



Rep. William Davis

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1 AMENDMENT TO SENATE BILL 1569

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1569, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The School Code is amended by changing Sections  
6 1H-115, 2-3.64a-5, 2-3.71, 2-3.170, 10-19, 10-19.05, 10-20.56,  
7 10-21.9, 14-8.02f, 14-8.02h, 17-2.11, 17-2A, 18-8.15, 21A-5,  
8 21A-30, 21A-35, 21B-20, 21B-35, 21B-45, 21B-50, 24-11, 24-12,  
9 24A-5, 27-3, 27-6.5, 27-8.1, 27-21, 27-22, 34-2.1, 34-2.2,  
10 34-18.5, 34-85, and 34-85c and by adding Sections 10-30,  
11 21B-110, 21B-115, 22-89, and 34-18.66 as follows:

12 (105 ILCS 5/1H-115)

13 Sec. 1H-115. Abolition of Panel.

14 (a) Except as provided in subsections (b), (c), ~~and~~ (d),  
15 and (e) of this Section, the Panel shall be abolished 10 years  
16 after its creation.

1           (b) The State Board, upon recommendation of the Panel or  
2 petition of the school board, may abolish the Panel at any time  
3 after the Panel has been in existence for 3 years if no  
4 obligations of the Panel are outstanding or remain undefeased  
5 and upon investigation and finding that:

6           (1) none of the factors specified in Section 1A-8 of  
7 this Code remain applicable to the district; and

8           (2) there has been substantial achievement of the goals  
9 and objectives established pursuant to the financial plan  
10 and required under Section 1H-15 of this Code.

11          (c) The Panel of a district that otherwise meets all of the  
12 requirements for abolition of a Panel under subsection (b) of  
13 this Section, except for the fact that there are outstanding  
14 financial obligations of the Panel, may petition the State  
15 Board for reinstatement of all of the school board's powers and  
16 duties assumed by the Panel; and if approved by the State  
17 Board, then:

18           (1) the Panel shall continue in operation, but its  
19 powers and duties shall be limited to those necessary to  
20 manage and administer its outstanding obligations;

21           (2) the school board shall once again begin exercising  
22 all of the powers and duties otherwise allowed by statute;  
23 and

24           (3) the Panel shall be abolished as provided in  
25 subsection (a) of this Section.

26          (d) If the Panel of a district otherwise meets all of the

1 requirements for abolition of a Panel under subsection (b) of  
2 this Section, except for outstanding obligations of the Panel,  
3 then the district may petition the State Board for abolition of  
4 the Panel if the district:

5 (1) establishes an irrevocable trust fund, the purpose  
6 of which is to provide moneys to defease the outstanding  
7 obligations of the Panel; and

8 (2) issues funding bonds pursuant to the provisions of  
9 Sections 19-8 and 19-9 of this Code.

10 A district with a Panel that falls under this subsection  
11 (d) shall be abolished as provided in subsection (a) of this  
12 Section.

13 (e) The duration of a Panel may be continued for more than  
14 10 years after the date of its creation if the State Board  
15 extends the Panel's duration under paragraph (3) of subsection  
16 (e) of Section 18-8.15 of this Code.

17 (Source: P.A. 97-429, eff. 8-16-11; 98-463, eff. 8-16-13.)

18 (105 ILCS 5/2-3.64a-5)

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

20 (a) For the assessment and accountability purposes of this  
21 Section, "students" includes those students enrolled in a  
22 public or State-operated elementary school, secondary school,  
23 or cooperative or joint agreement with a governing body or  
24 board of control, a charter school operating in compliance with  
25 the Charter Schools Law, a school operated by a regional office

1 of education under Section 13A-3 of this Code, or a public  
2 school administered by a local public agency or the Department  
3 of Human Services.

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

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

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

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

1 One of these assessments shall be recognized by this State's  
2 public institutions of higher education, as defined in the  
3 Board of Higher Education Act, for the purpose of student  
4 application or admissions consideration. The assessment  
5 administered by the State Board of Education for the purpose of  
6 student application to or admissions consideration by  
7 institutions of higher education must be administered on a  
8 school day during regular student attendance hours.

9 Students who do not take the State's final accountability  
10 assessment or its approved alternate assessment may not receive  
11 a regular high school diploma unless the student is exempted  
12 from taking the State assessments under subsection (d) of this  
13 Section because the student is enrolled in a program of adult  
14 and continuing education, as defined in the Adult Education  
15 Act, or the student is identified by the State Board of  
16 Education, through rules, as being exempt from the assessment.

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

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

25 The requirements of this subsection do not apply if the  
26 State Board of Education has received a waiver from the

1 administration of assessments from the U.S. Department of  
2 Education.

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

11 Students receiving special education services whose  
12 individualized educational programs identify them as eligible  
13 for the alternative State assessments nevertheless shall have  
14 the option of also taking this State's regular final  
15 accountability assessment, which shall be administered in  
16 accordance with the eligible accommodations appropriate for  
17 meeting these students' respective needs.

18 All students determined to be English learners shall  
19 participate in the State assessments. The scores of those  
20 students who have been enrolled in schools in the United States  
21 for less than 12 months may not be used for the purposes of  
22 accountability. Any student determined to be an English learner  
23 shall receive appropriate assessment accommodations, including  
24 language supports, which shall be established by rule. Approved  
25 assessment accommodations must be provided until the student's  
26 English language skills develop to the extent that the student

1 is no longer considered to be an English learner, as  
2 demonstrated through a State-identified English language  
3 proficiency assessment.

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

7 In each school year, the scores attained by a student on  
8 the final accountability assessment must be placed in the  
9 student's permanent record pursuant to rules that the State  
10 Board of Education shall adopt for that purpose in accordance  
11 with Section 3 of the Illinois School Student Records Act. In  
12 each school year, the scores attained by a student on the State  
13 assessments administered in grades 3 through 8 must be placed  
14 in the student's temporary record.

15 (f) All schools shall administer the State's academic  
16 assessment of English language proficiency to all children  
17 determined to be English learners.

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

26 (h) (Blank).

1           (i) For the purposes of this subsection (i), "academically  
2 based assessments" means assessments consisting of questions  
3 and answers that are measurable and quantifiable to measure the  
4 knowledge, skills, and ability of students in the subject  
5 matters covered by the assessments. All assessments  
6 administered pursuant to this Section must be academically  
7 based assessments. The scoring of academically based  
8 assessments shall be reliable, valid, and fair and shall meet  
9 the guidelines for assessment development and use prescribed by  
10 the American Psychological Association, the National Council  
11 on Measurement in Education, and the American Educational  
12 Research Association.

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

19           (j) The State Superintendent of Education shall appoint a  
20 committee of no more than 21 members, consisting of parents,  
21 teachers, school administrators, school board members,  
22 assessment experts, regional superintendents of schools, and  
23 citizens, to review the State assessments administered by the  
24 State Board of Education. The Committee shall select one of its  
25 members as its chairperson. The Committee shall meet on an  
26 ongoing basis to review the content and design of the



1 assessments (including whether the requirements of subsection  
2 (i) of this Section have been met), the time and money expended  
3 at the local and State levels to prepare for and administer the  
4 assessments, the collective results of the assessments as  
5 measured against the stated purpose of assessing student  
6 performance, and other issues involving the assessments  
7 identified by the Committee. The Committee shall make periodic  
8 recommendations to the State Superintendent of Education and  
9 the General Assembly concerning the assessments.

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

12 (Source: P.A. 99-30, eff. 7-10-15; 99-185, eff. 1-1-16; 99-642,  
13 eff. 7-28-16; 100-7, eff. 7-1-17; 100-222, eff. 8-18-17;  
14 100-863, eff. 8-14-18; 100-1046, eff. 8-23-18.)

15 (105 ILCS 5/2-3.71) (from Ch. 122, par. 2-3.71)

16 Sec. 2-3.71. Grants for preschool educational programs.

17 (a) Preschool program.

18 (1) The State Board of Education shall implement and  
19 administer a grant program under the provisions of this  
20 subsection which shall consist of grants to public school  
21 districts and other eligible entities, as defined by the  
22 State Board of Education, to conduct voluntary preschool  
23 educational programs for children ages 3 to 5 which include  
24 a parent education component. A public school district  
25 which receives grants under this subsection may

1 subcontract with other entities that are eligible to  
2 conduct a preschool educational program. These grants must  
3 be used to supplement, not supplant, funds received from  
4 any other source.

5 (2) (Blank).

6 (3) Except as otherwise provided under this subsection  
7 (a), any teacher of preschool children in the program  
8 authorized by this subsection shall hold a Professional  
9 Educator License with an early childhood education  
10 endorsement.

11 (3.5) Beginning with the 2018-2019 school year and  
12 until the 2023-2024 school year, an individual may teach  
13 preschool children in an early childhood program under this  
14 Section if he or she holds a Professional Educator License  
15 with an early childhood education endorsement or with  
16 short-term approval for early childhood education or he or  
17 she pursues a Professional Educator License and holds any  
18 of the following:

19 (A) An ECE Credential Level of 5 awarded by the  
20 Department of Human Services under the Gateways to  
21 Opportunity Program developed under Section 10-70 of  
22 the Department of Human Services Act.

23 (B) An Educator License with Stipulations with a  
24 transitional bilingual educator endorsement and he or  
25 she has (i) passed an early childhood education content  
26 test or (ii) completed no less than 9 semester hours of

1 postsecondary coursework in the area of early  
2 childhood education.

3 (4) (Blank).

4 (4.5) The State Board of Education shall provide the  
5 primary source of funding through appropriations for the  
6 program. Such funds shall be distributed to achieve a goal  
7 of "Preschool for All Children" for the benefit of all  
8 children whose families choose to participate in the  
9 program. Based on available appropriations, newly funded  
10 programs shall be selected through a process giving first  
11 priority to qualified programs serving primarily at-risk  
12 children and second priority to qualified programs serving  
13 primarily children with a family income of less than 4  
14 times the poverty guidelines updated periodically in the  
15 Federal Register by the U.S. Department of Health and Human  
16 Services under the authority of 42 U.S.C. 9902(2). For  
17 purposes of this paragraph (4.5), at-risk children are  
18 those who because of their home and community environment  
19 are subject to such language, cultural, economic and like  
20 disadvantages to cause them to have been determined as a  
21 result of screening procedures to be at risk of academic  
22 failure. Such screening procedures shall be based on  
23 criteria established by the State Board of Education.

24 Except as otherwise provided in this paragraph (4.5),  
25 grantees under the program must enter into a memorandum of  
26 understanding with the appropriate local Head Start

1 agency. This memorandum must be entered into no later than  
2 3 months after the award of a grantee's grant under the  
3 program, except that, in the case of the 2009-2010 program  
4 year, the memorandum must be entered into no later than the  
5 deadline set by the State Board of Education for  
6 applications to participate in the program in fiscal year  
7 2011, and must address collaboration between the grantee's  
8 program and the local Head Start agency on certain issues,  
9 which shall include without limitation the following:

10 (A) educational activities, curricular objectives,  
11 and instruction;

12 (B) public information dissemination and access to  
13 programs for families contacting programs;

14 (C) service areas;

15 (D) selection priorities for eligible children to  
16 be served by programs;

17 (E) maximizing the impact of federal and State  
18 funding to benefit young children;

19 (F) staff training, including opportunities for  
20 joint staff training;

21 (G) technical assistance;

22 (H) communication and parent outreach for smooth  
23 transitions to kindergarten;

24 (I) provision and use of facilities,  
25 transportation, and other program elements;

26 (J) facilitating each program's fulfillment of its

1           statutory and regulatory requirements;

2                   (K) improving local planning and collaboration;

3           and

4                   (L) providing comprehensive services for the

5           neediest Illinois children and families.

6           If the appropriate local Head Start agency is unable or  
7           unwilling to enter into a memorandum of understanding as  
8           required under this paragraph (4.5), the memorandum of  
9           understanding requirement shall not apply and the grantee  
10          under the program must notify the State Board of Education  
11          in writing of the Head Start agency's inability or  
12          unwillingness. The State Board of Education shall compile  
13          all such written notices and make them available to the  
14          public.

15          (5) The State Board of Education shall develop and  
16          provide evaluation tools, including tests, that school  
17          districts and other eligible entities may use to evaluate  
18          children for school readiness prior to age 5. The State  
19          Board of Education shall require school districts and other  
20          eligible entities to obtain consent from the parents or  
21          guardians of children before any evaluations are  
22          conducted. The State Board of Education shall encourage  
23          local school districts and other eligible entities to  
24          evaluate the population of preschool children in their  
25          communities and provide preschool programs, pursuant to  
26          this subsection, where appropriate.

1           (6) The State Board of Education shall report to the  
2 General Assembly by November 1, 2018 and every 2 years  
3 thereafter on the results and progress of students who were  
4 enrolled in preschool educational programs, including an  
5 assessment of which programs have been most successful in  
6 promoting academic excellence and alleviating academic  
7 failure. The State Board of Education shall assess the  
8 academic progress of all students who have been enrolled in  
9 preschool educational programs.

10           On or before November 1 of each fiscal year in which  
11 the General Assembly provides funding for new programs  
12 under paragraph (4.5) of this Section, the State Board of  
13 Education shall report to the General Assembly on what  
14 percentage of new funding was provided to programs serving  
15 primarily at-risk children, what percentage of new funding  
16 was provided to programs serving primarily children with a  
17 family income of less than 4 times the federal poverty  
18 level, and what percentage of new funding was provided to  
19 other programs.

20           (7) Due to evidence that expulsion practices in the  
21 preschool years are linked to poor child outcomes and are  
22 employed inconsistently across racial and gender groups,  
23 early childhood programs receiving State funds under this  
24 subsection (a) shall prohibit expulsions. Planned  
25 transitions to settings that are able to better meet a  
26 child's needs are not considered expulsion under this

1 paragraph (7).

2 (A) When persistent and serious challenging  
3 behaviors emerge, the early childhood program shall  
4 document steps taken to ensure that the child can  
5 participate safely in the program; including  
6 observations of initial and ongoing challenging  
7 behaviors, strategies for remediation and intervention  
8 plans to address the behaviors, and communication with  
9 the parent or legal guardian, including participation  
10 of the parent or legal guardian in planning and  
11 decision-making.

12 (B) The early childhood program shall, with  
13 parental or legal guardian consent as required,  
14 utilize a range of community resources, if available  
15 and deemed necessary, including, but not limited to,  
16 developmental screenings, referrals to programs and  
17 services administered by a local educational agency or  
18 early intervention agency under Parts B and C of the  
19 federal Individual with Disabilities Education Act,  
20 and consultation with infant and early childhood  
21 mental health consultants and the child's health care  
22 provider. The program shall document attempts to  
23 engage these resources, including parent or legal  
24 guardian participation and consent attempted and  
25 obtained. Communication with the parent or legal  
26 guardian shall take place in a culturally and

1 linguistically competent manner.

2 (C) If there is documented evidence that all  
3 available interventions and supports recommended by a  
4 qualified professional have been exhausted and the  
5 program determines in its professional judgment that  
6 transitioning a child to another program is necessary  
7 for the well-being of the child or his or her peers and  
8 staff, with parent or legal guardian permission, both  
9 the current and pending programs shall create a  
10 transition plan designed to ensure continuity of  
11 services and the comprehensive development of the  
12 child. Communication with families shall occur in a  
13 culturally and linguistically competent manner.

14 (D) Nothing in this paragraph (7) shall preclude a  
15 parent's or legal guardian's right to voluntarily  
16 withdraw his or her child from an early childhood  
17 program. Early childhood programs shall request and  
18 keep on file, when received, a written statement from  
19 the parent or legal guardian stating the reason for his  
20 or her decision to withdraw his or her child.

21 (E) In the case of the determination of a serious  
22 safety threat to a child or others or in the case of  
23 behaviors listed in subsection (d) of Section 10-22.6  
24 of this Code, the temporary removal of a child from  
25 attendance in group settings may be used. Temporary  
26 removal of a child from attendance in a group setting



1 shall trigger the process detailed in subparagraphs  
2 (A), (B), and (C) of this paragraph (7), with the child  
3 placed back in a group setting as quickly as possible.

4 (F) Early childhood programs may utilize and the  
5 State Board of Education, the Department of Human  
6 Services, and the Department of Children and Family  
7 Services shall recommend training, technical support,  
8 and professional development resources to improve the  
9 ability of teachers, administrators, program  
10 directors, and other staff to promote social-emotional  
11 development and behavioral health, to address  
12 challenging behaviors, and to understand trauma and  
13 trauma-informed care, cultural competence, family  
14 engagement with diverse populations, the impact of  
15 implicit bias on adult behavior, and the use of  
16 reflective practice techniques. Support shall include  
17 the availability of resources to contract with infant  
18 and early childhood mental health consultants.

19 (G) Beginning on July 1, 2018, early childhood  
20 programs shall annually report to the State Board of  
21 Education, and, beginning in fiscal year 2020, the  
22 State Board of Education shall make available on a  
23 biennial basis, in an existing report, all of the  
24 following data for children from birth to age 5 who are  
25 served by the program:

26 (i) Total number served over the course of the

1 program year and the total number of children who  
2 left the program during the program year.

3 (ii) Number of planned transitions to another  
4 program due to children's behavior, by children's  
5 race, gender, disability, language, class/group  
6 size, teacher-child ratio, and length of program  
7 day.

8 (iii) Number of temporary removals of a child  
9 from attendance in group settings due to a serious  
10 safety threat under subparagraph (E) of this  
11 paragraph (7), by children's race, gender,  
12 disability, language, class/group size,  
13 teacher-child ratio, and length of program day.

14 (iv) Hours of infant and early childhood  
15 mental health consultant contact with program  
16 leaders, staff, and families over the program  
17 year.

18 (H) Changes to services for children with an  
19 individualized education program or individual family  
20 service plan shall be construed in a manner consistent  
21 with the federal Individuals with Disabilities  
22 Education Act.

23 The State Board of Education, in consultation with the  
24 Governor's Office of Early Childhood Development and the  
25 Department of Children and Family Services, shall adopt  
26 rules to administer this paragraph (7).

1 (b) (Blank).

2 (c) Notwithstanding any other provisions of this Section,  
3 grantees may serve children ages 0 to 12 of essential workers  
4 if the Governor has declared a disaster due to a public health  
5 emergency pursuant to Section 7 of the Illinois Emergency  
6 Management Agency Act. For the purposes of this subsection,  
7 essential workers include those outlined in Executive Order  
8 20-8 and school employees. The State Board of Education shall  
9 adopt rules to administer this subsection.

10 (Source: P.A. 100-105, eff. 1-1-18; 100-645, eff. 7-27-18.)

11 (105 ILCS 5/2-3.170)

12 Sec. 2-3.170. Property tax relief pool grants.

13 (a) As used in this Section,

14 "EAV" means equalized assessed valuation as defined under  
15 Section 18-8.15 of this Code.

16 "Property tax multiplier" equals one minus the square of  
17 the school district's Local Capacity Percentage, as defined in  
18 Section 18-8.15 of this Code.

19 "Local capacity percentage multiplier" means one minus the  
20 school district's Local Capacity Percentage, as defined in  
21 Section 18-8.15.

22 "State Board" means the State Board of Education.

23 (b) Subject to appropriation, the State Board shall provide  
24 grants to eligible school districts that provide tax relief to  
25 the school district's residents, which may be no greater than

1 1% of EAV for a unit district, 0.69% of EAV for an elementary  
2 school district, or 0.31% of EAV for a high school district, as  
3 provided in this Section.

4 (b-5) School districts may apply for property tax relief  
5 under this Section concurrently to setting their levy for the  
6 fiscal year. The intended relief may not be greater than 1% of  
7 the EAV for a unit district, 0.69% of the EAV for an elementary  
8 school district, or 0.31% of the EAV for a high school  
9 district, multiplied by the school district's local capacity  
10 percentage multiplier. The State Board shall process  
11 applications for relief, providing a grant to those districts  
12 with the highest operating tax rate, as determined by those  
13 districts with the highest percentage of the simple average  
14 operating tax rate of districts of the same type, either  
15 elementary, high school, or unit, first, in an amount equal to  
16 the intended relief multiplied by the property tax multiplier.  
17 The State Board shall provide grants to school districts in  
18 order of priority until the property tax relief pool is  
19 exhausted. If more school districts apply for relief under this  
20 subsection than there are funds available, the State Board must  
21 distribute the grants and prorate any remaining funds to the  
22 final school district that qualifies for grant relief. The  
23 abatement amount for that district must be equal to the grant  
24 amount divided by the property tax multiplier.

25 If a school district receives the State Board's approval of  
26 a grant under this Section by March 1 of the fiscal year, the

1 school district shall present a duly authorized and approved  
2 abatement resolution by March 30 of the fiscal year to the  
3 county clerk of each county in which the school files its levy,  
4 authorizing the county clerk to lower the school district's  
5 levy by the amount designated in its application to the State  
6 Board. When the preceding requisites are satisfied, the county  
7 clerk shall reduce the amount collected for the school district  
8 by the amount indicated in the school district's abatement  
9 resolution for that fiscal year.

10 (c) (Blank).

11 (d) School districts seeking grants under this Section  
12 shall apply to the State Board each year. All applications to  
13 the State Board for grants shall include the amount of the tax  
14 relief intended by the school district.

15 (e) Each year, based on the most recent available data  
16 provided by school districts pursuant to Section 18-8.15 of  
17 this Code, the State Board shall calculate the order of  
18 priority for grant eligibility under subsection (b-5) and  
19 publish a list of the school districts eligible for relief. The  
20 State Board shall provide grants in the manner provided under  
21 subsection (b-5).

22 (f) The State Board shall publish a final list of eligible  
23 grant recipients and provide payment of the grants by March 1  
24 of each year.

25 (g) If notice of eligibility from the State Board is  
26 received by a school district by March 1, then by March 30, the

1 school district shall file an abatement of its property tax  
2 levy in an amount equal to the grant received under this  
3 Section divided by the property tax multiplier. Payment of all  
4 grant amounts shall be made by June 1 each fiscal year. The  
5 State Superintendent of Education shall establish the timeline  
6 in such cases in which notice cannot be made by March 1.

7 (h) The total property tax relief allowable to a school  
8 district under this Section shall be calculated based on the  
9 total amount of reduction in the school district's aggregate  
10 extension. The total grant shall be equal to the reduction,  
11 multiplied by the property tax multiplier. The reduction shall  
12 be equal to 1% of a district's EAV for a unit school district,  
13 0.69% for an elementary school district, or 0.31% for a high  
14 school district, multiplied by the school district's local  
15 capacity percentage multiplier.

16 (i) If the State Board does not expend all appropriations  
17 allocated pursuant to this Section, then any remaining funds  
18 shall be allocated pursuant to Section 18-8.15 of this Code.

19 (j) The State Board shall prioritize payments under Section  
20 18-8.15 of this Code over payments under this Section, if  
21 necessary.

22 (k) Any grants received by a school district shall be  
23 included in future calculations of that school district's Base  
24 Funding Minimum under Section 18-8.15 of this Code. Beginning  
25 with Fiscal Year 2020, if a school district receives a grant  
26 under this Section, the school district must present to the

1 county clerk a duly authorized and approved abatement  
2 resolution by March 30 for the year in which the school  
3 district receives the grant and the successive fiscal year  
4 following the receipt of the grant, authorizing the county  
5 clerk to lower the school district's levy by the amount  
6 designated in its original application to the State Board.  
7 After receiving a resolution, the county clerk must reduce the  
8 amount collected for the school district by the amount  
9 indicated in the school district's abatement resolution for  
10 that fiscal year. If a school district does not abate in this  
11 amount for the successive fiscal year, the grant amount may not  
12 be included in the school district's Base Funding Minimum under  
13 Section 18-8.15 in the fiscal year following the tax year in  
14 which the abatement is not authorized and in any future fiscal  
15 year thereafter, and the county clerk must notify the State  
16 Board of the increase no later 30 days after it occurs.

17 (1) In the immediate 2 consecutive tax years ~~year~~ following  
18 receipt of a Property Tax Pool Relief Grant, the aggregate  
19 extension base ~~levy~~ of any school district receiving a grant  
20 under this Section, for purposes of the Property Tax Extension  
21 Limitation Law, shall include the tax relief the school  
22 district provided in the previous taxable year under this  
23 Section.

24 (Source: P.A. 100-465, eff. 8-31-17; 100-582, eff. 3-23-18;  
25 100-863, eff. 8-14-18; 101-17, eff. 6-14-19.)

1 (105 ILCS 5/10-19) (from Ch. 122, par. 10-19)

2 Sec. 10-19. Length of school term - experimental programs.  
3 Each school board shall annually prepare a calendar for the  
4 school term, specifying the opening and closing dates and  
5 providing a minimum term of at least 185 days to insure 176  
6 days of actual pupil attendance, computable under Section  
7 10-19.05, except that for the 1980-1981 school year only 175  
8 days of actual pupil attendance shall be required because of  
9 the closing of schools pursuant to Section 24-2 on January 29,  
10 1981 upon the appointment by the President of that day as a day  
11 of thanksgiving for the freedom of the Americans who had been  
12 held hostage in Iran. Any days allowed by law for teachers'  
13 institutes but not used as such or used as parental institutes  
14 as provided in Section 10-22.18d shall increase the minimum  
15 term by the school days not so used. Except as provided in  
16 Section 10-19.1, the board may not extend the school term  
17 beyond such closing date unless that extension of term is  
18 necessary to provide the minimum number of computable days. In  
19 case of such necessary extension school employees shall be paid  
20 for such additional time on the basis of their regular  
21 contracts. A school board may specify a closing date earlier  
22 than that set on the annual calendar when the schools of the  
23 district have provided the minimum number of computable days  
24 under this Section. Nothing in this Section prevents the board  
25 from employing superintendents of schools, principals and  
26 other nonteaching personnel for a period of 12 months, or in



1 the case of superintendents for a period in accordance with  
2 Section 10-23.8, or prevents the board from employing other  
3 personnel before or after the regular school term with payment  
4 of salary proportionate to that received for comparable work  
5 during the school term. Remote learning days, blended remote  
6 learning days, and up to 5 remote and blended remote learning  
7 planning days established under Section 10-30 or 34-18.66 shall  
8 be deemed pupil attendance days for calculation of the length  
9 of a school term under this Section.

10 A school board may make such changes in its calendar for  
11 the school term as may be required by any changes in the legal  
12 school holidays prescribed in Section 24-2. A school board may  
13 make changes in its calendar for the school term as may be  
14 necessary to reflect the utilization of teachers' institute  
15 days as parental institute days as provided in Section  
16 10-22.18d.

17 The calendar for the school term and any changes must be  
18 submitted to and approved by the regional superintendent of  
19 schools before the calendar or changes may take effect.

20 With the prior approval of the State Board of Education and  
21 subject to review by the State Board of Education every 3  
22 years, any school board may, by resolution of its board and in  
23 agreement with affected exclusive collective bargaining  
24 agents, establish experimental educational programs, including  
25 but not limited to programs for e-learning days as authorized  
26 under Section 10-20.56 of this Code, self-directed learning, or

1 outside of formal class periods, which programs when so  
2 approved shall be considered to comply with the requirements of  
3 this Section as respects numbers of days of actual pupil  
4 attendance and with the other requirements of this Act as  
5 respects courses of instruction.

6 (Source: P.A. 100-465, eff. 8-31-17; 101-12, eff. 7-1-19.)

7 (105 ILCS 5/10-19.05)

8 Sec. 10-19.05. Daily pupil attendance calculation.

9 (a) Except as otherwise provided in this Section, for a  
10 pupil of legal school age and in kindergarten or any of grades  
11 1 through 12, a day of attendance shall be counted only for  
12 sessions of not less than 5 clock hours of school work per day  
13 under direct supervision of (i) teachers or (ii) non-teaching  
14 personnel or volunteer personnel when engaging in non-teaching  
15 duties and supervising in those instances specified in  
16 subsection (a) of Section 10-22.34 and paragraph 10 of Section  
17 34-18. Days of attendance by pupils through verified  
18 participation in an e-learning program adopted by a school  
19 board and verified by the regional office of education or  
20 intermediate service center for the school district under  
21 Section 10-20.56 of this Code shall be considered as full days  
22 of attendance under this Section.

23 (b) A pupil regularly enrolled in a public school for only  
24 a part of the school day may be counted on the basis of  
25 one-sixth of a school day for every class hour of instruction

1 of 40 minutes or more attended pursuant to such enrollment,  
2 unless a pupil is enrolled in a block-schedule format of 80  
3 minutes or more of instruction, in which case the pupil may be  
4 counted on the basis of the proportion of minutes of school  
5 work completed each day to the minimum number of minutes that  
6 school work is required to be held that day.

7 (c) A session of 4 or more clock hours may be counted as a  
8 day of attendance upon certification by the regional  
9 superintendent of schools and approval by the State  
10 Superintendent of Education to the extent that the district has  
11 been forced to use daily multiple sessions.

12 (d) A session of 3 or more clock hours may be counted as a  
13 day of attendance (1) when the remainder of the school day or  
14 at least 2 hours in the evening of that day is utilized for an  
15 in-service training program for teachers, up to a maximum of 10  
16 days per school year, provided that a district conducts an  
17 in-service training program for teachers in accordance with  
18 Section 10-22.39 of this Code, or, in lieu of 4 such days, 2  
19 full days may be used, in which event each such day may be  
20 counted as a day required for a legal school calendar pursuant  
21 to Section 10-19 of this Code; (2) when, of the 5 days allowed  
22 under item (1), a maximum of 4 days are used for parent-teacher  
23 conferences, or, in lieu of 4 such days, 2 full days are used,  
24 in which case each such day may be counted as a calendar day  
25 required under Section 10-19 of this Code, provided that the  
26 full-day, parent-teacher conference consists of (i) a minimum

1 of 5 clock hours of parent-teacher conferences, (ii) both a  
2 minimum of 2 clock hours of parent-teacher conferences held in  
3 the evening following a full day of student attendance and a  
4 minimum of 3 clock hours of parent-teacher conferences held on  
5 the day immediately following evening parent-teacher  
6 conferences, or (iii) multiple parent-teacher conferences held  
7 in the evenings following full days of student attendance in  
8 which the time used for the parent-teacher conferences is  
9 equivalent to a minimum of 5 clock hours; and (3) when days in  
10 addition to those provided in items (1) and (2) are scheduled  
11 by a school pursuant to its school improvement plan adopted  
12 under Article 34 or its revised or amended school improvement  
13 plan adopted under Article 2, provided that (i) such sessions  
14 of 3 or more clock hours are scheduled to occur at regular  
15 intervals, (ii) the remainder of the school days in which such  
16 sessions occur are utilized for in-service training programs or  
17 other staff development activities for teachers, and (iii) a  
18 sufficient number of minutes of school work under the direct  
19 supervision of teachers are added to the school days between  
20 such regularly scheduled sessions to accumulate not less than  
21 the number of minutes by which such sessions of 3 or more clock  
22 hours fall short of 5 clock hours. Days scheduled for  
23 in-service training programs, staff development activities, or  
24 parent-teacher conferences may be scheduled separately for  
25 different grade levels and different attendance centers of the  
26 district.

1 (e) A session of not less than one clock hour of teaching  
2 hospitalized or homebound pupils on-site or by telephone to the  
3 classroom may be counted as a half day of attendance; however,  
4 these pupils must receive 4 or more clock hours of instruction  
5 to be counted for a full day of attendance.

6 (f) A session of at least 4 clock hours may be counted as a  
7 day of attendance for first grade pupils and pupils in full-day  
8 kindergartens, and a session of 2 or more hours may be counted  
9 as a half day of attendance by pupils in kindergartens that  
10 provide only half days of attendance.

11 (g) For children with disabilities who are below the age of  
12 6 years and who cannot attend 2 or more clock hours because of  
13 their disability or immaturity, a session of not less than one  
14 clock hour may be counted as a half day of attendance; however,  
15 for such children whose educational needs require a session of  
16 4 or more clock hours, a session of at least 4 clock hours may  
17 be counted as a full day of attendance.

18 (h) A recognized kindergarten that provides for only a half  
19 day of attendance by each pupil shall not have more than one  
20 half day of attendance counted in any one day. However,  
21 kindergartens may count 2 and a half days of attendance in any  
22 5 consecutive school days. When a pupil attends such a  
23 kindergarten for 2 half days on any one school day, the pupil  
24 shall have the following day as a day absent from school,  
25 unless the school district obtains permission in writing from  
26 the State Superintendent of Education. Attendance at

1 kindergartens that provide for a full day of attendance by each  
2 pupil shall be counted the same as attendance by first grade  
3 pupils. Only the first year of attendance in one kindergarten  
4 shall be counted, except in the case of children who entered  
5 the kindergarten in their fifth year whose educational  
6 development requires a second year of kindergarten as  
7 determined under rules of the State Board of Education.

8 (i) On the days when the State's final accountability  
9 assessment is administered under subsection (c) of Section  
10 2-3.64a-5 of this Code, the day of attendance for a pupil whose  
11 school day must be shortened to accommodate required testing  
12 procedures may be less than 5 clock hours and shall be counted  
13 toward the 176 days of actual pupil attendance required under  
14 Section 10-19 of this Code, provided that a sufficient number  
15 of minutes of school work in excess of 5 clock hours are first  
16 completed on other school days to compensate for the loss of  
17 school work on the examination days.

18 (j) Pupils enrolled in a remote educational program  
19 established under Section 10-29 of this Code may be counted on  
20 the basis of a one-fifth day of attendance for every clock hour  
21 of instruction attended in the remote educational program,  
22 provided that, in any month, the school district may not claim  
23 for a student enrolled in a remote educational program more  
24 days of attendance than the maximum number of days of  
25 attendance the district can claim (i) for students enrolled in  
26 a building holding year-round classes if the student is

1 classified as participating in the remote educational program  
2 on a year-round schedule or (ii) for students enrolled in a  
3 building not holding year-round classes if the student is not  
4 classified as participating in the remote educational program  
5 on a year-round schedule.

6 (j-5) The clock hour requirements of subsections (a)  
7 through (j) of this Section do not apply if the Governor has  
8 declared a disaster due to a public health emergency pursuant  
9 to Section 7 of the Illinois Emergency Management Agency Act.  
10 The State Superintendent of Education may establish minimum  
11 clock hour requirements under Sections 10-30 and 34-18.66 if  
12 the Governor has declared a disaster due to a public health  
13 emergency pursuant to Section 7 of the Illinois Emergency  
14 Management Agency Act.

15 (k) Pupil participation in any of the following activities  
16 shall be counted toward the calculation of clock hours of  
17 school work per day:

18 (1) Instruction in a college course in which a student  
19 is dually enrolled for both high school credit and college  
20 credit.

21 (2) Participation in a Supervised Career Development  
22 Experience, as defined in Section 10 of the Postsecondary  
23 and Workforce Readiness Act, in which student  
24 participation and learning outcomes are supervised by an  
25 educator licensed under Article 21B.

26 (3) Participation in a youth apprenticeship, as

1 jointly defined in rules of the State Board of Education  
2 and Department of Commerce and Economic Opportunity, in  
3 which student participation and outcomes are supervised by  
4 an educator licensed under Article 21B.

5 (4) Participation in a blended learning program  
6 approved by the school district in which course content,  
7 student evaluation, and instructional methods are  
8 supervised by an educator licensed under Article 21B.

9 (Source: P.A. 101-12, eff. 7-1-19.)

10 (105 ILCS 5/10-20.56)

11 Sec. 10-20.56. E-learning days.

12 (a) The State Board of Education shall establish and  
13 maintain, for implementation in school districts, a program for  
14 use of electronic-learning (e-learning) days, as described in  
15 this Section. School districts may utilize a program approved  
16 under this Section for use during remote learning days and  
17 blended remote learning days under Section 10-30 or 34-18.66.

18 (b) The school board of a school district may, by  
19 resolution, adopt a research-based program or research-based  
20 programs for e-learning days district-wide that shall permit  
21 student instruction to be received electronically while  
22 students are not physically present in lieu of the district's  
23 scheduled emergency days as required by Section 10-19 of this  
24 Code. The research-based program or programs may not exceed the  
25 minimum number of emergency days in the approved school



1 calendar and must be verified by the regional office of  
2 education or intermediate service center for the school  
3 district on or before September 1st annually to ensure access  
4 for all students. The regional office of education or  
5 intermediate service center shall ensure that the specific  
6 needs of all students are met, including special education  
7 students and English learners, and that all mandates are still  
8 met using the proposed research-based program. The e-learning  
9 program may utilize the Internet, telephones, texts, chat  
10 rooms, or other similar means of electronic communication for  
11 instruction and interaction between teachers and students that  
12 meet the needs of all learners. The e-learning program shall  
13 address the school district's responsibility to ensure that all  
14 teachers and staff who may be involved in the provision of  
15 e-learning have access to any and all hardware and software  
16 that may be required for the program. If a proposed program  
17 does not address this responsibility, the school district must  
18 propose an alternate program.

19 (c) Before its adoption by a school board, the school board  
20 must hold a public hearing on a school district's initial  
21 proposal for an e-learning program or for renewal of such a  
22 program, at a regular or special meeting of the school board,  
23 in which the terms of the proposal must be substantially  
24 presented and an opportunity for allowing public comments must  
25 be provided. Notice of such public hearing must be provided at  
26 least 10 days prior to the hearing by:

1           (1) publication in a newspaper of general circulation  
2           in the school district;

3           (2) written or electronic notice designed to reach the  
4           parents or guardians of all students enrolled in the school  
5           district; and

6           (3) written or electronic notice designed to reach any  
7           exclusive collective bargaining representatives of school  
8           district employees and all those employees not in a  
9           collective bargaining unit.

10          (d) The regional office of education or intermediate  
11          service center for the school district must timely verify that  
12          a proposal for an e-learning program has met the requirements  
13          specified in this Section and that the proposal contains  
14          provisions designed to reasonably and practicably accomplish  
15          the following:

16               (1) to ensure and verify at least 5 clock hours of  
17               instruction or school work, as required under Section  
18               10-19.05, for each student participating in an e-learning  
19               day;

20               (2) to ensure access from home or other appropriate  
21               remote facility for all students participating, including  
22               computers, the Internet, and other forms of electronic  
23               communication that must be utilized in the proposed  
24               program;

25               (2.5) to ensure that non-electronic materials are made  
26               available to students participating in the program who do

1 not have access to the required technology or to  
2 participating teachers or students who are prevented from  
3 accessing the required technology;

4 (3) to ensure appropriate learning opportunities for  
5 students with special needs;

6 (4) to monitor and verify each student's electronic  
7 participation;

8 (5) to address the extent to which student  
9 participation is within the student's control as to the  
10 time, pace, and means of learning;

11 (6) to provide effective notice to students and their  
12 parents or guardians of the use of particular days for  
13 e-learning;

14 (7) to provide staff and students with adequate  
15 training for e-learning days' participation;

16 (8) to ensure an opportunity for any collective  
17 bargaining negotiations with representatives of the school  
18 district's employees that would be legally required,  
19 including all classifications of school district employees  
20 who are represented by collective bargaining agreements  
21 and who would be affected in the event of an e-learning  
22 day;

23 (9) to review and revise the program as implemented to  
24 address difficulties confronted; and

25 (10) to ensure that the protocol regarding general  
26 expectations and responsibilities of the program is

1           communicated to teachers, staff, and students at least 30  
2           days prior to utilizing an e-learning day.

3           The school board's approval of a school district's initial  
4           e-learning program and renewal of the e-learning program shall  
5           be for a term of 3 years.

6           (e) The State Board of Education may adopt rules consistent  
7           with the provision of this Section.

8           (Source: P.A. 100-760, eff. 8-10-18; 101-12, eff. 7-1-19.)

9           (105 ILCS 5/10-21.9) (from Ch. 122, par. 10-21.9)

10          Sec. 10-21.9. Criminal history records checks and checks of  
11          the Statewide Sex Offender Database and Statewide Murderer and  
12          Violent Offender Against Youth Database.

13          (a) Licensed and nonlicensed applicants for employment  
14          with a school district, except school bus driver applicants,  
15          are required as a condition of employment to authorize a  
16          fingerprint-based criminal history records check to determine  
17          if such applicants have been convicted of any disqualifying,  
18          enumerated criminal or drug offenses in subsection (c) of this  
19          Section or have been convicted, within 7 years of the  
20          application for employment with the school district, of any  
21          other felony under the laws of this State or of any offense  
22          committed or attempted in any other state or against the laws  
23          of the United States that, if committed or attempted in this  
24          State, would have been punishable as a felony under the laws of  
25          this State. Authorization for the check shall be furnished by

1 the applicant to the school district, except that if the  
2 applicant is a substitute teacher seeking employment in more  
3 than one school district, a teacher seeking concurrent  
4 part-time employment positions with more than one school  
5 district (as a reading specialist, special education teacher or  
6 otherwise), or an educational support personnel employee  
7 seeking employment positions with more than one district, any  
8 such district may require the applicant to furnish  
9 authorization for the check to the regional superintendent of  
10 the educational service region in which are located the school  
11 districts in which the applicant is seeking employment as a  
12 substitute or concurrent part-time teacher or concurrent  
13 educational support personnel employee. Upon receipt of this  
14 authorization, the school district or the appropriate regional  
15 superintendent, as the case may be, shall submit the  
16 applicant's name, sex, race, date of birth, social security  
17 number, fingerprint images, and other identifiers, as  
18 prescribed by the Department of State Police, to the  
19 Department. The regional superintendent submitting the  
20 requisite information to the Department of State Police shall  
21 promptly notify the school districts in which the applicant is  
22 seeking employment as a substitute or concurrent part-time  
23 teacher or concurrent educational support personnel employee  
24 that the check of the applicant has been requested. The  
25 Department of State Police and the Federal Bureau of  
26 Investigation shall furnish, pursuant to a fingerprint-based

1 criminal history records check, records of convictions,  
2 forever and hereinafter, until expunged, to the president of  
3 the school board for the school district that requested the  
4 check, or to the regional superintendent who requested the  
5 check. The Department shall charge the school district or the  
6 appropriate regional superintendent a fee for conducting such  
7 check, which fee shall be deposited in the State Police  
8 Services Fund and shall not exceed the cost of the inquiry; and  
9 the applicant shall not be charged a fee for such check by the  
10 school district or by the regional superintendent, except that  
11 those applicants seeking employment as a substitute teacher  
12 with a school district may be charged a fee not to exceed the  
13 cost of the inquiry. Subject to appropriations for these  
14 purposes, the State Superintendent of Education shall  
15 reimburse school districts and regional superintendents for  
16 fees paid to obtain criminal history records checks under this  
17 Section.

18 (a-5) The school district or regional superintendent shall  
19 further perform a check of the Statewide Sex Offender Database,  
20 as authorized by the Sex Offender Community Notification Law,  
21 for each applicant. The check of the Statewide Sex Offender  
22 Database must be conducted by the school district or regional  
23 superintendent once for every 5 years that an applicant remains  
24 employed by the school district.

25 (a-6) The school district or regional superintendent shall  
26 further perform a check of the Statewide Murderer and Violent

1 Offender Against Youth Database, as authorized by the Murderer  
2 and Violent Offender Against Youth Community Notification Law,  
3 for each applicant. The check of the Murderer and Violent  
4 Offender Against Youth Database must be conducted by the school  
5 district or regional superintendent once for every 5 years that  
6 an applicant remains employed by the school district.

7 (b) Any information concerning the record of convictions  
8 obtained by the president of the school board or the regional  
9 superintendent shall be confidential and may only be  
10 transmitted to the superintendent of the school district or his  
11 designee, the appropriate regional superintendent if the check  
12 was requested by the school district, the presidents of the  
13 appropriate school boards if the check was requested from the  
14 Department of State Police by the regional superintendent, the  
15 State Board of Education and a school district as authorized  
16 under subsection (b-5), the State Superintendent of Education,  
17 the State Educator Preparation and Licensure Board, any other  
18 person necessary to the decision of hiring the applicant for  
19 employment, or for clarification purposes the Department of  
20 State Police or Statewide Sex Offender Database, or both. A  
21 copy of the record of convictions obtained from the Department  
22 of State Police shall be provided to the applicant for  
23 employment. Upon the check of the Statewide Sex Offender  
24 Database or Statewide Murderer and Violent Offender Against  
25 Youth Database, the school district or regional superintendent  
26 shall notify an applicant as to whether or not the applicant

1 has been identified in the Database. If a check of an applicant  
2 for employment as a substitute or concurrent part-time teacher  
3 or concurrent educational support personnel employee in more  
4 than one school district was requested by the regional  
5 superintendent, and the Department of State Police upon a check  
6 ascertains that the applicant has not been convicted of any of  
7 the enumerated criminal or drug offenses in subsection (c) of  
8 this Section or has not been convicted, within 7 years of the  
9 application for employment with the school district, of any  
10 other felony under the laws of this State or of any offense  
11 committed or attempted in any other state or against the laws  
12 of the United States that, if committed or attempted in this  
13 State, would have been punishable as a felony under the laws of  
14 this State and so notifies the regional superintendent and if  
15 the regional superintendent upon a check ascertains that the  
16 applicant has not been identified in the Sex Offender Database  
17 or Statewide Murderer and Violent Offender Against Youth  
18 Database, then the regional superintendent shall issue to the  
19 applicant a certificate evidencing that as of the date  
20 specified by the Department of State Police the applicant has  
21 not been convicted of any of the enumerated criminal or drug  
22 offenses in subsection (c) of this Section or has not been  
23 convicted, within 7 years of the application for employment  
24 with the school district, of any other felony under the laws of  
25 this State or of any offense committed or attempted in any  
26 other state or against the laws of the United States that, if



1 committed or attempted in this State, would have been  
2 punishable as a felony under the laws of this State and  
3 evidencing that as of the date that the regional superintendent  
4 conducted a check of the Statewide Sex Offender Database or  
5 Statewide Murderer and Violent Offender Against Youth  
6 Database, the applicant has not been identified in the  
7 Database. The school board of any school district may rely on  
8 the certificate issued by any regional superintendent to that  
9 substitute teacher, concurrent part-time teacher, or  
10 concurrent educational support personnel employee or may  
11 initiate its own criminal history records check of the  
12 applicant through the Department of State Police and its own  
13 check of the Statewide Sex Offender Database or Statewide  
14 Murderer and Violent Offender Against Youth Database as  
15 provided in this Section. Any unauthorized release of  
16 confidential information may be a violation of Section 7 of the  
17 Criminal Identification Act.

18 (b-5) If a criminal history records check or check of the  
19 Statewide Sex Offender Database or Statewide Murderer and  
20 Violent Offender Against Youth Database is performed by a  
21 regional superintendent for an applicant seeking employment as  
22 a substitute teacher with a school district, the regional  
23 superintendent may disclose to the State Board of Education  
24 whether the applicant has been issued a certificate under  
25 subsection (b) based on those checks. If the State Board  
26 receives information on an applicant under this subsection,

1 then it must indicate in the Educator Licensure Information  
2 System for a 90-day period that the applicant has been issued  
3 or has not been issued a certificate.

4 (c) No school board shall knowingly employ a person who has  
5 been convicted of any offense that would subject him or her to  
6 license suspension or revocation pursuant to Section 21B-80 of  
7 this Code, except as provided under subsection (b) of Section  
8 21B-80. Further, no school board shall knowingly employ a  
9 person who has been found to be the perpetrator of sexual or  
10 physical abuse of any minor under 18 years of age pursuant to  
11 proceedings under Article II of the Juvenile Court Act of 1987.  
12 As a condition of employment, each school board must consider  
13 the status of a person who has been issued an indicated finding  
14 of abuse or neglect of a child by the Department of Children  
15 and Family Services under the Abused and Neglected Child  
16 Reporting Act or by a child welfare agency of another  
17 jurisdiction.

18 (d) No school board shall knowingly employ a person for  
19 whom a criminal history records check and a Statewide Sex  
20 Offender Database check have ~~has~~ not been initiated.

21 (e) Within 10 days after a superintendent, regional office  
22 of education, or entity that provides background checks of  
23 license holders to public schools receives information of a  
24 pending criminal charge against a license holder for an offense  
25 set forth in Section 21B-80 of this Code, the superintendent,  
26 regional office of education, or entity must notify the State

1 Superintendent of Education of the pending criminal charge.

2 If permissible by federal or State law, no later than 15  
3 business days after receipt of a record of conviction or of  
4 checking the Statewide Murderer and Violent Offender Against  
5 Youth Database or the Statewide Sex Offender Database and  
6 finding a registration, the superintendent of the employing  
7 school board or the applicable regional superintendent shall,  
8 in writing, notify the State Superintendent of Education of any  
9 license holder who has been convicted of a crime set forth in  
10 Section 21B-80 of this Code. Upon receipt of the record of a  
11 conviction of or a finding of child abuse by a holder of any  
12 license issued pursuant to Article 21B or Section 34-8.1 or  
13 34-83 of the School Code, the State Superintendent of Education  
14 may initiate licensure suspension and revocation proceedings  
15 as authorized by law. If the receipt of the record of  
16 conviction or finding of child abuse is received within 6  
17 months after the initial grant of or renewal of a license, the  
18 State Superintendent of Education may rescind the license  
19 holder's license.

