

1 AN ACT concerning education.

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

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

11 (105 ILCS 5/1H-115)

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

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

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

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

23 (2) there has been substantial achievement of the goals

1 and objectives established pursuant to the financial plan
2 and required under Section 1H-15 of this Code.

3 (c) The Panel of a district that otherwise meets all of the
4 requirements for abolition of a Panel under subsection (b) of
5 this Section, except for the fact that there are outstanding
6 financial obligations of the Panel, may petition the State
7 Board for reinstatement of all of the school board's powers and
8 duties assumed by the Panel; and if approved by the State
9 Board, then:

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

13 (2) the school board shall once again begin exercising
14 all of the powers and duties otherwise allowed by statute;
15 and

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

18 (d) If the Panel of a district otherwise meets all of the
19 requirements for abolition of a Panel under subsection (b) of
20 this Section, except for outstanding obligations of the Panel,
21 then the district may petition the State Board for abolition of
22 the Panel if the district:

23 (1) establishes an irrevocable trust fund, the purpose
24 of which is to provide moneys to defease the outstanding
25 obligations of the Panel; and

26 (2) issues funding bonds pursuant to the provisions of

1 Sections 19-8 and 19-9 of this Code.

2 A district with a Panel that falls under this subsection
3 (d) shall be abolished as provided in subsection (a) of this
4 Section.

5 (e) The duration of a Panel may be continued for more than
6 10 years after the date of its creation if the State Board
7 extends the Panel's duration under paragraph (3) of subsection
8 (e) of Section 18-8.15 of this Code.

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

10 (105 ILCS 5/2-3.64a-5)

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

12 (a) For the assessment and accountability purposes of this
13 Section, "students" includes those students enrolled in a
14 public or State-operated elementary school, secondary school,
15 or cooperative or joint agreement with a governing body or
16 board of control, a charter school operating in compliance with
17 the Charter Schools Law, a school operated by a regional office
18 of education under Section 13A-3 of this Code, or a public
19 school administered by a local public agency or the Department
20 of Human Services.

21 (b) The State Board of Education shall establish the
22 academic standards that are to be applicable to students who
23 are subject to State assessments under this Section. The State
24 Board of Education shall not establish any such standards in
25 final form without first providing opportunities for public

1 participation and local input in the development of the final
2 academic standards. Those opportunities shall include a
3 well-publicized period of public comment and opportunities to
4 file written comments.

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

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

13 The State Board of Education shall annually assess schools
14 that operate a secondary education program, as defined in
15 Section 22-22 of this Code, in English language arts and
16 mathematics. The State Board of Education shall administer no
17 more than 3 assessments, per student, of English language arts
18 and mathematics for students in a secondary education program.
19 One of these assessments shall be recognized by this State's
20 public institutions of higher education, as defined in the
21 Board of Higher Education Act, for the purpose of student
22 application or admissions consideration. The assessment
23 administered by the State Board of Education for the purpose of
24 student application to or admissions consideration by
25 institutions of higher education must be administered on a
26 school day during regular student attendance hours.

1 Students who do not take the State's final accountability
2 assessment or its approved alternate assessment may not receive
3 a regular high school diploma unless the student is exempted
4 from taking the State assessments under subsection (d) of this
5 Section because the student is enrolled in a program of adult
6 and continuing education, as defined in the Adult Education
7 Act, or the student is identified by the State Board of
8 Education, through rules, as being exempt from the assessment.

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

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

17 The requirements of this subsection do not apply if the
18 State Board of Education has received a waiver from the
19 administration of assessments from the U.S. Department of
20 Education.

21 (d) Every individualized educational program as described
22 in Article 14 shall identify if the State assessment or
23 components thereof require accommodation for the student. The
24 State Board of Education shall develop rules governing the
25 administration of an alternate assessment that may be available
26 to students for whom participation in this State's regular

1 assessments is not appropriate, even with accommodations as
2 allowed under this Section.

3 Students receiving special education services whose
4 individualized educational programs identify them as eligible
5 for the alternative State assessments nevertheless shall have
6 the option of also taking this State's regular final
7 accountability assessment, which shall be administered in
8 accordance with the eligible accommodations appropriate for
9 meeting these students' respective needs.

10 All students determined to be English learners shall
11 participate in the State assessments. The scores of those
12 students who have been enrolled in schools in the United States
13 for less than 12 months may not be used for the purposes of
14 accountability. Any student determined to be an English learner
15 shall receive appropriate assessment accommodations, including
16 language supports, which shall be established by rule. Approved
17 assessment accommodations must be provided until the student's
18 English language skills develop to the extent that the student
19 is no longer considered to be an English learner, as
20 demonstrated through a State-identified English language
21 proficiency assessment.

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

25 In each school year, the scores attained by a student on
26 the final accountability assessment must be placed in the

1 student's permanent record pursuant to rules that the State
2 Board of Education shall adopt for that purpose in accordance
3 with Section 3 of the Illinois School Student Records Act. In
4 each school year, the scores attained by a student on the State
5 assessments administered in grades 3 through 8 must be placed
6 in the student's temporary record.

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

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

18 (h) (Blank).

19 (i) For the purposes of this subsection (i), "academically
20 based assessments" means assessments consisting of questions
21 and answers that are measurable and quantifiable to measure the
22 knowledge, skills, and ability of students in the subject
23 matters covered by the assessments. All assessments
24 administered pursuant to this Section must be academically
25 based assessments. The scoring of academically based
26 assessments shall be reliable, valid, and fair and shall meet

1 the guidelines for assessment development and use prescribed by
2 the American Psychological Association, the National Council
3 on Measurement in Education, and the American Educational
4 Research Association.

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

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

1 the General Assembly concerning the assessments.

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

4 (Source: P.A. 99-30, eff. 7-10-15; 99-185, eff. 1-1-16; 99-642,
5 eff. 7-28-16; 100-7, eff. 7-1-17; 100-222, eff. 8-18-17;
6 100-863, eff. 8-14-18; 100-1046, eff. 8-23-18.)

7 (105 ILCS 5/2-3.71) (from Ch. 122, par. 2-3.71)
8 Sec. 2-3.71. Grants for preschool educational programs.

9 (a) Preschool program.

10 (1) The State Board of Education shall implement and
11 administer a grant program under the provisions of this
12 subsection which shall consist of grants to public school
13 districts and other eligible entities, as defined by the
14 State Board of Education, to conduct voluntary preschool
15 educational programs for children ages 3 to 5 which include
16 a parent education component. A public school district
17 which receives grants under this subsection may
18 subcontract with other entities that are eligible to
19 conduct a preschool educational program. These grants must
20 be used to supplement, not supplant, funds received from
21 any other source.

22 (2) (Blank).

23 (3) Except as otherwise provided under this subsection
24 (a), any teacher of preschool children in the program
25 authorized by this subsection shall hold a Professional

1 Educator License with an early childhood education
2 endorsement.

3 (3.5) Beginning with the 2018-2019 school year and
4 until the 2023-2024 school year, an individual may teach
5 preschool children in an early childhood program under this
6 Section if he or she holds a Professional Educator License
7 with an early childhood education endorsement or with
8 short-term approval for early childhood education or he or
9 she pursues a Professional Educator License and holds any
10 of the following:

11 (A) An ECE Credential Level of 5 awarded by the
12 Department of Human Services under the Gateways to
13 Opportunity Program developed under Section 10-70 of
14 the Department of Human Services Act.

15 (B) An Educator License with Stipulations with a
16 transitional bilingual educator endorsement and he or
17 she has (i) passed an early childhood education content
18 test or (ii) completed no less than 9 semester hours of
19 postsecondary coursework in the area of early
20 childhood education.

21 (4) (Blank).

22 (4.5) The State Board of Education shall provide the
23 primary source of funding through appropriations for the
24 program. Such funds shall be distributed to achieve a goal
25 of "Preschool for All Children" for the benefit of all
26 children whose families choose to participate in the

1 program. Based on available appropriations, newly funded
2 programs shall be selected through a process giving first
3 priority to qualified programs serving primarily at-risk
4 children and second priority to qualified programs serving
5 primarily children with a family income of less than 4
6 times the poverty guidelines updated periodically in the
7 Federal Register by the U.S. Department of Health and Human
8 Services under the authority of 42 U.S.C. 9902(2). For
9 purposes of this paragraph (4.5), at-risk children are
10 those who because of their home and community environment
11 are subject to such language, cultural, economic and like
12 disadvantages to cause them to have been determined as a
13 result of screening procedures to be at risk of academic
14 failure. Such screening procedures shall be based on
15 criteria established by the State Board of Education.

16 Except as otherwise provided in this paragraph (4.5),
17 grantees under the program must enter into a memorandum of
18 understanding with the appropriate local Head Start
19 agency. This memorandum must be entered into no later than
20 3 months after the award of a grantee's grant under the
21 program, except that, in the case of the 2009-2010 program
22 year, the memorandum must be entered into no later than the
23 deadline set by the State Board of Education for
24 applications to participate in the program in fiscal year
25 2011, and must address collaboration between the grantee's
26 program and the local Head Start agency on certain issues,

1 which shall include without limitation the following:

2 (A) educational activities, curricular objectives,

3 and instruction;

4 (B) public information dissemination and access to

5 programs for families contacting programs;

6 (C) service areas;

7 (D) selection priorities for eligible children to

8 be served by programs;

9 (E) maximizing the impact of federal and State

10 funding to benefit young children;

11 (F) staff training, including opportunities for

12 joint staff training;

13 (G) technical assistance;

14 (H) communication and parent outreach for smooth

15 transitions to kindergarten;

16 (I) provision and use of facilities,

17 transportation, and other program elements;

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

19 statutory and regulatory requirements;

20 (K) improving local planning and collaboration;

21 and

22 (L) providing comprehensive services for the

23 neediest Illinois children and families.

24 If the appropriate local Head Start agency is unable or

25 unwilling to enter into a memorandum of understanding as

26 required under this paragraph (4.5), the memorandum of

1 understanding requirement shall not apply and the grantee
2 under the program must notify the State Board of Education
3 in writing of the Head Start agency's inability or
4 unwillingness. The State Board of Education shall compile
5 all such written notices and make them available to the
6 public.

7 (5) The State Board of Education shall develop and
8 provide evaluation tools, including tests, that school
9 districts and other eligible entities may use to evaluate
10 children for school readiness prior to age 5. The State
11 Board of Education shall require school districts and other
12 eligible entities to obtain consent from the parents or
13 guardians of children before any evaluations are
14 conducted. The State Board of Education shall encourage
15 local school districts and other eligible entities to
16 evaluate the population of preschool children in their
17 communities and provide preschool programs, pursuant to
18 this subsection, where appropriate.

19 (6) The State Board of Education shall report to the
20 General Assembly by November 1, 2018 and every 2 years
21 thereafter on the results and progress of students who were
22 enrolled in preschool educational programs, including an
23 assessment of which programs have been most successful in
24 promoting academic excellence and alleviating academic
25 failure. The State Board of Education shall assess the
26 academic progress of all students who have been enrolled in

1 preschool educational programs.

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

12 (7) Due to evidence that expulsion practices in the
13 preschool years are linked to poor child outcomes and are
14 employed inconsistently across racial and gender groups,
15 early childhood programs receiving State funds under this
16 subsection (a) shall prohibit expulsions. Planned
17 transitions to settings that are able to better meet a
18 child's needs are not considered expulsion under this
19 paragraph (7).

20 (A) When persistent and serious challenging
21 behaviors emerge, the early childhood program shall
22 document steps taken to ensure that the child can
23 participate safely in the program; including
24 observations of initial and ongoing challenging
25 behaviors, strategies for remediation and intervention
26 plans to address the behaviors, and communication with

1 the parent or legal guardian, including participation
2 of the parent or legal guardian in planning and
3 decision-making.

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

20 (C) If there is documented evidence that all
21 available interventions and supports recommended by a
22 qualified professional have been exhausted and the
23 program determines in its professional judgment that
24 transitioning a child to another program is necessary
25 for the well-being of the child or his or her peers and
26 staff, with parent or legal guardian permission, both

1 the current and pending programs shall create a
2 transition plan designed to ensure continuity of
3 services and the comprehensive development of the
4 child. Communication with families shall occur in a
5 culturally and linguistically competent manner.

6 (D) Nothing in this paragraph (7) shall preclude a
7 parent's or legal guardian's right to voluntarily
8 withdraw his or her child from an early childhood
9 program. Early childhood programs shall request and
10 keep on file, when received, a written statement from
11 the parent or legal guardian stating the reason for his
12 or her decision to withdraw his or her child.

13 (E) In the case of the determination of a serious
14 safety threat to a child or others or in the case of
15 behaviors listed in subsection (d) of Section 10-22.6
16 of this Code, the temporary removal of a child from
17 attendance in group settings may be used. Temporary
18 removal of a child from attendance in a group setting
19 shall trigger the process detailed in subparagraphs
20 (A), (B), and (C) of this paragraph (7), with the child
21 placed back in a group setting as quickly as possible.

22 (F) Early childhood programs may utilize and the
23 State Board of Education, the Department of Human
24 Services, and the Department of Children and Family
25 Services shall recommend training, technical support,
26 and professional development resources to improve the

1 ability of teachers, administrators, program
2 directors, and other staff to promote social-emotional
3 development and behavioral health, to address
4 challenging behaviors, and to understand trauma and
5 trauma-informed care, cultural competence, family
6 engagement with diverse populations, the impact of
7 implicit bias on adult behavior, and the use of
8 reflective practice techniques. Support shall include
9 the availability of resources to contract with infant
10 and early childhood mental health consultants.

11 (G) Beginning on July 1, 2018, early childhood
12 programs shall annually report to the State Board of
13 Education, and, beginning in fiscal year 2020, the
14 State Board of Education shall make available on a
15 biennial basis, in an existing report, all of the
16 following data for children from birth to age 5 who are
17 served by the program:

18 (i) Total number served over the course of the
19 program year and the total number of children who
20 left the program during the program year.

21 (ii) Number of planned transitions to another
22 program due to children's behavior, by children's
23 race, gender, disability, language, class/group
24 size, teacher-child ratio, and length of program
25 day.

26 (iii) Number of temporary removals of a child

1 from attendance in group settings due to a serious
2 safety threat under subparagraph (E) of this
3 paragraph (7), by children's race, gender,
4 disability, language, class/group size,
5 teacher-child ratio, and length of program day.

6 (iv) Hours of infant and early childhood
7 mental health consultant contact with program
8 leaders, staff, and families over the program
9 year.

10 (H) Changes to services for children with an
11 individualized education program or individual family
12 service plan shall be construed in a manner consistent
13 with the federal Individuals with Disabilities
14 Education Act.

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

19 (b) (Blank).

20 (c) Notwithstanding any other provisions of this Section,
21 grantees may serve children ages 0 to 12 of essential workers
22 if the Governor has declared a disaster due to a public health
23 emergency pursuant to Section 7 of the Illinois Emergency
24 Management Agency Act. For the purposes of this subsection,
25 essential workers include those outlined in Executive Order
26 20-8 and school employees. The State Board of Education shall

1 adopt rules to administer this subsection.

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

3 (105 ILCS 5/2-3.170)

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

5 (a) As used in this Section,

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

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

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

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

15 (b) Subject to appropriation, the State Board shall provide
16 grants to eligible school districts that provide tax relief to
17 the school district's residents, which may be no greater than
18 1% of EAV for a unit district, 0.69% of EAV for an elementary
19 school district, or 0.31% of EAV for a high school district, as
20 provided in this Section.

21 (b-5) School districts may apply for property tax relief
22 under this Section concurrently to setting their levy for the
23 fiscal year. The intended relief may not be greater than 1% of
24 the EAV for a unit district, 0.69% of the EAV for an elementary
25 school district, or 0.31% of the EAV for a high school

1 district, multiplied by the school district's local capacity
2 percentage multiplier. The State Board shall process
3 applications for relief, providing a grant to those districts
4 with the highest operating tax rate, as determined by those
5 districts with the highest percentage of the simple average
6 operating tax rate of districts of the same type, either
7 elementary, high school, or unit, first, in an amount equal to
8 the intended relief multiplied by the property tax multiplier.
9 The State Board shall provide grants to school districts in
10 order of priority until the property tax relief pool is
11 exhausted. If more school districts apply for relief under this
12 subsection than there are funds available, the State Board must
13 distribute the grants and prorate any remaining funds to the
14 final school district that qualifies for grant relief. The
15 abatement amount for that district must be equal to the grant
16 amount divided by the property tax multiplier.

17 If a school district receives the State Board's approval of
18 a grant under this Section by March 1 of the fiscal year, the
19 school district shall present a duly authorized and approved
20 abatement resolution by March 30 of the fiscal year to the
21 county clerk of each county in which the school files its levy,
22 authorizing the county clerk to lower the school district's
23 levy by the amount designated in its application to the State
24 Board. When the preceding requisites are satisfied, the county
25 clerk shall reduce the amount collected for the school district
26 by the amount indicated in the school district's abatement

1 resolution for that fiscal year.

2 (c) (Blank).

3 (d) School districts seeking grants under this Section
4 shall apply to the State Board each year. All applications to
5 the State Board for grants shall include the amount of the tax
6 relief intended by the school district.

7 (e) Each year, based on the most recent available data
8 provided by school districts pursuant to Section 18-8.15 of
9 this Code, the State Board shall calculate the order of
10 priority for grant eligibility under subsection (b-5) and
11 publish a list of the school districts eligible for relief. The
12 State Board shall provide grants in the manner provided under
13 subsection (b-5).

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

17 (g) If notice of eligibility from the State Board is
18 received by a school district by March 1, then by March 30, the
19 school district shall file an abatement of its property tax
20 levy in an amount equal to the grant received under this
21 Section divided by the property tax multiplier. Payment of all
22 grant amounts shall be made by June 1 each fiscal year. The
23 State Superintendent of Education shall establish the timeline
24 in such cases in which notice cannot be made by March 1.

25 (h) The total property tax relief allowable to a school
26 district under this Section shall be calculated based on the

1 total amount of reduction in the school district's aggregate
2 extension. The total grant shall be equal to the reduction,
3 multiplied by the property tax multiplier. The reduction shall
4 be equal to 1% of a district's EAV for a unit school district,
5 0.69% for an elementary school district, or 0.31% for a high
6 school district, multiplied by the school district's local
7 capacity percentage multiplier.

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

11 (j) The State Board shall prioritize payments under Section
12 18-8.15 of this Code over payments under this Section, if
13 necessary.

14 (k) Any grants received by a school district shall be
15 included in future calculations of that school district's Base
16 Funding Minimum under Section 18-8.15 of this Code. Beginning
17 with Fiscal Year 2020, if a school district receives a grant
18 under this Section, the school district must present to the
19 county clerk a duly authorized and approved abatement
20 resolution by March 30 for the year in which the school
21 district receives the grant and the successive fiscal year
22 following the receipt of the grant, authorizing the county
23 clerk to lower the school district's levy by the amount
24 designated in its original application to the State Board.
25 After receiving a resolution, the county clerk must reduce the
26 amount collected for the school district by the amount

1 indicated in the school district's abatement resolution for
2 that fiscal year. If a school district does not abate in this
3 amount for the successive fiscal year, the grant amount may not
4 be included in the school district's Base Funding Minimum under
5 Section 18-8.15 in the fiscal year following the tax year in
6 which the abatement is not authorized and in any future fiscal
7 year thereafter, and the county clerk must notify the State
8 Board of the increase no later 30 days after it occurs.

9 (1) In the immediate 2 consecutive tax years ~~year~~ following
10 receipt of a Property Tax Pool Relief Grant, the aggregate
11 extension base ~~levy~~ of any school district receiving a grant
12 under this Section, for purposes of the Property Tax Extension
13 Limitation Law, shall include the tax relief the school
14 district provided in the previous taxable year under this
15 Section.

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

18 (105 ILCS 5/10-19) (from Ch. 122, par. 10-19)

19 Sec. 10-19. Length of school term - experimental programs.
20 Each school board shall annually prepare a calendar for the
21 school term, specifying the opening and closing dates and
22 providing a minimum term of at least 185 days to insure 176
23 days of actual pupil attendance, computable under Section
24 10-19.05, except that for the 1980-1981 school year only 175
25 days of actual pupil attendance shall be required because of

1 the closing of schools pursuant to Section 24-2 on January 29,
2 1981 upon the appointment by the President of that day as a day
3 of thanksgiving for the freedom of the Americans who had been
4 held hostage in Iran. Any days allowed by law for teachers'
5 institutes but not used as such or used as parental institutes
6 as provided in Section 10-22.18d shall increase the minimum
7 term by the school days not so used. Except as provided in
8 Section 10-19.1, the board may not extend the school term
9 beyond such closing date unless that extension of term is
10 necessary to provide the minimum number of computable days. In
11 case of such necessary extension school employees shall be paid
12 for such additional time on the basis of their regular
13 contracts. A school board may specify a closing date earlier
14 than that set on the annual calendar when the schools of the
15 district have provided the minimum number of computable days
16 under this Section. Nothing in this Section prevents the board
17 from employing superintendents of schools, principals and
18 other nonteaching personnel for a period of 12 months, or in
19 the case of superintendents for a period in accordance with
20 Section 10-23.8, or prevents the board from employing other
21 personnel before or after the regular school term with payment
22 of salary proportionate to that received for comparable work
23 during the school term. Remote learning days, blended remote
24 learning days, and up to 5 remote and blended remote learning
25 planning days established under Section 10-30 or 34-18.66 shall
26 be deemed pupil attendance days for calculation of the length

1 of a school term under this Section.

2 A school board may make such changes in its calendar for
3 the school term as may be required by any changes in the legal
4 school holidays prescribed in Section 24-2. A school board may
5 make changes in its calendar for the school term as may be
6 necessary to reflect the utilization of teachers' institute
7 days as parental institute days as provided in Section
8 10-22.18d.

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

12 With the prior approval of the State Board of Education and
13 subject to review by the State Board of Education every 3
14 years, any school board may, by resolution of its board and in
15 agreement with affected exclusive collective bargaining
16 agents, establish experimental educational programs, including
17 but not limited to programs for e-learning days as authorized
18 under Section 10-20.56 of this Code, self-directed learning, or
19 outside of formal class periods, which programs when so
20 approved shall be considered to comply with the requirements of
21 this Section as respects numbers of days of actual pupil
22 attendance and with the other requirements of this Act as
23 respects courses of instruction.

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

25 (105 ILCS 5/10-19.05)

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

2 (a) Except as otherwise provided in this Section, for a
3 pupil of legal school age and in kindergarten or any of grades
4 1 through 12, a day of attendance shall be counted only for
5 sessions of not less than 5 clock hours of school work per day
6 under direct supervision of (i) teachers or (ii) non-teaching
7 personnel or volunteer personnel when engaging in non-teaching
8 duties and supervising in those instances specified in
9 subsection (a) of Section 10-22.34 and paragraph 10 of Section
10 34-18. Days of attendance by pupils through verified
11 participation in an e-learning program adopted by a school
12 board and verified by the regional office of education or
13 intermediate service center for the school district under
14 Section 10-20.56 of this Code shall be considered as full days
15 of attendance under this Section.

16 (b) A pupil regularly enrolled in a public school for only
17 a part of the school day may be counted on the basis of
18 one-sixth of a school day for every class hour of instruction
19 of 40 minutes or more attended pursuant to such enrollment,
20 unless a pupil is enrolled in a block-schedule format of 80
21 minutes or more of instruction, in which case the pupil may be
22 counted on the basis of the proportion of minutes of school
23 work completed each day to the minimum number of minutes that
24 school work is required to be held that day.

25 (c) A session of 4 or more clock hours may be counted as a
26 day of attendance upon certification by the regional

1 superintendent of schools and approval by the State
2 Superintendent of Education to the extent that the district has
3 been forced to use daily multiple sessions.

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

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

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

24 (f) A session of at least 4 clock hours may be counted as a
25 day of attendance for first grade pupils and pupils in full-day
26 kindergartens, and a session of 2 or more hours may be counted

1 as a half day of attendance by pupils in kindergartens that
2 provide only half days of attendance.

3 (g) For children with disabilities who are below the age of
4 6 years and who cannot attend 2 or more clock hours because of
5 their disability or immaturity, a session of not less than one
6 clock hour may be counted as a half day of attendance; however,
7 for such children whose educational needs require a session of
8 4 or more clock hours, a session of at least 4 clock hours may
9 be counted as a full day of attendance.

10 (h) A recognized kindergarten that provides for only a half
11 day of attendance by each pupil shall not have more than one
12 half day of attendance counted in any one day. However,
13 kindergartens may count 2 and a half days of attendance in any
14 5 consecutive school days. When a pupil attends such a
15 kindergarten for 2 half days on any one school day, the pupil
16 shall have the following day as a day absent from school,
17 unless the school district obtains permission in writing from
18 the State Superintendent of Education. Attendance at
19 kindergartens that provide for a full day of attendance by each
20 pupil shall be counted the same as attendance by first grade
21 pupils. Only the first year of attendance in one kindergarten
22 shall be counted, except in the case of children who entered
23 the kindergarten in their fifth year whose educational
24 development requires a second year of kindergarten as
25 determined under rules of the State Board of Education.

26 (i) On the days when the State's final accountability

1 assessment is administered under subsection (c) of Section
2 2-3.64a-5 of this Code, the day of attendance for a pupil whose
3 school day must be shortened to accommodate required testing
4 procedures may be less than 5 clock hours and shall be counted
5 toward the 176 days of actual pupil attendance required under
6 Section 10-19 of this Code, provided that a sufficient number
7 of minutes of school work in excess of 5 clock hours are first
8 completed on other school days to compensate for the loss of
9 school work on the examination days.

10 (j) Pupils enrolled in a remote educational program
11 established under Section 10-29 of this Code may be counted on
12 the basis of a one-fifth day of attendance for every clock hour
13 of instruction attended in the remote educational program,
14 provided that, in any month, the school district may not claim
15 for a student enrolled in a remote educational program more
16 days of attendance than the maximum number of days of
17 attendance the district can claim (i) for students enrolled in
18 a building holding year-round classes if the student is
19 classified as participating in the remote educational program
20 on a year-round schedule or (ii) for students enrolled in a
21 building not holding year-round classes if the student is not
22 classified as participating in the remote educational program
23 on a year-round schedule.

24 (j-5) The clock hour requirements of subsections (a)
25 through (j) of this Section do not apply if the Governor has
26 declared a disaster due to a public health emergency pursuant

1 to Section 7 of the Illinois Emergency Management Agency Act.
2 The State Superintendent of Education may establish minimum
3 clock hour requirements under Sections 10-30 and 34-18.66 if
4 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.

7 (k) Pupil participation in any of the following activities
8 shall be counted toward the calculation of clock hours of
9 school work per day:

10 (1) Instruction in a college course in which a student
11 is dually enrolled for both high school credit and college
12 credit.

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

18 (3) Participation in a youth apprenticeship, as
19 jointly defined in rules of the State Board of Education
20 and Department of Commerce and Economic Opportunity, in
21 which student participation and outcomes are supervised by
22 an educator licensed under Article 21B.

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

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

2 (105 ILCS 5/10-20.56)

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

4 (a) The State Board of Education shall establish and
5 maintain, for implementation in school districts, a program for
6 use of electronic-learning (e-learning) days, as described in
7 this Section. School districts may utilize a program approved
8 under this Section for use during remote learning days and
9 blended remote learning days under Section 10-30 or 34-18.66.

10 (b) The school board of a school district may, by
11 resolution, adopt a research-based program or research-based
12 programs for e-learning days district-wide that shall permit
13 student instruction to be received electronically while
14 students are not physically present in lieu of the district's
15 scheduled emergency days as required by Section 10-19 of this
16 Code. The research-based program or programs may not exceed the
17 minimum number of emergency days in the approved school
18 calendar and must be verified by the regional office of
19 education or intermediate service center for the school
20 district on or before September 1st annually to ensure access
21 for all students. The regional office of education or
22 intermediate service center shall ensure that the specific
23 needs of all students are met, including special education
24 students and English learners, and that all mandates are still
25 met using the proposed research-based program. The e-learning

1 program may utilize the Internet, telephones, texts, chat
2 rooms, or other similar means of electronic communication for
3 instruction and interaction between teachers and students that
4 meet the needs of all learners. The e-learning program shall
5 address the school district's responsibility to ensure that all
6 teachers and staff who may be involved in the provision of
7 e-learning have access to any and all hardware and software
8 that may be required for the program. If a proposed program
9 does not address this responsibility, the school district must
10 propose an alternate program.

11 (c) Before its adoption by a school board, the school board
12 must hold a public hearing on a school district's initial
13 proposal for an e-learning program or for renewal of such a
14 program, at a regular or special meeting of the school board,
15 in which the terms of the proposal must be substantially
16 presented and an opportunity for allowing public comments must
17 be provided. Notice of such public hearing must be provided at
18 least 10 days prior to the hearing by:

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

21 (2) written or electronic notice designed to reach the
22 parents or guardians of all students enrolled in the school
23 district; and

24 (3) written or electronic notice designed to reach any
25 exclusive collective bargaining representatives of school
26 district employees and all those employees not in a

1 collective bargaining unit.

2 (d) The regional office of education or intermediate
3 service center for the school district must timely verify that
4 a proposal for an e-learning program has met the requirements
5 specified in this Section and that the proposal contains
6 provisions designed to reasonably and practicably accomplish
7 the following:

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

12 (2) to ensure access from home or other appropriate
13 remote facility for all students participating, including
14 computers, the Internet, and other forms of electronic
15 communication that must be utilized in the proposed
16 program;

17 (2.5) to ensure that non-electronic materials are made
18 available to students participating in the program who do
19 not have access to the required technology or to
20 participating teachers or students who are prevented from
21 accessing the required technology;

22 (3) to ensure appropriate learning opportunities for
23 students with special needs;

24 (4) to monitor and verify each student's electronic
25 participation;

26 (5) to address the extent to which student

1 participation is within the student's control as to the
2 time, pace, and means of learning;

3 (6) to provide effective notice to students and their
4 parents or guardians of the use of particular days for
5 e-learning;

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

8 (8) to ensure an opportunity for any collective
9 bargaining negotiations with representatives of the school
10 district's employees that would be legally required,
11 including all classifications of school district employees
12 who are represented by collective bargaining agreements
13 and who would be affected in the event of an e-learning
14 day;

15 (9) to review and revise the program as implemented to
16 address difficulties confronted; and

17 (10) to ensure that the protocol regarding general
18 expectations and responsibilities of the program is
19 communicated to teachers, staff, and students at least 30
20 days prior to utilizing an e-learning day.

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

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

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

1 (105 ILCS 5/10-21.9) (from Ch. 122, par. 10-21.9)

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

5 (a) Licensed and nonlicensed applicants for employment
6 with a school district, except school bus driver applicants,
7 are required as a condition of employment to authorize a
8 fingerprint-based criminal history records check to determine
9 if such applicants have been convicted of any disqualifying,
10 enumerated criminal or drug offenses in subsection (c) of this
11 Section or have been convicted, within 7 years of the
12 application for employment with the school district, of any
13 other felony under the laws of this State or of any offense
14 committed or attempted in any other state or against the laws
15 of the United States that, if committed or attempted in this
16 State, would have been punishable as a felony under the laws of
17 this State. Authorization for the check shall be furnished by
18 the applicant to the school district, except that if the
19 applicant is a substitute teacher seeking employment in more
20 than one school district, a teacher seeking concurrent
21 part-time employment positions with more than one school
22 district (as a reading specialist, special education teacher or
23 otherwise), or an educational support personnel employee
24 seeking employment positions with more than one district, any
25 such district may require the applicant to furnish

1 authorization for the check to the regional superintendent of
2 the educational service region in which are located the school
3 districts in which the applicant is seeking employment as a
4 substitute or concurrent part-time teacher or concurrent
5 educational support personnel employee. Upon receipt of this
6 authorization, the school district or the appropriate regional
7 superintendent, as the case may be, shall submit the
8 applicant's name, sex, race, date of birth, social security
9 number, fingerprint images, and other identifiers, as
10 prescribed by the Department of State Police, to the
11 Department. The regional superintendent submitting the
12 requisite information to the Department of State Police shall
13 promptly notify the school districts in which the applicant is
14 seeking employment as a substitute or concurrent part-time
15 teacher or concurrent educational support personnel employee
16 that the check of the applicant has been requested. The
17 Department of State Police and the Federal Bureau of
18 Investigation shall furnish, pursuant to a fingerprint-based
19 criminal history records check, records of convictions,
20 forever and hereinafter, until expunged, to the president of
21 the school board for the school district that requested the
22 check, or to the regional superintendent who requested the
23 check. The Department shall charge the school district or the
24 appropriate regional superintendent a fee for conducting such
25 check, which fee shall be deposited in the State Police
26 Services Fund and shall not exceed the cost of the inquiry; and

1 the applicant shall not be charged a fee for such check by the
2 school district or by the regional superintendent, except that
3 those applicants seeking employment as a substitute teacher
4 with a school district may be charged a fee not to exceed the
5 cost of the inquiry. Subject to appropriations for these
6 purposes, the State Superintendent of Education shall
7 reimburse school districts and regional superintendents for
8 fees paid to obtain criminal history records checks under this
9 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 school board or the regional

1 superintendent shall be confidential and may only be
2 transmitted to the superintendent of the school district or his
3 designee, the appropriate regional superintendent if the check
4 was requested by the school district, the presidents of the
5 appropriate school boards if the check was requested from the
6 Department of State Police by the regional superintendent, the
7 State Board of Education and a school district as authorized
8 under subsection (b-5), the State Superintendent of Education,
9 the State Educator Preparation and Licensure Board, any other
10 person necessary to the decision of hiring the applicant for
11 employment, or for clarification purposes the Department of
12 State Police or Statewide Sex Offender Database, or both. A
13 copy of the record of convictions obtained from the Department
14 of State Police shall be provided to the applicant for
15 employment. Upon the check of the Statewide Sex Offender
16 Database or Statewide Murderer and Violent Offender Against
17 Youth Database, the school district or regional superintendent
18 shall notify an applicant as to whether or not the applicant
19 has been identified in the Database. If a check of an applicant
20 for employment as a substitute or concurrent part-time teacher
21 or concurrent educational support personnel employee in more
22 than 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 a 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) No school board shall knowingly employ a person who has
23 been convicted of any offense that would subject him or her to
24 license suspension or revocation pursuant to Section 21B-80 of
25 this Code, except as provided under subsection (b) of Section
26 21B-80. Further, no school board shall knowingly employ a

1 person who has been found to be the perpetrator of sexual or
2 physical abuse of any minor under 18 years of age pursuant to
3 proceedings under Article II of the Juvenile Court Act of 1987.
4 As a condition of employment, each school board must consider
5 the status of a person who has been issued an indicated finding
6 of abuse or neglect of a child by the Department of Children
7 and Family Services under the Abused and Neglected Child
8 Reporting Act or by a child welfare agency of another
9 jurisdiction.

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

13 (e) Within 10 days after a superintendent, regional office
14 of education, or entity that provides background checks of
15 license holders to public schools receives information of a
16 pending criminal charge against a license holder for an offense
17 set forth in Section 21B-80 of this Code, the superintendent,
18 regional office of education, or entity must notify the State
19 Superintendent of Education of the pending criminal charge.

20 If permissible by federal or State law, no later than 15
21 business days after receipt of a record of conviction or of
22 checking the Statewide Murderer and Violent Offender Against
23 Youth Database or the Statewide Sex Offender Database and
24 finding a registration, the superintendent of the employing
25 school board or the applicable regional superintendent shall,
26 in writing, notify the State Superintendent of Education of any

1 license holder who has been convicted of a crime set forth in
2 Section 21B-80 of this Code. Upon receipt of the record of a
3 conviction of or a finding of child abuse by a holder of any
4 license issued pursuant to Article 21B or Section 34-8.1 or
5 34-83 of the School Code, the State Superintendent of Education
6 may initiate licensure suspension and revocation proceedings
7 as authorized by law. If the receipt of the record of
8 conviction or finding of child abuse is received within 6
9 months after the initial grant of or renewal of a license, the
10 State Superintendent of Education may rescind the license
11 holder's license.

12 (e-5) The superintendent of the employing school board
13 shall, in writing, notify the State Superintendent of Education
14 and the applicable regional superintendent of schools 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 regional superintendent of
26 schools, the State Superintendent of Education, the State Board

1 of Education, or the State Educator Preparation and Licensure
2 Board under this subsection (e-5) is confidential and must not
3 be disclosed to third parties, except (i) as necessary for the
4 State Superintendent of Education or his or her designee to
5 investigate and prosecute pursuant to Article 21B of this Code,
6 (ii) pursuant to a court order, (iii) for disclosure to the
7 license holder or his or her representative, or (iv) as
8 otherwise provided in this Article and provided that any such
9 information admitted into evidence in a hearing is exempt from
10 this confidentiality and non-disclosure requirement. Except
11 for an act of willful or wanton misconduct, any superintendent
12 who provides notification as required in this subsection (e-5)
13 shall have immunity from any liability, whether civil or
14 criminal or that otherwise might result by reason of such
15 action.

16 (f) After January 1, 1990 the provisions of this Section
17 shall apply to all employees of persons or firms holding
18 contracts with any school district including, but not limited
19 to, food service workers, school bus drivers and other
20 transportation employees, who have direct, daily contact with
21 the pupils of any school in such district. For purposes of
22 criminal history records checks and checks of the Statewide Sex
23 Offender Database on employees of persons or firms holding
24 contracts with more than one school district and assigned to
25 more than one school district, the regional superintendent of
26 the educational service region in which the contracting school

1 districts are located may, at the request of any such school
2 district, be responsible for receiving the authorization for a
3 criminal history records check prepared by each such employee
4 and submitting the same to the Department of State Police and
5 for conducting a check of the Statewide Sex Offender Database
6 for each employee. Any information concerning the record of
7 conviction and identification as a sex offender of any such
8 employee obtained by the regional superintendent shall be
9 promptly reported to the president of the appropriate school
10 board or school boards.

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

15 (g) Prior to the commencement of any student teaching
16 experience or required internship (which is referred to as
17 student teaching in this Section) in the public schools, a
18 student teacher is required to authorize a fingerprint-based
19 criminal history records check. Authorization for and payment
20 of the costs of the check must be furnished by the student
21 teacher to the school district where the student teaching is to
22 be completed. Upon receipt of this authorization and payment,
23 the school district shall submit the student teacher's name,
24 sex, race, date of birth, social security number, fingerprint
25 images, and other identifiers, as prescribed by the Department
26 of State Police, to the Department of State Police. The

1 Department of State Police and the Federal Bureau of
2 Investigation shall furnish, pursuant to a fingerprint-based
3 criminal history records check, records of convictions,
4 forever and hereinafter, until expunged, to the president of
5 the school board for the school district that requested the
6 check. The Department shall charge the school district a fee
7 for conducting the check, which fee must not exceed the cost of
8 the inquiry and must be deposited into the State Police
9 Services Fund. The school district shall further perform a
10 check of the Statewide Sex Offender Database, as authorized by
11 the Sex Offender Community Notification Law, and of the
12 Statewide Murderer and Violent Offender Against Youth
13 Database, as authorized by the Murderer and Violent Offender
14 Against Youth Registration Act, for each student teacher. No
15 school board may knowingly allow a person to student teach for
16 whom a criminal history records check, a Statewide Sex Offender
17 Database check, and a Statewide Murderer and Violent Offender
18 Against Youth Database check have not been completed and
19 reviewed by the district.

20 A copy of the record of convictions obtained from the
21 Department of State Police must be provided to the student
22 teacher. Any information concerning the record of convictions
23 obtained by the president of the school board is confidential
24 and may only be transmitted to the superintendent of the school
25 district or his or her designee, the State Superintendent of
26 Education, the State Educator Preparation and Licensure Board,

1 or, for clarification purposes, the Department of State Police
2 or the Statewide Sex Offender Database or Statewide Murderer
3 and Violent Offender Against Youth Database. Any unauthorized
4 release of confidential information may be a violation of
5 Section 7 of the Criminal Identification Act.

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

20 (h) (Blank).

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

23 (105 ILCS 5/10-30 new)

24 Sec. 10-30. Remote and blended remote learning. This
25 Section applies if the Governor has declared a disaster due to

1 a public health emergency pursuant to Section 7 of the Illinois
2 Emergency Management Agency Act.

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

18 (2) For purposes of this Section, a remote learning day
19 or blended remote learning day may be met through a
20 district's implementation of an e-learning program under
21 Section 10-20.56.

22 (3) For any district that does not implement an
23 e-learning program under Section 10-20.56, the district
24 shall adopt a remote and blended remote learning day plan
25 approved by the district superintendent. Each district may
26 utilize remote and blended remote learning planning days,

1 consecutively or in separate increments, to develop,
2 review, or amend its remote and blended remote learning day
3 plan or provide professional development to staff
4 regarding remote education. Up to 5 remote and blended
5 remote learning planning days may be deemed pupil
6 attendance days for calculation of the length of a school
7 term under Section 10-19.

8 (4) Each remote and blended remote learning day plan
9 shall address the following:

10 (i) accessibility of the remote instruction to all
11 students enrolled in the district;

12 (ii) if applicable, a requirement that the remote
13 learning day and blended remote learning day
14 activities reflect State learning standards;

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

17 (iv) the unique needs of students in special
18 populations, including, but not limited to, students
19 eligible for special education under Article 14,
20 students who are English learners as defined in Section
21 14C-2, and students experiencing homelessness under
22 the Education for Homeless Children Act, or vulnerable
23 student populations;

24 (v) how the district will take attendance and
25 monitor and verify each student's remote
26 participation; and

1 (vi) transitions from remote learning to on-site
2 learning upon the State Superintendent's declaration
3 that remote learning days or blended remote learning
4 days are no longer deemed necessary.

