



Rep. Jaime M. Andrade, Jr.

Filed: 10/27/2021

10200SB0101ham002

LRB102 10486 CMG 30255 a

1 AMENDMENT TO SENATE BILL 101

2 AMENDMENT NO. _____. Amend Senate Bill 101, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The School Code is amended by changing
6 Sections 34-2.1, 34-2.2, 34-2.3, 34-2.4b, and 34-8.3 as
7 follows:

8 (105 ILCS 5/34-2.1) (from Ch. 122, par. 34-2.1)

9 Sec. 34-2.1. Local school councils; composition; voter
10 eligibility; elections; terms ~~School Councils — Composition —~~
11 ~~Voter Eligibility — Elections — Terms.~~

12 (a) Beginning with the first local school council election
13 that occurs after the effective date of this amendatory Act of
14 the 102nd General Assembly, a ~~A~~ local school council shall be
15 established for each attendance center within the school
16 district, including public small schools within the district.

1 Each local school council shall consist of the following 12
2 voting members: the principal of the attendance center, 2
3 teachers employed and assigned to perform the majority of
4 their employment duties at the attendance center, 6 parents of
5 students currently enrolled at the attendance center, one
6 employee of the school district employed and assigned to
7 perform the majority of his or her employment duties at the
8 attendance center who is not a teacher, and 2 community
9 residents. Neither the parents nor the community residents who
10 serve as members of the local school council shall be
11 employees of the Board of Education. In each secondary
12 attendance center, the local school council shall consist of
13 13 voting members through the 2020-2021 school year, the 12
14 voting members described above and one full-time student
15 member, and 15 voting members beginning with the 2021-2022
16 school year, the 12 voting members described above and 3
17 full-time student members, appointed as provided in subsection
18 (m) below. In each attendance center enrolling students in 7th
19 and 8th grade, one full-time student member shall be appointed
20 as provided in subsection (m) of this Section. In the event
21 that the chief executive officer of the Chicago School Reform
22 Board of Trustees determines that a local school council is
23 not carrying out its financial duties effectively, the chief
24 executive officer is authorized to appoint a representative of
25 the business community with experience in finance and
26 management to serve as an advisor to the local school council

1 for the purpose of providing advice and assistance to the
2 local school council on fiscal matters. The advisor shall have
3 access to relevant financial records of the local school
4 council. The advisor may attend executive sessions. The chief
5 executive officer shall issue a written policy defining the
6 circumstances under which a local school council is not
7 carrying out its financial duties effectively.

8 (b) Within 7 days of January 11, 1991, the Mayor shall
9 appoint the members and officers (a Chairperson who shall be a
10 parent member and a Secretary) of each local school council
11 who shall hold their offices until their successors shall be
12 elected and qualified. Members so appointed shall have all the
13 powers and duties of local school councils as set forth in
14 Public Act 86-1477 ~~this amendatory Act of 1991~~. The Mayor's
15 appointments shall not require approval by the City Council.

16 The membership of each local school council shall be
17 encouraged to be reflective of the racial and ethnic
18 composition of the student population of the attendance center
19 served by the local school council.

20 (c) Beginning with the 1995-1996 school year and in every
21 even-numbered year thereafter, the Board shall set second
22 semester Parent Report Card Pick-up Day for Local School
23 Council elections and may schedule elections at year-round
24 schools for the same dates as the remainder of the school
25 system. Elections shall be conducted as provided herein by the
26 Board of Education in consultation with the local school

1 council at each attendance center.

2 (c-5) Notwithstanding subsection (c), for the local school
3 council election set for the 2019-2020 school year, the Board
4 may hold the election on the first semester Parent Report Card
5 Pick-up Day of the 2020-2021 school year, making any necessary
6 modifications to the election process or date to comply with
7 guidance from the Department of Public Health and the federal
8 Centers for Disease Control and Prevention. The terms of
9 office of all local school council members eligible to serve
10 and seated on or after March 23, 2020 through January 10, 2021
11 are extended through January 10, 2021, provided that the
12 members continue to meet eligibility requirements for local
13 school council membership.

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

17 (i) The elected members of each local school council
18 shall consist of the 6 parent members and the 2 community
19 resident members.