20 (e-5) The superintendent of the employing school board  
21 shall, in writing, notify the State Superintendent of Education  
22 and the applicable regional superintendent of schools of any  
23 license holder whom he or she has reasonable cause to believe  
24 has committed an intentional act of abuse or neglect with the  
25 result of making a child an abused child or a neglected child,  
26 as defined in Section 3 of the Abused and Neglected Child

1 Reporting Act, and that act resulted in the license holder's  
2 dismissal or resignation from the school district. This  
3 notification must be submitted within 30 days after the  
4 dismissal or resignation. The license holder must also be  
5 contemporaneously sent a copy of the notice by the  
6 superintendent. All correspondence, documentation, and other  
7 information so received by the regional superintendent of  
8 schools, the State Superintendent of Education, the State Board  
9 of Education, or the State Educator Preparation and Licensure  
10 Board under this subsection (e-5) is confidential and must not  
11 be disclosed to third parties, except (i) as necessary for the  
12 State Superintendent of Education or his or her designee to  
13 investigate and prosecute pursuant to Article 21B of this Code,  
14 (ii) pursuant to a court order, (iii) for disclosure to the  
15 license holder or his or her representative, or (iv) as  
16 otherwise provided in this Article and provided that any such  
17 information admitted into evidence in a hearing is exempt from  
18 this confidentiality and non-disclosure requirement. Except  
19 for an act of willful or wanton misconduct, any superintendent  
20 who provides notification as required in this subsection (e-5)  
21 shall have immunity from any liability, whether civil or  
22 criminal or that otherwise might result by reason of such  
23 action.

24 (f) After January 1, 1990 the provisions of this Section  
25 shall apply to all employees of persons or firms holding  
26 contracts with any school district including, but not limited

1 to, food service workers, school bus drivers and other  
2 transportation employees, who have direct, daily contact with  
3 the pupils of any school in such district. For purposes of  
4 criminal history records checks and checks of the Statewide Sex  
5 Offender Database on employees of persons or firms holding  
6 contracts with more than one school district and assigned to  
7 more than one school district, the regional superintendent of  
8 the educational service region in which the contracting school  
9 districts are located may, at the request of any such school  
10 district, be responsible for receiving the authorization for a  
11 criminal history records check prepared by each such employee  
12 and submitting the same to the Department of State Police and  
13 for conducting a check of the Statewide Sex Offender Database  
14 for each employee. Any information concerning the record of  
15 conviction and identification as a sex offender of any such  
16 employee obtained by the regional superintendent shall be  
17 promptly reported to the president of the appropriate school  
18 board or school boards.

19 (f-5) Upon request of a school or school district, any  
20 information obtained by a school district pursuant to  
21 subsection (f) of this Section within the last year must be  
22 made available to the requesting school or school district.

23 (g) Prior to the commencement of any student teaching  
24 experience or required internship (which is referred to as  
25 student teaching in this Section) in the public schools, a  
26 student teacher is required to authorize a fingerprint-based

1 criminal history records check. Authorization for and payment  
2 of the costs of the check must be furnished by the student  
3 teacher to the school district where the student teaching is to  
4 be completed. Upon receipt of this authorization and payment,  
5 the school district shall submit the student teacher's name,  
6 sex, race, date of birth, social security number, fingerprint  
7 images, and other identifiers, as prescribed by the Department  
8 of State Police, to the Department of State Police. The  
9 Department of State Police and the Federal Bureau of  
10 Investigation shall furnish, pursuant to a fingerprint-based  
11 criminal history records check, records of convictions,  
12 forever and hereinafter, until expunged, to the president of  
13 the school board for the school district that requested the  
14 check. The Department shall charge the school district a fee  
15 for conducting the check, which fee must not exceed the cost of  
16 the inquiry and must be deposited into the State Police  
17 Services Fund. The school district shall further perform a  
18 check of the Statewide Sex Offender Database, as authorized by  
19 the Sex Offender Community Notification Law, and of the  
20 Statewide Murderer and Violent Offender Against Youth  
21 Database, as authorized by the Murderer and Violent Offender  
22 Against Youth Registration Act, for each student teacher. No  
23 school board may knowingly allow a person to student teach for  
24 whom a criminal history records check, a Statewide Sex Offender  
25 Database check, and a Statewide Murderer and Violent Offender  
26 Against Youth Database check have not been completed and

1 reviewed by the district.

2 A copy of the record of convictions obtained from the  
3 Department of State Police must be provided to the student  
4 teacher. Any information concerning the record of convictions  
5 obtained by the president of the school board is confidential  
6 and may only be transmitted to the superintendent of the school  
7 district or his or her designee, the State Superintendent of  
8 Education, the State Educator Preparation and Licensure Board,  
9 or, for clarification purposes, the Department of State Police  
10 or the Statewide Sex Offender Database or Statewide Murderer  
11 and Violent Offender Against Youth Database. Any unauthorized  
12 release of confidential information may be a violation of  
13 Section 7 of the Criminal Identification Act.

14 No school board shall knowingly allow a person to student  
15 teach who has been convicted of any offense that would subject  
16 him or her to license suspension or revocation pursuant to  
17 subsection (c) of Section 21B-80 of this Code, except as  
18 provided under subsection (b) of Section 21B-80. Further, no  
19 school board shall allow a person to student teach if he or she  
20 has been found to be the perpetrator of sexual or physical  
21 abuse of a minor under 18 years of age pursuant to proceedings  
22 under Article II of the Juvenile Court Act of 1987. Each school  
23 board must consider the status of a person to student teach who  
24 has been issued an indicated finding of abuse or neglect of a  
25 child by the Department of Children and Family Services under  
26 the Abused and Neglected Child Reporting Act or by a child

1 welfare agency of another jurisdiction.

2 (h) (Blank).

3 (Source: P.A. 101-72, eff. 7-12-19; 101-531, eff. 8-23-19;  
4 revised 12-3-19.)

5 (105 ILCS 5/10-30 new)

6 Sec. 10-30. Remote and blended remote learning. This  
7 Section applies if the Governor has declared a disaster due to  
8 a public health emergency pursuant to Section 7 of the Illinois  
9 Emergency Management Agency Act.

10 (1) If the Governor has declared a disaster due to a  
11 public health emergency pursuant to Section 7 of the  
12 Illinois Emergency Management Agency Act, the State  
13 Superintendent of Education may declare a requirement to  
14 use remote learning days or blended remote learning days  
15 for a school district, multiple school districts, a region,  
16 or the entire State. During remote learning days, schools  
17 shall conduct instruction remotely. During blended remote  
18 learning days, schools may utilize hybrid models of  
19 in-person and remote instruction. Once declared, remote  
20 learning days or blended remote learning days shall be  
21 implemented in grades pre-kindergarten through 12 as days  
22 of attendance and shall be deemed pupil attendance days for  
23 calculation of the length of a school term under Section  
24 10-19.

25 (2) For purposes of this Section, a remote learning day



1 or blended remote learning day may be met through a  
2 district's implementation of an e-learning program under  
3 Section 10-20.56.

4 (3) For any district that does not implement an  
5 e-learning program under Section 10-20.56, the district  
6 shall adopt a remote and blended remote learning day plan  
7 approved by the district superintendent. Each district may  
8 utilize remote and blended remote learning planning days,  
9 consecutively or in separate increments, to develop,  
10 review, or amend its remote and blended remote learning day  
11 plan or provide professional development to staff  
12 regarding remote education. Up to 5 remote and blended  
13 remote learning planning days may be deemed pupil  
14 attendance days for calculation of the length of a school  
15 term under Section 10-19.

16 (4) Each remote and blended remote learning day plan  
17 shall address the following:

18 (i) accessibility of the remote instruction to all  
19 students enrolled in the district;

20 (ii) if applicable, a requirement that the remote  
21 learning day and blended remote learning day  
22 activities reflect State learning standards;

23 (iii) a means for students to confer with an  
24 educator, as necessary;

25 (iv) the unique needs of students in special  
26 populations, including, but not limited to, students

1 eligible for special education under Article 14,  
2 students who are English learners as defined in Section  
3 14C-2, and students experiencing homelessness under  
4 the Education for Homeless Children Act, or vulnerable  
5 student populations;

6 (v) how the district will take attendance and  
7 monitor and verify each student's remote  
8 participation; and

9 (vi) transitions from remote learning to on-site  
10 learning upon the State Superintendent's declaration  
11 that remote learning days or blended remote learning  
12 days are no longer deemed necessary.

13 (5) The district superintendent shall periodically  
14 review and amend the district's remote and blended remote  
15 learning day plan, as needed, to ensure the plan meets the  
16 needs of all students.

17 (6) Each remote and blended remote learning day plan  
18 shall be posted on the district's Internet website where  
19 other policies, rules, and standards of conduct are posted  
20 and shall be provided to students and faculty.

21 (7) This Section does not create any additional  
22 employee bargaining rights and does not remove any employee  
23 bargaining rights.

24 (8) Statutory and regulatory curricular mandates and  
25 offerings may be administered via a district's remote and  
26 blended remote learning day plan, except that a district

1       may not offer individual behind-the-wheel instruction  
2       required by Section 27-24.2 via a district's remote and  
3       blended remote learning day plan. This Section does not  
4       relieve schools and districts from completing all  
5       statutory and regulatory curricular mandates and  
6       offerings.

7           (105 ILCS 5/14-8.02f)

8           Sec. 14-8.02f. Individualized education program meeting  
9       protections.

10          (a) (Blank).

11          (b) This subsection (b) applies only to a school district  
12       organized under Article 34. No later than 10 calendar days  
13       prior to a child's individualized education program meeting or  
14       as soon as possible if a meeting is scheduled within 10  
15       calendar days with written parental consent, the school board  
16       or school personnel must provide the child's parent or guardian  
17       with a written notification of the services that require a  
18       specific data collection procedure from the school district for  
19       services related to the child's individualized education  
20       program. The notification must indicate, with a checkbox,  
21       whether specific data has been collected for the child's  
22       individualized education program services. For purposes of  
23       this subsection (b), individualized education program services  
24       must include, but are not limited to, paraprofessional support,  
25       an extended school year, transportation, therapeutic day

1 school, and services for specific learning disabilities.

2 (c) Beginning on July 1, 2020, no later than 3 school days  
3 prior to a ~~child's individualized education program~~  
4 ~~eligibility meeting or~~ meeting to determine a child's  
5 eligibility for special education and related services or to  
6 review a child's individualized education program, or as soon  
7 as possible if an individualized education program meeting is  
8 scheduled within 3 school days with the written consent of the  
9 child's parent or guardian, the local education agency must  
10 provide the child's parent or guardian ~~with~~ copies of all  
11 written material that will be considered by the individualized  
12 education program team at the meeting so that the parent or  
13 guardian may participate in the meeting as a fully-informed  
14 team member. The parent or guardian shall have the option of  
15 choosing from the available methods of delivery, which must  
16 include regular mail and picking up the materials at school.  
17 For a meeting to determine the child's eligibility for special  
18 education, the ~~The~~ written material must include, ~~but is not~~  
19 ~~limited to,~~ all evaluations and collected data that will be  
20 considered at the meeting. For ~~and, for~~ a child who is already  
21 eligible for special education and related services ~~has an~~  
22 ~~individualized education program,~~ the written material must  
23 include a copy of all individualized education program  
24 components that will be discussed by the individualized  
25 education program team, other than the components related to  
26 the educational and related service minutes proposed for the

1 child and the child's ~~educational~~ placement. Parents shall also  
2 be informed of their right to review and copy their child's  
3 school student records prior to any special education  
4 eligibility or individualized education program review  
5 meeting, subject to the requirements of applicable federal and  
6 State law.

7 (d) Local education agencies must make ~~related service~~ logs  
8 that record the delivery type of related services administered  
9 under the child's individualized education program and the  
10 minutes of each type of related service that has been  
11 administered available to the child's parent or guardian ~~at the~~  
12 ~~annual review of the child's individualized education program~~  
13 ~~and must also provide a copy of the related service logs~~ at any  
14 time upon request of the child's parent or guardian. For  
15 purposes of this subsection (d), related services for which a  
16 log must be made are: speech and language services,  
17 occupational therapy services, physical therapy services,  
18 school social work services, school counseling services,  
19 school psychology services, and school nursing services. The  
20 local education agency must inform the child's parent or  
21 guardian within 20 school days from the beginning of the school  
22 year or upon establishment of an individualized education  
23 program of his or her ability to request those related service  
24 logs.

25 (d-5) If, at a meeting to develop or revise a child's  
26 individualized education program, the individualized education

1 program team determines that a certain service is ~~services are~~  
2 required in order for the child to receive a free, appropriate  
3 public education and that service is ~~those services are~~ not  
4 implemented ~~administered~~ within 10 school days after the  
5 service was to be initiated as a date or frequency set forth by  
6 the child's individualized education program, then the local  
7 education agency shall provide the child's parent or guardian  
8 with written notification that the service has ~~those services~~  
9 ~~have~~ not yet been implemented ~~administered to the child~~. The  
10 notification must be provided to the child's parent or guardian  
11 within 3 school days of the local education agency's  
12 non-compliance with the child's individualized education  
13 program and must inform ~~include information on~~ the parent or  
14 guardian about the school district's procedures for requesting  
15 ~~parent's or guardian's ability to request~~ compensatory  
16 services. In this subsection (d-5) ~~(d)~~, "school days" does not  
17 include days where a child is absent from school for reasons  
18 unrelated to a lack of individualized education program  
19 services or when the service is available, but the child is  
20 unavailable.

21 (e) The State Board of Education may create a telephone  
22 hotline to address complaints regarding the special education  
23 services or lack of special education services of a school  
24 district subject to this Section. If a hotline is created, it  
25 must be available to all students enrolled in the school  
26 district, parents or guardians of those students, and school

1 personnel. If a hotline is created, any complaints received  
2 through the hotline must be registered and recorded with the  
3 State Board's monitor of special education policies. No  
4 student, parent or guardian, or member of school personnel may  
5 be retaliated against for submitting a complaint through a  
6 telephone hotline created by the State Board under this  
7 subsection (e).

8 (f) A school district subject to this Section may not use  
9 any measure that would prevent or delay an individualized  
10 education program team from adding a service to the program or  
11 create a time restriction in which a service is prohibited from  
12 being added to the program. The school district may not build  
13 functions into its computer software that would remove any  
14 services from a student's individualized education program  
15 without the approval of the program team and may not prohibit  
16 the program team from adding a service to the program.

17 (Source: P.A. 100-993, eff. 8-20-18; 101-515, eff. 8-23-19;  
18 101-598, eff. 12-6-19.)

19 (105 ILCS 5/14-8.02h)

20 Sec. 14-8.02h. Response to scientific, research-based  
21 intervention.

22 (a) In this Section, "response to scientific,  
23 research-based intervention" or "multi-tiered system ~~systems~~  
24 of support" means a tiered process of appropriate instruction  
25 and support ~~school support~~ that utilizes differentiated

1 instructional strategies for students, provides students with  
2 an evidence-based curriculum and ~~scientific, research-based~~  
3 interventions aligned with State standards, continuously  
4 monitors student performance using scientific ~~scientifically~~,  
5 research-based progress monitoring instruments, and makes  
6 data-driven educational decisions based on a student's  
7 response to the interventions. Response to scientific,  
8 research-based intervention or a multi-tiered system ~~systems~~  
9 of support uses ~~use~~ a problem-solving method to define the  
10 problem, analyzes ~~analyze~~ the problem using data to determine  
11 why there is a discrepancy between what is expected and what is  
12 occurring, establishes ~~establish~~ one or more student  
13 performance goals, develops ~~develop~~ an intervention plan to  
14 address the performance goals, and delineates ~~delineate~~ how the  
15 student's progress will be monitored and how implementation  
16 integrity will be ensured.

17 (b) (Blank). ~~A school district may utilize response to~~  
18 ~~scientific, research based intervention or multi tiered~~  
19 ~~systems of support as part of an evaluation procedure to~~  
20 ~~determine if a child is eligible for special education services~~  
21 ~~due to a specific learning disability. A school district may~~  
22 ~~utilize the data generated during the response to scientific,~~  
23 ~~research-based intervention or multi-tiered systems of support~~  
24 ~~process in an evaluation to determine if a child is eligible~~  
25 ~~for special education services due to any category of~~  
26 ~~disability.~~



1 (c) The response to scientific, research-based  
2 intervention or a multi-tiered system ~~systems~~ of support  
3 process should use ~~must involve~~ a collaborative team approach  
4 and include the engagement of and regular communication with  
5 the child's parent or guardian, ~~with the parent or guardian of~~  
6 ~~a student being part of the collaborative team.~~ The parent or  
7 guardian of a child shall be provided with written notice of  
8 the school district's use of scientific, research-based  
9 intervention or a multi-tiered system of support for the child  
10 and may be part of the collaborative team approach at the  
11 discretion of the school district ~~student must be involved in~~  
12 ~~the data sharing and decision-making processes of support under~~  
13 ~~this Section.~~ The parent or guardian shall be provided all data  
14 collected and reviewed by the school district with regard to  
15 the child in the scientific, research-based intervention or  
16 multi-tiered system of support process. The State Board of  
17 Education may provide guidance to ~~a school districts~~ district  
18 and identify available resources related to facilitating  
19 parent ~~parental~~ or guardian engagement ~~participation~~ in the  
20 response to scientific, research-based intervention or a  
21 multi-tiered system ~~systems~~ of support process.

22 (d) Nothing in this Section affects the responsibility of a  
23 school district to identify, locate, and evaluate children with  
24 disabilities who are in need of special education services in  
25 accordance with the federal Individuals with Disabilities  
26 Education ~~Improvement Act of 2004,~~ this Code, or any applicable

1 federal or State rules.

2 (Source: P.A. 101-515, eff. 8-23-19; 101-598, eff. 12-6-19.)

3 (105 ILCS 5/17-2.11) (from Ch. 122, par. 17-2.11)

4 Sec. 17-2.11. School board power to levy a tax or to borrow  
5 money and issue bonds for fire prevention, safety, energy  
6 conservation, accessibility, school security, and specified  
7 repair purposes.

8 (a) Whenever, as a result of any lawful order of any  
9 agency, other than a school board, having authority to enforce  
10 any school building code applicable to any facility that houses  
11 students, or any law or regulation for the protection and  
12 safety of the environment, pursuant to the Environmental  
13 Protection Act, any school district having a population of less  
14 than 500,000 inhabitants is required to alter or reconstruct  
15 any school building or permanent, fixed equipment; the district  
16 may, by proper resolution, levy a tax for the purpose of making  
17 such alteration or reconstruction, based on a survey report by  
18 an architect or engineer licensed in this State, upon all of  
19 the taxable property of the district at the value as assessed  
20 by the Department of Revenue and at a rate not to exceed 0.05%  
21 per year for a period sufficient to finance such alteration or  
22 reconstruction, upon the following conditions:

23 (1) When there are not sufficient funds available in  
24 the operations and maintenance fund of the school district,  
25 the school facility occupation tax fund of the district, or

1 the fire prevention and safety fund of the district, as  
2 determined by the district on the basis of rules adopted by  
3 the State Board of Education, to make such alteration or  
4 reconstruction or to purchase and install such permanent,  
5 fixed equipment so ordered or determined as necessary.  
6 Appropriate school district records must be made available  
7 to the State Superintendent of Education, upon request, to  
8 confirm this insufficiency.

9 (2) When a certified estimate of an architect or  
10 engineer licensed in this State stating the estimated  
11 amount necessary to make the alteration or reconstruction  
12 or to purchase and install the equipment so ordered has  
13 been secured by the school district, and the estimate has  
14 been approved by the regional superintendent of schools  
15 having jurisdiction over the district and the State  
16 Superintendent of Education. Approval must not be granted  
17 for any work that has already started without the prior  
18 express authorization of the State Superintendent of  
19 Education. If the estimate is not approved or is denied  
20 approval by the regional superintendent of schools within 3  
21 months after the date on which it is submitted to him or  
22 her, the school board of the district may submit the  
23 estimate directly to the State Superintendent of Education  
24 for approval or denial.

25 In the case of an emergency situation, where the estimated  
26 cost to effectuate emergency repairs is less than the amount

1 specified in Section 10-20.21 of this Code, the school district  
2 may proceed with such repairs prior to approval by the State  
3 Superintendent of Education, but shall comply with the  
4 provisions of subdivision (2) of this subsection (a) as soon  
5 thereafter as may be as well as Section 10-20.21 of this Code.  
6 If the estimated cost to effectuate emergency repairs is  
7 greater than the amount specified in Section 10-20.21 of this  
8 Code, then the school district shall proceed in conformity with  
9 Section 10-20.21 of this Code and with rules established by the  
10 State Board of Education to address such situations. The rules  
11 adopted by the State Board of Education to deal with these  
12 situations shall stipulate that emergency situations must be  
13 expedited and given priority consideration. For purposes of  
14 this paragraph, an emergency is a situation that presents an  
15 imminent and continuing threat to the health and safety of  
16 students or other occupants of a facility, requires complete or  
17 partial evacuation of a building or part of a building, or  
18 consumes one or more of the 5 emergency days built into the  
19 adopted calendar of the school or schools or would otherwise be  
20 expected to cause such school or schools to fall short of the  
21 minimum school calendar requirements.

22 (b) Whenever any such district determines that it is  
23 necessary for energy conservation purposes that any school  
24 building or permanent, fixed equipment should be altered or  
25 reconstructed and that such alterations or reconstruction will  
26 be made with funds not necessary for the completion of approved

1 and recommended projects contained in any safety survey report  
2 or amendments thereto authorized by Section 2-3.12 of this Act;  
3 the district may levy a tax or issue bonds as provided in  
4 subsection (a) of this Section.

5 (c) Whenever any such district determines that it is  
6 necessary for accessibility purposes and to comply with the  
7 school building code that any school building or equipment  
8 should be altered or reconstructed and that such alterations or  
9 reconstruction will be made with funds not necessary for the  
10 completion of approved and recommended projects contained in  
11 any safety survey report or amendments thereto authorized under  
12 Section 2-3.12 of this Act, the district may levy a tax or  
13 issue bonds as provided in subsection (a) of this Section.

14 (d) Whenever any such district determines that it is  
15 necessary for school security purposes and the related  
16 protection and safety of pupils and school personnel that any  
17 school building or property should be altered or reconstructed  
18 or that security systems and equipment (including but not  
19 limited to intercom, early detection and warning, access  
20 control and television monitoring systems) should be purchased  
21 and installed, and that such alterations, reconstruction or  
22 purchase and installation of equipment will be made with funds  
23 not necessary for the completion of approved and recommended  
24 projects contained in any safety survey report or amendment  
25 thereto authorized by Section 2-3.12 of this Act and will deter  
26 and prevent unauthorized entry or activities upon school

1 property by unknown or dangerous persons, assure early  
2 detection and advance warning of any such actual or attempted  
3 unauthorized entry or activities and help assure the continued  
4 safety of pupils and school staff if any such unauthorized  
5 entry or activity is attempted or occurs; the district may levy  
6 a tax or issue bonds as provided in subsection (a) of this  
7 Section.

8 If such a school district determines that it is necessary  
9 for school security purposes and the related protection and  
10 safety of pupils and school staff to hire a school resource  
11 officer or that personnel costs for school counselors, mental  
12 health experts, or school resource officers are necessary and  
13 the district determines that it does not need funds for any of  
14 the other purposes set forth in this Section, then the district  
15 may levy a tax or issue bonds as provided in subsection (a).

16 (e) If a school district does not need funds for other fire  
17 prevention and safety projects, including the completion of  
18 approved and recommended projects contained in any safety  
19 survey report or amendments thereto authorized by Section  
20 2-3.12 of this Act, and it is determined after a public hearing  
21 (which is preceded by at least one published notice (i)  
22 occurring at least 7 days prior to the hearing in a newspaper  
23 of general circulation within the school district and (ii)  
24 setting forth the time, date, place, and general subject matter  
25 of the hearing) that there is a substantial, immediate, and  
26 otherwise unavoidable threat to the health, safety, or welfare

1 of pupils due to disrepair of school sidewalks, playgrounds,  
2 parking lots, or school bus turnarounds and repairs must be  
3 made; then the district may levy a tax or issue bonds as  
4 provided in subsection (a) of this Section.

5 (f) For purposes of this Section a school district may  
6 replace a school building or build additions to replace  
7 portions of a building when it is determined that the  
8 effectuation of the recommendations for the existing building  
9 will cost more than the replacement costs. Such determination  
10 shall be based on a comparison of estimated costs made by an  
11 architect or engineer licensed in the State of Illinois. The  
12 new building or addition shall be equivalent in area (square  
13 feet) and comparable in purpose and grades served and may be on  
14 the same site or another site. Such replacement may only be  
15 done upon order of the regional superintendent of schools and  
16 the approval of the State Superintendent of Education.

17 (g) The filing of a certified copy of the resolution  
18 levying the tax when accompanied by the certificates of the  
19 regional superintendent of schools and State Superintendent of  
20 Education shall be the authority of the county clerk to extend  
21 such tax.

22 (h) The county clerk of the county in which any school  
23 district levying a tax under the authority of this Section is  
24 located, in reducing raised levies, shall not consider any such  
25 tax as a part of the general levy for school purposes and shall  
26 not include the same in the limitation of any other tax rate

1 which may be extended.

2 Such tax shall be levied and collected in like manner as  
3 all other taxes of school districts, subject to the provisions  
4 contained in this Section.

5 (i) The tax rate limit specified in this Section may be  
6 increased to .10% upon the approval of a proposition to effect  
7 such increase by a majority of the electors voting on that  
8 proposition at a regular scheduled election. Such proposition  
9 may be initiated by resolution of the school board and shall be  
10 certified by the secretary to the proper election authorities  
11 for submission in accordance with the general election law.

12 (j) When taxes are levied by any school district for fire  
13 prevention, safety, energy conservation, and school security  
14 purposes as specified in this Section, and the purposes for  
15 which the taxes have been levied are accomplished and paid in  
16 full, and there remain funds on hand in the Fire Prevention and  
17 Safety Fund from the proceeds of the taxes levied, including  
18 interest earnings thereon, the school board by resolution shall  
19 use such excess and other board restricted funds, excluding  
20 bond proceeds and earnings from such proceeds, as follows:

21 (1) for other authorized fire prevention, safety,  
22 energy conservation, required safety inspections, school  
23 security purposes, sampling for lead in drinking water in  
24 schools, and for repair and mitigation due to lead levels  
25 in the drinking water supply; or

26 (2) for transfer to the Operations and Maintenance Fund



1           for the purpose of abating an equal amount of operations  
2           and maintenance purposes taxes.

3   Notwithstanding subdivision (2) of this subsection (j) and  
4   subsection (k) of this Section, through June 30, 2021 ~~2020~~, the  
5   school board may, by proper resolution following a public  
6   hearing set by the school board or the president of the school  
7   board (that is preceded (i) by at least one published notice  
8   over the name of the clerk or secretary of the board, occurring  
9   at least 7 days and not more than 30 days prior to the hearing,  
10   in a newspaper of general circulation within the school  
11   district and (ii) by posted notice over the name of the clerk  
12   or secretary of the board, at least 48 hours before the  
13   hearing, at the principal office of the school board or at the  
14   building where the hearing is to be held if a principal office  
15   does not exist, with both notices setting forth the time, date,  
16   place, and subject matter of the hearing), transfer surplus  
17   life safety taxes and interest earnings thereon to the  
18   Operations and Maintenance Fund for building repair work.

19           (k) If any transfer is made to the Operation and  
20   Maintenance Fund, the secretary of the school board shall  
21   within 30 days notify the county clerk of the amount of that  
22   transfer and direct the clerk to abate the taxes to be extended  
23   for the purposes of operations and maintenance authorized under  
24   Section 17-2 of this Act by an amount equal to such transfer.

25           (l) If the proceeds from the tax levy authorized by this  
26   Section are insufficient to complete the work approved under

1 this Section, the school board is authorized to sell bonds  
2 without referendum under the provisions of this Section in an  
3 amount that, when added to the proceeds of the tax levy  
4 authorized by this Section, will allow completion of the  
5 approved work.

6 (m) Any bonds issued pursuant to this Section shall bear  
7 interest at a rate not to exceed the maximum rate authorized by  
8 law at the time of the making of the contract, shall mature  
9 within 20 years from date, and shall be signed by the president  
10 of the school board and the treasurer of the school district.

11 (n) In order to authorize and issue such bonds, the school  
12 board shall adopt a resolution fixing the amount of bonds, the  
13 date thereof, the maturities thereof, rates of interest  
14 thereof, place of payment and denomination, which shall be in  
15 denominations of not less than \$100 and not more than \$5,000,  
16 and provide for the levy and collection of a direct annual tax  
17 upon all the taxable property in the school district sufficient  
18 to pay the principal and interest on such bonds to maturity.  
19 Upon the filing in the office of the county clerk of the county  
20 in which the school district is located of a certified copy of  
21 the resolution, it is the duty of the county clerk to extend  
22 the tax therefor in addition to and in excess of all other  
23 taxes heretofore or hereafter authorized to be levied by such  
24 school district.

25 (o) After the time such bonds are issued as provided for by  
26 this Section, if additional alterations or reconstructions are

1 required to be made because of surveys conducted by an  
2 architect or engineer licensed in the State of Illinois, the  
3 district may levy a tax at a rate not to exceed .05% per year  
4 upon all the taxable property of the district or issue  
5 additional bonds, whichever action shall be the most feasible.

6 (p) This Section is cumulative and constitutes complete  
7 authority for the issuance of bonds as provided in this Section  
8 notwithstanding any other statute or law to the contrary.

9 (q) With respect to instruments for the payment of money  
10 issued under this Section either before, on, or after the  
11 effective date of Public Act 86-004 (June 6, 1989), it is, and  
12 always has been, the intention of the General Assembly (i) that  
13 the Omnibus Bond Acts are, and always have been, supplementary  
14 grants of power to issue instruments in accordance with the  
15 Omnibus Bond Acts, regardless of any provision of this Act that  
16 may appear to be or to have been more restrictive than those  
17 Acts, (ii) that the provisions of this Section are not a  
18 limitation on the supplementary authority granted by the  
19 Omnibus Bond Acts, and (iii) that instruments issued under this  
20 Section within the supplementary authority granted by the  
21 Omnibus Bond Acts are not invalid because of any provision of  
22 this Act that may appear to be or to have been more restrictive  
23 than those Acts.

24 (r) When the purposes for which the bonds are issued have  
25 been accomplished and paid for in full and there remain funds  
26 on hand from the proceeds of the bond sale and interest

1 earnings therefrom, the board shall, by resolution, use such  
2 excess funds in accordance with the provisions of Section  
3 10-22.14 of this Act.

4 (s) Whenever any tax is levied or bonds issued for fire  
5 prevention, safety, energy conservation, and school security  
6 purposes, such proceeds shall be deposited and accounted for  
7 separately within the Fire Prevention and Safety Fund.

8 (Source: P.A. 100-465, eff. 8-31-17; 101-455, eff. 8-23-19.)

9 (105 ILCS 5/17-2A) (from Ch. 122, par. 17-2A)

10 Sec. 17-2A. Interfund transfers.

11 (a) The school board of any district having a population of  
12 less than 500,000 inhabitants may, by proper resolution  
13 following a public hearing set by the school board or the  
14 president of the school board (that is preceded (i) by at least  
15 one published notice over the name of the clerk or secretary of  
16 the board, occurring at least 7 days and not more than 30 days  
17 prior to the hearing, in a newspaper of general circulation  
18 within the school district and (ii) by posted notice over the  
19 name of the clerk or secretary of the board, at least 48 hours  
20 before the hearing, at the principal office of the school board  
21 or at the building where the hearing is to be held if a  
22 principal office does not exist, with both notices setting  
23 forth the time, date, place, and subject matter of the  
24 hearing), transfer money from (1) the Educational Fund to the  
25 Operations and Maintenance Fund or the Transportation Fund, (2)

1 the Operations and Maintenance Fund to the Educational Fund or  
2 the Transportation Fund, (3) the Transportation Fund to the  
3 Educational Fund or the Operations and Maintenance Fund, or (4)  
4 the Tort Immunity Fund to the Operations and Maintenance Fund  
5 of said district, provided that, except during the period from  
6 July 1, 2003 through June 30, 2021 ~~2020~~, such transfer is made  
7 solely for the purpose of meeting one-time, non-recurring  
8 expenses. Except during the period from July 1, 2003 through  
9 June 30, 2021 ~~2020~~ and except as otherwise provided in  
10 subsection (b) of this Section, any other permanent interfund  
11 transfers authorized by any provision or judicial  
12 interpretation of this Code for which the transferee fund is  
13 not precisely and specifically set forth in the provision of  
14 this Code authorizing such transfer shall be made to the fund  
15 of the school district most in need of the funds being  
16 transferred, as determined by resolution of the school board.

17 (b) (Blank).

18 (c) Notwithstanding subsection (a) of this Section or any  
19 other provision of this Code to the contrary, the school board  
20 of any school district (i) that is subject to the Property Tax  
21 Extension Limitation Law, (ii) that is an elementary district  
22 servicing students in grades K through 8, (iii) whose territory  
23 is in one county, (iv) that is eligible for Section 7002  
24 Federal Impact Aid, and (v) that has no more than \$81,000 in  
25 funds remaining from refinancing bonds that were refinanced a  
26 minimum of 5 years prior to January 20, 2017 (the effective

1 date of Public Act 99-926) may make a one-time transfer of the  
2 funds remaining from the refinancing bonds to the Operations  
3 and Maintenance Fund of the district by proper resolution  
4 following a public hearing set by the school board or the  
5 president of the school board, with notice as provided in  
6 subsection (a) of this Section, so long as the district meets  
7 the qualifications set forth in this subsection (c) on January  
8 20, 2017 (the effective date of Public Act 99-926).

9 (d) Notwithstanding subsection (a) of this Section or any  
10 other provision of this Code to the contrary, the school board  
11 of any school district (i) that is subject to the Property Tax  
12 Extension Limitation Law, (ii) that is a community unit school  
13 district servicing students in grades K through 12, (iii) whose  
14 territory is in one county, (iv) that owns property designated  
15 by the United States as a Superfund site pursuant to the  
16 federal Comprehensive Environmental Response, Compensation and  
17 Liability Act of 1980 (42 U.S.C. 9601 et seq.), and (v) that  
18 has an excess accumulation of funds in its bond fund, including  
19 funds accumulated prior to July 1, 2000, may make a one-time  
20 transfer of those excess funds accumulated prior to July 1,  
21 2000 to the Operations and Maintenance Fund of the district by  
22 proper resolution following a public hearing set by the school  
23 board or the president of the school board, with notice as  
24 provided in subsection (a) of this Section, so long as the  
25 district meets the qualifications set forth in this subsection  
26 (d) on August 4, 2017 (the effective date of Public Act

1 100-32).

2 (Source: P.A. 99-713, eff. 8-5-16; 99-922, eff. 1-17-17;  
3 99-926, eff. 1-20-17; 100-32, eff. 8-4-17; 100-465, eff.  
4 8-31-17; 100-863, eff. 8-14-18.)

5 (105 ILCS 5/18-8.15)

6 Sec. 18-8.15. Evidence-Based Funding ~~Evidence-based~~  
7 ~~funding~~ for student success for the 2017-2018 and subsequent  
8 school years.

9 (a) General provisions.

10 (1) The purpose of this Section is to ensure that, by  
11 June 30, 2027 and beyond, this State has a kindergarten  
12 through grade 12 public education system with the capacity  
13 to ensure the educational development of all persons to the  
14 limits of their capacities in accordance with Section 1 of  
15 Article X of the Constitution of the State of Illinois. To  
16 accomplish that objective, this Section creates a method of  
17 funding public education that is evidence-based; is  
18 sufficient to ensure every student receives a meaningful  
19 opportunity to learn irrespective of race, ethnicity,  
20 sexual orientation, gender, or community-income level; and  
21 is sustainable and predictable. When fully funded under  
22 this Section, every school shall have the resources, based  
23 on what the evidence indicates is needed, to:

24 (A) provide all students with a high quality  
25 education that offers the academic, enrichment, social

1 and emotional support, technical, and career-focused  
2 programs that will allow them to become competitive  
3 workers, responsible parents, productive citizens of  
4 this State, and active members of our national  
5 democracy;

6 (B) ensure all students receive the education they  
7 need to graduate from high school with the skills  
8 required to pursue post-secondary education and  
9 training for a rewarding career;

10 (C) reduce, with a goal of eliminating, the  
11 achievement gap between at-risk and non-at-risk  
12 students by raising the performance of at-risk  
13 students and not by reducing standards; and

14 (D) ensure this State satisfies its obligation to  
15 assume the primary responsibility to fund public  
16 education and simultaneously relieve the  
17 disproportionate burden placed on local property taxes  
18 to fund schools.

19 (2) The Evidence-Based Funding ~~evidence-based funding~~  
20 formula under this Section shall be applied to all  
21 Organizational Units in this State. The Evidence-Based  
22 Funding ~~evidence-based funding~~ formula outlined in this  
23 Act is based on the formula outlined in Senate Bill 1 of  
24 the 100th General Assembly, as passed by both legislative  
25 chambers. As further defined and described in this Section,  
26 there are 4 major components of the Evidence-Based Funding



1 ~~evidence-based funding~~ model:

2 (A) First, the model calculates a unique Adequacy  
3 Target ~~adequacy target~~ for each Organizational Unit in  
4 this State that considers the costs to implement  
5 research-based activities, the unit's student  
6 demographics, and regional wage differences  
7 ~~difference~~.

8 (B) Second, the model calculates each  
9 Organizational Unit's Local Capacity ~~local capacity~~,  
10 or the amount each Organizational Unit is assumed to  
11 contribute toward ~~towards~~ its Adequacy Target ~~adequacy~~  
12 ~~target~~ from local resources.

13 (C) Third, the model calculates how much funding  
14 the State currently contributes to the Organizational  
15 Unit, and adds that to the unit's Local Capacity ~~local~~  
16 ~~capacity~~ to determine the unit's overall current  
17 adequacy of funding.

18 (D) Finally, the model's distribution method  
19 allocates new State funding to those Organizational  
20 Units that are least well-funded, considering both  
21 Local Capacity ~~local capacity~~ and State funding, in  
22 relation to their Adequacy Target ~~adequacy target~~.

23 (3) An Organizational Unit receiving any funding under  
24 this Section may apply those funds to any fund so received  
25 for which that Organizational Unit is authorized to make  
26 expenditures by law.

1           (4) As used in this Section, the following terms shall  
2 have the meanings ascribed in this paragraph (4):

3           "Adequacy Target" is defined in paragraph (1) of  
4 subsection (b) of this Section.

5           "Adjusted EAV" is defined in paragraph (4) of  
6 subsection (d) of this Section.

7           "Adjusted Local Capacity Target" is defined in  
8 paragraph (3) of subsection (c) of this Section.

9           "Adjusted Operating Tax Rate" means a tax rate for all  
10 Organizational Units, for which the State Superintendent  
11 shall calculate and subtract for the Operating Tax Rate a  
12 transportation rate based on total expenses for  
13 transportation services under this Code, as reported on the  
14 most recent Annual Financial Report in Pupil  
15 Transportation Services, function 2550 in both the  
16 Education and Transportation funds and functions 4110 and  
17 4120 in the Transportation fund, less any corresponding  
18 fiscal year State of Illinois scheduled payments excluding  
19 net adjustments for prior years for regular, vocational, or  
20 special education transportation reimbursement pursuant to  
21 Section 29-5 or subsection (b) of Section 14-13.01 of this  
22 Code divided by the Adjusted EAV. If an Organizational  
23 Unit's corresponding fiscal year State of Illinois  
24 scheduled payments excluding net adjustments for prior  
25 years for regular, vocational, or special education  
26 transportation reimbursement pursuant to Section 29-5 or

1 subsection (b) of Section 14-13.01 of this Code exceed the  
2 total transportation expenses, as defined in this  
3 paragraph, no transportation rate shall be subtracted from  
4 the Operating Tax Rate.

5 "Allocation Rate" is defined in paragraph (3) of  
6 subsection (g) of this Section.

7 "Alternative School" means a public school that is  
8 created and operated by a regional superintendent of  
9 schools and approved by the State Board.

10 "Applicable Tax Rate" is defined in paragraph (1) of  
11 subsection (d) of this Section.

12 "Assessment" means any of those benchmark, progress  
13 monitoring, formative, diagnostic, and other assessments,  
14 in addition to the State accountability assessment, that  
15 assist teachers' needs in understanding the skills and  
16 meeting the needs of the students they serve.

17 "Assistant principal" means a school administrator  
18 duly endorsed to be employed as an assistant principal in  
19 this State.

20 "At-risk student" means a student who is at risk of not  
21 meeting the Illinois Learning Standards or not graduating  
22 from elementary or high school and who demonstrates a need  
23 for vocational support or social services beyond that  
24 provided by the regular school program. All students  
25 included in an Organizational Unit's Low-Income Count, as  
26 well as all English learner and disabled students attending

1 the Organizational Unit, shall be considered at-risk  
2 students under this Section.

3 "Average Student Enrollment" or "ASE" for fiscal year  
4 2018 means, for an Organizational Unit, the greater of the  
5 average number of students (grades K through 12) reported  
6 to the State Board as enrolled in the Organizational Unit  
7 on October 1 in the immediately preceding school year, plus  
8 the pre-kindergarten students who receive special  
9 education services of 2 or more hours a day as reported to  
10 the State Board on December 1 in the immediately preceding  
11 school year, or the average number of students (grades K  
12 through 12) reported to the State Board as enrolled in the  
13 Organizational Unit on October 1, plus the  
14 pre-kindergarten students who receive special education  
15 services of 2 or more hours a day as reported to the State  
16 Board on December 1, for each of the immediately preceding  
17 3 school years. For fiscal year 2019 and each subsequent  
18 fiscal year, "Average Student Enrollment" or "ASE" means,  
19 for an Organizational Unit, the greater of the average  
20 number of students (grades K through 12) reported to the  
21 State Board as enrolled in the Organizational Unit on  
22 October 1 and March 1 in the immediately preceding school  
23 year, plus the pre-kindergarten students who receive  
24 special education services as reported to the State Board  
25 on October 1 and March 1 in the immediately preceding  
26 school year, or the average number of students (grades K

1 through 12) reported to the State Board as enrolled in the  
2 Organizational Unit on October 1 and March 1, plus the  
3 pre-kindergarten students who receive special education  
4 services as reported to the State Board on October 1 and  
5 March 1, for each of the immediately preceding 3 school  
6 years. For the purposes of this definition, "enrolled in  
7 the Organizational Unit" means the number of students  
8 reported to the State Board who are enrolled in schools  
9 within the Organizational Unit that the student attends or  
10 would attend if not placed or transferred to another school  
11 or program to receive needed services. For the purposes of  
12 calculating "ASE", all students, grades K through 12,  
13 excluding those attending kindergarten for a half day and  
14 students attending an alternative education program  
15 operated by a regional office of education or intermediate  
16 service center, shall be counted as 1.0. All students  
17 attending kindergarten for a half day shall be counted as  
18 0.5, unless in 2017 by June 15 or by March 1 in subsequent  
19 years, the school district reports to the State Board of  
20 Education the intent to implement full-day kindergarten  
21 district-wide for all students, then all students  
22 attending kindergarten shall be counted as 1.0. Special  
23 education pre-kindergarten students shall be counted as  
24 0.5 each. If the State Board does not collect or has not  
25 collected both an October 1 and March 1 enrollment count by  
26 grade or a December 1 collection of special education

1 pre-kindergarten students as of August 31, 2017 (the  
2 effective date of Public Act 100-465) ~~this amendatory Act~~  
3 ~~of the 100th General Assembly~~, it shall establish such  
4 collection for all future years. For any year in which  
5 ~~where~~ a count by grade level was collected only once, that  
6 count shall be used as the single count available for  
7 computing a 3-year average ASE. Funding for programs  
8 operated by a regional office of education or an  
9 intermediate service center must be calculated using the  
10 Evidence-Based Funding ~~evidence-based funding~~ formula  
11 under this Section for the 2019-2020 school year and each  
12 subsequent school year until separate adequacy formulas  
13 are developed and adopted for each type of program. ASE for  
14 a program operated by a regional office of education or an  
15 intermediate service center must be determined by the March  
16 1 enrollment for the program. For the 2019-2020 school  
17 year, the ASE used in the calculation must be the  
18 first-year ASE and, in that year only, the assignment of  
19 students served by a regional office of education or  
20 intermediate service center shall not result in a reduction  
21 of the March enrollment for any school district. For the  
22 2020-2021 school year, the ASE must be the greater of the  
23 current-year ASE or the 2-year average ASE. Beginning with  
24 the 2021-2022 school year, the ASE must be the greater of  
25 the current-year ASE or the 3-year average ASE. School  
26 districts shall submit the data for the ASE calculation to

1 the State Board within 45 days of the dates required in  
2 this Section for submission of enrollment data in order for  
3 it to be included in the ASE calculation. For fiscal year  
4 2018 only, the ASE calculation shall include only  
5 enrollment taken on October 1.

6 "Base Funding Guarantee" is defined in paragraph (10)  
7 of subsection (g) of this Section.

8 "Base Funding Minimum" is defined in subsection (e) of  
9 this Section.

10 "Base Tax Year" means the property tax levy year used  
11 to calculate the Budget Year allocation of primary State  
12 aid.

13 "Base Tax Year's Extension" means the product of the  
14 equalized assessed valuation utilized by the county clerk  
15 in the Base Tax Year multiplied by the limiting rate as  
16 calculated by the county clerk and defined in PTELL.

17 "Bilingual Education Allocation" means the amount of  
18 an Organizational Unit's final Adequacy Target  
19 attributable to bilingual education divided by the  
20 Organizational Unit's final Adequacy Target, the product  
21 of which shall be multiplied by the amount of new funding  
22 received pursuant to this Section. An Organizational  
23 Unit's final Adequacy Target attributable to bilingual  
24 education shall include all additional investments in  
25 English learner students' adequacy elements.

26 "Budget Year" means the school year for which primary

1 State aid is calculated and awarded under this Section.

2 "Central office" means individual administrators and  
3 support service personnel charged with managing the  
4 instructional programs, business and operations, and  
5 security of the Organizational Unit.

6 "Comparable Wage Index" or "CWI" means a regional cost  
7 differentiation metric that measures systemic, regional  
8 variations in the salaries of college graduates who are not  
9 educators. The CWI utilized for this Section shall, for the  
10 first 3 years of Evidence-Based Funding implementation, be  
11 the CWI initially developed by the National Center for  
12 Education Statistics, as most recently updated by Texas A &  
13 M University. In the fourth and subsequent years of  
14 Evidence-Based Funding implementation, the State  
15 Superintendent shall re-determine the CWI using a similar  
16 methodology to that identified in the Texas A & M  
17 University study, with adjustments made no less frequently  
18 than once every 5 years.

19 "Computer technology and equipment" means computers  
20 servers, notebooks, network equipment, copiers, printers,  
21 instructional software, security software, curriculum  
22 management courseware, and other similar materials and  
23 equipment.

24 "Computer technology and equipment investment  
25 allocation" means the final Adequacy Target amount of an  
26 Organizational Unit assigned to Tier 1 or Tier 2 in the



1 prior school year attributable to the additional \$285.50  
2 per student computer technology and equipment investment  
3 grant divided by the Organizational Unit's final Adequacy  
4 Target, the result of which shall be multiplied by the  
5 amount of new funding received pursuant to this Section. An  
6 Organizational Unit assigned to a Tier 1 or Tier 2 final  
7 Adequacy Target attributable to the received computer  
8 technology and equipment investment grant shall include  
9 all additional investments in computer technology and  
10 equipment adequacy elements.

11 "Core subject" means mathematics; science; reading,  
12 English, writing, and language arts; history and social  
13 studies; world languages; and subjects taught as Advanced  
14 Placement in high schools.

15 "Core teacher" means a regular classroom teacher in  
16 elementary schools and teachers of a core subject in middle  
17 and high schools.

18 "Core Intervention teacher (tutor)" means a licensed  
19 teacher providing one-on-one or small group tutoring to  
20 students struggling to meet proficiency in core subjects.

21 "CPPRT" means corporate personal property replacement  
22 tax funds paid to an Organizational Unit during the  
23 calendar year one year before the calendar year in which a  
24 school year begins, pursuant to "An Act in relation to the  
25 abolition of ad valorem personal property tax and the  
26 replacement of revenues lost thereby, and amending and

1       repealing certain Acts and parts of Acts in connection  
2       therewith", certified August 14, 1979, as amended (Public  
3       Act 81-1st S.S.-1).

4       "EAV" means equalized assessed valuation as defined in  
5       paragraph (2) of subsection (d) of this Section and  
6       calculated in accordance with paragraph (3) of subsection  
7       (d) of this Section.

8       "ECI" means the Bureau of Labor Statistics' national  
9       employment cost index for civilian workers in educational  
10      services in elementary and secondary schools on a  
11      cumulative basis for the 12-month calendar year preceding  
12      the fiscal year of the Evidence-Based Funding calculation.

13      "EIS Data" means the employment information system  
14      data maintained by the State Board on educators within  
15      Organizational Units.

16      "Employee benefits" means health, dental, and vision  
17      insurance offered to employees of an Organizational Unit,  
18      the costs associated with the statutorily required payment  
19      of the normal cost of the Organizational Unit's teacher  
20      pensions, Social Security employer contributions, and  
21      Illinois Municipal Retirement Fund employer contributions.

22      "English learner" or "EL" means a child included in the  
23      definition of "English learners" under Section 14C-2 of  
24      this Code participating in a program of transitional  
25      bilingual education or a transitional program of  
26      instruction meeting the requirements and program

1 application procedures of Article 14C of this Code. For the  
2 purposes of collecting the number of EL students enrolled,  
3 the same collection and calculation methodology as defined  
4 above for "ASE" shall apply to English learners, with the  
5 exception that EL student enrollment shall include  
6 students in grades pre-kindergarten through 12.

7 "Essential Elements" means those elements, resources,  
8 and educational programs that have been identified through  
9 academic research as necessary to improve student success,  
10 improve academic performance, close achievement gaps, and  
11 provide for other per student costs related to the delivery  
12 and leadership of the Organizational Unit, as well as the  
13 maintenance and operations of the unit, and which are  
14 specified in paragraph (2) of subsection (b) of this  
15 Section.