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

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

13 (7) This Section does not create any additional
14 employee bargaining rights and does not remove any employee
15 bargaining rights.

16 (8) Statutory and regulatory curricular mandates and
17 offerings may be administered via a district's remote and
18 blended remote learning day plan, except that a district
19 may not offer individual behind-the-wheel instruction
20 required by Section 27-24.2 via a district's remote and
21 blended remote learning day plan. This Section does not
22 relieve schools and districts from completing all
23 statutory and regulatory curricular mandates and
24 offerings.

1 Sec. 14-8.02f. Individualized education program meeting
2 protections.

3 (a) (Blank).

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

20 (c) Beginning on July 1, 2020, no later than 3 school days
21 prior to a ~~child's individualized education program~~
22 ~~eligibility meeting or~~ meeting to determine a child's
23 eligibility for special education and related services or to
24 review a child's individualized education program, or as soon
25 as possible if an individualized education program meeting is
26 scheduled within 3 school days with the written consent of the

1 child's parent or guardian, the local education agency must
2 provide the child's parent or guardian ~~with~~ copies of all
3 written material that will be considered by the individualized
4 education program team at the meeting so that the parent or
5 guardian may participate in the meeting as a fully-informed
6 team member. The parent or guardian shall have the option of
7 choosing from the available methods of delivery, which must
8 include regular mail and picking up the materials at school.
9 For a meeting to determine the child's eligibility for special
10 education, the ~~The~~ written material must include, ~~but is not~~
11 ~~limited to,~~ all evaluations and collected data that will be
12 considered at the meeting. ~~For and, for~~ a child who is already
13 eligible for special education and related services ~~has an~~
14 ~~individualized education program,~~ the written material must
15 include a copy of all individualized education program
16 components that will be discussed by the individualized
17 education program team, other than the components related to
18 the educational and related service minutes proposed for the
19 child and the child's ~~educational~~ placement. Parents shall also
20 be informed of their right to review and copy their child's
21 school student records prior to any special education
22 eligibility or individualized education program review
23 meeting, subject to the requirements of applicable federal and
24 State law.

25 (d) Local education agencies must make ~~related service~~ logs
26 that record the delivery type of related services administered

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

17 (d-5) If, at a meeting to develop or revise a child's
18 individualized education program, the individualized education
19 program team determines that a certain service is ~~services are~~
20 ~~required in order for the child to receive a free, appropriate~~
21 ~~public education and that service is~~ ~~those services are~~ not
22 implemented ~~administered~~ within 10 school days after the
23 service was to be initiated as a date or frequency set forth by
24 the child's individualized education program, then the local
25 education agency shall provide the child's parent or guardian
26 with written notification that the service has ~~those services~~

1 ~~have~~ not yet been implemented ~~administered to the child~~. The
2 notification must be provided to the child's parent or guardian
3 within 3 school days of the local education agency's
4 non-compliance with the child's individualized education
5 program and must inform ~~include information on~~ the parent or
6 guardian about the school district's procedures for requesting
7 ~~parent's or guardian's ability to request~~ compensatory
8 services. In this subsection (d-5) ~~(d)~~, "school days" does not
9 include days where a child is absent from school for reasons
10 unrelated to a lack of individualized education program
11 services or when the service is available, but the child is
12 unavailable.

13 (e) The State Board of Education may create a telephone
14 hotline to address complaints regarding the special education
15 services or lack of special education services of a school
16 district subject to this Section. If a hotline is created, it
17 must be available to all students enrolled in the school
18 district, parents or guardians of those students, and school
19 personnel. If a hotline is created, any complaints received
20 through the hotline must be registered and recorded with the
21 State Board's monitor of special education policies. No
22 student, parent or guardian, or member of school personnel may
23 be retaliated against for submitting a complaint through a
24 telephone hotline created by the State Board under this
25 subsection (e).

26 (f) A school district subject to this Section may not use

1 any measure that would prevent or delay an individualized
2 education program team from adding a service to the program or
3 create a time restriction in which a service is prohibited from
4 being added to the program. The school district may not build
5 functions into its computer software that would remove any
6 services from a student's individualized education program
7 without the approval of the program team and may not prohibit
8 the program team from adding a service to the program.

9 (Source: P.A. 100-993, eff. 8-20-18; 101-515, eff. 8-23-19;
10 101-598, eff. 12-6-19.)

11 (105 ILCS 5/14-8.02h)

12 Sec. 14-8.02h. Response to scientific, research-based
13 intervention.

14 (a) In this Section, "response to scientific,
15 research-based intervention" or "multi-tiered system ~~systems~~
16 of support" means a tiered process of appropriate instruction
17 and support ~~school support~~ that utilizes differentiated
18 instructional strategies for students, provides students with
19 an evidence-based curriculum and ~~scientific, research-based~~
20 interventions aligned with State standards, continuously
21 monitors student performance using scientific ~~scientifically~~,
22 research-based progress monitoring instruments, and makes
23 data-driven educational decisions based on a student's
24 response to the interventions. Response to scientific,
25 research-based intervention or a multi-tiered system ~~systems~~

1 of support uses ~~use~~ a problem-solving method to define the
2 problem, analyzes ~~analyze~~ the problem using data to determine
3 why there is a discrepancy between what is expected and what is
4 occurring, establishes ~~establish~~ one or more student
5 performance goals, develops ~~develop~~ an intervention plan to
6 address the performance goals, and delineates ~~delineate~~ how the
7 student's progress will be monitored and how implementation
8 integrity will be ensured.

9 (b) (Blank). ~~A school district may utilize response to~~
10 ~~scientific, research based intervention or multi tiered~~
11 ~~systems of support as part of an evaluation procedure to~~
12 ~~determine if a child is eligible for special education services~~
13 ~~due to a specific learning disability. A school district may~~
14 ~~utilize the data generated during the response to scientific,~~
15 ~~research based intervention or multi tiered systems of support~~
16 ~~process in an evaluation to determine if a child is eligible~~
17 ~~for special education services due to any category of~~
18 ~~disability.~~

19 (c) The response to scientific, research-based
20 intervention or a multi-tiered system ~~systems~~ of support
21 process should use ~~must involve~~ a collaborative team approach
22 and include the engagement of and regular communication with
23 the child's parent or guardian, ~~with the parent or guardian of~~
24 ~~a student being part of the collaborative team.~~ The parent or
25 guardian of a child shall be provided with written notice of
26 the school district's use of scientific, research-based

1 intervention or a multi-tiered system of support for the child
2 and may be part of the collaborative team approach at the
3 discretion of the school district ~~student must be involved in~~
4 ~~the data sharing and decision-making processes of support under~~
5 ~~this Section.~~ The parent or guardian shall be provided all data
6 collected and reviewed by the school district with regard to
7 the child in the scientific, research-based intervention or
8 multi-tiered system of support process. The State Board of
9 Education may provide guidance to a school districts ~~district~~
10 and identify available resources related to facilitating
11 parent ~~parental~~ or guardian engagement ~~participation~~ in the
12 response to scientific, research-based intervention or a
13 multi-tiered system ~~systems~~ of support process.

14 (d) Nothing in this Section affects the responsibility of a
15 school district to identify, locate, and evaluate children with
16 disabilities who are in need of special education services in
17 accordance with the federal Individuals with Disabilities
18 Education ~~Improvement Act of 2004~~, this Code, or any applicable
19 federal or State rules.

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

21 (105 ILCS 5/17-2.11) (from Ch. 122, par. 17-2.11)

22 Sec. 17-2.11. School board power to levy a tax or to borrow
23 money and issue bonds for fire prevention, safety, energy
24 conservation, accessibility, school security, and specified
25 repair purposes.

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

16 (1) When there are not sufficient funds available in
17 the operations and maintenance fund of the school district,
18 the school facility occupation tax fund of the district, or
19 the fire prevention and safety fund of the district, as
20 determined by the district on the basis of rules adopted by
21 the State Board of Education, to make such alteration or
22 reconstruction or to purchase and install such permanent,
23 fixed equipment so ordered or determined as necessary.
24 Appropriate school district records must be made available
25 to the State Superintendent of Education, upon request, to
26 confirm this insufficiency.

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

17 In the case of an emergency situation, where the estimated
18 cost to effectuate emergency repairs is less than the amount
19 specified in Section 10-20.21 of this Code, the school district
20 may proceed with such repairs prior to approval by the State
21 Superintendent of Education, but shall comply with the
22 provisions of subdivision (2) of this subsection (a) as soon
23 thereafter as may be as well as Section 10-20.21 of this Code.
24 If the estimated cost to effectuate emergency repairs is
25 greater than the amount specified in Section 10-20.21 of this
26 Code, then the school district shall proceed in conformity with

1 Section 10-20.21 of this Code and with rules established by the
2 State Board of Education to address such situations. The rules
3 adopted by the State Board of Education to deal with these
4 situations shall stipulate that emergency situations must be
5 expedited and given priority consideration. For purposes of
6 this paragraph, an emergency is a situation that presents an
7 imminent and continuing threat to the health and safety of
8 students or other occupants of a facility, requires complete or
9 partial evacuation of a building or part of a building, or
10 consumes one or more of the 5 emergency days built into the
11 adopted calendar of the school or schools or would otherwise be
12 expected to cause such school or schools to fall short of the
13 minimum school calendar requirements.

14 (b) Whenever any such district determines that it is
15 necessary for energy conservation purposes that any school
16 building or permanent, fixed equipment should be altered or
17 reconstructed and that such alterations or reconstruction will
18 be made with funds not necessary for the completion of approved
19 and recommended projects contained in any safety survey report
20 or amendments thereto authorized by Section 2-3.12 of this Act;
21 the district may levy a tax or issue bonds as provided in
22 subsection (a) of this Section.

23 (c) Whenever any such district determines that it is
24 necessary for accessibility purposes and to comply with the
25 school building code that any school building or equipment
26 should be altered or reconstructed and that such alterations or

1 reconstruction will be made with funds not necessary for the
2 completion of approved and recommended projects contained in
3 any safety survey report or amendments thereto authorized under
4 Section 2-3.12 of this Act, the district may levy a tax or
5 issue bonds as provided in subsection (a) of this Section.

6 (d) Whenever any such district determines that it is
7 necessary for school security purposes and the related
8 protection and safety of pupils and school personnel that any
9 school building or property should be altered or reconstructed
10 or that security systems and equipment (including but not
11 limited to intercom, early detection and warning, access
12 control and television monitoring systems) should be purchased
13 and installed, and that such alterations, reconstruction or
14 purchase and installation of equipment will be made with funds
15 not necessary for the completion of approved and recommended
16 projects contained in any safety survey report or amendment
17 thereto authorized by Section 2-3.12 of this Act and will deter
18 and prevent unauthorized entry or activities upon school
19 property by unknown or dangerous persons, assure early
20 detection and advance warning of any such actual or attempted
21 unauthorized entry or activities and help assure the continued
22 safety of pupils and school staff if any such unauthorized
23 entry or activity is attempted or occurs; the district may levy
24 a tax or issue bonds as provided in subsection (a) of this
25 Section.

26 If such a school district determines that it is necessary

1 for school security purposes and the related protection and
2 safety of pupils and school staff to hire a school resource
3 officer or that personnel costs for school counselors, mental
4 health experts, or school resource officers are necessary and
5 the district determines that it does not need funds for any of
6 the other purposes set forth in this Section, then the district
7 may levy a tax or issue bonds as provided in subsection (a).

8 (e) If a school district does not need funds for other fire
9 prevention and safety projects, including the completion of
10 approved and recommended projects contained in any safety
11 survey report or amendments thereto authorized by Section
12 2-3.12 of this Act, and it is determined after a public hearing
13 (which is preceded by at least one published notice (i)
14 occurring at least 7 days prior to the hearing in a newspaper
15 of general circulation within the school district and (ii)
16 setting forth the time, date, place, and general subject matter
17 of the hearing) that there is a substantial, immediate, and
18 otherwise unavoidable threat to the health, safety, or welfare
19 of pupils due to disrepair of school sidewalks, playgrounds,
20 parking lots, or school bus turnarounds and repairs must be
21 made; then the district may levy a tax or issue bonds as
22 provided in subsection (a) of this Section.

23 (f) For purposes of this Section a school district may
24 replace a school building or build additions to replace
25 portions of a building when it is determined that the
26 effectuation of the recommendations for the existing building

1 will cost more than the replacement costs. Such determination
2 shall be based on a comparison of estimated costs made by an
3 architect or engineer licensed in the State of Illinois. The
4 new building or addition shall be equivalent in area (square
5 feet) and comparable in purpose and grades served and may be on
6 the same site or another site. Such replacement may only be
7 done upon order of the regional superintendent of schools and
8 the approval of the State Superintendent of Education.

9 (g) The filing of a certified copy of the resolution
10 levying the tax when accompanied by the certificates of the
11 regional superintendent of schools and State Superintendent of
12 Education shall be the authority of the county clerk to extend
13 such tax.

14 (h) The county clerk of the county in which any school
15 district levying a tax under the authority of this Section is
16 located, in reducing raised levies, shall not consider any such
17 tax as a part of the general levy for school purposes and shall
18 not include the same in the limitation of any other tax rate
19 which may be extended.

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

23 (i) The tax rate limit specified in this Section may be
24 increased to .10% upon the approval of a proposition to effect
25 such increase by a majority of the electors voting on that
26 proposition at a regular scheduled election. Such proposition

1 may be initiated by resolution of the school board and shall be
2 certified by the secretary to the proper election authorities
3 for submission in accordance with the general election law.

4 (j) When taxes are levied by any school district for fire
5 prevention, safety, energy conservation, and school security
6 purposes as specified in this Section, and the purposes for
7 which the taxes have been levied are accomplished and paid in
8 full, and there remain funds on hand in the Fire Prevention and
9 Safety Fund from the proceeds of the taxes levied, including
10 interest earnings thereon, the school board by resolution shall
11 use such excess and other board restricted funds, excluding
12 bond proceeds and earnings from such proceeds, as follows:

13 (1) for other authorized fire prevention, safety,
14 energy conservation, required safety inspections, school
15 security purposes, sampling for lead in drinking water in
16 schools, and for repair and mitigation due to lead levels
17 in the drinking water supply; or

18 (2) for transfer to the Operations and Maintenance Fund
19 for the purpose of abating an equal amount of operations
20 and maintenance purposes taxes.

21 Notwithstanding subdivision (2) of this subsection (j) and
22 subsection (k) of this Section, through June 30, 2021 ~~2020~~, the
23 school board may, by proper resolution following a public
24 hearing set by the school board or the president of the school
25 board (that is preceded (i) by at least one published notice
26 over the name of the clerk or secretary of the board, occurring

1 at least 7 days and not more than 30 days prior to the hearing,
2 in a newspaper of general circulation within the school
3 district and (ii) by posted notice over the name of the clerk
4 or secretary of the board, at least 48 hours before the
5 hearing, at the principal office of the school board or at the
6 building where the hearing is to be held if a principal office
7 does not exist, with both notices setting forth the time, date,
8 place, and subject matter of the hearing), transfer surplus
9 life safety taxes and interest earnings thereon to the
10 Operations and Maintenance Fund for building repair work.

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

17 (l) If the proceeds from the tax levy authorized by this
18 Section are insufficient to complete the work approved under
19 this Section, the school board is authorized to sell bonds
20 without referendum under the provisions of this Section in an
21 amount that, when added to the proceeds of the tax levy
22 authorized by this Section, will allow completion of the
23 approved work.

24 (m) Any bonds issued pursuant to this Section shall bear
25 interest at a rate not to exceed the maximum rate authorized by
26 law at the time of the making of the contract, shall mature

1 within 20 years from date, and shall be signed by the president
2 of the school board and the treasurer of the school district.

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

17 (o) After the time such bonds are issued as provided for by
18 this Section, if additional alterations or reconstructions are
19 required to be made because of surveys conducted by an
20 architect or engineer licensed in the State of Illinois, the
21 district may levy a tax at a rate not to exceed .05% per year
22 upon all the taxable property of the district or issue
23 additional bonds, whichever action shall be the most feasible.

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

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

16 (r) When the purposes for which the bonds are issued have
17 been accomplished and paid for in full and there remain funds
18 on hand from the proceeds of the bond sale and interest
19 earnings therefrom, the board shall, by resolution, use such
20 excess funds in accordance with the provisions of Section
21 10-22.14 of this Act.

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

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

1 (105 ILCS 5/17-2A) (from Ch. 122, par. 17-2A)

2 Sec. 17-2A. Interfund transfers.

3 (a) The school board of any district having a population of
4 less than 500,000 inhabitants may, by proper resolution
5 following a public hearing set by the school board or the
6 president of the school board (that is preceded (i) by at least
7 one published notice over the name of the clerk or secretary of
8 the board, occurring at least 7 days and not more than 30 days
9 prior to the hearing, in a newspaper of general circulation
10 within the school district and (ii) by posted notice over the
11 name of the clerk or secretary of the board, at least 48 hours
12 before the hearing, at the principal office of the school board
13 or at the building where the hearing is to be held if a
14 principal office does not exist, with both notices setting
15 forth the time, date, place, and subject matter of the
16 hearing), transfer money from (1) the Educational Fund to the
17 Operations and Maintenance Fund or the Transportation Fund, (2)
18 the Operations and Maintenance Fund to the Educational Fund or
19 the Transportation Fund, (3) the Transportation Fund to the
20 Educational Fund or the Operations and Maintenance Fund, or (4)
21 the Tort Immunity Fund to the Operations and Maintenance Fund
22 of said district, provided that, except during the period from
23 July 1, 2003 through June 30, 2021 ~~2020~~, such transfer is made
24 solely for the purpose of meeting one-time, non-recurring
25 expenses. Except during the period from July 1, 2003 through

1 June 30, 2021 ~~2020~~ and except as otherwise provided in
2 subsection (b) of this Section, any other permanent interfund
3 transfers authorized by any provision or judicial
4 interpretation of this Code for which the transferee fund is
5 not precisely and specifically set forth in the provision of
6 this Code authorizing such transfer shall be made to the fund
7 of the school district most in need of the funds being
8 transferred, as determined by resolution of the school board.

9 (b) (Blank).

10 (c) Notwithstanding subsection (a) of this Section or any
11 other provision of this Code to the contrary, the school board
12 of any school district (i) that is subject to the Property Tax
13 Extension Limitation Law, (ii) that is an elementary district
14 servicing students in grades K through 8, (iii) whose territory
15 is in one county, (iv) that is eligible for Section 7002
16 Federal Impact Aid, and (v) that has no more than \$81,000 in
17 funds remaining from refinancing bonds that were refinanced a
18 minimum of 5 years prior to January 20, 2017 (the effective
19 date of Public Act 99-926) may make a one-time transfer of the
20 funds remaining from the refinancing bonds to the Operations
21 and Maintenance Fund of the district by proper resolution
22 following a public hearing set by the school board or the
23 president of the school board, with notice as provided in
24 subsection (a) of this Section, so long as the district meets
25 the qualifications set forth in this subsection (c) on January
26 20, 2017 (the effective date of Public Act 99-926).

1 (d) Notwithstanding subsection (a) of this Section or any
2 other provision of this Code to the contrary, the school board
3 of any school district (i) that is subject to the Property Tax
4 Extension Limitation Law, (ii) that is a community unit school
5 district servicing students in grades K through 12, (iii) whose
6 territory is in one county, (iv) that owns property designated
7 by the United States as a Superfund site pursuant to the
8 federal Comprehensive Environmental Response, Compensation and
9 Liability Act of 1980 (42 U.S.C. 9601 et seq.), and (v) that
10 has an excess accumulation of funds in its bond fund, including
11 funds accumulated prior to July 1, 2000, may make a one-time
12 transfer of those excess funds accumulated prior to July 1,
13 2000 to the Operations and Maintenance Fund of the district by
14 proper resolution following a public hearing set by the school
15 board or the president of the school board, with notice as
16 provided in subsection (a) of this Section, so long as the
17 district meets the qualifications set forth in this subsection
18 (d) on August 4, 2017 (the effective date of Public Act
19 100-32).

20 (Source: P.A. 99-713, eff. 8-5-16; 99-922, eff. 1-17-17;
21 99-926, eff. 1-20-17; 100-32, eff. 8-4-17; 100-465, eff.
22 8-31-17; 100-863, eff. 8-14-18.)

23 (105 ILCS 5/18-8.15)

24 Sec. 18-8.15. Evidence-Based Funding ~~Evidence-based~~
25 ~~funding~~ for student success for the 2017-2018 and subsequent

1 school years.

2 (a) General provisions.

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

17 (A) provide all students with a high quality
18 education that offers the academic, enrichment, social
19 and emotional support, technical, and career-focused
20 programs that will allow them to become competitive
21 workers, responsible parents, productive citizens of
22 this State, and active members of our national
23 democracy;

24 (B) ensure all students receive the education they
25 need to graduate from high school with the skills
26 required to pursue post-secondary education and

1 training for a rewarding career;

2 (C) reduce, with a goal of eliminating, the
3 achievement gap between at-risk and non-at-risk
4 students by raising the performance of at-risk
5 students and not by reducing standards; and

6 (D) ensure this State satisfies its obligation to
7 assume the primary responsibility to fund public
8 education and simultaneously relieve the
9 disproportionate burden placed on local property taxes
10 to fund schools.

11 (2) The Evidence-Based Funding ~~evidence-based funding~~
12 formula under this Section shall be applied to all
13 Organizational Units in this State. The Evidence-Based
14 Funding ~~evidence-based funding~~ formula outlined in this
15 Act is based on the formula outlined in Senate Bill 1 of
16 the 100th General Assembly, as passed by both legislative
17 chambers. As further defined and described in this Section,
18 there are 4 major components of the Evidence-Based Funding
19 ~~evidence-based funding~~ model:

20 (A) First, the model calculates a unique Adequacy
21 Target ~~adequacy target~~ for each Organizational Unit in
22 this State that considers the costs to implement
23 research-based activities, the unit's student
24 demographics, and regional wage differences
25 ~~difference~~.

26 (B) Second, the model calculates each

1 Organizational Unit's Local Capacity ~~local capacity~~,
2 or the amount each Organizational Unit is assumed to
3 contribute toward ~~towards~~ its Adequacy Target ~~adequacy~~
4 ~~target~~ from local resources.

5 (C) Third, the model calculates how much funding
6 the State currently contributes to the Organizational
7 Unit, and adds that to the unit's Local Capacity ~~local~~
8 ~~capacity~~ to determine the unit's overall current
9 adequacy of funding.

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

15 (3) An Organizational Unit receiving any funding under
16 this Section may apply those funds to any fund so received
17 for which that Organizational Unit is authorized to make
18 expenditures by law.

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

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

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

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

1 "Adjusted Operating Tax Rate" means a tax rate for all
2 Organizational Units, for which the State Superintendent
3 shall calculate and subtract for the Operating Tax Rate a
4 transportation rate based on total expenses for
5 transportation services under this Code, as reported on the
6 most recent Annual Financial Report in Pupil
7 Transportation Services, function 2550 in both the
8 Education and Transportation funds and functions 4110 and
9 4120 in the Transportation fund, less any corresponding
10 fiscal year State of Illinois scheduled payments excluding
11 net adjustments for prior years for regular, vocational, or
12 special education transportation reimbursement pursuant to
13 Section 29-5 or subsection (b) of Section 14-13.01 of this
14 Code divided by the Adjusted EAV. If an Organizational
15 Unit's corresponding fiscal year State of Illinois
16 scheduled payments excluding net adjustments for prior
17 years for regular, vocational, or special education
18 transportation reimbursement pursuant to Section 29-5 or
19 subsection (b) of Section 14-13.01 of this Code exceed the
20 total transportation expenses, as defined in this
21 paragraph, no transportation rate shall be subtracted from
22 the Operating Tax Rate.

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

25 "Alternative School" means a public school that is
26 created and operated by a regional superintendent of

1 schools and approved by the State Board.

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

4 "Assessment" means any of those benchmark, progress
5 monitoring, formative, diagnostic, and other assessments,
6 in addition to the State accountability assessment, that
7 assist teachers' needs in understanding the skills and
8 meeting the needs of the students they serve.

9 "Assistant principal" means a school administrator
10 duly endorsed to be employed as an assistant principal in
11 this State.

12 "At-risk student" means a student who is at risk of not
13 meeting the Illinois Learning Standards or not graduating
14 from elementary or high school and who demonstrates a need
15 for vocational support or social services beyond that
16 provided by the regular school program. All students
17 included in an Organizational Unit's Low-Income Count, as
18 well as all English learner and disabled students attending
19 the Organizational Unit, shall be considered at-risk
20 students under this Section.

21 "Average Student Enrollment" or "ASE" for fiscal year
22 2018 means, for an Organizational Unit, the greater of the
23 average number of students (grades K through 12) reported
24 to the State Board as enrolled in the Organizational Unit
25 on October 1 in the immediately preceding school year, plus
26 the pre-kindergarten students who receive special

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

1 within the Organizational Unit that the student attends or
2 would attend if not placed or transferred to another school
3 or program to receive needed services. For the purposes of
4 calculating "ASE", all students, grades K through 12,
5 excluding those attending kindergarten for a half day and
6 students attending an alternative education program
7 operated by a regional office of education or intermediate
8 service center, shall be counted as 1.0. All students
9 attending kindergarten for a half day shall be counted as
10 0.5, unless in 2017 by June 15 or by March 1 in subsequent
11 years, the school district reports to the State Board of
12 Education the intent to implement full-day kindergarten
13 district-wide for all students, then all students
14 attending kindergarten shall be counted as 1.0. Special
15 education pre-kindergarten students shall be counted as
16 0.5 each. If the State Board does not collect or has not
17 collected both an October 1 and March 1 enrollment count by
18 grade or a December 1 collection of special education
19 pre-kindergarten students as of August 31, 2017 (the
20 effective date of Public Act 100-465) ~~this amendatory Act~~
21 ~~of the 100th General Assembly~~, it shall establish such
22 collection for all future years. For any year in which
23 ~~where~~ a count by grade level was collected only once, that
24 count shall be used as the single count available for
25 computing a 3-year average ASE. Funding for programs
26 operated by a regional office of education or an

1 intermediate service center must be calculated using the
2 Evidence-Based Funding ~~evidence-based funding~~ formula
3 under this Section for the 2019-2020 school year and each
4 subsequent school year until separate adequacy formulas
5 are developed and adopted for each type of program. ASE for
6 a program operated by a regional office of education or an
7 intermediate service center must be determined by the March
8 1 enrollment for the program. For the 2019-2020 school
9 year, the ASE used in the calculation must be the
10 first-year ASE and, in that year only, the assignment of
11 students served by a regional office of education or
12 intermediate service center shall not result in a reduction
13 of the March enrollment for any school district. For the
14 2020-2021 school year, the ASE must be the greater of the
15 current-year ASE or the 2-year average ASE. Beginning with
16 the 2021-2022 school year, the ASE must be the greater of
17 the current-year ASE or the 3-year average ASE. School
18 districts shall submit the data for the ASE calculation to
19 the State Board within 45 days of the dates required in
20 this Section for submission of enrollment data in order for
21 it to be included in the ASE calculation. For fiscal year
22 2018 only, the ASE calculation shall include only
23 enrollment taken on October 1.

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

26 "Base Funding Minimum" is defined in subsection (e) of

1 this Section.

2 "Base Tax Year" means the property tax levy year used
3 to calculate the Budget Year allocation of primary State
4 aid.

5 "Base Tax Year's Extension" means the product of the
6 equalized assessed valuation utilized by the county clerk
7 in the Base Tax Year multiplied by the limiting rate as
8 calculated by the county clerk and defined in PTELL.

9 "Bilingual Education Allocation" means the amount of
10 an Organizational Unit's final Adequacy Target
11 attributable to bilingual education divided by the
12 Organizational Unit's final Adequacy Target, the product
13 of which shall be multiplied by the amount of new funding
14 received pursuant to this Section. An Organizational
15 Unit's final Adequacy Target attributable to bilingual
16 education shall include all additional investments in
17 English learner students' adequacy elements.

18 "Budget Year" means the school year for which primary
19 State aid is calculated and awarded under this Section.

20 "Central office" means individual administrators and
21 support service personnel charged with managing the
22 instructional programs, business and operations, and
23 security of the Organizational Unit.

24 "Comparable Wage Index" or "CWI" means a regional cost
25 differentiation metric that measures systemic, regional
26 variations in the salaries of college graduates who are not

1 educators. The CWI utilized for this Section shall, for the
2 first 3 years of Evidence-Based Funding implementation, be
3 the CWI initially developed by the National Center for
4 Education Statistics, as most recently updated by Texas A &
5 M University. In the fourth and subsequent years of
6 Evidence-Based Funding implementation, the State
7 Superintendent shall re-determine the CWI using a similar
8 methodology to that identified in the Texas A & M
9 University study, with adjustments made no less frequently
10 than once every 5 years.

11 "Computer technology and equipment" means computers
12 servers, notebooks, network equipment, copiers, printers,
13 instructional software, security software, curriculum
14 management courseware, and other similar materials and
15 equipment.

16 "Computer technology and equipment investment
17 allocation" means the final Adequacy Target amount of an
18 Organizational Unit assigned to Tier 1 or Tier 2 in the
19 prior school year attributable to the additional \$285.50
20 per student computer technology and equipment investment
21 grant divided by the Organizational Unit's final Adequacy
22 Target, the result of which shall be multiplied by the
23 amount of new funding received pursuant to this Section. An
24 Organizational Unit assigned to a Tier 1 or Tier 2 final
25 Adequacy Target attributable to the received computer
26 technology and equipment investment grant shall include

1 all additional investments in computer technology and
2 equipment adequacy elements.

3 "Core subject" means mathematics; science; reading,
4 English, writing, and language arts; history and social
5 studies; world languages; and subjects taught as Advanced
6 Placement in high schools.

7 "Core teacher" means a regular classroom teacher in
8 elementary schools and teachers of a core subject in middle
9 and high schools.

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

13 "CPPRT" means corporate personal property replacement
14 tax funds paid to an Organizational Unit during the
15 calendar year one year before the calendar year in which a
16 school year begins, pursuant to "An Act in relation to the
17 abolition of ad valorem personal property tax and the
18 replacement of revenues lost thereby, and amending and
19 repealing certain Acts and parts of Acts in connection
20 therewith", certified August 14, 1979, as amended (Public
21 Act 81-1st S.S.-1).

22 "EAV" means equalized assessed valuation as defined in
23 paragraph (2) of subsection (d) of this Section and
24 calculated in accordance with paragraph (3) of subsection
25 (d) of this Section.

26 "ECI" means the Bureau of Labor Statistics' national

1 employment cost index for civilian workers in educational
2 services in elementary and secondary schools on a
3 cumulative basis for the 12-month calendar year preceding
4 the fiscal year of the Evidence-Based Funding calculation.

5 "EIS Data" means the employment information system
6 data maintained by the State Board on educators within
7 Organizational Units.

8 "Employee benefits" means health, dental, and vision
9 insurance offered to employees of an Organizational Unit,
10 the costs associated with the statutorily required payment
11 of the normal cost of the Organizational Unit's teacher
12 pensions, Social Security employer contributions, and
13 Illinois Municipal Retirement Fund employer contributions.

14 "English learner" or "EL" means a child included in the
15 definition of "English learners" under Section 14C-2 of
16 this Code participating in a program of transitional
17 bilingual education or a transitional program of
18 instruction meeting the requirements and program
19 application procedures of Article 14C of this Code. For the
20 purposes of collecting the number of EL students enrolled,
21 the same collection and calculation methodology as defined
22 above for "ASE" shall apply to English learners, with the
23 exception that EL student enrollment shall include
24 students in grades pre-kindergarten through 12.

25 "Essential Elements" means those elements, resources,
26 and educational programs that have been identified through

1 academic research as necessary to improve student success,
2 improve academic performance, close achievement gaps, and
3 provide for other per student costs related to the delivery
4 and leadership of the Organizational Unit, as well as the
5 maintenance and operations of the unit, and which are
6 specified in paragraph (2) of subsection (b) of this
7 Section.

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

10 "Extended day" means academic and enrichment programs
11 provided to students outside the regular school day before
12 and after school or during non-instructional times during
13 the school day.

14 "Extension Limitation Ratio" means a numerical ratio
15 in which the numerator is the Base Tax Year's Extension and
16 the denominator is the Preceding Tax Year's Extension.

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

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

21 "Full-time equivalent" or "FTE" means the full-time
22 equivalency compensation for staffing the relevant
23 position at an Organizational Unit.

24 "Funding Gap" is defined in paragraph (1) of subsection
25 (g).

26 "Guidance counselor" means a licensed guidance

1 counselor who provides guidance and counseling support for
2 students within an Organizational Unit.

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

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

8 "Instructional facilitator" means a qualified teacher
9 or licensed teacher leader who facilitates and coaches
10 continuous improvement in classroom instruction; provides
11 instructional support to teachers in the elements of
12 research-based instruction or demonstrates the alignment
13 of instruction with curriculum standards and assessment
14 tools; develops or coordinates instructional programs or
15 strategies; develops and implements training; chooses
16 standards-based instructional materials; provides teachers
17 with an understanding of current research; serves as a
18 mentor, site coach, curriculum specialist, or lead
19 teacher; or otherwise works with fellow teachers, in
20 collaboration, to use data to improve instructional
21 practice or develop model lessons.

22 "Instructional materials" means relevant instructional
23 materials for student instruction, including, but not
24 limited to, textbooks, consumable workbooks, laboratory
25 equipment, library books, and other similar materials.

26 "Laboratory School" means a public school that is

1 created and operated by a public university and approved by
2 the State Board.

3 "Librarian" means a teacher with an endorsement as a
4 library information specialist or another individual whose
5 primary responsibility is overseeing library resources
6 within an Organizational Unit.

7 "Limiting rate for Hybrid Districts" means the
8 combined elementary school and high school limiting
9 ~~limited~~ rates.

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

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

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

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

18 "Low-Income Count" means, for an Organizational Unit
19 in a fiscal year, the higher of the average number of
20 students for the prior school year or the immediately
21 preceding 3 school years who, as of July 1 of the
22 immediately preceding fiscal year (as determined by the
23 Department of Human Services), are eligible for at least
24 one of the following low-income ~~low-income~~ programs:
25 Medicaid, the Children's Health Insurance Program,
26 Temporary Assistance for Needy Families (TANF), or the

1 Supplemental Nutrition Assistance Program, excluding
2 pupils who are eligible for services provided by the
3 Department of Children and Family Services. Until such time
4 that grade level low-income populations become available,
5 grade level low-income populations shall be determined by
6 applying the low-income percentage to total student
7 enrollments by grade level. The low-income percentage is
8 determined by dividing the Low-Income Count by the Average
9 Student Enrollment. The low-income percentage for programs
10 operated by a regional office of education or an
11 intermediate service center must be set to the weighted
12 average of the low-income percentages of all of the school
13 districts in the service region. The weighted low-income
14 percentage is the result of multiplying the low-income
15 percentage of each school district served by the regional
16 office of education or intermediate service center by each
17 school district's Average Student Enrollment, summarizing
18 those products and dividing the total by the total Average
19 Student Enrollment for the service region.

20 "Maintenance and operations" means custodial services,
21 facility and ground maintenance, facility operations,
22 facility security, routine facility repairs, and other
23 similar services and functions.

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

26 "New Property Tax Relief Pool Funds" means, for any

1 given fiscal year, all State funds appropriated under
2 Section 2-3.170 of the School Code.

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

7 "Net State Contribution Target" means, for a given
8 school year, the amount of State funds that would be
9 necessary to fully meet the Adequacy Target of an
10 Operational Unit minus the Preliminary Resources available
11 to each unit.

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

17 "Operating Tax Rate" means the rate utilized in the
18 previous year to extend property taxes for all purposes,
19 except, Bond and Interest, Summer School, Rent, Capital
20 Improvement, and Vocational Education Building purposes.
21 For Hybrid Districts, the Operating Tax Rate shall be the
22 combined elementary and high school rates utilized in the
23 previous year to extend property taxes for all purposes,
24 except, Bond and Interest, Summer School, Rent, Capital
25 Improvement, and Vocational Education Building purposes.

26 "Organizational Unit" means a Laboratory School or any

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

12 "Organizational Unit CWI" is determined by calculating
13 the CWI in the region and original county in which an
14 Organizational Unit's primary administrative office is
15 located as set forth in this paragraph, provided that if
16 the Organizational Unit CWI as calculated in accordance
17 with this paragraph is less than 0.9, the Organizational
18 Unit CWI shall be increased to 0.9. Each county's current
19 CWI value shall be adjusted based on the CWI value of that
20 county's neighboring Illinois counties, to create a
21 "weighted adjusted index value". This shall be calculated
22 by summing the CWI values of all of a county's adjacent
23 Illinois counties and dividing by the number of adjacent
24 Illinois counties, then taking the weighted value of the
25 original county's CWI value and the adjacent Illinois
26 county average. To calculate this weighted value, if the

1 number of adjacent Illinois counties is greater than 2, the
2 original county's CWI value will be weighted at 0.25 and
3 the adjacent Illinois county average will be weighted at
4 0.75. If the number of adjacent Illinois counties is 2, the
5 original county's CWI value will be weighted at 0.33 and
6 the adjacent Illinois county average will be weighted at
7 0.66. The greater of the county's current CWI value and its
8 weighted adjusted index value shall be used as the
9 Organizational Unit CWI.

10 "Preceding Tax Year" means the property tax levy year
11 immediately preceding the Base Tax Year.

12 "Preceding Tax Year's Extension" means the product of
13 the equalized assessed valuation utilized by the county
14 clerk in the Preceding Tax Year multiplied by the Operating
15 Tax Rate.

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

18 "Preliminary Resources" is defined in paragraph (2) of
19 subsection (f) of this Section.

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

22 "Professional development" means training programs for
23 licensed staff in schools, including, but not limited to,
24 programs that assist in implementing new curriculum
25 programs, provide data focused or academic assessment data
26 training to help staff identify a student's weaknesses and

1 strengths, target interventions, improve instruction,
2 encompass instructional strategies for English learner,
3 gifted, or at-risk students, address inclusivity, cultural
4 sensitivity, or implicit bias, or otherwise provide
5 professional support for licensed staff.

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

11 "PTELL" means the Property Tax Extension Limitation
12 Law.

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

15 "Pupil support staff" means a nurse, psychologist,
16 social worker, family liaison personnel, or other staff
17 member who provides support to at-risk or struggling
18 students.

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

21 "Regionalization Factor" means, for a particular
22 Organizational Unit, the figure derived by dividing the
23 Organizational Unit CWI by the Statewide Weighted CWI.

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

26 "Special education" means special educational

1 facilities and services, as defined in Section 14-1.08 of
2 this Code.

3 "Special Education Allocation" means the amount of an
4 Organizational Unit's final Adequacy Target attributable
5 to special education divided by the Organizational Unit's
6 final Adequacy Target, the product of which shall be
7 multiplied by the amount of new funding received pursuant
8 to this Section. An Organizational Unit's final Adequacy
9 Target attributable to special education shall include all
10 special education investment adequacy elements.

11 "Specialist teacher" means a teacher who provides
12 instruction in subject areas not included in core subjects,
13 including, but not limited to, art, music, physical
14 education, health, driver education, career-technical
15 education, and such other subject areas as may be mandated
16 by State law or provided by an Organizational Unit.

17 "Specially Funded Unit" means an Alternative School,
18 safe school, Department of Juvenile Justice school,
19 special education cooperative or entity recognized by the
20 State Board as a special education cooperative,
21 State-approved charter school, or alternative learning
22 opportunities program that received direct funding from
23 the State Board during the 2016-2017 school year through
24 any of the funding sources included within the calculation
25 of the Base Funding Minimum or Glenwood Academy.

26 "Supplemental Grant Funding" means supplemental

1 general State aid funding received by an Organizational
2 ~~Organization~~ Unit during the 2016-2017 school year
3 pursuant to subsection (H) of Section 18-8.05 of this Code
4 (now repealed).

5 "State Adequacy Level" is the sum of the Adequacy
6 Targets of all Organizational Units.

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

8 "State Superintendent" means the State Superintendent
9 of Education.

10 "Statewide Weighted CWI" means a figure determined by
11 multiplying each Organizational Unit CWI times the ASE for
12 that Organizational Unit creating a weighted value,
13 summing all Organizational Units' ~~Unit's~~ weighted values,
14 and dividing by the total ASE of all Organizational Units,
15 thereby creating an average weighted index.

16 "Student activities" means non-credit producing
17 after-school programs, including, but not limited to,
18 clubs, bands, sports, and other activities authorized by
19 the school board of the Organizational Unit.

20 "Substitute teacher" means an individual teacher or
21 teaching assistant who is employed by an Organizational
22 Unit and is temporarily serving the Organizational Unit on
23 a per diem or per period-assignment basis to replace
24 ~~replacing~~ another staff member.

25 "Summer school" means academic and enrichment programs
26 provided to students during the summer months outside of

1 the regular school year.

2 "Supervisory aide" means a non-licensed staff member
3 who helps in supervising students of an Organizational
4 Unit, but does so outside of the classroom, in situations
5 such as, but not limited to, monitoring hallways and
6 playgrounds, supervising lunchrooms, or supervising
7 students when being transported in buses serving the
8 Organizational Unit.

9 "Target Ratio" is defined in paragraph (4) of
10 subsection (g).

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

13 "Tier 1 Aggregate Funding", "Tier 2 Aggregate
14 Funding", "Tier 3 Aggregate Funding", and "Tier 4 Aggregate
15 Funding" are defined in paragraph (1) of subsection (g).