20 (ii) Each elected member shall be elected by the
21 eligible voters of that attendance center to serve for a
22 two-year term commencing on July 1 immediately following
23 the election described in subsection (c), except that the
24 terms of members elected to a local school council under
25 subsection (c-5) shall commence on January 11, 2021 and
26 end on July 1, 2022. Eligible voters for each attendance

1 center shall consist of the parents and community
2 residents for that attendance center.

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

7 (iv) Each parent voter shall be entitled to vote in
8 the local school council election at each attendance
9 center in which he or she has a child currently enrolled.
10 Each community resident voter shall be entitled to vote in
11 the local school council election at each attendance
12 center for which he or she resides in the applicable
13 attendance area or voting district, as the case may be.

14 (v) Each eligible voter shall be entitled to vote
15 once, but not more than once, in the local school council
16 election at each attendance center at which the voter is
17 eligible to vote.

18 (vi) The 2 teacher members and the non-teacher
19 employee member of each local school council shall be
20 appointed as provided in subsection (l) below each to
21 serve for a two-year term coinciding with that of the
22 elected parent and community resident members. From March
23 23, 2020 through January 10, 2021, the chief executive
24 officer or his or her designee may make accommodations to
25 fill the vacancy of a teacher or non-teacher employee
26 member of a local school council.

1 (vii) At secondary attendance centers and attendance
2 centers enrolling students in 7th and 8th grade, the
3 voting student members shall be appointed as provided in
4 subsection (m) below to serve for a one-year term
5 coinciding with the beginning of the terms of the elected
6 parent and community members of the local school council.
7 For the 2020-2021 school year, the chief executive officer
8 or his or her designee may make accommodations to fill the
9 vacancy of a student member of a local school council.

10 (e) The Council shall publicize the date and place of the
11 election by posting notices at the attendance center, in
12 public places within the attendance boundaries of the
13 attendance center and by distributing notices to the pupils at
14 the attendance center, and shall utilize such other means as
15 it deems necessary to maximize the involvement of all eligible
16 voters.

17 (f) Nomination. The Council shall publicize the opening of
18 nominations by posting notices at the attendance center, in
19 public places within the attendance boundaries of the
20 attendance center and by distributing notices to the pupils at
21 the attendance center, and shall utilize such other means as
22 it deems necessary to maximize the involvement of all eligible
23 voters. Not less than 2 weeks before the election date,
24 persons eligible to run for the Council shall submit their
25 name, date of birth, social security number, if available, and
26 some evidence of eligibility to the Council. The Council shall

1 encourage nomination of candidates reflecting the
2 racial/ethnic population of the students at the attendance
3 center. Each person nominated who runs as a candidate shall
4 disclose, in a manner determined by the Board, any economic
5 interest held by such person, by such person's spouse or
6 children, or by each business entity in which such person has
7 an ownership interest, in any contract with the Board, any
8 local school council or any public school in the school
9 district. Each person nominated who runs as a candidate shall
10 also disclose, in a manner determined by the Board, if he or
11 she ever has been convicted of any of the offenses specified in
12 subsection (c) of Section 34-18.5; provided that neither this
13 provision nor any other provision of this Section shall be
14 deemed to require the disclosure of any information that is
15 contained in any law enforcement record or juvenile court
16 record that is confidential or whose accessibility or
17 disclosure is restricted or prohibited under Section 5-901 or
18 5-905 of the Juvenile Court Act of 1987. Failure to make such
19 disclosure shall render a person ineligible for election or to
20 serve on the local school council. The same disclosure shall
21 be required of persons under consideration for appointment to
22 the Council pursuant to subsections (l) and (m) of this
23 Section.

24 (f-5) Notwithstanding disclosure, a person who has been
25 convicted of any of the following offenses at any time shall be
26 ineligible for election or appointment to a local school

1 council and ineligible for appointment to a local school
2 council pursuant to subsections (l) and (m) of this Section:
3 (i) those defined in Section 11-1.20, 11-1.30, 11-1.40,
4 11-1.50, 11-1.60, 11-6, 11-9.1, 11-14.4, 11-16, 11-17.1,
5 11-19, 11-19.1, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 12-13,
6 12-14, 12-14.1, 12-15, or 12-16, or subdivision (a)(2) of
7 Section 11-14.3, of the Criminal Code of 1961 or the Criminal
8 Code of 2012, or (ii) any offense committed or attempted in any
9 other state or against the laws of the United States, which, if
10 committed or attempted in this State, would have been
11 punishable as one or more of the foregoing offenses.
12 Notwithstanding disclosure, a person who has been convicted of
13 any of the following offenses within the 10 years previous to
14 the date of nomination or appointment shall be ineligible for
15 election or appointment to a local school council: (i) those
16 defined in Section 401.1, 405.1, or 405.2 of the Illinois
17 Controlled Substances Act or (ii) any offense committed or
18 attempted in any other state or against the laws of the United
19 States, which, if committed or attempted in this State, would
20 have been punishable as one or more of the foregoing offenses.