16 "Evidence-Based Funding" means State funding provided  
17 to an Organizational Unit pursuant to this Section.

18 "Extended day" means academic and enrichment programs  
19 provided to students outside the regular school day before  
20 and after school or during non-instructional times during  
21 the school day.

22 "Extension Limitation Ratio" means a numerical ratio  
23 in which the numerator is the Base Tax Year's Extension and  
24 the denominator is the Preceding Tax Year's Extension.

25 "Final Percent of Adequacy" is defined in paragraph (4)  
26 of subsection (f) of this Section.

1 "Final Resources" is defined in paragraph (3) of  
2 subsection (f) of this Section.

3 "Full-time equivalent" or "FTE" means the full-time  
4 equivalency compensation for staffing the relevant  
5 position at an Organizational Unit.

6 "Funding Gap" is defined in paragraph (1) of subsection  
7 (g).

8 "Guidance counselor" means a licensed guidance  
9 counselor who provides guidance and counseling support for  
10 students within an Organizational Unit.

11 "Hybrid District" means a partial elementary unit  
12 district created pursuant to Article 11E of this Code.

13 "Instructional assistant" means a core or special  
14 education, non-licensed employee who assists a teacher in  
15 the classroom and provides academic support to students.

16 "Instructional facilitator" means a qualified teacher  
17 or licensed teacher leader who facilitates and coaches  
18 continuous improvement in classroom instruction; provides  
19 instructional support to teachers in the elements of  
20 research-based instruction or demonstrates the alignment  
21 of instruction with curriculum standards and assessment  
22 tools; develops or coordinates instructional programs or  
23 strategies; develops and implements training; chooses  
24 standards-based instructional materials; provides teachers  
25 with an understanding of current research; serves as a  
26 mentor, site coach, curriculum specialist, or lead

1 teacher; or otherwise works with fellow teachers, in  
2 collaboration, to use data to improve instructional  
3 practice or develop model lessons.

4 "Instructional materials" means relevant instructional  
5 materials for student instruction, including, but not  
6 limited to, textbooks, consumable workbooks, laboratory  
7 equipment, library books, and other similar materials.

8 "Laboratory School" means a public school that is  
9 created and operated by a public university and approved by  
10 the State Board.

11 "Librarian" means a teacher with an endorsement as a  
12 library information specialist or another individual whose  
13 primary responsibility is overseeing library resources  
14 within an Organizational Unit.

15 "Limiting rate for Hybrid Districts" means the  
16 combined elementary school and high school limiting  
17 ~~limited~~ rates.

18 "Local Capacity" is defined in paragraph (1) of  
19 subsection (c) of this Section.

20 "Local Capacity Percentage" is defined in subparagraph  
21 (A) of paragraph (2) of subsection (c) of this Section.

22 "Local Capacity Ratio" is defined in subparagraph (B)  
23 of paragraph (2) of subsection (c) of this Section.

24 "Local Capacity Target" is defined in paragraph (2) of  
25 subsection (c) of this Section.

26 "Low-Income Count" means, for an Organizational Unit

1 in a fiscal year, the higher of the average number of  
2 students for the prior school year or the immediately  
3 preceding 3 school years who, as of July 1 of the  
4 immediately preceding fiscal year (as determined by the  
5 Department of Human Services), are eligible for at least  
6 one of the following low-income ~~low-income~~ programs:  
7 Medicaid, the Children's Health Insurance Program,  
8 Temporary Assistance for Needy Families (TANF), or the  
9 Supplemental Nutrition Assistance Program, excluding  
10 pupils who are eligible for services provided by the  
11 Department of Children and Family Services. Until such time  
12 that grade level low-income populations become available,  
13 grade level low-income populations shall be determined by  
14 applying the low-income percentage to total student  
15 enrollments by grade level. The low-income percentage is  
16 determined by dividing the Low-Income Count by the Average  
17 Student Enrollment. The low-income percentage for programs  
18 operated by a regional office of education or an  
19 intermediate service center must be set to the weighted  
20 average of the low-income percentages of all of the school  
21 districts in the service region. The weighted low-income  
22 percentage is the result of multiplying the low-income  
23 percentage of each school district served by the regional  
24 office of education or intermediate service center by each  
25 school district's Average Student Enrollment, summarizing  
26 those products and dividing the total by the total Average

1 Student Enrollment for the service region.

2 "Maintenance and operations" means custodial services,  
3 facility and ground maintenance, facility operations,  
4 facility security, routine facility repairs, and other  
5 similar services and functions.

6 "Minimum Funding Level" is defined in paragraph (9) of  
7 subsection (g) of this Section.

8 "New Property Tax Relief Pool Funds" means, for any  
9 given fiscal year, all State funds appropriated under  
10 Section 2-3.170 of the School Code.

11 "New State Funds" means, for a given school year, all  
12 State funds appropriated for Evidence-Based Funding in  
13 excess of the amount needed to fund the Base Funding  
14 Minimum for all Organizational Units in that school year.

15 "Net State Contribution Target" means, for a given  
16 school year, the amount of State funds that would be  
17 necessary to fully meet the Adequacy Target of an  
18 Operational Unit minus the Preliminary Resources available  
19 to each unit.

20 "Nurse" means an individual licensed as a certified  
21 school nurse, in accordance with the rules established for  
22 nursing services by the State Board, who is an employee of  
23 and is available to provide health care-related services  
24 for students of an Organizational Unit.

25 "Operating Tax Rate" means the rate utilized in the  
26 previous year to extend property taxes for all purposes,

1       except~~7~~ Bond and Interest, Summer School, Rent, Capital  
2       Improvement, and Vocational Education Building purposes.  
3       For Hybrid Districts, the Operating Tax Rate shall be the  
4       combined elementary and high school rates utilized in the  
5       previous year to extend property taxes for all purposes,  
6       except~~7~~ Bond and Interest, Summer School, Rent, Capital  
7       Improvement, and Vocational Education Building purposes.

8               "Organizational Unit" means a Laboratory School or any  
9       public school district that is recognized as such by the  
10       State Board and that contains elementary schools typically  
11       serving kindergarten through 5th grades, middle schools  
12       typically serving 6th through 8th grades, high schools  
13       typically serving 9th through 12th grades, a program  
14       established under Section 2-3.66 or 2-3.41, or a program  
15       operated by a regional office of education or an  
16       intermediate service center under Article 13A or 13B. The  
17       General Assembly acknowledges that the actual grade levels  
18       served by a particular Organizational Unit may vary  
19       slightly from what is typical.

20               "Organizational Unit CWI" is determined by calculating  
21       the CWI in the region and original county in which an  
22       Organizational Unit's primary administrative office is  
23       located as set forth in this paragraph, provided that if  
24       the Organizational Unit CWI as calculated in accordance  
25       with this paragraph is less than 0.9, the Organizational  
26       Unit CWI shall be increased to 0.9. Each county's current



1 CWI value shall be adjusted based on the CWI value of that  
2 county's neighboring Illinois counties, to create a  
3 "weighted adjusted index value". This shall be calculated  
4 by summing the CWI values of all of a county's adjacent  
5 Illinois counties and dividing by the number of adjacent  
6 Illinois counties, then taking the weighted value of the  
7 original county's CWI value and the adjacent Illinois  
8 county average. To calculate this weighted value, if the  
9 number of adjacent Illinois counties is greater than 2, the  
10 original county's CWI value will be weighted at 0.25 and  
11 the adjacent Illinois county average will be weighted at  
12 0.75. If the number of adjacent Illinois counties is 2, the  
13 original county's CWI value will be weighted at 0.33 and  
14 the adjacent Illinois county average will be weighted at  
15 0.66. The greater of the county's current CWI value and its  
16 weighted adjusted index value shall be used as the  
17 Organizational Unit CWI.

18 "Preceding Tax Year" means the property tax levy year  
19 immediately preceding the Base Tax Year.

20 "Preceding Tax Year's Extension" means the product of  
21 the equalized assessed valuation utilized by the county  
22 clerk in the Preceding Tax Year multiplied by the Operating  
23 Tax Rate.

24 "Preliminary Percent of Adequacy" is defined in  
25 paragraph (2) of subsection (f) of this Section.

26 "Preliminary Resources" is defined in paragraph (2) of

1 subsection (f) of this Section.

2 "Principal" means a school administrator duly endorsed  
3 to be employed as a principal in this State.

4 "Professional development" means training programs for  
5 licensed staff in schools, including, but not limited to,  
6 programs that assist in implementing new curriculum  
7 programs, provide data focused or academic assessment data  
8 training to help staff identify a student's weaknesses and  
9 strengths, target interventions, improve instruction,  
10 encompass instructional strategies for English learner,  
11 gifted, or at-risk students, address inclusivity, cultural  
12 sensitivity, or implicit bias, or otherwise provide  
13 professional support for licensed staff.

14 "Prototypical" means 450 special education  
15 pre-kindergarten and kindergarten through grade 5 students  
16 for an elementary school, 450 grade 6 through 8 students  
17 for a middle school, and 600 grade 9 through 12 students  
18 for a high school.

19 "PTELL" means the Property Tax Extension Limitation  
20 Law.

21 "PTELL EAV" is defined in paragraph (4) of subsection  
22 (d) of this Section.

23 "Pupil support staff" means a nurse, psychologist,  
24 social worker, family liaison personnel, or other staff  
25 member who provides support to at-risk or struggling  
26 students.

1 "Real Receipts" is defined in paragraph (1) of  
2 subsection (d) of this Section.

3 "Regionalization Factor" means, for a particular  
4 Organizational Unit, the figure derived by dividing the  
5 Organizational Unit CWI by the Statewide Weighted CWI.

6 "School site staff" means the primary school secretary  
7 and any additional clerical personnel assigned to a school.

8 "Special education" means special educational  
9 facilities and services, as defined in Section 14-1.08 of  
10 this Code.

11 "Special Education Allocation" means the amount of an  
12 Organizational Unit's final Adequacy Target attributable  
13 to special education divided by the Organizational Unit's  
14 final Adequacy Target, the product of which shall be  
15 multiplied by the amount of new funding received pursuant  
16 to this Section. An Organizational Unit's final Adequacy  
17 Target attributable to special education shall include all  
18 special education investment adequacy elements.

19 "Specialist teacher" means a teacher who provides  
20 instruction in subject areas not included in core subjects,  
21 including, but not limited to, art, music, physical  
22 education, health, driver education, career-technical  
23 education, and such other subject areas as may be mandated  
24 by State law or provided by an Organizational Unit.

25 "Specially Funded Unit" means an Alternative School,  
26 safe school, Department of Juvenile Justice school,

1 special education cooperative or entity recognized by the  
2 State Board as a special education cooperative,  
3 State-approved charter school, or alternative learning  
4 opportunities program that received direct funding from  
5 the State Board during the 2016-2017 school year through  
6 any of the funding sources included within the calculation  
7 of the Base Funding Minimum or Glenwood Academy.

8 "Supplemental Grant Funding" means supplemental  
9 general State aid funding received by an Organizational  
10 ~~Organization~~ Unit during the 2016-2017 school year  
11 pursuant to subsection (H) of Section 18-8.05 of this Code  
12 (now repealed).

13 "State Adequacy Level" is the sum of the Adequacy  
14 Targets of all Organizational Units.

15 "State Board" means the State Board of Education.

16 "State Superintendent" means the State Superintendent  
17 of Education.

18 "Statewide Weighted CWI" means a figure determined by  
19 multiplying each Organizational Unit CWI times the ASE for  
20 that Organizational Unit creating a weighted value,  
21 summing all Organizational Units' ~~Unit's~~ weighted values,  
22 and dividing by the total ASE of all Organizational Units,  
23 thereby creating an average weighted index.

24 "Student activities" means non-credit producing  
25 after-school programs, including, but not limited to,  
26 clubs, bands, sports, and other activities authorized by

1 the school board of the Organizational Unit.

2 "Substitute teacher" means an individual teacher or  
3 teaching assistant who is employed by an Organizational  
4 Unit and is temporarily serving the Organizational Unit on  
5 a per diem or per period-assignment basis to replace  
6 ~~replacing~~ another staff member.

7 "Summer school" means academic and enrichment programs  
8 provided to students during the summer months outside of  
9 the regular school year.

10 "Supervisory aide" means a non-licensed staff member  
11 who helps in supervising students of an Organizational  
12 Unit, but does so outside of the classroom, in situations  
13 such as, but not limited to, monitoring hallways and  
14 playgrounds, supervising lunchrooms, or supervising  
15 students when being transported in buses serving the  
16 Organizational Unit.

17 "Target Ratio" is defined in paragraph (4) of  
18 subsection (g).

19 "Tier 1", "Tier 2", "Tier 3", and "Tier 4" are defined  
20 in paragraph (3) of subsection (g).

21 "Tier 1 Aggregate Funding", "Tier 2 Aggregate  
22 Funding", "Tier 3 Aggregate Funding", and "Tier 4 Aggregate  
23 Funding" are defined in paragraph (1) of subsection (g).

24 (b) Adequacy Target calculation.

25 (1) Each Organizational Unit's Adequacy Target is the  
26 sum of the Organizational Unit's cost of providing

1 Essential Elements, as calculated in accordance with this  
2 subsection (b), with the salary amounts in the Essential  
3 Elements multiplied by a Regionalization Factor calculated  
4 pursuant to paragraph (3) of this subsection (b).

5 (2) The Essential Elements are attributable on a pro  
6 rata basis related to defined subgroups of the ASE of each  
7 Organizational Unit as specified in this paragraph (2),  
8 with investments and FTE positions pro rata funded based on  
9 ASE counts in excess or less than the thresholds set forth  
10 in this paragraph (2). The method for calculating  
11 attributable pro rata costs and the defined subgroups  
12 thereto are as follows:

13 (A) Core class size investments. Each  
14 Organizational Unit shall receive the funding required  
15 to support that number of FTE core teacher positions as  
16 is needed to keep the respective class sizes of the  
17 Organizational Unit to the following maximum numbers:

18 (i) For grades kindergarten through 3, the  
19 Organizational Unit shall receive funding required  
20 to support one FTE core teacher position for every  
21 15 Low-Income Count students in those grades and  
22 one FTE core teacher position for every 20  
23 non-Low-Income Count students in those grades.

24 (ii) For grades 4 through 12, the  
25 Organizational Unit shall receive funding required  
26 to support one FTE core teacher position for every

1           20 Low-Income Count students in those grades and  
2           one FTE core teacher position for every 25  
3           non-Low-Income Count students in those grades.

4           The number of non-Low-Income Count students in a  
5           grade shall be determined by subtracting the  
6           Low-Income students in that grade from the ASE of the  
7           Organizational Unit for that grade.

8           (B) Specialist teacher investments. Each  
9           Organizational Unit shall receive the funding needed  
10          to cover that number of FTE specialist teacher  
11          positions that correspond to the following  
12          percentages:

13                 (i) if the Organizational Unit operates an  
14                 elementary or middle school, then 20.00% of the  
15                 number of the Organizational Unit's core teachers,  
16                 as determined under subparagraph (A) of this  
17                 paragraph (2); and

18                 (ii) if such Organizational Unit operates a  
19                 high school, then 33.33% of the number of the  
20                 Organizational Unit's core teachers.

21           (C) Instructional facilitator investments. Each  
22           Organizational Unit shall receive the funding needed  
23           to cover one FTE instructional facilitator position  
24           for every 200 combined ASE of pre-kindergarten  
25           children with disabilities and all kindergarten  
26           through grade 12 students of the Organizational Unit.

1 (D) Core intervention teacher (tutor) investments.  
2 Each Organizational Unit shall receive the funding  
3 needed to cover one FTE teacher position for each  
4 prototypical elementary, middle, and high school.

5 (E) Substitute teacher investments. Each  
6 Organizational Unit shall receive the funding needed  
7 to cover substitute teacher costs that is equal to  
8 5.70% of the minimum pupil attendance days required  
9 under Section 10-19 of this Code for all full-time  
10 equivalent core, specialist, and intervention  
11 teachers, school nurses, special education teachers  
12 and instructional assistants, instructional  
13 facilitators, and summer school and extended day  
14 ~~extended day~~ teacher positions, as determined under  
15 this paragraph (2), at a salary rate of 33.33% of the  
16 average salary for grade K through 12 teachers and  
17 33.33% of the average salary of each instructional  
18 assistant position.

19 (F) Core guidance counselor investments. Each  
20 Organizational Unit shall receive the funding needed  
21 to cover one FTE guidance counselor for each 450  
22 combined ASE of pre-kindergarten children with  
23 disabilities and all kindergarten through grade 5  
24 students, plus one FTE guidance counselor for each 250  
25 grades 6 through 8 ASE middle school students, plus one  
26 FTE guidance counselor for each 250 grades 9 through 12



1 ASE high school students.

2 (G) Nurse investments. Each Organizational Unit  
3 shall receive the funding needed to cover one FTE nurse  
4 for each 750 combined ASE of pre-kindergarten children  
5 with disabilities and all kindergarten through grade  
6 12 students across all grade levels it serves.

7 (H) Supervisory aide investments. Each  
8 Organizational Unit shall receive the funding needed  
9 to cover one FTE for each 225 combined ASE of  
10 pre-kindergarten children with disabilities and all  
11 kindergarten through grade 5 students, plus one FTE for  
12 each 225 ASE middle school students, plus one FTE for  
13 each 200 ASE high school students.

14 (I) Librarian investments. Each Organizational  
15 Unit shall receive the funding needed to cover one FTE  
16 librarian for each prototypical elementary school,  
17 middle school, and high school and one FTE aide or  
18 media technician for every 300 combined ASE of  
19 pre-kindergarten children with disabilities and all  
20 kindergarten through grade 12 students.

21 (J) Principal investments. Each Organizational  
22 Unit shall receive the funding needed to cover one FTE  
23 principal position for each prototypical elementary  
24 school, plus one FTE principal position for each  
25 prototypical middle school, plus one FTE principal  
26 position for each prototypical high school.

1           (K) Assistant principal investments. Each  
2 Organizational Unit shall receive the funding needed  
3 to cover one FTE assistant principal position for each  
4 prototypical elementary school, plus one FTE assistant  
5 principal position for each prototypical middle  
6 school, plus one FTE assistant principal position for  
7 each prototypical high school.

8           (L) School site staff investments. Each  
9 Organizational Unit shall receive the funding needed  
10 for one FTE position for each 225 ASE of  
11 pre-kindergarten children with disabilities and all  
12 kindergarten through grade 5 students, plus one FTE  
13 position for each 225 ASE middle school students, plus  
14 one FTE position for each 200 ASE high school students.

15           (M) Gifted investments. Each Organizational Unit  
16 shall receive \$40 per kindergarten through grade 12  
17 ASE.

18           (N) Professional development investments. Each  
19 Organizational Unit shall receive \$125 per student of  
20 the combined ASE of pre-kindergarten children with  
21 disabilities and all kindergarten through grade 12  
22 students for trainers and other professional  
23 development-related expenses for supplies and  
24 materials.

25           (O) Instructional material investments. Each  
26 Organizational Unit shall receive \$190 per student of

1 the combined ASE of pre-kindergarten children with  
2 disabilities and all kindergarten through grade 12  
3 students to cover instructional material costs.

4 (P) Assessment investments. Each Organizational  
5 Unit shall receive \$25 per student of the combined ASE  
6 of pre-kindergarten children with disabilities and all  
7 kindergarten through grade 12 students ~~student~~ to  
8 cover assessment costs.

9 (Q) Computer technology and equipment investments.  
10 Each Organizational Unit shall receive \$285.50 per  
11 student of the combined ASE of pre-kindergarten  
12 children with disabilities and all kindergarten  
13 through grade 12 students to cover computer technology  
14 and equipment costs. For the 2018-2019 school year and  
15 subsequent school years, Organizational Units assigned  
16 to Tier 1 and Tier 2 in the prior school year shall  
17 receive an additional \$285.50 per student of the  
18 combined ASE of pre-kindergarten children with  
19 disabilities and all kindergarten through grade 12  
20 students to cover computer technology and equipment  
21 costs in the Organizational ~~Organization~~ Unit's  
22 Adequacy Target. The State Board may establish  
23 additional requirements for Organizational Unit  
24 expenditures of funds received pursuant to this  
25 subparagraph (Q), including a requirement that funds  
26 received pursuant to this subparagraph (Q) may be used

1           only for serving the technology needs of the district.  
2           It is the intent of Public Act 100-465 ~~this amendatory~~  
3           ~~Act of the 100th General Assembly~~ that all Tier 1 and  
4           Tier 2 districts receive the addition to their Adequacy  
5           Target in the following year, subject to compliance  
6           with the requirements of the State Board.

7           (R)     Student     activities     investments.     Each  
8           Organizational Unit shall receive the following  
9           funding amounts to cover student activities: \$100 per  
10          kindergarten through grade 5 ASE student in elementary  
11          school, plus \$200 per ASE student in middle school,  
12          plus \$675 per ASE student in high school.

13          (S)     Maintenance and operations investments. Each  
14          Organizational Unit shall receive \$1,038 per student  
15          of the combined ASE of pre-kindergarten children with  
16          disabilities and all kindergarten through grade 12  
17          students for day-to-day maintenance and operations  
18          expenditures, including salary, supplies, and  
19          materials, as well as purchased services, but  
20          excluding employee benefits. The proportion of salary  
21          for the application of a Regionalization Factor and the  
22          calculation of benefits is equal to \$352.92.

23          (T)     Central     office     investments.     Each  
24          Organizational Unit shall receive \$742 per student of  
25          the combined ASE of pre-kindergarten children with  
26          disabilities and all kindergarten through grade 12

1 students to cover central office operations, including  
2 administrators and classified personnel charged with  
3 managing the instructional programs, business and  
4 operations of the school district, and security  
5 personnel. The proportion of salary for the  
6 application of a Regionalization Factor and the  
7 calculation of benefits is equal to \$368.48.

8 (U) Employee benefit investments. Each  
9 Organizational Unit shall receive 30% of the total of  
10 all salary-calculated elements of the Adequacy Target,  
11 excluding substitute teachers and student activities  
12 investments, to cover benefit costs. For central  
13 office and maintenance and operations investments, the  
14 benefit calculation shall be based upon the salary  
15 proportion of each investment. If at any time the  
16 responsibility for funding the employer normal cost of  
17 teacher pensions is assigned to school districts, then  
18 that amount certified by the Teachers' Retirement  
19 System of the State of Illinois to be paid by the  
20 Organizational Unit for the preceding school year  
21 shall be added to the benefit investment. For any  
22 fiscal year in which a school district organized under  
23 Article 34 of this Code is responsible for paying the  
24 employer normal cost of teacher pensions, then that  
25 amount of its employer normal cost plus the amount for  
26 retiree health insurance as certified by the Public

1 School Teachers' Pension and Retirement Fund of  
2 Chicago to be paid by the school district for the  
3 preceding school year that is statutorily required to  
4 cover employer normal costs and the amount for retiree  
5 health insurance shall be added to the 30% specified in  
6 this subparagraph (U). The Teachers' Retirement System  
7 of the State of Illinois and the Public School  
8 Teachers' Pension and Retirement Fund of Chicago shall  
9 submit such information as the State Superintendent  
10 may require for the calculations set forth in this  
11 subparagraph (U).

12 (V) Additional investments in low-income students.  
13 In addition to and not in lieu of all other funding  
14 under this paragraph (2), each Organizational Unit  
15 shall receive funding based on the average teacher  
16 salary for grades K through 12 to cover the costs of:

17 (i) one FTE intervention teacher (tutor)  
18 position for every 125 Low-Income Count students;

19 (ii) one FTE pupil support staff position for  
20 every 125 Low-Income Count students;

21 (iii) one FTE extended day teacher position  
22 for every 120 Low-Income Count students; and

23 (iv) one FTE summer school teacher position  
24 for every 120 Low-Income Count students.

25 (W) Additional investments in English learner  
26 students. In addition to and not in lieu of all other

1 funding under this paragraph (2), each Organizational  
2 Unit shall receive funding based on the average teacher  
3 salary for grades K through 12 to cover the costs of:

4 (i) one FTE intervention teacher (tutor)  
5 position for every 125 English learner students;

6 (ii) one FTE pupil support staff position for  
7 every 125 English learner students;

8 (iii) one FTE extended day teacher position  
9 for every 120 English learner students;

10 (iv) one FTE summer school teacher position  
11 for every 120 English learner students; and

12 (v) one FTE core teacher position for every 100  
13 English learner students.

14 (X) Special education investments. Each  
15 Organizational Unit shall receive funding based on the  
16 average teacher salary for grades K through 12 to cover  
17 special education as follows:

18 (i) one FTE teacher position for every 141  
19 combined ASE of pre-kindergarten children with  
20 disabilities and all kindergarten through grade 12  
21 students;

22 (ii) one FTE instructional assistant for every  
23 141 combined ASE of pre-kindergarten children with  
24 disabilities and all kindergarten through grade 12  
25 students; and

26 (iii) one FTE psychologist position for every

1           1,000 combined ASE of pre-kindergarten children  
2           with disabilities and all kindergarten through  
3           grade 12 students.

4           (3) For calculating the salaries included within the  
5           Essential Elements, the State Superintendent shall  
6           annually calculate average salaries to the nearest dollar  
7           using the employment information system data maintained by  
8           the State Board, limited to public schools only and  
9           excluding special education and vocational cooperatives,  
10          schools operated by the Department of Juvenile Justice, and  
11          charter schools, for the following positions:

- 12           (A) Teacher for grades K through 8.  
13           (B) Teacher for grades 9 through 12.  
14           (C) Teacher for grades K through 12.  
15           (D) Guidance counselor for grades K through 8.  
16           (E) Guidance counselor for grades 9 through 12.  
17           (F) Guidance counselor for grades K through 12.  
18           (G) Social worker.  
19           (H) Psychologist.  
20           (I) Librarian.  
21           (J) Nurse.  
22           (K) Principal.  
23           (L) Assistant principal.

24           For the purposes of this paragraph (3), "teacher"  
25           includes core teachers, specialist and elective teachers,  
26           instructional facilitators, tutors, special education



1 teachers, pupil support staff teachers, English learner  
2 teachers, extended day ~~extended-day~~ teachers, and summer  
3 school teachers. Where specific grade data is not required  
4 for the Essential Elements, the average salary for  
5 corresponding positions shall apply. For substitute  
6 teachers, the average teacher salary for grades K through  
7 12 shall apply.

8 For calculating the salaries included within the  
9 Essential Elements for positions not included within EIS  
10 Data, the following salaries shall be used in the first  
11 year of implementation of Evidence-Based Funding:

12 (i) school site staff, \$30,000; and

13 (ii) non-instructional assistant, instructional  
14 assistant, library aide, library media tech, or  
15 supervisory aide: \$25,000.

16 In the second and subsequent years of implementation of  
17 Evidence-Based Funding, the amounts in items (i) and (ii)  
18 of this paragraph (3) shall annually increase by the ECI.

19 The salary amounts for the Essential Elements  
20 determined pursuant to subparagraphs (A) through (L), (S)  
21 and (T), and (V) through (X) of paragraph (2) of subsection  
22 (b) of this Section shall be multiplied by a  
23 Regionalization Factor.

24 (c) Local Capacity ~~capacity~~ calculation.

25 (1) Each Organizational Unit's Local Capacity  
26 represents an amount of funding it is assumed to contribute

1 toward its Adequacy Target for purposes of the  
2 Evidence-Based Funding formula calculation. "Local  
3 Capacity" means either (i) the Organizational Unit's Local  
4 Capacity Target as calculated in accordance with paragraph  
5 (2) of this subsection (c) if its Real Receipts are equal  
6 to or less than its Local Capacity Target or (ii) the  
7 Organizational Unit's Adjusted Local Capacity, as  
8 calculated in accordance with paragraph (3) of this  
9 subsection (c) if Real Receipts are more than its Local  
10 Capacity Target.

11 (2) "Local Capacity Target" means, for an  
12 Organizational Unit, that dollar amount that is obtained by  
13 multiplying its Adequacy Target by its Local Capacity  
14 Ratio.

15 (A) An Organizational Unit's Local Capacity  
16 Percentage is the conversion of the Organizational  
17 Unit's Local Capacity Ratio, as such ratio is  
18 determined in accordance with subparagraph (B) of this  
19 paragraph (2), into a cumulative distribution  
20 resulting in a percentile ranking to determine each  
21 Organizational Unit's relative position to all other  
22 Organizational Units in this State. The calculation of  
23 Local Capacity Percentage is described in subparagraph  
24 (C) of this paragraph (2).

25 (B) An Organizational Unit's Local Capacity Ratio  
26 in a given year is the percentage obtained by dividing

1 its Adjusted EAV or PTELL EAV, whichever is less, by  
2 its Adequacy Target, with the resulting ratio further  
3 adjusted as follows:

4 (i) for Organizational Units serving grades  
5 kindergarten through 12 and Hybrid Districts, no  
6 further adjustments shall be made;

7 (ii) for Organizational Units serving grades  
8 kindergarten through 8, the ratio shall be  
9 multiplied by 9/13;

10 (iii) for Organizational Units serving grades  
11 9 through 12, the Local Capacity Ratio shall be  
12 multiplied by 4/13; and

13 (iv) for an Organizational Unit with a  
14 different grade configuration than those specified  
15 in items (i) through (iii) of this subparagraph  
16 (B), the State Superintendent shall determine a  
17 comparable adjustment based on the grades served.

18 (C) The Local Capacity Percentage is equal to the  
19 percentile ranking of the district. Local Capacity  
20 Percentage converts each Organizational Unit's Local  
21 Capacity Ratio to a cumulative distribution resulting  
22 in a percentile ranking to determine each  
23 Organizational Unit's relative position to all other  
24 Organizational Units in this State. The Local Capacity  
25 Percentage cumulative distribution resulting in a  
26 percentile ranking for each Organizational Unit shall

1 be calculated using the standard normal distribution  
2 of the score in relation to the weighted mean and  
3 weighted standard deviation and Local Capacity Ratios  
4 of all Organizational Units. If the value assigned to  
5 any Organizational Unit is in excess of 90%, the value  
6 shall be adjusted to 90%. For Laboratory Schools, the  
7 Local Capacity Percentage shall be set at 10% in  
8 recognition of the absence of EAV and resources from  
9 the public university that are allocated to the  
10 Laboratory School. For programs operated by a regional  
11 office of education or an intermediate service center,  
12 the Local Capacity Percentage must be set at 10% in  
13 recognition of the absence of EAV and resources from  
14 school districts that are allocated to the regional  
15 office of education or intermediate service center.  
16 The weighted mean for the Local Capacity Percentage  
17 shall be determined by multiplying each Organizational  
18 Unit's Local Capacity Ratio times the ASE for the unit  
19 creating a weighted value, summing the weighted values  
20 of all Organizational Units, and dividing by the total  
21 ASE of all Organizational Units. The weighted standard  
22 deviation shall be determined by taking the square root  
23 of the weighted variance of all Organizational Units'  
24 Local Capacity Ratio, where the variance is calculated  
25 by squaring the difference between each unit's Local  
26 Capacity Ratio and the weighted mean, then multiplying

1           the variance for each unit times the ASE for the unit  
2           to create a weighted variance for each unit, then  
3           summing all units' weighted variance and dividing by  
4           the total ASE of all units.

5           (D)     For any Organizational Unit, the  
6           Organizational Unit's Adjusted Local Capacity Target  
7           shall be reduced by either (i) the school board's  
8           remaining contribution pursuant to paragraph (ii) of  
9           subsection (b-4) of Section 16-158 of the Illinois  
10          Pension Code in a given year, or (ii) the board of  
11          education's remaining contribution pursuant to  
12          paragraph (iv) of subsection (b) of Section 17-129 of  
13          the Illinois Pension Code absent the employer normal  
14          cost portion of the required contribution and amount  
15          allowed pursuant to subdivision (3) of Section  
16          17-142.1 of the Illinois Pension Code in a given year.  
17          In the preceding sentence, item (i) shall be certified  
18          to the State Board of Education by the Teachers'  
19          Retirement System of the State of Illinois and item  
20          (ii) shall be certified to the State Board of Education  
21          by the Public School Teachers' Pension and Retirement  
22          Fund of the City of Chicago.

23          (3) If an Organizational Unit's Real Receipts are more  
24          than its Local Capacity Target, then its Local Capacity  
25          shall equal an Adjusted Local Capacity Target as calculated  
26          in accordance with this paragraph (3). The Adjusted Local

1 Capacity Target is calculated as the sum of the  
2 Organizational Unit's Local Capacity Target and its Real  
3 Receipts Adjustment. The Real Receipts Adjustment equals  
4 the Organizational Unit's Real Receipts less its Local  
5 Capacity Target, with the resulting figure multiplied by  
6 the Local Capacity Percentage.

7 As used in this paragraph (3), "Real Percent of  
8 Adequacy" means the sum of an Organizational Unit's Real  
9 Receipts, CPPRT, and Base Funding Minimum, with the  
10 resulting figure divided by the Organizational Unit's  
11 Adequacy Target.

12 (d) Calculation of Real Receipts, EAV, and Adjusted EAV for  
13 purposes of the Local Capacity calculation.

14 (1) An Organizational Unit's Real Receipts are the  
15 product of its Applicable Tax Rate and its Adjusted EAV. An  
16 Organizational Unit's Applicable Tax Rate is its Adjusted  
17 Operating Tax Rate for property within the Organizational  
18 Unit.

19 (2) The State Superintendent shall calculate the  
20 equalized assessed valuation ~~Equalized Assessed Valuation~~,  
21 or EAV, of all taxable property of each Organizational Unit  
22 as of September 30 of the previous year in accordance with  
23 paragraph (3) of this subsection (d). The State  
24 Superintendent shall then determine the Adjusted EAV of  
25 each Organizational Unit in accordance with paragraph (4)  
26 of this subsection (d), which Adjusted EAV figure shall be

1 used for the purposes of calculating Local Capacity.

2 (3) To calculate Real Receipts and EAV, the Department  
3 of Revenue shall supply to the State Superintendent the  
4 value as equalized or assessed by the Department of Revenue  
5 of all taxable property of every Organizational Unit,  
6 together with (i) the applicable tax rate used in extending  
7 taxes for the funds of the Organizational Unit as of  
8 September 30 of the previous year and (ii) the limiting  
9 rate for all Organizational Units subject to property tax  
10 extension limitations as imposed under PTELL.

11 (A) The Department of Revenue shall add to the  
12 equalized assessed value of all taxable property of  
13 each Organizational Unit situated entirely or  
14 partially within a county that is or was subject to the  
15 provisions of Section 15-176 or 15-177 of the Property  
16 Tax Code (i) an amount equal to the total amount by  
17 which the homestead exemption allowed under Section  
18 15-176 or 15-177 of the Property Tax Code for real  
19 property situated in that Organizational Unit exceeds  
20 the total amount that would have been allowed in that  
21 Organizational Unit if the maximum reduction under  
22 Section 15-176 was (I) \$4,500 in Cook County or \$3,500  
23 in all other counties in tax year 2003 or (II) \$5,000  
24 in all counties in tax year 2004 and thereafter and  
25 (ii) an amount equal to the aggregate amount for the  
26 taxable year of all additional exemptions under

1 Section 15-175 of the Property Tax Code for owners with  
2 a household income of \$30,000 or less. The county clerk  
3 of any county that is or was subject to the provisions  
4 of Section 15-176 or 15-177 of the Property Tax Code  
5 shall annually calculate and certify to the Department  
6 of Revenue for each Organizational Unit all homestead  
7 exemption amounts under Section 15-176 or 15-177 of the  
8 Property Tax Code and all amounts of additional  
9 exemptions under Section 15-175 of the Property Tax  
10 Code for owners with a household income of \$30,000 or  
11 less. It is the intent of this subparagraph (A) that if  
12 the general homestead exemption for a parcel of  
13 property is determined under Section 15-176 or 15-177  
14 of the Property Tax Code rather than Section 15-175,  
15 then the calculation of EAV shall not be affected by  
16 the difference, if any, between the amount of the  
17 general homestead exemption allowed for that parcel of  
18 property under Section 15-176 or 15-177 of the Property  
19 Tax Code and the amount that would have been allowed  
20 had the general homestead exemption for that parcel of  
21 property been determined under Section 15-175 of the  
22 Property Tax Code. It is further the intent of this  
23 subparagraph (A) that if additional exemptions are  
24 allowed under Section 15-175 of the Property Tax Code  
25 for owners with a household income of less than  
26 \$30,000, then the calculation of EAV shall not be



1 affected by the difference, if any, because of those  
2 additional exemptions.

3 (B) With respect to any part of an Organizational  
4 Unit within a redevelopment project area in respect to  
5 which a municipality has adopted tax increment  
6 allocation financing pursuant to the Tax Increment  
7 Allocation Redevelopment Act, Division 74.4 of Article  
8 11 of the Illinois Municipal Code, or the Industrial  
9 Jobs Recovery Law, Division 74.6 of Article 11 of the  
10 Illinois Municipal Code, no part of the current EAV of  
11 real property located in any such project area that  
12 ~~which~~ is attributable to an increase above the total  
13 initial EAV of such property shall be used as part of  
14 the EAV of the Organizational Unit, until such time as  
15 all redevelopment project costs have been paid, as  
16 provided in Section 11-74.4-8 of the Tax Increment  
17 Allocation Redevelopment Act or in Section 11-74.6-35  
18 of the Industrial Jobs Recovery Law. For the purpose of  
19 the EAV of the Organizational Unit, the total initial  
20 EAV or the current EAV, whichever is lower, shall be  
21 used until such time as all redevelopment project costs  
22 have been paid.

23 (B-5) The real property equalized assessed  
24 valuation for a school district shall be adjusted by  
25 subtracting from the real property value, as equalized  
26 or assessed by the Department of Revenue, for the

1 district an amount computed by dividing the amount of  
2 any abatement of taxes under Section 18-170 of the  
3 Property Tax Code by 3.00% for a district maintaining  
4 grades kindergarten through 12, by 2.30% for a district  
5 maintaining grades kindergarten through 8, or by 1.05%  
6 for a district maintaining grades 9 through 12 and  
7 adjusted by an amount computed by dividing the amount  
8 of any abatement of taxes under subsection (a) of  
9 Section 18-165 of the Property Tax Code by the same  
10 percentage rates for district type as specified in this  
11 subparagraph (B-5).

12 (C) For Organizational Units that are Hybrid  
13 Districts, the State Superintendent shall use the  
14 lesser of the adjusted equalized assessed valuation  
15 for property within the partial elementary unit  
16 district for elementary purposes, as defined in  
17 Article 11E of this Code, or the adjusted equalized  
18 assessed valuation for property within the partial  
19 elementary unit district for high school purposes, as  
20 defined in Article 11E of this Code.

21 (4) An Organizational Unit's Adjusted EAV shall be the  
22 average of its EAV over the immediately preceding 3 years  
23 or its EAV in the immediately preceding year if the EAV in  
24 the immediately preceding year has declined by 10% or more  
25 compared to the 3-year average. In the event of  
26 Organizational Unit reorganization, consolidation, or

1 annexation, the Organizational Unit's Adjusted EAV for the  
2 first 3 years after such change shall be as follows: the  
3 most current EAV shall be used in the first year, the  
4 average of a 2-year EAV or its EAV in the immediately  
5 preceding year if the EAV declines by 10% or more compared  
6 to the 2-year average for the second year, and a 3-year  
7 average EAV or its EAV in the immediately preceding year if  
8 the Adjusted ~~adjusted~~ EAV declines by 10% or more compared  
9 to the 3-year average for the third year. For any school  
10 district whose EAV in the immediately preceding year is  
11 used in calculations, in the following year, the Adjusted  
12 EAV shall be the average of its EAV over the immediately  
13 preceding 2 years or the immediately preceding year if that  
14 year represents a decline of 10% or more compared to the  
15 2-year average.

16 "PTELL EAV" means a figure calculated by the State  
17 Board for Organizational Units subject to PTELL as  
18 described in this paragraph (4) for the purposes of  
19 calculating an Organizational Unit's Local Capacity Ratio.  
20 Except as otherwise provided in this paragraph (4), the  
21 PTELL EAV of an Organizational Unit shall be equal to the  
22 product of the equalized assessed valuation last used in  
23 the calculation of general State aid under Section 18-8.05  
24 of this Code (now repealed) or Evidence-Based Funding under  
25 this Section and the Organizational Unit's Extension  
26 Limitation Ratio. If an Organizational Unit has approved or

1 does approve an increase in its limiting rate, pursuant to  
2 Section 18-190 of the Property Tax Code, affecting the Base  
3 Tax Year, the PTELL EAV shall be equal to the product of  
4 the equalized assessed valuation last used in the  
5 calculation of general State aid under Section 18-8.05 of  
6 this Code (now repealed) or Evidence-Based Funding under  
7 this Section multiplied by an amount equal to one plus the  
8 percentage increase, if any, in the Consumer Price Index  
9 for All Urban Consumers for all items published by the  
10 United States Department of Labor for the 12-month calendar  
11 year preceding the Base Tax Year, plus the equalized  
12 assessed valuation of new property, annexed property, and  
13 recovered tax increment value and minus the equalized  
14 assessed valuation of disconnected property.

15 As used in this paragraph (4), "new property" and  
16 "recovered tax increment value" shall have the meanings set  
17 forth in the Property Tax Extension Limitation Law.

18 (e) Base Funding Minimum calculation.

19 (1) For the 2017-2018 school year, the Base Funding  
20 Minimum of an Organizational Unit or a Specially Funded  
21 Unit shall be the amount of State funds distributed to the  
22 Organizational Unit or Specially Funded Unit during the  
23 2016-2017 school year prior to any adjustments and  
24 specified appropriation amounts described in this  
25 paragraph (1) from the following Sections, as calculated by  
26 the State Superintendent: Section 18-8.05 of this Code (now

1 repealed); Section 5 of Article 224 of Public Act 99-524  
2 (equity grants); Section 14-7.02b of this Code (funding for  
3 children requiring special education services); Section  
4 14-13.01 of this Code (special education facilities and  
5 staffing), except for reimbursement of the cost of  
6 transportation pursuant to Section 14-13.01; Section  
7 14C-12 of this Code (English learners); and Section 18-4.3  
8 of this Code (summer school), based on an appropriation  
9 level of \$13,121,600. For a school district organized under  
10 Article 34 of this Code, the Base Funding Minimum also  
11 includes (i) the funds allocated to the school district  
12 pursuant to Section 1D-1 of this Code attributable to  
13 funding programs authorized by the Sections of this Code  
14 listed in the preceding sentence, and (ii) the difference  
15 between (I) the funds allocated to the school district  
16 pursuant to Section 1D-1 of this Code attributable to the  
17 funding programs authorized by Section 14-7.02 (non-public  
18 special education reimbursement), subsection (b) of  
19 Section 14-13.01 (special education transportation),  
20 Section 29-5 (transportation), Section 2-3.80  
21 (agricultural education), Section 2-3.66 (truants'  
22 alternative education), Section 2-3.62 (educational  
23 service centers), and Section 14-7.03 (special education -  
24 orphanage) of this Code and Section 15 of the Childhood  
25 Hunger Relief Act (free breakfast program) and (II) the  
26 school district's actual expenditures for its non-public

1 special education, special education transportation,  
2 transportation programs, agricultural education, truants'  
3 alternative education, services that would otherwise be  
4 performed by a regional office of education, special  
5 education orphanage expenditures, and free breakfast, as  
6 most recently calculated and reported pursuant to  
7 subsection (f) of Section 1D-1 of this Code. The Base  
8 Funding Minimum for Glenwood Academy shall be \$625,500. For  
9 programs operated by a regional office of education or an  
10 intermediate service center, the Base Funding Minimum must  
11 be the total amount of State funds allocated to those  
12 programs in the 2018-2019 school year and amounts provided  
13 pursuant to Article 34 of Public Act 100-586 and Section  
14 3-16 of this Code. All programs established after June 5,  
15 2019 (the effective date of Public Act 101-10) ~~this~~  
16 ~~amendatory Act of the 101st General Assembly~~ and  
17 administered by a regional office of education or an  
18 intermediate service center must have an initial Base  
19 Funding Minimum set to an amount equal to the first-year  
20 ASE multiplied by the amount of per pupil funding received  
21 in the previous school year by the lowest funded similar  
22 existing program type. If the enrollment for a program  
23 operated by a regional office of education or an  
24 intermediate service center is zero, then it may not  
25 receive Base Funding Minimum funds for that program in the  
26 next fiscal year, and those funds must be distributed to

1 Organizational Units under subsection (g).

2 (2) For the 2018-2019 and subsequent school years, the  
3 Base Funding Minimum of Organizational Units and Specially  
4 Funded Units shall be the sum of (i) the amount of  
5 Evidence-Based Funding for the prior school year, (ii) the  
6 Base Funding Minimum for the prior school year, and (iii)  
7 any amount received by a school district pursuant to  
8 Section 7 of Article 97 of Public Act 100-21.

9 (3) Subject to approval by the General Assembly as  
10 provided in this paragraph (3), an Organizational Unit that  
11 meets all of the following criteria, as determined by the  
12 State Board, shall have District Intervention Money added  
13 to its Base Funding Minimum at the time the Base Funding  
14 Minimum is calculated by the State Board:

15 (A) The Organizational Unit is operating under an  
16 Independent Authority under Section 2-3.25f-5 of this  
17 Code for a minimum of 4 school years or is subject to  
18 the control of the State Board pursuant to a court  
19 order for a minimum of 4 school years.

20 (B) The Organizational Unit was designated as a  
21 Tier 1 or Tier 2 Organizational Unit in the previous  
22 school year under paragraph (3) of subsection (g) of  
23 this Section.

24 (C) The Organizational Unit demonstrates  
25 sustainability through a 5-year financial and  
26 strategic plan.

1           (D) The Organizational Unit has made sufficient  
2           progress and achieved sufficient stability in the  
3           areas of governance, academic growth, and finances.

4           As part of its determination under this paragraph (3),  
5           the State Board may consider the Organizational Unit's  
6           summative designation, any accreditations of the  
7           Organizational Unit, or the Organizational Unit's  
8           financial profile, as calculated by the State Board.

9           If the State Board determines that an Organizational  
10          Unit has met the criteria set forth in this paragraph (3),  
11          it must submit a report to the General Assembly, no later  
12          than January 2 of the fiscal year in which the State Board  
13          makes its determination, on the amount of District  
14          Intervention Money to add to the Organizational Unit's Base  
15          Funding Minimum. The General Assembly must review the State  
16          Board's report and may approve or disapprove, by joint  
17          resolution, the addition of District Intervention Money.  
18          If the General Assembly fails to act on the report within  
19          40 calendar days from the receipt of the report, the  
20          addition of District Intervention Money is deemed  
21          approved. If the General Assembly approves the amount of  
22          District Intervention Money to be added to the  
23          Organizational Unit's Base Funding Minimum, the District  
24          Intervention Money must be added to the Base Funding  
25          Minimum annually thereafter.

26          For the first 4 years following the initial year that



1       the State Board determines that an Organizational Unit has  
2       met the criteria set forth in this paragraph (3) and has  
3       received funding under this Section, the Organizational  
4       Unit must annually submit to the State Board, on or before  
5       November 30, a progress report regarding its financial and  
6       strategic plan under subparagraph (C) of this paragraph  
7       (3). The plan shall include the financial data from the  
8       past 4 annual financial reports or financial audits that  
9       must be presented to the State Board by November 15 of each  
10       year and the approved budget financial data for the current  
11       year. The plan shall be developed according to the  
12       guidelines presented to the Organizational Unit by the  
13       State Board. The plan shall further include financial  
14       projections for the next 3 fiscal years and include a  
15       discussion and financial summary of the Organizational  
16       Unit's facility needs. If the Organizational Unit does not  
17       demonstrate sufficient progress toward its 5-year plan or  
18       if it has failed to file an annual financial report, an  
19       annual budget, a financial plan, a deficit reduction plan,  
20       or other financial information as required by law, the  
21       State Board may establish a Financial Oversight Panel under  
22       Article 1H of this Code. However, if the Organizational  
23       Unit already has a Financial Oversight Panel, the State  
24       Board may extend the duration of the Panel.

25       (f) Percent of Adequacy and Final Resources calculation.

26             (1) The Evidence-Based Funding formula establishes a

1 Percent of Adequacy for each Organizational Unit in order  
2 to place such units into tiers for the purposes of the  
3 funding distribution system described in subsection (g) of  
4 this Section. Initially, an Organizational Unit's  
5 Preliminary Resources and Preliminary Percent of Adequacy  
6 are calculated pursuant to paragraph (2) of this subsection  
7 (f). Then, an Organizational Unit's Final Resources and  
8 Final Percent of Adequacy are calculated to account for the  
9 Organizational Unit's poverty concentration levels  
10 pursuant to paragraphs (3) and (4) of this subsection (f).

11 (2) An Organizational Unit's Preliminary Resources are  
12 equal to the sum of its Local Capacity Target, CPPRT, and  
13 Base Funding Minimum. An Organizational Unit's Preliminary  
14 Percent of Adequacy is the lesser of (i) its Preliminary  
15 Resources divided by its Adequacy Target or (ii) 100%.

16 (3) Except for Specially Funded Units, an  
17 Organizational Unit's Final Resources are equal the sum of  
18 its Local Capacity, CPPRT, and Adjusted Base Funding  
19 Minimum. The Base Funding Minimum of each Specially Funded  
20 Unit shall serve as its Final Resources, except that the  
21 Base Funding Minimum for State-approved charter schools  
22 shall not include any portion of general State aid  
23 allocated in the prior year based on the per capita tuition  
24 charge times the charter school enrollment.

25 (4) An Organizational Unit's Final Percent of Adequacy  
26 is its Final Resources divided by its Adequacy Target. An

1 Organizational Unit's Adjusted Base Funding Minimum is  
2 equal to its Base Funding Minimum less its Supplemental  
3 Grant Funding, with the resulting figure added to the  
4 product of its Supplemental Grant Funding and Preliminary  
5 Percent of Adequacy.