16 (b) Adequacy Target calculation.

17 (1) Each Organizational Unit's Adequacy Target is the
18 sum of the Organizational Unit's cost of providing
19 Essential Elements, as calculated in accordance with this
20 subsection (b), with the salary amounts in the Essential
21 Elements multiplied by a Regionalization Factor calculated
22 pursuant to paragraph (3) of this subsection (b).

23 (2) The Essential Elements are attributable on a pro
24 rata basis related to defined subgroups of the ASE of each
25 Organizational Unit as specified in this paragraph (2),
26 with investments and FTE positions pro rata funded based on

1 ASE counts in excess or less than the thresholds set forth
2 in this paragraph (2). The method for calculating
3 attributable pro rata costs and the defined subgroups
4 thereto are as follows:

5 (A) Core class size investments. Each
6 Organizational Unit shall receive the funding required
7 to support that number of FTE core teacher positions as
8 is needed to keep the respective class sizes of the
9 Organizational Unit to the following maximum numbers:

10 (i) For grades kindergarten through 3, the
11 Organizational Unit shall receive funding required
12 to support one FTE core teacher position for every
13 15 Low-Income Count students in those grades and
14 one FTE core teacher position for every 20
15 non-Low-Income Count students in those grades.

16 (ii) For grades 4 through 12, the
17 Organizational Unit shall receive funding required
18 to support one FTE core teacher position for every
19 20 Low-Income Count students in those grades and
20 one FTE core teacher position for every 25
21 non-Low-Income Count students in those grades.

22 The number of non-Low-Income Count students in a
23 grade shall be determined by subtracting the
24 Low-Income students in that grade from the ASE of the
25 Organizational Unit for that grade.

26 (B) Specialist teacher investments. Each

1 Organizational Unit shall receive the funding needed
2 to cover that number of FTE specialist teacher
3 positions that correspond to the following
4 percentages:

5 (i) if the Organizational Unit operates an
6 elementary or middle school, then 20.00% of the
7 number of the Organizational Unit's core teachers,
8 as determined under subparagraph (A) of this
9 paragraph (2); and

10 (ii) if such Organizational Unit operates a
11 high school, then 33.33% of the number of the
12 Organizational Unit's core teachers.

13 (C) Instructional facilitator investments. Each
14 Organizational Unit shall receive the funding needed
15 to cover one FTE instructional facilitator position
16 for every 200 combined ASE of pre-kindergarten
17 children with disabilities and all kindergarten
18 through grade 12 students of the Organizational Unit.

19 (D) Core intervention teacher (tutor) investments.
20 Each Organizational Unit shall receive the funding
21 needed to cover one FTE teacher position for each
22 prototypical elementary, middle, and high school.

23 (E) Substitute teacher investments. Each
24 Organizational Unit shall receive the funding needed
25 to cover substitute teacher costs that is equal to
26 5.70% of the minimum pupil attendance days required

1 under Section 10-19 of this Code for all full-time
2 equivalent core, specialist, and intervention
3 teachers, school nurses, special education teachers
4 and instructional assistants, instructional
5 facilitators, and summer school and extended day
6 ~~extended day~~ teacher positions, as determined under
7 this paragraph (2), at a salary rate of 33.33% of the
8 average salary for grade K through 12 teachers and
9 33.33% of the average salary of each instructional
10 assistant position.

11 (F) Core guidance counselor investments. Each
12 Organizational Unit shall receive the funding needed
13 to cover one FTE guidance counselor for each 450
14 combined ASE of pre-kindergarten children with
15 disabilities and all kindergarten through grade 5
16 students, plus one FTE guidance counselor for each 250
17 grades 6 through 8 ASE middle school students, plus one
18 FTE guidance counselor for each 250 grades 9 through 12
19 ASE high school students.

20 (G) Nurse investments. Each Organizational Unit
21 shall receive the funding needed to cover one FTE nurse
22 for each 750 combined ASE of pre-kindergarten children
23 with disabilities and all kindergarten through grade
24 12 students across all grade levels it serves.

25 (H) Supervisory aide investments. Each
26 Organizational Unit shall receive the funding needed

1 to cover one FTE for each 225 combined ASE of
2 pre-kindergarten children with disabilities and all
3 kindergarten through grade 5 students, plus one FTE for
4 each 225 ASE middle school students, plus one FTE for
5 each 200 ASE high school students.

6 (I) Librarian investments. Each Organizational
7 Unit shall receive the funding needed to cover one FTE
8 librarian for each prototypical elementary school,
9 middle school, and high school and one FTE aide or
10 media technician for every 300 combined ASE of
11 pre-kindergarten children with disabilities and all
12 kindergarten through grade 12 students.

13 (J) Principal investments. Each Organizational
14 Unit shall receive the funding needed to cover one FTE
15 principal position for each prototypical elementary
16 school, plus one FTE principal position for each
17 prototypical middle school, plus one FTE principal
18 position for each prototypical high school.

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

26 (L) School site staff investments. Each

1 Organizational Unit shall receive the funding needed
2 for one FTE position for each 225 ASE of
3 pre-kindergarten children with disabilities and all
4 kindergarten through grade 5 students, plus one FTE
5 position for each 225 ASE middle school students, plus
6 one FTE position for each 200 ASE high school students.

7 (M) Gifted investments. Each Organizational Unit
8 shall receive \$40 per kindergarten through grade 12
9 ASE.

10 (N) Professional development investments. Each
11 Organizational Unit shall receive \$125 per student of
12 the combined ASE of pre-kindergarten children with
13 disabilities and all kindergarten through grade 12
14 students for trainers and other professional
15 development-related expenses for supplies and
16 materials.

17 (O) Instructional material investments. Each
18 Organizational Unit shall receive \$190 per student of
19 the combined ASE of pre-kindergarten children with
20 disabilities and all kindergarten through grade 12
21 students to cover instructional material costs.

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

1 (Q) Computer technology and equipment investments.
2 Each Organizational Unit shall receive \$285.50 per
3 student of the combined ASE of pre-kindergarten
4 children with disabilities and all kindergarten
5 through grade 12 students to cover computer technology
6 and equipment costs. For the 2018-2019 school year and
7 subsequent school years, Organizational Units assigned
8 to Tier 1 and Tier 2 in the prior school year shall
9 receive an additional \$285.50 per student of the
10 combined ASE of pre-kindergarten children with
11 disabilities and all kindergarten through grade 12
12 students to cover computer technology and equipment
13 costs in the Organizational ~~Organization~~ Unit's
14 Adequacy Target. The State Board may establish
15 additional requirements for Organizational Unit
16 expenditures of funds received pursuant to this
17 subparagraph (Q), including a requirement that funds
18 received pursuant to this subparagraph (Q) may be used
19 only for serving the technology needs of the district.
20 It is the intent of Public Act 100-465 ~~this amendatory~~
21 ~~Act of the 100th General Assembly~~ that all Tier 1 and
22 Tier 2 districts receive the addition to their Adequacy
23 Target in the following year, subject to compliance
24 with the requirements of the State Board.

25 (R) Student activities investments. Each
26 Organizational Unit shall receive the following

1 funding amounts to cover student activities: \$100 per
2 kindergarten through grade 5 ASE student in elementary
3 school, plus \$200 per ASE student in middle school,
4 plus \$675 per ASE student in high school.

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

15 (T) Central office investments. Each
16 Organizational Unit shall receive \$742 per student of
17 the combined ASE of pre-kindergarten children with
18 disabilities and all kindergarten through grade 12
19 students to cover central office operations, including
20 administrators and classified personnel charged with
21 managing the instructional programs, business and
22 operations of the school district, and security
23 personnel. The proportion of salary for the
24 application of a Regionalization Factor and the
25 calculation of benefits is equal to \$368.48.

26 (U) Employee benefit investments. Each

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

1 submit such information as the State Superintendent
2 may require for the calculations set forth in this
3 subparagraph (U).

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

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

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

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

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

17 (W) Additional investments in English learner
18 students. In addition to and not in lieu of all other
19 funding under this paragraph (2), each Organizational
20 Unit shall receive funding based on the average teacher
21 salary for grades K through 12 to cover the costs of:

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

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

26 (iii) one FTE extended day teacher position

1 for every 120 English learner students;
2 (iv) one FTE summer school teacher position
3 for every 120 English learner students; and
4 (v) one FTE core teacher position for every 100
5 English learner students.

6 (X) Special education investments. Each
7 Organizational Unit shall receive funding based on the
8 average teacher salary for grades K through 12 to cover
9 special education as follows:

10 (i) one FTE teacher position for every 141
11 combined ASE of pre-kindergarten children with
12 disabilities and all kindergarten through grade 12
13 students;

14 (ii) one FTE instructional assistant for every
15 141 combined ASE of pre-kindergarten children with
16 disabilities and all kindergarten through grade 12
17 students; and

18 (iii) one FTE psychologist position for every
19 1,000 combined ASE of pre-kindergarten children
20 with disabilities and all kindergarten through
21 grade 12 students.

22 (3) For calculating the salaries included within the
23 Essential Elements, the State Superintendent shall
24 annually calculate average salaries to the nearest dollar
25 using the employment information system data maintained by
26 the State Board, limited to public schools only and

1 excluding special education and vocational cooperatives,
2 schools operated by the Department of Juvenile Justice, and
3 charter schools, for the following positions:

4 (A) Teacher for grades K through 8.

5 (B) Teacher for grades 9 through 12.

6 (C) Teacher for grades K through 12.

7 (D) Guidance counselor for grades K through 8.

8 (E) Guidance counselor for grades 9 through 12.

9 (F) Guidance counselor for grades K through 12.

10 (G) Social worker.

11 (H) Psychologist.

12 (I) Librarian.

13 (J) Nurse.

14 (K) Principal.

15 (L) Assistant principal.

16 For the purposes of this paragraph (3), "teacher"
17 includes core teachers, specialist and elective teachers,
18 instructional facilitators, tutors, special education
19 teachers, pupil support staff teachers, English learner
20 teachers, extended day ~~extended-day~~ teachers, and summer
21 school teachers. Where specific grade data is not required
22 for the Essential Elements, the average salary for
23 corresponding positions shall apply. For substitute
24 teachers, the average teacher salary for grades K through
25 12 shall apply.

26 For calculating the salaries included within the

1 Essential Elements for positions not included within EIS
2 Data, the following salaries shall be used in the first
3 year of implementation of Evidence-Based Funding:

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

5 (ii) non-instructional assistant, instructional
6 assistant, library aide, library media tech, or
7 supervisory aide: \$25,000.

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

11 The salary amounts for the Essential Elements
12 determined pursuant to subparagraphs (A) through (L), (S)
13 and (T), and (V) through (X) of paragraph (2) of subsection
14 (b) of this Section shall be multiplied by a
15 Regionalization Factor.

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

17 (1) Each Organizational Unit's Local Capacity
18 represents an amount of funding it is assumed to contribute
19 toward its Adequacy Target for purposes of the
20 Evidence-Based Funding formula calculation. "Local
21 Capacity" means either (i) the Organizational Unit's Local
22 Capacity Target as calculated in accordance with paragraph
23 (2) of this subsection (c) if its Real Receipts are equal
24 to or less than its Local Capacity Target or (ii) the
25 Organizational Unit's Adjusted Local Capacity, as
26 calculated in accordance with paragraph (3) of this

1 subsection (c) if Real Receipts are more than its Local
2 Capacity Target.

3 (2) "Local Capacity Target" means, for an
4 Organizational Unit, that dollar amount that is obtained by
5 multiplying its Adequacy Target by its Local Capacity
6 Ratio.

7 (A) An Organizational Unit's Local Capacity
8 Percentage is the conversion of the Organizational
9 Unit's Local Capacity Ratio, as such ratio is
10 determined in accordance with subparagraph (B) of this
11 paragraph (2), into a cumulative distribution
12 resulting in a percentile ranking to determine each
13 Organizational Unit's relative position to all other
14 Organizational Units in this State. The calculation of
15 Local Capacity Percentage is described in subparagraph
16 (C) of this paragraph (2).

17 (B) An Organizational Unit's Local Capacity Ratio
18 in a given year is the percentage obtained by dividing
19 its Adjusted EAV or PTELL EAV, whichever is less, by
20 its Adequacy Target, with the resulting ratio further
21 adjusted as follows:

22 (i) for Organizational Units serving grades
23 kindergarten through 12 and Hybrid Districts, no
24 further adjustments shall be made;

25 (ii) for Organizational Units serving grades
26 kindergarten through 8, the ratio shall be

1 multiplied by 9/13;

2 (iii) for Organizational Units serving grades
3 9 through 12, the Local Capacity Ratio shall be
4 multiplied by 4/13; and

5 (iv) for an Organizational Unit with a
6 different grade configuration than those specified
7 in items (i) through (iii) of this subparagraph
8 (B), the State Superintendent shall determine a
9 comparable adjustment based on the grades served.

10 (C) The Local Capacity Percentage is equal to the
11 percentile ranking of the district. Local Capacity
12 Percentage converts each Organizational Unit's Local
13 Capacity Ratio to a cumulative distribution resulting
14 in a percentile ranking to determine each
15 Organizational Unit's relative position to all other
16 Organizational Units in this State. The Local Capacity
17 Percentage cumulative distribution resulting in a
18 percentile ranking for each Organizational Unit shall
19 be calculated using the standard normal distribution
20 of the score in relation to the weighted mean and
21 weighted standard deviation and Local Capacity Ratios
22 of all Organizational Units. If the value assigned to
23 any Organizational Unit is in excess of 90%, the value
24 shall be adjusted to 90%. For Laboratory Schools, the
25 Local Capacity Percentage shall be set at 10% in
26 recognition of the absence of EAV and resources from

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

23 (D) For any Organizational Unit, the
24 Organizational Unit's Adjusted Local Capacity Target
25 shall be reduced by either (i) the school board's
26 remaining contribution pursuant to paragraph (ii) of

1 subsection (b-4) of Section 16-158 of the Illinois
2 Pension Code in a given year, or (ii) the board of
3 education's remaining contribution pursuant to
4 paragraph (iv) of subsection (b) of Section 17-129 of
5 the Illinois Pension Code absent the employer normal
6 cost portion of the required contribution and amount
7 allowed pursuant to subdivision (3) of Section
8 17-142.1 of the Illinois Pension Code in a given year.
9 In the preceding sentence, item (i) shall be certified
10 to the State Board of Education by the Teachers'
11 Retirement System of the State of Illinois and item
12 (ii) shall be certified to the State Board of Education
13 by the Public School Teachers' Pension and Retirement
14 Fund of the City of Chicago.

15 (3) If an Organizational Unit's Real Receipts are more
16 than its Local Capacity Target, then its Local Capacity
17 shall equal an Adjusted Local Capacity Target as calculated
18 in accordance with this paragraph (3). The Adjusted Local
19 Capacity Target is calculated as the sum of the
20 Organizational Unit's Local Capacity Target and its Real
21 Receipts Adjustment. The Real Receipts Adjustment equals
22 the Organizational Unit's Real Receipts less its Local
23 Capacity Target, with the resulting figure multiplied by
24 the Local Capacity Percentage.

25 As used in this paragraph (3), "Real Percent of
26 Adequacy" means the sum of an Organizational Unit's Real

1 Receipts, CPPRT, and Base Funding Minimum, with the
2 resulting figure divided by the Organizational Unit's
3 Adequacy Target.

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

6 (1) An Organizational Unit's Real Receipts are the
7 product of its Applicable Tax Rate and its Adjusted EAV. An
8 Organizational Unit's Applicable Tax Rate is its Adjusted
9 Operating Tax Rate for property within the Organizational
10 Unit.

11 (2) The State Superintendent shall calculate the
12 equalized assessed valuation ~~Equalized Assessed Valuation~~,
13 or EAV, of all taxable property of each Organizational Unit
14 as of September 30 of the previous year in accordance with
15 paragraph (3) of this subsection (d). The State
16 Superintendent shall then determine the Adjusted EAV of
17 each Organizational Unit in accordance with paragraph (4)
18 of this subsection (d), which Adjusted EAV figure shall be
19 used for the purposes of calculating Local Capacity.

20 (3) To calculate Real Receipts and EAV, the Department
21 of Revenue shall supply to the State Superintendent the
22 value as equalized or assessed by the Department of Revenue
23 of all taxable property of every Organizational Unit,
24 together with (i) the applicable tax rate used in extending
25 taxes for the funds of the Organizational Unit as of
26 September 30 of the previous year and (ii) the limiting

1 rate for all Organizational Units subject to property tax
2 extension limitations as imposed under PTELL.

3 (A) The Department of Revenue shall add to the
4 equalized assessed value of all taxable property of
5 each Organizational Unit situated entirely or
6 partially within a county that is or was subject to the
7 provisions of Section 15-176 or 15-177 of the Property
8 Tax Code (i) an amount equal to the total amount by
9 which the homestead exemption allowed under Section
10 15-176 or 15-177 of the Property Tax Code for real
11 property situated in that Organizational Unit exceeds
12 the total amount that would have been allowed in that
13 Organizational Unit if the maximum reduction under
14 Section 15-176 was (I) \$4,500 in Cook County or \$3,500
15 in all other counties in tax year 2003 or (II) \$5,000
16 in all counties in tax year 2004 and thereafter and
17 (ii) an amount equal to the aggregate amount for the
18 taxable year of all additional exemptions under
19 Section 15-175 of the Property Tax Code for owners with
20 a household income of \$30,000 or less. The county clerk
21 of any county that is or was subject to the provisions
22 of Section 15-176 or 15-177 of the Property Tax Code
23 shall annually calculate and certify to the Department
24 of Revenue for each Organizational Unit all homestead
25 exemption amounts under Section 15-176 or 15-177 of the
26 Property Tax Code and all amounts of additional

1 exemptions under Section 15-175 of the Property Tax
2 Code for owners with a household income of \$30,000 or
3 less. It is the intent of this subparagraph (A) that if
4 the general homestead exemption for a parcel of
5 property is determined under Section 15-176 or 15-177
6 of the Property Tax Code rather than Section 15-175,
7 then the calculation of EAV shall not be affected by
8 the difference, if any, between the amount of the
9 general homestead exemption allowed for that parcel of
10 property under Section 15-176 or 15-177 of the Property
11 Tax Code and the amount that would have been allowed
12 had the general homestead exemption for that parcel of
13 property been determined under Section 15-175 of the
14 Property Tax Code. It is further the intent of this
15 subparagraph (A) that if additional exemptions are
16 allowed under Section 15-175 of the Property Tax Code
17 for owners with a household income of less than
18 \$30,000, then the calculation of EAV shall not be
19 affected by the difference, if any, because of those
20 additional exemptions.

21 (B) With respect to any part of an Organizational
22 Unit within a redevelopment project area in respect to
23 which a municipality has adopted tax increment
24 allocation financing pursuant to the Tax Increment
25 Allocation Redevelopment Act, Division 74.4 of Article
26 11 of the Illinois Municipal Code, or the Industrial

1 Jobs Recovery Law, Division 74.6 of Article 11 of the
2 Illinois Municipal Code, no part of the current EAV of
3 real property located in any such project area that
4 ~~which~~ is attributable to an increase above the total
5 initial EAV of such property shall be used as part of
6 the EAV of the Organizational Unit, until such time as
7 all redevelopment project costs have been paid, as
8 provided in Section 11-74.4-8 of the Tax Increment
9 Allocation Redevelopment Act or in Section 11-74.6-35
10 of the Industrial Jobs Recovery Law. For the purpose of
11 the EAV of the Organizational Unit, the total initial
12 EAV or the current EAV, whichever is lower, shall be
13 used until such time as all redevelopment project costs
14 have been paid.

15 (B-5) The real property equalized assessed
16 valuation for a school district shall be adjusted by
17 subtracting from the real property value, as equalized
18 or assessed by the Department of Revenue, for the
19 district an amount computed by dividing the amount of
20 any abatement of taxes under Section 18-170 of the
21 Property Tax Code by 3.00% for a district maintaining
22 grades kindergarten through 12, by 2.30% for a district
23 maintaining grades kindergarten through 8, or by 1.05%
24 for a district maintaining grades 9 through 12 and
25 adjusted by an amount computed by dividing the amount
26 of any abatement of taxes under subsection (a) of

1 Section 18-165 of the Property Tax Code by the same
2 percentage rates for district type as specified in this
3 subparagraph (B-5).

4 (C) For Organizational Units that are Hybrid
5 Districts, the State Superintendent shall use the
6 lesser of the adjusted equalized assessed valuation
7 for property within the partial elementary unit
8 district for elementary purposes, as defined in
9 Article 11E of this Code, or the adjusted equalized
10 assessed valuation for property within the partial
11 elementary unit district for high school purposes, as
12 defined in Article 11E of this Code.

13 (4) An Organizational Unit's Adjusted EAV shall be the
14 average of its EAV over the immediately preceding 3 years
15 or its EAV in the immediately preceding year if the EAV in
16 the immediately preceding year has declined by 10% or more
17 compared to the 3-year average. In the event of
18 Organizational Unit reorganization, consolidation, or
19 annexation, the Organizational Unit's Adjusted EAV for the
20 first 3 years after such change shall be as follows: the
21 most current EAV shall be used in the first year, the
22 average of a 2-year EAV or its EAV in the immediately
23 preceding year if the EAV declines by 10% or more compared
24 to the 2-year average for the second year, and a 3-year
25 average EAV or its EAV in the immediately preceding year if
26 the Adjusted ~~adjusted~~ EAV declines by 10% or more compared

1 to the 3-year average for the third year. For any school
2 district whose EAV in the immediately preceding year is
3 used in calculations, in the following year, the Adjusted
4 EAV shall be the average of its EAV over the immediately
5 preceding 2 years or the immediately preceding year if that
6 year represents a decline of 10% or more compared to the
7 2-year average.

8 "PTELL EAV" means a figure calculated by the State
9 Board for Organizational Units subject to PTELL as
10 described in this paragraph (4) for the purposes of
11 calculating an Organizational Unit's Local Capacity Ratio.
12 Except as otherwise provided in this paragraph (4), the
13 PTELL EAV of an Organizational Unit shall be equal to the
14 product of the equalized assessed valuation last used in
15 the calculation of general State aid under Section 18-8.05
16 of this Code (now repealed) or Evidence-Based Funding under
17 this Section and the Organizational Unit's Extension
18 Limitation Ratio. If an Organizational Unit has approved or
19 does approve an increase in its limiting rate, pursuant to
20 Section 18-190 of the Property Tax Code, affecting the Base
21 Tax Year, the PTELL EAV shall be equal to the product of
22 the equalized assessed valuation last used in the
23 calculation of general State aid under Section 18-8.05 of
24 this Code (now repealed) or Evidence-Based Funding under
25 this Section multiplied by an amount equal to one plus the
26 percentage increase, if any, in the Consumer Price Index

1 for All Urban Consumers for all items published by the
2 United States Department of Labor for the 12-month calendar
3 year preceding the Base Tax Year, plus the equalized
4 assessed valuation of new property, annexed property, and
5 recovered tax increment value and minus the equalized
6 assessed valuation of disconnected property.

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

10 (e) Base Funding Minimum calculation.

11 (1) For the 2017-2018 school year, the Base Funding
12 Minimum of an Organizational Unit or a Specially Funded
13 Unit shall be the amount of State funds distributed to the
14 Organizational Unit or Specially Funded Unit during the
15 2016-2017 school year prior to any adjustments and
16 specified appropriation amounts described in this
17 paragraph (1) from the following Sections, as calculated by
18 the State Superintendent: Section 18-8.05 of this Code (now
19 repealed); Section 5 of Article 224 of Public Act 99-524
20 (equity grants); Section 14-7.02b of this Code (funding for
21 children requiring special education services); Section
22 14-13.01 of this Code (special education facilities and
23 staffing), except for reimbursement of the cost of
24 transportation pursuant to Section 14-13.01; Section
25 14C-12 of this Code (English learners); and Section 18-4.3
26 of this Code (summer school), based on an appropriation

1 level of \$13,121,600. For a school district organized under
2 Article 34 of this Code, the Base Funding Minimum also
3 includes (i) the funds allocated to the school district
4 pursuant to Section 1D-1 of this Code attributable to
5 funding programs authorized by the Sections of this Code
6 listed in the preceding sentence~~r~~ and (ii) the difference
7 between (I) the funds allocated to the school district
8 pursuant to Section 1D-1 of this Code attributable to the
9 funding programs authorized by Section 14-7.02 (non-public
10 special education reimbursement), subsection (b) of
11 Section 14-13.01 (special education transportation),
12 Section 29-5 (transportation), Section 2-3.80
13 (agricultural education), Section 2-3.66 (truants'
14 alternative education), Section 2-3.62 (educational
15 service centers), and Section 14-7.03 (special education -
16 orphanage) of this Code and Section 15 of the Childhood
17 Hunger Relief Act (free breakfast program) and (II) the
18 school district's actual expenditures for its non-public
19 special education, special education transportation,
20 transportation programs, agricultural education, truants'
21 alternative education, services that would otherwise be
22 performed by a regional office of education, special
23 education orphanage expenditures, and free breakfast, as
24 most recently calculated and reported pursuant to
25 subsection (f) of Section 1D-1 of this Code. The Base
26 Funding Minimum for Glenwood Academy shall be \$625,500. For

1 programs operated by a regional office of education or an
2 intermediate service center, the Base Funding Minimum must
3 be the total amount of State funds allocated to those
4 programs in the 2018-2019 school year and amounts provided
5 pursuant to Article 34 of Public Act 100-586 and Section
6 3-16 of this Code. All programs established after June 5,
7 2019 (the effective date of Public Act 101-10) ~~this~~
8 ~~amendatory Act of the 101st General Assembly~~ and
9 administered by a regional office of education or an
10 intermediate service center must have an initial Base
11 Funding Minimum set to an amount equal to the first-year
12 ASE multiplied by the amount of per pupil funding received
13 in the previous school year by the lowest funded similar
14 existing program type. If the enrollment for a program
15 operated by a regional office of education or an
16 intermediate service center is zero, then it may not
17 receive Base Funding Minimum funds for that program in the
18 next fiscal year, and those funds must be distributed to
19 Organizational Units under subsection (g).

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

1 (3) Subject to approval by the General Assembly as
2 provided in this paragraph (3), an Organizational Unit that
3 meets all of the following criteria, as determined by the
4 State Board, shall have District Intervention Money added
5 to its Base Funding Minimum at the time the Base Funding
6 Minimum is calculated by the State Board:

7 (A) The Organizational Unit is operating under an
8 Independent Authority under Section 2-3.25f-5 of this
9 Code for a minimum of 4 school years or is subject to
10 the control of the State Board pursuant to a court
11 order for a minimum of 4 school years.

12 (B) The Organizational Unit was designated as a
13 Tier 1 or Tier 2 Organizational Unit in the previous
14 school year under paragraph (3) of subsection (g) of
15 this Section.

16 (C) The Organizational Unit demonstrates
17 sustainability through a 5-year financial and
18 strategic plan.

19 (D) The Organizational Unit has made sufficient
20 progress and achieved sufficient stability in the
21 areas of governance, academic growth, and finances.

22 As part of its determination under this paragraph (3),
23 the State Board may consider the Organizational Unit's
24 summative designation, any accreditations of the
25 Organizational Unit, or the Organizational Unit's
26 financial profile, as calculated by the State Board.

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

18 For the first 4 years following the initial year that
19 the State Board determines that an Organizational Unit has
20 met the criteria set forth in this paragraph (3) and has
21 received funding under this Section, the Organizational
22 Unit must annually submit to the State Board, on or before
23 November 30, a progress report regarding its financial and
24 strategic plan under subparagraph (C) of this paragraph
25 (3). The plan shall include the financial data from the
26 past 4 annual financial reports or financial audits that

1 must be presented to the State Board by November 15 of each
2 year and the approved budget financial data for the current
3 year. The plan shall be developed according to the
4 guidelines presented to the Organizational Unit by the
5 State Board. The plan shall further include financial
6 projections for the next 3 fiscal years and include a
7 discussion and financial summary of the Organizational
8 Unit's facility needs. If the Organizational Unit does not
9 demonstrate sufficient progress toward its 5-year plan or
10 if it has failed to file an annual financial report, an
11 annual budget, a financial plan, a deficit reduction plan,
12 or other financial information as required by law, the
13 State Board may establish a Financial Oversight Panel under
14 Article 1H of this Code. However, if the Organizational
15 Unit already has a Financial Oversight Panel, the State
16 Board may extend the duration of the Panel.

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

18 (1) The Evidence-Based Funding formula establishes a
19 Percent of Adequacy for each Organizational Unit in order
20 to place such units into tiers for the purposes of the
21 funding distribution system described in subsection (g) of
22 this Section. Initially, an Organizational Unit's
23 Preliminary Resources and Preliminary Percent of Adequacy
24 are calculated pursuant to paragraph (2) of this subsection
25 (f). Then, an Organizational Unit's Final Resources and
26 Final Percent of Adequacy are calculated to account for the

1 Organizational Unit's poverty concentration levels
2 pursuant to paragraphs (3) and (4) of this subsection (f).

3 (2) An Organizational Unit's Preliminary Resources are
4 equal to the sum of its Local Capacity Target, CPPRT, and
5 Base Funding Minimum. An Organizational Unit's Preliminary
6 Percent of Adequacy is the lesser of (i) its Preliminary
7 Resources divided by its Adequacy Target or (ii) 100%.

8 (3) Except for Specially Funded Units, an
9 Organizational Unit's Final Resources are equal the sum of
10 its Local Capacity, CPPRT, and Adjusted Base Funding
11 Minimum. The Base Funding Minimum of each Specially Funded
12 Unit shall serve as its Final Resources, except that the
13 Base Funding Minimum for State-approved charter schools
14 shall not include any portion of general State aid
15 allocated in the prior year based on the per capita tuition
16 charge times the charter school enrollment.

17 (4) An Organizational Unit's Final Percent of Adequacy
18 is its Final Resources divided by its Adequacy Target. An
19 Organizational Unit's Adjusted Base Funding Minimum is
20 equal to its Base Funding Minimum less its Supplemental
21 Grant Funding, with the resulting figure added to the
22 product of its Supplemental Grant Funding and Preliminary
23 Percent of Adequacy.

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

25 (1) In each school year under the Evidence-Based
26 Funding formula, each Organizational Unit receives funding

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

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

10 (2) To ensure equitable distribution of dollars for all
11 Tier 2 Organizational Units, no Tier 2 Organizational Unit
12 shall receive fewer dollars per ASE than any Tier 3
13 Organizational Unit. Each Tier 2 and Tier 3 Organizational
14 Unit shall have its funding allocation divided by its ASE.
15 Any Tier 2 Organizational Unit with a funding allocation
16 per ASE below the greatest Tier 3 allocation per ASE shall
17 get a funding allocation equal to the greatest Tier 3
18 funding allocation per ASE multiplied by the
19 Organizational Unit's ASE. Each Tier 2 Organizational
20 Unit's Tier 2 funding allocation shall be multiplied by the
21 percentage calculated by dividing the original Tier 2
22 Aggregate Funding by the sum of all Tier 2 Organizational
23 Units' ~~Unit's~~ Tier 2 funding allocation after adjusting
24 districts' funding below Tier 3 levels.

25 (3) Organizational Units are placed into one of 4 tiers
26 as follows:

1 (A) Tier 1 consists of all Organizational Units,
2 except for Specially Funded Units, with a Percent of
3 Adequacy less than the Tier 1 Target Ratio. The Tier 1
4 Target Ratio is the ratio level that allows for Tier 1
5 Aggregate Funding to be distributed, with the Tier 1
6 Allocation Rate determined pursuant to paragraph (4)
7 of this subsection (g).

8 (B) Tier 2 consists of all Tier 1 Units and all
9 other Organizational Units, except for Specially
10 Funded Units, with a Percent of Adequacy of less than
11 0.90.

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

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

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

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

20 (B) The Tier 2 Allocation Rate is the result of the
21 following equation: Tier 2 Aggregate Funding, divided
22 by the sum of the Funding Gaps for all Tier 2
23 Organizational Units, unless the result of such
24 equation is higher than 1.0. If the result of such
25 equation is higher than 1.0, then the Tier 2 Allocation
26 Rate is 1.0.

1 (C) The Tier 3 Allocation Rate is the result of the
2 following equation: Tier 3 Aggregate Funding, divided
3 by the sum of the Adequacy Targets of all Tier 3
4 Organizational Units.

5 (D) The Tier 4 Allocation Rate is the result of the
6 following equation: Tier 4 Aggregate Funding, divided
7 by the sum of the Adequacy Targets of all Tier 4
8 Organizational Units.

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

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

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

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

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

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

23 (8) If any Specially Funded Units, excluding Glenwood
24 Academy, recognized by the State Board do not qualify for
25 direct funding following the implementation of Public Act
26 100-465 ~~this amendatory Act of the 100th General Assembly~~

1 from any of the funding sources included within the
2 definition of Base Funding Minimum, the unqualified
3 portion of the Base Funding Minimum shall be transferred to
4 one or more appropriate Organizational Units as determined
5 by the State Superintendent based on the prior year ASE of
6 the Organizational Units.

7 (8.5) If a school district withdraws from a special
8 education cooperative, the portion of the Base Funding
9 Minimum that is attributable to the school district may be
10 redistributed to the school district upon withdrawal. The
11 school district and the cooperative must include the amount
12 of the Base Funding Minimum that is to be reapportioned
13 ~~re-apportioned~~ in their withdrawal agreement and notify
14 the State Board of the change with a copy of the agreement
15 upon withdrawal.

16 (9) The Minimum Funding Level is intended to establish
17 a target for State funding that will keep pace with
18 inflation and continue to advance equity through the
19 Evidence-Based Funding formula. The target for State
20 funding of New Property Tax Relief Pool Funds is
21 \$50,000,000 for State fiscal year 2019 and subsequent State
22 fiscal years. The Minimum Funding Level is equal to
23 \$350,000,000. In addition to any New State Funds, no more
24 than \$50,000,000 New Property Tax Relief Pool Funds may be
25 counted toward ~~towards~~ the Minimum Funding Level. If the
26 sum of New State Funds and applicable New Property Tax

1 Relief Pool Funds are less than the Minimum Funding Level,
2 than funding for tiers shall be reduced in the following
3 manner:

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

8 (B) Next, Tier 3 funding shall be reduced by an
9 amount equal to the difference between the Minimum
10 Funding Level and New State Funds and the reduction in
11 Tier 4 funding until such time as Tier 3 funding is
12 exhausted.

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

17 (D) Finally, Tier 1 funding shall be reduced by an
18 amount equal to the difference between the Minimum
19 Funding level and New State Funds and the reduction in
20 Tier 2, 3, and 4 funding. In addition, the Allocation
21 Rate for Tier 1 shall be reduced to a percentage equal
22 to the Tier 1 Allocation Rate ~~allocation rate~~ set by
23 paragraph (4) of this subsection (g), multiplied by the
24 result of New State Funds divided by the Minimum
25 Funding Level.

26 (9.5) For State fiscal year 2019 and subsequent State

1 fiscal years, if New State Funds exceed \$300,000,000, then
2 any amount in excess of \$300,000,000 shall be dedicated for
3 purposes of Section 2-3.170 of this Code up to a maximum of
4 \$50,000,000.

5 (10) In the event of a decrease in the amount of the
6 appropriation for this Section in any fiscal year after
7 implementation of this Section, the Organizational Units
8 receiving Tier 1 and Tier 2 funding, as determined under
9 paragraph (3) of this subsection (g), shall be held
10 harmless by establishing a Base Funding Guarantee equal to
11 the per pupil kindergarten through grade 12 funding
12 received in accordance with this Section in the prior
13 fiscal year. Reductions shall be made to the Base Funding
14 Minimum of Organizational Units in Tier 3 and Tier 4 on a
15 per pupil basis equivalent to the total number of the ASE
16 in Tier 3-funded and Tier 4-funded Organizational Units
17 divided by the total reduction in State funding. The Base
18 Funding Minimum as reduced shall continue to be applied to
19 Tier 3 and Tier 4 Organizational Units and adjusted by the
20 relative formula when increases in appropriations for this
21 Section resume. In no event may State funding reductions to
22 Organizational Units in Tier 3 or Tier 4 exceed an amount
23 that would be less than the Base Funding Minimum
24 established in the first year of implementation of this
25 Section. If additional reductions are required, all school
26 districts shall receive a reduction by a per pupil amount

1 equal to the aggregate additional appropriation reduction
2 divided by the total ASE of all Organizational Units.

3 (11) The State Superintendent shall make minor
4 adjustments to the distribution formula set forth in this
5 subsection (g) to account for the rounding of percentages
6 to the nearest tenth of a percentage and dollar amounts to
7 the nearest whole dollar.

8 (h) State Superintendent administration of funding and
9 district submission requirements.

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

13 (2) The State Superintendent shall calculate the
14 Adequacy Target for each Organizational Unit and Net State
15 Contribution Target for each Organizational Unit under
16 this Section. No Evidence-Based Funding shall be
17 distributed within an Organizational Unit without the
18 approval of the unit's school board.

19 (3) Annually, the State Superintendent shall calculate
20 and report to each Organizational Unit the unit's aggregate
21 financial adequacy amount, which shall be the sum of the
22 Adequacy Target for each Organizational Unit. The State
23 Superintendent shall calculate and report separately for
24 each Organizational Unit the unit's total State funds
25 allocated for its students with disabilities. The State
26 Superintendent shall calculate and report separately for

1 each Organizational Unit the amount of funding and
2 applicable FTE calculated for each Essential Element of the
3 unit's Adequacy Target.

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

14 (5) Moneys distributed under this Section shall be
15 calculated on a school year basis, but paid on a fiscal
16 year basis, with payments beginning in August and extending
17 through June. Unless otherwise provided, the moneys
18 appropriated for each fiscal year shall be distributed in
19 22 equal payments at least 2 times monthly to each
20 Organizational Unit. If moneys appropriated for any fiscal
21 year are distributed other than monthly, the distribution
22 shall be on the same basis for each Organizational Unit.

23 (6) Any school district that fails, for any given
24 school year, to maintain school as required by law or to
25 maintain a recognized school is not eligible to receive
26 Evidence-Based Funding. In case of non-recognition of one

1 or more attendance centers in a school district otherwise
2 operating recognized schools, the claim of the district
3 shall be reduced in the proportion that the enrollment in
4 the attendance center or centers bears to the enrollment of
5 the school district. "Recognized school" means any public
6 school that meets the standards for recognition by the
7 State Board. A school district or attendance center not
8 having recognition status at the end of a school term is
9 entitled to receive State aid payments due upon a legal
10 claim that was filed while it was recognized.

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

14 (8) Each fiscal year, the State Superintendent shall
15 calculate for each Organizational Unit an amount of its
16 Base Funding Minimum and Evidence-Based Funding that shall
17 be deemed attributable to the provision of special
18 educational facilities and services, as defined in Section
19 14-1.08 of this Code, in a manner that ensures compliance
20 with maintenance of State financial support requirements
21 under the federal Individuals with Disabilities Education
22 Act. An Organizational Unit must use such funds only for
23 the provision of special educational facilities and
24 services, as defined in Section 14-1.08 of this Code, and
25 must comply with any expenditure verification procedures
26 adopted by the State Board.

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

23 (10) No later than January 1, 2018, the State
24 Superintendent shall develop a 5-year strategic plan for
25 all Organizational Units to help in planning for adequacy
26 funding under this Section. The State Superintendent shall

1 submit the plan to the Governor and the General Assembly,
2 as provided in Section 3.1 of the General Assembly
3 Organization Act. The plan shall include recommendations
4 for:

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

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

10 (C) application and enhancement of the current
11 financial accountability measures, the approved State
12 plan to comply with the federal Every Student Succeeds
13 Act, and the Illinois Balanced Accountability Measures
14 in relation to student growth and elements of the
15 Evidence-Based Funding model; and

16 (D) implementation of an effective school adequacy
17 funding system based on projected and recommended
18 funding levels from the General Assembly.

19 (11) On an annual basis, the State Superintendent must
20 recalibrate all of the following per pupil elements of the
21 Adequacy Target and applied to the formulas, based on the
22 study of average expenses and as reported in the most
23 recent annual financial report:

24 (A) Gifted under subparagraph (M) of paragraph (2)
25 of subsection (b).

26 (B) Instructional materials under subparagraph (O)

1 of paragraph (2) of subsection (b).

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

4 (D) Student activities under subparagraph (R) of
5 paragraph (2) of subsection (b).

6 (E) Maintenance and operations under subparagraph
7 (S) of paragraph (2) of subsection (b).

8 (F) Central office under subparagraph (T) of
9 paragraph (2) of subsection (b).

10 (i) Professional Review Panel.

11 (1) A Professional Review Panel is created to study and
12 review topics related to the implementation and effect of
13 Evidence-Based Funding, as assigned by a joint resolution
14 or Public Act of the General Assembly or a motion passed by
15 the State Board of Education. The Panel must provide
16 recommendations to and serve the Governor, the General
17 Assembly, and the State Board. The State Superintendent or
18 his or her designee must serve as a voting member and
19 chairperson of the Panel. The State Superintendent must
20 appoint a vice chairperson from the membership of the
21 Panel. The Panel must advance recommendations based on a
22 three-fifths majority vote of Panel ~~panel~~ members present
23 and voting. A minority opinion may also accompany any
24 recommendation of the Panel. The Panel shall be appointed
25 by the State Superintendent, except as otherwise provided
26 in paragraph (2) of this subsection (i) and include the

1 following members:

2 (A) Two appointees that represent district
3 superintendents, recommended by a statewide
4 organization that represents district superintendents.

5 (B) Two appointees that represent school boards,
6 recommended by a statewide organization that
7 represents school boards.

