



Rep. Kambium Buckner

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LRB102 03174 CMG 23728 a

1 AMENDMENT TO HOUSE BILL 1158

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1158 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing  
5 Sections 34-2.1 and 34-2.2 as follows:

6 (105 ILCS 5/34-2.1) (from Ch. 122, par. 34-2.1)

7 Sec. 34-2.1. Local School Councils - Composition -  
8 Voter-Eligibility - Elections - Terms.

9 (a) A local school council shall be established for each  
10 attendance center within the school district. Each local  
11 school council shall consist of the following 12 voting  
12 members: the principal of the attendance center, 2 teachers  
13 employed and assigned to perform the majority of their  
14 employment duties at the attendance center, 6 parents of  
15 students currently enrolled at the attendance center, one  
16 employee of the school district employed and assigned to

1 perform the majority of his or her employment duties at the  
2 attendance center who is not a teacher, and 2 community  
3 residents. Neither the parents nor the community residents who  
4 serve as members of the local school council shall be  
5 employees of the Board of Education. In each secondary  
6 attendance center, the local school council shall consist of  
7 13 voting members through the 2020-2021 school year, — the 12  
8 voting members described above and one full-time student  
9 member, and 15 voting members beginning with the 2021-2022  
10 school year, the 12 voting members described above and 3  
11 full-time student members, appointed as provided in subsection  
12 (m) below. In the event that the chief executive officer of the  
13 Chicago School Reform Board of Trustees determines that a  
14 local school council is not carrying out its financial duties  
15 effectively, the chief executive officer is authorized to  
16 appoint a representative of the business community with  
17 experience in finance and management to serve as an advisor to  
18 the local school council for the purpose of providing advice  
19 and assistance to the local school council on fiscal matters.  
20 The advisor shall have access to relevant financial records of  
21 the local school council. The advisor may attend executive  
22 sessions. The chief executive officer shall issue a written  
23 policy defining the circumstances under which a local school  
24 council is not carrying out its financial duties effectively.

25 (b) Within 7 days of January 11, 1991, the Mayor shall  
26 appoint the members and officers (a Chairperson who shall be a

1 parent member and a Secretary) of each local school council  
2 who shall hold their offices until their successors shall be  
3 elected and qualified. Members so appointed shall have all the  
4 powers and duties of local school councils as set forth in this  
5 amendatory Act of 1991. The Mayor's appointments shall not  
6 require approval by the City Council.

7 The membership of each local school council shall be  
8 encouraged to be reflective of the racial and ethnic  
9 composition of the student population of the attendance center  
10 served by the local school council.

11 (c) Beginning with the 1995-1996 school year and in every  
12 even-numbered year thereafter, the Board shall set second  
13 semester Parent Report Card Pick-up Day for Local School  
14 Council elections and may schedule elections at year-round  
15 schools for the same dates as the remainder of the school  
16 system. Elections shall be conducted as provided herein by the  
17 Board of Education in consultation with the local school  
18 council at each attendance center.

19 (c-5) Notwithstanding subsection (c), for the local school  
20 council election set for the 2019-2020 school year, the Board  
21 may hold the election on the first semester Parent Report Card  
22 Pick-up Day of the 2020-2021 school year, making any necessary  
23 modifications to the election process or date to comply with  
24 guidance from the Department of Public Health and the federal  
25 Centers for Disease Control and Prevention. The terms of  
26 office of all local school council members eligible to serve

1 and seated on or after March 23, 2020 through January 10, 2021  
2 are extended through January 10, 2021, provided that the  
3 members continue to meet eligibility requirements for local  
4 school council membership.

5 (d) Beginning with the 1995-96 school year, the following  
6 procedures shall apply to the election of local school council  
7 members at each attendance center:

8 (i) The elected members of each local school council  
9 shall consist of the 6 parent members and the 2 community  
10 resident members.