21 Immediately upon election or appointment, incoming local
22 school council members shall be required to undergo a criminal
23 background investigation, to be completed prior to the member
24 taking office, in order to identify any criminal convictions
25 under the offenses enumerated in Section 34-18.5. The
26 investigation shall be conducted by the Illinois State Police

1 in the same manner as provided for in Section 34-18.5.
2 However, notwithstanding Section 34-18.5, the social security
3 number shall be provided only if available. If it is
4 determined at any time that a local school council member or
5 member-elect has been convicted of any of the offenses
6 enumerated in this Section or failed to disclose a conviction
7 of any of the offenses enumerated in Section 34-18.5, the
8 general superintendent shall notify the local school council
9 member or member-elect of such determination and the local
10 school council member or member-elect shall be removed from
11 the local school council by the Board, subject to a hearing,
12 convened pursuant to Board rule, prior to removal.

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

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

18 (i) Candidates receiving the highest number of votes shall
19 be declared elected by the Council. In cases of a tie, the
20 Council shall determine the winner by lottery ~~lot~~.

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

23 (k) The general superintendent shall resolve any disputes
24 concerning election procedure or results and shall ensure
25 that, except as provided in subsections (e) and (g), no
26 resources of any attendance center shall be used to endorse or

1 promote any candidate.

2 (1) Beginning with the first local school council election
3 that occurs after the effective date of this amendatory Act of
4 the 102nd General Assembly, Beginning with the 1995-1996
5 ~~school year and~~ in every even numbered year thereafter, the
6 Board shall appoint 2 teacher members to each local school
7 council. These appointments shall be made in the following
8 manner:

9 (i) The Board shall appoint 2 teachers who are
10 employed and assigned to perform the majority of their
11 employment duties at the attendance center to serve on the
12 local school council of the attendance center for a
13 two-year term coinciding with the terms of the elected
14 parent and community members of that local school council.
15 These appointments shall be made from among those teachers
16 who are nominated in accordance with subsection (f).

17 (ii) A non-binding, advisory poll to ascertain the
18 preferences of the school staff regarding appointments of
19 teachers to the local school council for that attendance
20 center shall be conducted in accordance with the
21 procedures used to elect parent and community Council
22 representatives. At such poll, each member of the school
23 staff shall be entitled to indicate his or her preference
24 for up to 2 candidates from among those who submitted
25 statements of candidacy as described above. These
26 preferences shall be advisory only and the Board shall

1 maintain absolute discretion to appoint teacher members to
2 local school councils, irrespective of the preferences
3 expressed in any such poll. Prior to the appointment of
4 staff members to local school councils, the Board shall
5 make public the vetting process of staff member
6 candidates. Any staff member seeking candidacy shall be
7 allowed to make an inquiry to the Board to determine if the
8 Board may deny the appointment of the staff member. An
9 inquiry made to the Board shall be made in writing in
10 accordance with Board procedure.

11 (iii) In the event that a teacher representative is
12 unable to perform his or her employment duties at the
13 school due to illness, disability, leave of absence,
14 disciplinary action, or any other reason, the Board shall
15 declare a temporary vacancy and appoint a replacement
16 teacher representative to serve on the local school
17 council until such time as the teacher member originally
18 appointed pursuant to this subsection (1) resumes service
19 at the attendance center or for the remainder of the term.
20 The replacement teacher representative shall be appointed
21 in the same manner and by the same procedures as teacher
22 representatives are appointed in subdivisions (i) and (ii)
23 of this subsection (1).

