



Sen. Sue Rezin

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LRB101 08015 AXK 57832 a

1 AMENDMENT TO SENATE BILL 1287

2 AMENDMENT NO. _____. Amend Senate Bill 1287 by replacing
3 everything after the enacting clause with the following:

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

6 (105 ILCS 5/10-21.4) (from Ch. 122, par. 10-21.4)
7 Sec. 10-21.4. Superintendent - Duties; shared
8 administrators.

9 (a) Except in districts in which there is only one school
10 with fewer than 4 teachers, to employ a superintendent or share
11 the services of a superintendent as otherwise provided in this
12 Section, who shall have charge of the administration of the
13 schools under the direction of the board of education. However,
14 in any school district that has boundaries that lie in 3
15 counties, one county of which has a population exceeding
16 1,000,000 inhabitants, that has an enrollment of more than

1 35,000 students, and that has on staff properly licensed
2 assistant superintendents or directors in the areas of
3 instruction, finance, special education, assessments, and
4 career and technology education, the school board may instead,
5 by a vote of a majority of its full membership, appoint a chief
6 executive officer to serve as its superintendent, who shall be
7 a person of recognized administrative ability and management
8 experience, hold a master's degree, have been employed with the
9 school district for a minimum of 5 years in an administrative
10 capacity, be responsible for the management of the district,
11 and have all other powers and duties of a superintendent as set
12 forth in this Code, but who shall be exempt from the provisions
13 and requirements of Section 21B-15 of this Code for a period of
14 5 years.

15 (b) Except for a principal or assistant principal, a school
16 board shall, upon passage of a referendum as provided in
17 subsection (c) after submission of a petition signed by no less
18 than 5% of registered voters in the school district in the last
19 consolidated election, or may, by resolution, enter into a
20 joint agreement with other school boards to share the services
21 of a superintendent or other administrator, including, but not
22 limited to, an assistant superintendent, associate
23 superintendent, chief school business official, assistant
24 school business official, special education director or
25 supervisor, assistant special education director or
26 supervisor, general administrator, general supervisor,

1 director or dean, supervisory dean, athletic director,
2 curriculum director, assistant athletic director, or assistant
3 curriculum director. Each school board involved in the joint
4 agreement must agree to the joint agreement by resolution or by
5 passage of a referendum, but not both. A school board is not
6 required to enter into a joint agreement in the same manner as
7 the other school boards in the agreement, as long as the school
8 board agrees to the joint agreement by resolution or by passage
9 of a referendum. The joint agreement must include the amount
10 that each school board shall contribute to the salary of the
11 superintendent or other administrator. The superintendent or
12 other administrator may be employed by one school board, which
13 shall be reimbursed on a mutually agreed-to basis with other
14 school boards that are parties to the joint agreement. The
15 joint agreement must contain clear and equitable funding
16 formulas covering each school district's obligations. The
17 joint agreement may be amended at any time as provided in the
18 joint agreement or, if the joint agreement does not so provide,
19 the agreement may be amended at any time upon the adoption of a
20 resolution (if the original joint agreement was entered into
21 upon adoption of a resolution) or the passage of a referendum
22 (if the original joint agreement was entered into upon passage
23 of a referendum) in all member school districts. A fully
24 executed copy of the joint agreement shall be filed with the
25 State Board of Education and each applicable regional office of
26 education. The State Board of Education must provide technical

1 support as requested by the school districts or a regional
2 office of education. In the event 3 or more school boards
3 decide to enter into a joint agreement and at least one school
4 board submits a referendum under subsection (c) that does not
5 pass, the agreement between the remaining school boards is
6 still valid.

7 Any savings realized by sharing services under this
8 subsection must be divided equally between classroom needs and
9 property tax relief for the school district's residents.

10 Notwithstanding any other provision of this Section,
11 shared administrator services may not alter an individual
12 school board's authority to make decisions on behalf of a
13 school district.

14 (c) A petition to enter into a joint agreement under
15 subsection (b) shall be filed with the school board's secretary
16 no more than 92 days prior to the election at which the
17 question is to be submitted to the voters. The school board's
18 secretary shall certify the question, and the proper election
19 authority or authorities shall submit the question to the
20 voters. This referendum shall be subject to all other general
21 election law requirements. The proposition shall be in
22 substantially the following form:

23 Shall the (school district) enter into a joint
24 agreement with (other school district or districts) to
25 share the services of a (superintendent or other
26 administrator)?