8 (C) Two appointees from districts that represent
9 school business officials, recommended by a statewide
10 organization that represents school business
11 officials.

12 (D) Two appointees that represent school
13 principals, recommended by a statewide organization
14 that represents school principals.

15 (E) Two appointees that represent teachers,
16 recommended by a statewide organization that
17 represents teachers.

18 (F) Two appointees that represent teachers,
19 recommended by another statewide organization that
20 represents teachers.

21 (G) Two appointees that represent regional
22 superintendents of schools, recommended by
23 organizations that represent regional superintendents.

24 (H) Two independent experts selected solely by the
25 State Superintendent.

26 (I) Two independent experts recommended by public

1 universities in this State.

2 (J) One member recommended by a statewide
3 organization that represents parents.

4 (K) Two representatives recommended by collective
5 impact organizations that represent major metropolitan
6 areas or geographic areas in Illinois.

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

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

13 The State Superintendent shall ensure that the
14 membership of the Panel includes representatives from
15 school districts and communities reflecting the
16 geographic, socio-economic, racial, and ethnic diversity
17 of this State. The State Superintendent shall additionally
18 ensure that the membership of the Panel includes
19 representatives with expertise in bilingual education and
20 special education. Staff from the State Board shall staff
21 the Panel.

22 (2) In addition to those Panel members appointed by the
23 State Superintendent, 4 members of the General Assembly
24 shall be appointed as follows: one member of the House of
25 Representatives appointed by the Speaker of the House of
26 Representatives, one member of the Senate appointed by the

1 President of the Senate, one member of the House of
2 Representatives appointed by the Minority Leader of the
3 House of Representatives, and one member of the Senate
4 appointed by the Minority Leader of the Senate. There shall
5 be one additional member appointed by the Governor. All
6 members appointed by legislative leaders or the Governor
7 shall be non-voting, ex officio members.

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

12 (A) The format and scope of annual spending plans
13 referenced in paragraph (9) of subsection (h) of this
14 Section.

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

16 (C) Maintenance and operations, including capital
17 maintenance and construction costs.

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

19 (E) Benefits.

20 (F) Technology.

21 (G) Local Capacity Target.

22 (H) Funding for Alternative Schools, Laboratory
23 Schools, safe schools, and alternative learning
24 opportunities programs.

25 (I) Funding for college and career acceleration
26 strategies.

1 (J) Special education investments.

2 (K) Early childhood investments, in collaboration
3 with the Illinois Early Learning Council.

4 (4) (Blank).

5 (5) Within 5 years after the implementation of this
6 Section, and every 5 years thereafter, the Panel shall
7 complete an evaluative study of the entire Evidence-Based
8 Funding model, including an assessment of whether or not
9 the formula is achieving State goals. The Panel shall
10 report to the State Board, the General Assembly, and the
11 Governor on the findings of the study.

12 (6) (Blank).

13 (j) References. Beginning July 1, 2017, references in other
14 laws to general State aid funds or calculations under Section
15 18-8.05 of this Code (now repealed) shall be deemed to be
16 references to evidence-based model formula funds or
17 calculations under this Section.

18 (Source: P.A. 100-465, eff. 8-31-17; 100-578, eff. 1-31-18;
19 100-582, eff. 3-23-18; 101-10, eff. 6-5-19; 101-17, eff.
20 6-14-19; revised 7-1-19.)

21 (105 ILCS 5/21A-5)

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

23 "New teacher" means the holder of a professional educator
24 license ~~an Initial Teaching Certificate~~, as set forth in
25 Section 21B-20 ~~21-2~~ of this Code, who is employed by a public

1 school and who has not previously participated in a new teacher
2 induction and mentoring program required by this Article,
3 except as provided in Section 21A-25 of this Code.

4 "Public school" means any school operating pursuant to the
5 authority of this Code, including without limitation a school
6 district, a charter school, a cooperative or joint agreement
7 with a governing body or board of control, and a school
8 operated by a regional office of education or State agency.

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

10 (105 ILCS 5/21A-30)

11 Sec. 21A-30. Evaluation of programs. The State Board of
12 Education and the State Educator Preparation and Licensure
13 ~~Teacher Certification~~ Board shall jointly contract with an
14 independent party to conduct a comprehensive evaluation of new
15 teacher induction and mentoring programs established pursuant
16 to this Article. The first report of this evaluation shall be
17 presented to the General Assembly on or before January 1, 2009.
18 Subsequent evaluations shall be conducted and reports
19 presented to the General Assembly on or before January 1 of
20 every third year thereafter.

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

22 (105 ILCS 5/21A-35)

23 Sec. 21A-35. Rules. The State Board of Education, in
24 consultation with the State Educator Preparation and Licensure

1 ~~Teacher Certification~~ Board, shall adopt rules for the
2 implementation of this Article.

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

4 (105 ILCS 5/21B-20)

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

18 The State Board of Education, in consultation with the
19 State Educator Preparation and Licensure Board, may adopt such
20 rules as may be necessary to govern the requirements for
21 licenses and endorsements under this Section.

22 (1) Professional Educator License. Persons who (i)
23 have successfully completed an approved educator
24 preparation program and are recommended for licensure by
25 the Illinois institution offering the educator preparation

1 program, (ii) have successfully completed the required
2 testing under Section 21B-30 of this Code, (iii) have
3 successfully completed coursework on the psychology of,
4 the identification of, and the methods of instruction for
5 the exceptional child, including without limitation
6 children with learning disabilities, (iv) have
7 successfully completed coursework in methods of reading
8 and reading in the content area, and (v) have met all other
9 criteria established by rule of the State Board of
10 Education shall be issued a Professional Educator License.
11 All Professional Educator Licenses are valid until June 30
12 immediately following 5 years of the license being issued.
13 The Professional Educator License shall be endorsed with
14 specific areas and grade levels in which the individual is
15 eligible to practice. For an early childhood education
16 endorsement, an individual may satisfy the student
17 teaching requirement of his or her early childhood teacher
18 preparation program through placement in a setting with
19 children from birth through grade 2, and the individual may
20 be paid and receive credit while student teaching. The
21 student teaching experience must meet the requirements of
22 and be approved by the individual's early childhood teacher
23 preparation program.

24 Individuals can receive subsequent endorsements on the
25 Professional Educator License. Subsequent endorsements
26 shall require a minimum of 24 semester hours of coursework

1 in the endorsement area and passage of the applicable
2 content area test, unless otherwise specified by rule.

3 (2) Educator License with Stipulations. An Educator
4 License with Stipulations shall be issued an endorsement
5 that limits the license holder to one particular position
6 or does not require completion of an approved educator
7 program or both.

8 An individual with an Educator License with
9 Stipulations must not be employed by a school district or
10 any other entity to replace any presently employed teacher
11 who otherwise would not be replaced for any reason.

12 An Educator License with Stipulations may be issued
13 with the following endorsements:

14 (A) (Blank).

15 (B) Alternative provisional educator. An
16 alternative provisional educator endorsement on an
17 Educator License with Stipulations may be issued to an
18 applicant who, at the time of applying for the
19 endorsement, has done all of the following:

20 (i) Graduated from a regionally accredited
21 college or university with a minimum of a
22 bachelor's degree.

23 (ii) Successfully completed the first phase of
24 the Alternative Educator Licensure Program for
25 Teachers, as described in Section 21B-50 of this
26 Code.

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

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

7 (C) Alternative provisional superintendent. An
8 alternative provisional superintendent endorsement on
9 an Educator License with Stipulations entitles the
10 holder to serve only as a superintendent or assistant
11 superintendent in a school district's central office.
12 This endorsement may only be issued to an applicant
13 who, at the time of applying for the endorsement, has
14 done all of the following:

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

18 (ii) Been employed for a period of at least 5
19 years in a management level position in a field
20 other than education.

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

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

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

4 (D) (Blank).

5 (E) Career and technical educator. A career and
6 technical educator endorsement on an Educator License
7 with Stipulations may be issued to an applicant who has
8 a minimum of 60 semester hours of coursework from a
9 regionally accredited institution of higher education
10 or an accredited trade and technical institution and
11 has a minimum of 2,000 hours of experience outside of
12 education in each area to be taught.

13 The career and technical educator endorsement on
14 an Educator License with Stipulations is valid until
15 June 30 immediately following 5 years of the
16 endorsement being issued and may be renewed. ~~For~~
17 ~~individuals who were issued the career and technical~~
18 ~~educator endorsement on an Educator License with~~
19 ~~Stipulations on or after January 1, 2015, the license~~
20 ~~may be renewed if the individual passes a test of work~~
21 ~~proficiency, as required under Section 21B-30 of this~~
22 ~~Code.~~

23 An individual who holds a valid career and
24 technical educator endorsement on an Educator License
25 with Stipulations but does not hold a bachelor's degree
26 may substitute teach in career and technical education

1 classrooms.

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

19 The provisional career and technical educator
20 endorsement on an Educator License with Stipulations
21 is valid until June 30 immediately following 5 years of
22 the endorsement being issued and may be renewed for 5
23 years. ~~For individuals who were issued the provisional~~
24 ~~career and technical educator endorsement on an~~
25 ~~Educator License with Stipulations on or after January~~
26 ~~1, 2015, the license may be renewed if the individual~~

1 ~~passes a test of work proficiency, as required under~~
2 ~~Section 21B-30 of this Code.~~

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

12 An individual who holds a provisional or part-time
13 provisional career and technical educator endorsement
14 on an Educator License with Stipulations but does not
15 hold a bachelor's degree may substitute teach in career
16 and technical education classrooms.

17 (G) Transitional bilingual educator. A
18 transitional bilingual educator endorsement on an
19 Educator License with Stipulations may be issued for
20 the purpose of providing instruction in accordance
21 with Article 14C of this Code to an applicant who
22 provides satisfactory evidence that he or she meets all
23 of the following requirements:

24 (i) Possesses adequate speaking, reading, and
25 writing ability in the language other than English
26 in which transitional bilingual education is

1 offered.

2 (ii) Has the ability to successfully
3 communicate in English.

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

15 A transitional bilingual educator endorsement
16 shall be valid for prekindergarten through grade 12, is
17 valid until June 30 immediately following 5 years of
18 the endorsement being issued, and shall not be renewed.

19 Persons holding a transitional bilingual educator
20 endorsement shall not be employed to replace any
21 presently employed teacher who otherwise would not be
22 replaced for any reason.

23 (H) Language endorsement. In an effort to
24 alleviate the shortage of teachers speaking a language
25 other than English in the public schools, an individual
26 who holds an Educator License with Stipulations may

1 also apply for a language endorsement, provided that
2 the applicant provides satisfactory evidence that he
3 or she meets all of the following requirements:

4 (i) Holds a transitional bilingual
5 endorsement.

6 (ii) Has demonstrated proficiency in the
7 language for which the endorsement is to be issued
8 by passing the applicable language content test
9 required by the State Board of Education.

10 (iii) Holds a bachelor's degree or higher from
11 a regionally accredited institution of higher
12 education or, for individuals educated in a
13 country other than the United States, holds a
14 degree from an institution of higher learning in a
15 foreign country that the State Educator
16 Preparation and Licensure Board determines to be
17 the equivalent of a bachelor's degree from a
18 regionally accredited institution of higher
19 learning in the United States.

20 (iv) (Blank).

21 A language endorsement on an Educator License with
22 Stipulations is valid for prekindergarten through
23 grade 12 for the same validity period as the
24 individual's transitional bilingual educator
25 endorsement on the Educator License with Stipulations
26 and shall not be renewed.

1 (I) Visiting international educator. A visiting
2 international educator endorsement on an Educator
3 License with Stipulations may be issued to an
4 individual who is being recruited by a particular
5 school district that conducts formal recruitment
6 programs outside of the United States to secure the
7 services of qualified teachers and who meets all of the
8 following requirements:

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

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

13 (iii) Has adequate content knowledge in the
14 subject to be taught.

15 (iv) Has an adequate command of the English
16 language.

17 A holder of a visiting international educator
18 endorsement on an Educator License with Stipulations
19 shall be permitted to teach in bilingual education
20 programs in the language that was the medium of
21 instruction in his or her teacher preparation program,
22 provided that he or she passes the English Language
23 Proficiency Examination or another test of writing
24 skills in English identified by the State Board of
25 Education, in consultation with the State Educator
26 Preparation and Licensure Board.

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

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

21 (K) Chief school business official. A chief school
22 business official endorsement on an Educator License
23 with Stipulations may be issued to an applicant who
24 qualifies by having a master's degree or higher, 2
25 years of full-time administrative experience in school
26 business management or 2 years of university-approved

1 practical experience, and a minimum of 24 semester
2 hours of graduate credit in a program approved by the
3 State Board of Education for the preparation of school
4 business administrators and by passage of the
5 applicable State tests, including an applicable
6 content area test.

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

19 The chief school business official endorsement on
20 an Educator License with Stipulations is valid until
21 June 30 immediately following 5 years of the
22 endorsement being issued and may be renewed if the
23 license holder completes renewal requirements as
24 required for individuals who hold a Professional
25 Educator License endorsed for chief school business
26 official under Section 21B-45 of this Code and such

1 rules as may be adopted by the State Board of
2 Education.

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

5 (L) Provisional in-state educator. A provisional
6 in-state educator endorsement on an Educator License
7 with Stipulations may be issued to a candidate who has
8 completed an Illinois-approved educator preparation
9 program at an Illinois institution of higher education
10 and who has not successfully completed an
11 evidence-based assessment of teacher effectiveness but
12 who meets all of the following requirements:

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

14 (ii) Has completed an approved educator
15 preparation program at an Illinois institution.

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

18 (iv) Has attempted an evidence-based
19 assessment of teacher effectiveness and received a
20 minimum score on that assessment, as established
21 by the State Board of Education in consultation
22 with the State Educator Preparation and Licensure
23 Board.

24 A provisional in-state educator endorsement on an
25 Educator License with Stipulations is valid for one
26 full fiscal year after the date of issuance and may not

1 be renewed.

2 (M) (Blank). ~~School support personnel intern. A~~
3 ~~school support personnel intern endorsement on an~~
4 ~~Educator License with Stipulations may be issued as~~
5 ~~specified by rule.~~

6 (N) Specialized services ~~Special education area~~. A
7 specialized services ~~special education area~~
8 endorsement on an Educator License with Stipulations
9 may be issued as defined and specified by rule.

10 (3) Substitute Teaching License. A Substitute Teaching
11 License may be issued to qualified applicants for
12 substitute teaching in all grades of the public schools,
13 prekindergarten through grade 12. Substitute Teaching
14 Licenses are not eligible for endorsements. Applicants for
15 a Substitute Teaching License must hold a bachelor's degree
16 or higher from a regionally accredited institution of
17 higher education.

18 Substitute Teaching Licenses are valid for 5 years.

19 Substitute Teaching Licenses are valid for substitute
20 teaching in every county of this State. If an individual
21 has had his or her Professional Educator License or
22 Educator License with Stipulations suspended or revoked,
23 then that individual is not eligible to obtain a Substitute
24 Teaching License.

25 A substitute teacher may only teach in the place of a
26 licensed teacher who is under contract with the employing

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

14 There is no limit on the number of days that a
15 substitute teacher may teach in a single school district,
16 provided that no substitute teacher may teach for longer
17 than 90 school days for any one licensed teacher under
18 contract in the same school year. A substitute teacher who
19 holds a Professional Educator License or Educator License
20 with Stipulations shall not teach for more than 120 school
21 days for any one licensed teacher under contract in the
22 same school year. The limitations in this paragraph (3) on
23 the number of days a substitute teacher may be employed do
24 not apply to any school district operating under Article 34
25 of this Code.

26 A school district may not require an individual who

1 holds a valid Professional Educator License or Educator
2 License with Stipulations to seek or hold a Substitute
3 Teaching License to teach as a substitute teacher.

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

15 Short-Term Substitute Teaching Licenses are valid for
16 substitute teaching in every county of this State. If an
17 individual has had his or her Professional Educator License
18 or Educator License with Stipulations suspended or
19 revoked, then that individual is not eligible to obtain a
20 Short-Term Substitute Teaching License.

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

23 An individual holding a Short-Term Substitute Teaching
24 License may teach no more than 5 consecutive days per
25 licensed teacher who is under contract. For teacher
26 absences lasting 6 or more days per licensed teacher who is

1 under contract, a school district may not hire an
2 individual holding a Short-Term Substitute Teaching
3 License. An individual holding a Short-Term Substitute
4 Teaching License must complete the training program under
5 Section 10-20.67 or 34-18.60 of this Code to be eligible to
6 teach at a public school. This paragraph (4) is inoperative
7 on and after July 1, 2023.

8 (Source: P.A. 100-8, eff. 7-1-17; 100-13, eff. 7-1-17; 100-288,
9 eff. 8-24-17; 100-596, eff. 7-1-18; 100-821, eff. 9-3-18;
10 100-863, eff. 8-14-18; 101-81, eff. 7-12-19; 101-220, eff.
11 8-7-19; 101-594, eff. 12-5-19.)

12 (105 ILCS 5/21B-35)

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

15 (a) Any applicant who has not been entitled by an
16 Illinois-approved educator preparation program at an Illinois
17 institution of higher education applying for a Professional
18 Educator License endorsed in a teaching field or school support
19 personnel area must meet the following requirements:

20 (1) the applicant must:

21 (A) hold a comparable and valid educator license or
22 certificate, as defined by rule, with similar grade
23 level and content area credentials from another state,
24 with the State Board of Education having the authority
25 to determine what constitutes similar grade level and

- 1 content area credentials from another state; ~~and~~
- 2 (B) have a bachelor's degree from a regionally
- 3 accredited institution of higher education; and ~~or~~
- 4 (C) have demonstrated proficiency in the English
- 5 language by either passing the English language
- 6 proficiency test required by the State Board of
- 7 Education or providing evidence of completing a
- 8 postsecondary degree at an institution in which the
- 9 mode of instruction was English; or
- 10 (2) the applicant must:
- 11 (A) have completed a state-approved program for
- 12 the licensure area sought, including coursework
- 13 concerning methods of instruction of the exceptional
- 14 child, methods of reading and reading in the content
- 15 area, and instructional strategies for English
- 16 learners;
- 17 (B) have a bachelor's degree from a regionally
- 18 accredited institution of higher education;
- 19 (C) have successfully met all Illinois examination
- 20 requirements, except that:
- 21 (i) (blank);
- 22 (ii) an applicant who has successfully
- 23 completed a test of content, as defined by rules,
- 24 at the time of initial licensure in another state
- 25 is not required to complete a test of content; and
- 26 (iii) an applicant for a teaching endorsement

1 who has successfully completed an evidence-based
2 assessment of teacher effectiveness, as defined by
3 rules, at the time of initial licensure in another
4 state is not required to complete an
5 evidence-based assessment of teacher
6 effectiveness; and

7 (D) for an applicant for a teaching endorsement,
8 have completed student teaching or an equivalent
9 experience or, for an applicant for a school service
10 personnel endorsement, have completed an internship or
11 an equivalent experience.

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

16 (1) Have completed a comparable education program in
17 another country.

18 (2) Have had transcripts evaluated by an evaluation
19 service approved by the State Superintendent of Education.

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

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

26 (5) (Blank).

1 (6) (Blank).

2 (7) Have successfully met all State licensure
3 examination requirements. Applicants who have successfully
4 completed a test of content, as defined by rules, at the
5 time of initial licensure in another country shall not be
6 required to complete a test of content. Applicants for a
7 teaching endorsement who have successfully completed an
8 evidence-based assessment of teacher effectiveness, as
9 defined by rules, at the time of initial licensure in
10 another country shall not be required to complete an
11 evidence-based assessment of teacher effectiveness.

12 (8) Have completed student teaching or an equivalent
13 experience.

14 (9) Have demonstrated proficiency in the English
15 language by either passing the English language
16 proficiency test required by the State Board of Education
17 or providing evidence of completing a postsecondary degree
18 at an institution in which the mode of instruction was
19 English.

20 (b-5) All applicants who have not been entitled by an
21 Illinois-approved educator preparation program at an Illinois
22 institution of higher education and applicants trained in
23 another country applying for a Professional Educator License
24 endorsed for principal or superintendent must hold a master's
25 degree from a regionally accredited institution of higher
26 education, pass the English language proficiency test required

1 by the State Board of Education, and ~~must~~ hold a comparable and
2 valid educator license or certificate with similar grade level
3 and subject matter credentials, with the State Board of
4 Education having the authority to determine what constitutes
5 similar grade level and subject matter credentials from another
6 state, or must meet all of the following requirements:

7 (1) Have completed an educator preparation program
8 approved by another state or comparable educator program in
9 another country leading to the receipt of a license or
10 certificate for the Illinois endorsement sought.

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

17 (2.5) Have completed an internship, as defined by rule.

18 (3) (Blank).

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

23 (4.5) Have demonstrated proficiency in the English
24 language by either passing the English language
25 proficiency test required by the State Board of Education
26 or providing evidence of completing a postsecondary degree

1 at an institution in which the mode of instruction was
2 English.

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

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

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

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

18 (2) Have 2 years of full-time experience providing
19 special education services.

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

26 (4) Have completed coursework aligned to standards

1 concerning methods of instruction of the exceptional
2 child, methods of reading and reading in the content area,
3 and instructional strategies for English learners.

4 (b-10) All applicants who have not been entitled by an
5 Illinois-approved educator preparation program at an Illinois
6 institution of higher education applying for a Professional
7 Educator License endorsed for chief school business official
8 must hold a master's degree from a regionally accredited
9 institution of higher 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 a master's degree in school business
16 management, finance, or accounting.

17 (2) Have successfully completed an internship in
18 school business management or have 2 years of experience as
19 a school business administrator.

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

26 (4) Have completed modules aligned to standards

1 concerning methods of instruction of the exceptional
2 child, methods of reading and reading in the content area,
3 and instructional strategies for English learners.

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

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

9 (105 ILCS 5/21B-45)

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

11 (a) Individuals holding a Professional Educator License
12 are required to complete the licensure renewal requirements as
13 specified in this Section, unless otherwise provided in this
14 Code.

15 Individuals holding a Professional Educator License shall
16 meet the renewal requirements set forth in this Section, unless
17 otherwise provided in this Code. If an individual holds a
18 license endorsed in more than one area that has different
19 renewal requirements, that individual shall follow the renewal
20 requirements for the position for which he or she spends the
21 majority of his or her time working.

22 (b) All Professional Educator Licenses not renewed as
23 provided in this Section shall lapse on September 1 of that
24 year. Notwithstanding any other provisions of this Section, if
25 a license holder's electronic mail address is available, the

1 State Board of Education shall send him or her notification
2 electronically that his or her license will lapse if not
3 renewed, to be sent no more than 6 months prior to the license
4 lapsing. Lapsed licenses may be immediately reinstated upon (i)
5 payment by the applicant of a \$500 penalty to the State Board
6 of Education or (ii) the demonstration of proficiency by
7 completing 9 semester hours of coursework from a regionally
8 accredited institution of higher education in the content area
9 that most aligns with one or more of the educator's endorsement
10 areas. Any and all back fees, including without limitation
11 registration fees owed from the time of expiration of the
12 license until the date of reinstatement, shall be paid and kept
13 in accordance with the provisions in Article 3 of this Code
14 concerning an institute fund and the provisions in Article 21B
15 of this Code concerning fees and requirements for registration.
16 Licenses not registered in accordance with Section 21B-40 of
17 this Code shall lapse after a period of 6 months from the
18 expiration of the last year of registration or on January 1 of
19 the fiscal year following initial issuance of the license. An
20 unregistered license is invalid after September 1 for
21 employment and performance of services in an Illinois public or
22 State-operated school or cooperative and in a charter school.
23 Any license or endorsement may be voluntarily surrendered by
24 the license holder. A voluntarily surrendered license shall be
25 treated as a revoked license. An Educator License with
26 Stipulations with only a paraprofessional endorsement does not

1 lapse.

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

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

13 (d) Beginning July 1, 2014, in order to satisfy the
14 requirements for licensure renewal provided for in this
15 Section, each professional educator licensee may create a
16 professional development plan each year. The plan shall address
17 one or more of the endorsements that are required of his or her
18 educator position if the licensee is employed and performing
19 services in an Illinois public or State-operated school or
20 cooperative. If the licensee is employed in a charter school,
21 the plan shall address that endorsement or those endorsements
22 most closely related to his or her educator position. Licensees
23 employed and performing services in any other Illinois schools
24 may participate in the renewal requirements by adhering to the
25 same process.

26 Except as otherwise provided in this Section, the

1 licensee's professional development activities shall align
2 with one or more of the following criteria:

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

7 (2) professional development aligns to the licensee's
8 performance;

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

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

12 (5) higher education coursework.

13 (e) For each renewal cycle, each professional educator
14 licensee shall engage in professional development activities.
15 Prior to renewal, the licensee shall enter electronically into
16 the Educator Licensure Information System (ELIS) the name,
17 date, and location of the activity, the number of professional
18 development hours, and the provider's name. The following
19 provisions shall apply concerning professional development
20 activities:

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

25 (2) Beginning with his or her first full 5-year cycle,
26 any licensee with an administrative endorsement who is not

1 working in a position requiring such endorsement is not
2 required to complete Illinois Administrators' Academy
3 courses, as described in Article 2 of this Code. Such
4 licensees must complete one Illinois Administrators'
5 Academy course within one year after returning to a
6 position that requires the administrative endorsement.

7 (3) Any licensee with an administrative endorsement
8 who is working in a position requiring such endorsement or
9 an individual with a Teacher Leader endorsement serving in
10 an administrative capacity at least 50% of the day shall
11 complete one Illinois Administrators' Academy course, as
12 described in Article 2 of this Code, each fiscal year in
13 addition to 100 hours of professional development per
14 5-year renewal cycle in accordance with this Code.

15 (4) Any licensee holding a current National Board for
16 Professional Teaching Standards (NBPTS) master teacher
17 designation shall complete a total of 60 hours of
18 professional development per 5-year renewal cycle in order
19 to renew the license.

20 (5) Licensees working in a position that does not
21 require educator licensure or working in a position for
22 less than 50% for any particular year are considered to be
23 exempt and shall be required to pay only the registration
24 fee in order to renew and maintain the validity of the
25 license.

26 (6) Licensees who are retired and qualify for benefits

1 from a State of Illinois retirement system shall notify the
2 State Board of Education using ELIS, and the license shall
3 be maintained in retired status. For any renewal cycle in
4 which a licensee retires during the renewal cycle, the
5 licensee must complete professional development activities
6 on a prorated basis depending on the number of years during
7 the renewal cycle the educator held an active license. If a
8 licensee retires during a renewal cycle, the licensee must
9 notify the State Board of Education using ELIS that the
10 licensee wishes to maintain the license in retired status
11 and must show proof of completion of professional
12 development activities on a prorated basis for all years of
13 that renewal cycle for which the license was active. An
14 individual with a license in retired status shall not be
15 required to complete professional development activities
16 or pay registration fees until returning to a position that
17 requires educator licensure. Upon returning to work in a
18 position that requires the Professional Educator License,
19 the licensee shall immediately pay a registration fee and
20 complete renewal requirements for that year. A license in
21 retired status cannot lapse. Beginning on January 6, 2017
22 (the effective date of Public Act 99-920) through December
23 31, 2017, any licensee who has retired and whose license
24 has lapsed for failure to renew as provided in this Section
25 may reinstate that license and maintain it in retired
26 status upon providing proof to the State Board of Education

1 using ELIS that the licensee is retired and is not working
2 in a position that requires a Professional Educator
3 License.

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

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

25 (9) If professional development opportunities were
26 unavailable to a licensee, proof that opportunities were

1 unavailable and request for an extension of time beyond
2 August 31 to complete the renewal requirements may be
3 submitted from April 1 through June 30 of that year to the
4 State Educator Preparation and Licensure Board. If an
5 extension is approved, the license shall remain valid
6 during the extension period.

7 (10) Individuals who hold exempt licenses prior to
8 December 27, 2013 (the effective date of Public Act 98-610)
9 shall commence the annual renewal process with the first
10 scheduled registration due after December 27, 2013 (the
11 effective date of Public Act 98-610).

12 (11) Notwithstanding any other provision of this
13 subsection (e), if a licensee earns more than the required
14 number of professional development hours during a renewal
15 cycle, then the licensee may carry over any hours earned
16 from April 1 through June 30 of the last year of the
17 renewal cycle. Any hours carried over in this manner must
18 be applied to the next renewal cycle. Illinois
19 Administrators' Academy courses or hours earned in those
20 courses may not be carried over.

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

23 (f-5) The State Board of Education shall conduct random
24 audits of licensees to verify a licensee's fulfillment of the
25 professional development hours required under this Section.
26 Upon completion of a random audit, if it is determined by the

1 State Board of Education that the licensee did not complete the
2 required number of professional development hours or did not
3 provide sufficient proof of completion, the licensee shall be
4 notified that his or her license has lapsed. A license that has
5 lapsed under this subsection may be reinstated as provided in
6 subsection (b).

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

10 (1) The State Board of Education.

11 (2) Regional offices of education and intermediate
12 service centers.

13 (3) Illinois professional associations representing
14 the following groups that are approved by the State
15 Superintendent of Education:

16 (A) school administrators;

17 (B) principals;

18 (C) school business officials;

19 (D) teachers, including special education
20 teachers;

21 (E) school boards;

22 (F) school districts;

23 (G) parents; and

24 (H) school service personnel.

25 (4) Regionally accredited institutions of higher
26 education that offer Illinois-approved educator

1 preparation programs and public community colleges subject
2 to the Public Community College Act.

3 (5) Illinois public school districts, charter schools
4 authorized under Article 27A of this Code, and joint
5 educational programs authorized under Article 10 of this
6 Code for the purposes of providing career and technical
7 education or special education services.

8 (6) A not-for-profit organization that, as of December
9 31, 2014 (the effective date of Public Act 98-1147), has
10 had or has a grant from or a contract with the State Board
11 of Education to provide professional development services
12 in the area of English Learning to Illinois school
13 districts, teachers, or administrators.

14 (7) State agencies, State boards, and State
15 commissions.

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

18 (h) Approved providers under subsection (g) of this Section
19 shall make available professional development opportunities
20 that satisfy at least one of the following:

21 (1) increase the knowledge and skills of school and
22 district leaders who guide continuous professional
23 development;

24 (2) improve the learning of students;

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

- 1 (4) deepen educator's content knowledge;
 - 2 (5) provide educators with research-based
 - 3 instructional strategies to assist students in meeting
 - 4 rigorous academic standards;
 - 5 (6) prepare educators to appropriately use various
 - 6 types of classroom assessments;
 - 7 (7) use learning strategies appropriate to the
 - 8 intended goals;
 - 9 (8) provide educators with the knowledge and skills to
 - 10 collaborate;
 - 11 (9) prepare educators to apply research to decision
 - 12 making ~~decision-making~~; or
 - 13 (10) provide educators with training on inclusive
 - 14 practices in the classroom that examines instructional and
 - 15 behavioral strategies that improve academic and
 - 16 social-emotional outcomes for all students, with or
 - 17 without disabilities, in a general education setting.
- 18 (i) Approved providers under subsection (g) of this Section
- 19 shall do the following:
- 20 (1) align professional development activities to the
 - 21 State-approved national standards for professional
 - 22 learning;
 - 23 (2) meet the professional development criteria for
 - 24 Illinois licensure renewal;
 - 25 (3) produce a rationale for the activity that explains
 - 26 how it aligns to State standards and identify the

1 assessment for determining the expected impact on student
2 learning or school improvement;

3 (4) maintain original documentation for completion of
4 activities;

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

7 (6) request an Illinois Educator Identification Number
8 (IEIN) for each educator during each professional
9 development activity; and

10 (7) beginning on July 1, 2019, register annually with
11 the State Board of Education prior to offering any
12 professional development opportunities in the current
13 fiscal year.

14 (j) The State Board of Education shall conduct annual
15 audits of a subset of approved providers, except for school
16 districts, which shall be audited by regional offices of
17 education and intermediate service centers. The State Board of
18 Education shall ensure that each approved provider, except for
19 a school district, is audited at least once every 5 years. The
20 State Board of Education may conduct more frequent audits of
21 providers if evidence suggests the requirements of this Section
22 or administrative rules are not being met.

23 (1) (Blank).

24 (2) Approved providers shall comply with the
25 requirements in subsections (h) and (i) of this Section by
26 annually submitting data to the State Board of Education

1 demonstrating how the professional development activities
2 impacted one or more of the following:

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

5 (B) educator and student social and emotional
6 growth; or

7 (C) alignment to district or school improvement
8 plans.

9 (3) The State Superintendent of Education shall review
10 the annual data collected by the State Board of Education,
11 regional offices of education, and intermediate service
12 centers in audits to determine if the approved provider has
13 met the criteria and should continue to be an approved
14 provider or if further action should be taken as provided
15 in rules.

16 (k) Registration fees shall be paid for the next renewal
17 cycle between April 1 and June 30 in the last year of each
18 5-year renewal cycle using ELIS. If all required professional
19 development hours for the renewal cycle have been completed and
20 entered by the licensee, the licensee shall pay the
21 registration fees for the next cycle using a form of credit or
22 debit card.

23 (l) Any professional educator licensee endorsed for school
24 support personnel who is employed and performing services in
25 Illinois public schools and who holds an active and current
26 professional license issued by the Department of Financial and

1 Professional Regulation or a national certification board, as
2 approved by the State Board of Education, related to the
3 endorsement areas on the Professional Educator License shall be
4 deemed to have satisfied the continuing professional
5 development requirements provided for in this Section. Such
6 individuals shall be required to pay only registration fees to
7 renew the Professional Educator License. An individual who does
8 not hold a license issued by the Department of Financial and
9 Professional Regulation shall complete professional
10 development requirements for the renewal of a Professional
11 Educator License provided for in this Section.

12 (m) Appeals to the State Educator Preparation and Licensure
13 Board must be made within 30 days after receipt of notice from
14 the State Superintendent of Education that a license will not
15 be renewed based upon failure to complete the requirements of
16 this Section. A licensee may appeal that decision to the State
17 Educator Preparation and Licensure Board in a manner prescribed
18 by rule.

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

23 (2) The State Educator Preparation and Licensure Board
24 shall review each appeal regarding renewal of a license
25 within 90 days after receiving the appeal in order to
26 determine whether the licensee has met the requirements of

1 this Section. The State Educator Preparation and Licensure
2 Board may hold an appeal hearing or may make its
3 determination based upon the record of review, which shall
4 consist of the following:

5 (A) the regional superintendent of education's
6 rationale for recommending nonrenewal of the license,
7 if applicable;

8 (B) any evidence submitted to the State
9 Superintendent along with the individual's electronic
10 statement of assurance for renewal; and

11 (C) the State Superintendent's rationale for
12 nonrenewal of the license.

13 (3) The State Educator Preparation and Licensure Board
14 shall notify the licensee of its decision regarding license
15 renewal by certified mail, return receipt requested, no
16 later than 30 days after reaching a decision. Upon receipt
17 of notification of renewal, the licensee, using ELIS, shall
18 pay the applicable registration fee for the next cycle
19 using a form of credit or debit card.

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

22 (Source: P.A. 100-13, eff. 7-1-17; 100-339, eff. 8-25-17;
23 100-596, eff. 7-1-18; 100-863, eff. 8-14-18; 101-85, eff.
24 1-1-20; 101-531, eff. 8-23-19; revised 9-19-19.)

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

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

5 (b) The Alternative Educator Licensure Program for
6 Teachers may be offered by a recognized institution approved to
7 offer educator preparation programs by the State Board of
8 Education, in consultation with the State Educator Preparation
9 and Licensure Board.

10 The program shall be comprised of 4 phases:

11 (1) A course of study that at a minimum includes
12 instructional planning; instructional strategies,
13 including special education, reading, and English language
14 learning; classroom management; and the assessment of
15 students and use of data to drive instruction.

16 (2) A year of residency, which is a candidate's
17 assignment to a full-time teaching position or as a
18 co-teacher for one full school year. An individual must
19 hold an Educator License with Stipulations with an
20 alternative provisional educator endorsement in order to
21 enter the residency and must complete additional program
22 requirements that address required State and national
23 standards, pass the State Board's teacher performance
24 assessment no later than the end of the first semester of
25 the second year of residency ~~before entering the second~~
26 ~~residency year~~, as required under phase (3) of this

1 subsection (b), and be recommended by the principal or
2 qualified equivalent of a principal, as required under
3 subsection (d) of this Section, and the program coordinator
4 to continue with the second year of the residency.

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

10 (4) A comprehensive assessment of the candidate's
11 teaching effectiveness, as evaluated by the principal or
12 qualified equivalent of a principal, as required under
13 subsection (d) of this Section, and the program
14 coordinator, at the end of the second year of residency. If
15 there is disagreement between the 2 evaluators about the
16 candidate's teaching effectiveness, the candidate may
17 complete one additional year of residency teaching under a
18 professional development plan developed by the principal
19 or qualified equivalent and the preparation program. At the
20 completion of the third year, a candidate must have
21 positive evaluations and a recommendation for full
22 licensure from both the principal or qualified equivalent
23 and the program coordinator or no Professional Educator
24 License shall be issued.

25 Successful completion of the program shall be deemed to
26 satisfy any other practice or student teaching and content

1 matter requirements established by law.

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

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

17 (2) Has a cumulative grade point average of 3.0 or
18 greater on a 4.0 scale or its equivalent on another scale.

19 (3) Has completed a major in the content area if
20 seeking a middle or secondary level endorsement or, if
21 seeking an early childhood, elementary, or special
22 education endorsement, has completed a major in the content
23 area of reading, English/language arts, mathematics, or
24 one of the sciences. If the individual does not have a
25 major in a content area for any level of teaching, he or
26 she must submit transcripts to the State Board of Education

1 to be reviewed for equivalency.

2 (4) Has successfully completed phase (1) of subsection
3 (b) of this Section.

4 (5) Has passed a content area test required for the
5 specific endorsement for admission into the program, as
6 required under Section 21B-30 of this Code.

7 A candidate possessing the alternative provisional
8 educator endorsement may receive a salary, benefits, and any
9 other terms of employment offered to teachers in the school who
10 are members of an exclusive bargaining representative, if any,
11 but a school is not required to provide these benefits during
12 the years of residency if the candidate is serving only as a
13 co-teacher. If the candidate is serving as the teacher of
14 record, the candidate must receive a salary, benefits, and any
15 other terms of employment. Residency experiences must not be
16 counted towards tenure.

17 (d) The recognized institution offering the Alternative
18 Educator Licensure Program for Teachers must partner with a
19 school district, including without limitation a preschool
20 educational program under Section 2-3.71 of this Code or
21 charter school, or a State-recognized, nonpublic school in this
22 State in which the chief administrator is required to have the
23 licensure necessary to be a principal in a public school in
24 this State and in which a majority of the teachers are required
25 to have the licensure necessary to be instructors in a public
26 school in this State. A recognized institution that partners

1 with a public school district administering a preschool
2 educational program under Section 2-3.71 of this Code must
3 require a principal to recommend or evaluate candidates in the
4 program. A recognized institution that partners with an
5 eligible entity administering a preschool educational program
6 under Section 2-3.71 of this Code and that is not a public
7 school district must require a principal or qualified
8 equivalent of a principal to recommend or evaluate candidates
9 in the program. The program presented for approval by the State
10 Board of Education must demonstrate the supports that are to be
11 provided to assist the provisional teacher during the 2-year
12 residency period. These supports must provide additional
13 contact hours with mentors during the first year of residency.

14 (e) Upon completion of the 4 phases outlined in subsection
15 (b) of this Section and all assessments required under Section
16 21B-30 of this Code, an individual shall receive a Professional
17 Educator License.

18 (f) The State Board of Education, in consultation with the
19 State Educator Preparation and Licensure Board, may adopt such
20 rules as may be necessary to establish and implement the
21 Alternative Educator Licensure Program for Teachers.

22 (Source: P.A. 100-596, eff. 7-1-18; 100-822, eff. 1-1-19;
23 101-220, eff. 8-7-19; 101-570, eff. 8-23-19; revised 9-19-19.)

24 (105 ILCS 5/21B-110 new)

25 Sec. 21B-110. Public health emergency declaration.

1 (a) This Section applies only during any time in which the
2 Governor has declared a public health emergency under Section 7
3 of the Illinois Emergency Management Agency Act.

4 (b) Notwithstanding any other requirements under this
5 Article, the requirements under subsection (f) of Section
6 21B-30 are waived for an applicant seeking an educator license.

7 (c) Notwithstanding any other requirements under this
8 Article, during the implementation of remote learning days
9 under Section 10-30, a candidate seeking an educator license
10 may:

11 (1) complete his or her required student teaching or
12 equivalent experience remotely; or

13 (2) complete his or her required school business
14 management internship remotely.

15 (105 ILCS 5/21B-115 new)

16 Sec. 21B-115. Spring 2020 student teaching or internship.
17 Notwithstanding any other requirements under this Article, for
18 the spring 2020 semester only, a candidate's requirement to
19 complete student teaching or its equivalent or a school
20 business management internship is waived.

21 (105 ILCS 5/22-89 new)

22 Sec. 22-89. Graduates during the 2019-2020 school year.
23 Notwithstanding any other provision of this Code, any diploma
24 conferred during the 2019-2020 school year, including during

1 the summer of 2020, under graduation requirements that were
2 modified by an executive order, emergency rulemaking, or school
3 board policy prompted by a gubernatorial disaster proclamation
4 as a result of COVID-19 is deemed valid and is not subject to
5 challenge or review due to a failure to meet minimum
6 requirements otherwise required by this Code, administrative
7 rule, or school board policy.