24 (m) Beginning with the 1995-1996 school year through the
25 2020-2021 school year, the Board shall appoint one student
26 member to each secondary attendance center. Beginning with the

1 2021-2022 school year and for every school year thereafter,
2 the Board shall appoint 3 student members to the local school
3 council of each secondary attendance center and one student
4 member to the local school council of each attendance center
5 enrolling students in 7th and 8th grade. Students enrolled in
6 grade 6 or above are eligible to be candidates for a local
7 school council. No attendance center enrolling students in 7th
8 and 8th grade may have more than one student member, unless the
9 attendance center enrolls students in grades 7 through 12, in
10 which case the attendance center may have a total of 3 student
11 members on the local school council. The Board may establish
12 criteria for students to be considered eligible to serve as a
13 student member. These appointments shall be made in the
14 following manner:

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

22 (ii) During the twenty-second week of school in every
23 year, the principal of each attendance center shall
24 conduct a binding election ~~a non-binding, advisory poll~~ to
25 ascertain the preferences of the school students regarding
26 the appointment of students to the local school council

1 for that attendance center. At such election poll, each
2 student shall be entitled to indicate his or her
3 preference for up to one candidate from among those who
4 submitted statements of candidacy as described above. The
5 Board shall promulgate rules to ensure that these
6 elections ~~non binding, advisory polls~~ are conducted in a
7 fair and equitable manner and maximize the involvement of
8 all school students. In the case of a tie vote, the local
9 school council shall determine the winner by lottery. The
10 preferences expressed in these elections ~~non-binding,~~
11 ~~advisory polls~~ shall be transmitted by the principal to
12 the Board. These ~~However, these~~ preferences shall be
13 binding on the Board ~~advisory only and the Board shall~~
14 ~~maintain absolute discretion to appoint student members to~~
15 ~~local school councils, irrespective of the preferences~~
16 ~~expressed in any such poll.~~

17 (iii) (Blank). ~~For the 1995-96 school year only,~~
18 ~~appointments shall be made from among those students who~~
19 ~~submitted statements of candidacy to the principal of the~~
20 ~~attendance center during the first 2 weeks of the school~~
21 ~~year. The principal shall communicate the results of any~~
22 ~~nonbinding, advisory poll to the Board. These results~~
23 ~~shall be advisory only, and the Board shall maintain~~
24 ~~absolute discretion to appoint student members to local~~
25 ~~school councils, irrespective of the preferences expressed~~
26 ~~in any such poll.~~

1 (n) The Board may promulgate such other rules and
2 regulations for election procedures as may be deemed necessary
3 to ensure fair elections.

4 (o) In the event that a vacancy occurs during a member's
5 term, the Council shall appoint a person eligible to serve on
6 the Council, to fill the unexpired term created by the
7 vacancy, except that any teacher or non-teacher staff vacancy
8 shall be filled by the Board after considering the preferences
9 of the school staff as ascertained through a non-binding
10 advisory poll of school staff. In the case of a student
11 vacancy, the vacancy shall be filled by the preferences of an
12 election poll of students.

13 (p) If less than the specified number of persons is
14 elected within each candidate category, the newly elected
15 local school council shall appoint eligible persons to serve
16 as members of the Council for 2-year ~~two-year~~ terms, as
17 provided in subsection (c-5) of Section 34-2.2 of this Code.

18 (q) The Board shall promulgate rules regarding conflicts
19 of interest and disclosure of economic interests which shall
20 apply to local school council members and which shall require
21 reports or statements to be filed by Council members at
22 regular intervals with the Secretary of the Board. Failure to
23 comply with such rules or intentionally falsifying such
24 reports shall be grounds for disqualification from local
25 school council membership. A vacancy on the Council for
26 disqualification may be so declared by the Secretary of the

1 Board. Rules regarding conflicts of interest and disclosure of
2 economic interests promulgated by the Board shall apply to
3 local school council members. No less than 45 days prior to the
4 deadline, the general superintendent shall provide notice, by
5 mail, to each local school council member of all requirements
6 and forms for 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
9 by the Local School Council due to the graduation or voluntary
10 transfer of a child or children from the attendance center,
11 the parent's membership on the Local School Council and all
12 voting rights are terminated immediately as of the date of the
13 child's graduation or voluntary transfer. If the child of a
14 parent member of a local school council dies during the
15 member's term in office, the member may continue to serve on
16 the local school council for the balance of his or her term.
17 Further, a local school council member may be removed from the
18 Council by a majority vote of the Council as provided in
19 subsection (c) of Section 34-2.2 if the Council member has
20 missed 3 consecutive regular meetings, not including committee
21 meetings, or 5 regular meetings in a 12-month ~~12-month~~ period,
22 not including committee meetings. If a parent member of a
23 local school council ceases to be eligible to serve on the
24 Council for any other reason, he or she shall be removed by the
25 Board subject to a hearing, convened pursuant to Board rule,
26 prior to removal. A vote to remove a Council member by the