11 (ii) Each elected member shall be elected by the  
12 eligible voters of that attendance center to serve for a  
13 two-year term commencing on July 1 immediately following  
14 the election described in subsection (c), except that the  
15 terms of members elected to a local school council under  
16 subsection (c-5) shall commence on January 11, 2021 and  
17 end on July 1, 2022. Eligible voters for each attendance  
18 center shall consist of the parents and community  
19 residents for that attendance center.

20 (iii) Each eligible voter shall be entitled to cast  
21 one vote for up to a total of 5 candidates, irrespective of  
22 whether such candidates are parent or community resident  
23 candidates.

24 (iv) Each parent voter shall be entitled to vote in  
25 the local school council election at each attendance  
26 center in which he or she has a child currently enrolled.

1 Each community resident voter shall be entitled to vote in  
2 the local school council election at each attendance  
3 center for which he or she resides in the applicable  
4 attendance area or voting district, as the case may be.

5 (v) Each eligible voter shall be entitled to vote  
6 once, but not more than once, in the local school council  
7 election at each attendance center at which the voter is  
8 eligible to vote.

9 (vi) The 2 teacher members and the non-teacher  
10 employee member of each local school council shall be  
11 appointed as provided in subsection (l) below each to  
12 serve for a two-year term coinciding with that of the  
13 elected parent and community resident members. From March  
14 23, 2020 through January 10, 2021, the chief executive  
15 officer or his or her designee may make accommodations to  
16 fill the vacancy of a teacher or non-teacher employee  
17 member of a local school council.

18 (vii) At secondary attendance centers, the voting  
19 student members ~~member~~ shall be appointed as provided in  
20 subsection (m) below to serve for a one-year term  
21 coinciding with the beginning of the terms of the elected  
22 parent and community members of the local school council.  
23 For the 2020-2021 school year, the chief executive officer  
24 or his or her designee may make accommodations to fill the  
25 vacancy of a student member of a local school council.

26 (e) The Council shall publicize the date and place of the

1 election by posting notices at the attendance center, in  
2 public places within the attendance boundaries of the  
3 attendance center and by distributing notices to the pupils at  
4 the attendance center, and shall utilize such other means as  
5 it deems necessary to maximize the involvement of all eligible  
6 voters.

7 (f) Nomination. The Council shall publicize the opening of  
8 nominations by posting notices at the attendance center, in  
9 public places within the attendance boundaries of the  
10 attendance center and by distributing notices to the pupils at  
11 the attendance center, and shall utilize such other means as  
12 it deems necessary to maximize the involvement of all eligible  
13 voters. Not less than 2 weeks before the election date,  
14 persons eligible to run for the Council shall submit their  
15 name, date of birth, social security number, if available, and  
16 some evidence of eligibility to the Council. The Council shall  
17 encourage nomination of candidates reflecting the  
18 racial/ethnic population of the students at the attendance  
19 center. Each person nominated who runs as a candidate shall  
20 disclose, in a manner determined by the Board, any economic  
21 interest held by such person, by such person's spouse or  
22 children, or by each business entity in which such person has  
23 an ownership interest, in any contract with the Board, any  
24 local school council or any public school in the school  
25 district. Each person nominated who runs as a candidate shall  
26 also disclose, in a manner determined by the Board, if he or

1 she ever has been convicted of any of the offenses specified in  
2 subsection (c) of Section 34-18.5; provided that neither this  
3 provision nor any other provision of this Section shall be  
4 deemed to require the disclosure of any information that is  
5 contained in any law enforcement record or juvenile court  
6 record that is confidential or whose accessibility or  
7 disclosure is restricted or prohibited under Section 5-901 or  
8 5-905 of the Juvenile Court Act of 1987. Failure to make such  
9 disclosure shall render a person ineligible for election or to  
10 serve on the local school council. The same disclosure shall  
11 be required of persons under consideration for appointment to  
12 the Council pursuant to subsections (l) and (m) of this  
13 Section.