8 (105 ILCS 5/24-11) (from Ch. 122, par. 24-11)

9 Sec. 24-11. Boards of Education - Boards of School
10 Inspectors - Contractual continued service.

11 (a) As used in this and the succeeding Sections of this
12 Article:

13 "Teacher" means any or all school district employees
14 regularly required to be certified under laws relating to the
15 certification of teachers.

16 "Board" means board of directors, board of education, or
17 board of school inspectors, as the case may be.

18 "School term" means that portion of the school year, July 1
19 to the following June 30, when school is in actual session.

20 "Program" means a program of a special education joint
21 agreement.

22 "Program of a special education joint agreement" means
23 instructional, consultative, supervisory, administrative,
24 diagnostic, and related services that are managed by a special
25 educational joint agreement designed to service 2 or more

1 school districts that are members of the joint agreement.

2 "PERA implementation date" means the implementation date
3 of an evaluation system for teachers as specified by Section
4 24A-2.5 of this Code for all schools within a school district
5 or all programs of a special education joint agreement.

6 (b) This Section and Sections 24-12 through 24-16 of this
7 Article apply only to school districts having less than 500,000
8 inhabitants.

9 (c) Any teacher who is first employed as a full-time
10 teacher in a school district or program prior to the PERA
11 implementation date and who is employed in that district or
12 program for a probationary period of 4 consecutive school terms
13 shall enter upon contractual continued service in the district
14 or in all of the programs that the teacher is legally qualified
15 to hold, unless the teacher is given written notice of
16 dismissal by certified mail, return receipt requested, by the
17 employing board at least 45 days before the end of any school
18 term within such period.

19 (d) For any teacher who is first employed as a full-time
20 teacher in a school district or program on or after the PERA
21 implementation date, the probationary period shall be one of
22 the following periods, based upon the teacher's school terms of
23 service and performance, before the teacher shall enter upon
24 contractual continued service in the district or in all of the
25 programs that the teacher is legally qualified to hold, unless
26 the teacher is given written notice of dismissal by certified

1 mail, return receipt requested, by the employing board at least
2 45 days before the end of any school term within such period:

3 (1) 4 consecutive school terms of service in which the
4 teacher receives overall annual evaluation ratings of at
5 least "Proficient" in the last school term and at least
6 "Proficient" in either the second or third school term;

7 (2) 3 consecutive school terms of service in which the
8 teacher receives 3 overall annual evaluations of
9 "Excellent"; or

10 (3) 2 consecutive school terms of service in which the
11 teacher receives 2 overall annual evaluations of
12 "Excellent" service, but only if the teacher (i) previously
13 attained contractual continued service in a different
14 school district or program in this State, (ii) voluntarily
15 departed or was honorably dismissed from that school
16 district or program in the school term immediately prior to
17 the teacher's first school term of service applicable to
18 the attainment of contractual continued service under this
19 subdivision (3), and (iii) received, in his or her 2 most
20 recent overall annual or biennial evaluations from the
21 prior school district or program, ratings of at least
22 "Proficient", with both such ratings occurring after the
23 school district's or program's PERA implementation date.
24 For a teacher to attain contractual continued service under
25 this subdivision (3), the teacher shall provide official
26 copies of his or her 2 most recent overall annual or

1 biennial evaluations from the prior school district or
2 program to the new school district or program within 60
3 days from the teacher's first day of service with the new
4 school district or program. The prior school district or
5 program must provide the teacher with official copies of
6 his or her 2 most recent overall annual or biennial
7 evaluations within 14 days after the teacher's request. If
8 a teacher has requested such official copies prior to 45
9 days after the teacher's first day of service with the new
10 school district or program and the teacher's prior school
11 district or program fails to provide the teacher with the
12 official copies required under this subdivision (3), then
13 the time period for the teacher to submit the official
14 copies to his or her new school district or program must be
15 extended until 14 days after receipt of such copies from
16 the prior school district or program. If the prior school
17 district or program fails to provide the teacher with the
18 official copies required under this subdivision (3) within
19 90 days from the teacher's first day of service with the
20 new school district or program, then the new school
21 district or program shall rely upon the teacher's own
22 copies of his or her evaluations for purposes of this
23 subdivision (3).

24 If the teacher does not receive overall annual evaluations
25 of "Excellent" in the school terms necessary for eligibility to
26 achieve accelerated contractual continued service in

1 subdivisions (2) and (3) of this subsection (d), the teacher
2 shall be eligible for contractual continued service pursuant to
3 subdivision (1) of this subsection (d). If, at the conclusion
4 of 4 consecutive school terms of service that count toward
5 attainment of contractual continued service, the teacher's
6 performance does not qualify the teacher for contractual
7 continued service under subdivision (1) of this subsection (d),
8 then the teacher shall not enter upon contractual continued
9 service and shall be dismissed. If a performance evaluation is
10 not conducted for any school term when such evaluation is
11 required to be conducted under Section 24A-5 of this Code, then
12 the teacher's performance evaluation rating for such school
13 term for purposes of determining the attainment of contractual
14 continued service shall be deemed "Proficient", except that,
15 during any time in which the Governor has declared a disaster
16 due to a public health emergency pursuant to Section 7 of the
17 Illinois Emergency Management Agency Act, this default to
18 "Proficient" does not apply to any teacher who has entered into
19 contractual continued service and who was deemed "Excellent" on
20 his or her most recent evaluation. During any time in which the
21 Governor has declared a disaster due to a public health
22 emergency pursuant to Section 7 of the Illinois Emergency
23 Management Agency Act and unless the school board and any
24 exclusive bargaining representative have completed the
25 performance rating for teachers or mutually agreed to an
26 alternate performance rating, any teacher who has entered into

1 contractual continued service, whose most recent evaluation
2 was deemed "Excellent", and whose performance evaluation is not
3 conducted when the evaluation is required to be conducted shall
4 receive a teacher's performance rating deemed "Excellent". A
5 school board and any exclusive bargaining representative may
6 mutually agree to an alternate performance rating for teachers
7 not in contractual continued service during any time 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, as long as the agreement is in writing.

11 (e) For the purposes of determining contractual continued
12 service, a school term shall be counted only toward attainment
13 of contractual continued service if the teacher actually
14 teaches or is otherwise present and participating in the
15 district's or program's educational program for 120 days or
16 more, provided that the days of leave under the federal Family
17 Medical Leave Act that the teacher is required to take until
18 the end of the school term shall be considered days of teaching
19 or participation in the district's or program's educational
20 program. A school term that is not counted toward attainment of
21 contractual continued service shall not be considered a break
22 in service for purposes of determining whether a teacher has
23 been employed for 4 consecutive school terms, provided that the
24 teacher actually teaches or is otherwise present and
25 participating in the district's or program's educational
26 program in the following school term.

1 (f) If the employing board determines to dismiss the
2 teacher in the last year of the probationary period as provided
3 in subsection (c) of this Section or subdivision (1) or (2) of
4 subsection (d) of this Section, but not subdivision (3) of
5 subsection (d) of this Section, the written notice of dismissal
6 provided by the employing board must contain specific reasons
7 for dismissal. Any full-time teacher who does not receive
8 written notice from the employing board at least 45 days before
9 the end of any school term as provided in this Section and
10 whose performance does not require dismissal after the fourth
11 probationary year pursuant to subsection (d) of this Section
12 shall be re-employed for the following school term.

13 (g) Contractual continued service shall continue in effect
14 the terms and provisions of the contract with the teacher
15 during the last school term of the probationary period, subject
16 to this Act and the lawful regulations of the employing board.
17 This Section and succeeding Sections do not modify any existing
18 power of the board except with respect to the procedure of the
19 discharge of a teacher and reductions in salary as hereinafter
20 provided. Contractual continued service status shall not
21 restrict the power of the board to transfer a teacher to a
22 position which the teacher is qualified to fill or to make such
23 salary adjustments as it deems desirable, but unless reductions
24 in salary are uniform or based upon some reasonable
25 classification, any teacher whose salary is reduced shall be
26 entitled to a notice and a hearing as hereinafter provided in

1 the case of certain dismissals or removals.

2 (h) If, by reason of any change in the boundaries of school
3 districts or by reason of the creation of a new school
4 district, the position held by any teacher having a contractual
5 continued service status is transferred from one board to the
6 control of a new or different board, then the contractual
7 continued service status of the teacher is not thereby lost,
8 and such new or different board is subject to this Code with
9 respect to the teacher in the same manner as if the teacher
10 were its employee and had been its employee during the time the
11 teacher was actually employed by the board from whose control
12 the position was transferred.

13 (i) The employment of any teacher in a program of a special
14 education joint agreement established under Section 3-15.14,
15 10-22.31 or 10-22.31a shall be governed by this and succeeding
16 Sections of this Article. For purposes of attaining and
17 maintaining contractual continued service and computing length
18 of continuing service as referred to in this Section and
19 Section 24-12, employment in a special educational joint
20 program shall be deemed a continuation of all previous
21 certificated employment of such teacher for such joint
22 agreement whether the employer of the teacher was the joint
23 agreement, the regional superintendent, or one of the
24 participating districts in the joint agreement.

25 (j) For any teacher employed after July 1, 1987 as a
26 full-time teacher in a program of a special education joint

1 agreement, whether the program is operated by the joint
2 agreement or a member district on behalf of the joint
3 agreement, in the event of a reduction in the number of
4 programs or positions in the joint agreement in which the
5 notice of dismissal is provided on or before the end of the
6 2010-2011 school term, the teacher in contractual continued
7 service is eligible for employment in the joint agreement
8 programs for which the teacher is legally qualified in order of
9 greater length of continuing service in the joint agreement,
10 unless an alternative method of determining the sequence of
11 dismissal is established in a collective bargaining agreement.
12 For any teacher employed after July 1, 1987 as a full-time
13 teacher in a program of a special education joint agreement,
14 whether the program is operated by the joint agreement or a
15 member district on behalf of the joint agreement, in the event
16 of a reduction in the number of programs or positions in the
17 joint agreement in which the notice of dismissal is provided
18 during the 2011-2012 school term or a subsequent school term,
19 the teacher shall be included on the honorable dismissal lists
20 of all joint agreement programs for positions for which the
21 teacher is qualified and is eligible for employment in such
22 programs in accordance with subsections (b) and (c) of Section
23 24-12 of this Code and the applicable honorable dismissal
24 policies of the joint agreement.

25 (k) For any teacher employed after July 1, 1987 as a
26 full-time teacher in a program of a special education joint

1 agreement, whether the program is operated by the joint
2 agreement or a member district on behalf of the joint
3 agreement, in the event of the dissolution of a joint
4 agreement, in which the notice to teachers of the dissolution
5 is provided during the 2010-2011 school term, the teacher in
6 contractual continued service who is legally qualified shall be
7 assigned to any comparable position in a member district
8 currently held by a teacher who has not entered upon
9 contractual continued service or held by a teacher who has
10 entered upon contractual continued service with a shorter
11 length of contractual continued service. Any teacher employed
12 after July 1, 1987 as a full-time teacher in a program of a
13 special education joint agreement, whether the program is
14 operated by the joint agreement or a member district on behalf
15 of the joint agreement, in the event of the dissolution of a
16 joint agreement in which the notice to teachers of the
17 dissolution is provided during the 2011-2012 school term or a
18 subsequent school term, the teacher who is qualified shall be
19 included on the order of honorable dismissal lists of each
20 member district and shall be assigned to any comparable
21 position in any such district in accordance with subsections
22 (b) and (c) of Section 24-12 of this Code and the applicable
23 honorable dismissal policies of each member district.

24 (1) The governing board of the joint agreement, or the
25 administrative district, if so authorized by the articles of
26 agreement of the joint agreement, rather than the board of

1 education of a school district, may carry out employment and
2 termination actions including dismissals under this Section
3 and Section 24-12.

4 (m) The employment of any teacher in a special education
5 program authorized by Section 14-1.01 through 14-14.01, or a
6 joint educational program established under Section 10-22.31a,
7 shall be under this and the succeeding Sections of this
8 Article, and such employment shall be deemed a continuation of
9 the previous employment of such teacher in any of the
10 participating districts, regardless of the participation of
11 other districts in the program.

12 (n) Any teacher employed as a full-time teacher in a
13 special education program prior to September 23, 1987 in which
14 2 or more school districts participate for a probationary
15 period of 2 consecutive years shall enter upon contractual
16 continued service in each of the participating districts,
17 subject to this and the succeeding Sections of this Article,
18 and, notwithstanding Section 24-1.5 of this Code, in the event
19 of the termination of the program shall be eligible for any
20 vacant position in any of such districts for which such teacher
21 is qualified.

22 (Source: P.A. 97-8, eff. 6-13-11; 98-513, eff. 1-1-14.)

23 (105 ILCS 5/24-12) (from Ch. 122, par. 24-12)

24 Sec. 24-12. Removal or dismissal of teachers in contractual
25 continued service.

1 (a) This subsection (a) applies only to honorable
2 dismissals and recalls in which the notice of dismissal is
3 provided on or before the end of the 2010-2011 school term. If
4 a teacher in contractual continued service is removed or
5 dismissed as a result of a decision of the board to decrease
6 the number of teachers employed by the board or to discontinue
7 some particular type of teaching service, written notice shall
8 be mailed to the teacher and also given the teacher either by
9 certified mail, return receipt requested or personal delivery
10 with receipt at least 60 days before the end of the school
11 term, together with a statement of honorable dismissal and the
12 reason therefor, and in all such cases the board shall first
13 remove or dismiss all teachers who have not entered upon
14 contractual continued service before removing or dismissing
15 any teacher who has entered upon contractual continued service
16 and who is legally qualified to hold a position currently held
17 by a teacher who has not entered upon contractual continued
18 service.

19 As between teachers who have entered upon contractual
20 continued service, the teacher or teachers with the shorter
21 length of continuing service with the district shall be
22 dismissed first unless an alternative method of determining the
23 sequence of dismissal is established in a collective bargaining
24 agreement or contract between the board and a professional
25 faculty members' organization and except that this provision
26 shall not impair the operation of any affirmative action

1 program in the district, regardless of whether it exists by
2 operation of law or is conducted on a voluntary basis by the
3 board. Any teacher dismissed as a result of such decrease or
4 discontinuance shall be paid all earned compensation on or
5 before the third business day following the last day of pupil
6 attendance in the regular school term.

7 If the board has any vacancies for the following school
8 term or within one calendar year from the beginning of the
9 following school term, the positions thereby becoming
10 available shall be tendered to the teachers so removed or
11 dismissed so far as they are legally qualified to hold such
12 positions; provided, however, that if the number of honorable
13 dismissal notices based on economic necessity exceeds 15% of
14 the number of full-time equivalent positions filled by
15 certified employees (excluding principals and administrative
16 personnel) during the preceding school year, then if the board
17 has any vacancies for the following school term or within 2
18 calendar years from the beginning of the following school term,
19 the positions so becoming available shall be tendered to the
20 teachers who were so notified and removed or dismissed whenever
21 they are legally qualified to hold such positions. Each board
22 shall, in consultation with any exclusive employee
23 representatives, each year establish a list, categorized by
24 positions, showing the length of continuing service of each
25 teacher who is qualified to hold any such positions, unless an
26 alternative method of determining a sequence of dismissal is

1 established as provided for in this Section, in which case a
2 list shall be made in accordance with the alternative method.
3 Copies of the list shall be distributed to the exclusive
4 employee representative on or before February 1 of each year.
5 Whenever the number of honorable dismissal notices based upon
6 economic necessity exceeds 5, or 150% of the average number of
7 teachers honorably dismissed in the preceding 3 years,
8 whichever is more, then the board also shall hold a public
9 hearing on the question of the dismissals. Following the
10 hearing and board review, the action to approve any such
11 reduction shall require a majority vote of the board members.

12 (b) This subsection (b) applies only to honorable
13 dismissals and recalls in which the notice of dismissal is
14 provided during the 2011-2012 school term or a subsequent
15 school term. If any teacher, whether or not in contractual
16 continued service, is removed or dismissed as a result of a
17 decision of a school board to decrease the number of teachers
18 employed by the board, a decision of a school board to
19 discontinue some particular type of teaching service, or a
20 reduction in the number of programs or positions in a special
21 education joint agreement, then written notice must be mailed
22 to the teacher and also given to the teacher either by
23 electronic mail, certified mail, return receipt requested, or
24 personal delivery with receipt at least 45 days before the end
25 of the school term, together with a statement of honorable
26 dismissal and the reason therefor, and in all such cases the

1 sequence of dismissal shall occur in accordance with this
2 subsection (b); except that this subsection (b) shall not
3 impair the operation of any affirmative action program in the
4 school district, regardless of whether it exists by operation
5 of law or is conducted on a voluntary basis by the board.

6 Each teacher must be categorized into one or more positions
7 for which the teacher is qualified to hold, based upon legal
8 qualifications and any other qualifications established in a
9 district or joint agreement job description, on or before the
10 May 10 prior to the school year during which the sequence of
11 dismissal is determined. Within each position and subject to
12 agreements made by the joint committee on honorable dismissals
13 that are authorized by subsection (c) of this Section, the
14 school district or joint agreement must establish 4 groupings
15 of teachers qualified to hold the position as follows:

16 (1) Grouping one shall consist of each teacher who is
17 not in contractual continued service and who (i) has not
18 received a performance evaluation rating, (ii) is employed
19 for one school term or less to replace a teacher on leave,
20 or (iii) is employed on a part-time basis. "Part-time
21 basis" for the purposes of this subsection (b) means a
22 teacher who is employed to teach less than a full-day,
23 teacher workload or less than 5 days of the normal student
24 attendance week, unless otherwise provided for in a
25 collective bargaining agreement between the district and
26 the exclusive representative of the district's teachers.

1 For the purposes of this Section, a teacher (A) who is
2 employed as a full-time teacher but who actually teaches or
3 is otherwise present and participating in the district's
4 educational program for less than a school term or (B) who,
5 in the immediately previous school term, was employed on a
6 full-time basis and actually taught or was otherwise
7 present and participated in the district's educational
8 program for 120 days or more is not considered employed on
9 a part-time basis.

10 (2) Grouping 2 shall consist of each teacher with a
11 Needs Improvement or Unsatisfactory performance evaluation
12 rating on either of the teacher's last 2 performance
13 evaluation ratings.

14 (3) Grouping 3 shall consist of each teacher with a
15 performance evaluation rating of at least Satisfactory or
16 Proficient on both of the teacher's last 2 performance
17 evaluation ratings, if 2 ratings are available, or on the
18 teacher's last performance evaluation rating, if only one
19 rating is available, unless the teacher qualifies for
20 placement into grouping 4.

21 (4) Grouping 4 shall consist of each teacher whose last
22 2 performance evaluation ratings are Excellent and each
23 teacher with 2 Excellent performance evaluation ratings
24 out of the teacher's last 3 performance evaluation ratings
25 with a third rating of Satisfactory or Proficient.

26 Among teachers qualified to hold a position, teachers must

1 be dismissed in the order of their groupings, with teachers in
2 grouping one dismissed first and teachers in grouping 4
3 dismissed last.

4 Within grouping one, the sequence of dismissal must be at
5 the discretion of the school district or joint agreement.
6 Within grouping 2, the sequence of dismissal must be based upon
7 average performance evaluation ratings, with the teacher or
8 teachers with the lowest average performance evaluation rating
9 dismissed first. A teacher's average performance evaluation
10 rating must be calculated using the average of the teacher's
11 last 2 performance evaluation ratings, if 2 ratings are
12 available, or the teacher's last performance evaluation
13 rating, if only one rating is available, using the following
14 numerical values: 4 for Excellent; 3 for Proficient or
15 Satisfactory; 2 for Needs Improvement; and 1 for
16 Unsatisfactory. As between or among teachers in grouping 2 with
17 the same average performance evaluation rating and within each
18 of groupings 3 and 4, the teacher or teachers with the shorter
19 length of continuing service with the school district or joint
20 agreement must be dismissed first unless an alternative method
21 of determining the sequence of dismissal is established in a
22 collective bargaining agreement or contract between the board
23 and a professional faculty members' organization.

24 Each board, including the governing board of a joint
25 agreement, shall, in consultation with any exclusive employee
26 representatives, each year establish a sequence of honorable

1 dismissal list categorized by positions and the groupings
2 defined in this subsection (b). Copies of the list showing each
3 teacher by name and categorized by positions and the groupings
4 defined in this subsection (b) must be distributed to the
5 exclusive bargaining representative at least 75 days before the
6 end of the school term, provided that the school district or
7 joint agreement may, with notice to any exclusive employee
8 representatives, move teachers from grouping one into another
9 grouping during the period of time from 75 days until 45 days
10 before the end of the school term. Each year, each board shall
11 also establish, in consultation with any exclusive employee
12 representatives, a list showing the length of continuing
13 service of each teacher who is qualified to hold any such
14 positions, unless an alternative method of determining a
15 sequence of dismissal is established as provided for in this
16 Section, in which case a list must be made in accordance with
17 the alternative method. Copies of the list must be distributed
18 to the exclusive employee representative at least 75 days
19 before the end of the school term.

20 Any teacher dismissed as a result of such decrease or
21 discontinuance must be paid all earned compensation on or
22 before the third business day following the last day of pupil
23 attendance in the regular school term.

24 If the board or joint agreement has any vacancies for the
25 following school term or within one calendar year from the
26 beginning of the following school term, the positions thereby

1 becoming available must be tendered to the teachers so removed
2 or dismissed who were in grouping ~~groupings~~ 3 or 4 of the
3 sequence of dismissal and are qualified to hold the positions,
4 based upon legal qualifications and any other qualifications
5 established in a district or joint agreement job description,
6 on or before the May 10 prior to the date of the positions
7 becoming available, provided that if the number of honorable
8 dismissal notices based on economic necessity exceeds 15% of
9 the number of full-time equivalent positions filled by
10 certified employees (excluding principals and administrative
11 personnel) during the preceding school year, then the recall
12 period is for the following school term or within 2 calendar
13 years from the beginning of the following school term. If the
14 board or joint agreement has any vacancies within the period
15 from the beginning of the following school term through
16 February 1 of the following school term (unless a date later
17 than February 1, but no later than 6 months from the beginning
18 of the following school term, is established in a collective
19 bargaining agreement), the positions thereby becoming
20 available must be tendered to the teachers so removed or
21 dismissed who were in grouping 2 of the sequence of dismissal
22 due to one "needs improvement" rating on either of the
23 teacher's last 2 performance evaluation ratings, provided
24 that, if 2 ratings are available, the other performance
25 evaluation rating used for grouping purposes is
26 "satisfactory", "proficient", or "excellent", and are

1 qualified to hold the positions, based upon legal
2 qualifications and any other qualifications established in a
3 district or joint agreement job description, on or before the
4 May 10 prior to the date of the positions becoming available.
5 On and after July 1, 2014 (the effective date of Public Act
6 98-648), the preceding sentence shall apply to teachers removed
7 or dismissed by honorable dismissal, even if notice of
8 honorable dismissal occurred during the 2013-2014 school year.
9 Among teachers eligible for recall pursuant to the preceding
10 sentence, the order of recall must be in inverse order of
11 dismissal, unless an alternative order of recall is established
12 in a collective bargaining agreement or contract between the
13 board and a professional faculty members' organization.
14 Whenever the number of honorable dismissal notices based upon
15 economic necessity exceeds 5 notices or 150% of the average
16 number of teachers honorably dismissed in the preceding 3
17 years, whichever is more, then the school board or governing
18 board of a joint agreement, as applicable, shall also hold a
19 public hearing on the question of the dismissals. Following the
20 hearing and board review, the action to approve any such
21 reduction shall require a majority vote of the board members.

22 For purposes of this subsection (b), subject to agreement
23 on an alternative definition reached by the joint committee
24 described in subsection (c) of this Section, a teacher's
25 performance evaluation rating means the overall performance
26 evaluation rating resulting from an annual or biennial

1 performance evaluation conducted pursuant to Article 24A of
2 this Code by the school district or joint agreement determining
3 the sequence of dismissal, not including any performance
4 evaluation conducted during or at the end of a remediation
5 period. No more than one evaluation rating each school term
6 shall be one of the evaluation ratings used for the purpose of
7 determining the sequence of dismissal. Except as otherwise
8 provided in this subsection for any performance evaluations
9 conducted during or at the end of a remediation period, if
10 multiple performance evaluations are conducted in a school
11 term, only the rating from the last evaluation conducted prior
12 to establishing the sequence of honorable dismissal list in
13 such school term shall be the one evaluation rating from that
14 school term used for the purpose of determining the sequence of
15 dismissal. Averaging ratings from multiple evaluations is not
16 permitted unless otherwise agreed to in a collective bargaining
17 agreement or contract between the board and a professional
18 faculty members' organization. The preceding 3 sentences are
19 not a legislative declaration that existing law does or does
20 not already require that only one performance evaluation each
21 school term shall be used for the purpose of determining the
22 sequence of dismissal. For performance evaluation ratings
23 determined prior to September 1, 2012, any school district or
24 joint agreement with a performance evaluation rating system
25 that does not use either of the rating category systems
26 specified in subsection (d) of Section 24A-5 of this Code for

1 all teachers must establish a basis for assigning each teacher
2 a rating that complies with subsection (d) of Section 24A-5 of
3 this Code for all of the performance evaluation ratings that
4 are to be used to determine the sequence of dismissal. A
5 teacher's grouping and ranking on a sequence of honorable
6 dismissal shall be deemed a part of the teacher's performance
7 evaluation, and that information shall be disclosed to the
8 exclusive bargaining representative as part of a sequence of
9 honorable dismissal list, notwithstanding any laws prohibiting
10 disclosure of such information. A performance evaluation
11 rating may be used to determine the sequence of dismissal,
12 notwithstanding the pendency of any grievance resolution or
13 arbitration procedures relating to the performance evaluation.
14 If a teacher has received at least one performance evaluation
15 rating conducted by the school district or joint agreement
16 determining the sequence of dismissal and a subsequent
17 performance evaluation is not conducted in any school year in
18 which such evaluation is required to be conducted under Section
19 24A-5 of this Code, the teacher's performance evaluation rating
20 for that school year for purposes of determining the sequence
21 of dismissal is deemed Proficient, except that, during any time
22 in which the Governor has declared a disaster due to a public
23 health emergency pursuant to Section 7 of the Illinois
24 Emergency Management Agency Act, this default to Proficient
25 does not apply to any teacher who has entered into contractual
26 continued service and who was deemed Excellent on his or her

1 most recent evaluation. During any time in which the Governor
2 has declared a disaster due to a public health emergency
3 pursuant to Section 7 of the Illinois Emergency Management
4 Agency Act and unless the school board and any exclusive
5 bargaining representative have completed the performance
6 rating for teachers or have mutually agreed to an alternate
7 performance rating, any teacher who has entered into
8 contractual continued service, whose most recent evaluation
9 was deemed Excellent, and whose performance evaluation is not
10 conducted when the evaluation is required to be conducted shall
11 receive a teacher's performance rating deemed Excellent. A
12 school board and any exclusive bargaining representative may
13 mutually agree to an alternate performance rating for teachers
14 not in contractual continued service during any time in which
15 the Governor has declared a disaster due to a public health
16 emergency pursuant to Section 7 of the Illinois Emergency
17 Management Agency Act, as long as the agreement is in writing.

18 If a performance evaluation rating is nullified as the result
19 of an arbitration, administrative agency, or court
20 determination, then the school district or joint agreement is
21 deemed to have conducted a performance evaluation for that
22 school year, but the performance evaluation rating may not be
23 used in determining the sequence of dismissal.

24 Nothing in this subsection (b) shall be construed as
25 limiting the right of a school board or governing board of a
26 joint agreement to dismiss a teacher not in contractual

1 continued service in accordance with Section 24-11 of this
2 Code.

3 Any provisions regarding the sequence of honorable
4 dismissals and recall of honorably dismissed teachers in a
5 collective bargaining agreement entered into on or before
6 January 1, 2011 and in effect on June 13, 2011 (the effective
7 date of Public Act 97-8) that may conflict with Public Act 97-8
8 shall remain in effect through the expiration of such agreement
9 or June 30, 2013, whichever is earlier.

10 (c) Each school district and special education joint
11 agreement must use a joint committee composed of equal
12 representation selected by the school board and its teachers
13 or, if applicable, the exclusive bargaining representative of
14 its teachers, to address the matters described in paragraphs
15 (1) through (5) of this subsection (c) pertaining to honorable
16 dismissals under subsection (b) of this Section.

17 (1) The joint committee must consider and may agree to
18 criteria for excluding from grouping 2 and placing into
19 grouping 3 a teacher whose last 2 performance evaluations
20 include a Needs Improvement and either a Proficient or
21 Excellent.

22 (2) The joint committee must consider and may agree to
23 an alternative definition for grouping 4, which definition
24 must take into account prior performance evaluation
25 ratings and may take into account other factors that relate
26 to the school district's or program's educational

1 objectives. An alternative definition for grouping 4 may
2 not permit the inclusion of a teacher in the grouping with
3 a Needs Improvement or Unsatisfactory performance
4 evaluation rating on either of the teacher's last 2
5 performance evaluation ratings.

6 (3) The joint committee may agree to including within
7 the definition of a performance evaluation rating a
8 performance evaluation rating administered by a school
9 district or joint agreement other than the school district
10 or joint agreement determining the sequence of dismissal.

11 (4) For each school district or joint agreement that
12 administers performance evaluation ratings that are
13 inconsistent with either of the rating category systems
14 specified in subsection (d) of Section 24A-5 of this Code,
15 the school district or joint agreement must consult with
16 the joint committee on the basis for assigning a rating
17 that complies with subsection (d) of Section 24A-5 of this
18 Code to each performance evaluation rating that will be
19 used in a sequence of dismissal.

20 (5) Upon request by a joint committee member submitted
21 to the employing board by no later than 10 days after the
22 distribution of the sequence of honorable dismissal list, a
23 representative of the employing board shall, within 5 days
24 after the request, provide to members of the joint
25 committee a list showing the most recent and prior
26 performance evaluation ratings of each teacher identified

1 only by length of continuing service in the district or
2 joint agreement and not by name. If, after review of this
3 list, a member of the joint committee has a good faith
4 belief that a disproportionate number of teachers with
5 greater length of continuing service with the district or
6 joint agreement have received a recent performance
7 evaluation rating lower than the prior rating, the member
8 may request that the joint committee review the list to
9 assess whether such a trend may exist. Following the joint
10 committee's review, but by no later than the end of the
11 applicable school term, the joint committee or any member
12 or members of the joint committee may submit a report of
13 the review to the employing board and exclusive bargaining
14 representative, if any. Nothing in this paragraph (5) shall
15 impact the order of honorable dismissal or a school
16 district's or joint agreement's authority to carry out a
17 dismissal in accordance with subsection (b) of this
18 Section.

19 Agreement by the joint committee as to a matter requires
20 the majority vote of all committee members, and if the joint
21 committee does not reach agreement on a matter, then the
22 otherwise applicable requirements of subsection (b) of this
23 Section shall apply. Except as explicitly set forth in this
24 subsection (c), a joint committee has no authority to agree to
25 any further modifications to the requirements for honorable
26 dismissals set forth in subsection (b) of this Section. The

1 joint committee must be established, and the first meeting of
2 the joint committee each school year must occur on or before
3 December 1.

4 The joint committee must reach agreement on a matter on or
5 before February 1 of a school year in order for the agreement
6 of the joint committee to apply to the sequence of dismissal
7 determined during that school year. Subject to the February 1
8 deadline for agreements, the agreement of a joint committee on
9 a matter shall apply to the sequence of dismissal until the
10 agreement is amended or terminated by the joint committee.

11 The provisions of the Open Meetings Act shall not apply to
12 meetings of a joint committee created under this subsection
13 (c).

14 (d) Notwithstanding anything to the contrary in this
15 subsection (d), the requirements and dismissal procedures of
16 Section 24-16.5 of this Code shall apply to any dismissal
17 sought under Section 24-16.5 of this Code.

18 (1) If a dismissal of a teacher in contractual
19 continued service is sought for any reason or cause other
20 than an honorable dismissal under subsections (a) or (b) of
21 this Section or a dismissal sought under Section 24-16.5 of
22 this Code, including those under Section 10-22.4, the board
23 must first approve a motion containing specific charges by
24 a majority vote of all its members. Written notice of such
25 charges, including a bill of particulars and the teacher's
26 right to request a hearing, must be mailed to the teacher

1 and also given to the teacher either by electronic mail,
2 certified mail, return receipt requested, or personal
3 delivery with receipt within 5 days of the adoption of the
4 motion. Any written notice sent on or after July 1, 2012
5 shall inform the teacher of the right to request a hearing
6 before a mutually selected hearing officer, with the cost
7 of the hearing officer split equally between the teacher
8 and the board, or a hearing before a board-selected hearing
9 officer, with the cost of the hearing officer paid by the
10 board.

11 Before setting a hearing on charges stemming from
12 causes that are considered remediable, a board must give
13 the teacher reasonable warning in writing, stating
14 specifically the causes that, if not removed, may result in
15 charges; however, no such written warning is required if
16 the causes have been the subject of a remediation plan
17 pursuant to Article 24A of this Code.

18 If, in the opinion of the board, the interests of the
19 school require it, the board may suspend the teacher
20 without pay, pending the hearing, but if the board's
21 dismissal or removal is not sustained, the teacher shall
22 not suffer the loss of any salary or benefits by reason of
23 the suspension.

24 (2) No hearing upon the charges is required unless the
25 teacher within 17 days after receiving notice requests in
26 writing of the board that a hearing be scheduled before a

1 mutually selected hearing officer or a hearing officer
2 selected by the board. The secretary of the school board
3 shall forward a copy of the notice to the State Board of
4 Education.

5 (3) Within 5 business days after receiving a notice of
6 hearing in which either notice to the teacher was sent
7 before July 1, 2012 or, if the notice was sent on or after
8 July 1, 2012, the teacher has requested a hearing before a
9 mutually selected hearing officer, the State Board of
10 Education shall provide a list of 5 prospective, impartial
11 hearing officers from the master list of qualified,
12 impartial hearing officers maintained by the State Board of
13 Education. Each person on the master list must (i) be
14 accredited by a national arbitration organization and have
15 had a minimum of 5 years of experience directly related to
16 labor and employment relations matters between employers
17 and employees or their exclusive bargaining
18 representatives and (ii) beginning September 1, 2012, have
19 participated in training provided or approved by the State
20 Board of Education for teacher dismissal hearing officers
21 so that he or she is familiar with issues generally
22 involved in evaluative and non-evaluative dismissals.

23 If notice to the teacher was sent before July 1, 2012
24 or, if the notice was sent on or after July 1, 2012, the
25 teacher has requested a hearing before a mutually selected
26 hearing officer, the board and the teacher or their legal

1 representatives within 3 business days shall alternately
2 strike one name from the list provided by the State Board
3 of Education until only one name remains. Unless waived by
4 the teacher, the teacher shall have the right to proceed
5 first with the striking. Within 3 business days of receipt
6 of the list provided by the State Board of Education, the
7 board and the teacher or their legal representatives shall
8 each have the right to reject all prospective hearing
9 officers named on the list and notify the State Board of
10 Education of such rejection. Within 3 business days after
11 receiving this notification, the State Board of Education
12 shall appoint a qualified person from the master list who
13 did not appear on the list sent to the parties to serve as
14 the hearing officer, unless the parties notify it that they
15 have chosen to alternatively select a hearing officer under
16 paragraph (4) of this subsection (d).

17 If the teacher has requested a hearing before a hearing
18 officer selected by the board, the board shall select one
19 name from the master list of qualified impartial hearing
20 officers maintained by the State Board of Education within
21 3 business days after receipt and shall notify the State
22 Board of Education of its selection.

23 A hearing officer mutually selected by the parties,
24 selected by the board, or selected through an alternative
25 selection process under paragraph (4) of this subsection
26 (d) (A) must not be a resident of the school district, (B)

1 must be available to commence the hearing within 75 days
2 and conclude the hearing within 120 days after being
3 selected as the hearing officer, and (C) must issue a
4 decision as to whether the teacher must be dismissed and
5 give a copy of that decision to both the teacher and the
6 board within 30 days from the conclusion of the hearing or
7 closure of the record, whichever is later.

8 If the Governor has declared a disaster due to a public
9 health emergency pursuant to Section 7 of the Illinois
10 Emergency Management Agency Act and except if the parties
11 mutually agree otherwise and the agreement is in writing,
12 the requirements of this Section pertaining to prehearings
13 and hearings are paused and do not begin to toll until the
14 proclamation is no longer in effect. If mutually agreed to
15 and reduced to writing, the parties may proceed with the
16 prehearing and hearing requirements of this Section and may
17 also agree to extend the timelines of this Section
18 connected to the appointment and selection of a hearing
19 officer and those connected to commencing and concluding a
20 hearing. Any hearing convened during a public health
21 emergency pursuant to Section 7 of the Illinois Emergency
22 Management Agency Act may be convened remotely. Any hearing
23 officer for a hearing convened during a public health
24 emergency pursuant to Section 7 of the Illinois Emergency
25 Management Agency Act may voluntarily withdraw from the
26 hearing and another hearing officer shall be selected or

1 appointed pursuant to this Section.

2 (4) In the alternative to selecting a hearing officer
3 from the list received from the State Board of Education or
4 accepting the appointment of a hearing officer by the State
5 Board of Education or if the State Board of Education
6 cannot provide a list or appoint a hearing officer that
7 meets the foregoing requirements, the board and the teacher
8 or their legal representatives may mutually agree to select
9 an impartial hearing officer who is not on the master list
10 either by direct appointment by the parties or by using
11 procedures for the appointment of an arbitrator
12 established by the Federal Mediation and Conciliation
13 Service or the American Arbitration Association. The
14 parties shall notify the State Board of Education of their
15 intent to select a hearing officer using an alternative
16 procedure within 3 business days of receipt of a list of
17 prospective hearing officers provided by the State Board of
18 Education, notice of appointment of a hearing officer by
19 the State Board of Education, or receipt of notice from the
20 State Board of Education that it cannot provide a list that
21 meets the foregoing requirements, whichever is later.

22 (5) If the notice of dismissal was sent to the teacher
23 before July 1, 2012, the fees and costs for the hearing
24 officer must be paid by the State Board of Education. If
25 the notice of dismissal was sent to the teacher on or after
26 July 1, 2012, the hearing officer's fees and costs must be

1 paid as follows in this paragraph (5). The fees and
2 permissible costs for the hearing officer must be
3 determined by the State Board of Education. If the board
4 and the teacher or their legal representatives mutually
5 agree to select an impartial hearing officer who is not on
6 a list received from the State Board of Education, they may
7 agree to supplement the fees determined by the State Board
8 to the hearing officer, at a rate consistent with the
9 hearing officer's published professional fees. If the
10 hearing officer is mutually selected by the parties, then
11 the board and the teacher or their legal representatives
12 shall each pay 50% of the fees and costs and any
13 supplemental allowance to which they agree. If the hearing
14 officer is selected by the board, then the board shall pay
15 100% of the hearing officer's fees and costs. The fees and
16 costs must be paid to the hearing officer within 14 days
17 after the board and the teacher or their legal
18 representatives receive the hearing officer's decision set
19 forth in paragraph (7) of this subsection (d).

20 (6) The teacher is required to answer the bill of
21 particulars and aver affirmative matters in his or her
22 defense, and the time for initially doing so and the time
23 for updating such answer and defenses after pre-hearing
24 discovery must be set by the hearing officer. The State
25 Board of Education shall promulgate rules so that each
26 party has a fair opportunity to present its case and to

1 ensure that the dismissal process proceeds in a fair and
2 expeditious manner. These rules shall address, without
3 limitation, discovery and hearing scheduling conferences;
4 the teacher's initial answer and affirmative defenses to
5 the bill of particulars and the updating of that
6 information after pre-hearing discovery; provision for
7 written interrogatories and requests for production of
8 documents; the requirement that each party initially
9 disclose to the other party and then update the disclosure
10 no later than 10 calendar days prior to the commencement of
11 the hearing, the names and addresses of persons who may be
12 called as witnesses at the hearing, a summary of the facts
13 or opinions each witness will testify to, and all other
14 documents and materials, including information maintained
15 electronically, relevant to its own as well as the other
16 party's case (the hearing officer may exclude witnesses and
17 exhibits not identified and shared, except those offered in
18 rebuttal for which the party could not reasonably have
19 anticipated prior to the hearing); pre-hearing discovery
20 and preparation, including provision for written
21 interrogatories and requests for production of documents,
22 provided that discovery depositions are prohibited; the
23 conduct of the hearing; the right of each party to be
24 represented by counsel, the offer of evidence and witnesses
25 and the cross-examination of witnesses; the authority of
26 the hearing officer to issue subpoenas and subpoenas duces

1 tecum, provided that the hearing officer may limit the
2 number of witnesses to be subpoenaed on behalf of each
3 party to no more than 7; the length of post-hearing briefs;
4 and the form, length, and content of hearing officers'
5 decisions. The hearing officer shall hold a hearing and
6 render a final decision for dismissal pursuant to Article
7 24A of this Code or shall report to the school board
8 findings of fact and a recommendation as to whether or not
9 the teacher must be dismissed for conduct. The hearing
10 officer shall commence the hearing within 75 days and
11 conclude the hearing within 120 days after being selected
12 as the hearing officer, provided that the hearing officer
13 may modify these timelines upon the showing of good cause
14 or mutual agreement of the parties. Good cause for the
15 purpose of this subsection (d) shall mean the illness or
16 otherwise unavoidable emergency of the teacher, district
17 representative, their legal representatives, the hearing
18 officer, or an essential witness as indicated in each
19 party's pre-hearing submission. In a dismissal hearing
20 pursuant to Article 24A of this Code in which a witness is
21 a student or is under the age of 18, the hearing officer
22 must make accommodations for the witness, as provided under
23 paragraph (6.5) of this subsection. The hearing officer
24 shall consider and give weight to all of the teacher's
25 evaluations written pursuant to Article 24A that are
26 relevant to the issues in the hearing.