6 (g) Evidence-Based Funding formula distribution system.

7 (1) In each school year under the Evidence-Based  
8 Funding formula, each Organizational Unit receives funding  
9 equal to the sum of its Base Funding Minimum and the unit's  
10 allocation of New State Funds determined pursuant to this  
11 subsection (g). To allocate New State Funds, the  
12 Evidence-Based Funding formula distribution system first  
13 places all Organizational Units into one of 4 tiers in  
14 accordance with paragraph (3) of this subsection (g), based  
15 on the Organizational Unit's Final Percent of Adequacy. New  
16 State Funds are allocated to each of the 4 tiers as  
17 follows: Tier 1 Aggregate Funding equals 50% of all New  
18 State Funds, Tier 2 Aggregate Funding equals 49% of all New  
19 State Funds, Tier 3 Aggregate Funding equals 0.9% of all  
20 New State Funds, and Tier 4 Aggregate Funding equals 0.1%  
21 of all New State Funds. Each Organizational Unit within  
22 Tier 1 or Tier 2 receives an allocation of New State Funds  
23 equal to its tier Funding Gap, as defined in the following  
24 sentence, multiplied by the tier's Allocation Rate  
25 determined pursuant to paragraph (4) of this subsection  
26 (g). For Tier 1, an Organizational Unit's Funding Gap

1 equals the tier's Target Ratio, as specified in paragraph  
2 (5) of this subsection (g), multiplied by the  
3 Organizational Unit's Adequacy Target, with the resulting  
4 amount reduced by the Organizational Unit's Final  
5 Resources. For Tier 2, an Organizational Unit's Funding Gap  
6 equals the tier's Target Ratio, as described in paragraph  
7 (5) of this subsection (g), multiplied by the  
8 Organizational Unit's Adequacy Target, with the resulting  
9 amount reduced by the Organizational Unit's Final  
10 Resources and its Tier 1 funding allocation. To determine  
11 the Organizational Unit's Funding Gap, the resulting  
12 amount is then multiplied by a factor equal to one minus  
13 the Organizational Unit's Local Capacity Target  
14 percentage. Each Organizational Unit within Tier 3 or Tier  
15 4 receives an allocation of New State Funds equal to the  
16 product of its Adequacy Target and the tier's Allocation  
17 Rate, as specified in paragraph (4) of this subsection (g).

18 (2) To ensure equitable distribution of dollars for all  
19 Tier 2 Organizational Units, no Tier 2 Organizational Unit  
20 shall receive fewer dollars per ASE than any Tier 3  
21 Organizational Unit. Each Tier 2 and Tier 3 Organizational  
22 Unit shall have its funding allocation divided by its ASE.  
23 Any Tier 2 Organizational Unit with a funding allocation  
24 per ASE below the greatest Tier 3 allocation per ASE shall  
25 get a funding allocation equal to the greatest Tier 3  
26 funding allocation per ASE multiplied by the

1 Organizational Unit's ASE. Each Tier 2 Organizational  
2 Unit's Tier 2 funding allocation shall be multiplied by the  
3 percentage calculated by dividing the original Tier 2  
4 Aggregate Funding by the sum of all Tier 2 Organizational  
5 Units' ~~Unit's~~ Tier 2 funding allocation after adjusting  
6 districts' funding below Tier 3 levels.

7 (3) Organizational Units are placed into one of 4 tiers  
8 as follows:

9 (A) Tier 1 consists of all Organizational Units,  
10 except for Specially Funded Units, with a Percent of  
11 Adequacy less than the Tier 1 Target Ratio. The Tier 1  
12 Target Ratio is the ratio level that allows for Tier 1  
13 Aggregate Funding to be distributed, with the Tier 1  
14 Allocation Rate determined pursuant to paragraph (4)  
15 of this subsection (g).

16 (B) Tier 2 consists of all Tier 1 Units and all  
17 other Organizational Units, except for Specially  
18 Funded Units, with a Percent of Adequacy of less than  
19 0.90.

20 (C) Tier 3 consists of all Organizational Units,  
21 except for Specially Funded Units, with a Percent of  
22 Adequacy of at least 0.90 and less than 1.0.

23 (D) Tier 4 consists of all Organizational Units  
24 with a Percent of Adequacy of at least 1.0.

25 (4) The Allocation Rates for Tiers 1 through 4 are ~~is~~  
26 determined as follows:

1 (A) The Tier 1 Allocation Rate is 30%.

2 (B) The Tier 2 Allocation Rate is the result of the  
3 following equation: Tier 2 Aggregate Funding, divided  
4 by the sum of the Funding Gaps for all Tier 2  
5 Organizational Units, unless the result of such  
6 equation is higher than 1.0. If the result of such  
7 equation is higher than 1.0, then the Tier 2 Allocation  
8 Rate is 1.0.

9 (C) The Tier 3 Allocation Rate is the result of the  
10 following equation: Tier 3 Aggregate Funding, divided  
11 by the sum of the Adequacy Targets of all Tier 3  
12 Organizational Units.

13 (D) The Tier 4 Allocation Rate is the result of the  
14 following equation: Tier 4 Aggregate Funding, divided  
15 by the sum of the Adequacy Targets of all Tier 4  
16 Organizational Units.

17 (5) A tier's Target Ratio is determined as follows:

18 (A) The Tier 1 Target Ratio is the ratio level that  
19 allows for Tier 1 Aggregate Funding to be distributed  
20 with the Tier 1 Allocation Rate.

21 (B) The Tier 2 Target Ratio is 0.90.

22 (C) The Tier 3 Target Ratio is 1.0.

23 (6) If, at any point, the Tier 1 Target Ratio is  
24 greater than 90%, than all Tier 1 funding shall be  
25 allocated to Tier 2 and no Tier 1 Organizational Unit's  
26 funding may be identified.

1           (7) In the event that all Tier 2 Organizational Units  
2 receive funding at the Tier 2 Target Ratio level, any  
3 remaining New State Funds shall be allocated to Tier 3 and  
4 Tier 4 Organizational Units.

5           (8) If any Specially Funded Units, excluding Glenwood  
6 Academy, recognized by the State Board do not qualify for  
7 direct funding following the implementation of Public Act  
8 100-465 ~~this amendatory Act of the 100th General Assembly~~  
9 from any of the funding sources included within the  
10 definition of Base Funding Minimum, the unqualified  
11 portion of the Base Funding Minimum shall be transferred to  
12 one or more appropriate Organizational Units as determined  
13 by the State Superintendent based on the prior year ASE of  
14 the Organizational Units.

15           (8.5) If a school district withdraws from a special  
16 education cooperative, the portion of the Base Funding  
17 Minimum that is attributable to the school district may be  
18 redistributed to the school district upon withdrawal. The  
19 school district and the cooperative must include the amount  
20 of the Base Funding Minimum that is to be reapportioned  
21 ~~re-apportioned~~ in their withdrawal agreement and notify  
22 the State Board of the change with a copy of the agreement  
23 upon withdrawal.

24           (9) The Minimum Funding Level is intended to establish  
25 a target for State funding that will keep pace with  
26 inflation and continue to advance equity through the

1 Evidence-Based Funding formula. The target for State  
2 funding of New Property Tax Relief Pool Funds is  
3 \$50,000,000 for State fiscal year 2019 and subsequent State  
4 fiscal years. The Minimum Funding Level is equal to  
5 \$350,000,000. In addition to any New State Funds, no more  
6 than \$50,000,000 New Property Tax Relief Pool Funds may be  
7 counted toward ~~towards~~ the Minimum Funding Level. If the  
8 sum of New State Funds and applicable New Property Tax  
9 Relief Pool Funds are less than the Minimum Funding Level,  
10 than funding for tiers shall be reduced in the following  
11 manner:

12 (A) First, Tier 4 funding shall be reduced by an  
13 amount equal to the difference between the Minimum  
14 Funding Level and New State Funds until such time as  
15 Tier 4 funding is exhausted.

16 (B) Next, Tier 3 funding shall be reduced by an  
17 amount equal to the difference between the Minimum  
18 Funding Level and New State Funds and the reduction in  
19 Tier 4 funding until such time as Tier 3 funding is  
20 exhausted.

21 (C) Next, Tier 2 funding shall be reduced by an  
22 amount equal to the difference between the Minimum  
23 Funding Level ~~level~~ and New ~~new~~ State Funds and the  
24 reduction in Tier 4 and Tier 3.

25 (D) Finally, Tier 1 funding shall be reduced by an  
26 amount equal to the difference between the Minimum



1 Funding level and New State Funds and the reduction in  
2 Tier 2, 3, and 4 funding. In addition, the Allocation  
3 Rate for Tier 1 shall be reduced to a percentage equal  
4 to the Tier 1 Allocation Rate ~~allocation rate~~ set by  
5 paragraph (4) of this subsection (g), multiplied by the  
6 result of New State Funds divided by the Minimum  
7 Funding Level.

8 (9.5) For State fiscal year 2019 and subsequent State  
9 fiscal years, if New State Funds exceed \$300,000,000, then  
10 any amount in excess of \$300,000,000 shall be dedicated for  
11 purposes of Section 2-3.170 of this Code up to a maximum of  
12 \$50,000,000.

13 (10) In the event of a decrease in the amount of the  
14 appropriation for this Section in any fiscal year after  
15 implementation of this Section, the Organizational Units  
16 receiving Tier 1 and Tier 2 funding, as determined under  
17 paragraph (3) of this subsection (g), shall be held  
18 harmless by establishing a Base Funding Guarantee equal to  
19 the per pupil kindergarten through grade 12 funding  
20 received in accordance with this Section in the prior  
21 fiscal year. Reductions shall be made to the Base Funding  
22 Minimum of Organizational Units in Tier 3 and Tier 4 on a  
23 per pupil basis equivalent to the total number of the ASE  
24 in Tier 3-funded and Tier 4-funded Organizational Units  
25 divided by the total reduction in State funding. The Base  
26 Funding Minimum as reduced shall continue to be applied to

1 Tier 3 and Tier 4 Organizational Units and adjusted by the  
2 relative formula when increases in appropriations for this  
3 Section resume. In no event may State funding reductions to  
4 Organizational Units in Tier 3 or Tier 4 exceed an amount  
5 that would be less than the Base Funding Minimum  
6 established in the first year of implementation of this  
7 Section. If additional reductions are required, all school  
8 districts shall receive a reduction by a per pupil amount  
9 equal to the aggregate additional appropriation reduction  
10 divided by the total ASE of all Organizational Units.

11 (11) The State Superintendent shall make minor  
12 adjustments to the distribution formula set forth in this  
13 subsection (g) to account for the rounding of percentages  
14 to the nearest tenth of a percentage and dollar amounts to  
15 the nearest whole dollar.

16 (h) State Superintendent administration of funding and  
17 district submission requirements.

18 (1) The State Superintendent shall, in accordance with  
19 appropriations made by the General Assembly, meet the  
20 funding obligations created under this Section.

21 (2) The State Superintendent shall calculate the  
22 Adequacy Target for each Organizational Unit and Net State  
23 Contribution Target for each Organizational Unit under  
24 this Section. No Evidence-Based Funding shall be  
25 distributed within an Organizational Unit without the  
26 approval of the unit's school board.

1           (3) Annually, the State Superintendent shall calculate  
2           and report to each Organizational Unit the unit's aggregate  
3           financial adequacy amount, which shall be the sum of the  
4           Adequacy Target for each Organizational Unit. The State  
5           Superintendent shall calculate and report separately for  
6           each Organizational Unit the unit's total State funds  
7           allocated for its students with disabilities. The State  
8           Superintendent shall calculate and report separately for  
9           each Organizational Unit the amount of funding and  
10          applicable FTE calculated for each Essential Element of the  
11          unit's Adequacy Target.

12          (4) Annually, the State Superintendent shall calculate  
13          and report to each Organizational Unit the amount the unit  
14          must expend on special education and bilingual education  
15          and computer technology and equipment for Organizational  
16          Units assigned to Tier 1 or Tier 2 that received an  
17          additional \$285.50 per student computer technology and  
18          equipment investment grant to their Adequacy Target  
19          pursuant to the unit's Base Funding Minimum, Special  
20          Education Allocation, Bilingual Education Allocation, and  
21          computer technology and equipment investment allocation.

22          (5) Moneys distributed under this Section shall be  
23          calculated on a school year basis, but paid on a fiscal  
24          year basis, with payments beginning in August and extending  
25          through June. Unless otherwise provided, the moneys  
26          appropriated for each fiscal year shall be distributed in

1           22 equal payments at least 2 times monthly to each  
2           Organizational Unit. If moneys appropriated for any fiscal  
3           year are distributed other than monthly, the distribution  
4           shall be on the same basis for each Organizational Unit.

5           (6) Any school district that fails, for any given  
6           school year, to maintain school as required by law or to  
7           maintain a recognized school is not eligible to receive  
8           Evidence-Based Funding. In case of non-recognition of one  
9           or more attendance centers in a school district otherwise  
10          operating recognized schools, the claim of the district  
11          shall be reduced in the proportion that the enrollment in  
12          the attendance center or centers bears to the enrollment of  
13          the school district. "Recognized school" means any public  
14          school that meets the standards for recognition by the  
15          State Board. A school district or attendance center not  
16          having recognition status at the end of a school term is  
17          entitled to receive State aid payments due upon a legal  
18          claim that was filed while it was recognized.

19          (7) School district claims filed under this Section are  
20          subject to Sections 18-9 and 18-12 of this Code, except as  
21          otherwise provided in this Section.

22          (8) Each fiscal year, the State Superintendent shall  
23          calculate for each Organizational Unit an amount of its  
24          Base Funding Minimum and Evidence-Based Funding that shall  
25          be deemed attributable to the provision of special  
26          educational facilities and services, as defined in Section

1 14-1.08 of this Code, in a manner that ensures compliance  
2 with maintenance of State financial support requirements  
3 under the federal Individuals with Disabilities Education  
4 Act. An Organizational Unit must use such funds only for  
5 the provision of special educational facilities and  
6 services, as defined in Section 14-1.08 of this Code, and  
7 must comply with any expenditure verification procedures  
8 adopted by the State Board.

9 (9) All Organizational Units in this State must submit  
10 annual spending plans by the end of September of each year  
11 to the State Board as part of the annual budget process,  
12 which shall describe how each Organizational Unit will  
13 utilize the Base Funding Minimum ~~Funding~~ and  
14 Evidence-Based Funding ~~funding~~ it receives from this State  
15 under this Section with specific identification of the  
16 intended utilization of Low-Income, English learner, and  
17 special education resources. Additionally, the annual  
18 spending plans of each Organizational Unit shall describe  
19 how the Organizational Unit expects to achieve student  
20 growth and how the Organizational Unit will achieve State  
21 education goals, as defined by the State Board. The State  
22 Superintendent may, from time to time, identify additional  
23 requisites for Organizational Units to satisfy when  
24 compiling the annual spending plans required under this  
25 subsection (h). The format and scope of annual spending  
26 plans shall be developed by the State Superintendent and

1 the State Board of Education. School districts that serve  
2 students under Article 14C of this Code shall continue to  
3 submit information as required under Section 14C-12 of this  
4 Code.

5 (10) No later than January 1, 2018, the State  
6 Superintendent shall develop a 5-year strategic plan for  
7 all Organizational Units to help in planning for adequacy  
8 funding under this Section. The State Superintendent shall  
9 submit the plan to the Governor and the General Assembly,  
10 as provided in Section 3.1 of the General Assembly  
11 Organization Act. The plan shall include recommendations  
12 for:

13 (A) a framework for collaborative, professional,  
14 innovative, and 21st century learning environments  
15 using the Evidence-Based Funding model;

16 (B) ways to prepare and support this State's  
17 educators for successful instructional careers;

18 (C) application and enhancement of the current  
19 financial accountability measures, the approved State  
20 plan to comply with the federal Every Student Succeeds  
21 Act, and the Illinois Balanced Accountability Measures  
22 in relation to student growth and elements of the  
23 Evidence-Based Funding model; and

24 (D) implementation of an effective school adequacy  
25 funding system based on projected and recommended  
26 funding levels from the General Assembly.

1           (11) On an annual basis, the State Superintendent must  
2           recalibrate all of the following per pupil elements of the  
3           Adequacy Target and applied to the formulas, based on the  
4           study of average expenses and as reported in the most  
5           recent annual financial report:

6                   (A) Gifted under subparagraph (M) of paragraph (2)  
7                   of subsection (b).

8                   (B) Instructional materials under subparagraph (O)  
9                   of paragraph (2) of subsection (b).

10                   (C) Assessment under subparagraph (P) of paragraph  
11                   (2) of subsection (b).

12                   (D) Student activities under subparagraph (R) of  
13                   paragraph (2) of subsection (b).

14                   (E) Maintenance and operations under subparagraph  
15                   (S) of paragraph (2) of subsection (b).

16                   (F) Central office under subparagraph (T) of  
17                   paragraph (2) of subsection (b).

18           (i) Professional Review Panel.

19                   (1) A Professional Review Panel is created to study and  
20                   review topics related to the implementation and effect of  
21                   Evidence-Based Funding, as assigned by a joint resolution  
22                   or Public Act of the General Assembly or a motion passed by  
23                   the State Board of Education. The Panel must provide  
24                   recommendations to and serve the Governor, the General  
25                   Assembly, and the State Board. The State Superintendent or  
26                   his or her designee must serve as a voting member and

1 chairperson of the Panel. The State Superintendent must  
2 appoint a vice chairperson from the membership of the  
3 Panel. The Panel must advance recommendations based on a  
4 three-fifths majority vote of Panel ~~panel~~ members present  
5 and voting. A minority opinion may also accompany any  
6 recommendation of the Panel. The Panel shall be appointed  
7 by the State Superintendent, except as otherwise provided  
8 in paragraph (2) of this subsection (i) and include the  
9 following members:

10 (A) Two appointees that represent district  
11 superintendents, recommended by a statewide  
12 organization that represents district superintendents.

13 (B) Two appointees that represent school boards,  
14 recommended by a statewide organization that  
15 represents school boards.

16 (C) Two appointees from districts that represent  
17 school business officials, recommended by a statewide  
18 organization that represents school business  
19 officials.

20 (D) Two appointees that represent school  
21 principals, recommended by a statewide organization  
22 that represents school principals.

23 (E) Two appointees that represent teachers,  
24 recommended by a statewide organization that  
25 represents teachers.

26 (F) Two appointees that represent teachers,



1 recommended by another statewide organization that  
2 represents teachers.

3 (G) Two appointees that represent regional  
4 superintendents of schools, recommended by  
5 organizations that represent regional superintendents.

6 (H) Two independent experts selected solely by the  
7 State Superintendent.

8 (I) Two independent experts recommended by public  
9 universities in this State.

10 (J) One member recommended by a statewide  
11 organization that represents parents.

12 (K) Two representatives recommended by collective  
13 impact organizations that represent major metropolitan  
14 areas or geographic areas in Illinois.

15 (L) One member from a statewide organization  
16 focused on research-based education policy to support  
17 a school system that prepares all students for college,  
18 a career, and democratic citizenship.

19 (M) One representative from a school district  
20 organized under Article 34 of this Code.

21 The State Superintendent shall ensure that the  
22 membership of the Panel includes representatives from  
23 school districts and communities reflecting the  
24 geographic, socio-economic, racial, and ethnic diversity  
25 of this State. The State Superintendent shall additionally  
26 ensure that the membership of the Panel includes

1 representatives with expertise in bilingual education and  
2 special education. Staff from the State Board shall staff  
3 the Panel.

4 (2) In addition to those Panel members appointed by the  
5 State Superintendent, 4 members of the General Assembly  
6 shall be appointed as follows: one member of the House of  
7 Representatives appointed by the Speaker of the House of  
8 Representatives, one member of the Senate appointed by the  
9 President of the Senate, one member of the House of  
10 Representatives appointed by the Minority Leader of the  
11 House of Representatives, and one member of the Senate  
12 appointed by the Minority Leader of the Senate. There shall  
13 be one additional member appointed by the Governor. All  
14 members appointed by legislative leaders or the Governor  
15 shall be non-voting, ex officio members.

16 (3) The Panel must study topics at the direction of the  
17 General Assembly or State Board of Education, as provided  
18 under paragraph (1). The Panel may also study the following  
19 topics at the direction of the chairperson: ~~(4)~~

20 (A) The format and scope of annual spending plans  
21 referenced in paragraph (9) of subsection (h) of this  
22 Section.

23 (B) The Comparable Wage Index under this Section.

24 (C) Maintenance and operations, including capital  
25 maintenance and construction costs.

26 (D) "At-risk student" definition.

1 (E) Benefits.

2 (F) Technology.

3 (G) Local Capacity Target.

4 (H) Funding for Alternative Schools, Laboratory  
5 Schools, safe schools, and alternative learning  
6 opportunities programs.

7 (I) Funding for college and career acceleration  
8 strategies.

9 (J) Special education investments.

10 (K) Early childhood investments, in collaboration  
11 with the Illinois Early Learning Council.

12 (4) (Blank).

13 (5) Within 5 years after the implementation of this  
14 Section, and every 5 years thereafter, the Panel shall  
15 complete an evaluative study of the entire Evidence-Based  
16 Funding model, including an assessment of whether or not  
17 the formula is achieving State goals. The Panel shall  
18 report to the State Board, the General Assembly, and the  
19 Governor on the findings of the study.

20 (6) (Blank).

21 (j) References. Beginning July 1, 2017, references in other  
22 laws to general State aid funds or calculations under Section  
23 18-8.05 of this Code (now repealed) shall be deemed to be  
24 references to evidence-based model formula funds or  
25 calculations under this Section.

26 (Source: P.A. 100-465, eff. 8-31-17; 100-578, eff. 1-31-18;

1 100-582, eff. 3-23-18; 101-10, eff. 6-5-19; 101-17, eff.  
2 6-14-19; revised 7-1-19.)

3 (105 ILCS 5/21A-5)

4 Sec. 21A-5. Definitions. In this Article:

5 "New teacher" means the holder of a professional educator  
6 license ~~an Initial Teaching Certificate~~, as set forth in  
7 Section 21B-20 ~~21-2~~ of this Code, who is employed by a public  
8 school and who has not previously participated in a new teacher  
9 induction and mentoring program required by this Article,  
10 except as provided in Section 21A-25 of this Code.

11 "Public school" means any school operating pursuant to the  
12 authority of this Code, including without limitation a school  
13 district, a charter school, a cooperative or joint agreement  
14 with a governing body or board of control, and a school  
15 operated by a regional office of education or State agency.

16 (Source: P.A. 93-355, eff. 1-1-04.)

17 (105 ILCS 5/21A-30)

18 Sec. 21A-30. Evaluation of programs. The State Board of  
19 Education and the State Educator Preparation and Licensure  
20 ~~Teacher Certification~~ Board shall jointly contract with an  
21 independent party to conduct a comprehensive evaluation of new  
22 teacher induction and mentoring programs established pursuant  
23 to this Article. The first report of this evaluation shall be  
24 presented to the General Assembly on or before January 1, 2009.

1 Subsequent evaluations shall be conducted and reports  
2 presented to the General Assembly on or before January 1 of  
3 every third year thereafter.

4 (Source: P.A. 93-355, eff. 1-1-04.)

5 (105 ILCS 5/21A-35)

6 Sec. 21A-35. Rules. The State Board of Education, in  
7 consultation with the State Educator Preparation and Licensure  
8 ~~Teacher Certification~~ Board, shall adopt rules for the  
9 implementation of this Article.

10 (Source: P.A. 93-355, eff. 1-1-04.)

11 (105 ILCS 5/21B-20)

12 Sec. 21B-20. Types of licenses. The State Board of  
13 Education shall implement a system of educator licensure,  
14 whereby individuals employed in school districts who are  
15 required to be licensed must have one of the following  
16 licenses: (i) a professional educator license; (ii) an educator  
17 license with stipulations; (iii) a substitute teaching  
18 license; or (iv) until June 30, 2023, a short-term substitute  
19 teaching license. References in law regarding individuals  
20 certified or certificated or required to be certified or  
21 certificated under Article 21 of this Code shall also include  
22 individuals licensed or required to be licensed under this  
23 Article. The first year of all licenses ends on June 30  
24 following one full year of the license being issued.

1           The State Board of Education, in consultation with the  
2 State Educator Preparation and Licensure Board, may adopt such  
3 rules as may be necessary to govern the requirements for  
4 licenses and endorsements under this Section.

5           (1) Professional Educator License. Persons who (i)  
6 have successfully completed an approved educator  
7 preparation program and are recommended for licensure by  
8 the Illinois institution offering the educator preparation  
9 program, (ii) have successfully completed the required  
10 testing under Section 21B-30 of this Code, (iii) have  
11 successfully completed coursework on the psychology of,  
12 the identification of, and the methods of instruction for  
13 the exceptional child, including without limitation  
14 children with learning disabilities, (iv) have  
15 successfully completed coursework in methods of reading  
16 and reading in the content area, and (v) have met all other  
17 criteria established by rule of the State Board of  
18 Education shall be issued a Professional Educator License.  
19 All Professional Educator Licenses are valid until June 30  
20 immediately following 5 years of the license being issued.  
21 The Professional Educator License shall be endorsed with  
22 specific areas and grade levels in which the individual is  
23 eligible to practice. For an early childhood education  
24 endorsement, an individual may satisfy the student  
25 teaching requirement of his or her early childhood teacher  
26 preparation program through placement in a setting with

1 children from birth through grade 2, and the individual may  
2 be paid and receive credit while student teaching. The  
3 student teaching experience must meet the requirements of  
4 and be approved by the individual's early childhood teacher  
5 preparation program.

6 Individuals can receive subsequent endorsements on the  
7 Professional Educator License. Subsequent endorsements  
8 shall require a minimum of 24 semester hours of coursework  
9 in the endorsement area and passage of the applicable  
10 content area test, unless otherwise specified by rule.

11 (2) Educator License with Stipulations. An Educator  
12 License with Stipulations shall be issued an endorsement  
13 that limits the license holder to one particular position  
14 or does not require completion of an approved educator  
15 program or both.

16 An individual with an Educator License with  
17 Stipulations must not be employed by a school district or  
18 any other entity to replace any presently employed teacher  
19 who otherwise would not be replaced for any reason.

20 An Educator License with Stipulations may be issued  
21 with the following endorsements:

22 (A) (Blank).

23 (B) Alternative provisional educator. An  
24 alternative provisional educator endorsement on an  
25 Educator License with Stipulations may be issued to an  
26 applicant who, at the time of applying for the

1 endorsement, has done all of the following:

2 (i) Graduated from a regionally accredited  
3 college or university with a minimum of a  
4 bachelor's degree.

5 (ii) Successfully completed the first phase of  
6 the Alternative Educator Licensure Program for  
7 Teachers, as described in Section 21B-50 of this  
8 Code.

9 (iii) Passed a content area test, as required  
10 under Section 21B-30 of this Code.

11 The alternative provisional educator endorsement is  
12 valid for 2 years of teaching and may be renewed for a  
13 third year by an individual meeting the requirements set  
14 forth in Section 21B-50 of this Code.

15 (C) Alternative provisional superintendent. An  
16 alternative provisional superintendent endorsement on  
17 an Educator License with Stipulations entitles the  
18 holder to serve only as a superintendent or assistant  
19 superintendent in a school district's central office.  
20 This endorsement may only be issued to an applicant  
21 who, at the time of applying for the endorsement, has  
22 done all of the following:

23 (i) Graduated from a regionally accredited  
24 college or university with a minimum of a master's  
25 degree in a management field other than education.

26 (ii) Been employed for a period of at least 5



1 years in a management level position in a field  
2 other than education.

3 (iii) Successfully completed the first phase  
4 of an alternative route to superintendent  
5 endorsement program, as provided in Section 21B-55  
6 of this Code.

7 (iv) Passed a content area test required under  
8 Section 21B-30 of this Code.

9 The endorsement is valid for 2 fiscal years in  
10 order to complete one full year of serving as a  
11 superintendent or assistant superintendent.

12 (D) (Blank).

13 (E) Career and technical educator. A career and  
14 technical educator endorsement on an Educator License  
15 with Stipulations may be issued to an applicant who has  
16 a minimum of 60 semester hours of coursework from a  
17 regionally accredited institution of higher education  
18 or an accredited trade and technical institution and  
19 has a minimum of 2,000 hours of experience outside of  
20 education in each area to be taught.

21 The career and technical educator endorsement on  
22 an Educator License with Stipulations is valid until  
23 June 30 immediately following 5 years of the  
24 endorsement being issued and may be renewed. ~~For~~  
25 ~~individuals who were issued the career and technical~~  
26 ~~educator endorsement on an Educator License with~~

1       ~~Stipulations on or after January 1, 2015, the license~~  
2       ~~may be renewed if the individual passes a test of work~~  
3       ~~proficiency, as required under Section 21B-30 of this~~  
4       ~~Code.~~

5           An individual who holds a valid career and  
6       technical educator endorsement on an Educator License  
7       with Stipulations but does not hold a bachelor's degree  
8       may substitute teach in career and technical education  
9       classrooms.

10           (F) Part-time provisional career and technical  
11       educator or provisional career and technical educator.  
12       A part-time provisional career and technical educator  
13       endorsement or a provisional career and technical  
14       educator endorsement on an Educator License with  
15       Stipulations may be issued to an applicant who has a  
16       minimum of 8,000 hours of work experience in the skill  
17       for which the applicant is seeking the endorsement. It  
18       is the responsibility of each employing school board  
19       and regional office of education to provide  
20       verification, in writing, to the State Superintendent  
21       of Education at the time the application is submitted  
22       that no qualified teacher holding a Professional  
23       Educator License or an Educator License with  
24       Stipulations with a career and technical educator  
25       endorsement is available and that actual circumstances  
26       require such issuance.

1           The provisional career and technical educator  
2 endorsement on an Educator License with Stipulations  
3 is valid until June 30 immediately following 5 years of  
4 the endorsement being issued and may be renewed for 5  
5 years. ~~For individuals who were issued the provisional  
6 career and technical educator endorsement on an  
7 Educator License with Stipulations on or after January  
8 1, 2015, the license may be renewed if the individual  
9 passes a test of work proficiency, as required under  
10 Section 21B-30 of this Code.~~

11           A part-time provisional career and technical  
12 educator endorsement on an Educator License with  
13 Stipulations may be issued for teaching no more than 2  
14 courses of study for grades 6 through 12. The part-time  
15 provisional career and technical educator endorsement  
16 on an Educator License with Stipulations is valid until  
17 June 30 immediately following 5 years of the  
18 endorsement being issued and may be renewed for 5 years  
19 if the individual makes application for renewal.

20           An individual who holds a provisional or part-time  
21 provisional career and technical educator endorsement  
22 on an Educator License with Stipulations but does not  
23 hold a bachelor's degree may substitute teach in career  
24 and technical education classrooms.

25           (G) Transitional bilingual educator. A  
26 transitional bilingual educator endorsement on an

1 Educator License with Stipulations may be issued for  
2 the purpose of providing instruction in accordance  
3 with Article 14C of this Code to an applicant who  
4 provides satisfactory evidence that he or she meets all  
5 of the following requirements:

6 (i) Possesses adequate speaking, reading, and  
7 writing ability in the language other than English  
8 in which transitional bilingual education is  
9 offered.

10 (ii) Has the ability to successfully  
11 communicate in English.

12 (iii) Either possessed, within 5 years  
13 previous to his or her applying for a transitional  
14 bilingual educator endorsement, a valid and  
15 comparable teaching certificate or comparable  
16 authorization issued by a foreign country or holds  
17 a degree from an institution of higher learning in  
18 a foreign country that the State Educator  
19 Preparation and Licensure Board determines to be  
20 the equivalent of a bachelor's degree from a  
21 regionally accredited institution of higher  
22 learning in the United States.

23 A transitional bilingual educator endorsement  
24 shall be valid for prekindergarten through grade 12, is  
25 valid until June 30 immediately following 5 years of  
26 the endorsement being issued, and shall not be renewed.

1           Persons holding a transitional bilingual educator  
2 endorsement shall not be employed to replace any  
3 presently employed teacher who otherwise would not be  
4 replaced for any reason.

5           (H) Language endorsement. In an effort to  
6 alleviate the shortage of teachers speaking a language  
7 other than English in the public schools, an individual  
8 who holds an Educator License with Stipulations may  
9 also apply for a language endorsement, provided that  
10 the applicant provides satisfactory evidence that he  
11 or she meets all of the following requirements:

12                   (i) Holds a transitional bilingual  
13 endorsement.

14                   (ii) Has demonstrated proficiency in the  
15 language for which the endorsement is to be issued  
16 by passing the applicable language content test  
17 required by the State Board of Education.

18                   (iii) Holds a bachelor's degree or higher from  
19 a regionally accredited institution of higher  
20 education or, for individuals educated in a  
21 country other than the United States, holds a  
22 degree from an institution of higher learning in a  
23 foreign country that the State Educator  
24 Preparation and Licensure Board determines to be  
25 the equivalent of a bachelor's degree from a  
26 regionally accredited institution of higher

1 learning in the United States.

2 (iv) (Blank).

3 A language endorsement on an Educator License with  
4 Stipulations is valid for prekindergarten through  
5 grade 12 for the same validity period as the  
6 individual's transitional bilingual educator  
7 endorsement on the Educator License with Stipulations  
8 and shall not be renewed.

9 (I) Visiting international educator. A visiting  
10 international educator endorsement on an Educator  
11 License with Stipulations may be issued to an  
12 individual who is being recruited by a particular  
13 school district that conducts formal recruitment  
14 programs outside of the United States to secure the  
15 services of qualified teachers and who meets all of the  
16 following requirements:

17 (i) Holds the equivalent of a minimum of a  
18 bachelor's degree issued in the United States.

19 (ii) Has been prepared as a teacher at the  
20 grade level for which he or she will be employed.

21 (iii) Has adequate content knowledge in the  
22 subject to be taught.

23 (iv) Has an adequate command of the English  
24 language.

25 A holder of a visiting international educator  
26 endorsement on an Educator License with Stipulations

1 shall be permitted to teach in bilingual education  
2 programs in the language that was the medium of  
3 instruction in his or her teacher preparation program,  
4 provided that he or she passes the English Language  
5 Proficiency Examination or another test of writing  
6 skills in English identified by the State Board of  
7 Education, in consultation with the State Educator  
8 Preparation and Licensure Board.

9 A visiting international educator endorsement on  
10 an Educator License with Stipulations is valid for 5 ~~3~~  
11 years and shall not be renewed.

12 (J) Paraprofessional educator. A paraprofessional  
13 educator endorsement on an Educator License with  
14 Stipulations may be issued to an applicant who holds a  
15 high school diploma or its recognized equivalent and  
16 either holds an associate's degree or a minimum of 60  
17 semester hours of credit from a regionally accredited  
18 institution of higher education or has passed a  
19 paraprofessional competency test under subsection  
20 (c-5) of Section 21B-30. The paraprofessional educator  
21 endorsement is valid until June 30 immediately  
22 following 5 years of the endorsement being issued and  
23 may be renewed through application and payment of the  
24 appropriate fee, as required under Section 21B-40 of  
25 this Code. An individual who holds only a  
26 paraprofessional educator endorsement is not subject

1 to additional requirements in order to renew the  
2 endorsement.

3 (K) Chief school business official. A chief school  
4 business official endorsement on an Educator License  
5 with Stipulations may be issued to an applicant who  
6 qualifies by having a master's degree or higher, 2  
7 years of full-time administrative experience in school  
8 business management or 2 years of university-approved  
9 practical experience, and a minimum of 24 semester  
10 hours of graduate credit in a program approved by the  
11 State Board of Education for the preparation of school  
12 business administrators and by passage of the  
13 applicable State tests, including an applicable  
14 content area test.

15 The chief school business official endorsement may  
16 also be affixed to the Educator License with  
17 Stipulations of any holder who qualifies by having a  
18 master's degree in business administration, finance,  
19 accounting, or public administration and who completes  
20 an additional 6 semester hours of internship in school  
21 business management from a regionally accredited  
22 institution of higher education and passes the  
23 applicable State tests, including an applicable  
24 content area test. This endorsement shall be required  
25 for any individual employed as a chief school business  
26 official.



1           The chief school business official endorsement on  
2           an Educator License with Stipulations is valid until  
3           June 30 immediately following 5 years of the  
4           endorsement being issued and may be renewed if the  
5           license holder completes renewal requirements as  
6           required for individuals who hold a Professional  
7           Educator License endorsed for chief school business  
8           official under Section 21B-45 of this Code and such  
9           rules as may be adopted by the State Board of  
10          Education.

11          The State Board of Education shall adopt any rules  
12          necessary to implement Public Act 100-288.

13          (L) Provisional in-state educator. A provisional  
14          in-state educator endorsement on an Educator License  
15          with Stipulations may be issued to a candidate who has  
16          completed an Illinois-approved educator preparation  
17          program at an Illinois institution of higher education  
18          and who has not successfully completed an  
19          evidence-based assessment of teacher effectiveness but  
20          who meets all of the following requirements:

21                 (i) Holds at least a bachelor's degree.

22                 (ii) Has completed an approved educator  
23                 preparation program at an Illinois institution.

24                 (iii) Has passed an applicable content area  
25                 test, as required by Section 21B-30 of this Code.

26                 (iv) Has attempted an evidence-based

1 assessment of teacher effectiveness and received a  
2 minimum score on that assessment, as established  
3 by the State Board of Education in consultation  
4 with the State Educator Preparation and Licensure  
5 Board.

6 A provisional in-state educator endorsement on an  
7 Educator License with Stipulations is valid for one  
8 full fiscal year after the date of issuance and may not  
9 be renewed.

10 (M) (Blank). ~~School support personnel intern. A~~  
11 ~~school support personnel intern endorsement on an~~  
12 ~~Educator License with Stipulations may be issued as~~  
13 ~~specified by rule.~~

14 (N) Specialized services ~~Special education area~~. A  
15 specialized services ~~special education area~~  
16 endorsement on an Educator License with Stipulations  
17 may be issued as defined and specified by rule.

18 (3) Substitute Teaching License. A Substitute Teaching  
19 License may be issued to qualified applicants for  
20 substitute teaching in all grades of the public schools,  
21 prekindergarten through grade 12. Substitute Teaching  
22 Licenses are not eligible for endorsements. Applicants for  
23 a Substitute Teaching License must hold a bachelor's degree  
24 or higher from a regionally accredited institution of  
25 higher education.

26 Substitute Teaching Licenses are valid for 5 years.

1           Substitute Teaching Licenses are valid for substitute  
2           teaching in every county of this State. If an individual  
3           has had his or her Professional Educator License or  
4           Educator License with Stipulations suspended or revoked,  
5           then that individual is not eligible to obtain a Substitute  
6           Teaching License.

7           A substitute teacher may only teach in the place of a  
8           licensed teacher who is under contract with the employing  
9           board. If, however, there is no licensed teacher under  
10          contract because of an emergency situation, then a district  
11          may employ a substitute teacher for no longer than 30  
12          calendar days per each vacant position in the district if  
13          the district notifies the appropriate regional office of  
14          education within 5 business days after the employment of  
15          the substitute teacher in the emergency situation. An  
16          emergency situation is one in which an unforeseen vacancy  
17          has occurred and (i) a teacher is unable to fulfill his or  
18          her contractual duties or (ii) teacher capacity needs of  
19          the district exceed previous indications, and the district  
20          is actively engaged in advertising to hire a fully licensed  
21          teacher for the vacant position.

22          There is no limit on the number of days that a  
23          substitute teacher may teach in a single school district,  
24          provided that no substitute teacher may teach for longer  
25          than 90 school days for any one licensed teacher under  
26          contract in the same school year. A substitute teacher who

1 holds a Professional Educator License or Educator License  
2 with Stipulations shall not teach for more than 120 school  
3 days for any one licensed teacher under contract in the  
4 same school year. The limitations in this paragraph (3) on  
5 the number of days a substitute teacher may be employed do  
6 not apply to any school district operating under Article 34  
7 of this Code.

8 A school district may not require an individual who  
9 holds a valid Professional Educator License or Educator  
10 License with Stipulations to seek or hold a Substitute  
11 Teaching License to teach as a substitute teacher.

12 (4) Short-Term Substitute Teaching License. Beginning  
13 on July 1, 2018 and until June 30, 2023, the State Board of  
14 Education may issue a Short-Term Substitute Teaching  
15 License. A Short-Term Substitute Teaching License may be  
16 issued to a qualified applicant for substitute teaching in  
17 all grades of the public schools, prekindergarten through  
18 grade 12. Short-Term Substitute Teaching Licenses are not  
19 eligible for endorsements. Applicants for a Short-Term  
20 Substitute Teaching License must hold an associate's  
21 degree or have completed at least 60 credit hours from a  
22 regionally accredited institution of higher education.

23 Short-Term Substitute Teaching Licenses are valid for  
24 substitute teaching in every county of this State. If an  
25 individual has had his or her Professional Educator License  
26 or Educator License with Stipulations suspended or

1           revoked, then that individual is not eligible to obtain a  
2           Short-Term Substitute Teaching License.

3           The provisions of Sections 10-21.9 and 34-18.5 of this  
4           Code apply to short-term substitute teachers.

5           An individual holding a Short-Term Substitute Teaching  
6           License may teach no more than 5 consecutive days per  
7           licensed teacher who is under contract. For teacher  
8           absences lasting 6 or more days per licensed teacher who is  
9           under contract, a school district may not hire an  
10          individual holding a Short-Term Substitute Teaching  
11          License. An individual holding a Short-Term Substitute  
12          Teaching License must complete the training program under  
13          Section 10-20.67 or 34-18.60 of this Code to be eligible to  
14          teach at a public school. This paragraph (4) is inoperative  
15          on and after July 1, 2023.

16          (Source: P.A. 100-8, eff. 7-1-17; 100-13, eff. 7-1-17; 100-288,  
17          eff. 8-24-17; 100-596, eff. 7-1-18; 100-821, eff. 9-3-18;  
18          100-863, eff. 8-14-18; 101-81, eff. 7-12-19; 101-220, eff.  
19          8-7-19; 101-594, eff. 12-5-19.)

20           (105 ILCS 5/21B-35)

21           Sec. 21B-35. Minimum requirements for educators trained in  
22           other states or countries.

23           (a) Any applicant who has not been entitled by an  
24           Illinois-approved educator preparation program at an Illinois  
25           institution of higher education applying for a Professional

1 Educator License endorsed in a teaching field or school support  
2 personnel area must meet the following requirements:

3 (1) the applicant must:

4 (A) hold a comparable and valid educator license or  
5 certificate, as defined by rule, with similar grade  
6 level and content area credentials from another state,  
7 with the State Board of Education having the authority  
8 to determine what constitutes similar grade level and  
9 content area credentials from another state; ~~and~~

10 (B) have a bachelor's degree from a regionally  
11 accredited institution of higher education; and ~~or~~

12 (C) have demonstrated proficiency in the English  
13 language by either passing the English language  
14 proficiency test required by the State Board of  
15 Education or providing evidence of completing a  
16 postsecondary degree at an institution in which the  
17 mode of instruction was English; or

18 (2) the applicant must:

19 (A) have completed a state-approved program for  
20 the licensure area sought, including coursework  
21 concerning methods of instruction of the exceptional  
22 child, methods of reading and reading in the content  
23 area, and instructional strategies for English  
24 learners;

25 (B) have a bachelor's degree from a regionally  
26 accredited institution of higher education;

1 (C) have successfully met all Illinois examination  
2 requirements, except that:

3 (i) (blank);

4 (ii) an applicant who has successfully  
5 completed a test of content, as defined by rules,  
6 at the time of initial licensure in another state  
7 is not required to complete a test of content; and

8 (iii) an applicant for a teaching endorsement  
9 who has successfully completed an evidence-based  
10 assessment of teacher effectiveness, as defined by  
11 rules, at the time of initial licensure in another  
12 state is not required to complete an  
13 evidence-based assessment of teacher  
14 effectiveness; and

15 (D) for an applicant for a teaching endorsement,  
16 have completed student teaching or an equivalent  
17 experience or, for an applicant for a school service  
18 personnel endorsement, have completed an internship or  
19 an equivalent experience.

20 (b) In order to receive a Professional Educator License  
21 endorsed in a teaching field or school support personnel area,  
22 applicants trained in another country must meet all of the  
23 following requirements:

24 (1) Have completed a comparable education program in  
25 another country.

26 (2) Have had transcripts evaluated by an evaluation

1 service approved by the State Superintendent of Education.

2 (3) Have a degree comparable to a degree from a  
3 regionally accredited institution of higher education.

4 (4) Have completed coursework aligned to standards  
5 concerning methods of instruction of the exceptional  
6 child, methods of reading and reading in the content area,  
7 and instructional strategies for English learners.

8 (5) (Blank).

9 (6) (Blank).

10 (7) Have successfully met all State licensure  
11 examination requirements. Applicants who have successfully  
12 completed a test of content, as defined by rules, at the  
13 time of initial licensure in another country shall not be  
14 required to complete a test of content. Applicants for a  
15 teaching endorsement who have successfully completed an  
16 evidence-based assessment of teacher effectiveness, as  
17 defined by rules, at the time of initial licensure in  
18 another country shall not be required to complete an  
19 evidence-based assessment of teacher effectiveness.

20 (8) Have completed student teaching or an equivalent  
21 experience.

22 (9) Have demonstrated proficiency in the English  
23 language by either passing the English language  
24 proficiency test required by the State Board of Education  
25 or providing evidence of completing a postsecondary degree  
26 at an institution in which the mode of instruction was



1       English.

2       (b-5) All applicants who have not been entitled by an  
3 Illinois-approved educator preparation program at an Illinois  
4 institution of higher education and applicants trained in  
5 another country applying for a Professional Educator License  
6 endorsed for principal or superintendent must hold a master's  
7 degree from a regionally accredited institution of higher  
8 education, pass the English language proficiency test required  
9 by the State Board of Education, and ~~must~~ hold a comparable and  
10 valid educator license or certificate with similar grade level  
11 and subject matter credentials, with the State Board of  
12 Education having the authority to determine what constitutes  
13 similar grade level and subject matter credentials from another  
14 state, or must meet all of the following requirements:

15           (1) Have completed an educator preparation program  
16 approved by another state or comparable educator program in  
17 another country leading to the receipt of a license or  
18 certificate for the Illinois endorsement sought.

19           (2) Have successfully met all State licensure  
20 examination requirements, as required by Section 21B-30 of  
21 this Code. Applicants who have successfully completed a  
22 test of content, as defined by rules, at the time of  
23 initial licensure in another state or country shall not be  
24 required to complete a test of content.

25           (2.5) Have completed an internship, as defined by rule.

26           (3) (Blank).

1           (4) Have completed coursework aligned to standards  
2 concerning methods of instruction of the exceptional  
3 child, methods of reading and reading in the content area,  
4 and instructional strategies for English learners.

5           (4.5) Have demonstrated proficiency in the English  
6 language by either passing the English language  
7 proficiency test required by the State Board of Education  
8 or providing evidence of completing a postsecondary degree  
9 at an institution in which the mode of instruction was  
10 English.

11           (5) Have completed a master's degree.

12           (6) Have successfully completed teaching, school  
13 support, or administrative experience as defined by rule.

14           (b-7) All applicants who have not been entitled by an  
15 Illinois-approved educator preparation program at an Illinois  
16 institution of higher education applying for a Professional  
17 Educator License endorsed for Director of Special Education  
18 must hold a master's degree from a regionally accredited  
19 institution of higher education and must hold a comparable and  
20 valid educator license or certificate with similar grade level  
21 and subject matter credentials, with the State Board of  
22 Education having the authority to determine what constitutes  
23 similar grade level and subject matter credentials from another  
24 state, or must meet all of the following requirements:

25           (1) Have completed a master's degree.

26           (2) Have 2 years of full-time experience providing

1 special education services.

2 (3) Have successfully completed all examination  
3 requirements, as required by Section 21B-30 of this Code.  
4 Applicants who have successfully completed a test of  
5 content, as identified by rules, at the time of initial  
6 licensure in another state or country shall not be required  
7 to complete a test of content.

8 (4) Have completed coursework aligned to standards  
9 concerning methods of instruction of the exceptional  
10 child, methods of reading and reading in the content area,  
11 and instructional strategies for English learners.

12 (b-10) All applicants who have not been entitled by an  
13 Illinois-approved educator preparation program at an Illinois  
14 institution of higher education applying for a Professional  
15 Educator License endorsed for chief school business official  
16 must hold a master's degree from a regionally accredited  
17 institution of higher education and must hold a comparable and  
18 valid educator license or certificate with similar grade level  
19 and subject matter credentials, with the State Board of  
20 Education having the authority to determine what constitutes  
21 similar grade level and subject matter credentials from another  
22 state, or must meet all of the following requirements:

23 (1) Have completed a master's degree in school business  
24 management, finance, or accounting.

25 (2) Have successfully completed an internship in  
26 school business management or have 2 years of experience as

1 a school business administrator.

2 (3) Have successfully met all State examination  
3 requirements, as required by Section 21B-30 of this Code.  
4 Applicants who have successfully completed a test of  
5 content, as identified by rules, at the time of initial  
6 licensure in another state or country shall not be required  
7 to complete a test of content.

8 (4) Have completed modules aligned to standards  
9 concerning methods of instruction of the exceptional  
10 child, methods of reading and reading in the content area,  
11 and instructional strategies for English learners.

12 (c) The State Board of Education, in consultation with the  
13 State Educator Preparation and Licensure Board, may adopt such  
14 rules as may be necessary to implement this Section.