14 (f-5) Notwithstanding disclosure, a person who has been  
15 convicted of any of the following offenses at any time shall be  
16 ineligible for election or appointment to a local school  
17 council and ineligible for appointment to a local school  
18 council pursuant to subsections (l) and (m) of this Section:  
19 (i) those defined in Section 11-1.20, 11-1.30, 11-1.40,  
20 11-1.50, 11-1.60, 11-6, 11-9.1, 11-14.4, 11-16, 11-17.1,  
21 11-19, 11-19.1, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 12-13,  
22 12-14, 12-14.1, 12-15, or 12-16, or subdivision (a)(2) of  
23 Section 11-14.3, of the Criminal Code of 1961 or the Criminal  
24 Code of 2012, or (ii) any offense committed or attempted in any  
25 other state or against the laws of the United States, which, if  
26 committed or attempted in this State, would have been

1 punishable as one or more of the foregoing offenses.  
2 Notwithstanding disclosure, a person who has been convicted of  
3 any of the following offenses within the 10 years previous to  
4 the date of nomination or appointment shall be ineligible for  
5 election or appointment to a local school council: (i) those  
6 defined in Section 401.1, 405.1, or 405.2 of the Illinois  
7 Controlled Substances Act or (ii) any offense committed or  
8 attempted in any other state or against the laws of the United  
9 States, which, if committed or attempted in this State, would  
10 have been punishable as one or more of the foregoing offenses.

11 Immediately upon election or appointment, incoming local  
12 school council members shall be required to undergo a criminal  
13 background investigation, to be completed prior to the member  
14 taking office, in order to identify any criminal convictions  
15 under the offenses enumerated in Section 34-18.5. The  
16 investigation shall be conducted by the Department of State  
17 Police in the same manner as provided for in Section 34-18.5.  
18 However, notwithstanding Section 34-18.5, the social security  
19 number shall be provided only if available. If it is  
20 determined at any time that a local school council member or  
21 member-elect has been convicted of any of the offenses  
22 enumerated in this Section or failed to disclose a conviction  
23 of any of the offenses enumerated in Section 34-18.5, the  
24 general superintendent shall notify the local school council  
25 member or member-elect of such determination and the local  
26 school council member or member-elect shall be removed from



1 the local school council by the Board, subject to a hearing,  
2 convened pursuant to Board rule, prior to removal.

3 (g) At least one week before the election date, the  
4 Council shall publicize, in the manner provided in subsection  
5 (e), the names of persons nominated for election.

6 (h) Voting shall be in person by secret ballot at the  
7 attendance center between the hours of 6:00 a.m. and 7:00 p.m.

8 (i) Candidates receiving the highest number of votes shall  
9 be declared elected by the Council. In cases of a tie, the  
10 Council shall determine the winner by lot.

11 (j) The Council shall certify the results of the election  
12 and shall publish the results in the minutes of the Council.

13 (k) The general superintendent shall resolve any disputes  
14 concerning election procedure or results and shall ensure  
15 that, except as provided in subsections (e) and (g), no  
16 resources of any attendance center shall be used to endorse or  
17 promote any candidate.

18 (l) Beginning with the 1995-1996 school year and in every  
19 even numbered year thereafter, the Board shall appoint 2  
20 teacher members to each local school council. These  
21 appointments shall be made in the following manner:

22 (i) The Board shall appoint 2 teachers who are  
23 employed and assigned to perform the majority of their  
24 employment duties at the attendance center to serve on the  
25 local school council of the attendance center for a  
26 two-year term coinciding with the terms of the elected

1 parent and community members of that local school council.  
2 These appointments shall be made from among those teachers  
3 who are nominated in accordance with subsection (f).