1 Each party shall have no more than 3 days to present
2 its case, unless extended by the hearing officer to enable
3 a party to present adequate evidence and testimony,
4 including due to the other party's cross-examination of the
5 party's witnesses, for good cause or by mutual agreement of
6 the parties. The State Board of Education shall define in
7 rules the meaning of "day" for such purposes. All testimony
8 at the hearing shall be taken under oath administered by
9 the hearing officer. The hearing officer shall cause a
10 record of the proceedings to be kept and shall employ a
11 competent reporter to take stenographic or stenotype notes
12 of all the testimony. The costs of the reporter's
13 attendance and services at the hearing shall be paid by the
14 party or parties who are responsible for paying the fees
15 and costs of the hearing officer. Either party desiring a
16 transcript of the hearing shall pay for the cost thereof.
17 Any post-hearing briefs must be submitted by the parties by
18 no later than 21 days after a party's receipt of the
19 transcript of the hearing, unless extended by the hearing
20 officer for good cause or by mutual agreement of the
21 parties.

22 (6.5) In the case of charges involving sexual abuse or
23 severe physical abuse of a student or a person under the
24 age of 18, the hearing officer shall make alternative
25 hearing procedures to protect a witness who is a student or
26 who is under the age of 18 from being intimidated or

1 traumatized. Alternative hearing procedures may include,
2 but are not limited to: (i) testimony made via a
3 telecommunication device in a location other than the
4 hearing room and outside the physical presence of the
5 teacher and other hearing participants, (ii) testimony
6 outside the physical presence of the teacher, or (iii)
7 non-public testimony. During a testimony described under
8 this subsection, each party must be permitted to ask a
9 witness who is a student or who is under 18 years of age
10 all relevant questions and follow-up questions. All
11 questions must exclude evidence of the witness' sexual
12 behavior or predisposition, unless the evidence is offered
13 to prove that someone other than the teacher subject to the
14 dismissal hearing engaged in the charge at issue.

15 (7) The hearing officer shall, within 30 days from the
16 conclusion of the hearing or closure of the record,
17 whichever is later, make a decision as to whether or not
18 the teacher shall be dismissed pursuant to Article 24A of
19 this Code or report to the school board findings of fact
20 and a recommendation as to whether or not the teacher shall
21 be dismissed for cause and shall give a copy of the
22 decision or findings of fact and recommendation to both the
23 teacher and the school board. If a hearing officer fails
24 without good cause, specifically provided in writing to
25 both parties and the State Board of Education, to render a
26 decision or findings of fact and recommendation within 30

1 days after the hearing is concluded or the record is
2 closed, whichever is later, the parties may mutually agree
3 to select a hearing officer pursuant to the alternative
4 procedure, as provided in this Section, to rehear the
5 charges heard by the hearing officer who failed to render a
6 decision or findings of fact and recommendation or to
7 review the record and render a decision. If any hearing
8 officer fails without good cause, specifically provided in
9 writing to both parties and the State Board of Education,
10 to render a decision or findings of fact and recommendation
11 within 30 days after the hearing is concluded or the record
12 is closed, whichever is later, the hearing officer shall be
13 removed from the master list of hearing officers maintained
14 by the State Board of Education for not more than 24
15 months. The parties and the State Board of Education may
16 also take such other actions as it deems appropriate,
17 including recovering, reducing, or withholding any fees
18 paid or to be paid to the hearing officer. If any hearing
19 officer repeats such failure, he or she must be permanently
20 removed from the master list maintained by the State Board
21 of Education and may not be selected by parties through the
22 alternative selection process under this paragraph (7) or
23 paragraph (4) of this subsection (d). The board shall not
24 lose jurisdiction to discharge a teacher if the hearing
25 officer fails to render a decision or findings of fact and
26 recommendation within the time specified in this Section.

1 If the decision of the hearing officer for dismissal
2 pursuant to Article 24A of this Code or of the school board
3 for dismissal for cause is in favor of the teacher, then
4 the hearing officer or school board shall order
5 reinstatement to the same or substantially equivalent
6 position and shall determine the amount for which the
7 school board is liable, including, but not limited to, loss
8 of income and benefits.

9 (8) The school board, within 45 days after receipt of
10 the hearing officer's findings of fact and recommendation
11 as to whether (i) the conduct at issue occurred, (ii) the
12 conduct that did occur was remediable, and (iii) the
13 proposed dismissal should be sustained, shall issue a
14 written order as to whether the teacher must be retained or
15 dismissed for cause from its employ. The school board's
16 written order shall incorporate the hearing officer's
17 findings of fact, except that the school board may modify
18 or supplement the findings of fact if, in its opinion, the
19 findings of fact are against the manifest weight of the
20 evidence.

21 If the school board dismisses the teacher
22 notwithstanding the hearing officer's findings of fact and
23 recommendation, the school board shall make a conclusion in
24 its written order, giving its reasons therefor, and such
25 conclusion and reasons must be included in its written
26 order. The failure of the school board to strictly adhere

1 to the timelines contained in this Section shall not render
2 it without jurisdiction to dismiss the teacher. The school
3 board shall not lose jurisdiction to discharge the teacher
4 for cause if the hearing officer fails to render a
5 recommendation within the time specified in this Section.
6 The decision of the school board is final, unless reviewed
7 as provided in paragraph (9) of this subsection (d).

8 If the school board retains the teacher, the school
9 board shall enter a written order stating the amount of
10 back pay and lost benefits, less mitigation, to be paid to
11 the teacher, within 45 days after its retention order.
12 Should the teacher object to the amount of the back pay and
13 lost benefits or amount mitigated, the teacher shall give
14 written objections to the amount within 21 days. If the
15 parties fail to reach resolution within 7 days, the dispute
16 shall be referred to the hearing officer, who shall
17 consider the school board's written order and teacher's
18 written objection and determine the amount to which the
19 school board is liable. The costs of the hearing officer's
20 review and determination must be paid by the board.

21 (9) The decision of the hearing officer pursuant to
22 Article 24A of this Code or of the school board's decision
23 to dismiss for cause is final unless reviewed as provided
24 in Section 24-16 of this Code. If the school board's
25 decision to dismiss for cause is contrary to the hearing
26 officer's recommendation, the court on review shall give

1 consideration to the school board's decision and its
2 supplemental findings of fact, if applicable, and the
3 hearing officer's findings of fact and recommendation in
4 making its decision. In the event such review is
5 instituted, the school board shall be responsible for
6 preparing and filing the record of proceedings, and such
7 costs associated therewith must be divided equally between
8 the parties.

9 (10) If a 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 adjudicated upon review or
12 appeal in favor of the teacher, then the trial court shall
13 order reinstatement and shall remand the matter to the
14 school board with direction for entry of an order setting
15 the amount of back pay, lost benefits, and costs, less
16 mitigation. The teacher may challenge the school board's
17 order setting the amount of back pay, lost benefits, and
18 costs, less mitigation, through an expedited arbitration
19 procedure, with the costs of the arbitrator borne by the
20 school board.

21 Any teacher who is reinstated by any hearing or
22 adjudication brought under this Section shall be assigned
23 by the board to a position substantially similar to the one
24 which that teacher held prior to that teacher's suspension
25 or dismissal.

26 (11) Subject to any later effective date referenced in

1 this Section for a specific aspect of the dismissal
2 process, the changes made by Public Act 97-8 shall apply to
3 dismissals instituted on or after September 1, 2011. Any
4 dismissal instituted prior to September 1, 2011 must be
5 carried out in accordance with the requirements of this
6 Section prior to amendment by Public Act 97-8.

7 (e) Nothing contained in Public Act 98-648 repeals,
8 supersedes, invalidates, or nullifies final decisions in
9 lawsuits pending on July 1, 2014 (the effective date of Public
10 Act 98-648) in Illinois courts involving the interpretation of
11 Public Act 97-8.

12 (Source: P.A. 100-768, eff. 1-1-19; 101-81, eff. 7-12-19;
13 101-531, eff. 8-23-19; revised 12-3-19.)

14 (105 ILCS 5/24A-5) (from Ch. 122, par. 24A-5)

15 Sec. 24A-5. Content of evaluation plans. This Section does
16 not apply to teachers assigned to schools identified in an
17 agreement entered into between the board of a school district
18 operating under Article 34 of this Code and the exclusive
19 representative of the district's teachers in accordance with
20 Section 34-85c of this Code.

21 Each school district to which this Article applies shall
22 establish a teacher evaluation plan which ensures that each
23 teacher in contractual continued service is evaluated at least
24 once in the course of every 2 school years.

25 By no later than September 1, 2012, each school district

1 shall establish a teacher evaluation plan that ensures that:

2 (1) each teacher not in contractual continued service
3 is evaluated at least once every school year; and

4 (2) each teacher in contractual continued service is
5 evaluated at least once in the course of every 2 school
6 years. However, any teacher in contractual continued
7 service whose performance is rated as either "needs
8 improvement" or "unsatisfactory" must be evaluated at
9 least once in the school year following the receipt of such
10 rating.

11 Notwithstanding anything to the contrary in this Section or
12 any other Section of the School Code, a principal shall not be
13 prohibited from evaluating any teachers within a school during
14 his or her first year as principal of such school. If a
15 first-year principal exercises this option in a school district
16 where the evaluation plan provides for a teacher in contractual
17 continued service to be evaluated once in the course of every 2
18 school years, then a new 2-year evaluation plan must be
19 established.

20 The evaluation plan shall comply with the requirements of
21 this Section and of any rules adopted by the State Board of
22 Education pursuant to this Section.

23 The plan shall include a description of each teacher's
24 duties and responsibilities and of the standards to which that
25 teacher is expected to conform, and shall include at least the
26 following components:

1 (a) personal observation of the teacher in the
2 classroom by the evaluator, unless the teacher has no
3 classroom duties.

4 (b) consideration of the teacher's attendance,
5 planning, instructional methods, classroom management,
6 where relevant, and competency in the subject matter
7 taught.

8 (c) by no later than the applicable implementation
9 date, consideration of student growth as a significant
10 factor in the rating of the teacher's performance.

11 (d) prior to September 1, 2012, rating of the
12 performance of teachers in contractual continued service
13 as either:

14 (i) "excellent", "satisfactory" or
15 "unsatisfactory"; or

16 (ii) "excellent", "proficient", "needs
17 improvement" or "unsatisfactory".

18 (e) on and after September 1, 2012, rating of the
19 performance of all teachers as "excellent", "proficient",
20 "needs improvement" or "unsatisfactory".

21 (f) specification as to the teacher's strengths and
22 weaknesses, with supporting reasons for the comments made.

23 (g) inclusion of a copy of the evaluation in the
24 teacher's personnel file and provision of a copy to the
25 teacher.

26 (h) within 30 school days after the completion of an

1 evaluation rating a teacher in contractual continued
2 service as "needs improvement", development by the
3 evaluator, in consultation with the teacher, and taking
4 into account the teacher's on-going professional
5 responsibilities including his or her regular teaching
6 assignments, of a professional development plan directed
7 to the areas that need improvement and any supports that
8 the district will provide to address the areas identified
9 as needing improvement.

10 (i) within 30 school days after completion of an
11 evaluation rating a teacher in contractual continued
12 service as "unsatisfactory", development and commencement
13 by the district of a remediation plan designed to correct
14 deficiencies cited, provided the deficiencies are deemed
15 remediable. In all school districts the remediation plan
16 for unsatisfactory, tenured teachers shall provide for 90
17 school days of remediation within the classroom, unless an
18 applicable collective bargaining agreement provides for a
19 shorter duration. In all school districts evaluations
20 issued pursuant to this Section shall be issued within 10
21 days after the conclusion of the respective remediation
22 plan. However, the school board or other governing
23 authority of the district shall not lose jurisdiction to
24 discharge a teacher in the event the evaluation is not
25 issued within 10 days after the conclusion of the
26 respective remediation plan.

1 (j) participation in the remediation plan by the
2 teacher in contractual continued service rated
3 "unsatisfactory", an evaluator and a consulting teacher
4 selected by the evaluator of the teacher who was rated
5 "unsatisfactory", which consulting teacher is an
6 educational employee as defined in the Educational Labor
7 Relations Act, has at least 5 years' teaching experience,
8 and a reasonable familiarity with the assignment of the
9 teacher being evaluated, and who received an "excellent"
10 rating on his or her most recent evaluation. Where no
11 teachers who meet these criteria are available within the
12 district, the district shall request and the applicable
13 regional office of education shall supply, to participate
14 in the remediation process, an individual who meets these
15 criteria.

16 In a district having a population of less than 500,000
17 with an exclusive bargaining agent, the bargaining agent
18 may, if it so chooses, supply a roster of qualified
19 teachers from whom the consulting teacher is to be
20 selected. That roster shall, however, contain the names of
21 at least 5 teachers, each of whom meets the criteria for
22 consulting teacher with regard to the teacher being
23 evaluated, or the names of all teachers so qualified if
24 that number is less than 5. In the event of a dispute as to
25 qualification, the State Board shall determine
26 qualification.

1 (k) a mid-point and final evaluation by an evaluator
2 during and at the end of the remediation period,
3 immediately following receipt of a remediation plan
4 provided for under subsections (i) and (j) of this Section.
5 Each evaluation shall assess the teacher's performance
6 during the time period since the prior evaluation; provided
7 that the last evaluation shall also include an overall
8 evaluation of the teacher's performance during the
9 remediation period. A written copy of the evaluations and
10 ratings, in which any deficiencies in performance and
11 recommendations for correction are identified, shall be
12 provided to and discussed with the teacher within 10 school
13 days after the date of the evaluation, unless an applicable
14 collective bargaining agreement provides to the contrary.
15 These subsequent evaluations shall be conducted by an
16 evaluator. The consulting teacher shall provide advice to
17 the teacher rated "unsatisfactory" on how to improve
18 teaching skills and to successfully complete the
19 remediation plan. The consulting teacher shall participate
20 in developing the remediation plan, but the final decision
21 as to the evaluation shall be done solely by the evaluator,
22 unless an applicable collective bargaining agreement
23 provides to the contrary. Evaluations at the conclusion of
24 the remediation process shall be separate and distinct from
25 the required annual evaluations of teachers and shall not
26 be subject to the guidelines and procedures relating to

1 those annual evaluations. The evaluator may but is not
2 required to use the forms provided for the annual
3 evaluation of teachers in the district's evaluation plan.

4 (l) reinstatement to the evaluation schedule set forth
5 in the district's evaluation plan for any teacher in
6 contractual continued service who achieves a rating equal
7 to or better than "satisfactory" or "proficient" in the
8 school year following a rating of "needs improvement" or
9 "unsatisfactory".

10 (m) dismissal in accordance with subsection (d) of
11 Section 24-12 or Section 24-16.5 or 34-85 of this Code of
12 any teacher who fails to complete any applicable
13 remediation plan with a rating equal to or better than a
14 "satisfactory" or "proficient" rating. Districts and
15 teachers subject to dismissal hearings are precluded from
16 compelling the testimony of consulting teachers at such
17 hearings under subsection (d) of Section 24-12 or Section
18 24-16.5 or 34-85 of this Code, either as to the rating
19 process or for opinions of performances by teachers under
20 remediation.

21 (n) After the implementation date of an evaluation
22 system for teachers in a district as specified in Section
23 24A-2.5 of this Code, if a teacher in contractual continued
24 service successfully completes a remediation plan
25 following a rating of "unsatisfactory" in an annual or
26 biennial overall performance evaluation received after the

1 foregoing implementation date and receives a subsequent
2 rating of "unsatisfactory" in any of the teacher's annual
3 or biennial overall performance evaluation ratings
4 received during the 36-month period following the
5 teacher's completion of the remediation plan, then the
6 school district may forego remediation and seek dismissal
7 in accordance with subsection (d) of Section 24-12 or
8 Section 34-85 of this Code.

9 Nothing in this Section or Section 24A-4 shall be construed
10 as preventing immediate dismissal of a teacher for deficiencies
11 which are deemed irreparable or for actions which are
12 injurious to or endanger the health or person of students in
13 the classroom or school, or preventing the dismissal or
14 non-renewal of teachers not in contractual continued service
15 for any reason not prohibited by applicable employment, labor,
16 and civil rights laws. Failure to strictly comply with the time
17 requirements contained in Section 24A-5 shall not invalidate
18 the results of the remediation plan.

19 Nothing contained in this amendatory Act of the 98th
20 General Assembly repeals, supersedes, invalidates, or
21 nullifies final decisions in lawsuits pending on the effective
22 date of this amendatory Act of the 98th General Assembly in
23 Illinois courts involving the interpretation of Public Act
24 97-8.

25 If the Governor has declared a disaster due to a public
26 health emergency pursuant to Section 7 of the Illinois

1 Emergency Management Agency Act that suspends in-person
2 instruction, the timelines in this Section connected to the
3 commencement and completion of any remediation plan are waived.
4 Except if the parties mutually agree otherwise and the
5 agreement is in writing, any remediation plan that had been in
6 place for more than 45 days prior to the suspension of
7 in-person instruction shall resume when in-person instruction
8 resumes and any remediation plan that had been in place for
9 fewer than 45 days prior to the suspension of in-person
10 instruction shall be discontinued and a new remediation period
11 shall begin when in-person instruction resumes. The
12 requirements of this paragraph apply regardless of whether they
13 are included in a school district's teacher evaluation plan.

14 (Source: P.A. 97-8, eff. 6-13-11; 98-470, eff. 8-16-13; 98-648,
15 eff. 7-1-14.)

16 (105 ILCS 5/27-3) (from Ch. 122, par. 27-3)

17 Sec. 27-3. Patriotism and principles of representative
18 government - Proper use of flag - Method of voting - Pledge of
19 Allegiance. American patriotism and the principles of
20 representative government, as enunciated in the American
21 Declaration of Independence, the Constitution of the United
22 States of America and the Constitution of the State of
23 Illinois, and the proper use and display of the American flag,
24 shall be taught in all public schools and other educational
25 institutions supported or maintained in whole or in part by

1 public funds. No student shall receive a certificate of
2 graduation without passing a satisfactory examination upon
3 such subjects, which may be administered remotely.

4 Instruction shall be given in all such schools and
5 institutions in the method of voting at elections by means of
6 the Australian Ballot system and the method of the counting of
7 votes for candidates.

8 The Pledge of Allegiance shall be recited each school day
9 by pupils in elementary and secondary educational institutions
10 supported or maintained in whole or in part by public funds.

11 (Source: P.A. 92-612, eff. 7-3-02.)

12 (105 ILCS 5/27-6.5)

13 Sec. 27-6.5. Physical fitness assessments in schools.

14 (a) As used in this Section, "physical fitness assessment"
15 means a series of assessments to measure aerobic capacity, body
16 composition, muscular strength, muscular endurance, and
17 flexibility.

18 (b) To measure the effectiveness of State Goal 20 of the
19 Illinois Learning Standards for Physical Development and
20 Health, beginning with the 2016-2017 school year and every
21 school year thereafter, the State Board of Education shall
22 require all public schools to use a scientifically-based,
23 health-related physical fitness assessment for grades 3
24 through 12 and periodically report fitness information to the
25 State Board of Education, as set forth in subsections (c) and

1 (e) of this Section, to assess student fitness indicators.

2 Public schools shall integrate health-related fitness
3 testing into the curriculum as an instructional tool, except in
4 grades before the 3rd grade. Fitness tests must be appropriate
5 to students' developmental levels and physical abilities. The
6 testing must be used to teach students how to assess their
7 fitness levels, set goals for improvement, and monitor progress
8 in reaching their goals. Fitness scores shall not be used for
9 grading students or evaluating teachers.

10 (c) On or before October 1, 2014, the State Superintendent
11 of Education shall appoint a 15-member stakeholder and expert
12 task force, including members representing organizations that
13 represent physical education teachers, school officials,
14 principals, health promotion and disease prevention advocates
15 and experts, school health advocates and experts, and other
16 experts with operational and academic expertise in the
17 measurement of fitness. The task force shall make
18 recommendations to the State Board of Education on the
19 following:

20 (1) methods for ensuring the validity and uniformity of
21 reported physical fitness assessment scores, including
22 assessment administration protocols and professional
23 development approaches for physical education teachers;

24 (2) how often physical fitness assessment scores
25 should be reported to the State Board of Education;

26 (3) the grade levels within elementary, middle, and

1 high school categories for which physical fitness
2 assessment scores should be reported to the State Board of
3 Education;

4 (4) the minimum fitness indicators that should be
5 reported to the State Board of Education, including, but
6 not limited to, a score for aerobic capacity (for grades 4
7 through 12); muscular strength; endurance; and
8 flexibility;

9 (5) the demographic information that should accompany
10 the scores, including, but not limited to, grade and
11 gender;

12 (6) the development of protocols regarding the
13 protection of students' confidentiality and individual
14 information and identifiers; and

15 (7) how physical fitness assessment data should be
16 reported by the State Board of Education to the public,
17 including potential correlations with student academic
18 achievement, attendance, and discipline data and other
19 recommended uses of the reported data.

20 The State Board of Education shall provide administrative
21 and other support to the task force.

22 The task force shall submit its recommendations on physical
23 fitness assessments on or before April 1, 2015. The task force
24 may also recommend methods for assessing student progress on
25 State Goals 19 and 21 through 24 of the Illinois Learning
26 Standards for Physical Development and Health. The task force

1 is dissolved on April 30, 2015.

2 The provisions of this subsection (c), other than this
3 sentence, are inoperative after March 31, 2016.

4 (d) On or before December 31, 2015, the State Board of
5 Education shall use the recommendations of the task force under
6 subsection (c) of this Section to adopt rules for the
7 implementation of physical fitness assessments by each public
8 school for the 2016-2017 school year and every school year
9 thereafter. The requirements of this Section do not apply if
10 the Governor has declared a disaster due to a public health
11 emergency pursuant to Section 7 of the Illinois Emergency
12 Management Agency Act.

13 (e) On or before September 1, 2016, the State Board of
14 Education shall adopt rules for data submission by school
15 districts and develop a system for collecting and reporting the
16 aggregated fitness information from the physical fitness
17 assessments. This system shall also support the collection of
18 data from school districts that use a fitness testing software
19 program.

20 (f) School districts may report the aggregate findings of
21 physical fitness assessments by grade level and school to
22 parents and members of the community through typical
23 communication channels, such as Internet websites, school
24 newsletters, school board reports, and presentations.
25 Districts may also provide individual fitness assessment
26 reports to students' parents.

1 (g) Nothing in this Section precludes schools from
2 implementing a physical fitness assessment before the
3 2016-2017 school year or from implementing more robust forms of
4 a physical fitness assessment.

5 (Source: P.A. 98-859, eff. 8-4-14.)

6 (105 ILCS 5/27-8.1) (from Ch. 122, par. 27-8.1)

7 Sec. 27-8.1. Health examinations and immunizations.

8 (1) In compliance with rules and regulations which the
9 Department of Public Health shall promulgate, and except as
10 hereinafter provided, all children in Illinois shall have a
11 health examination as follows: within one year prior to
12 entering kindergarten or the first grade of any public,
13 private, or parochial elementary school; upon entering the
14 sixth and ninth grades of any public, private, or parochial
15 school; prior to entrance into any public, private, or
16 parochial nursery school; and, irrespective of grade,
17 immediately prior to or upon entrance into any public, private,
18 or parochial school or nursery school, each child shall present
19 proof of having been examined in accordance with this Section
20 and the rules and regulations promulgated hereunder. Any child
21 who received a health examination within one year prior to
22 entering the fifth grade for the 2007-2008 school year is not
23 required to receive an additional health examination in order
24 to comply with the provisions of Public Act 95-422 when he or
25 she attends school for the 2008-2009 school year, unless the

1 child is attending school for the first time as provided in
2 this paragraph.

3 A tuberculosis skin test screening shall be included as a
4 required part of each health examination included under this
5 Section if the child resides in an area designated by the
6 Department of Public Health as having a high incidence of
7 tuberculosis. Additional health examinations of pupils,
8 including eye examinations, may be required when deemed
9 necessary by school authorities. Parents are encouraged to have
10 their children undergo eye examinations at the same points in
11 time required for health examinations.

12 (1.5) In compliance with rules adopted by the Department of
13 Public Health and except as otherwise provided in this Section,
14 all children in kindergarten and the second, sixth, and ninth
15 grades of any public, private, or parochial school shall have a
16 dental examination. Each of these children shall present proof
17 of having been examined by a dentist in accordance with this
18 Section and rules adopted under this Section before May 15th of
19 the school year. If a child in the second, sixth, or ninth
20 grade fails to present proof by May 15th, the school may hold
21 the child's report card until one of the following occurs: (i)
22 the child presents proof of a completed dental examination or
23 (ii) the child presents proof that a dental examination will
24 take place within 60 days after May 15th. A school may not
25 withhold a child's report card during a school year in which
26 the Governor has declared a disaster due to a public health

1 emergency pursuant to Section 7 of the Illinois Emergency
2 Management Agency Act. The Department of Public Health shall
3 establish, by rule, a waiver for children who show an undue
4 burden or a lack of access to a dentist. Each public, private,
5 and parochial school must give notice of this dental
6 examination requirement to the parents and guardians of
7 students at least 60 days before May 15th of each school year.

8 (1.10) Except as otherwise provided in this Section, all
9 children enrolling in kindergarten in a public, private, or
10 parochial school on or after January 1, 2008 (the effective
11 date of Public Act 95-671) and any student enrolling for the
12 first time in a public, private, or parochial school on or
13 after January 1, 2008 (the effective date of Public Act 95-671)
14 shall have an eye examination. Each of these children shall
15 present proof of having been examined by a physician licensed
16 to practice medicine in all of its branches or a licensed
17 optometrist within the previous year, in accordance with this
18 Section and rules adopted under this Section, before October
19 15th of the school year. If the child fails to present proof by
20 October 15th, the school may hold the child's report card until
21 one of the following occurs: (i) the child presents proof of a
22 completed eye examination or (ii) the child presents proof that
23 an eye examination will take place within 60 days after October
24 15th. A school may not withhold a child's report card during a
25 school year in which the Governor has declared a disaster due
26 to a public health emergency pursuant to Section 7 of the

1 Illinois Emergency Management Agency Act. The Department of
2 Public Health shall establish, by rule, a waiver for children
3 who show an undue burden or a lack of access to a physician
4 licensed to practice medicine in all of its branches who
5 provides eye examinations or to a licensed optometrist. Each
6 public, private, and parochial school must give notice of this
7 eye examination requirement to the parents and guardians of
8 students in compliance with rules of the Department of Public
9 Health. Nothing in this Section shall be construed to allow a
10 school to exclude a child from attending because of a parent's
11 or guardian's failure to obtain an eye examination for the
12 child.

13 (2) The Department of Public Health shall promulgate rules
14 and regulations specifying the examinations and procedures
15 that constitute a health examination, which shall include an
16 age-appropriate developmental screening, an age-appropriate
17 social and emotional screening, and the collection of data
18 relating to asthma and obesity (including at a minimum, date of
19 birth, gender, height, weight, blood pressure, and date of
20 exam), and a dental examination and may recommend by rule that
21 certain additional examinations be performed. The rules and
22 regulations of the Department of Public Health shall specify
23 that a tuberculosis skin test screening shall be included as a
24 required part of each health examination included under this
25 Section if the child resides in an area designated by the
26 Department of Public Health as having a high incidence of

1 tuberculosis. With respect to the developmental screening and
2 the social and emotional screening, the Department of Public
3 Health must, no later than January 1, 2019, develop rules and
4 appropriate revisions to the Child Health Examination form in
5 conjunction with a statewide organization representing school
6 boards; a statewide organization representing pediatricians;
7 statewide organizations representing individuals holding
8 Illinois educator licenses with school support personnel
9 endorsements, including school social workers, school
10 psychologists, and school nurses; a statewide organization
11 representing children's mental health experts; a statewide
12 organization representing school principals; the Director of
13 Healthcare and Family Services or his or her designee, the
14 State Superintendent of Education or his or her designee; and
15 representatives of other appropriate State agencies and, at a
16 minimum, must recommend the use of validated screening tools
17 appropriate to the child's age or grade, and, with regard to
18 the social and emotional screening, require recording only
19 whether or not the screening was completed. The rules shall
20 take into consideration the screening recommendations of the
21 American Academy of Pediatrics and must be consistent with the
22 State Board of Education's social and emotional learning
23 standards. The Department of Public Health shall specify that a
24 diabetes screening as defined by rule shall be included as a
25 required part of each health examination. Diabetes testing is
26 not required.

1 Physicians licensed to practice medicine in all of its
2 branches, licensed advanced practice registered nurses, or
3 licensed physician assistants shall be responsible for the
4 performance of the health examinations, other than dental
5 examinations, eye examinations, and vision and hearing
6 screening, and shall sign all report forms required by
7 subsection (4) of this Section that pertain to those portions
8 of the health examination for which the physician, advanced
9 practice registered nurse, or physician assistant is
10 responsible. If a registered nurse performs any part of a
11 health examination, then a physician licensed to practice
12 medicine in all of its branches must review and sign all
13 required report forms. Licensed dentists shall perform all
14 dental examinations and shall sign all report forms required by
15 subsection (4) of this Section that pertain to the dental
16 examinations. Physicians licensed to practice medicine in all
17 its branches or licensed optometrists shall perform all eye
18 examinations required by this Section and shall sign all report
19 forms required by subsection (4) of this Section that pertain
20 to the eye examination. For purposes of this Section, an eye
21 examination shall at a minimum include history, visual acuity,
22 subjective refraction to best visual acuity near and far,
23 internal and external examination, and a glaucoma evaluation,
24 as well as any other tests or observations that in the
25 professional judgment of the doctor are necessary. Vision and
26 hearing screening tests, which shall not be considered

1 examinations as that term is used in this Section, shall be
2 conducted in accordance with rules and regulations of the
3 Department of Public Health, and by individuals whom the
4 Department of Public Health has certified. In these rules and
5 regulations, the Department of Public Health shall require that
6 individuals conducting vision screening tests give a child's
7 parent or guardian written notification, before the vision
8 screening is conducted, that states, "Vision screening is not a
9 substitute for a complete eye and vision evaluation by an eye
10 doctor. Your child is not required to undergo this vision
11 screening if an optometrist or ophthalmologist has completed
12 and signed a report form indicating that an examination has
13 been administered within the previous 12 months."

14 (2.5) With respect to the developmental screening and the
15 social and emotional screening portion of the health
16 examination, each child may present proof of having been
17 screened in accordance with this Section and the rules adopted
18 under this Section before October 15th of the school year. With
19 regard to the social and emotional screening only, the
20 examining health care provider shall only record whether or not
21 the screening was completed. If the child fails to present
22 proof of the developmental screening or the social and
23 emotional screening portions of the health examination by
24 October 15th of the school year, qualified school support
25 personnel may, with a parent's or guardian's consent, offer the
26 developmental screening or the social and emotional screening

1 to the child. Each public, private, and parochial school must
2 give notice of the developmental screening and social and
3 emotional screening requirements to the parents and guardians
4 of students in compliance with the rules of the Department of
5 Public Health. Nothing in this Section shall be construed to
6 allow a school to exclude a child from attending because of a
7 parent's or guardian's failure to obtain a developmental
8 screening or a social and emotional screening for the child.
9 Once a developmental screening or a social and emotional
10 screening is completed and proof has been presented to the
11 school, the school may, with a parent's or guardian's consent,
12 make available appropriate school personnel to work with the
13 parent or guardian, the child, and the provider who signed the
14 screening form to obtain any appropriate evaluations and
15 services as indicated on the form and in other information and
16 documentation provided by the parents, guardians, or provider.

17 (3) Every child shall, at or about the same time as he or
18 she receives a health examination required by subsection (1) of
19 this Section, present to the local school proof of having
20 received such immunizations against preventable communicable
21 diseases as the Department of Public Health shall require by
22 rules and regulations promulgated pursuant to this Section and
23 the Communicable Disease Prevention Act.

24 (4) The individuals conducting the health examination,
25 dental examination, or eye examination shall record the fact of
26 having conducted the examination, and such additional

1 information as required, including for a health examination
2 data relating to asthma and obesity (including at a minimum,
3 date of birth, gender, height, weight, blood pressure, and date
4 of exam), on uniform forms which the Department of Public
5 Health and the State Board of Education shall prescribe for
6 statewide use. The examiner shall summarize on the report form
7 any condition that he or she suspects indicates a need for
8 special services, including for a health examination factors
9 relating to asthma or obesity. The duty to summarize on the
10 report form does not apply to social and emotional screenings.
11 The confidentiality of the information and records relating to
12 the developmental screening and the social and emotional
13 screening shall be determined by the statutes, rules, and
14 professional ethics governing the type of provider conducting
15 the screening. The individuals confirming the administration
16 of required immunizations shall record as indicated on the form
17 that the immunizations were administered.

18 (5) If a child does not submit proof of having had either
19 the health examination or the immunization as required, then
20 the child shall be examined or receive the immunization, as the
21 case may be, and present proof by October 15 of the current
22 school year, or by an earlier date of the current school year
23 established by a school district. To establish a date before
24 October 15 of the current school year for the health
25 examination or immunization as required, a school district must
26 give notice of the requirements of this Section 60 days prior

1 to the earlier established date. If for medical reasons one or
2 more of the required immunizations must be given after October
3 15 of the current school year, or after an earlier established
4 date of the current school year, then the child shall present,
5 by October 15, or by the earlier established date, a schedule
6 for the administration of the immunizations and a statement of
7 the medical reasons causing the delay, both the schedule and
8 the statement being issued by the physician, advanced practice
9 registered nurse, physician assistant, registered nurse, or
10 local health department that will be responsible for
11 administration of the remaining required immunizations. If a
12 child does not comply by October 15, or by the earlier
13 established date of the current school year, with the
14 requirements of this subsection, then the local school
15 authority shall exclude that child from school until such time
16 as the child presents proof of having had the health
17 examination as required and presents proof of having received
18 those required immunizations which are medically possible to
19 receive immediately. During a child's exclusion from school for
20 noncompliance with this subsection, the child's parents or
21 legal guardian shall be considered in violation of Section 26-1
22 and subject to any penalty imposed by Section 26-10. This
23 subsection (5) does not apply to dental examinations, eye
24 examinations, and the developmental screening and the social
25 and emotional screening portions of the health examination. If
26 the student is an out-of-state transfer student and does not

1 have the proof required under this subsection (5) before
2 October 15 of the current year or whatever date is set by the
3 school district, then he or she may only attend classes (i) if
4 he or she has proof that an appointment for the required
5 vaccinations has been scheduled with a party authorized to
6 submit proof of the required vaccinations. If the proof of
7 vaccination required under this subsection (5) is not submitted
8 within 30 days after the student is permitted to attend
9 classes, then the student is not to be permitted to attend
10 classes until proof of the vaccinations has been properly
11 submitted. No school district or employee of a school district
12 shall be held liable for any injury or illness to another
13 person that results from admitting an out-of-state transfer
14 student to class that has an appointment scheduled pursuant to
15 this subsection (5).

16 (6) Every school shall report to the State Board of
17 Education by November 15, in the manner which that agency shall
18 require, the number of children who have received the necessary
19 immunizations and the health examination (other than a dental
20 examination or eye examination) as required, indicating, of
21 those who have not received the immunizations and examination
22 as required, the number of children who are exempt from health
23 examination and immunization requirements on religious or
24 medical grounds as provided in subsection (8). On or before
25 December 1 of each year, every public school district and
26 registered nonpublic school shall make publicly available the

1 immunization data they are required to submit to the State
2 Board of Education by November 15. The immunization data made
3 publicly available must be identical to the data the school
4 district or school has reported to the State Board of
5 Education.

6 Every school shall report to the State Board of Education
7 by June 30, in the manner that the State Board requires, the
8 number of children who have received the required dental
9 examination, indicating, of those who have not received the
10 required dental examination, the number of children who are
11 exempt from the dental examination on religious grounds as
12 provided in subsection (8) of this Section and the number of
13 children who have received a waiver under subsection (1.5) of
14 this Section.

15 Every school shall report to the State Board of Education
16 by June 30, in the manner that the State Board requires, the
17 number of children who have received the required eye
18 examination, indicating, of those who have not received the
19 required eye examination, the number of children who are exempt
20 from the eye examination as provided in subsection (8) of this
21 Section, the number of children who have received a waiver
22 under subsection (1.10) of this Section, and the total number
23 of children in noncompliance with the eye examination
24 requirement.

25 The reported information under this subsection (6) shall be
26 provided to the Department of Public Health by the State Board

1 of Education.

2 (7) Upon determining that the number of pupils who are
3 required to be in compliance with subsection (5) of this
4 Section is below 90% of the number of pupils enrolled in the
5 school district, 10% of each State aid payment made pursuant to
6 Section 18-8.05 or 18-8.15 to the school district for such year
7 may be withheld by the State Board of Education until the
8 number of students in compliance with subsection (5) is the
9 applicable specified percentage or higher.

10 (8) Children of parents or legal guardians who object to
11 health, dental, or eye examinations or any part thereof, to
12 immunizations, or to vision and hearing screening tests on
13 religious grounds shall not be required to undergo the
14 examinations, tests, or immunizations to which they so object
15 if such parents or legal guardians present to the appropriate
16 local school authority a signed Certificate of Religious
17 Exemption detailing the grounds for objection and the specific
18 immunizations, tests, or examinations to which they object. The
19 grounds for objection must set forth the specific religious
20 belief that conflicts with the examination, test,
21 immunization, or other medical intervention. The signed
22 certificate shall also reflect the parent's or legal guardian's
23 understanding of the school's exclusion policies in the case of
24 a vaccine-preventable disease outbreak or exposure. The
25 certificate must also be signed by the authorized examining
26 health care provider responsible for the performance of the

1 child's health examination confirming that the provider
2 provided education to the parent or legal guardian on the
3 benefits of immunization and the health risks to the student
4 and to the community of the communicable diseases for which
5 immunization is required in this State. However, the health
6 care provider's signature on the certificate reflects only that
7 education was provided and does not allow a health care
8 provider grounds to determine a religious exemption. Those
9 receiving immunizations required under this Code shall be
10 provided with the relevant vaccine information statements that
11 are required to be disseminated by the federal National
12 Childhood Vaccine Injury Act of 1986, which may contain
13 information on circumstances when a vaccine should not be
14 administered, prior to administering a vaccine. A healthcare
15 provider may consider including without limitation the
16 nationally accepted recommendations from federal agencies such
17 as the Advisory Committee on Immunization Practices, the
18 information outlined in the relevant vaccine information
19 statement, and vaccine package inserts, along with the
20 healthcare provider's clinical judgment, to determine whether
21 any child may be more susceptible to experiencing an adverse
22 vaccine reaction than the general population, and, if so, the
23 healthcare provider may exempt the child from an immunization
24 or adopt an individualized immunization schedule. The
25 Certificate of Religious Exemption shall be created by the
26 Department of Public Health and shall be made available and

1 used by parents and legal guardians by the beginning of the
2 2015-2016 school year. Parents or legal guardians must submit
3 the Certificate of Religious Exemption to their local school
4 authority prior to entering kindergarten, sixth grade, and
5 ninth grade for each child for which they are requesting an
6 exemption. The religious objection stated need not be directed
7 by the tenets of an established religious organization.
8 However, general philosophical or moral reluctance to allow
9 physical examinations, eye examinations, immunizations, vision
10 and hearing screenings, or dental examinations does not provide
11 a sufficient basis for an exception to statutory requirements.
12 The local school authority is responsible for determining if
13 the content of the Certificate of Religious Exemption
14 constitutes a valid religious objection. The local school
15 authority shall inform the parent or legal guardian of
16 exclusion procedures, in accordance with the Department's
17 rules under Part 690 of Title 77 of the Illinois Administrative
18 Code, at the time the objection is presented.

19 If the physical condition of the child is such that any one
20 or more of the immunizing agents should not be administered,
21 the examining physician, advanced practice registered nurse,
22 or physician assistant responsible for the performance of the
23 health examination shall endorse that fact upon the health
24 examination form.

25 Exempting a child from the health, dental, or eye
26 examination does not exempt the child from participation in the

1 program of physical education training provided in Sections
2 27-5 through 27-7 of this Code.

3 (8.5) The school board of a school district shall include
4 informational materials regarding influenza and influenza
5 vaccinations and meningococcal disease and meningococcal
6 vaccinations developed, provided, or approved by the
7 Department of Public Health under Section 2310-700 of the
8 Department of Public Health Powers and Duties Law of the Civil
9 Administrative Code of Illinois when the board provides
10 information on immunizations, infectious diseases,
11 medications, or other school health issues to the parents or
12 guardians of students.

13 (9) For the purposes of this Section, "nursery schools"
14 means those nursery schools operated by elementary school
15 systems or secondary level school units or institutions of
16 higher learning.

17 (Source: P.A. 100-238, eff. 1-1-18; 100-465, eff. 8-31-17;
18 100-513, eff. 1-1-18; 100-829, eff. 1-1-19; 100-863, eff.
19 8-14-18; 100-977, eff. 1-1-19; 100-1011, eff. 8-21-18; 101-81,
20 eff. 7-12-19.)