15 (Source: P.A. 100-13, eff. 7-1-17; 100-584, eff. 4-6-18;  
16 100-596, eff. 7-1-18; 101-220, eff. 8-7-19.)

17 (105 ILCS 5/21B-45)

18 Sec. 21B-45. Professional Educator License renewal.

19 (a) Individuals holding a Professional Educator License  
20 are required to complete the licensure renewal requirements as  
21 specified in this Section, unless otherwise provided in this  
22 Code.

23 Individuals holding a Professional Educator License shall  
24 meet the renewal requirements set forth in this Section, unless  
25 otherwise provided in this Code. If an individual holds a

1 license endorsed in more than one area that has different  
2 renewal requirements, that individual shall follow the renewal  
3 requirements for the position for which he or she spends the  
4 majority of his or her time working.

5 (b) All Professional Educator Licenses not renewed as  
6 provided in this Section shall lapse on September 1 of that  
7 year. Notwithstanding any other provisions of this Section, if  
8 a license holder's electronic mail address is available, the  
9 State Board of Education shall send him or her notification  
10 electronically that his or her license will lapse if not  
11 renewed, to be sent no more than 6 months prior to the license  
12 lapsing. Lapsed licenses may be immediately reinstated upon (i)  
13 payment by the applicant of a \$500 penalty to the State Board  
14 of Education or (ii) the demonstration of proficiency by  
15 completing 9 semester hours of coursework from a regionally  
16 accredited institution of higher education in the content area  
17 that most aligns with one or more of the educator's endorsement  
18 areas. Any and all back fees, including without limitation  
19 registration fees owed from the time of expiration of the  
20 license until the date of reinstatement, shall be paid and kept  
21 in accordance with the provisions in Article 3 of this Code  
22 concerning an institute fund and the provisions in Article 21B  
23 of this Code concerning fees and requirements for registration.  
24 Licenses not registered in accordance with Section 21B-40 of  
25 this Code shall lapse after a period of 6 months from the  
26 expiration of the last year of registration or on January 1 of

1 the fiscal year following initial issuance of the license. An  
2 unregistered license is invalid after September 1 for  
3 employment and performance of services in an Illinois public or  
4 State-operated school or cooperative and in a charter school.  
5 Any license or endorsement may be voluntarily surrendered by  
6 the license holder. A voluntarily surrendered license shall be  
7 treated as a revoked license. An Educator License with  
8 Stipulations with only a paraprofessional endorsement does not  
9 lapse.

10 (c) From July 1, 2013 through June 30, 2014, in order to  
11 satisfy the requirements for licensure renewal provided for in  
12 this Section, each professional educator licensee with an  
13 administrative endorsement who is working in a position  
14 requiring such endorsement shall complete one Illinois  
15 Administrators' Academy course, as described in Article 2 of  
16 this Code, per fiscal year.

17 (c-5) All licenses issued by the State Board of Education  
18 under this Article that expire on June 30, 2020 and have not  
19 been renewed by the end of the 2020 renewal period shall be  
20 extended for one year and shall expire on June 30, 2021.

21 (d) Beginning July 1, 2014, in order to satisfy the  
22 requirements for licensure renewal provided for in this  
23 Section, each professional educator licensee may create a  
24 professional development plan each year. The plan shall address  
25 one or more of the endorsements that are required of his or her  
26 educator position if the licensee is employed and performing

1 services in an Illinois public or State-operated school or  
2 cooperative. If the licensee is employed in a charter school,  
3 the plan shall address that endorsement or those endorsements  
4 most closely related to his or her educator position. Licensees  
5 employed and performing services in any other Illinois schools  
6 may participate in the renewal requirements by adhering to the  
7 same process.

8 Except as otherwise provided in this Section, the  
9 licensee's professional development activities shall align  
10 with one or more of the following criteria:

11 (1) activities are of a type that engage participants  
12 over a sustained period of time allowing for analysis,  
13 discovery, and application as they relate to student  
14 learning, social or emotional achievement, or well-being;

15 (2) professional development aligns to the licensee's  
16 performance;

17 (3) outcomes for the activities must relate to student  
18 growth or district improvement;

19 (4) activities align to State-approved standards; and

20 (5) higher education coursework.

21 (e) For each renewal cycle, each professional educator  
22 licensee shall engage in professional development activities.  
23 Prior to renewal, the licensee shall enter electronically into  
24 the Educator Licensure Information System (ELIS) the name,  
25 date, and location of the activity, the number of professional  
26 development hours, and the provider's name. The following

1 provisions shall apply concerning professional development  
2 activities:

3 (1) Each licensee shall complete a total of 120 hours  
4 of professional development per 5-year renewal cycle in  
5 order to renew the license, except as otherwise provided in  
6 this Section.

7 (2) Beginning with his or her first full 5-year cycle,  
8 any licensee with an administrative endorsement who is not  
9 working in a position requiring such endorsement is not  
10 required to complete Illinois Administrators' Academy  
11 courses, as described in Article 2 of this Code. Such  
12 licensees must complete one Illinois Administrators'  
13 Academy course within one year after returning to a  
14 position that requires the administrative endorsement.

15 (3) Any licensee with an administrative endorsement  
16 who is working in a position requiring such endorsement or  
17 an individual with a Teacher Leader endorsement serving in  
18 an administrative capacity at least 50% of the day shall  
19 complete one Illinois Administrators' Academy course, as  
20 described in Article 2 of this Code, each fiscal year in  
21 addition to 100 hours of professional development per  
22 5-year renewal cycle in accordance with this Code.

23 (4) Any licensee holding a current National Board for  
24 Professional Teaching Standards (NBPTS) master teacher  
25 designation shall complete a total of 60 hours of  
26 professional development per 5-year renewal cycle in order



1 to renew the license.

2 (5) Licensees working in a position that does not  
3 require educator licensure or working in a position for  
4 less than 50% for any particular year are considered to be  
5 exempt and shall be required to pay only the registration  
6 fee in order to renew and maintain the validity of the  
7 license.

8 (6) Licensees who are retired and qualify for benefits  
9 from a State of Illinois retirement system shall notify the  
10 State Board of Education using ELIS, and the license shall  
11 be maintained in retired status. For any renewal cycle in  
12 which a licensee retires during the renewal cycle, the  
13 licensee must complete professional development activities  
14 on a prorated basis depending on the number of years during  
15 the renewal cycle the educator held an active license. If a  
16 licensee retires during a renewal cycle, the licensee must  
17 notify the State Board of Education using ELIS that the  
18 licensee wishes to maintain the license in retired status  
19 and must show proof of completion of professional  
20 development activities on a prorated basis for all years of  
21 that renewal cycle for which the license was active. An  
22 individual with a license in retired status shall not be  
23 required to complete professional development activities  
24 or pay registration fees until returning to a position that  
25 requires educator licensure. Upon returning to work in a  
26 position that requires the Professional Educator License,

1 the licensee shall immediately pay a registration fee and  
2 complete renewal requirements for that year. A license in  
3 retired status cannot lapse. Beginning on January 6, 2017  
4 (the effective date of Public Act 99-920) through December  
5 31, 2017, any licensee who has retired and whose license  
6 has lapsed for failure to renew as provided in this Section  
7 may reinstate that license and maintain it in retired  
8 status upon providing proof to the State Board of Education  
9 using ELIS that the licensee is retired and is not working  
10 in a position that requires a Professional Educator  
11 License.

12 (7) For any renewal cycle in which professional  
13 development hours were required, but not fulfilled, the  
14 licensee shall complete any missed hours to total the  
15 minimum professional development hours required in this  
16 Section prior to September 1 of that year. Professional  
17 development hours used to fulfill the minimum required  
18 hours for a renewal cycle may be used for only one renewal  
19 cycle. For any fiscal year or renewal cycle in which an  
20 Illinois Administrators' Academy course was required but  
21 not completed, the licensee shall complete any missed  
22 Illinois Administrators' Academy courses prior to  
23 September 1 of that year. The licensee may complete all  
24 deficient hours and Illinois Administrators' Academy  
25 courses while continuing to work in a position that  
26 requires that license until September 1 of that year.

1           (8) Any licensee who has not fulfilled the professional  
2 development renewal requirements set forth in this Section  
3 at the end of any 5-year renewal cycle is ineligible to  
4 register his or her license and may submit an appeal to the  
5 State Superintendent of Education for reinstatement of the  
6 license.

7           (9) If professional development opportunities were  
8 unavailable to a licensee, proof that opportunities were  
9 unavailable and request for an extension of time beyond  
10 August 31 to complete the renewal requirements may be  
11 submitted from April 1 through June 30 of that year to the  
12 State Educator Preparation and Licensure Board. If an  
13 extension is approved, the license shall remain valid  
14 during the extension period.

15           (10) Individuals who hold exempt licenses prior to  
16 December 27, 2013 (the effective date of Public Act 98-610)  
17 shall commence the annual renewal process with the first  
18 scheduled registration due after December 27, 2013 (the  
19 effective date of Public Act 98-610).

20           (11) Notwithstanding any other provision of this  
21 subsection (e), if a licensee earns more than the required  
22 number of professional development hours during a renewal  
23 cycle, then the licensee may carry over any hours earned  
24 from April 1 through June 30 of the last year of the  
25 renewal cycle. Any hours carried over in this manner must  
26 be applied to the next renewal cycle. Illinois

1 Administrators' Academy courses or hours earned in those  
2 courses may not be carried over.

3 (f) At the time of renewal, each licensee shall respond to  
4 the required questions under penalty of perjury.

5 (f-5) The State Board of Education shall conduct random  
6 audits of licensees to verify a licensee's fulfillment of the  
7 professional development hours required under this Section.  
8 Upon completion of a random audit, if it is determined by the  
9 State Board of Education that the licensee did not complete the  
10 required number of professional development hours or did not  
11 provide sufficient proof of completion, the licensee shall be  
12 notified that his or her license has lapsed. A license that has  
13 lapsed under this subsection may be reinstated as provided in  
14 subsection (b).

15 (g) The following entities shall be designated as approved  
16 to provide professional development activities for the renewal  
17 of Professional Educator Licenses:

18 (1) The State Board of Education.

19 (2) Regional offices of education and intermediate  
20 service centers.

21 (3) Illinois professional associations representing  
22 the following groups that are approved by the State  
23 Superintendent of Education:

24 (A) school administrators;

25 (B) principals;

26 (C) school business officials;

1 (D) teachers, including special education  
2 teachers;

3 (E) school boards;

4 (F) school districts;

5 (G) parents; and

6 (H) school service personnel.

7 (4) Regionally accredited institutions of higher  
8 education that offer Illinois-approved educator  
9 preparation programs and public community colleges subject  
10 to the Public Community College Act.

11 (5) Illinois public school districts, charter schools  
12 authorized under Article 27A of this Code, and joint  
13 educational programs authorized under Article 10 of this  
14 Code for the purposes of providing career and technical  
15 education or special education services.

16 (6) A not-for-profit organization that, as of December  
17 31, 2014 (the effective date of Public Act 98-1147), has  
18 had or has a grant from or a contract with the State Board  
19 of Education to provide professional development services  
20 in the area of English Learning to Illinois school  
21 districts, teachers, or administrators.

22 (7) State agencies, State boards, and State  
23 commissions.

24 (8) Museums as defined in Section 10 of the Museum  
25 Disposition of Property Act.

26 (h) Approved providers under subsection (g) of this Section

1 shall make available professional development opportunities  
2 that satisfy at least one of the following:

3 (1) increase the knowledge and skills of school and  
4 district leaders who guide continuous professional  
5 development;

6 (2) improve the learning of students;

7 (3) organize adults into learning communities whose  
8 goals are aligned with those of the school and district;

9 (4) deepen educator's content knowledge;

10 (5) provide educators with research-based  
11 instructional strategies to assist students in meeting  
12 rigorous academic standards;

13 (6) prepare educators to appropriately use various  
14 types of classroom assessments;

15 (7) use learning strategies appropriate to the  
16 intended goals;

17 (8) provide educators with the knowledge and skills to  
18 collaborate;

19 (9) prepare educators to apply research to decision  
20 making ~~decision-making~~; or

21 (10) provide educators with training on inclusive  
22 practices in the classroom that examines instructional and  
23 behavioral strategies that improve academic and  
24 social-emotional outcomes for all students, with or  
25 without disabilities, in a general education setting.

26 (i) Approved providers under subsection (g) of this Section

1 shall do the following:

2 (1) align professional development activities to the  
3 State-approved national standards for professional  
4 learning;

5 (2) meet the professional development criteria for  
6 Illinois licensure renewal;

7 (3) produce a rationale for the activity that explains  
8 how it aligns to State standards and identify the  
9 assessment for determining the expected impact on student  
10 learning or school improvement;

11 (4) maintain original documentation for completion of  
12 activities;

13 (5) provide license holders with evidence of  
14 completion of activities;

15 (6) request an Illinois Educator Identification Number  
16 (IEIN) for each educator during each professional  
17 development activity; and

18 (7) beginning on July 1, 2019, register annually with  
19 the State Board of Education prior to offering any  
20 professional development opportunities in the current  
21 fiscal year.

22 (j) The State Board of Education shall conduct annual  
23 audits of a subset of approved providers, except for school  
24 districts, which shall be audited by regional offices of  
25 education and intermediate service centers. The State Board of  
26 Education shall ensure that each approved provider, except for

1 a school district, is audited at least once every 5 years. The  
2 State Board of Education may conduct more frequent audits of  
3 providers if evidence suggests the requirements of this Section  
4 or administrative rules are not being met.

5 (1) (Blank).

6 (2) Approved providers shall comply with the  
7 requirements in subsections (h) and (i) of this Section by  
8 annually submitting data to the State Board of Education  
9 demonstrating how the professional development activities  
10 impacted one or more of the following:

11 (A) educator and student growth in regards to  
12 content knowledge or skills, or both;

13 (B) educator and student social and emotional  
14 growth; or

15 (C) alignment to district or school improvement  
16 plans.

17 (3) The State Superintendent of Education shall review  
18 the annual data collected by the State Board of Education,  
19 regional offices of education, and intermediate service  
20 centers in audits to determine if the approved provider has  
21 met the criteria and should continue to be an approved  
22 provider or if further action should be taken as provided  
23 in rules.

24 (k) Registration fees shall be paid for the next renewal  
25 cycle between April 1 and June 30 in the last year of each  
26 5-year renewal cycle using ELIS. If all required professional



1 development hours for the renewal cycle have been completed and  
2 entered by the licensee, the licensee shall pay the  
3 registration fees for the next cycle using a form of credit or  
4 debit card.

5 (1) Any professional educator licensee endorsed for school  
6 support personnel who is employed and performing services in  
7 Illinois public schools and who holds an active and current  
8 professional license issued by the Department of Financial and  
9 Professional Regulation or a national certification board, as  
10 approved by the State Board of Education, related to the  
11 endorsement areas on the Professional Educator License shall be  
12 deemed to have satisfied the continuing professional  
13 development requirements provided for in this Section. Such  
14 individuals shall be required to pay only registration fees to  
15 renew the Professional Educator License. An individual who does  
16 not hold a license issued by the Department of Financial and  
17 Professional Regulation shall complete professional  
18 development requirements for the renewal of a Professional  
19 Educator License provided for in this Section.

20 (m) Appeals to the State Educator Preparation and Licensure  
21 Board must be made within 30 days after receipt of notice from  
22 the State Superintendent of Education that a license will not  
23 be renewed based upon failure to complete the requirements of  
24 this Section. A licensee may appeal that decision to the State  
25 Educator Preparation and Licensure Board in a manner prescribed  
26 by rule.

1           (1) Each appeal shall state the reasons why the State  
2 Superintendent's decision should be reversed and shall be  
3 sent by certified mail, return receipt requested, to the  
4 State Board of Education.

5           (2) The State Educator Preparation and Licensure Board  
6 shall review each appeal regarding renewal of a license  
7 within 90 days after receiving the appeal in order to  
8 determine whether the licensee has met the requirements of  
9 this Section. The State Educator Preparation and Licensure  
10 Board may hold an appeal hearing or may make its  
11 determination based upon the record of review, which shall  
12 consist of the following:

13           (A) the regional superintendent of education's  
14 rationale for recommending nonrenewal of the license,  
15 if applicable;

16           (B) any evidence submitted to the State  
17 Superintendent along with the individual's electronic  
18 statement of assurance for renewal; and

19           (C) the State Superintendent's rationale for  
20 nonrenewal of the license.

21           (3) The State Educator Preparation and Licensure Board  
22 shall notify the licensee of its decision regarding license  
23 renewal by certified mail, return receipt requested, no  
24 later than 30 days after reaching a decision. Upon receipt  
25 of notification of renewal, the licensee, using ELIS, shall  
26 pay the applicable registration fee for the next cycle

1 using a form of credit or debit card.

2 (n) The State Board of Education may adopt rules as may be  
3 necessary to implement this Section.

4 (Source: P.A. 100-13, eff. 7-1-17; 100-339, eff. 8-25-17;  
5 100-596, eff. 7-1-18; 100-863, eff. 8-14-18; 101-85, eff.  
6 1-1-20; 101-531, eff. 8-23-19; revised 9-19-19.)

7 (105 ILCS 5/21B-50)

8 Sec. 21B-50. Alternative Educator Licensure Program.

9 (a) There is established an alternative educator licensure  
10 program, to be known as the Alternative Educator Licensure  
11 Program for Teachers.

12 (b) The Alternative Educator Licensure Program for  
13 Teachers may be offered by a recognized institution approved to  
14 offer educator preparation programs by the State Board of  
15 Education, in consultation with the State Educator Preparation  
16 and Licensure Board.

17 The program shall be comprised of 4 phases:

18 (1) A course of study that at a minimum includes  
19 instructional planning; instructional strategies,  
20 including special education, reading, and English language  
21 learning; classroom management; and the assessment of  
22 students and use of data to drive instruction.

23 (2) A year of residency, which is a candidate's  
24 assignment to a full-time teaching position or as a  
25 co-teacher for one full school year. An individual must

1 hold an Educator License with Stipulations with an  
2 alternative provisional educator endorsement in order to  
3 enter the residency and must complete additional program  
4 requirements that address required State and national  
5 standards, pass the State Board's teacher performance  
6 assessment no later than the end of the first semester of  
7 the second year of residency ~~before entering the second~~  
8 ~~residency year~~, as required under phase (3) of this  
9 subsection (b), and be recommended by the principal or  
10 qualified equivalent of a principal, as required under  
11 subsection (d) of this Section, and the program coordinator  
12 to continue with the second year of the residency.

13 (3) A second year of residency, which shall include the  
14 candidate's assignment to a full-time teaching position  
15 for one school year. The candidate must be assigned an  
16 experienced teacher to act as a mentor and coach the  
17 candidate through the second year of residency.

18 (4) A comprehensive assessment of the candidate's  
19 teaching effectiveness, as evaluated by the principal or  
20 qualified equivalent of a principal, as required under  
21 subsection (d) of this Section, and the program  
22 coordinator, at the end of the second year of residency. If  
23 there is disagreement between the 2 evaluators about the  
24 candidate's teaching effectiveness, the candidate may  
25 complete one additional year of residency teaching under a  
26 professional development plan developed by the principal

1 or qualified equivalent and the preparation program. At the  
2 completion of the third year, a candidate must have  
3 positive evaluations and a recommendation for full  
4 licensure from both the principal or qualified equivalent  
5 and the program coordinator or no Professional Educator  
6 License shall be issued.

7 Successful completion of the program shall be deemed to  
8 satisfy any other practice or student teaching and content  
9 matter requirements established by law.

10 (c) An alternative provisional educator endorsement on an  
11 Educator License with Stipulations is valid for 2 years of  
12 teaching in the public schools, including without limitation a  
13 preschool educational program under Section 2-3.71 of this Code  
14 or charter school, or in a State-recognized nonpublic school in  
15 which the chief administrator is required to have the licensure  
16 necessary to be a principal in a public school in this State  
17 and in which a majority of the teachers are required to have  
18 the licensure necessary to be instructors in a public school in  
19 this State, but may be renewed for a third year if needed to  
20 complete the Alternative Educator Licensure Program for  
21 Teachers. The endorsement shall be issued only once to an  
22 individual who meets all of the following requirements:

23 (1) Has graduated from a regionally accredited college  
24 or university with a bachelor's degree or higher.

25 (2) Has a cumulative grade point average of 3.0 or  
26 greater on a 4.0 scale or its equivalent on another scale.

1           (3) Has completed a major in the content area if  
2           seeking a middle or secondary level endorsement or, if  
3           seeking an early childhood, elementary, or special  
4           education endorsement, has completed a major in the content  
5           area of reading, English/language arts, mathematics, or  
6           one of the sciences. If the individual does not have a  
7           major in a content area for any level of teaching, he or  
8           she must submit transcripts to the State Board of Education  
9           to be reviewed for equivalency.

10           (4) Has successfully completed phase (1) of subsection  
11           (b) of this Section.

12           (5) Has passed a content area test required for the  
13           specific endorsement for admission into the program, as  
14           required under Section 21B-30 of this Code.

15           A candidate possessing the alternative provisional  
16           educator endorsement may receive a salary, benefits, and any  
17           other terms of employment offered to teachers in the school who  
18           are members of an exclusive bargaining representative, if any,  
19           but a school is not required to provide these benefits during  
20           the years of residency if the candidate is serving only as a  
21           co-teacher. If the candidate is serving as the teacher of  
22           record, the candidate must receive a salary, benefits, and any  
23           other terms of employment. Residency experiences must not be  
24           counted towards tenure.

25           (d) The recognized institution offering the Alternative  
26           Educator Licensure Program for Teachers must partner with a

1 school district, including without limitation a preschool  
2 educational program under Section 2-3.71 of this Code or  
3 charter school, or a State-recognized, nonpublic school in this  
4 State in which the chief administrator is required to have the  
5 licensure necessary to be a principal in a public school in  
6 this State and in which a majority of the teachers are required  
7 to have the licensure necessary to be instructors in a public  
8 school in this State. A recognized institution that partners  
9 with a public school district administering a preschool  
10 educational program under Section 2-3.71 of this Code must  
11 require a principal to recommend or evaluate candidates in the  
12 program. A recognized institution that partners with an  
13 eligible entity administering a preschool educational program  
14 under Section 2-3.71 of this Code and that is not a public  
15 school district must require a principal or qualified  
16 equivalent of a principal to recommend or evaluate candidates  
17 in the program. The program presented for approval by the State  
18 Board of Education must demonstrate the supports that are to be  
19 provided to assist the provisional teacher during the 2-year  
20 residency period. These supports must provide additional  
21 contact hours with mentors during the first year of residency.

22 (e) Upon completion of the 4 phases outlined in subsection  
23 (b) of this Section and all assessments required under Section  
24 21B-30 of this Code, an individual shall receive a Professional  
25 Educator License.

26 (f) The State Board of Education, in consultation with the

1 State Educator Preparation and Licensure Board, may adopt such  
2 rules as may be necessary to establish and implement the  
3 Alternative Educator Licensure Program for Teachers.

4 (Source: P.A. 100-596, eff. 7-1-18; 100-822, eff. 1-1-19;  
5 101-220, eff. 8-7-19; 101-570, eff. 8-23-19; revised 9-19-19.)

6 (105 ILCS 5/21B-110 new)

7 Sec. 21B-110. Public health emergency declaration.

8 (a) This Section applies only during any time in which the  
9 Governor has declared a public health emergency under Section 7  
10 of the Illinois Emergency Management Agency Act.

11 (b) Notwithstanding any other requirements under this  
12 Article, the requirements under subsection (f) of Section  
13 21B-30 are waived for an applicant seeking an educator license.

14 (c) Notwithstanding any other requirements under this  
15 Article, during the implementation of remote learning days  
16 under Section 10-30, a candidate seeking an educator license  
17 may:

18 (1) complete his or her required student teaching or  
19 equivalent experience remotely; or

20 (2) complete his or her required school business  
21 management internship remotely.

22 (105 ILCS 5/21B-115 new)

23 Sec. 21B-115. Spring 2020 student teaching or internship.

24 Notwithstanding any other requirements under this Article, for



1 the spring 2020 semester only, a candidate's requirement to  
2 complete student teaching or its equivalent or a school  
3 business management internship is waived.

4 (105 ILCS 5/22-89 new)

5 Sec. 22-89. Graduates during the 2019-2020 school year.  
6 Notwithstanding any other provision of this Code, any diploma  
7 conferred during the 2019-2020 school year, including during  
8 the summer of 2020, under graduation requirements that were  
9 modified by an executive order, emergency rulemaking, or school  
10 board policy prompted by a gubernatorial disaster proclamation  
11 as a result of COVID-19 is deemed valid and is not subject to  
12 challenge or review due to a failure to meet minimum  
13 requirements otherwise required by this Code, administrative  
14 rule, or school board policy.

15 (105 ILCS 5/24-11) (from Ch. 122, par. 24-11)

16 Sec. 24-11. Boards of Education - Boards of School  
17 Inspectors - Contractual continued service.

18 (a) As used in this and the succeeding Sections of this  
19 Article:

20 "Teacher" means any or all school district employees  
21 regularly required to be certified under laws relating to the  
22 certification of teachers.

23 "Board" means board of directors, board of education, or  
24 board of school inspectors, as the case may be.

1 "School term" means that portion of the school year, July 1  
2 to the following June 30, when school is in actual session.

3 "Program" means a program of a special education joint  
4 agreement.

5 "Program of a special education joint agreement" means  
6 instructional, consultative, supervisory, administrative,  
7 diagnostic, and related services that are managed by a special  
8 educational joint agreement designed to service 2 or more  
9 school districts that are members of the joint agreement.

10 "PERA implementation date" means the implementation date  
11 of an evaluation system for teachers as specified by Section  
12 24A-2.5 of this Code for all schools within a school district  
13 or all programs of a special education joint agreement.

14 (b) This Section and Sections 24-12 through 24-16 of this  
15 Article apply only to school districts having less than 500,000  
16 inhabitants.

17 (c) Any teacher who is first employed as a full-time  
18 teacher in a school district or program prior to the PERA  
19 implementation date and who is employed in that district or  
20 program for a probationary period of 4 consecutive school terms  
21 shall enter upon contractual continued service in the district  
22 or in all of the programs that the teacher is legally qualified  
23 to hold, unless the teacher is given written notice of  
24 dismissal by certified mail, return receipt requested, by the  
25 employing board at least 45 days before the end of any school  
26 term within such period.

1           (d) For any teacher who is first employed as a full-time  
2 teacher in a school district or program on or after the PERA  
3 implementation date, the probationary period shall be one of  
4 the following periods, based upon the teacher's school terms of  
5 service and performance, before the teacher shall enter upon  
6 contractual continued service in the district or in all of the  
7 programs that the teacher is legally qualified to hold, unless  
8 the teacher is given written notice of dismissal by certified  
9 mail, return receipt requested, by the employing board at least  
10 45 days before the end of any school term within such period:

11           (1) 4 consecutive school terms of service in which the  
12 teacher receives overall annual evaluation ratings of at  
13 least "Proficient" in the last school term and at least  
14 "Proficient" in either the second or third school term;

15           (2) 3 consecutive school terms of service in which the  
16 teacher receives 3 overall annual evaluations of  
17 "Excellent"; or

18           (3) 2 consecutive school terms of service in which the  
19 teacher receives 2 overall annual evaluations of  
20 "Excellent" service, but only if the teacher (i) previously  
21 attained contractual continued service in a different  
22 school district or program in this State, (ii) voluntarily  
23 departed or was honorably dismissed from that school  
24 district or program in the school term immediately prior to  
25 the teacher's first school term of service applicable to  
26 the attainment of contractual continued service under this

1 subdivision (3), and (iii) received, in his or her 2 most  
2 recent overall annual or biennial evaluations from the  
3 prior school district or program, ratings of at least  
4 "Proficient", with both such ratings occurring after the  
5 school district's or program's PERA implementation date.  
6 For a teacher to attain contractual continued service under  
7 this subdivision (3), the teacher shall provide official  
8 copies of his or her 2 most recent overall annual or  
9 biennial evaluations from the prior school district or  
10 program to the new school district or program within 60  
11 days from the teacher's first day of service with the new  
12 school district or program. The prior school district or  
13 program must provide the teacher with official copies of  
14 his or her 2 most recent overall annual or biennial  
15 evaluations within 14 days after the teacher's request. If  
16 a teacher has requested such official copies prior to 45  
17 days after the teacher's first day of service with the new  
18 school district or program and the teacher's prior school  
19 district or program fails to provide the teacher with the  
20 official copies required under this subdivision (3), then  
21 the time period for the teacher to submit the official  
22 copies to his or her new school district or program must be  
23 extended until 14 days after receipt of such copies from  
24 the prior school district or program. If the prior school  
25 district or program fails to provide the teacher with the  
26 official copies required under this subdivision (3) within

1 90 days from the teacher's first day of service with the  
2 new school district or program, then the new school  
3 district or program shall rely upon the teacher's own  
4 copies of his or her evaluations for purposes of this  
5 subdivision (3).

6 If the teacher does not receive overall annual evaluations  
7 of "Excellent" in the school terms necessary for eligibility to  
8 achieve accelerated contractual continued service in  
9 subdivisions (2) and (3) of this subsection (d), the teacher  
10 shall be eligible for contractual continued service pursuant to  
11 subdivision (1) of this subsection (d). If, at the conclusion  
12 of 4 consecutive school terms of service that count toward  
13 attainment of contractual continued service, the teacher's  
14 performance does not qualify the teacher for contractual  
15 continued service under subdivision (1) of this subsection (d),  
16 then the teacher shall not enter upon contractual continued  
17 service and shall be dismissed. If a performance evaluation is  
18 not conducted for any school term when such evaluation is  
19 required to be conducted under Section 24A-5 of this Code, then  
20 the teacher's performance evaluation rating for such school  
21 term for purposes of determining the attainment of contractual  
22 continued service shall be deemed "Proficient", except that,  
23 during any time in which the Governor has declared a disaster  
24 due to a public health emergency pursuant to Section 7 of the  
25 Illinois Emergency Management Agency Act, this default to  
26 "Proficient" does not apply to any teacher who has entered into

1 contractual continued service and who was deemed "Excellent" on  
2 his or her most recent evaluation. During any time in which the  
3 Governor has declared a disaster due to a public health  
4 emergency pursuant to Section 7 of the Illinois Emergency  
5 Management Agency Act and unless the school board and any  
6 exclusive bargaining representative have completed the  
7 performance rating for teachers or mutually agreed to an  
8 alternate performance rating, any teacher who has entered into  
9 contractual continued service, whose most recent evaluation  
10 was deemed "Excellent", and whose performance evaluation is not  
11 conducted when the evaluation is required to be conducted shall  
12 receive a teacher's performance rating deemed "Excellent". A  
13 school board and any exclusive bargaining representative may  
14 mutually agree to an alternate performance rating for teachers  
15 not in contractual continued service during any time in which  
16 the Governor has declared a disaster due to a public health  
17 emergency pursuant to Section 7 of the Illinois Emergency  
18 Management Agency Act, as long as the agreement is in writing.

19 (e) For the purposes of determining contractual continued  
20 service, a school term shall be counted only toward attainment  
21 of contractual continued service if the teacher actually  
22 teaches or is otherwise present and participating in the  
23 district's or program's educational program for 120 days or  
24 more, provided that the days of leave under the federal Family  
25 Medical Leave Act that the teacher is required to take until  
26 the end of the school term shall be considered days of teaching

1 or participation in the district's or program's educational  
2 program. A school term that is not counted toward attainment of  
3 contractual continued service shall not be considered a break  
4 in service for purposes of determining whether a teacher has  
5 been employed for 4 consecutive school terms, provided that the  
6 teacher actually teaches or is otherwise present and  
7 participating in the district's or program's educational  
8 program in the following school term.

9 (f) If the employing board determines to dismiss the  
10 teacher in the last year of the probationary period as provided  
11 in subsection (c) of this Section or subdivision (1) or (2) of  
12 subsection (d) of this Section, but not subdivision (3) of  
13 subsection (d) of this Section, the written notice of dismissal  
14 provided by the employing board must contain specific reasons  
15 for dismissal. Any full-time teacher who does not receive  
16 written notice from the employing board at least 45 days before  
17 the end of any school term as provided in this Section and  
18 whose performance does not require dismissal after the fourth  
19 probationary year pursuant to subsection (d) of this Section  
20 shall be re-employed for the following school term.

21 (g) Contractual continued service shall continue in effect  
22 the terms and provisions of the contract with the teacher  
23 during the last school term of the probationary period, subject  
24 to this Act and the lawful regulations of the employing board.  
25 This Section and succeeding Sections do not modify any existing  
26 power of the board except with respect to the procedure of the

1 discharge of a teacher and reductions in salary as hereinafter  
2 provided. Contractual continued service status shall not  
3 restrict the power of the board to transfer a teacher to a  
4 position which the teacher is qualified to fill or to make such  
5 salary adjustments as it deems desirable, but unless reductions  
6 in salary are uniform or based upon some reasonable  
7 classification, any teacher whose salary is reduced shall be  
8 entitled to a notice and a hearing as hereinafter provided in  
9 the case of certain dismissals or removals.

10 (h) If, by reason of any change in the boundaries of school  
11 districts or by reason of the creation of a new school  
12 district, the position held by any teacher having a contractual  
13 continued service status is transferred from one board to the  
14 control of a new or different board, then the contractual  
15 continued service status of the teacher is not thereby lost,  
16 and such new or different board is subject to this Code with  
17 respect to the teacher in the same manner as if the teacher  
18 were its employee and had been its employee during the time the  
19 teacher was actually employed by the board from whose control  
20 the position was transferred.

21 (i) The employment of any teacher in a program of a special  
22 education joint agreement established under Section 3-15.14,  
23 10-22.31 or 10-22.31a shall be governed by this and succeeding  
24 Sections of this Article. For purposes of attaining and  
25 maintaining contractual continued service and computing length  
26 of continuing service as referred to in this Section and



1 Section 24-12, employment in a special educational joint  
2 program shall be deemed a continuation of all previous  
3 certificated employment of such teacher for such joint  
4 agreement whether the employer of the teacher was the joint  
5 agreement, the regional superintendent, or one of the  
6 participating districts in the joint agreement.

7 (j) For any teacher employed after July 1, 1987 as a  
8 full-time teacher in a program of a special education joint  
9 agreement, whether the program is operated by the joint  
10 agreement or a member district on behalf of the joint  
11 agreement, in the event of a reduction in the number of  
12 programs or positions in the joint agreement in which the  
13 notice of dismissal is provided on or before the end of the  
14 2010-2011 school term, the teacher in contractual continued  
15 service is eligible for employment in the joint agreement  
16 programs for which the teacher is legally qualified in order of  
17 greater length of continuing service in the joint agreement,  
18 unless an alternative method of determining the sequence of  
19 dismissal is established in a collective bargaining agreement.  
20 For any teacher employed after July 1, 1987 as a full-time  
21 teacher in a program of a special education joint agreement,  
22 whether the program is operated by the joint agreement or a  
23 member district on behalf of the joint agreement, in the event  
24 of a reduction in the number of programs or positions in the  
25 joint agreement in which the notice of dismissal is provided  
26 during the 2011-2012 school term or a subsequent school term,

1 the teacher shall be included on the honorable dismissal lists  
2 of all joint agreement programs for positions for which the  
3 teacher is qualified and is eligible for employment in such  
4 programs in accordance with subsections (b) and (c) of Section  
5 24-12 of this Code and the applicable honorable dismissal  
6 policies of the joint agreement.

7 (k) For any teacher employed after July 1, 1987 as a  
8 full-time teacher in a program of a special education joint  
9 agreement, whether the program is operated by the joint  
10 agreement or a member district on behalf of the joint  
11 agreement, in the event of the dissolution of a joint  
12 agreement, in which the notice to teachers of the dissolution  
13 is provided during the 2010-2011 school term, the teacher in  
14 contractual continued service who is legally qualified shall be  
15 assigned to any comparable position in a member district  
16 currently held by a teacher who has not entered upon  
17 contractual continued service or held by a teacher who has  
18 entered upon contractual continued service with a shorter  
19 length of contractual continued service. Any teacher employed  
20 after July 1, 1987 as a full-time teacher in a program of a  
21 special education joint agreement, whether the program is  
22 operated by the joint agreement or a member district on behalf  
23 of the joint agreement, in the event of the dissolution of a  
24 joint agreement in which the notice to teachers of the  
25 dissolution is provided during the 2011-2012 school term or a  
26 subsequent school term, the teacher who is qualified shall be

1 included on the order of honorable dismissal lists of each  
2 member district and shall be assigned to any comparable  
3 position in any such district in accordance with subsections  
4 (b) and (c) of Section 24-12 of this Code and the applicable  
5 honorable dismissal policies of each member district.

6 (l) The governing board of the joint agreement, or the  
7 administrative district, if so authorized by the articles of  
8 agreement of the joint agreement, rather than the board of  
9 education of a school district, may carry out employment and  
10 termination actions including dismissals under this Section  
11 and Section 24-12.

12 (m) The employment of any teacher in a special education  
13 program authorized by Section 14-1.01 through 14-14.01, or a  
14 joint educational program established under Section 10-22.31a,  
15 shall be under this and the succeeding Sections of this  
16 Article, and such employment shall be deemed a continuation of  
17 the previous employment of such teacher in any of the  
18 participating districts, regardless of the participation of  
19 other districts in the program.

20 (n) Any teacher employed as a full-time teacher in a  
21 special education program prior to September 23, 1987 in which  
22 2 or more school districts participate for a probationary  
23 period of 2 consecutive years shall enter upon contractual  
24 continued service in each of the participating districts,  
25 subject to this and the succeeding Sections of this Article,  
26 and, notwithstanding Section 24-1.5 of this Code, in the event

1 of the termination of the program shall be eligible for any  
2 vacant position in any of such districts for which such teacher  
3 is qualified.

4 (Source: P.A. 97-8, eff. 6-13-11; 98-513, eff. 1-1-14.)

5 (105 ILCS 5/24-12) (from Ch. 122, par. 24-12)

6 Sec. 24-12. Removal or dismissal of teachers in contractual  
7 continued service.

8 (a) This subsection (a) applies only to honorable  
9 dismissals and recalls in which the notice of dismissal is  
10 provided on or before the end of the 2010-2011 school term. If  
11 a teacher in contractual continued service is removed or  
12 dismissed as a result of a decision of the board to decrease  
13 the number of teachers employed by the board or to discontinue  
14 some particular type of teaching service, written notice shall  
15 be mailed to the teacher and also given the teacher either by  
16 certified mail, return receipt requested or personal delivery  
17 with receipt at least 60 days before the end of the school  
18 term, together with a statement of honorable dismissal and the  
19 reason therefor, and in all such cases the board shall first  
20 remove or dismiss all teachers who have not entered upon  
21 contractual continued service before removing or dismissing  
22 any teacher who has entered upon contractual continued service  
23 and who is legally qualified to hold a position currently held  
24 by a teacher who has not entered upon contractual continued  
25 service.

1           As between teachers who have entered upon contractual  
2 continued service, the teacher or teachers with the shorter  
3 length of continuing service with the district shall be  
4 dismissed first unless an alternative method of determining the  
5 sequence of dismissal is established in a collective bargaining  
6 agreement or contract between the board and a professional  
7 faculty members' organization and except that this provision  
8 shall not impair the operation of any affirmative action  
9 program in the district, regardless of whether it exists by  
10 operation of law or is conducted on a voluntary basis by the  
11 board. Any teacher dismissed as a result of such decrease or  
12 discontinuance shall be paid all earned compensation on or  
13 before the third business day following the last day of pupil  
14 attendance in the regular school term.

15           If the board has any vacancies for the following school  
16 term or within one calendar year from the beginning of the  
17 following school term, the positions thereby becoming  
18 available shall be tendered to the teachers so removed or  
19 dismissed so far as they are legally qualified to hold such  
20 positions; provided, however, that if the number of honorable  
21 dismissal notices based on economic necessity exceeds 15% of  
22 the number of full-time equivalent positions filled by  
23 certified employees (excluding principals and administrative  
24 personnel) during the preceding school year, then if the board  
25 has any vacancies for the following school term or within 2  
26 calendar years from the beginning of the following school term,

1 the positions so becoming available shall be tendered to the  
2 teachers who were so notified and removed or dismissed whenever  
3 they are legally qualified to hold such positions. Each board  
4 shall, in consultation with any exclusive employee  
5 representatives, each year establish a list, categorized by  
6 positions, showing the length of continuing service of each  
7 teacher who is qualified to hold any such positions, unless an  
8 alternative method of determining a sequence of dismissal is  
9 established as provided for in this Section, in which case a  
10 list shall be made in accordance with the alternative method.  
11 Copies of the list shall be distributed to the exclusive  
12 employee representative on or before February 1 of each year.  
13 Whenever the number of honorable dismissal notices based upon  
14 economic necessity exceeds 5, or 150% of the average number of  
15 teachers honorably dismissed in the preceding 3 years,  
16 whichever is more, then the board also shall hold a public  
17 hearing on the question of the dismissals. Following the  
18 hearing and board review, the action to approve any such  
19 reduction shall require a majority vote of the board members.

20 (b) This subsection (b) applies only to honorable  
21 dismissals and recalls in which the notice of dismissal is  
22 provided during the 2011-2012 school term or a subsequent  
23 school term. If any teacher, whether or not in contractual  
24 continued service, is removed or dismissed as a result of a  
25 decision of a school board to decrease the number of teachers  
26 employed by the board, a decision of a school board to

1     discontinue some particular type of teaching service, or a  
2     reduction in the number of programs or positions in a special  
3     education joint agreement, then written notice must be mailed  
4     to the teacher and also given to the teacher either by  
5     electronic mail, certified mail, return receipt requested, or  
6     personal delivery with receipt at least 45 days before the end  
7     of the school term, together with a statement of honorable  
8     dismissal and the reason therefor, and in all such cases the  
9     sequence of dismissal shall occur in accordance with this  
10    subsection (b); except that this subsection (b) shall not  
11    impair the operation of any affirmative action program in the  
12    school district, regardless of whether it exists by operation  
13    of law or is conducted on a voluntary basis by the board.

14       Each teacher must be categorized into one or more positions  
15    for which the teacher is qualified to hold, based upon legal  
16    qualifications and any other qualifications established in a  
17    district or joint agreement job description, on or before the  
18    May 10 prior to the school year during which the sequence of  
19    dismissal is determined. Within each position and subject to  
20    agreements made by the joint committee on honorable dismissals  
21    that are authorized by subsection (c) of this Section, the  
22    school district or joint agreement must establish 4 groupings  
23    of teachers qualified to hold the position as follows:

24       (1) Grouping one shall consist of each teacher who is  
25       not in contractual continued service and who (i) has not  
26       received a performance evaluation rating, (ii) is employed

1 for one school term or less to replace a teacher on leave,  
2 or (iii) is employed on a part-time basis. "Part-time  
3 basis" for the purposes of this subsection (b) means a  
4 teacher who is employed to teach less than a full-day,  
5 teacher workload or less than 5 days of the normal student  
6 attendance week, unless otherwise provided for in a  
7 collective bargaining agreement between the district and  
8 the exclusive representative of the district's teachers.  
9 For the purposes of this Section, a teacher (A) who is  
10 employed as a full-time teacher but who actually teaches or  
11 is otherwise present and participating in the district's  
12 educational program for less than a school term or (B) who,  
13 in the immediately previous school term, was employed on a  
14 full-time basis and actually taught or was otherwise  
15 present and participated in the district's educational  
16 program for 120 days or more is not considered employed on  
17 a part-time basis.

18 (2) Grouping 2 shall consist of each teacher with a  
19 Needs Improvement or Unsatisfactory performance evaluation  
20 rating on either of the teacher's last 2 performance  
21 evaluation ratings.

22 (3) Grouping 3 shall consist of each teacher with a  
23 performance evaluation rating of at least Satisfactory or  
24 Proficient on both of the teacher's last 2 performance  
25 evaluation ratings, if 2 ratings are available, or on the  
26 teacher's last performance evaluation rating, if only one



1 rating is available, unless the teacher qualifies for  
2 placement into grouping 4.

3 (4) Grouping 4 shall consist of each teacher whose last  
4 2 performance evaluation ratings are Excellent and each  
5 teacher with 2 Excellent performance evaluation ratings  
6 out of the teacher's last 3 performance evaluation ratings  
7 with a third rating of Satisfactory or Proficient.

8 Among teachers qualified to hold a position, teachers must  
9 be dismissed in the order of their groupings, with teachers in  
10 grouping one dismissed first and teachers in grouping 4  
11 dismissed last.

12 Within grouping one, the sequence of dismissal must be at  
13 the discretion of the school district or joint agreement.  
14 Within grouping 2, the sequence of dismissal must be based upon  
15 average performance evaluation ratings, with the teacher or  
16 teachers with the lowest average performance evaluation rating  
17 dismissed first. A teacher's average performance evaluation  
18 rating must be calculated using the average of the teacher's  
19 last 2 performance evaluation ratings, if 2 ratings are  
20 available, or the teacher's last performance evaluation  
21 rating, if only one rating is available, using the following  
22 numerical values: 4 for Excellent; 3 for Proficient or  
23 Satisfactory; 2 for Needs Improvement; and 1 for  
24 Unsatisfactory. As between or among teachers in grouping 2 with  
25 the same average performance evaluation rating and within each  
26 of groupings 3 and 4, the teacher or teachers with the shorter

1 length of continuing service with the school district or joint  
2 agreement must be dismissed first unless an alternative method  
3 of determining the sequence of dismissal is established in a  
4 collective bargaining agreement or contract between the board  
5 and a professional faculty members' organization.

6 Each board, including the governing board of a joint  
7 agreement, shall, in consultation with any exclusive employee  
8 representatives, each year establish a sequence of honorable  
9 dismissal list categorized by positions and the groupings  
10 defined in this subsection (b). Copies of the list showing each  
11 teacher by name and categorized by positions and the groupings  
12 defined in this subsection (b) must be distributed to the  
13 exclusive bargaining representative at least 75 days before the  
14 end of the school term, provided that the school district or  
15 joint agreement may, with notice to any exclusive employee  
16 representatives, move teachers from grouping one into another  
17 grouping during the period of time from 75 days until 45 days  
18 before the end of the school term. Each year, each board shall  
19 also establish, in consultation with any exclusive employee  
20 representatives, a list showing the length of continuing  
21 service of each teacher who is qualified to hold any such  
22 positions, unless an alternative method of determining a  
23 sequence of dismissal is established as provided for in this  
24 Section, in which case a list must be made in accordance with  
25 the alternative method. Copies of the list must be distributed  
26 to the exclusive employee representative at least 75 days

1 before the end of the school term.

2 Any teacher dismissed as a result of such decrease or  
3 discontinuance must be paid all earned compensation on or  
4 before the third business day following the last day of pupil  
5 attendance in the regular school term.

6 If the board or joint agreement has any vacancies for the  
7 following school term or within one calendar year from the  
8 beginning of the following school term, the positions thereby  
9 becoming available must be tendered to the teachers so removed  
10 or dismissed who were in grouping ~~groupings~~ 3 or 4 of the  
11 sequence of dismissal and are qualified to hold the positions,  
12 based upon legal qualifications and any other qualifications  
13 established in a district or joint agreement job description,  
14 on or before the May 10 prior to the date of the positions  
15 becoming available, provided that if the number of honorable  
16 dismissal notices based on economic necessity exceeds 15% of  
17 the number of full-time equivalent positions filled by  
18 certified employees (excluding principals and administrative  
19 personnel) during the preceding school year, then the recall  
20 period is for the following school term or within 2 calendar  
21 years from the beginning of the following school term. If the  
22 board or joint agreement has any vacancies within the period  
23 from the beginning of the following school term through  
24 February 1 of the following school term (unless a date later  
25 than February 1, but no later than 6 months from the beginning  
26 of the following school term, is established in a collective

1 bargaining agreement), the positions thereby becoming  
2 available must be tendered to the teachers so removed or  
3 dismissed who were in grouping 2 of the sequence of dismissal  
4 due to one "needs improvement" rating on either of the  
5 teacher's last 2 performance evaluation ratings, provided  
6 that, if 2 ratings are available, the other performance  
7 evaluation rating used for grouping purposes is  
8 "satisfactory", "proficient", or "excellent", and are  
9 qualified to hold the positions, based upon legal  
10 qualifications and any other qualifications established in a  
11 district or joint agreement job description, on or before the  
12 May 10 prior to the date of the positions becoming available.  
13 On and after July 1, 2014 (the effective date of Public Act  
14 98-648), the preceding sentence shall apply to teachers removed  
15 or dismissed by honorable dismissal, even if notice of  
16 honorable dismissal occurred during the 2013-2014 school year.  
17 Among teachers eligible for recall pursuant to the preceding  
18 sentence, the order of recall must be in inverse order of  
19 dismissal, unless an alternative order of recall is established  
20 in a collective bargaining agreement or contract between the  
21 board and a professional faculty members' organization.  
22 Whenever the number of honorable dismissal notices based upon  
23 economic necessity exceeds 5 notices or 150% of the average  
24 number of teachers honorably dismissed in the preceding 3  
25 years, whichever is more, then the school board or governing  
26 board of a joint agreement, as applicable, shall also hold a

1 public hearing on the question of the dismissals. Following the  
2 hearing and board review, the action to approve any such  
3 reduction shall require a majority vote of the board members.