4 (ii) A non-binding, advisory poll to ascertain the  
5 preferences of the school staff regarding appointments of  
6 teachers to the local school council for that attendance  
7 center shall be conducted in accordance with the  
8 procedures used to elect parent and community Council  
9 representatives. At such poll, each member of the school  
10 staff shall be entitled to indicate his or her preference  
11 for up to 2 candidates from among those who submitted  
12 statements of candidacy as described above. These  
13 preferences shall be advisory only and the Board shall  
14 maintain absolute discretion to appoint teacher members to  
15 local school councils, irrespective of the preferences  
16 expressed in any such poll.

17 (iii) In the event that a teacher representative is  
18 unable to perform his or her employment duties at the  
19 school due to illness, disability, leave of absence,  
20 disciplinary action, or any other reason, the Board shall  
21 declare a temporary vacancy and appoint a replacement  
22 teacher representative to serve on the local school  
23 council until such time as the teacher member originally  
24 appointed pursuant to this subsection (1) resumes service  
25 at the attendance center or for the remainder of the term.  
26 The replacement teacher representative shall be appointed

1 in the same manner and by the same procedures as teacher  
2 representatives are appointed in subdivisions (i) and (ii)  
3 of this subsection (l).

4 (m) Beginning with the 1995-1996 school year through the  
5 2020-2021 school year, and in every year thereafter, the Board  
6 shall appoint one student member to each secondary attendance  
7 center. Beginning with the 2021-2022 school year and for every  
8 school year thereafter, the Board shall appoint 3 student  
9 members to each secondary attendance center. These  
10 appointments shall be made in the following manner:

11 (i) Appointments shall be made from among those  
12 students who submit statements of candidacy to the  
13 principal of the attendance center, such statements to be  
14 submitted commencing on the first day of the twentieth  
15 week of school and continuing for 2 weeks thereafter. The  
16 form and manner of such candidacy statements shall be  
17 determined by the Board.

18 (ii) During the twenty-second week of school in every  
19 year, the principal of each attendance center shall  
20 conduct a non-binding, advisory poll to ascertain the  
21 preferences of the school students regarding the  
22 appointment of ~~a student~~ students to the local school  
23 council for that attendance center. At such poll, each  
24 student shall be entitled to indicate his or her  
25 preference for up to one candidate from among those who  
26 submitted statements of candidacy as described above. The

1 Board shall promulgate rules to ensure that these  
2 non-binding, advisory polls are conducted in a fair and  
3 equitable manner and maximize the involvement of all  
4 school students. The preferences expressed in these  
5 non-binding, advisory polls shall be transmitted by the  
6 principal to the Board. However, these preferences shall  
7 be advisory only and the Board shall maintain absolute  
8 discretion to appoint student members to local school  
9 councils, irrespective of the preferences expressed in any  
10 such poll.

11 (iii) For the 1995-96 school year only, appointments  
12 shall be made from among those students who submitted  
13 statements of candidacy to the principal of the attendance  
14 center during the first 2 weeks of the school year. The  
15 principal shall communicate the results of any nonbinding,  
16 advisory poll to the Board. These results 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 (n) The Board may promulgate such other rules and  
22 regulations for election procedures as may be deemed necessary  
23 to ensure fair elections.

24 (o) In the event that a vacancy occurs during a member's  
25 term, the Council shall appoint a person eligible to serve on  
26 the Council, to fill the unexpired term created by the

1 vacancy, except that any teacher vacancy shall be filled by  
2 the Board after considering the preferences of the school  
3 staff as ascertained through a non-binding advisory poll of  
4 school staff.

5 (p) If less than the specified number of persons is  
6 elected within each candidate category, the newly elected  
7 local school council shall appoint eligible persons to serve  
8 as members of the Council for two-year terms.

9 (q) The Board shall promulgate rules regarding conflicts  
10 of interest and disclosure of economic interests which shall  
11 apply to local school council members and which shall require  
12 reports or statements to be filed by Council members at  
13 regular intervals with the Secretary of the Board. Failure to  
14 comply with such rules or intentionally falsifying such  
15 reports shall be grounds for disqualification from local  
16 school council membership. A vacancy on the Council for  
17 disqualification may be so declared by the Secretary of the  
18 Board. Rules regarding conflicts of interest and disclosure of  
19 economic interests promulgated by the Board shall apply to  
20 local school council members. No less than 45 days prior to the  
21 deadline, the general superintendent shall provide notice, by  
22 mail, to each local school council member of all requirements  
23 and forms for compliance with economic interest statements.