21 (105 ILCS 5/27-21) (from Ch. 122, par. 27-21)

22 (Text of Section before amendment by P.A. 101-227)

23 Sec. 27-21. History of United States. History of the United
24 States shall be taught in all public schools and in all other
25 educational institutions in this State supported or

1 maintained, in whole or in part, by public funds. The teaching
2 of history shall have as one of its objectives the imparting to
3 pupils of a comprehensive idea of our democratic form of
4 government and the principles for which our government stands
5 as regards other nations, including the studying of the place
6 of our government in world-wide movements and the leaders
7 thereof, with particular stress upon the basic principles and
8 ideals of our representative form of government. The teaching
9 of history shall include a study of the role and contributions
10 of African Americans and other ethnic groups, including, but
11 not restricted to, Polish, Lithuanian, German, Hungarian,
12 Irish, Bohemian, Russian, Albanian, Italian, Czech, Slovak,
13 French, Scots, Hispanics, Asian Americans, etc., in the history
14 of this country and this State. To reinforce the study of the
15 role and contributions of Hispanics, such curriculum shall
16 include the study of the events related to the forceful removal
17 and illegal deportation of Mexican-American U.S. citizens
18 during the Great Depression. The teaching of history also shall
19 include a study of the role of labor unions and their
20 interaction with government in achieving the goals of a mixed
21 free enterprise system. Beginning with the 2020-2021 school
22 year, the teaching of history must also include instruction on
23 the history of Illinois. No pupils shall be graduated from the
24 eighth grade of any public school unless he has received such
25 instruction in the history of the United States and gives
26 evidence of having a comprehensive knowledge thereof, which may

1 be administered remotely.

2 (Source: P.A. 101-341, eff. 1-1-20; revised 9-19-19.)

3 (Text of Section after amendment by P.A. 101-227)

4 Sec. 27-21. History of United States. History of the United
5 States shall be taught in all public schools and in all other
6 educational institutions in this State supported or
7 maintained, in whole or in part, by public funds. The teaching
8 of history shall have as one of its objectives the imparting to
9 pupils of a comprehensive idea of our democratic form of
10 government and the principles for which our government stands
11 as regards other nations, including the studying of the place
12 of our government in world-wide movements and the leaders
13 thereof, with particular stress upon the basic principles and
14 ideals of our representative form of government. The teaching
15 of history shall include a study of the role and contributions
16 of African Americans and other ethnic groups, including, but
17 not restricted to, Polish, Lithuanian, German, Hungarian,
18 Irish, Bohemian, Russian, Albanian, Italian, Czech, Slovak,
19 French, Scots, Hispanics, Asian Americans, etc., in the history
20 of this country and this State. To reinforce the study of the
21 role and contributions of Hispanics, such curriculum shall
22 include the study of the events related to the forceful removal
23 and illegal deportation of Mexican-American U.S. citizens
24 during the Great Depression. In public schools only, the
25 teaching of history shall include a study of the roles and

1 contributions of lesbian, gay, bisexual, and transgender
2 people in the history of this country and this State. The
3 teaching of history also shall include a study of the role of
4 labor unions and their interaction with government in achieving
5 the goals of a mixed free enterprise system. Beginning with the
6 2020-2021 school year, the teaching of history must also
7 include instruction on the history of Illinois. No pupils shall
8 be graduated from the eighth grade of any public school unless
9 he or she has received such instruction in the history of the
10 United States and gives evidence of having a comprehensive
11 knowledge thereof, which may be administered remotely.

12 (Source: P.A. 101-227, eff. 7-1-20; 101-341, eff. 1-1-20;
13 revised 9-19-19.)

14 (105 ILCS 5/27-22) (from Ch. 122, par. 27-22)

15 Sec. 27-22. Required high school courses.

16 (a) (Blank).

17 (b) (Blank).

18 (c) (Blank).

19 (d) (Blank).

20 (e) As a prerequisite to receiving a high school diploma,
21 each pupil entering the 9th grade must, in addition to other
22 course requirements, successfully complete all of the
23 following courses:

24 (1) Four years of language arts.

25 (2) Two years of writing intensive courses, one of

1 which must be English and the other of which may be English
2 or any other subject. When applicable, writing-intensive
3 courses may be counted towards the fulfillment of other
4 graduation requirements.

5 (3) Three years of mathematics, one of which must be
6 Algebra I, one of which must include geometry content, and
7 one of which may be an Advanced Placement computer science
8 course. A mathematics course that includes geometry
9 content may be offered as an integrated, applied,
10 interdisciplinary, or career and technical education
11 course that prepares a student for a career readiness path.

12 (4) Two years of science.

13 (5) Two years of social studies, of which at least one
14 year must be history of the United States or a combination
15 of history of the United States and American government
16 and, beginning with pupils entering the 9th grade in the
17 2016-2017 school year and each school year thereafter, at
18 least one semester must be civics, which shall help young
19 people acquire and learn to use the skills, knowledge, and
20 attitudes that will prepare them to be competent and
21 responsible citizens throughout their lives. Civics course
22 content shall focus on government institutions, the
23 discussion of current and controversial issues, service
24 learning, and simulations of the democratic process.
25 School districts may utilize private funding available for
26 the purposes of offering civics education.

1 (6) One year chosen from (A) music, (B) art, (C)
2 foreign language, which shall be deemed to include American
3 Sign Language, or (D) vocational education.

4 (f) The State Board of Education shall develop and inform
5 school districts of standards for writing-intensive
6 coursework.

7 (f-5) If a school district offers an Advanced Placement
8 computer science course to high school students, then the
9 school board must designate that course as equivalent to a high
10 school mathematics course and must denote on the student's
11 transcript that the Advanced Placement computer science course
12 qualifies as a mathematics-based, quantitative course for
13 students in accordance with subdivision (3) of subsection (e)
14 of this Section.

15 (g) This amendatory Act of 1983 does not apply to pupils
16 entering the 9th grade in 1983-1984 school year and prior
17 school years or to students with disabilities whose course of
18 study is determined by an individualized education program.

19 This amendatory Act of the 94th General Assembly does not
20 apply to pupils entering the 9th grade in the 2004-2005 school
21 year or a prior school year or to students with disabilities
22 whose course of study is determined by an individualized
23 education program.

24 (h) The provisions of this Section are subject to the
25 provisions of Section 27-22.05 of this Code and the
26 Postsecondary and Workforce Readiness Act.

1 (i) The State Board of Education may adopt rules to modify
2 the requirements of this Section for any students enrolled in
3 grades 9 through 12 if the Governor has declared a disaster due
4 to a public health emergency pursuant to Section 7 of the
5 Illinois Emergency Management Agency Act.

6 (Source: P.A. 100-443, eff. 8-25-17; 101-464, eff. 1-1-20.)

7 (105 ILCS 5/34-2.1) (from Ch. 122, par. 34-2.1)

8 Sec. 34-2.1. Local School Councils - Composition -
9 Voter-Eligibility - Elections - Terms.

10 (a) A local school council shall be established for each
11 attendance center within the school district. Each local school
12 council shall consist of the following 12 voting members: the
13 principal of the attendance center, 2 teachers employed and
14 assigned to perform the majority of their employment duties at
15 the attendance center, 6 parents of students currently enrolled
16 at the attendance center, one employee of the school district
17 employed and assigned to perform the majority of his or her
18 employment duties at the attendance center who is not a
19 teacher, and 2 community residents. Neither the parents nor the
20 community residents who serve as members of the local school
21 council shall be employees of the Board of Education. In each
22 secondary attendance center, the local school council shall
23 consist of 13 voting members -- the 12 voting members described
24 above and one full-time student member, appointed as provided
25 in subsection (m) below. In the event that the chief executive

1 officer of the Chicago School Reform Board of Trustees
2 determines that a local school council is not carrying out its
3 financial duties effectively, the chief executive officer is
4 authorized to appoint a representative of the business
5 community with experience in finance and management to serve as
6 an advisor to the local school council for the purpose of
7 providing advice and assistance to the local school council on
8 fiscal matters. The advisor shall have access to relevant
9 financial records of the local school council. The advisor may
10 attend executive sessions. The chief executive officer shall
11 issue a written policy defining the circumstances under which a
12 local school council is not carrying out its financial duties
13 effectively.

14 (b) Within 7 days of January 11, 1991, the Mayor shall
15 appoint the members and officers (a Chairperson who shall be a
16 parent member and a Secretary) of each local school council who
17 shall hold their offices until their successors shall be
18 elected and qualified. Members so appointed shall have all the
19 powers and duties of local school councils as set forth in this
20 amendatory Act of 1991. The Mayor's appointments shall not
21 require approval by the City Council.

22 The membership of each local school council shall be
23 encouraged to be reflective of the racial and ethnic
24 composition of the student population of the attendance center
25 served by the local school council.

26 (c) Beginning with the 1995-1996 school year and in every

1 even-numbered year thereafter, the Board shall set second
2 semester Parent Report Card Pick-up Day for Local School
3 Council elections and may schedule elections at year-round
4 schools for the same dates as the remainder of the school
5 system. Elections shall be conducted as provided herein by the
6 Board of Education in consultation with the local school
7 council at each attendance center.

8 (c-5) Notwithstanding subsection (c), for the local school
9 council election set for the 2019-2020 school year, the Board
10 may hold the election on the first semester Parent Report Card
11 Pick-up Day of the 2020-2021 school year, making any necessary
12 modifications to the election process or date to comply with
13 guidance from the Department of Public Health and the federal
14 Centers for Disease Control and Prevention. The terms of office
15 of all local school council members eligible to serve and
16 seated on or after March 23, 2020 through January 10, 2021 are
17 extended through January 10, 2021, provided that the members
18 continue to meet eligibility requirements for local school
19 council membership.

20 (d) Beginning with the 1995-96 school year, the following
21 procedures shall apply to the election of local school council
22 members at each attendance center:

23 (i) The elected members of each local school council
24 shall consist of the 6 parent members and the 2 community
25 resident members.

26 (ii) Each elected member shall be elected by the

1 eligible voters of that attendance center to serve for a
2 two-year term commencing on July 1 immediately following
3 the election described in subsection (c), except that the
4 terms of members elected to a local school council under
5 subsection (c-5) shall commence on January 11, 2021 and end
6 on July 1, 2022. Eligible voters for each attendance center
7 shall consist of the parents and community residents for
8 that attendance center.

9 (iii) Each eligible voter shall be entitled to cast one
10 vote for up to a total of 5 candidates, irrespective of
11 whether such candidates are parent or community resident
12 candidates.

13 (iv) Each parent voter shall be entitled to vote in the
14 local school council election at each attendance center in
15 which he or she has a child currently enrolled. Each
16 community resident voter shall be entitled to vote in the
17 local school council election at each attendance center for
18 which he or she resides in the applicable attendance area
19 or voting district, as the case may be.

20 (v) Each eligible voter shall be entitled to vote once,
21 but not more than once, in the local school council
22 election at each attendance center at which the voter is
23 eligible to vote.

24 (vi) The 2 teacher members and the non-teacher employee
25 member of each local school council shall be appointed as
26 provided in subsection (1) below each to serve for a

1 two-year term coinciding with that of the elected parent
2 and community resident members. From March 23, 2020 through
3 January 10, 2021, the chief executive officer or his or her
4 designee may make accommodations to fill the vacancy of a
5 teacher or non-teacher employee member of a local school
6 council.

7 (vii) At secondary attendance centers, the voting
8 student member shall be appointed as provided in subsection
9 (m) below to serve for a one-year term coinciding with the
10 beginning of the terms of the elected parent and community
11 members of the local school council. For the 2020-2021
12 school year, the chief executive officer or his or her
13 designee may make accommodations to fill the vacancy of a
14 student member of a local school council.

15 (e) The Council shall publicize the date and place of the
16 election by posting notices at the attendance center, in public
17 places within the attendance boundaries of the attendance
18 center and by distributing notices to the pupils at the
19 attendance center, and shall utilize such other means as it
20 deems necessary to maximize the involvement of all eligible
21 voters.

22 (f) Nomination. The Council shall publicize the opening of
23 nominations by posting notices at the attendance center, in
24 public places within the attendance boundaries of the
25 attendance center and by distributing notices to the pupils at
26 the attendance center, and shall utilize such other means as it

1 deems necessary to maximize the involvement of all eligible
2 voters. Not less than 2 weeks before the election date, persons
3 eligible to run for the Council shall submit their name, date
4 of birth, social security number, if available, and some
5 evidence of eligibility to the Council. The Council shall
6 encourage nomination of candidates reflecting the
7 racial/ethnic population of the students at the attendance
8 center. Each person nominated who runs as a candidate shall
9 disclose, in a manner determined by the Board, any economic
10 interest held by such person, by such person's spouse or
11 children, or by each business entity in which such person has
12 an ownership interest, in any contract with the Board, any
13 local school council or any public school in the school
14 district. Each person nominated who runs as a candidate shall
15 also disclose, in a manner determined by the Board, if he or
16 she ever has been convicted of any of the offenses specified in
17 subsection (c) of Section 34-18.5; provided that neither this
18 provision nor any other provision of this Section shall be
19 deemed to require the disclosure of any information that is
20 contained in any law enforcement record or juvenile court
21 record that is confidential or whose accessibility or
22 disclosure is restricted or prohibited under Section 5-901 or
23 5-905 of the Juvenile Court Act of 1987. Failure to make such
24 disclosure shall render a person ineligible for election or to
25 serve on the local school council. The same disclosure shall be
26 required of persons under consideration for appointment to the

1 Council pursuant to subsections (l) and (m) of this Section.

2 (f-5) Notwithstanding disclosure, a person who has been
3 convicted of any of the following offenses at any time shall be
4 ineligible for election or appointment to a local school
5 council and ineligible for appointment to a local school
6 council pursuant to subsections (l) and (m) of this Section:

7 (i) those defined in Section 11-1.20, 11-1.30, 11-1.40,
8 11-1.50, 11-1.60, 11-6, 11-9.1, 11-14.4, 11-16, 11-17.1,
9 11-19, 11-19.1, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 12-13,
10 12-14, 12-14.1, 12-15, or 12-16, or subdivision (a)(2) of
11 Section 11-14.3, of the Criminal Code of 1961 or the Criminal
12 Code of 2012, or (ii) any offense committed or attempted in any
13 other state or against the laws of the United States, which, if
14 committed or attempted in this State, would have been
15 punishable as one or more of the foregoing offenses.

16 Notwithstanding disclosure, a person who has been convicted of
17 any of the following offenses within the 10 years previous to
18 the date of nomination or appointment shall be ineligible for
19 election or appointment to a local school council: (i) those
20 defined in Section 401.1, 405.1, or 405.2 of the Illinois
21 Controlled Substances Act or (ii) any offense committed or
22 attempted in any other state or against the laws of the United
23 States, which, if committed or attempted in this State, would
24 have been punishable as one or more of the foregoing offenses.

25 Immediately upon election or appointment, incoming local
26 school council members shall be required to undergo a criminal

1 background investigation, to be completed prior to the member
2 taking office, in order to identify any criminal convictions
3 under the offenses enumerated in Section 34-18.5. The
4 investigation shall be conducted by the Department of State
5 Police in the same manner as provided for in Section 34-18.5.
6 However, notwithstanding Section 34-18.5, the social security
7 number shall be provided only if available. If it is determined
8 at any time that a local school council member or member-elect
9 has been convicted of any of the offenses enumerated in this
10 Section or failed to disclose a conviction of any of the
11 offenses enumerated in Section 34-18.5, the general
12 superintendent shall notify the local school council member or
13 member-elect of such determination and the local school council
14 member or member-elect shall be removed from the local school
15 council by the Board, subject to a hearing, convened pursuant
16 to Board rule, prior to removal.

17 (g) At least one week before the election date, the Council
18 shall publicize, in the manner provided in subsection (e), the
19 names of persons nominated for election.

20 (h) Voting shall be in person by secret ballot at the
21 attendance center between the hours of 6:00 a.m. and 7:00 p.m.

22 (i) Candidates receiving the highest number of votes shall
23 be declared elected by the Council. In cases of a tie, the
24 Council shall determine the winner by lot.

25 (j) The Council shall certify the results of the election
26 and shall publish the results in the minutes of the Council.

1 (k) The general superintendent shall resolve any disputes
2 concerning election procedure or results and shall ensure that,
3 except as provided in subsections (e) and (g), no resources of
4 any attendance center shall be used to endorse or promote any
5 candidate.

6 (l) Beginning with the 1995-1996 school year and in every
7 even numbered year thereafter, the Board shall appoint 2
8 teacher members to each local school council. These
9 appointments shall be made in the following manner:

10 (i) The Board shall appoint 2 teachers who are employed
11 and assigned to perform the majority of their employment
12 duties at the attendance center to serve on the local
13 school council of the attendance center for a two-year term
14 coinciding with the terms of the elected parent and
15 community members of that local school council. These
16 appointments shall be made from among those teachers who
17 are nominated in accordance with subsection (f).

18 (ii) A non-binding, advisory poll to ascertain the
19 preferences of the school staff regarding appointments of
20 teachers to the local school council for that attendance
21 center shall be conducted in accordance with the procedures
22 used to elect parent and community Council
23 representatives. At such poll, each member of the school
24 staff shall be entitled to indicate his or her preference
25 for up to 2 candidates from among those who submitted
26 statements of candidacy as described above. These

1 preferences shall be advisory only and the Board shall
2 maintain absolute discretion to appoint teacher members to
3 local school councils, irrespective of the preferences
4 expressed in any such poll.

5 (iii) In the event that a teacher representative is
6 unable to perform his or her employment duties at the
7 school due to illness, disability, leave of absence,
8 disciplinary action, or any other reason, the Board shall
9 declare a temporary vacancy and appoint a replacement
10 teacher representative to serve on the local school council
11 until such time as the teacher member originally appointed
12 pursuant to this subsection (1) resumes service at the
13 attendance center or for the remainder of the term. The
14 replacement teacher representative shall be appointed in
15 the same manner and by the same procedures as teacher
16 representatives are appointed in subdivisions (i) and (ii)
17 of this subsection (1).

18 (m) Beginning with the 1995-1996 school year, and in every
19 year thereafter, the Board shall appoint one student member to
20 each secondary attendance center. These appointments shall be
21 made in the following manner:

22 (i) Appointments shall be made from among those
23 students who submit statements of candidacy to the
24 principal of the attendance center, such statements to be
25 submitted commencing on the first day of the twentieth week
26 of school and continuing for 2 weeks thereafter. The form

1 and manner of such candidacy statements shall be determined
2 by the Board.

3 (ii) During the twenty-second week of school in every
4 year, the principal of each attendance center shall conduct
5 a non-binding, advisory poll to ascertain the preferences
6 of the school students regarding the appointment of a
7 student to the local school council for that attendance
8 center. At such poll, each student shall be entitled to
9 indicate his or her preference for up to one candidate from
10 among those who submitted statements of candidacy as
11 described above. The Board shall promulgate rules to ensure
12 that these non-binding, advisory polls are conducted in a
13 fair and equitable manner and maximize the involvement of
14 all school students. The preferences expressed in these
15 non-binding, advisory polls shall be transmitted by the
16 principal to the Board. However, these preferences shall be
17 advisory only and the Board shall maintain absolute
18 discretion to appoint student members to local school
19 councils, irrespective of the preferences expressed in any
20 such poll.

21 (iii) For the 1995-96 school year only, appointments
22 shall be made from among those students who submitted
23 statements of candidacy to the principal of the attendance
24 center during the first 2 weeks of the school year. The
25 principal shall communicate the results of any nonbinding,
26 advisory poll to the Board. These results shall be advisory

1 only, and the Board shall maintain absolute discretion to
2 appoint student members to local school councils,
3 irrespective of the preferences expressed in any such poll.

4 (n) The Board may promulgate such other rules and
5 regulations for election procedures as may be deemed necessary
6 to ensure fair elections.

7 (o) In the event that a vacancy occurs during a member's
8 term, the Council shall appoint a person eligible to serve on
9 the Council, to fill the unexpired term created by the vacancy,
10 except that any teacher vacancy shall be filled by the Board
11 after considering the preferences of the school staff as
12 ascertained through a non-binding advisory poll of school
13 staff.

14 (p) If less than the specified number of persons is elected
15 within each candidate category, the newly elected local school
16 council shall appoint eligible persons to serve as members of
17 the Council for two-year terms.

18 (q) The Board shall promulgate rules regarding conflicts of
19 interest and disclosure of economic interests which shall apply
20 to local school council members and which shall require reports
21 or statements to be filed by Council members at regular
22 intervals with the Secretary of the Board. Failure to comply
23 with such rules or intentionally falsifying such reports shall
24 be grounds for disqualification from local school council
25 membership. A vacancy on the Council for disqualification may
26 be so declared by the Secretary of the Board. Rules regarding

1 conflicts of interest and disclosure of economic interests
2 promulgated by the Board shall apply to local school council
3 members. No less than 45 days prior to the deadline, the
4 general superintendent shall provide notice, by mail, to each
5 local school council member of all requirements and forms for
6 compliance with economic interest statements.

7 (r) (1) If a parent member of a local school council ceases
8 to have any child enrolled in the attendance center governed by
9 the Local School Council due to the graduation or voluntary
10 transfer of a child or children from the attendance center, the
11 parent's membership on the Local School Council and all voting
12 rights are terminated immediately as of the date of the child's
13 graduation or voluntary transfer. If the child of a parent
14 member of a local school council dies during the member's term
15 in office, the member may continue to serve on the local school
16 council for the balance of his or her term. Further, a local
17 school council member may be removed from the Council by a
18 majority vote of the Council as provided in subsection (c) of
19 Section 34-2.2 if the Council member has missed 3 consecutive
20 regular meetings, not including committee meetings, or 5
21 regular meetings in a 12 month period, not including committee
22 meetings. If a parent member of a local school council ceases
23 to be eligible to serve on the Council for any other reason, he
24 or she shall be removed by the Board subject to a hearing,
25 convened pursuant to Board rule, prior to removal. A vote to
26 remove a Council member by the local school council shall only

1 be valid if the Council member has been notified personally or
2 by certified mail, mailed to the person's last known address,
3 of the Council's intent to vote on the Council member's removal
4 at least 7 days prior to the vote. The Council member in
5 question shall have the right to explain his or her actions and
6 shall be eligible to vote on the question of his or her removal
7 from the Council. The provisions of this subsection shall be
8 contained within the petitions used to nominate Council
9 candidates.

10 (2) A person may continue to serve as a community resident
11 member of a local school council as long as he or she resides
12 in the attendance area served by the school and is not employed
13 by the Board nor is a parent of a student enrolled at the
14 school. If a community resident member ceases to be eligible to
15 serve on the Council, he or she shall be removed by the Board
16 subject to a hearing, convened pursuant to Board rule, prior to
17 removal.

18 (3) A person may continue to serve as a teacher member of a
19 local school council as long as he or she is employed and
20 assigned to perform a majority of his or her duties at the
21 school, provided that if the teacher representative resigns
22 from employment with the Board or voluntarily transfers to
23 another school, the teacher's membership on the local school
24 council and all voting rights are terminated immediately as of
25 the date of the teacher's resignation or upon the date of the
26 teacher's voluntary transfer to another school. If a teacher

1 member of a local school council ceases to be eligible to serve
2 on a local school council for any other reason, that member
3 shall be removed by the Board subject to a hearing, convened
4 pursuant to Board rule, prior to removal.

5 (s) As used in this Section only, "community resident"
6 means a person, 17 years of age or older, residing within an
7 attendance area served by a school, excluding any person who is
8 a parent of a student enrolled in that school; provided that
9 with respect to any multi-area school, community resident means
10 any person, 17 years of age or older, residing within the
11 voting district established for that school pursuant to Section
12 34-2.1c, excluding any person who is a parent of a student
13 enrolled in that school. This definition does not apply to any
14 provisions concerning school boards.

15 (Source: P.A. 99-597, eff. 1-1-17.)

16 (105 ILCS 5/34-2.2) (from Ch. 122, par. 34-2.2)

17 Sec. 34-2.2. Local school councils - Manner of operation.

18 (a) The annual organizational meeting of each local school
19 council shall be held at the attendance center or via
20 videoconference or teleconference if guidance from the
21 Department of Public Health or Centers for Disease Control and
22 Prevention limits the size of in-person meetings at the time of
23 the meeting. At the annual organization meeting, which shall be
24 held no sooner than July 1 and no later than July 14, a parent
25 member of the local school council shall be selected by the

1 members of such council as its chairperson, and a secretary
2 shall be selected by the members of such council from among
3 their number, each to serve a term of one year. However, an
4 organizational meeting held by members elected to a local
5 school council under subsection (c-5) of Section 34-2.1 may be
6 held no sooner than January 11, 2021 and no later than January
7 31, 2021. Whenever a vacancy in the office of chairperson or
8 secretary of a local school council shall occur, a new
9 chairperson (who shall be a parent member) or secretary, as the
10 case may be, shall be elected by the members of the local
11 school council from among their number to serve as such
12 chairperson or secretary for the unexpired term of office in
13 which the vacancy occurs. At each annual organizational
14 meeting, the time and place of any regular meetings of the
15 local school council shall be fixed. Special meetings of the
16 local school council may be called by the chairperson or by any
17 4 members by giving notice thereof in writing, specifying the
18 time, place and purpose of the meeting. Public notice of
19 meetings shall also be given in accordance with the Open
20 Meetings Act.

21 (b) Members and officers of the local school council shall
22 serve without compensation and without reimbursement of any
23 expenses incurred in the performance of their duties, except
24 that the board of education may by rule establish a procedure
25 and thereunder provide for reimbursement of members and
26 officers of local school councils for such of their reasonable

1 and necessary expenses (excluding any lodging or meal expenses)
2 incurred in the performance of their duties as the board may
3 deem appropriate.

4 (c) A majority of the full membership of the local school
5 council shall constitute a quorum, and whenever a vote is taken
6 on any measure before the local school council, a quorum being
7 present, the affirmative vote of a majority of the votes of the
8 full membership then serving of the local school council shall
9 determine the outcome thereof; provided that whenever the
10 measure before the local school council is (i) the evaluation
11 of the principal, or (ii) the renewal of his or her performance
12 contract or the inclusion of any provision or modification of
13 the contract, or (iii) the direct selection by the local school
14 council of a new principal (including a new principal to fill a
15 vacancy) to serve under a 4 year performance contract, or (iv)
16 the determination of the names of candidates to be submitted to
17 the general superintendent for the position of principal, the
18 principal and student member of a high school council shall not
19 be counted for purposes of determining whether a quorum is
20 present to act on the measure and shall have no vote thereon;
21 and provided further that 7 affirmative votes of the local
22 school council shall be required for the direct selection by
23 the local school council of a new principal to serve under a 4
24 year performance contract but not for the renewal of a
25 principal's performance contract.

26 (d) Student members of high school councils shall not be

1 eligible to vote on personnel matters, including but not
2 limited to principal evaluations and contracts and the
3 allocation of teaching and staff resources.

4 (e) The local school council of an attendance center which
5 provides bilingual education shall be encouraged to provide
6 translators at each council meeting to maximize participation
7 of parents and the community.

8 (f) Each local school council of an attendance center which
9 provides bilingual education shall create a Bilingual Advisory
10 Committee or recognize an existing Bilingual Advisory
11 Committee as a standing committee. The Chair and a majority of
12 the members of the advisory committee shall be parents of
13 students in the bilingual education program. The parents on the
14 advisory committee shall be selected by parents of students in
15 the bilingual education program, and the committee shall select
16 a Chair. The advisory committee for each secondary attendance
17 center shall include at least one full-time bilingual education
18 student. The Bilingual Advisory Committee shall serve only in
19 an advisory capacity to the local school council.

20 (g) Local school councils may utilize the services of an
21 arbitration board to resolve intra-council disputes.

22 (Source: P.A. 91-622, eff. 8-19-99.)

23 (105 ILCS 5/34-18.5) (from Ch. 122, par. 34-18.5)

24 Sec. 34-18.5. Criminal history records checks and checks of
25 the Statewide Sex Offender Database and Statewide Murderer and

1 Violent Offender Against Youth Database.

2 (a) Licensed and nonlicensed applicants for employment
3 with the school district are required as a condition of
4 employment to authorize a fingerprint-based criminal history
5 records check to determine if such applicants have been
6 convicted of any disqualifying, enumerated criminal or drug
7 offense ~~offenses~~ in subsection (c) of this Section or have been
8 convicted, within 7 years of the application for employment
9 with the school district, of any other felony under the laws of
10 this State or of any offense committed or attempted in any
11 other state or against the laws of the United States that, if
12 committed or attempted in this State, would have been
13 punishable as a felony under the laws of this State.
14 Authorization for the check shall be furnished by the applicant
15 to the school district, except that if the applicant is a
16 substitute teacher seeking employment in more than one school
17 district, or a teacher seeking concurrent part-time employment
18 positions with more than one school district (as a reading
19 specialist, special education teacher or otherwise), or an
20 educational support personnel employee seeking employment
21 positions with more than one district, any such district may
22 require the applicant to furnish authorization for the check to
23 the regional superintendent of the educational service region
24 in which are located the school districts in which the
25 applicant is seeking employment as a substitute or concurrent
26 part-time teacher or concurrent educational support personnel

1 employee. Upon receipt of this authorization, the school
2 district or the appropriate regional superintendent, as the
3 case may be, shall submit the applicant's name, sex, race, date
4 of birth, social security number, fingerprint images, and other
5 identifiers, as prescribed by the Department of State Police,
6 to the Department. The regional superintendent submitting the
7 requisite information to the Department of State Police shall
8 promptly notify the school districts in which the applicant is
9 seeking employment as a substitute or concurrent part-time
10 teacher or concurrent educational support personnel employee
11 that the check of the applicant has been requested. The
12 Department of State Police and the Federal Bureau of
13 Investigation shall furnish, pursuant to a fingerprint-based
14 criminal history records check, records of convictions,
15 forever and hereinafter, until expunged, to the president of
16 the school board for the school district that requested the
17 check, or to the regional superintendent who requested the
18 check. The Department shall charge the school district or the
19 appropriate regional superintendent a fee for conducting such
20 check, which fee shall be deposited in the State Police
21 Services Fund and shall not exceed the cost of the inquiry; and
22 the applicant shall not be charged a fee for such check by the
23 school district or by the regional superintendent. Subject to
24 appropriations for these purposes, the State Superintendent of
25 Education shall reimburse the school district and regional
26 superintendent for fees paid to obtain criminal history records

1 checks under this Section.

2 (a-5) The school district or regional superintendent shall
3 further perform a check of the Statewide Sex Offender Database,
4 as authorized by the Sex Offender Community Notification Law,
5 for each applicant. The check of the Statewide Sex Offender
6 Database must be conducted by the school district or regional
7 superintendent once for every 5 years that an applicant remains
8 employed by the school district.

9 (a-6) The school district or regional superintendent shall
10 further perform a check of the Statewide Murderer and Violent
11 Offender Against Youth Database, as authorized by the Murderer
12 and Violent Offender Against Youth Community Notification Law,
13 for each applicant. The check of the Murderer and Violent
14 Offender Against Youth Database must be conducted by the school
15 district or regional superintendent once for every 5 years that
16 an applicant remains employed by the school district.

17 (b) Any information concerning the record of convictions
18 obtained by the president of the board of education or the
19 regional superintendent shall be confidential and may only be
20 transmitted to the general superintendent of the school
21 district or his designee, the appropriate regional
22 superintendent if the check was requested by the board of
23 education for the school district, the presidents of the
24 appropriate board of education or school boards if the check
25 was requested from the Department of State Police by the
26 regional superintendent, the State Board of Education and the

1 school district as authorized under subsection (b-5), the State
2 Superintendent of Education, the State Educator Preparation
3 and Licensure Board or any other person necessary to the
4 decision of hiring the applicant for employment. A copy of the
5 record of convictions obtained from the Department of State
6 Police shall be provided to the applicant for employment. Upon
7 the check of the Statewide Sex Offender Database or Statewide
8 Murderer and Violent Offender Against Youth Database, the
9 school district or regional superintendent shall notify an
10 applicant as to whether or not the applicant has been
11 identified in the Database. If a check of an applicant for
12 employment as a substitute or concurrent part-time teacher or
13 concurrent educational support personnel employee in more than
14 one school district was requested by the regional
15 superintendent, and the Department of State Police upon a check
16 ascertains that the applicant has not been convicted of any of
17 the enumerated criminal or drug offenses in subsection (c) of
18 this Section or has not been convicted, within 7 years of the
19 application for employment with the school district, of any
20 other felony under the laws of this State or of any offense
21 committed or attempted in any other state or against the laws
22 of the United States that, if committed or attempted in this
23 State, would have been punishable as a felony under the laws of
24 this State and so notifies the regional superintendent and if
25 the regional superintendent upon a check ascertains that the
26 applicant has not been identified in the Sex Offender Database

1 or Statewide Murderer and Violent Offender Against Youth
2 Database, then the regional superintendent shall issue to the
3 applicant a certificate evidencing that as of the date
4 specified by the Department of State Police the applicant has
5 not been convicted of any of the enumerated criminal or drug
6 offenses in subsection (c) of this Section or has not been
7 convicted, within 7 years of the application for employment
8 with the school district, of any other felony under the laws of
9 this State or of any offense committed or attempted in any
10 other state or against the laws of the United States that, if
11 committed or attempted in this State, would have been
12 punishable as a felony under the laws of this State and
13 evidencing that as of the date that the regional superintendent
14 conducted a check of the Statewide Sex Offender Database or
15 Statewide Murderer and Violent Offender Against Youth
16 Database, the applicant has not been identified in the
17 Database. The school board of any school district may rely on
18 the certificate issued by any regional superintendent to that
19 substitute teacher, concurrent part-time teacher, or
20 concurrent educational support personnel employee or may
21 initiate its own criminal history records check of the
22 applicant through the Department of State Police and its own
23 check of the Statewide Sex Offender Database or Statewide
24 Murderer and Violent Offender Against Youth Database as
25 provided in this Section. Any unauthorized release of
26 confidential information may be a violation of Section 7 of the

1 Criminal Identification Act.

2 (b-5) If a criminal history records check or check of the
3 Statewide Sex Offender Database or Statewide Murderer and
4 Violent Offender Against Youth Database is performed by a
5 regional superintendent for an applicant seeking employment as
6 a substitute teacher with the school district, the regional
7 superintendent may disclose to the State Board of Education
8 whether the applicant has been issued a certificate under
9 subsection (b) based on those checks. If the State Board
10 receives information on an applicant under this subsection,
11 then it must indicate in the Educator Licensure Information
12 System for a 90-day period that the applicant has been issued
13 or has not been issued a certificate.

14 (c) The board of education shall not knowingly employ a
15 person who has been convicted of any offense that would subject
16 him or her to license suspension or revocation pursuant to
17 Section 21B-80 of this Code, except as provided under
18 subsection (b) of 21B-80. Further, the board of education shall
19 not knowingly employ a person who has been found to be the
20 perpetrator of sexual or physical abuse of any minor under 18
21 years of age pursuant to proceedings under Article II of the
22 Juvenile Court Act of 1987. As a condition of employment, the
23 board of education must consider the status of a person who has
24 been issued an indicated finding of abuse or neglect of a child
25 by the Department of Children and Family Services under the
26 Abused and Neglected Child Reporting Act or by a child welfare

1 agency of another jurisdiction.

2 (d) The board of education shall not knowingly employ a
3 person for whom a criminal history records check and a
4 Statewide Sex Offender Database check have ~~has~~ not been
5 initiated.

6 (e) Within 10 days after the general superintendent of
7 schools, a regional office of education, or an entity that
8 provides background checks of license holders to public schools
9 receives information of a pending criminal charge against a
10 license holder for an offense set forth in Section 21B-80 of
11 this Code, the superintendent, regional office of education, or
12 entity must notify the State Superintendent of Education of the
13 pending criminal charge.

14 No later than 15 business days after receipt of a record of
15 conviction or of checking the Statewide Murderer and Violent
16 Offender Against Youth Database or the Statewide Sex Offender
17 Database and finding a registration, the general
18 superintendent of schools or the applicable regional
19 superintendent shall, in writing, notify the State
20 Superintendent of Education of any license holder who has been
21 convicted of a crime set forth in Section 21B-80 of this Code.
22 Upon receipt of the record of a conviction of or a finding of
23 child abuse by a holder of any license issued pursuant to
24 Article 21B or Section 34-8.1 or 34-83 of this ~~the School~~ Code,
25 the State Superintendent of Education may initiate licensure
26 suspension and revocation proceedings as authorized by law. If

1 the receipt of the record of conviction or finding of child
2 abuse is received within 6 months after the initial grant of or
3 renewal of a license, the State Superintendent of Education may
4 rescind the license holder's license.

5 (e-5) The general superintendent of schools shall, in
6 writing, notify the State Superintendent of Education of any
7 license holder whom he or she has reasonable cause to believe
8 has committed an intentional act of abuse or neglect with the
9 result of making a child an abused child or a neglected child,
10 as defined in Section 3 of the Abused and Neglected Child
11 Reporting Act, and that act resulted in the license holder's
12 dismissal or resignation from the school district. This
13 notification must be submitted within 30 days after the
14 dismissal or resignation. The license holder must also be
15 contemporaneously sent a copy of the notice by the
16 superintendent. All correspondence, documentation, and other
17 information so received by the State Superintendent of
18 Education, the State Board of Education, or the State Educator
19 Preparation and Licensure Board under this subsection (e-5) is
20 confidential and must not be disclosed to third parties, except
21 (i) as necessary for the State Superintendent of Education or
22 his or her designee to investigate and prosecute pursuant to
23 Article 21B of this Code, (ii) pursuant to a court order, (iii)
24 for disclosure to the license holder or his or her
25 representative, or (iv) as otherwise provided in this Article
26 and provided that any such information admitted into evidence

1 in a hearing is exempt from this confidentiality and
2 non-disclosure requirement. Except for an act of willful or
3 wanton misconduct, any superintendent who provides
4 notification as required in this subsection (e-5) shall have
5 immunity from any liability, whether civil or criminal or that
6 otherwise might result by reason of such action.

7 (f) After March 19, 1990, the provisions of this Section
8 shall apply to all employees of persons or firms holding
9 contracts with any school district including, but not limited
10 to, food service workers, school bus drivers and other
11 transportation employees, who have direct, daily contact with
12 the pupils of any school in such district. For purposes of
13 criminal history records checks and checks of the Statewide Sex
14 Offender Database on employees of persons or firms holding
15 contracts with more than one school district and assigned to
16 more than one school district, the regional superintendent of
17 the educational service region in which the contracting school
18 districts are located may, at the request of any such school
19 district, be responsible for receiving the authorization for a
20 criminal history records check prepared by each such employee
21 and submitting the same to the Department of State Police and
22 for conducting a check of the Statewide Sex Offender Database
23 for each employee. Any information concerning the record of
24 conviction and identification as a sex offender of any such
25 employee obtained by the regional superintendent shall be
26 promptly reported to the president of the appropriate school

1 board or school boards.

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

6 (g) Prior to the commencement of any student teaching
7 experience or required internship (which is referred to as
8 student teaching in this Section) in the public schools, a
9 student teacher is required to authorize a fingerprint-based
10 criminal history records check. Authorization for and payment
11 of the costs of the check must be furnished by the student
12 teacher to the school district. Upon receipt of this
13 authorization and payment, the school district shall submit the
14 student teacher's name, sex, race, date of birth, social
15 security number, fingerprint images, and other identifiers, as
16 prescribed by the Department of State Police, to the Department
17 of State Police. The Department of State Police and the Federal
18 Bureau of Investigation shall furnish, pursuant to a
19 fingerprint-based criminal history records check, records of
20 convictions, forever and hereinafter, until expunged, to the
21 president of the board. The Department shall charge the school
22 district a fee for conducting the check, which fee must not
23 exceed the cost of the inquiry and must be deposited into the
24 State Police Services Fund. The school district shall further
25 perform a check of the Statewide Sex Offender Database, as
26 authorized by the Sex Offender Community Notification Law, and

1 of the Statewide Murderer and Violent Offender Against Youth
2 Database, as authorized by the Murderer and Violent Offender
3 Against Youth Registration Act, for each student teacher. The
4 board may not knowingly allow a person to student teach for
5 whom a criminal history records check, a Statewide Sex Offender
6 Database check, and a Statewide Murderer and Violent Offender
7 Against Youth Database check have not been completed and
8 reviewed by the district.

9 A copy of the record of convictions obtained from the
10 Department of State Police must be provided to the student
11 teacher. Any information concerning the record of convictions
12 obtained by the president of the board is confidential and may
13 only be transmitted to the general superintendent of schools or
14 his or her designee, the State Superintendent of Education, the
15 State Educator Preparation and Licensure Board, or, for
16 clarification purposes, the Department of State Police or the
17 Statewide Sex Offender Database or Statewide Murderer and
18 Violent Offender Against Youth Database. Any unauthorized
19 release of confidential information may be a violation of
20 Section 7 of the Criminal Identification Act.

21 The board may not knowingly allow a person to student teach
22 who has been convicted of any offense that would subject him or
23 her to license suspension or revocation pursuant to subsection
24 (c) of Section 21B-80 of this Code, except as provided under
25 subsection (b) of Section 21B-80. Further, the board may not
26 allow a person to student teach if he or she has been found to

1 be the perpetrator of sexual or physical abuse of a minor under
2 18 years of age pursuant to proceedings under Article II of the
3 Juvenile Court Act of 1987. The board must consider the status
4 of a person to student teach who has been issued an indicated
5 finding of abuse or neglect of a child by the Department of
6 Children and Family Services under the Abused and Neglected
7 Child Reporting Act or by a child welfare agency of another
8 jurisdiction.

9 (h) (Blank).

10 (Source: P.A. 101-72, eff. 7-12-19; 101-531, eff. 8-23-19;
11 revised 9-19-19.)

12 (105 ILCS 5/34-18.66 new)

13 Sec. 34-18.66. Remote and blended remote learning. This
14 Section applies if the Governor has declared a disaster due to
15 a public health emergency pursuant to Section 7 of the Illinois
16 Emergency Management Agency Act.