4 For purposes of this subsection (b), subject to agreement  
5 on an alternative definition reached by the joint committee  
6 described in subsection (c) of this Section, a teacher's  
7 performance evaluation rating means the overall performance  
8 evaluation rating resulting from an annual or biennial  
9 performance evaluation conducted pursuant to Article 24A of  
10 this Code by the school district or joint agreement determining  
11 the sequence of dismissal, not including any performance  
12 evaluation conducted during or at the end of a remediation  
13 period. No more than one evaluation rating each school term  
14 shall be one of the evaluation ratings used for the purpose of  
15 determining the sequence of dismissal. Except as otherwise  
16 provided in this subsection for any performance evaluations  
17 conducted during or at the end of a remediation period, if  
18 multiple performance evaluations are conducted in a school  
19 term, only the rating from the last evaluation conducted prior  
20 to establishing the sequence of honorable dismissal list in  
21 such school term shall be the one evaluation rating from that  
22 school term used for the purpose of determining the sequence of  
23 dismissal. Averaging ratings from multiple evaluations is not  
24 permitted unless otherwise agreed to in a collective bargaining  
25 agreement or contract between the board and a professional  
26 faculty members' organization. The preceding 3 sentences are

1 not a legislative declaration that existing law does or does  
2 not already require that only one performance evaluation each  
3 school term shall be used for the purpose of determining the  
4 sequence of dismissal. For performance evaluation ratings  
5 determined prior to September 1, 2012, any school district or  
6 joint agreement with a performance evaluation rating system  
7 that does not use either of the rating category systems  
8 specified in subsection (d) of Section 24A-5 of this Code for  
9 all teachers must establish a basis for assigning each teacher  
10 a rating that complies with subsection (d) of Section 24A-5 of  
11 this Code for all of the performance evaluation ratings that  
12 are to be used to determine the sequence of dismissal. A  
13 teacher's grouping and ranking on a sequence of honorable  
14 dismissal shall be deemed a part of the teacher's performance  
15 evaluation, and that information shall be disclosed to the  
16 exclusive bargaining representative as part of a sequence of  
17 honorable dismissal list, notwithstanding any laws prohibiting  
18 disclosure of such information. A performance evaluation  
19 rating may be used to determine the sequence of dismissal,  
20 notwithstanding the pendency of any grievance resolution or  
21 arbitration procedures relating to the performance evaluation.  
22 If a teacher has received at least one performance evaluation  
23 rating conducted by the school district or joint agreement  
24 determining the sequence of dismissal and a subsequent  
25 performance evaluation is not conducted in any school year in  
26 which such evaluation is required to be conducted under Section

1 24A-5 of this Code, the teacher's performance evaluation rating  
2 for that school year for purposes of determining the sequence  
3 of dismissal is deemed Proficient, except that, during any time  
4 in which the Governor has declared a disaster due to a public  
5 health emergency pursuant to Section 7 of the Illinois  
6 Emergency Management Agency Act, this default to Proficient  
7 does not apply to any teacher who has entered into contractual  
8 continued service and who was deemed Excellent on his or her  
9 most recent evaluation. During any time in which the Governor  
10 has declared a disaster due to a public health emergency  
11 pursuant to Section 7 of the Illinois Emergency Management  
12 Agency Act and unless the school board and any exclusive  
13 bargaining representative have completed the performance  
14 rating for teachers or have mutually agreed to an alternate  
15 performance rating, any teacher who has entered into  
16 contractual continued service, whose most recent evaluation  
17 was deemed Excellent, and whose performance evaluation is not  
18 conducted when the evaluation is required to be conducted shall  
19 receive a teacher's performance rating deemed Excellent. A  
20 school board and any exclusive bargaining representative may  
21 mutually agree to an alternate performance rating for teachers  
22 not in contractual continued service during any time in which  
23 the Governor has declared a disaster due to a public health  
24 emergency pursuant to Section 7 of the Illinois Emergency  
25 Management Agency Act, as long as the agreement is in writing.  
26 If a performance evaluation rating is nullified as the result

1 of an arbitration, administrative agency, or court  
2 determination, then the school district or joint agreement is  
3 deemed to have conducted a performance evaluation for that  
4 school year, but the performance evaluation rating may not be  
5 used in determining the sequence of dismissal.

6 Nothing in this subsection (b) shall be construed as  
7 limiting the right of a school board or governing board of a  
8 joint agreement to dismiss a teacher not in contractual  
9 continued service in accordance with Section 24-11 of this  
10 Code.

11 Any provisions regarding the sequence of honorable  
12 dismissals and recall of honorably dismissed teachers in a  
13 collective bargaining agreement entered into on or before  
14 January 1, 2011 and in effect on June 13, 2011 (the effective  
15 date of Public Act 97-8) that may conflict with Public Act 97-8  
16 shall remain in effect through the expiration of such agreement  
17 or June 30, 2013, whichever is earlier.

18 (c) Each school district and special education joint  
19 agreement must use a joint committee composed of equal  
20 representation selected by the school board and its teachers  
21 or, if applicable, the exclusive bargaining representative of  
22 its teachers, to address the matters described in paragraphs  
23 (1) through (5) of this subsection (c) pertaining to honorable  
24 dismissals under subsection (b) of this Section.

25 (1) The joint committee must consider and may agree to  
26 criteria for excluding from grouping 2 and placing into



1 grouping 3 a teacher whose last 2 performance evaluations  
2 include a Needs Improvement and either a Proficient or  
3 Excellent.

4 (2) The joint committee must consider and may agree to  
5 an alternative definition for grouping 4, which definition  
6 must take into account prior performance evaluation  
7 ratings and may take into account other factors that relate  
8 to the school district's or program's educational  
9 objectives. An alternative definition for grouping 4 may  
10 not permit the inclusion of a teacher in the grouping with  
11 a Needs Improvement or Unsatisfactory performance  
12 evaluation rating on either of the teacher's last 2  
13 performance evaluation ratings.

14 (3) The joint committee may agree to including within  
15 the definition of a performance evaluation rating a  
16 performance evaluation rating administered by a school  
17 district or joint agreement other than the school district  
18 or joint agreement determining the sequence of dismissal.

19 (4) For each school district or joint agreement that  
20 administers performance evaluation ratings that are  
21 inconsistent with either of the rating category systems  
22 specified in subsection (d) of Section 24A-5 of this Code,  
23 the school district or joint agreement must consult with  
24 the joint committee on the basis for assigning a rating  
25 that complies with subsection (d) of Section 24A-5 of this  
26 Code to each performance evaluation rating that will be

1 used in a sequence of dismissal.

2 (5) Upon request by a joint committee member submitted  
3 to the employing board by no later than 10 days after the  
4 distribution of the sequence of honorable dismissal list, a  
5 representative of the employing board shall, within 5 days  
6 after the request, provide to members of the joint  
7 committee a list showing the most recent and prior  
8 performance evaluation ratings of each teacher identified  
9 only by length of continuing service in the district or  
10 joint agreement and not by name. If, after review of this  
11 list, a member of the joint committee has a good faith  
12 belief that a disproportionate number of teachers with  
13 greater length of continuing service with the district or  
14 joint agreement have received a recent performance  
15 evaluation rating lower than the prior rating, the member  
16 may request that the joint committee review the list to  
17 assess whether such a trend may exist. Following the joint  
18 committee's review, but by no later than the end of the  
19 applicable school term, the joint committee or any member  
20 or members of the joint committee may submit a report of  
21 the review to the employing board and exclusive bargaining  
22 representative, if any. Nothing in this paragraph (5) shall  
23 impact the order of honorable dismissal or a school  
24 district's or joint agreement's authority to carry out a  
25 dismissal in accordance with subsection (b) of this  
26 Section.

1 Agreement by the joint committee as to a matter requires  
2 the majority vote of all committee members, and if the joint  
3 committee does not reach agreement on a matter, then the  
4 otherwise applicable requirements of subsection (b) of this  
5 Section shall apply. Except as explicitly set forth in this  
6 subsection (c), a joint committee has no authority to agree to  
7 any further modifications to the requirements for honorable  
8 dismissals set forth in subsection (b) of this Section. The  
9 joint committee must be established, and the first meeting of  
10 the joint committee each school year must occur on or before  
11 December 1.

12 The joint committee must reach agreement on a matter on or  
13 before February 1 of a school year in order for the agreement  
14 of the joint committee to apply to the sequence of dismissal  
15 determined during that school year. Subject to the February 1  
16 deadline for agreements, the agreement of a joint committee on  
17 a matter shall apply to the sequence of dismissal until the  
18 agreement is amended or terminated by the joint committee.

19 The provisions of the Open Meetings Act shall not apply to  
20 meetings of a joint committee created under this subsection  
21 (c).

22 (d) Notwithstanding anything to the contrary in this  
23 subsection (d), the requirements and dismissal procedures of  
24 Section 24-16.5 of this Code shall apply to any dismissal  
25 sought under Section 24-16.5 of this Code.

26 (1) If a dismissal of a teacher in contractual

1 continued service is sought for any reason or cause other  
2 than an honorable dismissal under subsections (a) or (b) of  
3 this Section or a dismissal sought under Section 24-16.5 of  
4 this Code, including those under Section 10-22.4, the board  
5 must first approve a motion containing specific charges by  
6 a majority vote of all its members. Written notice of such  
7 charges, including a bill of particulars and the teacher's  
8 right to request a hearing, must be mailed to the teacher  
9 and also given to the teacher either by electronic mail,  
10 certified mail, return receipt requested, or personal  
11 delivery with receipt within 5 days of the adoption of the  
12 motion. Any written notice sent on or after July 1, 2012  
13 shall inform the teacher of the right to request a hearing  
14 before a mutually selected hearing officer, with the cost  
15 of the hearing officer split equally between the teacher  
16 and the board, or a hearing before a board-selected hearing  
17 officer, with the cost of the hearing officer paid by the  
18 board.

19 Before setting a hearing on charges stemming from  
20 causes that are considered remediable, a board must give  
21 the teacher reasonable warning in writing, stating  
22 specifically the causes that, if not removed, may result in  
23 charges; however, no such written warning is required if  
24 the causes have been the subject of a remediation plan  
25 pursuant to Article 24A of this Code.

26 If, in the opinion of the board, the interests of the

1 school require it, the board may suspend the teacher  
2 without pay, pending the hearing, but if the board's  
3 dismissal or removal is not sustained, the teacher shall  
4 not suffer the loss of any salary or benefits by reason of  
5 the suspension.

6 (2) No hearing upon the charges is required unless the  
7 teacher within 17 days after receiving notice requests in  
8 writing of the board that a hearing be scheduled before a  
9 mutually selected hearing officer or a hearing officer  
10 selected by the board. The secretary of the school board  
11 shall forward a copy of the notice to the State Board of  
12 Education.

13 (3) Within 5 business days after receiving a notice of  
14 hearing in which either notice to the teacher was sent  
15 before July 1, 2012 or, if the notice was sent on or after  
16 July 1, 2012, the teacher has requested a hearing before a  
17 mutually selected hearing officer, the State Board of  
18 Education shall provide a list of 5 prospective, impartial  
19 hearing officers from the master list of qualified,  
20 impartial hearing officers maintained by the State Board of  
21 Education. Each person on the master list must (i) be  
22 accredited by a national arbitration organization and have  
23 had a minimum of 5 years of experience directly related to  
24 labor and employment relations matters between employers  
25 and employees or their exclusive bargaining  
26 representatives and (ii) beginning September 1, 2012, have

1 participated in training provided or approved by the State  
2 Board of Education for teacher dismissal hearing officers  
3 so that he or she is familiar with issues generally  
4 involved in evaluative and non-evaluative dismissals.

5 If notice to the teacher was sent before July 1, 2012  
6 or, if the notice was sent on or after July 1, 2012, the  
7 teacher has requested a hearing before a mutually selected  
8 hearing officer, the board and the teacher or their legal  
9 representatives within 3 business days shall alternately  
10 strike one name from the list provided by the State Board  
11 of Education until only one name remains. Unless waived by  
12 the teacher, the teacher shall have the right to proceed  
13 first with the striking. Within 3 business days of receipt  
14 of the list provided by the State Board of Education, the  
15 board and the teacher or their legal representatives shall  
16 each have the right to reject all prospective hearing  
17 officers named on the list and notify the State Board of  
18 Education of such rejection. Within 3 business days after  
19 receiving this notification, the State Board of Education  
20 shall appoint a qualified person from the master list who  
21 did not appear on the list sent to the parties to serve as  
22 the hearing officer, unless the parties notify it that they  
23 have chosen to alternatively select a hearing officer under  
24 paragraph (4) of this subsection (d).

25 If the teacher has requested a hearing before a hearing  
26 officer selected by the board, the board shall select one

1 name from the master list of qualified impartial hearing  
2 officers maintained by the State Board of Education within  
3 3 business days after receipt and shall notify the State  
4 Board of Education of its selection.

5 A hearing officer mutually selected by the parties,  
6 selected by the board, or selected through an alternative  
7 selection process under paragraph (4) of this subsection  
8 (d) (A) must not be a resident of the school district, (B)  
9 must be available to commence the hearing within 75 days  
10 and conclude the hearing within 120 days after being  
11 selected as the hearing officer, and (C) must issue a  
12 decision as to whether the teacher must be dismissed and  
13 give a copy of that decision to both the teacher and the  
14 board within 30 days from the conclusion of the hearing or  
15 closure of the record, whichever is later.

16 If the Governor has declared a disaster due to a public  
17 health emergency pursuant to Section 7 of the Illinois  
18 Emergency Management Agency Act and except if the parties  
19 mutually agree otherwise and the agreement is in writing,  
20 the requirements of this Section pertaining to prehearings  
21 and hearings are paused and do not begin to toll until the  
22 proclamation is no longer in effect. If mutually agreed to  
23 and reduced to writing, the parties may proceed with the  
24 prehearing and hearing requirements of this Section and may  
25 also agree to extend the timelines of this Section  
26 connected to the appointment and selection of a hearing

1       officer and those connected to commencing and concluding a  
2       hearing. Any hearing convened during a public health  
3       emergency pursuant to Section 7 of the Illinois Emergency  
4       Management Agency Act may be convened remotely. Any hearing  
5       officer for a hearing convened during a public health  
6       emergency pursuant to Section 7 of the Illinois Emergency  
7       Management Agency Act may voluntarily withdraw from the  
8       hearing and another hearing officer shall be selected or  
9       appointed pursuant to this Section.

10       (4) In the alternative to selecting a hearing officer  
11       from the list received from the State Board of Education or  
12       accepting the appointment of a hearing officer by the State  
13       Board of Education or if the State Board of Education  
14       cannot provide a list or appoint a hearing officer that  
15       meets the foregoing requirements, the board and the teacher  
16       or their legal representatives may mutually agree to select  
17       an impartial hearing officer who is not on the master list  
18       either by direct appointment by the parties or by using  
19       procedures for the appointment of an arbitrator  
20       established by the Federal Mediation and Conciliation  
21       Service or the American Arbitration Association. The  
22       parties shall notify the State Board of Education of their  
23       intent to select a hearing officer using an alternative  
24       procedure within 3 business days of receipt of a list of  
25       prospective hearing officers provided by the State Board of  
26       Education, notice of appointment of a hearing officer by



1 the State Board of Education, or receipt of notice from the  
2 State Board of Education that it cannot provide a list that  
3 meets the foregoing requirements, whichever is later.

4 (5) If the notice of dismissal was sent to the teacher  
5 before July 1, 2012, the fees and costs for the hearing  
6 officer must be paid by the State Board of Education. If  
7 the notice of dismissal was sent to the teacher on or after  
8 July 1, 2012, the hearing officer's fees and costs must be  
9 paid as follows in this paragraph (5). The fees and  
10 permissible costs for the hearing officer must be  
11 determined by the State Board of Education. If the board  
12 and the teacher or their legal representatives mutually  
13 agree to select an impartial hearing officer who is not on  
14 a list received from the State Board of Education, they may  
15 agree to supplement the fees determined by the State Board  
16 to the hearing officer, at a rate consistent with the  
17 hearing officer's published professional fees. If the  
18 hearing officer is mutually selected by the parties, then  
19 the board and the teacher or their legal representatives  
20 shall each pay 50% of the fees and costs and any  
21 supplemental allowance to which they agree. If the hearing  
22 officer is selected by the board, then the board shall pay  
23 100% of the hearing officer's fees and costs. The fees and  
24 costs must be paid to the hearing officer within 14 days  
25 after the board and the teacher or their legal  
26 representatives receive the hearing officer's decision set

1           forth in paragraph (7) of this subsection (d).

2           (6) The teacher is required to answer the bill of  
3 particulars and aver affirmative matters in his or her  
4 defense, and the time for initially doing so and the time  
5 for updating such answer and defenses after pre-hearing  
6 discovery must be set by the hearing officer. The State  
7 Board of Education shall promulgate rules so that each  
8 party has a fair opportunity to present its case and to  
9 ensure that the dismissal process proceeds in a fair and  
10 expeditious manner. These rules shall address, without  
11 limitation, discovery and hearing scheduling conferences;  
12 the teacher's initial answer and affirmative defenses to  
13 the bill of particulars and the updating of that  
14 information after pre-hearing discovery; provision for  
15 written interrogatories and requests for production of  
16 documents; the requirement that each party initially  
17 disclose to the other party and then update the disclosure  
18 no later than 10 calendar days prior to the commencement of  
19 the hearing, the names and addresses of persons who may be  
20 called as witnesses at the hearing, a summary of the facts  
21 or opinions each witness will testify to, and all other  
22 documents and materials, including information maintained  
23 electronically, relevant to its own as well as the other  
24 party's case (the hearing officer may exclude witnesses and  
25 exhibits not identified and shared, except those offered in  
26 rebuttal for which the party could not reasonably have

1 anticipated prior to the hearing); pre-hearing discovery  
2 and preparation, including provision for written  
3 interrogatories and requests for production of documents,  
4 provided that discovery depositions are prohibited; the  
5 conduct of the hearing; the right of each party to be  
6 represented by counsel, the offer of evidence and witnesses  
7 and the cross-examination of witnesses; the authority of  
8 the hearing officer to issue subpoenas and subpoenas duces  
9 tecum, provided that the hearing officer may limit the  
10 number of witnesses to be subpoenaed on behalf of each  
11 party to no more than 7; the length of post-hearing briefs;  
12 and the form, length, and content of hearing officers'  
13 decisions. The hearing officer shall hold a hearing and  
14 render a final decision for dismissal pursuant to Article  
15 24A of this Code or shall report to the school board  
16 findings of fact and a recommendation as to whether or not  
17 the teacher must be dismissed for conduct. The hearing  
18 officer shall commence the hearing within 75 days and  
19 conclude the hearing within 120 days after being selected  
20 as the hearing officer, provided that the hearing officer  
21 may modify these timelines upon the showing of good cause  
22 or mutual agreement of the parties. Good cause for the  
23 purpose of this subsection (d) shall mean the illness or  
24 otherwise unavoidable emergency of the teacher, district  
25 representative, their legal representatives, the hearing  
26 officer, or an essential witness as indicated in each

1 party's pre-hearing submission. In a dismissal hearing  
2 pursuant to Article 24A of this Code in which a witness is  
3 a student or is under the age of 18, the hearing officer  
4 must make accommodations for the witness, as provided under  
5 paragraph (6.5) of this subsection. The hearing officer  
6 shall consider and give weight to all of the teacher's  
7 evaluations written pursuant to Article 24A that are  
8 relevant to the issues in the hearing.

9 Each party shall have no more than 3 days to present  
10 its case, unless extended by the hearing officer to enable  
11 a party to present adequate evidence and testimony,  
12 including due to the other party's cross-examination of the  
13 party's witnesses, for good cause or by mutual agreement of  
14 the parties. The State Board of Education shall define in  
15 rules the meaning of "day" for such purposes. All testimony  
16 at the hearing shall be taken under oath administered by  
17 the hearing officer. The hearing officer shall cause a  
18 record of the proceedings to be kept and shall employ a  
19 competent reporter to take stenographic or stenotype notes  
20 of all the testimony. The costs of the reporter's  
21 attendance and services at the hearing shall be paid by the  
22 party or parties who are responsible for paying the fees  
23 and costs of the hearing officer. Either party desiring a  
24 transcript of the hearing shall pay for the cost thereof.  
25 Any post-hearing briefs must be submitted by the parties by  
26 no later than 21 days after a party's receipt of the

1 transcript of the hearing, unless extended by the hearing  
2 officer for good cause or by mutual agreement of the  
3 parties.

4 (6.5) In the case of charges involving sexual abuse or  
5 severe physical abuse of a student or a person under the  
6 age of 18, the hearing officer shall make alternative  
7 hearing procedures to protect a witness who is a student or  
8 who is under the age of 18 from being intimidated or  
9 traumatized. Alternative hearing procedures may include,  
10 but are not limited to: (i) testimony made via a  
11 telecommunication device in a location other than the  
12 hearing room and outside the physical presence of the  
13 teacher and other hearing participants, (ii) testimony  
14 outside the physical presence of the teacher, or (iii)  
15 non-public testimony. During a testimony described under  
16 this subsection, each party must be permitted to ask a  
17 witness who is a student or who is under 18 years of age  
18 all relevant questions and follow-up questions. All  
19 questions must exclude evidence of the witness' sexual  
20 behavior or predisposition, unless the evidence is offered  
21 to prove that someone other than the teacher subject to the  
22 dismissal hearing engaged in the charge at issue.

23 (7) The hearing officer shall, within 30 days from the  
24 conclusion of the hearing or closure of the record,  
25 whichever is later, make a decision as to whether or not  
26 the teacher shall be dismissed pursuant to Article 24A of

1           this Code or report to the school board findings of fact  
2           and a recommendation as to whether or not the teacher shall  
3           be dismissed for cause and shall give a copy of the  
4           decision or findings of fact and recommendation to both the  
5           teacher and the school board. If a hearing officer fails  
6           without good cause, specifically provided in writing to  
7           both parties and the State Board of Education, to render a  
8           decision or findings of fact and recommendation within 30  
9           days after the hearing is concluded or the record is  
10          closed, whichever is later, the parties may mutually agree  
11          to select a hearing officer pursuant to the alternative  
12          procedure, as provided in this Section, to rehear the  
13          charges heard by the hearing officer who failed to render a  
14          decision or findings of fact and recommendation or to  
15          review the record and render a decision. If any hearing  
16          officer fails without good cause, specifically provided in  
17          writing to both parties and the State Board of Education,  
18          to render a decision or findings of fact and recommendation  
19          within 30 days after the hearing is concluded or the record  
20          is closed, whichever is later, the hearing officer shall be  
21          removed from the master list of hearing officers maintained  
22          by the State Board of Education for not more than 24  
23          months. The parties and the State Board of Education may  
24          also take such other actions as it deems appropriate,  
25          including recovering, reducing, or withholding any fees  
26          paid or to be paid to the hearing officer. If any hearing

1 officer repeats such failure, he or she must be permanently  
2 removed from the master list maintained by the State Board  
3 of Education and may not be selected by parties through the  
4 alternative selection process under this paragraph (7) or  
5 paragraph (4) of this subsection (d). The board shall not  
6 lose jurisdiction to discharge a teacher if the hearing  
7 officer fails to render a decision or findings of fact and  
8 recommendation within the time specified in this Section.  
9 If the decision of the hearing officer for dismissal  
10 pursuant to Article 24A of this Code or of the school board  
11 for dismissal for cause is in favor of the teacher, then  
12 the hearing officer or school board shall order  
13 reinstatement to the same or substantially equivalent  
14 position and shall determine the amount for which the  
15 school board is liable, including, but not limited to, loss  
16 of income and benefits.

17 (8) The school board, within 45 days after receipt of  
18 the hearing officer's findings of fact and recommendation  
19 as to whether (i) the conduct at issue occurred, (ii) the  
20 conduct that did occur was remediable, and (iii) the  
21 proposed dismissal should be sustained, shall issue a  
22 written order as to whether the teacher must be retained or  
23 dismissed for cause from its employ. The school board's  
24 written order shall incorporate the hearing officer's  
25 findings of fact, except that the school board may modify  
26 or supplement the findings of fact if, in its opinion, the

1 findings of fact are against the manifest weight of the  
2 evidence.

3 If the school board dismisses the teacher  
4 notwithstanding the hearing officer's findings of fact and  
5 recommendation, the school board shall make a conclusion in  
6 its written order, giving its reasons therefor, and such  
7 conclusion and reasons must be included in its written  
8 order. The failure of the school board to strictly adhere  
9 to the timelines contained in this Section shall not render  
10 it without jurisdiction to dismiss the teacher. The school  
11 board shall not lose jurisdiction to discharge the teacher  
12 for cause if the hearing officer fails to render a  
13 recommendation within the time specified in this Section.  
14 The decision of the school board is final, unless reviewed  
15 as provided in paragraph (9) of this subsection (d).

16 If the school board retains the teacher, the school  
17 board shall enter a written order stating the amount of  
18 back pay and lost benefits, less mitigation, to be paid to  
19 the teacher, within 45 days after its retention order.  
20 Should the teacher object to the amount of the back pay and  
21 lost benefits or amount mitigated, the teacher shall give  
22 written objections to the amount within 21 days. If the  
23 parties fail to reach resolution within 7 days, the dispute  
24 shall be referred to the hearing officer, who shall  
25 consider the school board's written order and teacher's  
26 written objection and determine the amount to which the



1 school board is liable. The costs of the hearing officer's  
2 review and determination must be paid by the board.

3 (9) The decision of the hearing officer pursuant to  
4 Article 24A of this Code or of the school board's decision  
5 to dismiss for cause is final unless reviewed as provided  
6 in Section 24-16 of this Code. If the school board's  
7 decision to dismiss for cause is contrary to the hearing  
8 officer's recommendation, the court on review shall give  
9 consideration to the school board's decision and its  
10 supplemental findings of fact, if applicable, and the  
11 hearing officer's findings of fact and recommendation in  
12 making its decision. In the event such review is  
13 instituted, the school board shall be responsible for  
14 preparing and filing the record of proceedings, and such  
15 costs associated therewith must be divided equally between  
16 the parties.

17 (10) If a decision of the hearing officer for dismissal  
18 pursuant to Article 24A of this Code or of the school board  
19 for dismissal for cause is adjudicated upon review or  
20 appeal in favor of the teacher, then the trial court shall  
21 order reinstatement and shall remand the matter to the  
22 school board with direction for entry of an order setting  
23 the amount of back pay, lost benefits, and costs, less  
24 mitigation. The teacher may challenge the school board's  
25 order setting the amount of back pay, lost benefits, and  
26 costs, less mitigation, through an expedited arbitration

1 procedure, with the costs of the arbitrator borne by the  
2 school board.

3 Any teacher who is reinstated by any hearing or  
4 adjudication brought under this Section shall be assigned  
5 by the board to a position substantially similar to the one  
6 which that teacher held prior to that teacher's suspension  
7 or dismissal.

8 (11) Subject to any later effective date referenced in  
9 this Section for a specific aspect of the dismissal  
10 process, the changes made by Public Act 97-8 shall apply to  
11 dismissals instituted on or after September 1, 2011. Any  
12 dismissal instituted prior to September 1, 2011 must be  
13 carried out in accordance with the requirements of this  
14 Section prior to amendment by Public Act 97-8.

15 (e) Nothing contained in Public Act 98-648 repeals,  
16 supersedes, invalidates, or nullifies final decisions in  
17 lawsuits pending on July 1, 2014 (the effective date of Public  
18 Act 98-648) in Illinois courts involving the interpretation of  
19 Public Act 97-8.

20 (Source: P.A. 100-768, eff. 1-1-19; 101-81, eff. 7-12-19;  
21 101-531, eff. 8-23-19; revised 12-3-19.)

22 (105 ILCS 5/24A-5) (from Ch. 122, par. 24A-5)

23 Sec. 24A-5. Content of evaluation plans. This Section does  
24 not apply to teachers assigned to schools identified in an  
25 agreement entered into between the board of a school district

1 operating under Article 34 of this Code and the exclusive  
2 representative of the district's teachers in accordance with  
3 Section 34-85c of this Code.

4 Each school district to which this Article applies shall  
5 establish a teacher evaluation plan which ensures that each  
6 teacher in contractual continued service is evaluated at least  
7 once in the course of every 2 school years.

8 By no later than September 1, 2012, each school district  
9 shall establish a teacher evaluation plan that ensures that:

10 (1) each teacher not in contractual continued service  
11 is evaluated at least once every school year; and

12 (2) each teacher in contractual continued service is  
13 evaluated at least once in the course of every 2 school  
14 years. However, any teacher in contractual continued  
15 service whose performance is rated as either "needs  
16 improvement" or "unsatisfactory" must be evaluated at  
17 least once in the school year following the receipt of such  
18 rating.

19 Notwithstanding anything to the contrary in this Section or  
20 any other Section of the School Code, a principal shall not be  
21 prohibited from evaluating any teachers within a school during  
22 his or her first year as principal of such school. If a  
23 first-year principal exercises this option in a school district  
24 where the evaluation plan provides for a teacher in contractual  
25 continued service to be evaluated once in the course of every 2  
26 school years, then a new 2-year evaluation plan must be

1 established.

2 The evaluation plan shall comply with the requirements of  
3 this Section and of any rules adopted by the State Board of  
4 Education pursuant to this Section.

5 The plan shall include a description of each teacher's  
6 duties and responsibilities and of the standards to which that  
7 teacher is expected to conform, and shall include at least the  
8 following components:

9 (a) personal observation of the teacher in the  
10 classroom by the evaluator, unless the teacher has no  
11 classroom duties.

12 (b) consideration of the teacher's attendance,  
13 planning, instructional methods, classroom management,  
14 where relevant, and competency in the subject matter  
15 taught.

16 (c) by no later than the applicable implementation  
17 date, consideration of student growth as a significant  
18 factor in the rating of the teacher's performance.

19 (d) prior to September 1, 2012, rating of the  
20 performance of teachers in contractual continued service  
21 as either:

22 (i) "excellent", "satisfactory" or  
23 "unsatisfactory"; or

24 (ii) "excellent", "proficient", "needs  
25 improvement" or "unsatisfactory".

26 (e) on and after September 1, 2012, rating of the

1 performance of all teachers as "excellent", "proficient",  
2 "needs improvement" or "unsatisfactory".

3 (f) specification as to the teacher's strengths and  
4 weaknesses, with supporting reasons for the comments made.

5 (g) inclusion of a copy of the evaluation in the  
6 teacher's personnel file and provision of a copy to the  
7 teacher.

8 (h) within 30 school days after the completion of an  
9 evaluation rating a teacher in contractual continued  
10 service as "needs improvement", development by the  
11 evaluator, in consultation with the teacher, and taking  
12 into account the teacher's on-going professional  
13 responsibilities including his or her regular teaching  
14 assignments, of a professional development plan directed  
15 to the areas that need improvement and any supports that  
16 the district will provide to address the areas identified  
17 as needing improvement.

18 (i) within 30 school days after completion of an  
19 evaluation rating a teacher in contractual continued  
20 service as "unsatisfactory", development and commencement  
21 by the district of a remediation plan designed to correct  
22 deficiencies cited, provided the deficiencies are deemed  
23 remediable. In all school districts the remediation plan  
24 for unsatisfactory, tenured teachers shall provide for 90  
25 school days of remediation within the classroom, unless an  
26 applicable collective bargaining agreement provides for a

1 shorter duration. In all school districts evaluations  
2 issued pursuant to this Section shall be issued within 10  
3 days after the conclusion of the respective remediation  
4 plan. However, the school board or other governing  
5 authority of the district shall not lose jurisdiction to  
6 discharge a teacher in the event the evaluation is not  
7 issued within 10 days after the conclusion of the  
8 respective remediation plan.

9 (j) participation in the remediation plan by the  
10 teacher in contractual continued service rated  
11 "unsatisfactory", an evaluator and a consulting teacher  
12 selected by the evaluator of the teacher who was rated  
13 "unsatisfactory", which consulting teacher is an  
14 educational employee as defined in the Educational Labor  
15 Relations Act, has at least 5 years' teaching experience,  
16 and a reasonable familiarity with the assignment of the  
17 teacher being evaluated, and who received an "excellent"  
18 rating on his or her most recent evaluation. Where no  
19 teachers who meet these criteria are available within the  
20 district, the district shall request and the applicable  
21 regional office of education shall supply, to participate  
22 in the remediation process, an individual who meets these  
23 criteria.

24 In a district having a population of less than 500,000  
25 with an exclusive bargaining agent, the bargaining agent  
26 may, if it so chooses, supply a roster of qualified

1 teachers from whom the consulting teacher is to be  
2 selected. That roster shall, however, contain the names of  
3 at least 5 teachers, each of whom meets the criteria for  
4 consulting teacher with regard to the teacher being  
5 evaluated, or the names of all teachers so qualified if  
6 that number is less than 5. In the event of a dispute as to  
7 qualification, the State Board shall determine  
8 qualification.

9 (k) a mid-point and final evaluation by an evaluator  
10 during and at the end of the remediation period,  
11 immediately following receipt of a remediation plan  
12 provided for under subsections (i) and (j) of this Section.  
13 Each evaluation shall assess the teacher's performance  
14 during the time period since the prior evaluation; provided  
15 that the last evaluation shall also include an overall  
16 evaluation of the teacher's performance during the  
17 remediation period. A written copy of the evaluations and  
18 ratings, in which any deficiencies in performance and  
19 recommendations for correction are identified, shall be  
20 provided to and discussed with the teacher within 10 school  
21 days after the date of the evaluation, unless an applicable  
22 collective bargaining agreement provides to the contrary.  
23 These subsequent evaluations shall be conducted by an  
24 evaluator. The consulting teacher shall provide advice to  
25 the teacher rated "unsatisfactory" on how to improve  
26 teaching skills and to successfully complete the

1 remediation plan. The consulting teacher shall participate  
2 in developing the remediation plan, but the final decision  
3 as to the evaluation shall be done solely by the evaluator,  
4 unless an applicable collective bargaining agreement  
5 provides to the contrary. Evaluations at the conclusion of  
6 the remediation process shall be separate and distinct from  
7 the required annual evaluations of teachers and shall not  
8 be subject to the guidelines and procedures relating to  
9 those annual evaluations. The evaluator may but is not  
10 required to use the forms provided for the annual  
11 evaluation of teachers in the district's evaluation plan.

12 (l) reinstatement to the evaluation schedule set forth  
13 in the district's evaluation plan for any teacher in  
14 contractual continued service who achieves a rating equal  
15 to or better than "satisfactory" or "proficient" in the  
16 school year following a rating of "needs improvement" or  
17 "unsatisfactory".

18 (m) dismissal in accordance with subsection (d) of  
19 Section 24-12 or Section 24-16.5 or 34-85 of this Code of  
20 any teacher who fails to complete any applicable  
21 remediation plan with a rating equal to or better than a  
22 "satisfactory" or "proficient" rating. Districts and  
23 teachers subject to dismissal hearings are precluded from  
24 compelling the testimony of consulting teachers at such  
25 hearings under subsection (d) of Section 24-12 or Section  
26 24-16.5 or 34-85 of this Code, either as to the rating



1 process or for opinions of performances by teachers under  
2 remediation.

3 (n) After the implementation date of an evaluation  
4 system for teachers in a district as specified in Section  
5 24A-2.5 of this Code, if a teacher in contractual continued  
6 service successfully completes a remediation plan  
7 following a rating of "unsatisfactory" in an annual or  
8 biennial overall performance evaluation received after the  
9 foregoing implementation date and receives a subsequent  
10 rating of "unsatisfactory" in any of the teacher's annual  
11 or biennial overall performance evaluation ratings  
12 received during the 36-month period following the  
13 teacher's completion of the remediation plan, then the  
14 school district may forego remediation and seek dismissal  
15 in accordance with subsection (d) of Section 24-12 or  
16 Section 34-85 of this Code.

17 Nothing in this Section or Section 24A-4 shall be construed  
18 as preventing immediate dismissal of a teacher for deficiencies  
19 which are deemed irreparable or for actions which are  
20 injurious to or endanger the health or person of students in  
21 the classroom or school, or preventing the dismissal or  
22 non-renewal of teachers not in contractual continued service  
23 for any reason not prohibited by applicable employment, labor,  
24 and civil rights laws. Failure to strictly comply with the time  
25 requirements contained in Section 24A-5 shall not invalidate  
26 the results of the remediation plan.

1           Nothing contained in this amendatory Act of the 98th  
2           General Assembly repeals, supersedes, invalidates, or  
3           nullifies final decisions in lawsuits pending on the effective  
4           date of this amendatory Act of the 98th General Assembly in  
5           Illinois courts involving the interpretation of Public Act  
6           97-8.

7           If the Governor has declared a disaster due to a public  
8           health emergency pursuant to Section 7 of the Illinois  
9           Emergency Management Agency Act that suspends in-person  
10           instruction, the timelines in this Section connected to the  
11           commencement and completion of any remediation plan are waived.  
12           Except if the parties mutually agree otherwise and the  
13           agreement is in writing, any remediation plan that had been in  
14           place for more than 45 days prior to the suspension of  
15           in-person instruction shall resume when in-person instruction  
16           resumes and any remediation plan that had been in place for  
17           fewer than 45 days prior to the suspension of in-person  
18           instruction shall be discontinued and a new remediation period  
19           shall begin when in-person instruction resumes. The  
20           requirements of this paragraph apply regardless of whether they  
21           are included in a school district's teacher evaluation plan.

22           (Source: P.A. 97-8, eff. 6-13-11; 98-470, eff. 8-16-13; 98-648,  
23           eff. 7-1-14.)

24           (105 ILCS 5/27-3) (from Ch. 122, par. 27-3)

25           Sec. 27-3. Patriotism and principles of representative

1 government - Proper use of flag - Method of voting - Pledge of  
2 Allegiance. American patriotism and the principles of  
3 representative government, as enunciated in the American  
4 Declaration of Independence, the Constitution of the United  
5 States of America and the Constitution of the State of  
6 Illinois, and the proper use and display of the American flag,  
7 shall be taught in all public schools and other educational  
8 institutions supported or maintained in whole or in part by  
9 public funds. No student shall receive a certificate of  
10 graduation without passing a satisfactory examination upon  
11 such subjects, which may be administered remotely.

12 Instruction shall be given in all such schools and  
13 institutions in the method of voting at elections by means of  
14 the Australian Ballot system and the method of the counting of  
15 votes for candidates.

16 The Pledge of Allegiance shall be recited each school day  
17 by pupils in elementary and secondary educational institutions  
18 supported or maintained in whole or in part by public funds.

19 (Source: P.A. 92-612, eff. 7-3-02.)

20 (105 ILCS 5/27-6.5)

21 Sec. 27-6.5. Physical fitness assessments in schools.

22 (a) As used in this Section, "physical fitness assessment"  
23 means a series of assessments to measure aerobic capacity, body  
24 composition, muscular strength, muscular endurance, and  
25 flexibility.

1 (b) To measure the effectiveness of State Goal 20 of the  
2 Illinois Learning Standards for Physical Development and  
3 Health, beginning with the 2016-2017 school year and every  
4 school year thereafter, the State Board of Education shall  
5 require all public schools to use a scientifically-based,  
6 health-related physical fitness assessment for grades 3  
7 through 12 and periodically report fitness information to the  
8 State Board of Education, as set forth in subsections (c) and  
9 (e) of this Section, to assess student fitness indicators.

10 Public schools shall integrate health-related fitness  
11 testing into the curriculum as an instructional tool, except in  
12 grades before the 3rd grade. Fitness tests must be appropriate  
13 to students' developmental levels and physical abilities. The  
14 testing must be used to teach students how to assess their  
15 fitness levels, set goals for improvement, and monitor progress  
16 in reaching their goals. Fitness scores shall not be used for  
17 grading students or evaluating teachers.

18 (c) On or before October 1, 2014, the State Superintendent  
19 of Education shall appoint a 15-member stakeholder and expert  
20 task force, including members representing organizations that  
21 represent physical education teachers, school officials,  
22 principals, health promotion and disease prevention advocates  
23 and experts, school health advocates and experts, and other  
24 experts with operational and academic expertise in the  
25 measurement of fitness. The task force shall make  
26 recommendations to the State Board of Education on the

1 following:

2 (1) methods for ensuring the validity and uniformity of  
3 reported physical fitness assessment scores, including  
4 assessment administration protocols and professional  
5 development approaches for physical education teachers;

6 (2) how often physical fitness assessment scores  
7 should be reported to the State Board of Education;

8 (3) the grade levels within elementary, middle, and  
9 high school categories for which physical fitness  
10 assessment scores should be reported to the State Board of  
11 Education;

12 (4) the minimum fitness indicators that should be  
13 reported to the State Board of Education, including, but  
14 not limited to, a score for aerobic capacity (for grades 4  
15 through 12); muscular strength; endurance; and  
16 flexibility;

17 (5) the demographic information that should accompany  
18 the scores, including, but not limited to, grade and  
19 gender;

20 (6) the development of protocols regarding the  
21 protection of students' confidentiality and individual  
22 information and identifiers; and

23 (7) how physical fitness assessment data should be  
24 reported by the State Board of Education to the public,  
25 including potential correlations with student academic  
26 achievement, attendance, and discipline data and other

1 recommended uses of the reported data.

2 The State Board of Education shall provide administrative  
3 and other support to the task force.

4 The task force shall submit its recommendations on physical  
5 fitness assessments on or before April 1, 2015. The task force  
6 may also recommend methods for assessing student progress on  
7 State Goals 19 and 21 through 24 of the Illinois Learning  
8 Standards for Physical Development and Health. The task force  
9 is dissolved on April 30, 2015.

10 The provisions of this subsection (c), other than this  
11 sentence, are inoperative after March 31, 2016.

12 (d) On or before December 31, 2015, the State Board of  
13 Education shall use the recommendations of the task force under  
14 subsection (c) of this Section to adopt rules for the  
15 implementation of physical fitness assessments by each public  
16 school for the 2016-2017 school year and every school year  
17 thereafter. The requirements of this Section do not apply if  
18 the Governor has declared a disaster due to a public health  
19 emergency pursuant to Section 7 of the Illinois Emergency  
20 Management Agency Act.

21 (e) On or before September 1, 2016, the State Board of  
22 Education shall adopt rules for data submission by school  
23 districts and develop a system for collecting and reporting the  
24 aggregated fitness information from the physical fitness  
25 assessments. This system shall also support the collection of  
26 data from school districts that use a fitness testing software

1 program.

2 (f) School districts may report the aggregate findings of  
3 physical fitness assessments by grade level and school to  
4 parents and members of the community through typical  
5 communication channels, such as Internet websites, school  
6 newsletters, school board reports, and presentations.  
7 Districts may also provide individual fitness assessment  
8 reports to students' parents.

9 (g) Nothing in this Section precludes schools from  
10 implementing a physical fitness assessment before the  
11 2016-2017 school year or from implementing more robust forms of  
12 a physical fitness assessment.

13 (Source: P.A. 98-859, eff. 8-4-14.)

14 (105 ILCS 5/27-8.1) (from Ch. 122, par. 27-8.1)

15 Sec. 27-8.1. Health examinations and immunizations.

16 (1) In compliance with rules and regulations which the  
17 Department of Public Health shall promulgate, and except as  
18 hereinafter provided, all children in Illinois shall have a  
19 health examination as follows: within one year prior to  
20 entering kindergarten or the first grade of any public,  
21 private, or parochial elementary school; upon entering the  
22 sixth and ninth grades of any public, private, or parochial  
23 school; prior to entrance into any public, private, or  
24 parochial nursery school; and, irrespective of grade,  
25 immediately prior to or upon entrance into any public, private,

1 or parochial school or nursery school, each child shall present  
2 proof of having been examined in accordance with this Section  
3 and the rules and regulations promulgated hereunder. Any child  
4 who received a health examination within one year prior to  
5 entering the fifth grade for the 2007-2008 school year is not  
6 required to receive an additional health examination in order  
7 to comply with the provisions of Public Act 95-422 when he or  
8 she attends school for the 2008-2009 school year, unless the  
9 child is attending school for the first time as provided in  
10 this paragraph.

11 A tuberculosis skin test screening shall be included as a  
12 required part of each health examination included under this  
13 Section if the child resides in an area designated by the  
14 Department of Public Health as having a high incidence of  
15 tuberculosis. Additional health examinations of pupils,  
16 including eye examinations, may be required when deemed  
17 necessary by school authorities. Parents are encouraged to have  
18 their children undergo eye examinations at the same points in  
19 time required for health examinations.

20 (1.5) In compliance with rules adopted by the Department of  
21 Public Health and except as otherwise provided in this Section,  
22 all children in kindergarten and the second, sixth, and ninth  
23 grades of any public, private, or parochial school shall have a  
24 dental examination. Each of these children shall present proof  
25 of having been examined by a dentist in accordance with this  
26 Section and rules adopted under this Section before May 15th of



1 the school year. If a child in the second, sixth, or ninth  
2 grade fails to present proof by May 15th, the school may hold  
3 the child's report card until one of the following occurs: (i)  
4 the child presents proof of a completed dental examination or  
5 (ii) the child presents proof that a dental examination will  
6 take place within 60 days after May 15th. A school may not  
7 withhold a child's report card during a school year in which  
8 the Governor has declared a disaster due to a public health  
9 emergency pursuant to Section 7 of the Illinois Emergency  
10 Management Agency Act. The Department of Public Health shall  
11 establish, by rule, a waiver for children who show an undue  
12 burden or a lack of access to a dentist. Each public, private,  
13 and parochial school must give notice of this dental  
14 examination requirement to the parents and guardians of  
15 students at least 60 days before May 15th of each school year.

16 (1.10) Except as otherwise provided in this Section, all  
17 children enrolling in kindergarten in a public, private, or  
18 parochial school on or after January 1, 2008 (the effective  
19 date of Public Act 95-671) and any student enrolling for the  
20 first time in a public, private, or parochial school on or  
21 after January 1, 2008 (the effective date of Public Act 95-671)  
22 shall have an eye examination. Each of these children shall  
23 present proof of having been examined by a physician licensed  
24 to practice medicine in all of its branches or a licensed  
25 optometrist within the previous year, in accordance with this  
26 Section and rules adopted under this Section, before October

1 15th of the school year. If the child fails to present proof by  
2 October 15th, the school may hold the child's report card until  
3 one of the following occurs: (i) the child presents proof of a  
4 completed eye examination or (ii) the child presents proof that  
5 an eye examination will take place within 60 days after October  
6 15th. A school may not withhold a child's report card during a  
7 school year in which the Governor has declared a disaster due  
8 to a public health emergency pursuant to Section 7 of the  
9 Illinois Emergency Management Agency Act. The Department of  
10 Public Health shall establish, by rule, a waiver for children  
11 who show an undue burden or a lack of access to a physician  
12 licensed to practice medicine in all of its branches who  
13 provides eye examinations or to a licensed optometrist. Each  
14 public, private, and parochial school must give notice of this  
15 eye examination requirement to the parents and guardians of  
16 students in compliance with rules of the Department of Public  
17 Health. Nothing in this Section shall be construed to allow a  
18 school to exclude a child from attending because of a parent's  
19 or guardian's failure to obtain an eye examination for the  
20 child.

21 (2) The Department of Public Health shall promulgate rules  
22 and regulations specifying the examinations and procedures  
23 that constitute a health examination, which shall include an  
24 age-appropriate developmental screening, an age-appropriate  
25 social and emotional screening, and the collection of data  
26 relating to asthma and obesity (including at a minimum, date of

1 birth, gender, height, weight, blood pressure, and date of  
2 exam), and a dental examination and may recommend by rule that  
3 certain additional examinations be performed. The rules and  
4 regulations of the Department of Public Health shall specify  
5 that a tuberculosis skin test screening shall be included as a  
6 required part of each health examination included under this  
7 Section if the child resides in an area designated by the  
8 Department of Public Health as having a high incidence of  
9 tuberculosis. With respect to the developmental screening and  
10 the social and emotional screening, the Department of Public  
11 Health must, no later than January 1, 2019, develop rules and  
12 appropriate revisions to the Child Health Examination form in  
13 conjunction with a statewide organization representing school  
14 boards; a statewide organization representing pediatricians;  
15 statewide organizations representing individuals holding  
16 Illinois educator licenses with school support personnel  
17 endorsements, including school social workers, school  
18 psychologists, and school nurses; a statewide organization  
19 representing children's mental health experts; a statewide  
20 organization representing school principals; the Director of  
21 Healthcare and Family Services or his or her designee, the  
22 State Superintendent of Education or his or her designee; and  
23 representatives of other appropriate State agencies and, at a  
24 minimum, must recommend the use of validated screening tools  
25 appropriate to the child's age or grade, and, with regard to  
26 the social and emotional screening, require recording only

1 whether or not the screening was completed. The rules shall  
2 take into consideration the screening recommendations of the  
3 American Academy of Pediatrics and must be consistent with the  
4 State Board of Education's social and emotional learning  
5 standards. The Department of Public Health shall specify that a  
6 diabetes screening as defined by rule shall be included as a  
7 required part of each health examination. Diabetes testing is  
8 not required.

9 Physicians licensed to practice medicine in all of its  
10 branches, licensed advanced practice registered nurses, or  
11 licensed physician assistants shall be responsible for the  
12 performance of the health examinations, other than dental  
13 examinations, eye examinations, and vision and hearing  
14 screening, and shall sign all report forms required by  
15 subsection (4) of this Section that pertain to those portions  
16 of the health examination for which the physician, advanced  
17 practice registered nurse, or physician assistant is  
18 responsible. If a registered nurse performs any part of a  
19 health examination, then a physician licensed to practice  
20 medicine in all of its branches must review and sign all  
21 required report forms. Licensed dentists shall perform all  
22 dental examinations and shall sign all report forms required by  
23 subsection (4) of this Section that pertain to the dental  
24 examinations. Physicians licensed to practice medicine in all  
25 its branches or licensed optometrists shall perform all eye  
26 examinations required by this Section and shall sign all report

1 forms required by subsection (4) of this Section that pertain  
2 to the eye examination. For purposes of this Section, an eye  
3 examination shall at a minimum include history, visual acuity,  
4 subjective refraction to best visual acuity near and far,  
5 internal and external examination, and a glaucoma evaluation,  
6 as well as any other tests or observations that in the  
7 professional judgment of the doctor are necessary. Vision and  
8 hearing screening tests, which shall not be considered  
9 examinations as that term is used in this Section, shall be  
10 conducted in accordance with rules and regulations of the  
11 Department of Public Health, and by individuals whom the  
12 Department of Public Health has certified. In these rules and  
13 regulations, the Department of Public Health shall require that  
14 individuals conducting vision screening tests give a child's  
15 parent or guardian written notification, before the vision  
16 screening is conducted, that states, "Vision screening is not a  
17 substitute for a complete eye and vision evaluation by an eye  
18 doctor. Your child is not required to undergo this vision  
19 screening if an optometrist or ophthalmologist has completed  
20 and signed a report form indicating that an examination has  
21 been administered within the previous 12 months."