24 (r) (1) If a parent member of a local school council ceases  
25 to have any child enrolled in the attendance center governed  
26 by the Local School Council due to the graduation or voluntary

1 transfer of a child or children from the attendance center,  
2 the parent's membership on the Local School Council and all  
3 voting rights are terminated immediately as of the date of the  
4 child's graduation or voluntary transfer. If the child of a  
5 parent member of a local school council dies during the  
6 member's term in office, the member may continue to serve on  
7 the local school council for the balance of his or her term.  
8 Further, a local school council member may be removed from the  
9 Council by a majority vote of the Council as provided in  
10 subsection (c) of Section 34-2.2 if the Council member has  
11 missed 3 consecutive regular meetings, not including committee  
12 meetings, or 5 regular meetings in a 12 month period, not  
13 including committee meetings. If a parent member of a local  
14 school council ceases to be eligible to serve on the Council  
15 for any other reason, he or she shall be removed by the Board  
16 subject to a hearing, convened pursuant to Board rule, prior  
17 to removal. A vote to remove a Council member by the local  
18 school council shall only be valid if the Council member has  
19 been notified personally or by certified mail, mailed to the  
20 person's last known address, of the Council's intent to vote  
21 on the Council member's removal at least 7 days prior to the  
22 vote. The Council member in question shall have the right to  
23 explain his or her actions and shall be eligible to vote on the  
24 question of his or her removal from the Council. The  
25 provisions of this subsection shall be contained within the  
26 petitions used to nominate Council candidates.

1           (2) A person may continue to serve as a community resident  
2 member of a local school council as long as he or she resides  
3 in the attendance area served by the school and is not employed  
4 by the Board nor is a parent of a student enrolled at the  
5 school. If a community resident member ceases to be eligible  
6 to serve on the Council, he or she shall be removed by the  
7 Board subject to a hearing, convened pursuant to Board rule,  
8 prior to removal.

9           (3) A person may continue to serve as a teacher member of a  
10 local school council as long as he or she is employed and  
11 assigned to perform a majority of his or her duties at the  
12 school, provided that if the teacher representative resigns  
13 from employment with the Board or voluntarily transfers to  
14 another school, the teacher's membership on the local school  
15 council and all voting rights are terminated immediately as of  
16 the date of the teacher's resignation or upon the date of the  
17 teacher's voluntary transfer to another school. If a teacher  
18 member of a local school council ceases to be eligible to serve  
19 on a local school council for any other reason, that member  
20 shall be removed by the Board subject to a hearing, convened  
21 pursuant to Board rule, prior to removal.

22           (s) As used in this Section only, "community resident"  
23 means a person, 17 years of age or older, residing within an  
24 attendance area served by a school, excluding any person who  
25 is a parent of a student enrolled in that school; provided that  
26 with respect to any multi-area school, community resident

1 means any person, 17 years of age or older, residing within the  
2 voting district established for that school pursuant to  
3 Section 34-2.1c, excluding any person who is a parent of a  
4 student enrolled in that school. This definition does not  
5 apply to any provisions concerning school boards.

6 (Source: P.A. 101-643, eff. 6-18-20.)