1 Votes shall be recorded as "Yes" or "No".

2 If a majority of all votes cast on the proposition are in
3 favor of the proposition or the school board adopts a
4 resolution in all affected school districts, the school boards
5 shall enter into a joint agreement.

6 (d) If, within 6 months after passage of a referendum under
7 subsection (c) or adoption of a resolution under subsection
8 (b), the school boards who are parties to the joint agreement
9 are unable to reach an agreement on how they will share the
10 services of a superintendent or other administrator, the
11 regional office of education that has supervision and control
12 of the school districts that are sharing services or, if more
13 than one regional office of education has supervision and
14 control, the regional office of education that has supervision
15 and control of the largest portion of the affected school
16 districts must assist in the development of the joint
17 agreement.

18 (e) A school district wishing to withdraw from a joint
19 agreement under this Section shall obtain from its school board
20 a written resolution approving the withdrawal if the school
21 district entered into the joint agreement by resolution. The
22 withdrawing school district must present a written petition for
23 withdrawal from the joint agreement to the other member school
24 districts within the timelines designated by the joint
25 agreement. Upon approval of the petition by all of the
26 remaining member school districts, the petitioning school

1 district shall be withdrawn from the joint agreement effective
2 the following July 1 and shall provide the State Board of
3 Education written notification of the approved withdrawal.

4 (f) A school district wishing to withdraw from a joint
5 agreement under this Section shall submit to the voters of the
6 district at the next consolidated election the question of
7 whether the school district shall withdraw from the joint
8 agreement if the school district entered into the joint
9 agreement by a referendum vote. In addition, the question shall
10 be submitted to the voters of the district at the next
11 consolidated election upon submission of a petition signed by
12 no less than 5% of registered voters in the district in the
13 last consolidated election. The petition or other school board
14 action shall be filed with the school board's secretary no more
15 than 92 days prior to the election at which the question is to
16 be submitted to the voters. The school board's secretary shall
17 certify the question, and the proper election authority or
18 authorities shall submit the question to the voters. This
19 referendum shall be subject to all other general election law
20 requirements. The proposition shall be in substantially the
21 following form:

22 Shall the (school district) withdraw from the joint
23 agreement with (other school district or districts) and
24 cease sharing the services of a (superintendent or other
25 administrator)?

26 Votes shall be recorded as "Yes" or "No".

1 If a majority of all votes cast on the proposition are in
2 favor of the proposition, the school district shall be
3 withdrawn from the joint agreement effective the following July
4 1 and shall provide the State Board of Education written
5 notification of the approved withdrawal.

6 (g) In addition to the administrative duties, the
7 superintendent shall make recommendations to the board
8 concerning the budget, building plans, the locations of sites,
9 the selection, retention and dismissal of teachers and all
10 other employees, the selection of textbooks, instructional
11 material and courses of study. However, in districts under a
12 Financial Oversight Panel pursuant to Section 1A-8 for
13 violating a financial plan, the duties and responsibilities of
14 the superintendent in relation to the financial and business
15 operations of the district shall be approved by the Panel. In
16 the event the Board refuses or fails to follow a directive or
17 comply with an information request of the Panel, the
18 performance of those duties shall be subject to the direction
19 of the Panel. The superintendent shall also notify the State
20 Board of Education, the board and the chief administrative
21 official, other than the alleged perpetrator himself, in the
22 school where the alleged perpetrator serves, that any person
23 who is employed in a school or otherwise comes into frequent
24 contact with children in the school has been named as a
25 perpetrator in an indicated report filed pursuant to the Abused
26 and Neglected Child Reporting Act, approved June 26, 1975, as

1 amended. The superintendent shall keep or cause to be kept the
2 records and accounts as directed and required by the board, aid
3 in making reports required by the board, and perform such other
4 duties as the board may delegate to him.

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

13 (h) The provisions of this Section shall also apply to
14 board of director districts.

15 (i) Notice of intent not to renew a contract must be given
16 in writing stating the specific reason therefor by April 1 of
17 the contract year unless the contract specifically provides
18 otherwise. Failure to do so will automatically extend the
19 contract for an additional year. Within 10 days after receipt
20 of notice of intent not to renew a contract, the superintendent
21 may request a closed session hearing on the dismissal. At the
22 hearing the superintendent has the privilege of presenting
23 evidence, witnesses and defenses on the grounds for dismissal.
24 The provisions of this paragraph shall not apply to a district
25 under a Financial Oversight Panel pursuant to Section 1A-8 for
26 violating a financial plan.

1 (Source: P.A. 99-846, eff. 6-1-17.)".