22 (2.5) With respect to the developmental screening and the  
23 social and emotional screening portion of the health  
24 examination, each child may present proof of having been  
25 screened in accordance with this Section and the rules adopted  
26 under this Section before October 15th of the school year. With

1 regard to the social and emotional screening only, the  
2 examining health care provider shall only record whether or not  
3 the screening was completed. If the child fails to present  
4 proof of the developmental screening or the social and  
5 emotional screening portions of the health examination by  
6 October 15th of the school year, qualified school support  
7 personnel may, with a parent's or guardian's consent, offer the  
8 developmental screening or the social and emotional screening  
9 to the child. Each public, private, and parochial school must  
10 give notice of the developmental screening and social and  
11 emotional screening requirements to the parents and guardians  
12 of students in compliance with the rules of the Department of  
13 Public Health. Nothing in this Section shall be construed to  
14 allow a school to exclude a child from attending because of a  
15 parent's or guardian's failure to obtain a developmental  
16 screening or a social and emotional screening for the child.  
17 Once a developmental screening or a social and emotional  
18 screening is completed and proof has been presented to the  
19 school, the school may, with a parent's or guardian's consent,  
20 make available appropriate school personnel to work with the  
21 parent or guardian, the child, and the provider who signed the  
22 screening form to obtain any appropriate evaluations and  
23 services as indicated on the form and in other information and  
24 documentation provided by the parents, guardians, or provider.

25 (3) Every child shall, at or about the same time as he or  
26 she receives a health examination required by subsection (1) of

1 this Section, present to the local school proof of having  
2 received such immunizations against preventable communicable  
3 diseases as the Department of Public Health shall require by  
4 rules and regulations promulgated pursuant to this Section and  
5 the Communicable Disease Prevention Act.

6 (4) The individuals conducting the health examination,  
7 dental examination, or eye examination shall record the fact of  
8 having conducted the examination, and such additional  
9 information as required, including for a health examination  
10 data relating to asthma and obesity (including at a minimum,  
11 date of birth, gender, height, weight, blood pressure, and date  
12 of exam), on uniform forms which the Department of Public  
13 Health and the State Board of Education shall prescribe for  
14 statewide use. The examiner shall summarize on the report form  
15 any condition that he or she suspects indicates a need for  
16 special services, including for a health examination factors  
17 relating to asthma or obesity. The duty to summarize on the  
18 report form does not apply to social and emotional screenings.  
19 The confidentiality of the information and records relating to  
20 the developmental screening and the social and emotional  
21 screening shall be determined by the statutes, rules, and  
22 professional ethics governing the type of provider conducting  
23 the screening. The individuals confirming the administration  
24 of required immunizations shall record as indicated on the form  
25 that the immunizations were administered.

26 (5) If a child does not submit proof of having had either

1 the health examination or the immunization as required, then  
2 the child shall be examined or receive the immunization, as the  
3 case may be, and present proof by October 15 of the current  
4 school year, or by an earlier date of the current school year  
5 established by a school district. To establish a date before  
6 October 15 of the current school year for the health  
7 examination or immunization as required, a school district must  
8 give notice of the requirements of this Section 60 days prior  
9 to the earlier established date. If for medical reasons one or  
10 more of the required immunizations must be given after October  
11 15 of the current school year, or after an earlier established  
12 date of the current school year, then the child shall present,  
13 by October 15, or by the earlier established date, a schedule  
14 for the administration of the immunizations and a statement of  
15 the medical reasons causing the delay, both the schedule and  
16 the statement being issued by the physician, advanced practice  
17 registered nurse, physician assistant, registered nurse, or  
18 local health department that will be responsible for  
19 administration of the remaining required immunizations. If a  
20 child does not comply by October 15, or by the earlier  
21 established date of the current school year, with the  
22 requirements of this subsection, then the local school  
23 authority shall exclude that child from school until such time  
24 as the child presents proof of having had the health  
25 examination as required and presents proof of having received  
26 those required immunizations which are medically possible to



1 receive immediately. During a child's exclusion from school for  
2 noncompliance with this subsection, the child's parents or  
3 legal guardian shall be considered in violation of Section 26-1  
4 and subject to any penalty imposed by Section 26-10. This  
5 subsection (5) does not apply to dental examinations, eye  
6 examinations, and the developmental screening and the social  
7 and emotional screening portions of the health examination. If  
8 the student is an out-of-state transfer student and does not  
9 have the proof required under this subsection (5) before  
10 October 15 of the current year or whatever date is set by the  
11 school district, then he or she may only attend classes (i) if  
12 he or she has proof that an appointment for the required  
13 vaccinations has been scheduled with a party authorized to  
14 submit proof of the required vaccinations. If the proof of  
15 vaccination required under this subsection (5) is not submitted  
16 within 30 days after the student is permitted to attend  
17 classes, then the student is not to be permitted to attend  
18 classes until proof of the vaccinations has been properly  
19 submitted. No school district or employee of a school district  
20 shall be held liable for any injury or illness to another  
21 person that results from admitting an out-of-state transfer  
22 student to class that has an appointment scheduled pursuant to  
23 this subsection (5).

24 (6) Every school shall report to the State Board of  
25 Education by November 15, in the manner which that agency shall  
26 require, the number of children who have received the necessary

1 immunizations and the health examination (other than a dental  
2 examination or eye examination) as required, indicating, of  
3 those who have not received the immunizations and examination  
4 as required, the number of children who are exempt from health  
5 examination and immunization requirements on religious or  
6 medical grounds as provided in subsection (8). On or before  
7 December 1 of each year, every public school district and  
8 registered nonpublic school shall make publicly available the  
9 immunization data they are required to submit to the State  
10 Board of Education by November 15. The immunization data made  
11 publicly available must be identical to the data the school  
12 district or school has reported to the State Board of  
13 Education.

14 Every school shall report to the State Board of Education  
15 by June 30, in the manner that the State Board requires, the  
16 number of children who have received the required dental  
17 examination, indicating, of those who have not received the  
18 required dental examination, the number of children who are  
19 exempt from the dental examination on religious grounds as  
20 provided in subsection (8) of this Section and the number of  
21 children who have received a waiver under subsection (1.5) of  
22 this Section.

23 Every school shall report to the State Board of Education  
24 by June 30, in the manner that the State Board requires, the  
25 number of children who have received the required eye  
26 examination, indicating, of those who have not received the

1 required eye examination, the number of children who are exempt  
2 from the eye examination as provided in subsection (8) of this  
3 Section, the number of children who have received a waiver  
4 under subsection (1.10) of this Section, and the total number  
5 of children in noncompliance with the eye examination  
6 requirement.

7 The reported information under this subsection (6) shall be  
8 provided to the Department of Public Health by the State Board  
9 of Education.

10 (7) Upon determining that the number of pupils who are  
11 required to be in compliance with subsection (5) of this  
12 Section is below 90% of the number of pupils enrolled in the  
13 school district, 10% of each State aid payment made pursuant to  
14 Section 18-8.05 or 18-8.15 to the school district for such year  
15 may be withheld by the State Board of Education until the  
16 number of students in compliance with subsection (5) is the  
17 applicable specified percentage or higher.

18 (8) Children of parents or legal guardians who object to  
19 health, dental, or eye examinations or any part thereof, to  
20 immunizations, or to vision and hearing screening tests on  
21 religious grounds shall not be required to undergo the  
22 examinations, tests, or immunizations to which they so object  
23 if such parents or legal guardians present to the appropriate  
24 local school authority a signed Certificate of Religious  
25 Exemption detailing the grounds for objection and the specific  
26 immunizations, tests, or examinations to which they object. The

1 grounds for objection must set forth the specific religious  
2 belief that conflicts with the examination, test,  
3 immunization, or other medical intervention. The signed  
4 certificate shall also reflect the parent's or legal guardian's  
5 understanding of the school's exclusion policies in the case of  
6 a vaccine-preventable disease outbreak or exposure. The  
7 certificate must also be signed by the authorized examining  
8 health care provider responsible for the performance of the  
9 child's health examination confirming that the provider  
10 provided education to the parent or legal guardian on the  
11 benefits of immunization and the health risks to the student  
12 and to the community of the communicable diseases for which  
13 immunization is required in this State. However, the health  
14 care provider's signature on the certificate reflects only that  
15 education was provided and does not allow a health care  
16 provider grounds to determine a religious exemption. Those  
17 receiving immunizations required under this Code shall be  
18 provided with the relevant vaccine information statements that  
19 are required to be disseminated by the federal National  
20 Childhood Vaccine Injury Act of 1986, which may contain  
21 information on circumstances when a vaccine should not be  
22 administered, prior to administering a vaccine. A healthcare  
23 provider may consider including without limitation the  
24 nationally accepted recommendations from federal agencies such  
25 as the Advisory Committee on Immunization Practices, the  
26 information outlined in the relevant vaccine information

1 statement, and vaccine package inserts, along with the  
2 healthcare provider's clinical judgment, to determine whether  
3 any child may be more susceptible to experiencing an adverse  
4 vaccine reaction than the general population, and, if so, the  
5 healthcare provider may exempt the child from an immunization  
6 or adopt an individualized immunization schedule. The  
7 Certificate of Religious Exemption shall be created by the  
8 Department of Public Health and shall be made available and  
9 used by parents and legal guardians by the beginning of the  
10 2015-2016 school year. Parents or legal guardians must submit  
11 the Certificate of Religious Exemption to their local school  
12 authority prior to entering kindergarten, sixth grade, and  
13 ninth grade for each child for which they are requesting an  
14 exemption. The religious objection stated need not be directed  
15 by the tenets of an established religious organization.  
16 However, general philosophical or moral reluctance to allow  
17 physical examinations, eye examinations, immunizations, vision  
18 and hearing screenings, or dental examinations does not provide  
19 a sufficient basis for an exception to statutory requirements.  
20 The local school authority is responsible for determining if  
21 the content of the Certificate of Religious Exemption  
22 constitutes a valid religious objection. The local school  
23 authority shall inform the parent or legal guardian of  
24 exclusion procedures, in accordance with the Department's  
25 rules under Part 690 of Title 77 of the Illinois Administrative  
26 Code, at the time the objection is presented.

1           If the physical condition of the child is such that any one  
2 or more of the immunizing agents should not be administered,  
3 the examining physician, advanced practice registered nurse,  
4 or physician assistant responsible for the performance of the  
5 health examination shall endorse that fact upon the health  
6 examination form.

7           Exempting a child from the health, dental, or eye  
8 examination does not exempt the child from participation in the  
9 program of physical education training provided in Sections  
10 27-5 through 27-7 of this Code.

11           (8.5) The school board of a school district shall include  
12 informational materials regarding influenza and influenza  
13 vaccinations and meningococcal disease and meningococcal  
14 vaccinations developed, provided, or approved by the  
15 Department of Public Health under Section 2310-700 of the  
16 Department of Public Health Powers and Duties Law of the Civil  
17 Administrative Code of Illinois when the board provides  
18 information on immunizations, infectious diseases,  
19 medications, or other school health issues to the parents or  
20 guardians of students.

21           (9) For the purposes of this Section, "nursery schools"  
22 means those nursery schools operated by elementary school  
23 systems or secondary level school units or institutions of  
24 higher learning.

25           (Source: P.A. 100-238, eff. 1-1-18; 100-465, eff. 8-31-17;  
26 100-513, eff. 1-1-18; 100-829, eff. 1-1-19; 100-863, eff.

1 8-14-18; 100-977, eff. 1-1-19; 100-1011, eff. 8-21-18; 101-81,  
2 eff. 7-12-19.)

3 (105 ILCS 5/27-21) (from Ch. 122, par. 27-21)

4 (Text of Section before amendment by P.A. 101-227)

5 Sec. 27-21. History of United States. History of the United  
6 States shall be taught in all public schools and in all other  
7 educational institutions in this State supported or  
8 maintained, in whole or in part, by public funds. The teaching  
9 of history shall have as one of its objectives the imparting to  
10 pupils of a comprehensive idea of our democratic form of  
11 government and the principles for which our government stands  
12 as regards other nations, including the studying of the place  
13 of our government in world-wide movements and the leaders  
14 thereof, with particular stress upon the basic principles and  
15 ideals of our representative form of government. The teaching  
16 of history shall include a study of the role and contributions  
17 of African Americans and other ethnic groups, including, but  
18 not restricted to, Polish, Lithuanian, German, Hungarian,  
19 Irish, Bohemian, Russian, Albanian, Italian, Czech, Slovak,  
20 French, Scots, Hispanics, Asian Americans, etc., in the history  
21 of this country and this State. To reinforce the study of the  
22 role and contributions of Hispanics, such curriculum shall  
23 include the study of the events related to the forceful removal  
24 and illegal deportation of Mexican-American U.S. citizens  
25 during the Great Depression. The teaching of history also shall

1 include a study of the role of labor unions and their  
2 interaction with government in achieving the goals of a mixed  
3 free enterprise system. Beginning with the 2020-2021 school  
4 year, the teaching of history must also include instruction on  
5 the history of Illinois. No pupils shall be graduated from the  
6 eighth grade of any public school unless he has received such  
7 instruction in the history of the United States and gives  
8 evidence of having a comprehensive knowledge thereof, which may  
9 be administered remotely.

10 (Source: P.A. 101-341, eff. 1-1-20; revised 9-19-19.)

11 (Text of Section after amendment by P.A. 101-227)

12 Sec. 27-21. History of United States. History of the United  
13 States shall be taught in all public schools and in all other  
14 educational institutions in this State supported or  
15 maintained, in whole or in part, by public funds. The teaching  
16 of history shall have as one of its objectives the imparting to  
17 pupils of a comprehensive idea of our democratic form of  
18 government and the principles for which our government stands  
19 as regards other nations, including the studying of the place  
20 of our government in world-wide movements and the leaders  
21 thereof, with particular stress upon the basic principles and  
22 ideals of our representative form of government. The teaching  
23 of history shall include a study of the role and contributions  
24 of African Americans and other ethnic groups, including, but  
25 not restricted to, Polish, Lithuanian, German, Hungarian,



1 Irish, Bohemian, Russian, Albanian, Italian, Czech, Slovak,  
2 French, Scots, Hispanics, Asian Americans, etc., in the history  
3 of this country and this State. To reinforce the study of the  
4 role and contributions of Hispanics, such curriculum shall  
5 include the study of the events related to the forceful removal  
6 and illegal deportation of Mexican-American U.S. citizens  
7 during the Great Depression. In public schools only, the  
8 teaching of history shall include a study of the roles and  
9 contributions of lesbian, gay, bisexual, and transgender  
10 people in the history of this country and this State. The  
11 teaching of history also shall include a study of the role of  
12 labor unions and their interaction with government in achieving  
13 the goals of a mixed free enterprise system. Beginning with the  
14 2020-2021 school year, the teaching of history must also  
15 include instruction on the history of Illinois. No pupils shall  
16 be graduated from the eighth grade of any public school unless  
17 he or she has received such instruction in the history of the  
18 United States and gives evidence of having a comprehensive  
19 knowledge thereof, which may be administered remotely.

20 (Source: P.A. 101-227, eff. 7-1-20; 101-341, eff. 1-1-20;  
21 revised 9-19-19.)

22 (105 ILCS 5/27-22) (from Ch. 122, par. 27-22)

23 Sec. 27-22. Required high school courses.

24 (a) (Blank).

25 (b) (Blank).

1 (c) (Blank).

2 (d) (Blank).

3 (e) As a prerequisite to receiving a high school diploma,  
4 each pupil entering the 9th grade must, in addition to other  
5 course requirements, successfully complete all of the  
6 following courses:

7 (1) Four years of language arts.

8 (2) Two years of writing intensive courses, one of  
9 which must be English and the other of which may be English  
10 or any other subject. When applicable, writing-intensive  
11 courses may be counted towards the fulfillment of other  
12 graduation requirements.

13 (3) Three years of mathematics, one of which must be  
14 Algebra I, one of which must include geometry content, and  
15 one of which may be an Advanced Placement computer science  
16 course. A mathematics course that includes geometry  
17 content may be offered as an integrated, applied,  
18 interdisciplinary, or career and technical education  
19 course that prepares a student for a career readiness path.

20 (4) Two years of science.

21 (5) Two years of social studies, of which at least one  
22 year must be history of the United States or a combination  
23 of history of the United States and American government  
24 and, beginning with pupils entering the 9th grade in the  
25 2016-2017 school year and each school year thereafter, at  
26 least one semester must be civics, which shall help young

1 people acquire and learn to use the skills, knowledge, and  
2 attitudes that will prepare them to be competent and  
3 responsible citizens throughout their lives. Civics course  
4 content shall focus on government institutions, the  
5 discussion of current and controversial issues, service  
6 learning, and simulations of the democratic process.  
7 School districts may utilize private funding available for  
8 the purposes of offering civics education.

9 (6) One year chosen from (A) music, (B) art, (C)  
10 foreign language, which shall be deemed to include American  
11 Sign Language, or (D) vocational education.

12 (f) The State Board of Education shall develop and inform  
13 school districts of standards for writing-intensive  
14 coursework.

15 (f-5) If a school district offers an Advanced Placement  
16 computer science course to high school students, then the  
17 school board must designate that course as equivalent to a high  
18 school mathematics course and must denote on the student's  
19 transcript that the Advanced Placement computer science course  
20 qualifies as a mathematics-based, quantitative course for  
21 students in accordance with subdivision (3) of subsection (e)  
22 of this Section.

23 (g) This amendatory Act of 1983 does not apply to pupils  
24 entering the 9th grade in 1983-1984 school year and prior  
25 school years or to students with disabilities whose course of  
26 study is determined by an individualized education program.

1           This amendatory Act of the 94th General Assembly does not  
2 apply to pupils entering the 9th grade in the 2004-2005 school  
3 year or a prior school year or to students with disabilities  
4 whose course of study is determined by an individualized  
5 education program.

6           (h) The provisions of this Section are subject to the  
7 provisions of Section 27-22.05 of this Code and the  
8 Postsecondary and Workforce Readiness Act.

9           (i) The State Board of Education may adopt rules to modify  
10 the requirements of this Section for any students enrolled in  
11 grades 9 through 12 if the Governor has declared a disaster due  
12 to a public health emergency pursuant to Section 7 of the  
13 Illinois Emergency Management Agency Act.

14           (Source: P.A. 100-443, eff. 8-25-17; 101-464, eff. 1-1-20.)

15           (105 ILCS 5/34-2.1) (from Ch. 122, par. 34-2.1)

16           Sec. 34-2.1. Local School Councils - Composition -  
17 Voter-Eligibility - Elections - Terms.

18           (a) A local school council shall be established for each  
19 attendance center within the school district. Each local school  
20 council shall consist of the following 12 voting members: the  
21 principal of the attendance center, 2 teachers employed and  
22 assigned to perform the majority of their employment duties at  
23 the attendance center, 6 parents of students currently enrolled  
24 at the attendance center, one employee of the school district  
25 employed and assigned to perform the majority of his or her

1 employment duties at the attendance center who is not a  
2 teacher, and 2 community residents. Neither the parents nor the  
3 community residents who serve as members of the local school  
4 council shall be employees of the Board of Education. In each  
5 secondary attendance center, the local school council shall  
6 consist of 13 voting members -- the 12 voting members described  
7 above and one full-time student member, appointed as provided  
8 in subsection (m) below. In the event that the chief executive  
9 officer of the Chicago School Reform Board of Trustees  
10 determines that a local school council is not carrying out its  
11 financial duties effectively, the chief executive officer is  
12 authorized to appoint a representative of the business  
13 community with experience in finance and management to serve as  
14 an advisor to the local school council for the purpose of  
15 providing advice and assistance to the local school council on  
16 fiscal matters. The advisor shall have access to relevant  
17 financial records of the local school council. The advisor may  
18 attend executive sessions. The chief executive officer shall  
19 issue a written policy defining the circumstances under which a  
20 local school council is not carrying out its financial duties  
21 effectively.

22 (b) Within 7 days of January 11, 1991, the Mayor shall  
23 appoint the members and officers (a Chairperson who shall be a  
24 parent member and a Secretary) of each local school council who  
25 shall hold their offices until their successors shall be  
26 elected and qualified. Members so appointed shall have all the

1 powers and duties of local school councils as set forth in this  
2 amendatory Act of 1991. The Mayor's appointments shall not  
3 require approval by the City Council.

4 The membership of each local school council shall be  
5 encouraged to be reflective of the racial and ethnic  
6 composition of the student population of the attendance center  
7 served by the local school council.

8 (c) Beginning with the 1995-1996 school year and in every  
9 even-numbered year thereafter, the Board shall set second  
10 semester Parent Report Card Pick-up Day for Local School  
11 Council elections and may schedule elections at year-round  
12 schools for the same dates as the remainder of the school  
13 system. Elections shall be conducted as provided herein by the  
14 Board of Education in consultation with the local school  
15 council at each attendance center.

16 (c-5) Notwithstanding subsection (c), for the local school  
17 council election set for the 2019-2020 school year, the Board  
18 may hold the election on the first semester Parent Report Card  
19 Pick-up Day of the 2020-2021 school year, making any necessary  
20 modifications to the election process or date to comply with  
21 guidance from the Department of Public Health and the federal  
22 Centers for Disease Control and Prevention. The terms of office  
23 of all local school council members eligible to serve and  
24 seated on or after March 23, 2020 through January 10, 2021 are  
25 extended through January 10, 2021, provided that the members  
26 continue to meet eligibility requirements for local school

1 council membership.

2 (d) Beginning with the 1995-96 school year, the following  
3 procedures shall apply to the election of local school council  
4 members at each attendance center:

5 (i) The elected members of each local school council  
6 shall consist of the 6 parent members and the 2 community  
7 resident members.

8 (ii) Each elected member shall be elected by the  
9 eligible voters of that attendance center to serve for a  
10 two-year term commencing on July 1 immediately following  
11 the election described in subsection (c), except that the  
12 terms of members elected to a local school council under  
13 subsection (c-5) shall commence on January 11, 2021 and end  
14 on July 1, 2022. Eligible voters for each attendance center  
15 shall consist of the parents and community residents for  
16 that attendance center.

17 (iii) Each eligible voter shall be entitled to cast one  
18 vote for up to a total of 5 candidates, irrespective of  
19 whether such candidates are parent or community resident  
20 candidates.

21 (iv) Each parent voter shall be entitled to vote in the  
22 local school council election at each attendance center in  
23 which he or she has a child currently enrolled. Each  
24 community resident voter shall be entitled to vote in the  
25 local school council election at each attendance center for  
26 which he or she resides in the applicable attendance area

1 or voting district, as the case may be.

2 (v) Each eligible voter shall be entitled to vote once,  
3 but not more than once, in the local school council  
4 election at each attendance center at which the voter is  
5 eligible to vote.

6 (vi) The 2 teacher members and the non-teacher employee  
7 member of each local school council shall be appointed as  
8 provided in subsection (l) below each to serve for a  
9 two-year term coinciding with that of the elected parent  
10 and community resident members. From March 23, 2020 through  
11 January 10, 2021, the chief executive officer or his or her  
12 designee may make accommodations to fill the vacancy of a  
13 teacher or non-teacher employee member of a local school  
14 council.

15 (vii) At secondary attendance centers, the voting  
16 student member shall be appointed as provided in subsection  
17 (m) below to serve for a one-year term coinciding with the  
18 beginning of the terms of the elected parent and community  
19 members of the local school council. For the 2020-2021  
20 school year, the chief executive officer or his or her  
21 designee may make accommodations to fill the vacancy of a  
22 student member of a local school council.

23 (e) The Council shall publicize the date and place of the  
24 election by posting notices at the attendance center, in public  
25 places within the attendance boundaries of the attendance  
26 center and by distributing notices to the pupils at the



1 attendance center, and shall utilize such other means as it  
2 deems necessary to maximize the involvement of all eligible  
3 voters.

4 (f) Nomination. The Council shall publicize the opening of  
5 nominations by posting notices at the attendance center, in  
6 public places within the attendance boundaries of the  
7 attendance center and by distributing notices to the pupils at  
8 the attendance center, and shall utilize such other means as it  
9 deems necessary to maximize the involvement of all eligible  
10 voters. Not less than 2 weeks before the election date, persons  
11 eligible to run for the Council shall submit their name, date  
12 of birth, social security number, if available, and some  
13 evidence of eligibility to the Council. The Council shall  
14 encourage nomination of candidates reflecting the  
15 racial/ethnic population of the students at the attendance  
16 center. Each person nominated who runs as a candidate shall  
17 disclose, in a manner determined by the Board, any economic  
18 interest held by such person, by such person's spouse or  
19 children, or by each business entity in which such person has  
20 an ownership interest, in any contract with the Board, any  
21 local school council or any public school in the school  
22 district. Each person nominated who runs as a candidate shall  
23 also disclose, in a manner determined by the Board, if he or  
24 she ever has been convicted of any of the offenses specified in  
25 subsection (c) of Section 34-18.5; provided that neither this  
26 provision nor any other provision of this Section shall be

1 deemed to require the disclosure of any information that is  
2 contained in any law enforcement record or juvenile court  
3 record that is confidential or whose accessibility or  
4 disclosure is restricted or prohibited under Section 5-901 or  
5 5-905 of the Juvenile Court Act of 1987. Failure to make such  
6 disclosure shall render a person ineligible for election or to  
7 serve on the local school council. The same disclosure shall be  
8 required of persons under consideration for appointment to the  
9 Council pursuant to subsections (l) and (m) of this Section.

10 (f-5) Notwithstanding disclosure, a person who has been  
11 convicted of any of the following offenses at any time shall be  
12 ineligible for election or appointment to a local school  
13 council and ineligible for appointment to a local school  
14 council pursuant to subsections (l) and (m) of this Section:

15 (i) those defined in Section 11-1.20, 11-1.30, 11-1.40,  
16 11-1.50, 11-1.60, 11-6, 11-9.1, 11-14.4, 11-16, 11-17.1,  
17 11-19, 11-19.1, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 12-13,  
18 12-14, 12-14.1, 12-15, or 12-16, or subdivision (a)(2) of  
19 Section 11-14.3, of the Criminal Code of 1961 or the Criminal  
20 Code of 2012, or (ii) any offense committed or attempted in any  
21 other state or against the laws of the United States, which, if  
22 committed or attempted in this State, would have been  
23 punishable as one or more of the foregoing offenses.

24 Notwithstanding disclosure, a person who has been convicted of  
25 any of the following offenses within the 10 years previous to  
26 the date of nomination or appointment shall be ineligible for

1 election or appointment to a local school council: (i) those  
2 defined in Section 401.1, 405.1, or 405.2 of the Illinois  
3 Controlled Substances Act or (ii) any offense committed or  
4 attempted in any other state or against the laws of the United  
5 States, which, if committed or attempted in this State, would  
6 have been punishable as one or more of the foregoing offenses.

7 Immediately upon election or appointment, incoming local  
8 school council members shall be required to undergo a criminal  
9 background investigation, to be completed prior to the member  
10 taking office, in order to identify any criminal convictions  
11 under the offenses enumerated in Section 34-18.5. The  
12 investigation shall be conducted by the Department of State  
13 Police in the same manner as provided for in Section 34-18.5.  
14 However, notwithstanding Section 34-18.5, the social security  
15 number shall be provided only if available. If it is determined  
16 at any time that a local school council member or member-elect  
17 has been convicted of any of the offenses enumerated in this  
18 Section or failed to disclose a conviction of any of the  
19 offenses enumerated in Section 34-18.5, the general  
20 superintendent shall notify the local school council member or  
21 member-elect of such determination and the local school council  
22 member or member-elect shall be removed from the local school  
23 council by the Board, subject to a hearing, convened pursuant  
24 to Board rule, prior to removal.

25 (g) At least one week before the election date, the Council  
26 shall publicize, in the manner provided in subsection (e), the

1 names of persons nominated for election.

2 (h) Voting shall be in person by secret ballot at the  
3 attendance center between the hours of 6:00 a.m. and 7:00 p.m.

4 (i) Candidates receiving the highest number of votes shall  
5 be declared elected by the Council. In cases of a tie, the  
6 Council shall determine the winner by lot.

7 (j) The Council shall certify the results of the election  
8 and shall publish the results in the minutes of the Council.

9 (k) The general superintendent shall resolve any disputes  
10 concerning election procedure or results and shall ensure that,  
11 except as provided in subsections (e) and (g), no resources of  
12 any attendance center shall be used to endorse or promote any  
13 candidate.

14 (l) Beginning with the 1995-1996 school year and in every  
15 even numbered year thereafter, the Board shall appoint 2  
16 teacher members to each local school council. These  
17 appointments shall be made in the following manner:

18 (i) The Board shall appoint 2 teachers who are employed  
19 and assigned to perform the majority of their employment  
20 duties at the attendance center to serve on the local  
21 school council of the attendance center for a two-year term  
22 coinciding with the terms of the elected parent and  
23 community members of that local school council. These  
24 appointments shall be made from among those teachers who  
25 are nominated in accordance with subsection (f).

26 (ii) A non-binding, advisory poll to ascertain the

1 preferences of the school staff regarding appointments of  
2 teachers to the local school council for that attendance  
3 center shall be conducted in accordance with the procedures  
4 used to elect parent and community Council  
5 representatives. At such poll, each member of the school  
6 staff shall be entitled to indicate his or her preference  
7 for up to 2 candidates from among those who submitted  
8 statements of candidacy as described above. These  
9 preferences shall be advisory only and the Board shall  
10 maintain absolute discretion to appoint teacher members to  
11 local school councils, irrespective of the preferences  
12 expressed in any such poll.

13 (iii) In the event that a teacher representative is  
14 unable to perform his or her employment duties at the  
15 school due to illness, disability, leave of absence,  
16 disciplinary action, or any other reason, the Board shall  
17 declare a temporary vacancy and appoint a replacement  
18 teacher representative to serve on the local school council  
19 until such time as the teacher member originally appointed  
20 pursuant to this subsection (l) resumes service at the  
21 attendance center or for the remainder of the term. The  
22 replacement teacher representative shall be appointed in  
23 the same manner and by the same procedures as teacher  
24 representatives are appointed in subdivisions (i) and (ii)  
25 of this subsection (l).

26 (m) Beginning with the 1995-1996 school year, and in every

1 year thereafter, the Board shall appoint one student member to  
2 each secondary attendance center. These appointments shall be  
3 made in the following manner:

4 (i) Appointments shall be made from among those  
5 students who submit statements of candidacy to the  
6 principal of the attendance center, such statements to be  
7 submitted commencing on the first day of the twentieth week  
8 of school and continuing for 2 weeks thereafter. The form  
9 and manner of such candidacy statements shall be determined  
10 by the Board.

11 (ii) During the twenty-second week of school in every  
12 year, the principal of each attendance center shall conduct  
13 a non-binding, advisory poll to ascertain the preferences  
14 of the school students regarding the appointment of a  
15 student to the local school council for that attendance  
16 center. At such poll, each student shall be entitled to  
17 indicate his or her preference for up to one candidate from  
18 among those who submitted statements of candidacy as  
19 described above. The Board shall promulgate rules to ensure  
20 that these non-binding, advisory polls are conducted in a  
21 fair and equitable manner and maximize the involvement of  
22 all school students. The preferences expressed in these  
23 non-binding, advisory polls shall be transmitted by the  
24 principal to the Board. However, these preferences shall be  
25 advisory only and the Board shall maintain absolute  
26 discretion to appoint student members to local school

1 councils, irrespective of the preferences expressed in any  
2 such poll.

3 (iii) For the 1995-96 school year only, appointments  
4 shall be made from among those students who submitted  
5 statements of candidacy to the principal of the attendance  
6 center during the first 2 weeks of the school year. The  
7 principal shall communicate the results of any nonbinding,  
8 advisory poll to the Board. These results shall be advisory  
9 only, and the Board shall maintain absolute discretion to  
10 appoint student members to local school councils,  
11 irrespective of the preferences expressed in any such poll.

12 (n) The Board may promulgate such other rules and  
13 regulations for election procedures as may be deemed necessary  
14 to ensure fair elections.

15 (o) In the event that a vacancy occurs during a member's  
16 term, the Council shall appoint a person eligible to serve on  
17 the Council, to fill the unexpired term created by the vacancy,  
18 except that any teacher vacancy shall be filled by the Board  
19 after considering the preferences of the school staff as  
20 ascertained through a non-binding advisory poll of school  
21 staff.

22 (p) If less than the specified number of persons is elected  
23 within each candidate category, the newly elected local school  
24 council shall appoint eligible persons to serve as members of  
25 the Council for two-year terms.

26 (q) The Board shall promulgate rules regarding conflicts of

1 interest and disclosure of economic interests which shall apply  
2 to local school council members and which shall require reports  
3 or statements to be filed by Council members at regular  
4 intervals with the Secretary of the Board. Failure to comply  
5 with such rules or intentionally falsifying such reports shall  
6 be grounds for disqualification from local school council  
7 membership. A vacancy on the Council for disqualification may  
8 be so declared by the Secretary of the Board. Rules regarding  
9 conflicts of interest and disclosure of economic interests  
10 promulgated by the Board shall apply to local school council  
11 members. No less than 45 days prior to the deadline, the  
12 general superintendent shall provide notice, by mail, to each  
13 local school council member of all requirements and forms for  
14 compliance with economic interest statements.

15 (r) (1) If a parent member of a local school council ceases  
16 to have any child enrolled in the attendance center governed by  
17 the Local School Council due to the graduation or voluntary  
18 transfer of a child or children from the attendance center, the  
19 parent's membership on the Local School Council and all voting  
20 rights are terminated immediately as of the date of the child's  
21 graduation or voluntary transfer. If the child of a parent  
22 member of a local school council dies during the member's term  
23 in office, the member may continue to serve on the local school  
24 council for the balance of his or her term. Further, a local  
25 school council member may be removed from the Council by a  
26 majority vote of the Council as provided in subsection (c) of



1 Section 34-2.2 if the Council member has missed 3 consecutive  
2 regular meetings, not including committee meetings, or 5  
3 regular meetings in a 12 month period, not including committee  
4 meetings. If a parent member of a local school council ceases  
5 to be eligible to serve on the Council for any other reason, he  
6 or she shall be removed by the Board subject to a hearing,  
7 convened pursuant to Board rule, prior to removal. A vote to  
8 remove a Council member by the local school council shall only  
9 be valid if the Council member has been notified personally or  
10 by certified mail, mailed to the person's last known address,  
11 of the Council's intent to vote on the Council member's removal  
12 at least 7 days prior to the vote. The Council member in  
13 question shall have the right to explain his or her actions and  
14 shall be eligible to vote on the question of his or her removal  
15 from the Council. The provisions of this subsection shall be  
16 contained within the petitions used to nominate Council  
17 candidates.

18 (2) A person may continue to serve as a community resident  
19 member of a local school council as long as he or she resides  
20 in the attendance area served by the school and is not employed  
21 by the Board nor is a parent of a student enrolled at the  
22 school. If a community resident member ceases to be eligible to  
23 serve on the Council, he or she shall be removed by the Board  
24 subject to a hearing, convened pursuant to Board rule, prior to  
25 removal.

26 (3) A person may continue to serve as a teacher member of a

1 local school council as long as he or she is employed and  
2 assigned to perform a majority of his or her duties at the  
3 school, provided that if the teacher representative resigns  
4 from employment with the Board or voluntarily transfers to  
5 another school, the teacher's membership on the local school  
6 council and all voting rights are terminated immediately as of  
7 the date of the teacher's resignation or upon the date of the  
8 teacher's voluntary transfer to another school. If a teacher  
9 member of a local school council ceases to be eligible to serve  
10 on a local school council for any other reason, that member  
11 shall be removed by the Board subject to a hearing, convened  
12 pursuant to Board rule, prior to removal.

13 (s) As used in this Section only, "community resident"  
14 means a person, 17 years of age or older, residing within an  
15 attendance area served by a school, excluding any person who is  
16 a parent of a student enrolled in that school; provided that  
17 with respect to any multi-area school, community resident means  
18 any person, 17 years of age or older, residing within the  
19 voting district established for that school pursuant to Section  
20 34-2.1c, excluding any person who is a parent of a student  
21 enrolled in that school. This definition does not apply to any  
22 provisions concerning school boards.

23 (Source: P.A. 99-597, eff. 1-1-17.)

24 (105 ILCS 5/34-2.2) (from Ch. 122, par. 34-2.2)

25 Sec. 34-2.2. Local school councils - Manner of operation.

1 (a) The annual organizational meeting of each local school  
2 council shall be held at the attendance center or via  
3 videoconference or teleconference if guidance from the  
4 Department of Public Health or Centers for Disease Control and  
5 Prevention limits the size of in-person meetings at the time of  
6 the meeting. At the annual organization meeting, which shall be  
7 held no sooner than July 1 and no later than July 14, a parent  
8 member of the local school council shall be selected by the  
9 members of such council as its chairperson, and a secretary  
10 shall be selected by the members of such council from among  
11 their number, each to serve a term of one year. However, an  
12 organizational meeting held by members elected to a local  
13 school council under subsection (c-5) of Section 34-2.1 may be  
14 held no sooner than January 11, 2021 and no later than January  
15 31, 2021. Whenever a vacancy in the office of chairperson or  
16 secretary of a local school council shall occur, a new  
17 chairperson (who shall be a parent member) or secretary, as the  
18 case may be, shall be elected by the members of the local  
19 school council from among their number to serve as such  
20 chairperson or secretary for the unexpired term of office in  
21 which the vacancy occurs. At each annual organizational  
22 meeting, the time and place of any regular meetings of the  
23 local school council shall be fixed. Special meetings of the  
24 local school council may be called by the chairperson or by any  
25 4 members by giving notice thereof in writing, specifying the  
26 time, place and purpose of the meeting. Public notice of

1 meetings shall also be given in accordance with the Open  
2 Meetings Act.

3 (b) Members and officers of the local school council shall  
4 serve without compensation and without reimbursement of any  
5 expenses incurred in the performance of their duties, except  
6 that the board of education may by rule establish a procedure  
7 and thereunder provide for reimbursement of members and  
8 officers of local school councils for such of their reasonable  
9 and necessary expenses (excluding any lodging or meal expenses)  
10 incurred in the performance of their duties as the board may  
11 deem appropriate.

12 (c) A majority of the full membership of the local school  
13 council shall constitute a quorum, and whenever a vote is taken  
14 on any measure before the local school council, a quorum being  
15 present, the affirmative vote of a majority of the votes of the  
16 full membership then serving of the local school council shall  
17 determine the outcome thereof; provided that whenever the  
18 measure before the local school council is (i) the evaluation  
19 of the principal, or (ii) the renewal of his or her performance  
20 contract or the inclusion of any provision or modification of  
21 the contract, or (iii) the direct selection by the local school  
22 council of a new principal (including a new principal to fill a  
23 vacancy) to serve under a 4 year performance contract, or (iv)  
24 the determination of the names of candidates to be submitted to  
25 the general superintendent for the position of principal, the  
26 principal and student member of a high school council shall not

1 be counted for purposes of determining whether a quorum is  
2 present to act on the measure and shall have no vote thereon;  
3 and provided further that 7 affirmative votes of the local  
4 school council shall be required for the direct selection by  
5 the local school council of a new principal to serve under a 4  
6 year performance contract but not for the renewal of a  
7 principal's performance contract.

8 (d) Student members of high school councils shall not be  
9 eligible to vote on personnel matters, including but not  
10 limited to principal evaluations and contracts and the  
11 allocation of teaching and staff resources.

12 (e) The local school council of an attendance center which  
13 provides bilingual education shall be encouraged to provide  
14 translators at each council meeting to maximize participation  
15 of parents and the community.

16 (f) Each local school council of an attendance center which  
17 provides bilingual education shall create a Bilingual Advisory  
18 Committee or recognize an existing Bilingual Advisory  
19 Committee as a standing committee. The Chair and a majority of  
20 the members of the advisory committee shall be parents of  
21 students in the bilingual education program. The parents on the  
22 advisory committee shall be selected by parents of students in  
23 the bilingual education program, and the committee shall select  
24 a Chair. The advisory committee for each secondary attendance  
25 center shall include at least one full-time bilingual education  
26 student. The Bilingual Advisory Committee shall serve only in

1 an advisory capacity to the local school council.

2 (g) Local school councils may utilize the services of an  
3 arbitration board to resolve intra-council disputes.

4 (Source: P.A. 91-622, eff. 8-19-99.)

5 (105 ILCS 5/34-18.5) (from Ch. 122, par. 34-18.5)

6 Sec. 34-18.5. Criminal history records checks and checks of  
7 the Statewide Sex Offender Database and Statewide Murderer and  
8 Violent Offender Against Youth Database.

9 (a) Licensed and nonlicensed applicants for employment  
10 with the school district are required as a condition of  
11 employment to authorize a fingerprint-based criminal history  
12 records check to determine if such applicants have been  
13 convicted of any disqualifying, enumerated criminal or drug  
14 offense ~~offenses~~ in subsection (c) of this Section or have been  
15 convicted, within 7 years of the application for employment  
16 with the school district, of any other felony under the laws of  
17 this State or of any offense committed or attempted in any  
18 other state or against the laws of the United States that, if  
19 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 applicant  
22 to the school district, except that if the applicant is a  
23 substitute teacher seeking employment in more than one school  
24 district, or a teacher seeking concurrent part-time employment  
25 positions with more than one school district (as a reading

1 specialist, special education teacher or otherwise), or an  
2 educational support personnel employee seeking employment  
3 positions with more than one district, any such district may  
4 require the applicant to furnish authorization for the check to  
5 the regional superintendent of the educational service region  
6 in which are located the school districts in which the  
7 applicant is seeking employment as a substitute or concurrent  
8 part-time teacher or concurrent educational support personnel  
9 employee. Upon receipt of this authorization, the school  
10 district or the appropriate regional superintendent, as the  
11 case may be, shall submit the applicant's name, sex, race, date  
12 of birth, social security number, fingerprint images, and other  
13 identifiers, as prescribed by the Department of State Police,  
14 to the Department. The regional superintendent submitting the  
15 requisite information to the Department of State Police shall  
16 promptly notify the school districts in which the applicant is  
17 seeking employment as a substitute or concurrent part-time  
18 teacher or concurrent educational support personnel employee  
19 that the check of the applicant has been requested. The  
20 Department of State Police and the Federal Bureau of  
21 Investigation shall furnish, pursuant to a fingerprint-based  
22 criminal history records check, records of convictions,  
23 forever and hereinafter, until expunged, to the president of  
24 the school board for the school district that requested the  
25 check, or to the regional superintendent who requested the  
26 check. The Department shall charge the school district or the

1 appropriate regional superintendent a fee for conducting such  
2 check, which fee shall be deposited in the State Police  
3 Services Fund and shall not exceed the cost of the inquiry; and  
4 the applicant shall not be charged a fee for such check by the  
5 school district or by the regional superintendent. Subject to  
6 appropriations for these purposes, the State Superintendent of  
7 Education shall reimburse the school district and regional  
8 superintendent for fees paid to obtain criminal history records  
9 checks under this Section.

10 (a-5) The school district or regional superintendent shall  
11 further perform a check of the Statewide Sex Offender Database,  
12 as authorized by the Sex Offender Community Notification Law,  
13 for each applicant. The check of the Statewide Sex Offender  
14 Database must be conducted by the school district or regional  
15 superintendent once for every 5 years that an applicant remains  
16 employed by the school district.

17 (a-6) The school district or regional superintendent shall  
18 further perform a check of the Statewide Murderer and Violent  
19 Offender Against Youth Database, as authorized by the Murderer  
20 and Violent Offender Against Youth Community Notification Law,  
21 for each applicant. The check of the Murderer and Violent  
22 Offender Against Youth Database must be conducted by the school  
23 district or regional superintendent once for every 5 years that  
24 an applicant remains employed by the school district.

25 (b) Any information concerning the record of convictions  
26 obtained by the president of the board of education or the



1 regional superintendent shall be confidential and may only be  
2 transmitted to the general superintendent of the school  
3 district or his designee, the appropriate regional  
4 superintendent if the check was requested by the board of  
5 education for the school district, the presidents of the  
6 appropriate board of education or school boards if the check  
7 was requested from the Department of State Police by the  
8 regional superintendent, the State Board of Education and the  
9 school district as authorized under subsection (b-5), the State  
10 Superintendent of Education, the State Educator Preparation  
11 and Licensure Board or any other person necessary to the  
12 decision of hiring the applicant for employment. A copy of the  
13 record of convictions obtained from the Department of State  
14 Police shall be provided to the applicant for employment. Upon  
15 the check of the Statewide Sex Offender Database or Statewide  
16 Murderer and Violent Offender Against Youth Database, the  
17 school district or regional superintendent shall notify an  
18 applicant as to whether or not the applicant has been  
19 identified in the Database. If a check of an applicant for  
20 employment as a substitute or concurrent part-time teacher or  
21 concurrent educational support personnel employee in more than  
22 one school district was requested by the regional  
23 superintendent, and the Department of State Police upon a check  
24 ascertains that the applicant has not been convicted of any of  
25 the enumerated criminal or drug offenses in subsection (c) of  
26 this Section or has not been convicted, within 7 years of the

1 application for employment with the school district, of any  
2 other felony under the laws of this State or of any offense  
3 committed or attempted in any other state or against the laws  
4 of the United States that, if committed or attempted in this  
5 State, would have been punishable as a felony under the laws of  
6 this State and so notifies the regional superintendent and if  
7 the regional superintendent upon a check ascertains that the  
8 applicant has not been identified in the Sex Offender Database  
9 or Statewide Murderer and Violent Offender Against Youth  
10 Database, then the regional superintendent shall issue to the  
11 applicant a certificate evidencing that as of the date  
12 specified by the Department of State Police the applicant has  
13 not been convicted of any of the enumerated criminal or drug  
14 offenses in subsection (c) of this Section or has not been  
15 convicted, within 7 years of the application for employment  
16 with the school district, of any other felony under the laws of  
17 this State or of any offense committed or attempted in any  
18 other state or against the laws of the United States that, if  
19 committed or attempted in this State, would have been  
20 punishable as a felony under the laws of this State and  
21 evidencing that as of the date that the regional superintendent  
22 conducted a check of the Statewide Sex Offender Database or  
23 Statewide Murderer and Violent Offender Against Youth  
24 Database, the applicant has not been identified in the  
25 Database. The school board of any school district may rely on  
26 the certificate issued by any regional superintendent to that

1 substitute teacher, concurrent part-time teacher, or  
2 concurrent educational support personnel employee or may  
3 initiate its own criminal history records check of the  
4 applicant through the Department of State Police and its own  
5 check of the Statewide Sex Offender Database or Statewide  
6 Murderer and Violent Offender Against Youth Database as  
7 provided in this Section. Any unauthorized release of  
8 confidential information may be a violation of Section 7 of the  
9 Criminal Identification Act.

10 (b-5) If a criminal history records check or check of the  
11 Statewide Sex Offender Database or Statewide Murderer and  
12 Violent Offender Against Youth Database is performed by a  
13 regional superintendent for an applicant seeking employment as  
14 a substitute teacher with the school district, the regional  
15 superintendent may disclose to the State Board of Education  
16 whether the applicant has been issued a certificate under  
17 subsection (b) based on those checks. If the State Board  
18 receives information on an applicant under this subsection,  
19 then it must indicate in the Educator Licensure Information  
20 System for a 90-day period that the applicant has been issued  
21 or has not been issued a certificate.

22 (c) The board of education shall not knowingly employ a  
23 person who has been convicted of any offense that would subject  
24 him or her to license suspension or revocation pursuant to  
25 Section 21B-80 of this Code, except as provided under  
26 subsection (b) of 21B-80. Further, the board of education shall

1 not knowingly employ a person who has been found to be the  
2 perpetrator of sexual or physical abuse of any minor under 18  
3 years of age pursuant to proceedings under Article II of the  
4 Juvenile Court Act of 1987. As a condition of employment, the  
5 board of education must consider the status of a person who has  
6 been issued an indicated finding of abuse or neglect of a child  
7 by the Department of Children and Family Services under the  
8 Abused and Neglected Child Reporting Act or by a child welfare  
9 agency of another jurisdiction.

10 (d) The board of education shall not knowingly employ a  
11 person for whom a criminal history records check and a  
12 Statewide Sex Offender Database check have ~~has~~ not been  
13 initiated.

14 (e) Within 10 days after the general superintendent of  
15 schools, a regional office of education, or an entity that  
16 provides background checks of license holders to public schools  
17 receives information of a pending criminal charge against a  
18 license holder for an offense set forth in Section 21B-80 of  
19 this Code, the superintendent, regional office of education, or  
20 entity must notify the State Superintendent of Education of the  
21 pending criminal charge.