7 (105 ILCS 5/34-2.2) (from Ch. 122, par. 34-2.2)

8 Sec. 34-2.2. Local school councils - Manner of operation.

9 (a) The annual organizational meeting of each local school  
10 council shall be held at the attendance center or via  
11 videoconference or teleconference if guidance from the  
12 Department of Public Health or Centers for Disease Control and  
13 Prevention limits the size of in-person meetings at the time  
14 of the meeting. At the annual organization meeting, which  
15 shall be held no sooner than July 1 and no later than July 14,  
16 a parent member of the local school council shall be selected  
17 by the members of such council as its chairperson, and a  
18 secretary shall be selected by the members of such council  
19 from among their number, each to serve a term of one year.  
20 However, an organizational meeting held by members elected to  
21 a local school council under subsection (c-5) of Section  
22 34-2.1 may be held no sooner than January 11, 2021 and no later  
23 than January 31, 2021. Whenever a vacancy in the office of  
24 chairperson or secretary of a local school council shall  
25 occur, a new chairperson (who shall be a parent member) or



1 secretary, as the case may be, shall be elected by the members  
2 of the local school council from among their number to serve as  
3 such chairperson or secretary for the unexpired term of office  
4 in which the vacancy occurs. At each annual organizational  
5 meeting, the time and place of any regular meetings of the  
6 local school council shall be fixed. Special meetings of the  
7 local school council may be called by the chairperson or by any  
8 4 members by giving notice thereof in writing, specifying the  
9 time, place and purpose of the meeting. Public notice of  
10 meetings shall also be given in accordance with the Open  
11 Meetings Act.

12 (b) Members and officers of the local school council shall  
13 serve without compensation and without reimbursement of any  
14 expenses incurred in the performance of their duties, except  
15 that the board of education may by rule establish a procedure  
16 and thereunder provide for reimbursement of members and  
17 officers of local school councils for such of their reasonable  
18 and necessary expenses (excluding any lodging or meal  
19 expenses) incurred in the performance of their duties as the  
20 board may deem appropriate.

21 (c) A majority of the full membership of the local school  
22 council shall constitute a quorum, and whenever a vote is  
23 taken on any measure before the local school council, a quorum  
24 being present, the affirmative vote of a majority of the votes  
25 of the full membership then serving of the local school  
26 council shall determine the outcome thereof; provided that

1 whenever the measure before the local school council is (i)  
2 the evaluation of the principal, or (ii) the renewal of his or  
3 her performance contract or the inclusion of any provision or  
4 modification of the contract, or (iii) the direct selection by  
5 the local school council of a new principal (including a new  
6 principal to fill a vacancy) to serve under a 4 year  
7 performance contract, or (iv) the determination of the names  
8 of candidates to be submitted to the general superintendent  
9 for the position of principal, the principal and any student  
10 members ~~member~~ of a high school council shall not be counted  
11 for purposes of determining whether a quorum is present to act  
12 on the measure and shall have no vote thereon; and provided  
13 further that 7 affirmative votes of the local school council  
14 shall be required for the direct selection by the local school  
15 council of a new principal to serve under a 4 year performance  
16 contract but not for the renewal of a principal's performance  
17 contract.

18 (d) Student members of high school councils shall not be  
19 eligible to vote on personnel matters, including but not  
20 limited to principal evaluations and contracts and the  
21 allocation of teaching and staff resources.

22 (e) The local school council of an attendance center which  
23 provides bilingual education shall be encouraged to provide  
24 translators at each council meeting to maximize participation  
25 of parents and the community.

26 (f) Each local school council of an attendance center

1 which provides bilingual education shall create a Bilingual  
2 Advisory Committee or recognize an existing Bilingual Advisory  
3 Committee as a standing committee. The Chair and a majority of  
4 the members of the advisory committee shall be parents of  
5 students in the bilingual education program. The parents on  
6 the advisory committee shall be selected by parents of  
7 students in the bilingual education program, and the committee  
8 shall select a Chair. The advisory committee for each  
9 secondary attendance center shall include at least one  
10 full-time bilingual education student. The Bilingual Advisory  
11 Committee shall serve only in an advisory capacity to the  
12 local school council.

13 (g) Local school councils may utilize the services of an  
14 arbitration board to resolve intra-council disputes.

15 (Source: P.A. 101-643, eff. 6-18-20.)

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