17 (1) If the Governor has declared a disaster due to a
18 public health emergency pursuant to Section 7 of the
19 Illinois Emergency Management Agency Act, the State
20 Superintendent of Education may declare a requirement to
21 use remote learning days or blended remote learning days
22 for the school district, multiple school districts, a
23 region, or the entire State. During remote learning days,
24 schools shall conduct instruction remotely. During blended
25 remote learning days, schools may utilize hybrid models of

1 in-person and remote instruction. Once declared, remote
2 learning days or blended remote learning days shall be
3 implemented in grades pre-kindergarten through 12 as days
4 of attendance and shall be deemed pupil attendance days for
5 calculation of the length of a school term under Section
6 10-19.

7 (2) For purposes of this Section, a remote learning day
8 or blended remote learning day may be met through the
9 district's implementation of an e-learning program under
10 Section 10-20.56.

11 (3) If the district does not implement an e-learning
12 program under Section 10-20.56, the district shall adopt a
13 remote and blended remote learning day plan approved by the
14 general superintendent of schools. The district may
15 utilize remote and blended remote learning planning days,
16 consecutively or in separate increments, to develop,
17 review, or amend its remote and blended remote learning day
18 plan or provide professional development to staff
19 regarding remote education. Up to 5 remote and blended
20 remote learning planning days may be deemed pupil
21 attendance days for calculation of the length of a school
22 term under Section 10-19.

23 (4) Each remote and blended remote learning day plan
24 shall address the following:

25 (i) accessibility of the remote instruction to all
26 students enrolled in the district;

1 (ii) if applicable, a requirement that the remote
2 learning day and blended remote learning day
3 activities reflect State learning standards;

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

6 (iv) the unique needs of students in special
7 populations, including, but not limited to, students
8 eligible for special education under Article 14,
9 students who are English learners as defined in Section
10 14C-2, and students experiencing homelessness under
11 the Education for Homeless Children Act, or vulnerable
12 student populations;

13 (v) how the district will take attendance and
14 monitor and verify each student's remote
15 participation; and

16 (vi) transitions from remote learning to on-site
17 learning upon the State Superintendent's declaration
18 that remote learning days or blended remote learning
19 days are no longer deemed necessary.

20 (5) The general superintendent of schools shall
21 periodically review and amend the district's remote and
22 blended remote learning day plan, as needed, to ensure the
23 plan meets the needs of all students.

24 (6) Each remote and blended remote learning day plan
25 shall be posted on the district's Internet website where
26 other policies, rules, and standards of conduct are posted

1 and shall be provided to students and faculty.

2 (7) This Section does not create any additional
3 employee bargaining rights and does not remove any employee
4 bargaining rights.

5 (8) Statutory and regulatory curricular mandates and
6 offerings may be administered via the district's remote and
7 blended remote learning day plan, except that the district
8 may not offer individual behind-the-wheel instruction
9 required by Section 27-24.2 via the district's remote and
10 blended remote learning day plan. This Section does not
11 relieve schools and the district from completing all
12 statutory and regulatory curricular mandates and
13 offerings.

14 (105 ILCS 5/34-85) (from Ch. 122, par. 34-85)

15 Sec. 34-85. Removal for cause; notice and hearing;
16 suspension.

17 (a) No teacher employed by the board of education shall
18 (after serving the probationary period specified in Section
19 34-84) be removed except for cause. Teachers (who have
20 completed the probationary period specified in Section 34-84 of
21 this Code) shall be removed for cause in accordance with the
22 procedures set forth in this Section or, at the board's option,
23 the procedures set forth in Section 24-16.5 of this Code or
24 such other procedures established in an agreement entered into
25 between the board and the exclusive representative of the

1 district's teachers under Section 34-85c of this Code for
2 teachers (who have completed the probationary period specified
3 in Section 34-84 of this Code) assigned to schools identified
4 in that agreement. No principal employed by the board of
5 education shall be removed during the term of his or her
6 performance contract except for cause, which may include but is
7 not limited to the principal's repeated failure to implement
8 the school improvement plan or to comply with the provisions of
9 the Uniform Performance Contract, including additional
10 criteria established by the Council for inclusion in the
11 performance contract pursuant to Section 34-2.3.

12 Before service of notice of charges on account of causes
13 that may be deemed to be remediable, the teacher or principal
14 must be given reasonable warning in writing, stating
15 specifically the causes that, if not removed, may result in
16 charges; however, no such written warning is required if the
17 causes have been the subject of a remediation plan pursuant to
18 Article 24A of this Code or if the board and the exclusive
19 representative of the district's teachers have entered into an
20 agreement pursuant to Section 34-85c of this Code, pursuant to
21 an alternative system of remediation. No written warning shall
22 be required for conduct on the part of a teacher or principal
23 that is cruel, immoral, negligent, or criminal or that in any
24 way causes psychological or physical harm or injury to a
25 student, as that conduct is deemed to be irreparable. No
26 written warning shall be required for a material breach of the

1 uniform principal performance contract, as that conduct is
2 deemed to be irremediable; provided that not less than 30 days
3 before the vote of the local school council to seek the
4 dismissal of a principal for a material breach of a uniform
5 principal performance contract, the local school council shall
6 specify the nature of the alleged breach in writing and provide
7 a copy of it to the principal.

8 (1) To initiate dismissal proceedings against a
9 teacher or principal, the general superintendent must
10 first approve written charges and specifications against
11 the teacher or principal. A local school council may direct
12 the general superintendent to approve written charges
13 against its principal on behalf of the Council upon the
14 vote of 7 members of the Council. The general
15 superintendent must approve those charges within 45
16 calendar days or provide a written reason for not approving
17 those charges. A written notice of those charges, including
18 specifications, shall be served upon the teacher or
19 principal within 10 business days of the approval of the
20 charges. Any written notice sent on or after July 1, 2012
21 shall also inform the teacher or principal of the right to
22 request a hearing before a mutually selected hearing
23 officer, with the cost of the hearing officer split equally
24 between the teacher or principal and the board, or a
25 hearing before a qualified hearing officer chosen by the
26 general superintendent, with the cost of the hearing

1 officer paid by the board. If the teacher or principal
2 cannot be found upon diligent inquiry, such charges may be
3 served upon him by mailing a copy thereof in a sealed
4 envelope by prepaid certified mail, return receipt
5 requested, to the teacher's or principal's last known
6 address. A return receipt showing delivery to such address
7 within 20 calendar days after the date of the approval of
8 the charges shall constitute proof of service.

9 (2) No hearing upon the charges is required unless the
10 teacher or principal within 17 calendar days after
11 receiving notice requests in writing of the general
12 superintendent that a hearing be scheduled. Pending the
13 hearing of the charges, the general superintendent or his
14 or her designee may suspend the teacher or principal
15 charged without pay in accordance with rules prescribed by
16 the board, provided that if the teacher or principal
17 charged is not dismissed based on the charges, he or she
18 must be made whole for lost earnings, less setoffs for
19 mitigation.

20 (3) The board shall maintain a list of at least 9
21 qualified hearing officers who will conduct hearings on
22 charges and specifications. The list must be developed in
23 good faith consultation with the exclusive representative
24 of the board's teachers and professional associations that
25 represent the board's principals. The list may be revised
26 on July 1st of each year or earlier as needed. To be a

1 qualified hearing officer, the person must (i) be
2 accredited by a national arbitration organization and have
3 had a minimum of 5 years of experience as an arbitrator in
4 cases involving labor and employment relations matters
5 between employers and employees or their exclusive
6 bargaining representatives and (ii) beginning September 1,
7 2012, have participated in training provided or approved by
8 the State Board of Education for teacher dismissal hearing
9 officers so that he or she is familiar with issues
10 generally involved in evaluative and non-evaluative
11 dismissals.

12 Within 5 business days after receiving the notice of
13 request for a hearing, the general superintendent and the
14 teacher or principal or their legal representatives shall
15 alternately strike one name from the list until only one
16 name remains. Unless waived by the teacher, the teacher or
17 principal shall have the right to proceed first with the
18 striking. If the teacher or principal fails to participate
19 in the striking process, the general superintendent shall
20 either select the hearing officer from the list developed
21 pursuant to this paragraph (3) or select another qualified
22 hearing officer from the master list maintained by the
23 State Board of Education pursuant to subsection (c) of
24 Section 24-12 of this Code.

25 (4) If the notice of dismissal was sent to the teacher
26 or principal before July 1, 2012, the fees and costs for

1 the hearing officer shall be paid by the State Board of
2 Education. If the notice of dismissal was sent to the
3 teacher or principal on or after July 1, 2012, the hearing
4 officer's fees and costs must be paid as follows in this
5 paragraph (4). The fees and permissible costs for the
6 hearing officer shall be determined by the State Board of
7 Education. If the hearing officer is mutually selected by
8 the parties through alternate striking in accordance with
9 paragraph (3) of this subsection (a), then the board and
10 the teacher or their legal representative shall each pay
11 50% of the fees and costs and any supplemental allowance to
12 which they agree. If the hearing officer is selected by the
13 general superintendent without the participation of the
14 teacher or principal, then the board shall pay 100% of the
15 hearing officer fees and costs. The hearing officer shall
16 submit for payment a billing statement to the parties that
17 itemizes the charges and expenses and divides them in
18 accordance with this Section.

19 (5) The teacher or the principal charged is required to
20 answer the charges and specifications and aver affirmative
21 matters in his or her defense, and the time for doing so
22 must be set by the hearing officer. The State Board of
23 Education shall adopt rules so that each party has a fair
24 opportunity to present its case and to ensure that the
25 dismissal proceeding is concluded in an expeditious
26 manner. The rules shall address, without limitation, the

1 teacher or principal's answer and affirmative defenses to
2 the charges and specifications; a requirement that each
3 party make mandatory disclosures without request to the
4 other party and then update the disclosure no later than 10
5 calendar days prior to the commencement of the hearing,
6 including a list of the names and addresses of persons who
7 may be called as witnesses at the hearing, a summary of the
8 facts or opinions each witness will testify to, and all
9 other documents and materials, including information
10 maintained electronically, relevant to its own as well as
11 the other party's case (the hearing officer may exclude
12 witnesses and exhibits not identified and shared, except
13 those offered in rebuttal for which the party could not
14 reasonably have anticipated prior to the hearing);
15 pre-hearing discovery and preparation, including provision
16 for written interrogatories and requests for production of
17 documents, provided that discovery depositions are
18 prohibited; the conduct of the hearing; the right of each
19 party to be represented by counsel, the offer of evidence
20 and witnesses and the cross-examination of witnesses; the
21 authority of the hearing officer to issue subpoenas and
22 subpoenas duces tecum, provided that the hearing officer
23 may limit the number of witnesses to be subpoenaed in
24 behalf of each party to no more than 7; the length of
25 post-hearing briefs; and the form, length, and content of
26 hearing officers' reports and recommendations to the

1 general superintendent.

2 The hearing officer shall commence the hearing within
3 75 calendar days and conclude the hearing within 120
4 calendar days after being selected by the parties as the
5 hearing officer, provided that these timelines may be
6 modified upon the showing of good cause or mutual agreement
7 of the parties. Good cause for the purposes of this
8 paragraph (5) shall mean the illness or otherwise
9 unavoidable emergency of the teacher, district
10 representative, their legal representatives, the hearing
11 officer, or an essential witness as indicated in each
12 party's pre-hearing submission. In a dismissal hearing in
13 which a witness is a student or is under the age of 18, the
14 hearing officer must make accommodations for the witness,
15 as provided under paragraph (5.5) of this subsection. The
16 hearing officer shall consider and give weight to all of
17 the teacher's evaluations written pursuant to Article 24A
18 that are relevant to the issues in the hearing. Except as
19 otherwise provided under paragraph (5.5) of this
20 subsection, the teacher or principal has the privilege of
21 being present at the hearing with counsel and of
22 cross-examining witnesses and may offer evidence and
23 witnesses and present defenses to the charges. Each party
24 shall have no more than 3 days to present its case, unless
25 extended by the hearing officer to enable a party to
26 present adequate evidence and testimony, including due to

1 the other party's cross-examination of the party's
2 witnesses, for good cause or by mutual agreement of the
3 parties. The State Board of Education shall define in rules
4 the meaning of "day" for such purposes. All testimony at
5 the hearing shall be taken under oath administered by the
6 hearing officer. The hearing officer shall cause a record
7 of the proceedings to be kept and shall employ a competent
8 reporter to take stenographic or stenotype notes of all the
9 testimony. The costs of the reporter's attendance and
10 services at the hearing shall be paid by the party or
11 parties who are paying the fees and costs of the hearing
12 officer. Either party desiring a transcript of the hearing
13 shall pay for the cost thereof. At the close of the
14 hearing, the hearing officer shall direct the parties to
15 submit post-hearing briefs no later than 21 calendar days
16 after receipt of the transcript. Either or both parties may
17 waive submission of briefs.

18 (5.5) In the case of charges involving sexual abuse or
19 severe physical abuse of a student or a person under the
20 age of 18, the hearing officer shall make alternative
21 hearing procedures to protect a witness who is a student or
22 who is under the age of 18 from being intimidated or
23 traumatized. Alternative hearing procedures may include,
24 but are not limited to: (i) testimony made via a
25 telecommunication device in a location other than the
26 hearing room and outside the physical presence of the

1 teacher or principal and other hearing participants, (ii)
2 testimony outside the physical presence of the teacher or
3 principal, or (iii) non-public testimony. During a
4 testimony described under this subsection, each party must
5 be permitted to ask a witness who is a student or who is
6 under 18 years of age all relevant questions and follow-up
7 questions. All questions must exclude evidence of the
8 witness' sexual behavior or predisposition, unless the
9 evidence is offered to prove that someone other than the
10 teacher subject to the dismissal hearing engaged in the
11 charge at issue.

12 (6) The hearing officer shall within 30 calendar days
13 from the conclusion of the hearing report to the general
14 superintendent findings of fact and a recommendation as to
15 whether or not the teacher or principal shall be dismissed
16 and shall give a copy of the report to both the teacher or
17 principal and the general superintendent. The State Board
18 of Education shall provide by rule the form of the hearing
19 officer's report and recommendation.

20 (7) The board, within 45 days of receipt of the hearing
21 officer's findings of fact and recommendation, shall make a
22 decision as to whether the teacher or principal shall be
23 dismissed from its employ. The failure of the board to
24 strictly adhere to the timeliness contained herein shall
25 not render it without jurisdiction to dismiss the teacher
26 or principal. In the event that the board declines to

1 dismiss the teacher or principal after review of a hearing
2 officer's recommendation, the board shall set the amount of
3 back pay and benefits to award the teacher or principal,
4 which shall include offsets for interim earnings and
5 failure to mitigate losses. The board shall establish
6 procedures for the teacher's or principal's submission of
7 evidence to it regarding lost earnings, lost benefits,
8 mitigation, and offsets. The decision of the board is final
9 unless reviewed in accordance with paragraph (8) of this
10 subsection (a).

11 (8) The teacher may seek judicial review of the board's
12 decision in accordance with the Administrative Review Law,
13 which is specifically incorporated in this Section, except
14 that the review must be initiated in the Illinois Appellate
15 Court for the First District. In the event judicial review
16 is instituted, any costs of preparing and filing the record
17 of proceedings shall be paid by the party instituting the
18 review. In the event the appellate court reverses a board
19 decision to dismiss a teacher or principal and directs the
20 board to pay the teacher or the principal back pay and
21 benefits, the appellate court shall remand the matter to
22 the board to issue an administrative decision as to the
23 amount of back pay and benefits, which shall include a
24 calculation of the lost earnings, lost benefits,
25 mitigation, and offsets based on evidence submitted to the
26 board in accordance with procedures established by the

1 board.

2 (9) If the Governor has declared a disaster due to a
3 public health emergency pursuant to Section 7 of the
4 Illinois Emergency Management Act, except if the parties
5 mutually agree otherwise and the agreement is in writing,
6 the requirements of this Section pertaining to prehearings
7 and hearings are paused and do not begin to toll until the
8 proclamation declaring the disaster is no longer in effect.
9 If mutually agreed to and reduced in writing, the parties
10 may proceed with the prehearing and hearing requirements of
11 this Section connected to the appointment and selection of
12 a hearing officer and those connected to commencing and
13 concluding a hearing. Any hearing convened during a public
14 health emergency pursuant to Section 7 of the Illinois
15 Emergency Management Agency Act may be convened remotely.
16 Any hearing officer for a hearing convened during a public
17 health emergency pursuant to Section 7 of the Illinois
18 Emergency Management Agency Act may voluntarily withdraw
19 from the hearing and another hearing officer shall be
20 selected or appointed pursuant to this Section.

21 (b) Nothing in this Section affects the validity of removal
22 for cause hearings commenced prior to June 13, 2011 (the
23 effective date of Public Act 97-8).

24 The changes made by Public Act 97-8 shall apply to
25 dismissals instituted on or after September 1, 2011 or the
26 effective date of Public Act 97-8, whichever is later. Any

1 dismissal instituted prior to the effective date of these
2 changes must be carried out in accordance with the requirements
3 of this Section prior to amendment by Public Act 97-8.

4 (Source: P.A. 101-531, eff. 8-23-19.)

5 (105 ILCS 5/34-85c)

6 Sec. 34-85c. Alternative procedures for teacher
7 evaluation, remediation, and removal for cause after
8 remediation.

9 (a) Notwithstanding any law to the contrary, the board and
10 the exclusive representative of the district's teachers are
11 hereby authorized to enter into an agreement to establish
12 alternative procedures for teacher evaluation, remediation,
13 and removal for cause after remediation, including an
14 alternative system for peer evaluation and recommendations;
15 provided, however, that no later than September 1, 2012: (i)
16 any alternative procedures must include provisions whereby
17 student performance data is a significant factor in teacher
18 evaluation and (ii) teachers are rated as "excellent",
19 "proficient", "needs improvement" or "unsatisfactory".
20 Pursuant exclusively to that agreement, teachers assigned to
21 schools identified in that agreement shall be subject to an
22 alternative performance evaluation plan and remediation
23 procedures in lieu of the plan and procedures set forth in
24 Article 24A of this Code and alternative removal for cause
25 standards and procedures in lieu of the removal standards and

1 procedures set forth in Section 34-85 of this Code. To the
2 extent that the agreement provides a teacher with an
3 opportunity for a hearing on removal for cause before an
4 independent hearing officer in accordance with Section 34-85 or
5 otherwise, the hearing officer shall be governed by the
6 alternative performance evaluation plan, remediation
7 procedures, and removal standards and procedures set forth in
8 the agreement in making findings of fact and a recommendation.

9 (a-5) If the Governor has declared a disaster due to a
10 public health emergency pursuant to Section 7 of the Illinois
11 Emergency Management Agency Act that suspends in-person
12 instruction, the timelines connected to the commencement and
13 completion of any remediation plan are paused. Except where the
14 parties mutually agree otherwise and such agreement is in
15 writing, any remediation plan that had been in place for 45 or
16 more days prior to the suspension of in-person instruction
17 shall resume when in-person instruction resumes; any
18 remediation plan that had been in place for fewer than 45 days
19 prior to the suspension of in-person instruction shall
20 discontinue and a new remediation period will begin when
21 in-person instruction resumes.

22 (b) The board and the exclusive representative of the
23 district's teachers shall submit a certified copy of an
24 agreement as provided under subsection (a) of this Section to
25 the State Board of Education.

26 (Source: P.A. 96-861, eff. 1-15-10; 97-8, eff. 6-13-11.)

1 Section 10. The Illinois Articulation Initiative Act is
2 amended by changing Section 20 as follows:

3 (110 ILCS 152/20)

4 Sec. 20. Course transferability.

5 (a) All courses approved for Illinois Articulation
6 Initiative General Education codes must be transferable as a
7 part of the General Education Core Curriculum package,
8 consistent with the specific requirements of the package.
9 Illinois Articulation Initiative General Education courses
10 taken during the public health emergency declared by
11 proclamation of the Governor due to the COVID-19 pandemic
12 during calendar year 2020 must be transferable for students
13 receiving a grade of "pass", "credit", or "satisfactory" and
14 shall fulfill the prerequisite requirements for advanced
15 courses.

16 (a-5) All public institutions shall determine if Illinois
17 Articulation Initiative major courses are direct course
18 equivalents or are elective credit toward the requirements of
19 the major. If the receiving institution does not offer the
20 course or does not offer it at the lower-division level, the
21 student shall receive elective lower-division major credit
22 toward the requirements of the major for the course and may be
23 required to take the course at the upper-division level.

24 (b) Students receiving the full General Education Core

1 Curriculum package must not be required to take additional
2 lower-division general education courses.

3 (Source: P.A. 99-636, eff. 1-1-17.)

4 Section 15. The Board of Higher Education Act is amended by
5 adding Section 9.39 as follows:

6 (110 ILCS 205/9.39 new)

7 Sec. 9.39. Emergency completion and student support
8 services grants. Subject to appropriation, the Board shall
9 award emergency completion grants and competitive grants for
10 public university student support services.

11 Section 20. The Higher Education Student Assistance Act is
12 amended by changing Section 65.100 as follows:

13 (110 ILCS 947/65.100)

14 (Text of Section before amendment by P.A. 101-613)

15 (Section scheduled to be repealed on October 1, 2024)

16 Sec. 65.100. AIM HIGH Grant Pilot Program.

17 (a) The General Assembly makes all of the following
18 findings:

19 (1) Both access and affordability are important
20 aspects of the Illinois Public Agenda for College and
21 Career Success report.

22 (2) This State is in the top quartile with respect to

1 the percentage of family income needed to pay for college.

2 (3) Research suggests that as loan amounts increase,
3 rather than an increase in grant amounts, the probability
4 of college attendance decreases.

5 (4) There is further research indicating that
6 socioeconomic status may affect the willingness of
7 students to use loans to attend college.

8 (5) Strategic use of tuition discounting can decrease
9 the amount of loans that students must use to pay for
10 tuition.

11 (6) A modest, individually tailored tuition discount
12 can make the difference in a student choosing to attend
13 college and enhance college access for low-income and
14 middle-income families.

15 (7) Even if the federally calculated financial need for
16 college attendance is met, the federally determined
17 Expected Family Contribution can still be a daunting
18 amount.

19 (8) This State is the second largest exporter of
20 students in the country.

21 (9) When talented Illinois students attend
22 universities in this State, the State and those
23 universities benefit.

24 (10) State universities in other states have adopted
25 pricing and incentives that allow many Illinois residents
26 to pay less to attend an out-of-state university than to

1 remain in this State for college.

2 (11) Supporting Illinois student attendance at
3 Illinois public universities can assist in State efforts to
4 maintain and educate a highly trained workforce.

5 (12) Modest tuition discounts that are individually
6 targeted and tailored can result in enhanced revenue for
7 public universities.

8 (13) By increasing a public university's capacity to
9 strategically use tuition discounting, the public
10 university will be capable of creating enhanced tuition
11 revenue by increasing enrollment yields.

12 (b) In this Section:

13 "Eligible applicant" means a student from any high school
14 in this State, whether or not recognized by the State Board of
15 Education, who is engaged in a program of study that in due
16 course will be completed by the end of the school year and who
17 meets all of the qualifications and requirements under this
18 Section.

19 "Tuition and other necessary fees" includes the customary
20 charge for instruction and use of facilities in general and the
21 additional fixed fees charged for specified purposes that are
22 required generally of non-grant recipients for each academic
23 period for which the grant applicant actually enrolls, but does
24 not include fees payable only once or breakage fees and other
25 contingent deposits that are refundable in whole or in part.
26 The Commission may adopt, by rule not inconsistent with this

1 Section, detailed provisions concerning the computation of
2 tuition and other necessary fees.

3 (c) Beginning with the 2019-2020 academic year, each public
4 university may establish a merit-based scholarship pilot
5 program known as the AIM HIGH Grant Pilot Program. Each year,
6 the Commission shall receive and consider applications from
7 public universities under this Section. Subject to
8 appropriation and any tuition waiver limitation established by
9 the Board of Higher Education, a public university campus may
10 award a grant to a student under this Section if it finds that
11 the applicant meets all of the following criteria:

12 (1) He or she is a resident of this State and a citizen
13 or eligible noncitizen of the United States.

14 (2) He or she files a Free Application for Federal
15 Student Aid and demonstrates financial need with a
16 household income no greater than 6 times the poverty
17 guidelines updated periodically in the Federal Register by
18 the U.S. Department of Health and Human Services under the
19 authority of 42 U.S.C. 9902(2). The household income of the
20 applicant at the time of initial application shall be
21 deemed to be the household income of the applicant for the
22 duration of the pilot program.

23 (3) He or she meets the minimum cumulative grade point
24 average or ACT or SAT college admissions test score, as
25 determined by the public university campus.

26 (4) He or she is enrolled in a public university as an

1 undergraduate student on a full-time basis.

2 (5) He or she has not yet received a baccalaureate
3 degree or the equivalent of 135 semester credit hours.

4 (6) He or she is not incarcerated.

5 (7) He or she is not in default on any student loan or
6 does not owe a refund or repayment on any State or federal
7 grant or scholarship.

8 (8) Any other reasonable criteria, as determined by the
9 public university campus.

10 (d) Each public university campus shall determine grant
11 renewal criteria consistent with the requirements under this
12 Section.

13 (e) Each participating public university campus shall post
14 on its Internet website criteria and eligibility requirements
15 for receiving awards that use funds under this Section that
16 include a range in the sizes of these individual awards. The
17 criteria and amounts must also be reported to the Commission
18 and the Board of Higher Education, who shall post the
19 information on their respective Internet websites.

20 (f) After enactment of an appropriation for this Program,
21 the Commission shall determine an allocation of funds to each
22 public university in an amount proportionate to the number of
23 undergraduate students who are residents of this State and
24 citizens or eligible noncitizens of the United States and who
25 were enrolled at each public university campus in the previous
26 academic year. All applications must be made to the Commission

1 on or before a date determined by the Commission and on forms
2 that the Commission shall provide to each public university
3 campus. The form of the application and the information
4 required shall be determined by the Commission and shall
5 include, without limitation, the total public university
6 campus funds used to match funds received from the Commission
7 in the previous academic year under this Section, if any, the
8 total enrollment of undergraduate students who are residents of
9 this State from the previous academic year, and any supporting
10 documents as the Commission deems necessary. Each public
11 university campus shall match the amount of funds received by
12 the Commission with financial aid for eligible students.

13 A public university campus is not required to claim its
14 entire allocation. The Commission shall make available to all
15 public universities, on a date determined by the Commission,
16 any unclaimed funds and the funds must be made available to
17 those public university campuses in the proportion determined
18 under this subsection (f), excluding from the calculation those
19 public university campuses not claiming their full
20 allocations.

21 Each public university campus may determine the award
22 amounts for eligible students on an individual or broad basis,
23 but, subject to renewal eligibility, each renewed award may not
24 be less than the amount awarded to the eligible student in his
25 or her first year attending the public university campus.
26 Notwithstanding this limitation, a renewal grant may be reduced

1 due to changes in the student's cost of attendance, including,
2 but not limited to, if a student reduces the number of credit
3 hours in which he or she is enrolled, but remains a full-time
4 student, or switches to a course of study with a lower tuition
5 rate.

6 An eligible applicant awarded grant assistance under this
7 Section is eligible to receive other financial aid. Total grant
8 aid to the student from all sources may not exceed the total
9 cost of attendance at the public university campus.

10 (g) All money allocated to a public university campus under
11 this Section may be used only for financial aid purposes for
12 students attending the public university campus during the
13 academic year, not including summer terms. Notwithstanding any
14 other provision of law to the contrary, any funds received by a
15 public university campus under this Section that are not
16 granted to students in the academic year for which the funds
17 are received may be retained by the public university campus
18 for expenditure on students participating in the Program or
19 students eligible to participate in the Program.

20 (h) Each public university campus that establishes a
21 Program under this Section must annually report to the
22 Commission, on or before a date determined by the Commission,
23 the number of undergraduate students enrolled at that campus
24 who are residents of this State.

25 (i) Each public university campus must report to the
26 Commission the total non-loan financial aid amount given by the

1 public university campus to undergraduate students in fiscal
2 year 2018. To be eligible to receive funds under the Program, a
3 public university campus may not decrease the total amount of
4 non-loan financial aid for undergraduate students to an amount
5 lower than the total non-loan financial aid amount given by the
6 public university campus to undergraduate students in fiscal
7 year 2018, not including any funds received from the Commission
8 under this Section or any funds used to match grant awards
9 under this Section.

10 (j) On or before a date determined by the Commission, each
11 public university campus that participates in the Program under
12 this Section shall annually submit a report to the Commission
13 with all of the following information:

14 (1) The Program's impact on tuition revenue and
15 enrollment goals and increase in access and affordability
16 at the public university campus.

17 (2) Total funds received by the public university
18 campus under the Program.

19 (3) Total non-loan financial aid awarded to
20 undergraduate students attending the public university
21 campus.

22 (4) Total amount of funds matched by the public
23 university campus.

24 (5) Total amount of claimed and unexpended funds
25 retained by the public university campus.

26 (6) The percentage of total financial aid distributed

1 under the Program by the public university campus.

2 (7) The total number of students receiving grants from
3 the public university campus under the Program and those
4 students' grade level, race, gender, income level, family
5 size, Monetary Award Program eligibility, Pell Grant
6 eligibility, and zip code of residence and the amount of
7 each grant award. This information shall include unit
8 record data on those students regarding variables
9 associated with the parameters of the public university's
10 Program, including, but not limited to, a student's ACT or
11 SAT college admissions test score, high school or
12 university cumulative grade point average, or program of
13 study.

14 On or before October 1, 2020 and annually on or before
15 October 1 thereafter, the Commission shall submit a report with
16 the findings under this subsection (j) and any other
17 information regarding the AIM HIGH Grant Pilot Program to (i)
18 the Governor, (ii) the Speaker of the House of Representatives,
19 (iii) the Minority Leader of the House of Representatives, (iv)
20 the President of the Senate, and (v) the Minority Leader of the
21 Senate. The reports to the General Assembly shall be filed with
22 the Clerk of the House of Representatives and the Secretary of
23 the Senate in electronic form only, in the manner that the
24 Clerk and the Secretary shall direct. The Commission's report
25 may not disaggregate data to a level that may disclose
26 personally identifying information of individual students.

1 The sharing and reporting of student data under this
2 subsection (j) must be in accordance with the requirements
3 under the federal Family Educational Rights and Privacy Act of
4 1974 and the Illinois School Student Records Act. All parties
5 must preserve the confidentiality of the information as
6 required by law. The names of the grant recipients under this
7 Section are not subject to disclosure under the Freedom of
8 Information Act.

9 Public university campuses that fail to submit a report
10 under this subsection (j) or that fail to adhere to any other
11 requirements under this Section may not be eligible for
12 distribution of funds under the Program for the next academic
13 year, but may be eligible for distribution of funds for each
14 academic year thereafter.

15 (k) The Commission shall adopt rules to implement this
16 Section.

17 (l) This Section is repealed on October 1, 2024.

18 (Source: P.A. 100-587, eff. 6-4-18; 100-1015, eff. 8-21-18;
19 100-1183, eff. 4-4-19; 101-81, eff. 7-12-19.)

20 (Text of Section after amendment by P.A. 101-613)

21 (Section scheduled to be repealed on October 1, 2024)

22 Sec. 65.100. AIM HIGH Grant Pilot Program.

23 (a) The General Assembly makes all of the following
24 findings:

25 (1) Both access and affordability are important

1 aspects of the Illinois Public Agenda for College and
2 Career Success report.

3 (2) This State is in the top quartile with respect to
4 the percentage of family income needed to pay for college.

5 (3) Research suggests that as loan amounts increase,
6 rather than an increase in grant amounts, the probability
7 of college attendance decreases.

8 (4) There is further research indicating that
9 socioeconomic status may affect the willingness of
10 students to use loans to attend college.

11 (5) Strategic use of tuition discounting can decrease
12 the amount of loans that students must use to pay for
13 tuition.

14 (6) A modest, individually tailored tuition discount
15 can make the difference in a student choosing to attend
16 college and enhance college access for low-income and
17 middle-income families.

18 (7) Even if the federally calculated financial need for
19 college attendance is met, the federally determined
20 Expected Family Contribution can still be a daunting
21 amount.

22 (8) This State is the second largest exporter of
23 students in the country.

24 (9) When talented Illinois students attend
25 universities in this State, the State and those
26 universities benefit.

1 (10) State universities in other states have adopted
2 pricing and incentives that allow many Illinois residents
3 to pay less to attend an out-of-state university than to
4 remain in this State for college.

5 (11) Supporting Illinois student attendance at
6 Illinois public universities can assist in State efforts to
7 maintain and educate a highly trained workforce.

8 (12) Modest tuition discounts that are individually
9 targeted and tailored can result in enhanced revenue for
10 public universities.

11 (13) By increasing a public university's capacity to
12 strategically use tuition discounting, the public
13 university will be capable of creating enhanced tuition
14 revenue by increasing enrollment yields.

15 (b) In this Section:

16 "Eligible applicant" means a student from any high school
17 in this State, whether or not recognized by the State Board of
18 Education, who is engaged in a program of study that in due
19 course will be completed by the end of the school year and who
20 meets all of the qualifications and requirements under this
21 Section.

22 "Tuition and other necessary fees" includes the customary
23 charge for instruction and use of facilities in general and the
24 additional fixed fees charged for specified purposes that are
25 required generally of non-grant recipients for each academic
26 period for which the grant applicant actually enrolls, but does

1 not include fees payable only once or breakage fees and other
2 contingent deposits that are refundable in whole or in part.
3 The Commission may adopt, by rule not inconsistent with this
4 Section, detailed provisions concerning the computation of
5 tuition and other necessary fees.

6 (c) Beginning with the 2019-2020 academic year, each public
7 university may establish a merit-based scholarship pilot
8 program known as the AIM HIGH Grant Pilot Program. Each year,
9 the Commission shall receive and consider applications from
10 public universities under this Section. Subject to
11 appropriation and any tuition waiver limitation established by
12 the Board of Higher Education, a public university campus may
13 award a grant to a student under this Section if it finds that
14 the applicant meets all of the following criteria:

15 (1) He or she is a resident of this State and a citizen
16 or eligible noncitizen of the United States.

17 (2) He or she files a Free Application for Federal
18 Student Aid and demonstrates financial need with a
19 household income no greater than 6 times the poverty
20 guidelines updated periodically in the Federal Register by
21 the U.S. Department of Health and Human Services under the
22 authority of 42 U.S.C. 9902(2). The household income of the
23 applicant at the time of initial application shall be
24 deemed to be the household income of the applicant for the
25 duration of the pilot program.

26 (3) He or she meets the minimum cumulative grade point

1 average or ACT or SAT college admissions test score, as
2 determined by the public university campus.

3 (4) He or she is enrolled in a public university as an
4 undergraduate student on a full-time basis.

5 (5) He or she has not yet received a baccalaureate
6 degree or the equivalent of 135 semester credit hours.

7 (6) He or she is not incarcerated.

8 (7) He or she is not in default on any student loan or
9 does not owe a refund or repayment on any State or federal
10 grant or scholarship.

11 (8) Any other reasonable criteria, as determined by the
12 public university campus.

13 (d) Each public university campus shall determine grant
14 renewal criteria consistent with the requirements under this
15 Section.

16 (e) Each participating public university campus shall post
17 on its Internet website criteria and eligibility requirements
18 for receiving awards that use funds under this Section that
19 include a range in the sizes of these individual awards. The
20 criteria and amounts must also be reported to the Commission
21 and the Board of Higher Education, who shall post the
22 information on their respective Internet websites.

23 (f) After enactment of an appropriation for this Program,
24 the Commission shall determine an allocation of funds to each
25 public university in an amount proportionate to the number of
26 undergraduate students who are residents of this State and

1 citizens or eligible noncitizens of the United States and who
2 were enrolled at each public university campus in the previous
3 academic year. All applications must be made to the Commission
4 on or before a date determined by the Commission and on forms
5 that the Commission shall provide to each public university
6 campus. The form of the application and the information
7 required shall be determined by the Commission and shall
8 include, without limitation, the total public university
9 campus funds used to match funds received from the Commission
10 in the previous academic year under this Section, if any, the
11 total enrollment of undergraduate students who are residents of
12 this State from the previous academic year, and any supporting
13 documents as the Commission deems necessary. Each public
14 university campus shall match the amount of funds received by
15 the Commission with financial aid for eligible students.

16 A public university campus is not required to claim its
17 entire allocation. The Commission shall make available to all
18 public universities, on a date determined by the Commission,
19 any unclaimed funds and the funds must be made available to
20 those public university campuses in the proportion determined
21 under this subsection (f), excluding from the calculation those
22 public university campuses not claiming their full
23 allocations.

24 Each public university campus may determine the award
25 amounts for eligible students on an individual or broad basis,
26 but, subject to renewal eligibility, each renewed award may not

1 be less than the amount awarded to the eligible student in his
2 or her first year attending the public university campus.
3 Notwithstanding this limitation, a renewal grant may be reduced
4 due to changes in the student's cost of attendance, including,
5 but not limited to, if a student reduces the number of credit
6 hours in which he or she is enrolled, but remains a full-time
7 student, or switches to a course of study with a lower tuition
8 rate.

9 An eligible applicant awarded grant assistance under this
10 Section is eligible to receive other financial aid. Total grant
11 aid to the student from all sources may not exceed the total
12 cost of attendance at the public university campus.

13 (g) All money allocated to a public university campus under
14 this Section may be used only for financial aid purposes for
15 students attending the public university campus during the
16 academic year, not including summer terms. Notwithstanding any
17 other provision of law to the contrary, any funds received by a
18 public university campus under this Section that are not
19 granted to students in the academic year for which the funds
20 are received may be retained by the public university campus
21 for expenditure on students participating in the Program or
22 students eligible to participate in the Program.

23 (h) Each public university campus that establishes a
24 Program under this Section must annually report to the
25 Commission, on or before a date determined by the Commission,
26 the number of undergraduate students enrolled at that campus

1 who are residents of this State.

2 (i) Each public university campus must report to the
3 Commission the total non-loan financial aid amount given by the
4 public university campus to undergraduate students in the
5 2017-2018 academic year, not including the summer term. To be
6 eligible to receive funds under the Program, a public
7 university campus may not decrease the total amount of non-loan
8 financial aid it gives to undergraduate students, not including
9 any funds received from the Commission under this Section or
10 any funds used to match grant awards under this Section, to an
11 amount lower than the reported amount for the 2017-2018
12 academic year, not including the summer term.

13 (j) On or before a date determined by the Commission, each
14 public university campus that participates in the Program under
15 this Section shall annually submit a report to the Commission
16 with all of the following information:

17 (1) The Program's impact on tuition revenue and
18 enrollment goals and increase in access and affordability
19 at the public university campus.

20 (2) Total funds received by the public university
21 campus under the Program.

22 (3) Total non-loan financial aid awarded to
23 undergraduate students attending the public university
24 campus.

25 (4) Total amount of funds matched by the public
26 university campus.

1 (5) Total amount of claimed and unexpended funds
2 retained by the public university campus.

3 (6) The percentage of total financial aid distributed
4 under the Program by the public university campus.

5 (7) The total number of students receiving grants from
6 the public university campus under the Program and those
7 students' grade level, race, gender, income level, family
8 size, Monetary Award Program eligibility, Pell Grant
9 eligibility, and zip code of residence and the amount of
10 each grant award. This information shall include unit
11 record data on those students regarding variables
12 associated with the parameters of the public university's
13 Program, including, but not limited to, a student's ACT or
14 SAT college admissions test score, high school or
15 university cumulative grade point average, or program of
16 study.

17 On or before October 1, 2020 and annually on or before
18 October 1 thereafter, the Commission shall submit a report with
19 the findings under this subsection (j) and any other
20 information regarding the AIM HIGH Grant Pilot Program to (i)
21 the Governor, (ii) the Speaker of the House of Representatives,
22 (iii) the Minority Leader of the House of Representatives, (iv)
23 the President of the Senate, and (v) the Minority Leader of the
24 Senate. The reports to the General Assembly shall be filed with
25 the Clerk of the House of Representatives and the Secretary of
26 the Senate in electronic form only, in the manner that the

1 Clerk and the Secretary shall direct. The Commission's report
2 may not disaggregate data to a level that may disclose
3 personally identifying information of individual students.

4 The sharing and reporting of student data under this
5 subsection (j) must be in accordance with the requirements
6 under the federal Family Educational Rights and Privacy Act of
7 1974 and the Illinois School Student Records Act. All parties
8 must preserve the confidentiality of the information as
9 required by law. The names of the grant recipients under this
10 Section are not subject to disclosure under the Freedom of
11 Information Act.

12 Public university campuses that fail to submit a report
13 under this subsection (j) or that fail to adhere to any other
14 requirements under this Section may not be eligible for
15 distribution of funds under the Program for the next academic
16 year, but may be eligible for distribution of funds for each
17 academic year thereafter.

18 (k) The Commission shall adopt rules to implement this
19 Section.

20 (l) This Section is repealed on October 1, 2024.

21 (Source: P.A. 100-587, eff. 6-4-18; 100-1015, eff. 8-21-18;
22 100-1183, eff. 4-4-19; 101-81, eff. 7-12-19; 101-613, eff.
23 6-1-20.)

24 Section 95. No acceleration or delay. Where this Act makes
25 changes in a statute that is represented in this Act by text

1 that is not yet or no longer in effect (for example, a Section
2 represented by multiple versions), the use of that text does
3 not accelerate or delay the taking effect of (i) the changes
4 made by this Act or (ii) provisions derived from any other
5 Public Act.

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