22 No later than 15 business days after receipt of a record of  
23 conviction or of checking the Statewide Murderer and Violent  
24 Offender Against Youth Database or the Statewide Sex Offender  
25 Database and finding a registration, the general  
26 superintendent of schools or the applicable regional

1 superintendent shall, in writing, notify the State  
2 Superintendent of Education of any license holder who has been  
3 convicted of a crime set forth in Section 21B-80 of this Code.  
4 Upon receipt of the record of a conviction of or a finding of  
5 child abuse by a holder of any license issued pursuant to  
6 Article 21B or Section 34-8.1 or 34-83 of this ~~the School~~ Code,  
7 the State Superintendent of Education may initiate licensure  
8 suspension and revocation proceedings as authorized by law. If  
9 the receipt of the record of conviction or finding of child  
10 abuse is received within 6 months after the initial grant of or  
11 renewal of a license, the State Superintendent of Education may  
12 rescind the license holder's license.

13 (e-5) The general superintendent of schools shall, in  
14 writing, notify the State Superintendent of Education of any  
15 license holder whom he or she has reasonable cause to believe  
16 has committed an intentional act of abuse or neglect with the  
17 result of making a child an abused child or a neglected child,  
18 as defined in Section 3 of the Abused and Neglected Child  
19 Reporting Act, and that act resulted in the license holder's  
20 dismissal or resignation from the school district. This  
21 notification must be submitted within 30 days after the  
22 dismissal or resignation. The license holder must also be  
23 contemporaneously sent a copy of the notice by the  
24 superintendent. All correspondence, documentation, and other  
25 information so received by the State Superintendent of  
26 Education, the State Board of Education, or the State Educator

1 Preparation and Licensure Board under this subsection (e-5) is  
2 confidential and must not be disclosed to third parties, except  
3 (i) as necessary for the State Superintendent of Education or  
4 his or her designee to investigate and prosecute pursuant to  
5 Article 21B of this Code, (ii) pursuant to a court order, (iii)  
6 for disclosure to the license holder or his or her  
7 representative, or (iv) as otherwise provided in this Article  
8 and provided that any such information admitted into evidence  
9 in a hearing is exempt from this confidentiality and  
10 non-disclosure requirement. Except for an act of willful or  
11 wanton misconduct, any superintendent who provides  
12 notification as required in this subsection (e-5) shall have  
13 immunity from any liability, whether civil or criminal or that  
14 otherwise might result by reason of such action.

15 (f) After March 19, 1990, the provisions of this Section  
16 shall apply to all employees of persons or firms holding  
17 contracts with any school district including, but not limited  
18 to, food service workers, school bus drivers and other  
19 transportation employees, who have direct, daily contact with  
20 the pupils of any school in such district. For purposes of  
21 criminal history records checks and checks of the Statewide Sex  
22 Offender Database on employees of persons or firms holding  
23 contracts with more than one school district and assigned to  
24 more than one school district, the regional superintendent of  
25 the educational service region in which the contracting school  
26 districts are located may, at the request of any such school

1 district, be responsible for receiving the authorization for a  
2 criminal history records check prepared by each such employee  
3 and submitting the same to the Department of State Police and  
4 for conducting a check of the Statewide Sex Offender Database  
5 for each employee. Any information concerning the record of  
6 conviction and identification as a sex offender of any such  
7 employee obtained by the regional superintendent shall be  
8 promptly reported to the president of the appropriate school  
9 board or school boards.

10 (f-5) Upon request of a school or school district, any  
11 information obtained by the school district pursuant to  
12 subsection (f) of this Section within the last year must be  
13 made available to the requesting school or school district.

14 (g) Prior to the commencement of any student teaching  
15 experience or required internship (which is referred to as  
16 student teaching in this Section) in the public schools, a  
17 student teacher is required to authorize a fingerprint-based  
18 criminal history records check. Authorization for and payment  
19 of the costs of the check must be furnished by the student  
20 teacher to the school district. Upon receipt of this  
21 authorization and payment, the school district shall submit the  
22 student teacher's name, sex, race, date of birth, social  
23 security number, fingerprint images, and other identifiers, as  
24 prescribed by the Department of State Police, to the Department  
25 of State Police. The Department of State Police and the Federal  
26 Bureau of Investigation shall furnish, pursuant to a

1 fingerprint-based criminal history records check, records of  
2 convictions, forever and hereinafter, until expunged, to the  
3 president of the board. The Department shall charge the school  
4 district a fee for conducting the check, which fee must not  
5 exceed the cost of the inquiry and must be deposited into the  
6 State Police Services Fund. The school district shall further  
7 perform a check of the Statewide Sex Offender Database, as  
8 authorized by the Sex Offender Community Notification Law, and  
9 of the Statewide Murderer and Violent Offender Against Youth  
10 Database, as authorized by the Murderer and Violent Offender  
11 Against Youth Registration Act, for each student teacher. The  
12 board may not knowingly allow a person to student teach for  
13 whom a criminal history records check, a Statewide Sex Offender  
14 Database check, and a Statewide Murderer and Violent Offender  
15 Against Youth Database check have not been completed and  
16 reviewed by the district.

17 A copy of the record of convictions obtained from the  
18 Department of State Police must be provided to the student  
19 teacher. Any information concerning the record of convictions  
20 obtained by the president of the board is confidential and may  
21 only be transmitted to the general superintendent of schools or  
22 his or her designee, the State Superintendent of Education, the  
23 State Educator Preparation and Licensure Board, or, for  
24 clarification purposes, the Department of State Police or the  
25 Statewide Sex Offender Database or Statewide Murderer and  
26 Violent Offender Against Youth Database. Any unauthorized



1 release of confidential information may be a violation of  
2 Section 7 of the Criminal Identification Act.

3 The board may not knowingly allow a person to student teach  
4 who has been convicted of any offense that would subject him or  
5 her to license suspension or revocation pursuant to subsection  
6 (c) of Section 21B-80 of this Code, except as provided under  
7 subsection (b) of Section 21B-80. Further, the board may not  
8 allow a person to student teach if he or she has been found to  
9 be the perpetrator of sexual or physical abuse of a minor under  
10 18 years of age pursuant to proceedings under Article II of the  
11 Juvenile Court Act of 1987. The board must consider the status  
12 of a person to student teach who has been issued an indicated  
13 finding of abuse or neglect of a child by the Department of  
14 Children and Family Services under the Abused and Neglected  
15 Child Reporting Act or by a child welfare agency of another  
16 jurisdiction.

17 (h) (Blank).

18 (Source: P.A. 101-72, eff. 7-12-19; 101-531, eff. 8-23-19;  
19 revised 9-19-19.)

20 (105 ILCS 5/34-18.66 new)

21 Sec. 34-18.66. Remote and blended remote learning. This  
22 Section applies if the Governor has declared a disaster due to  
23 a public health emergency pursuant to Section 7 of the Illinois  
24 Emergency Management Agency Act.

25 (1) If the Governor has declared a disaster due to a

1 public health emergency pursuant to Section 7 of the  
2 Illinois Emergency Management Agency Act, the State  
3 Superintendent of Education may declare a requirement to  
4 use remote learning days or blended remote learning days  
5 for the school district, multiple school districts, a  
6 region, or the entire State. During remote learning days,  
7 schools shall conduct instruction remotely. During blended  
8 remote learning days, schools may utilize hybrid models of  
9 in-person and remote instruction. Once declared, remote  
10 learning days or blended remote learning days shall be  
11 implemented in grades pre-kindergarten through 12 as days  
12 of attendance and shall be deemed pupil attendance days for  
13 calculation of the length of a school term under Section  
14 10-19.

15 (2) For purposes of this Section, a remote learning day  
16 or blended remote learning day may be met through the  
17 district's implementation of an e-learning program under  
18 Section 10-20.56.

19 (3) If the district does not implement an e-learning  
20 program under Section 10-20.56, the district shall adopt a  
21 remote and blended remote learning day plan approved by the  
22 general superintendent of schools. The district may  
23 utilize remote and blended remote learning planning days,  
24 consecutively or in separate increments, to develop,  
25 review, or amend its remote and blended remote learning day  
26 plan or provide professional development to staff

1 regarding remote education. Up to 5 remote and blended  
2 remote learning planning days may be deemed pupil  
3 attendance days for calculation of the length of a school  
4 term under Section 10-19.

5 (4) Each remote and blended remote learning day plan  
6 shall address the following:

7 (i) accessibility of the remote instruction to all  
8 students enrolled in the district;

9 (ii) if applicable, a requirement that the remote  
10 learning day and blended remote learning day  
11 activities reflect State learning standards;

12 (iii) a means for students to confer with an  
13 educator, as necessary;

14 (iv) the unique needs of students in special  
15 populations, including, but not limited to, students  
16 eligible for special education under Article 14,  
17 students who are English learners as defined in Section  
18 14C-2, and students experiencing homelessness under  
19 the Education for Homeless Children Act, or vulnerable  
20 student populations;

21 (v) how the district will take attendance and  
22 monitor and verify each student's remote  
23 participation; and

24 (vi) transitions from remote learning to on-site  
25 learning upon the State Superintendent's declaration  
26 that remote learning days or blended remote learning

1           days are no longer deemed necessary.

2           (5) The general superintendent of schools shall  
3 periodically review and amend the district's remote and  
4 blended remote learning day plan, as needed, to ensure the  
5 plan meets the needs of all students.

6           (6) Each remote and blended remote learning day plan  
7 shall be posted on the district's Internet website where  
8 other policies, rules, and standards of conduct are posted  
9 and shall be provided to students and faculty.

10          (7) This Section does not create any additional  
11 employee bargaining rights and does not remove any employee  
12 bargaining rights.

13          (8) Statutory and regulatory curricular mandates and  
14 offerings may be administered via the district's remote and  
15 blended remote learning day plan, except that the district  
16 may not offer individual behind-the-wheel instruction  
17 required by Section 27-24.2 via the district's remote and  
18 blended remote learning day plan. This Section does not  
19 relieve schools and the district from completing all  
20 statutory and regulatory curricular mandates and  
21 offerings.

22           (105 ILCS 5/34-85) (from Ch. 122, par. 34-85)

23           Sec. 34-85. Removal for cause; notice and hearing;  
24 suspension.

25           (a) No teacher employed by the board of education shall

1 (after serving the probationary period specified in Section  
2 34-84) be removed except for cause. Teachers (who have  
3 completed the probationary period specified in Section 34-84 of  
4 this Code) shall be removed for cause in accordance with the  
5 procedures set forth in this Section or, at the board's option,  
6 the procedures set forth in Section 24-16.5 of this Code or  
7 such other procedures established in an agreement entered into  
8 between the board and the exclusive representative of the  
9 district's teachers under Section 34-85c of this Code for  
10 teachers (who have completed the probationary period specified  
11 in Section 34-84 of this Code) assigned to schools identified  
12 in that agreement. No principal employed by the board of  
13 education shall be removed during the term of his or her  
14 performance contract except for cause, which may include but is  
15 not limited to the principal's repeated failure to implement  
16 the school improvement plan or to comply with the provisions of  
17 the Uniform Performance Contract, including additional  
18 criteria established by the Council for inclusion in the  
19 performance contract pursuant to Section 34-2.3.

20 Before service of notice of charges on account of causes  
21 that may be deemed to be remediable, the teacher or principal  
22 must be given reasonable warning in writing, stating  
23 specifically the causes that, if not removed, may result in  
24 charges; however, no such written warning is required if the  
25 causes have been the subject of a remediation plan pursuant to  
26 Article 24A of this Code or if the board and the exclusive

1 representative of the district's teachers have entered into an  
2 agreement pursuant to Section 34-85c of this Code, pursuant to  
3 an alternative system of remediation. No written warning shall  
4 be required for conduct on the part of a teacher or principal  
5 that is cruel, immoral, negligent, or criminal or that in any  
6 way causes psychological or physical harm or injury to a  
7 student, as that conduct is deemed to be irremediable. No  
8 written warning shall be required for a material breach of the  
9 uniform principal performance contract, as that conduct is  
10 deemed to be irremediable; provided that not less than 30 days  
11 before the vote of the local school council to seek the  
12 dismissal of a principal for a material breach of a uniform  
13 principal performance contract, the local school council shall  
14 specify the nature of the alleged breach in writing and provide  
15 a copy of it to the principal.

16 (1) To initiate dismissal proceedings against a  
17 teacher or principal, the general superintendent must  
18 first approve written charges and specifications against  
19 the teacher or principal. A local school council may direct  
20 the general superintendent to approve written charges  
21 against its principal on behalf of the Council upon the  
22 vote of 7 members of the Council. The general  
23 superintendent must approve those charges within 45  
24 calendar days or provide a written reason for not approving  
25 those charges. A written notice of those charges, including  
26 specifications, shall be served upon the teacher or

1 principal within 10 business days of the approval of the  
2 charges. Any written notice sent on or after July 1, 2012  
3 shall also inform the teacher or principal of the right to  
4 request a hearing before a mutually selected hearing  
5 officer, with the cost of the hearing officer split equally  
6 between the teacher or principal and the board, or a  
7 hearing before a qualified hearing officer chosen by the  
8 general superintendent, with the cost of the hearing  
9 officer paid by the board. If the teacher or principal  
10 cannot be found upon diligent inquiry, such charges may be  
11 served upon him by mailing a copy thereof in a sealed  
12 envelope by prepaid certified mail, return receipt  
13 requested, to the teacher's or principal's last known  
14 address. A return receipt showing delivery to such address  
15 within 20 calendar days after the date of the approval of  
16 the charges shall constitute proof of service.

17 (2) No hearing upon the charges is required unless the  
18 teacher or principal within 17 calendar days after  
19 receiving notice requests in writing of the general  
20 superintendent that a hearing be scheduled. Pending the  
21 hearing of the charges, the general superintendent or his  
22 or her designee may suspend the teacher or principal  
23 charged without pay in accordance with rules prescribed by  
24 the board, provided that if the teacher or principal  
25 charged is not dismissed based on the charges, he or she  
26 must be made whole for lost earnings, less setoffs for

1 mitigation.

2 (3) The board shall maintain a list of at least 9  
3 qualified hearing officers who will conduct hearings on  
4 charges and specifications. The list must be developed in  
5 good faith consultation with the exclusive representative  
6 of the board's teachers and professional associations that  
7 represent the board's principals. The list may be revised  
8 on July 1st of each year or earlier as needed. To be a  
9 qualified hearing officer, the person must (i) be  
10 accredited by a national arbitration organization and have  
11 had a minimum of 5 years of experience as an arbitrator in  
12 cases involving labor and employment relations matters  
13 between employers and employees or their exclusive  
14 bargaining representatives and (ii) beginning September 1,  
15 2012, have participated in training provided or approved by  
16 the State Board of Education for teacher dismissal hearing  
17 officers so that he or she is familiar with issues  
18 generally involved in evaluative and non-evaluative  
19 dismissals.

20 Within 5 business days after receiving the notice of  
21 request for a hearing, the general superintendent and the  
22 teacher or principal or their legal representatives shall  
23 alternately strike one name from the list until only one  
24 name remains. Unless waived by the teacher, the teacher or  
25 principal shall have the right to proceed first with the  
26 striking. If the teacher or principal fails to participate



1 in the striking process, the general superintendent shall  
2 either select the hearing officer from the list developed  
3 pursuant to this paragraph (3) or select another qualified  
4 hearing officer from the master list maintained by the  
5 State Board of Education pursuant to subsection (c) of  
6 Section 24-12 of this Code.

7 (4) If the notice of dismissal was sent to the teacher  
8 or principal before July 1, 2012, the fees and costs for  
9 the hearing officer shall be paid by the State Board of  
10 Education. If the notice of dismissal was sent to the  
11 teacher or principal on or after July 1, 2012, the hearing  
12 officer's fees and costs must be paid as follows in this  
13 paragraph (4). The fees and permissible costs for the  
14 hearing officer shall be determined by the State Board of  
15 Education. If the hearing officer is mutually selected by  
16 the parties through alternate striking in accordance with  
17 paragraph (3) of this subsection (a), then the board and  
18 the teacher or their legal representative shall each pay  
19 50% of the fees and costs and any supplemental allowance to  
20 which they agree. If the hearing officer is selected by the  
21 general superintendent without the participation of the  
22 teacher or principal, then the board shall pay 100% of the  
23 hearing officer fees and costs. The hearing officer shall  
24 submit for payment a billing statement to the parties that  
25 itemizes the charges and expenses and divides them in  
26 accordance with this Section.

1           (5) The teacher or the principal charged is required to  
2 answer the charges and specifications and aver affirmative  
3 matters in his or her defense, and the time for doing so  
4 must be set by the hearing officer. The State Board of  
5 Education shall adopt rules so that each party has a fair  
6 opportunity to present its case and to ensure that the  
7 dismissal proceeding is concluded in an expeditious  
8 manner. The rules shall address, without limitation, the  
9 teacher or principal's answer and affirmative defenses to  
10 the charges and specifications; a requirement that each  
11 party make mandatory disclosures without request to the  
12 other party and then update the disclosure no later than 10  
13 calendar days prior to the commencement of the hearing,  
14 including a list of the names and addresses of persons who  
15 may be called as witnesses at the hearing, a summary of the  
16 facts or opinions each witness will testify to, and all  
17 other documents and materials, including information  
18 maintained electronically, relevant to its own as well as  
19 the other party's case (the hearing officer may exclude  
20 witnesses and exhibits not identified and shared, except  
21 those offered in rebuttal for which the party could not  
22 reasonably have anticipated prior to the hearing);  
23 pre-hearing discovery and preparation, including provision  
24 for written interrogatories and requests for production of  
25 documents, provided that discovery depositions are  
26 prohibited; the conduct of the hearing; the right of each

1 party to be represented by counsel, the offer of evidence  
2 and witnesses and the cross-examination of witnesses; the  
3 authority of the hearing officer to issue subpoenas and  
4 subpoenas duces tecum, provided that the hearing officer  
5 may limit the number of witnesses to be subpoenaed in  
6 behalf of each party to no more than 7; the length of  
7 post-hearing briefs; and the form, length, and content of  
8 hearing officers' reports and recommendations to the  
9 general superintendent.

10 The hearing officer shall commence the hearing within  
11 75 calendar days and conclude the hearing within 120  
12 calendar days after being selected by the parties as the  
13 hearing officer, provided that these timelines may be  
14 modified upon the showing of good cause or mutual agreement  
15 of the parties. Good cause for the purposes of this  
16 paragraph (5) shall mean the illness or otherwise  
17 unavoidable emergency of the teacher, district  
18 representative, their legal representatives, the hearing  
19 officer, or an essential witness as indicated in each  
20 party's pre-hearing submission. In a dismissal hearing in  
21 which a witness is a student or is under the age of 18, the  
22 hearing officer must make accommodations for the witness,  
23 as provided under paragraph (5.5) of this subsection. The  
24 hearing officer shall consider and give weight to all of  
25 the teacher's evaluations written pursuant to Article 24A  
26 that are relevant to the issues in the hearing. Except as

1 otherwise provided under paragraph (5.5) of this  
2 subsection, the teacher or principal has the privilege of  
3 being present at the hearing with counsel and of  
4 cross-examining witnesses and may offer evidence and  
5 witnesses and present defenses to the charges. Each party  
6 shall have no more than 3 days to present its case, unless  
7 extended by the hearing officer to enable a party to  
8 present adequate evidence and testimony, including due to  
9 the other party's cross-examination of the party's  
10 witnesses, for good cause or by mutual agreement of the  
11 parties. The State Board of Education shall define in rules  
12 the meaning of "day" for such purposes. All testimony at  
13 the hearing shall be taken under oath administered by the  
14 hearing officer. The hearing officer shall cause a record  
15 of the proceedings to be kept and shall employ a competent  
16 reporter to take stenographic or stenotype notes of all the  
17 testimony. The costs of the reporter's attendance and  
18 services at the hearing shall be paid by the party or  
19 parties who are paying the fees and costs of the hearing  
20 officer. Either party desiring a transcript of the hearing  
21 shall pay for the cost thereof. At the close of the  
22 hearing, the hearing officer shall direct the parties to  
23 submit post-hearing briefs no later than 21 calendar days  
24 after receipt of the transcript. Either or both parties may  
25 waive submission of briefs.

26 (5.5) In the case of charges involving sexual abuse or

1 severe physical abuse of a student or a person under the  
2 age of 18, the hearing officer shall make alternative  
3 hearing procedures to protect a witness who is a student or  
4 who is under the age of 18 from being intimidated or  
5 traumatized. Alternative hearing procedures may include,  
6 but are not limited to: (i) testimony made via a  
7 telecommunication device in a location other than the  
8 hearing room and outside the physical presence of the  
9 teacher or principal and other hearing participants, (ii)  
10 testimony outside the physical presence of the teacher or  
11 principal, or (iii) non-public testimony. During a  
12 testimony described under this subsection, each party must  
13 be permitted to ask a witness who is a student or who is  
14 under 18 years of age all relevant questions and follow-up  
15 questions. All questions must exclude evidence of the  
16 witness' sexual behavior or predisposition, unless the  
17 evidence is offered to prove that someone other than the  
18 teacher subject to the dismissal hearing engaged in the  
19 charge at issue.

20 (6) The hearing officer shall within 30 calendar days  
21 from the conclusion of the hearing report to the general  
22 superintendent findings of fact and a recommendation as to  
23 whether or not the teacher or principal shall be dismissed  
24 and shall give a copy of the report to both the teacher or  
25 principal and the general superintendent. The State Board  
26 of Education shall provide by rule the form of the hearing

1 officer's report and recommendation.

2 (7) The board, within 45 days of receipt of the hearing  
3 officer's findings of fact and recommendation, shall make a  
4 decision as to whether the teacher or principal shall be  
5 dismissed from its employ. The failure of the board to  
6 strictly adhere to the timeliness contained herein shall  
7 not render it without jurisdiction to dismiss the teacher  
8 or principal. In the event that the board declines to  
9 dismiss the teacher or principal after review of a hearing  
10 officer's recommendation, the board shall set the amount of  
11 back pay and benefits to award the teacher or principal,  
12 which shall include offsets for interim earnings and  
13 failure to mitigate losses. The board shall establish  
14 procedures for the teacher's or principal's submission of  
15 evidence to it regarding lost earnings, lost benefits,  
16 mitigation, and offsets. The decision of the board is final  
17 unless reviewed in accordance with paragraph (8) of this  
18 subsection (a).

19 (8) The teacher may seek judicial review of the board's  
20 decision in accordance with the Administrative Review Law,  
21 which is specifically incorporated in this Section, except  
22 that the review must be initiated in the Illinois Appellate  
23 Court for the First District. In the event judicial review  
24 is instituted, any costs of preparing and filing the record  
25 of proceedings shall be paid by the party instituting the  
26 review. In the event the appellate court reverses a board

1 decision to dismiss a teacher or principal and directs the  
2 board to pay the teacher or the principal back pay and  
3 benefits, the appellate court shall remand the matter to  
4 the board to issue an administrative decision as to the  
5 amount of back pay and benefits, which shall include a  
6 calculation of the lost earnings, lost benefits,  
7 mitigation, and offsets based on evidence submitted to the  
8 board in accordance with procedures established by the  
9 board.

10 (9) If the Governor has declared a disaster due to a  
11 public health emergency pursuant to Section 7 of the  
12 Illinois Emergency Management Act, except if the parties  
13 mutually agree otherwise and the agreement is in writing,  
14 the requirements of this Section pertaining to prehearings  
15 and hearings are paused and do not begin to toll until the  
16 proclamation declaring the disaster is no longer in effect.  
17 If mutually agreed to and reduced in writing, the parties  
18 may proceed with the prehearing and hearing requirements of  
19 this Section connected to the appointment and selection of  
20 a hearing officer and those connected to commencing and  
21 concluding a hearing. Any hearing convened during a public  
22 health emergency pursuant to Section 7 of the Illinois  
23 Emergency Management Agency Act may be convened remotely.  
24 Any hearing officer for a hearing convened during a public  
25 health emergency pursuant to Section 7 of the Illinois  
26 Emergency Management Agency Act may voluntarily withdraw

1       from the hearing and another hearing officer shall be  
2       selected or appointed pursuant to this Section.

3       (b) Nothing in this Section affects the validity of removal  
4       for cause hearings commenced prior to June 13, 2011 (the  
5       effective date of Public Act 97-8).

6       The changes made by Public Act 97-8 shall apply to  
7       dismissals instituted on or after September 1, 2011 or the  
8       effective date of Public Act 97-8, whichever is later. Any  
9       dismissal instituted prior to the effective date of these  
10      changes must be carried out in accordance with the requirements  
11      of this Section prior to amendment by Public Act 97-8.

12      (Source: P.A. 101-531, eff. 8-23-19.)

13           (105 ILCS 5/34-85c)

14      Sec. 34-85c. Alternative procedures for teacher  
15      evaluation, remediation, and removal for cause after  
16      remediation.

17      (a) Notwithstanding any law to the contrary, the board and  
18      the exclusive representative of the district's teachers are  
19      hereby authorized to enter into an agreement to establish  
20      alternative procedures for teacher evaluation, remediation,  
21      and removal for cause after remediation, including an  
22      alternative system for peer evaluation and recommendations;  
23      provided, however, that no later than September 1, 2012: (i)  
24      any alternative procedures must include provisions whereby  
25      student performance data is a significant factor in teacher



1 evaluation and (ii) teachers are rated as "excellent",  
2 "proficient", "needs improvement" or "unsatisfactory".  
3 Pursuant exclusively to that agreement, teachers assigned to  
4 schools identified in that agreement shall be subject to an  
5 alternative performance evaluation plan and remediation  
6 procedures in lieu of the plan and procedures set forth in  
7 Article 24A of this Code and alternative removal for cause  
8 standards and procedures in lieu of the removal standards and  
9 procedures set forth in Section 34-85 of this Code. To the  
10 extent that the agreement provides a teacher with an  
11 opportunity for a hearing on removal for cause before an  
12 independent hearing officer in accordance with Section 34-85 or  
13 otherwise, the hearing officer shall be governed by the  
14 alternative performance evaluation plan, remediation  
15 procedures, and removal standards and procedures set forth in  
16 the agreement in making findings of fact and a recommendation.

17 (a-5) If the Governor has declared a disaster due to a  
18 public health emergency pursuant to Section 7 of the Illinois  
19 Emergency Management Agency Act that suspends in-person  
20 instruction, the timelines connected to the commencement and  
21 completion of any remediation plan are paused. Except where the  
22 parties mutually agree otherwise and such agreement is in  
23 writing, any remediation plan that had been in place for 45 or  
24 more days prior to the suspension of in-person instruction  
25 shall resume when in-person instruction resumes; any  
26 remediation plan that had been in place for fewer than 45 days

1 prior to the suspension of in-person instruction shall  
2 discontinue and a new remediation period will begin when  
3 in-person instruction resumes.

4 (b) The board and the exclusive representative of the  
5 district's teachers shall submit a certified copy of an  
6 agreement as provided under subsection (a) of this Section to  
7 the State Board of Education.

8 (Source: P.A. 96-861, eff. 1-15-10; 97-8, eff. 6-13-11.)

9 Section 10. The Illinois Articulation Initiative Act is  
10 amended by changing Section 20 as follows:

11 (110 ILCS 152/20)

12 Sec. 20. Course transferability.

13 (a) All courses approved for Illinois Articulation  
14 Initiative General Education codes must be transferable as a  
15 part of the General Education Core Curriculum package,  
16 consistent with the specific requirements of the package.  
17 Illinois Articulation Initiative General Education courses  
18 taken during the public health emergency declared by  
19 proclamation of the Governor due to the COVID-19 pandemic  
20 during calendar year 2020 must be transferable for students  
21 receiving a grade of "pass", "credit", or "satisfactory" and  
22 shall fulfill the prerequisite requirements for advanced  
23 courses.

24 (a-5) All public institutions shall determine if Illinois

1 Articulation Initiative major courses are direct course  
2 equivalents or are elective credit toward the requirements of  
3 the major. If the receiving institution does not offer the  
4 course or does not offer it at the lower-division level, the  
5 student shall receive elective lower-division major credit  
6 toward the requirements of the major for the course and may be  
7 required to take the course at the upper-division level.

8 (b) Students receiving the full General Education Core  
9 Curriculum package must not be required to take additional  
10 lower-division general education courses.

11 (Source: P.A. 99-636, eff. 1-1-17.)

12 Section 15. The Board of Higher Education Act is amended by  
13 adding Section 9.39 as follows:

14 (110 ILCS 205/9.39 new)

15 Sec. 9.39. Emergency completion and student support  
16 services grants. Subject to appropriation, the Board shall  
17 award emergency completion grants and competitive grants for  
18 public university student support services.

19 Section 20. The Higher Education Student Assistance Act is  
20 amended by changing Section 65.100 as follows:

21 (110 ILCS 947/65.100)

22 (Text of Section before amendment by P.A. 101-613)

1 (Section scheduled to be repealed on October 1, 2024)

2 Sec. 65.100. AIM HIGH Grant Pilot Program.

3 (a) The General Assembly makes all of the following  
4 findings:

5 (1) Both access and affordability are important  
6 aspects of the Illinois Public Agenda for College and  
7 Career Success report.

8 (2) This State is in the top quartile with respect to  
9 the percentage of family income needed to pay for college.

10 (3) Research suggests that as loan amounts increase,  
11 rather than an increase in grant amounts, the probability  
12 of college attendance decreases.

13 (4) There is further research indicating that  
14 socioeconomic status may affect the willingness of  
15 students to use loans to attend college.

16 (5) Strategic use of tuition discounting can decrease  
17 the amount of loans that students must use to pay for  
18 tuition.

19 (6) A modest, individually tailored tuition discount  
20 can make the difference in a student choosing to attend  
21 college and enhance college access for low-income and  
22 middle-income families.

23 (7) Even if the federally calculated financial need for  
24 college attendance is met, the federally determined  
25 Expected Family Contribution can still be a daunting  
26 amount.

1           (8) This State is the second largest exporter of  
2 students in the country.

3           (9) When talented Illinois students attend  
4 universities in this State, the State and those  
5 universities benefit.

6           (10) State universities in other states have adopted  
7 pricing and incentives that allow many Illinois residents  
8 to pay less to attend an out-of-state university than to  
9 remain in this State for college.

10           (11) Supporting Illinois student attendance at  
11 Illinois public universities can assist in State efforts to  
12 maintain and educate a highly trained workforce.

13           (12) Modest tuition discounts that are individually  
14 targeted and tailored can result in enhanced revenue for  
15 public universities.

16           (13) By increasing a public university's capacity to  
17 strategically use tuition discounting, the public  
18 university will be capable of creating enhanced tuition  
19 revenue by increasing enrollment yields.

20           (b) In this Section:

21           "Eligible applicant" means a student from any high school  
22 in this State, whether or not recognized by the State Board of  
23 Education, who is engaged in a program of study that in due  
24 course will be completed by the end of the school year and who  
25 meets all of the qualifications and requirements under this  
26 Section.

1 "Tuition and other necessary fees" includes the customary  
2 charge for instruction and use of facilities in general and the  
3 additional fixed fees charged for specified purposes that are  
4 required generally of non-grant recipients for each academic  
5 period for which the grant applicant actually enrolls, but does  
6 not include fees payable only once or breakage fees and other  
7 contingent deposits that are refundable in whole or in part.  
8 The Commission may adopt, by rule not inconsistent with this  
9 Section, detailed provisions concerning the computation of  
10 tuition and other necessary fees.

11 (c) Beginning with the 2019-2020 academic year, each public  
12 university may establish a merit-based scholarship pilot  
13 program known as the AIM HIGH Grant Pilot Program. Each year,  
14 the Commission shall receive and consider applications from  
15 public universities under this Section. Subject to  
16 appropriation and any tuition waiver limitation established by  
17 the Board of Higher Education, a public university campus may  
18 award a grant to a student under this Section if it finds that  
19 the applicant meets all of the following criteria:

20 (1) He or she is a resident of this State and a citizen  
21 or eligible noncitizen of the United States.

22 (2) He or she files a Free Application for Federal  
23 Student Aid and demonstrates financial need with a  
24 household income no greater than 6 times the poverty  
25 guidelines updated periodically in the Federal Register by  
26 the U.S. Department of Health and Human Services under the

1 authority of 42 U.S.C. 9902(2). The household income of the  
2 applicant at the time of initial application shall be  
3 deemed to be the household income of the applicant for the  
4 duration of the pilot program.

5 (3) He or she meets the minimum cumulative grade point  
6 average or ACT or SAT college admissions test score, as  
7 determined by the public university campus.

8 (4) He or she is enrolled in a public university as an  
9 undergraduate student on a full-time basis.

10 (5) He or she has not yet received a baccalaureate  
11 degree or the equivalent of 135 semester credit hours.

12 (6) He or she is not incarcerated.

13 (7) He or she is not in default on any student loan or  
14 does not owe a refund or repayment on any State or federal  
15 grant or scholarship.

16 (8) Any other reasonable criteria, as determined by the  
17 public university campus.

18 (d) Each public university campus shall determine grant  
19 renewal criteria consistent with the requirements under this  
20 Section.

21 (e) Each participating public university campus shall post  
22 on its Internet website criteria and eligibility requirements  
23 for receiving awards that use funds under this Section that  
24 include a range in the sizes of these individual awards. The  
25 criteria and amounts must also be reported to the Commission  
26 and the Board of Higher Education, who shall post the

1 information on their respective Internet websites.

2 (f) After enactment of an appropriation for this Program,  
3 the Commission shall determine an allocation of funds to each  
4 public university in an amount proportionate to the number of  
5 undergraduate students who are residents of this State and  
6 citizens or eligible noncitizens of the United States and who  
7 were enrolled at each public university campus in the previous  
8 academic year. All applications must be made to the Commission  
9 on or before a date determined by the Commission and on forms  
10 that the Commission shall provide to each public university  
11 campus. The form of the application and the information  
12 required shall be determined by the Commission and shall  
13 include, without limitation, the total public university  
14 campus funds used to match funds received from the Commission  
15 in the previous academic year under this Section, if any, the  
16 total enrollment of undergraduate students who are residents of  
17 this State from the previous academic year, and any supporting  
18 documents as the Commission deems necessary. Each public  
19 university campus shall match the amount of funds received by  
20 the Commission with financial aid for eligible students.

21 A public university campus is not required to claim its  
22 entire allocation. The Commission shall make available to all  
23 public universities, on a date determined by the Commission,  
24 any unclaimed funds and the funds must be made available to  
25 those public university campuses in the proportion determined  
26 under this subsection (f), excluding from the calculation those



1 public university campuses not claiming their full  
2 allocations.

3 Each public university campus may determine the award  
4 amounts for eligible students on an individual or broad basis,  
5 but, subject to renewal eligibility, each renewed award may not  
6 be less than the amount awarded to the eligible student in his  
7 or her first year attending the public university campus.  
8 Notwithstanding this limitation, a renewal grant may be reduced  
9 due to changes in the student's cost of attendance, including,  
10 but not limited to, if a student reduces the number of credit  
11 hours in which he or she is enrolled, but remains a full-time  
12 student, or switches to a course of study with a lower tuition  
13 rate.

14 An eligible applicant awarded grant assistance under this  
15 Section is eligible to receive other financial aid. Total grant  
16 aid to the student from all sources may not exceed the total  
17 cost of attendance at the public university campus.

18 (g) All money allocated to a public university campus under  
19 this Section may be used only for financial aid purposes for  
20 students attending the public university campus during the  
21 academic year, not including summer terms. Notwithstanding any  
22 other provision of law to the contrary, any funds received by a  
23 public university campus under this Section that are not  
24 granted to students in the academic year for which the funds  
25 are received may be retained by the public university campus  
26 for expenditure on students participating in the Program or

1 students eligible to participate in the Program.

2 (h) Each public university campus that establishes a  
3 Program under this Section must annually report to the  
4 Commission, on or before a date determined by the Commission,  
5 the number of undergraduate students enrolled at that campus  
6 who are residents of this State.

7 (i) Each public university campus must report to the  
8 Commission the total non-loan financial aid amount given by the  
9 public university campus to undergraduate students in fiscal  
10 year 2018. To be eligible to receive funds under the Program, a  
11 public university campus may not decrease the total amount of  
12 non-loan financial aid for undergraduate students to an amount  
13 lower than the total non-loan financial aid amount given by the  
14 public university campus to undergraduate students in fiscal  
15 year 2018, not including any funds received from the Commission  
16 under this Section or any funds used to match grant awards  
17 under this Section.

18 (j) On or before a date determined by the Commission, each  
19 public university campus that participates in the Program under  
20 this Section shall annually submit a report to the Commission  
21 with all of the following information:

22 (1) The Program's impact on tuition revenue and  
23 enrollment goals and increase in access and affordability  
24 at the public university campus.

25 (2) Total funds received by the public university  
26 campus under the Program.

1           (3) Total non-loan financial aid awarded to  
2 undergraduate students attending the public university  
3 campus.

4           (4) Total amount of funds matched by the public  
5 university campus.

6           (5) Total amount of claimed and unexpended funds  
7 retained by the public university campus.

8           (6) The percentage of total financial aid distributed  
9 under the Program by the public university campus.

10           (7) The total number of students receiving grants from  
11 the public university campus under the Program and those  
12 students' grade level, race, gender, income level, family  
13 size, Monetary Award Program eligibility, Pell Grant  
14 eligibility, and zip code of residence and the amount of  
15 each grant award. This information shall include unit  
16 record data on those students regarding variables  
17 associated with the parameters of the public university's  
18 Program, including, but not limited to, a student's ACT or  
19 SAT college admissions test score, high school or  
20 university cumulative grade point average, or program of  
21 study.

22           On or before October 1, 2020 and annually on or before  
23 October 1 thereafter, the Commission shall submit a report with  
24 the findings under this subsection (j) and any other  
25 information regarding the AIM HIGH Grant Pilot Program to (i)  
26 the Governor, (ii) the Speaker of the House of Representatives,

1 (iii) the Minority Leader of the House of Representatives, (iv)  
2 the President of the Senate, and (v) the Minority Leader of the  
3 Senate. The reports to the General Assembly shall be filed with  
4 the Clerk of the House of Representatives and the Secretary of  
5 the Senate in electronic form only, in the manner that the  
6 Clerk and the Secretary shall direct. The Commission's report  
7 may not disaggregate data to a level that may disclose  
8 personally identifying information of individual students.

9 The sharing and reporting of student data under this  
10 subsection (j) must be in accordance with the requirements  
11 under the federal Family Educational Rights and Privacy Act of  
12 1974 and the Illinois School Student Records Act. All parties  
13 must preserve the confidentiality of the information as  
14 required by law. The names of the grant recipients under this  
15 Section are not subject to disclosure under the Freedom of  
16 Information Act.

17 Public university campuses that fail to submit a report  
18 under this subsection (j) or that fail to adhere to any other  
19 requirements under this Section may not be eligible for  
20 distribution of funds under the Program for the next academic  
21 year, but may be eligible for distribution of funds for each  
22 academic year thereafter.

23 (k) The Commission shall adopt rules to implement this  
24 Section.

25 (l) This Section is repealed on October 1, 2024.

26 (Source: P.A. 100-587, eff. 6-4-18; 100-1015, eff. 8-21-18;

1 100-1183, eff. 4-4-19; 101-81, eff. 7-12-19.)

2 (Text of Section after amendment by P.A. 101-613)

3 (Section scheduled to be repealed on October 1, 2024)

4 Sec. 65.100. AIM HIGH Grant Pilot Program.

5 (a) The General Assembly makes all of the following  
6 findings:

7 (1) Both access and affordability are important  
8 aspects of the Illinois Public Agenda for College and  
9 Career Success report.

10 (2) This State is in the top quartile with respect to  
11 the percentage of family income needed to pay for college.

12 (3) Research suggests that as loan amounts increase,  
13 rather than an increase in grant amounts, the probability  
14 of college attendance decreases.

15 (4) There is further research indicating that  
16 socioeconomic status may affect the willingness of  
17 students to use loans to attend college.

18 (5) Strategic use of tuition discounting can decrease  
19 the amount of loans that students must use to pay for  
20 tuition.

21 (6) A modest, individually tailored tuition discount  
22 can make the difference in a student choosing to attend  
23 college and enhance college access for low-income and  
24 middle-income families.

25 (7) Even if the federally calculated financial need for

1 college attendance is met, the federally determined  
2 Expected Family Contribution can still be a daunting  
3 amount.

4 (8) This State is the second largest exporter of  
5 students in the country.

6 (9) When talented Illinois students attend  
7 universities in this State, the State and those  
8 universities benefit.

9 (10) State universities in other states have adopted  
10 pricing and incentives that allow many Illinois residents  
11 to pay less to attend an out-of-state university than to  
12 remain in this State for college.

13 (11) Supporting Illinois student attendance at  
14 Illinois public universities can assist in State efforts to  
15 maintain and educate a highly trained workforce.

16 (12) Modest tuition discounts that are individually  
17 targeted and tailored can result in enhanced revenue for  
18 public universities.

19 (13) By increasing a public university's capacity to  
20 strategically use tuition discounting, the public  
21 university will be capable of creating enhanced tuition  
22 revenue by increasing enrollment yields.

23 (b) In this Section:

24 "Eligible applicant" means a student from any high school  
25 in this State, whether or not recognized by the State Board of  
26 Education, who is engaged in a program of study that in due

1 course will be completed by the end of the school year and who  
2 meets all of the qualifications and requirements under this  
3 Section.

4 "Tuition and other necessary fees" includes the customary  
5 charge for instruction and use of facilities in general and the  
6 additional fixed fees charged for specified purposes that are  
7 required generally of non-grant recipients for each academic  
8 period for which the grant applicant actually enrolls, but does  
9 not include fees payable only once or breakage fees and other  
10 contingent deposits that are refundable in whole or in part.  
11 The Commission may adopt, by rule not inconsistent with this  
12 Section, detailed provisions concerning the computation of  
13 tuition and other necessary fees.

14 (c) Beginning with the 2019-2020 academic year, each public  
15 university may establish a merit-based scholarship pilot  
16 program known as the AIM HIGH Grant Pilot Program. Each year,  
17 the Commission shall receive and consider applications from  
18 public universities under this Section. Subject to  
19 appropriation and any tuition waiver limitation established by  
20 the Board of Higher Education, a public university campus may  
21 award a grant to a student under this Section if it finds that  
22 the applicant meets all of the following criteria:

23 (1) He or she is a resident of this State and a citizen  
24 or eligible noncitizen of the United States.

25 (2) He or she files a Free Application for Federal  
26 Student Aid and demonstrates financial need with a

1 household income no greater than 6 times the poverty  
2 guidelines updated periodically in the Federal Register by  
3 the U.S. Department of Health and Human Services under the  
4 authority of 42 U.S.C. 9902(2). The household income of the  
5 applicant at the time of initial application shall be  
6 deemed to be the household income of the applicant for the  
7 duration of the pilot program.

8 (3) He or she meets the minimum cumulative grade point  
9 average or ACT or SAT college admissions test score, as  
10 determined by the public university campus.

11 (4) He or she is enrolled in a public university as an  
12 undergraduate student on a full-time basis.

13 (5) He or she has not yet received a baccalaureate  
14 degree or the equivalent of 135 semester credit hours.

15 (6) He or she is not incarcerated.

16 (7) He or she is not in default on any student loan or  
17 does not owe a refund or repayment on any State or federal  
18 grant or scholarship.

19 (8) Any other reasonable criteria, as determined by the  
20 public university campus.

21 (d) Each public university campus shall determine grant  
22 renewal criteria consistent with the requirements under this  
23 Section.

24 (e) Each participating public university campus shall post  
25 on its Internet website criteria and eligibility requirements  
26 for receiving awards that use funds under this Section that



1 include a range in the sizes of these individual awards. The  
2 criteria and amounts must also be reported to the Commission  
3 and the Board of Higher Education, who shall post the  
4 information on their respective Internet websites.

5 (f) After enactment of an appropriation for this Program,  
6 the Commission shall determine an allocation of funds to each  
7 public university in an amount proportionate to the number of  
8 undergraduate students who are residents of this State and  
9 citizens or eligible noncitizens of the United States and who  
10 were enrolled at each public university campus in the previous  
11 academic year. All applications must be made to the Commission  
12 on or before a date determined by the Commission and on forms  
13 that the Commission shall provide to each public university  
14 campus. The form of the application and the information  
15 required shall be determined by the Commission and shall  
16 include, without limitation, the total public university  
17 campus funds used to match funds received from the Commission  
18 in the previous academic year under this Section, if any, the  
19 total enrollment of undergraduate students who are residents of  
20 this State from the previous academic year, and any supporting  
21 documents as the Commission deems necessary. Each public  
22 university campus shall match the amount of funds received by  
23 the Commission with financial aid for eligible students.

24 A public university campus is not required to claim its  
25 entire allocation. The Commission shall make available to all  
26 public universities, on a date determined by the Commission,

1 any unclaimed funds and the funds must be made available to  
2 those public university campuses in the proportion determined  
3 under this subsection (f), excluding from the calculation those  
4 public university campuses not claiming their full  
5 allocations.

6 Each public university campus may determine the award  
7 amounts for eligible students on an individual or broad basis,  
8 but, subject to renewal eligibility, each renewed award may not  
9 be less than the amount awarded to the eligible student in his  
10 or her first year attending the public university campus.  
11 Notwithstanding this limitation, a renewal grant may be reduced  
12 due to changes in the student's cost of attendance, including,  
13 but not limited to, if a student reduces the number of credit  
14 hours in which he or she is enrolled, but remains a full-time  
15 student, or switches to a course of study with a lower tuition  
16 rate.

17 An eligible applicant awarded grant assistance under this  
18 Section is eligible to receive other financial aid. Total grant  
19 aid to the student from all sources may not exceed the total  
20 cost of attendance at the public university campus.

21 (g) All money allocated to a public university campus under  
22 this Section may be used only for financial aid purposes for  
23 students attending the public university campus during the  
24 academic year, not including summer terms. Notwithstanding any  
25 other provision of law to the contrary, any funds received by a  
26 public university campus under this Section that are not

1 granted to students in the academic year for which the funds  
2 are received may be retained by the public university campus  
3 for expenditure on students participating in the Program or  
4 students eligible to participate in the Program.

5 (h) Each public university campus that establishes a  
6 Program under this Section must annually report to the  
7 Commission, on or before a date determined by the Commission,  
8 the number of undergraduate students enrolled at that campus  
9 who are residents of this State.

10 (i) Each public university campus must report to the  
11 Commission the total non-loan financial aid amount given by the  
12 public university campus to undergraduate students in the  
13 2017-2018 academic year, not including the summer term. To be  
14 eligible to receive funds under the Program, a public  
15 university campus may not decrease the total amount of non-loan  
16 financial aid it gives to undergraduate students, not including  
17 any funds received from the Commission under this Section or  
18 any funds used to match grant awards under this Section, to an  
19 amount lower than the reported amount for the 2017-2018  
20 academic year, not including the summer term.

21 (j) On or before a date determined by the Commission, each  
22 public university campus that participates in the Program under  
23 this Section shall annually submit a report to the Commission  
24 with all of the following information:

25 (1) The Program's impact on tuition revenue and  
26 enrollment goals and increase in access and affordability

1 at the public university campus.

2 (2) Total funds received by the public university  
3 campus under the Program.

4 (3) Total non-loan financial aid awarded to  
5 undergraduate students attending the public university  
6 campus.

7 (4) Total amount of funds matched by the public  
8 university campus.

9 (5) Total amount of claimed and unexpended funds  
10 retained by the public university campus.

11 (6) The percentage of total financial aid distributed  
12 under the Program by the public university campus.

13 (7) The total number of students receiving grants from  
14 the public university campus under the Program and those  
15 students' grade level, race, gender, income level, family  
16 size, Monetary Award Program eligibility, Pell Grant  
17 eligibility, and zip code of residence and the amount of  
18 each grant award. This information shall include unit  
19 record data on those students regarding variables  
20 associated with the parameters of the public university's  
21 Program, including, but not limited to, a student's ACT or  
22 SAT college admissions test score, high school or  
23 university cumulative grade point average, or program of  
24 study.

25 On or before October 1, 2020 and annually on or before  
26 October 1 thereafter, the Commission shall submit a report with

1 the findings under this subsection (j) and any other  
2 information regarding the AIM HIGH Grant Pilot Program to (i)  
3 the Governor, (ii) the Speaker of the House of Representatives,  
4 (iii) the Minority Leader of the House of Representatives, (iv)  
5 the President of the Senate, and (v) the Minority Leader of the  
6 Senate. The reports to the General Assembly shall be filed with  
7 the Clerk of the House of Representatives and the Secretary of  
8 the Senate in electronic form only, in the manner that the  
9 Clerk and the Secretary shall direct. The Commission's report  
10 may not disaggregate data to a level that may disclose  
11 personally identifying information of individual students.

12 The sharing and reporting of student data under this  
13 subsection (j) must be in accordance with the requirements  
14 under the federal Family Educational Rights and Privacy Act of  
15 1974 and the Illinois School Student Records Act. All parties  
16 must preserve the confidentiality of the information as  
17 required by law. The names of the grant recipients under this  
18 Section are not subject to disclosure under the Freedom of  
19 Information Act.

20 Public university campuses that fail to submit a report  
21 under this subsection (j) or that fail to adhere to any other  
22 requirements under this Section may not be eligible for  
23 distribution of funds under the Program for the next academic  
24 year, but may be eligible for distribution of funds for each  
25 academic year thereafter.

26 (k) The Commission shall adopt rules to implement this

1 Section.

2 (1) This Section is repealed on October 1, 2024.

3 (Source: P.A. 100-587, eff. 6-4-18; 100-1015, eff. 8-21-18;  
4 100-1183, eff. 4-4-19; 101-81, eff. 7-12-19; 101-613, eff.  
5 6-1-20.)

6 Section 95. No acceleration or delay. Where this Act makes  
7 changes in a statute that is represented in this Act by text  
8 that is not yet or no longer in effect (for example, a Section  
9 represented by multiple versions), the use of that text does  
10 not accelerate or delay the taking effect of (i) the changes  
11 made by this Act or (ii) provisions derived from any other  
12 Public Act.

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