan development shall be publicized to the entire school
6 community, and the community shall be afforded the
7 opportunity to make recommendations concerning the plan.
8 At least twice a year the principal and local school
9 council shall report publicly on progress and problems
10 with respect to plan implementation.

11 8. To evaluate the allocation of teaching resources
12 and other licensed and nonlicensed staff to the attendance
13 center to determine whether such allocation is consistent
14 with and in furtherance of instructional objectives and
15 school programs reflective of the school improvement plan
16 adopted for the attendance center; and to make
17 recommendations to the board, the general superintendent,
18 and the principal concerning any reallocation of teaching
19 resources or other staff whenever the council determines
20 that any such reallocation is appropriate because the
21 qualifications of any existing staff at the attendance
22 center do not adequately match or support instructional
23 objectives or school programs which reflect the school
24 improvement plan.

25 9. To make recommendations to the principal and the
26 general superintendent concerning their respective

1 appointments, after August 31, 1989, and in the manner
2 provided by Section 34-8 and Section 34-8.1, of persons to
3 fill any vacant, additional, or newly created positions
4 for teachers at the attendance center or at attendance
5 centers which include the attendance center served by the
6 local school council.

7 10. To request of the Board the manner in which
8 training and assistance shall be provided to the local
9 school council. Pursuant to Board guidelines a local
10 school council is authorized to direct the Board of
11 Education to contract with personnel or not-for-profit
12 organizations not associated with the school district to
13 train or assist council members. If training or assistance
14 is provided by contract with personnel or organizations
15 not associated with the school district, the period of
16 training or assistance shall not exceed 30 hours during a
17 given school year; the person shall not be employed on a
18 continuous basis longer than said period and shall not
19 have been employed by the Chicago Board of Education
20 within the preceding six months. Council members shall
21 receive training in at least the following areas:

22 1. school budgets;

23 2. educational theory pertinent to the attendance
24 center's particular needs, including the development
25 of the school improvement plan and the principal's
26 performance contract; and

1 3. personnel selection.

2 Council members shall, to the greatest extent possible,
3 complete such training within 90 days of election.

4 11. In accordance with systemwide guidelines contained
5 in the System-Wide Educational Reform Goals and Objectives
6 Plan, criteria for evaluation of performance shall be
7 established for local school councils and local school
8 council members. If a local school council persists in
9 noncompliance with systemwide requirements, the Board may
10 impose sanctions and take necessary corrective action,
11 consistent with Section 34-8.3.

12 12. Each local school council shall comply with the
13 Open Meetings Act and the Freedom of Information Act. Each
14 local school council shall issue and transmit to its
15 school community a detailed annual report accounting for
16 its activities programmatically and financially. Each
17 local school council shall convene at least 2
18 well-publicized meetings annually with its entire school
19 community. These meetings shall include presentation of
20 the proposed local school improvement plan, of the
21 proposed school expenditure plan, and the annual report,
22 and shall provide an opportunity for public comment.

23 13. Each local school council is encouraged to involve
24 additional non-voting members of the school community in
25 facilitating the council's exercise of its
26 responsibilities.

1 14. In this subdivision 14, "religious hairstyles,
2 hair-related religious practices, or facial hair" has the
3 meaning given to that term in Section 10-22.25b.

4 The local school council may adopt a school uniform or
5 dress code policy that governs the attendance center and
6 that is necessary to maintain the orderly process of a
7 school function or prevent endangerment of student health
8 or safety, consistent with the policies and rules of the
9 Board of Education. A school uniform or dress code policy
10 adopted by a local school council: (i) shall not be
11 applied in such manner as to discipline or deny attendance
12 to a transfer student or any other student for
13 noncompliance with that policy during such period of time
14 as is reasonably necessary to enable the student to
15 acquire a school uniform or otherwise comply with the
16 dress code policy that is in effect at the attendance
17 center into which the student's enrollment is transferred;
18 (ii) shall include criteria and procedures under which the
19 local school council will accommodate the needs of or
20 otherwise provide appropriate resources to assist a
21 student from an indigent family in complying with an
22 applicable school uniform or dress code policy; (iii)
23 shall not include or apply to hairstyles, including
24 hairstyles historically associated with race, ethnicity,
25 or hair texture, including, but not limited to, protective
26 hairstyles such as braids, locks, and twists, or religious

1 hairstyles, hair-related religious practices, or facial
2 hair worn in accordance with a student's sincerely held
3 religious beliefs, observance, or practice, including, but
4 not limited to, uncut hair or sidelocks (known as payot or
5 peyos), or beards, mustaches, or other facial hair; and
6 (iv) shall not prohibit the right of a student to wear or
7 accessorize the student's graduation attire with items
8 associated with the student's cultural, ethnic, or
9 religious identity or any other protected characteristic
10 or category identified in subsection (Q) of Section 1-103
11 of the Illinois Human Rights Act.

12 Nothing in item (iii) of this subdivision 14 prohibits
13 a school from requiring that hair or facial hair be
14 secured, covered, or otherwise controlled during a
15 specific activity if necessary to prevent endangerment of
16 student health or safety, as long as the requirement is
17 applied in the least restrictive manner practicable and
18 does not require cutting, shaving, or other permanent
19 alteration.

20 A student whose parents or legal guardians object on
21 religious grounds to the student's compliance with an
22 applicable school uniform or dress code policy shall not
23 be required to comply with that policy if the student's
24 parents or legal guardians present to the local school
25 council a signed statement of objection detailing the
26 grounds for the objection. If a local school council does

1 not comply with the requirements and prohibitions set
2 forth in this subdivision ~~paragraph~~ 14, the attendance
3 center is subject to the penalty imposed pursuant to
4 subsection (a) of Section 2-3.25.

5 15. All decisions made and actions taken by the local
6 school council in the exercise of its powers and duties
7 shall comply with State and federal laws, all applicable
8 collective bargaining agreements, court orders, and rules
9 properly promulgated by the Board.

10 15a. To grant, in accordance with board rules and
11 policies, the use of assembly halls and classrooms when
12 not otherwise needed, including lighting, heat, and
13 attendants, for public lectures, concerts, and other
14 educational and social activities.

15 15b. To approve, in accordance with board rules and
16 policies, receipts and expenditures for all internal
17 accounts of the attendance center, and to approve all
18 fund-raising activities by nonschool organizations that
19 use the school building.

20 16. (Blank).

21 ~~17.~~ Names and addresses of local school council members
22 shall be a matter of public record.

23 (Source: P.A. 102-360, eff. 1-1-22; 102-677, eff. 12-3-21;
24 102-894, eff. 5-20-22; 103-463, eff. 8-4-23; revised 6-27-25.)

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