1 local school council shall only be valid if the Council member
2 has been notified personally or by certified mail, mailed to
3 the person's last known address, of the Council's intent to
4 vote on the Council member's removal at least 7 days prior to
5 the vote. The Council member in question shall have the right
6 to explain his or her actions and shall be eligible to vote on
7 the question of his or her removal from the Council. The
8 provisions of this subsection shall be contained within the
9 petitions used to nominate Council 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
15 to serve on the Council, he or she shall be removed by the
16 Board subject to a hearing, convened pursuant to Board rule,
17 prior to removal.

18 (3) A person may continue to serve as a staff ~~teacher~~
19 member of a local school council as long as he or she is
20 employed and assigned to perform a majority of his or her
21 duties at the school, provided that if the staff ~~teacher~~
22 representative resigns from employment with the Board or
23 voluntarily transfers to another school, the staff member's
24 ~~teacher's~~ membership on the local school council and all
25 voting rights are terminated immediately as of the date of the
26 staff member's ~~teacher's~~ resignation or upon the date of the

1 staff member's ~~teacher's~~ voluntary transfer to another school.
2 If a staff ~~teacher~~ member of a local school council ceases to
3 be eligible to serve on a local school council for any other
4 reason, that member shall be removed by the Board subject to a
5 hearing, convened pursuant to Board rule, prior to removal.

6 (s) As used in this Section only, "community resident"
7 means a person, 17 years of age or older, residing within an
8 attendance area served by a school, excluding any person who
9 is a parent of a student enrolled in that school; provided that
10 with respect to any multi-area school, community resident
11 means any person, 17 years of age or older, residing within the
12 voting district established for that school pursuant to
13 Section 34-2.1c, excluding any person who is a parent of a
14 student enrolled in that school. This definition does not
15 apply to any provisions concerning school boards.

16 (Source: P.A. 101-643, eff. 6-18-20; 102-194, eff. 7-30-21;
17 102-538, eff. 8-20-21; revised 10-18-21.)

18 (105 ILCS 5/34-2.2) (from Ch. 122, par. 34-2.2)

19 Sec. 34-2.2. Local school councils; manner ~~councils~~
20 ~~Manner~~ of operation.

21 (a) The annual organizational meeting of each local school
22 council shall be held at the attendance center or via
23 videoconference or teleconference if guidance from the
24 Department of Public Health or Centers for Disease Control and
25 Prevention limits the size of in-person meetings at the time

1 of the meeting. At the annual organization meeting, which
2 shall be held no sooner than July 1 and no later than July 14,
3 a parent member of the local school council shall be selected
4 by the members of such council as its chairperson, and a
5 secretary shall be selected by the members of such council
6 from among their number, each to serve a term of one year.
7 However, an organizational meeting held by members elected to
8 a local school council under subsection (c-5) of Section
9 34-2.1 may be held no sooner than January 11, 2021 and no later
10 than January 31, 2021. Whenever a vacancy in the office of
11 chairperson or secretary of a local school council shall
12 occur, a new chairperson (who shall be a parent member) or
13 secretary, as the case may be, shall be elected by the members
14 of the local school council from among their number to serve as
15 such chairperson or secretary for the unexpired term of office
16 in which the vacancy occurs. At each annual organizational
17 meeting, the time and place of any regular meetings of the
18 local school council shall be fixed. Special meetings of the
19 local school council may be called by the chairperson or by any
20 4 members from an attendance center enrolling students up to
21 grade 8 or any 5 members from a secondary attendance center or
22 an attendance center enrolling students in grades 7 through
23 12, by giving notice thereof in writing, specifying the time,
24 place and purpose of the meeting. Public notice of meetings
25 shall also be given in accordance with the Open Meetings Act.

26 (b) Members and officers of the local school council shall

1 serve without compensation and without reimbursement of any
2 expenses incurred in the performance of their duties, except
3 that the board of education may by rule establish a procedure
4 and thereunder provide for reimbursement of members and
5 officers of local school councils for such of their reasonable
6 and necessary expenses (excluding any lodging or meal
7 expenses) incurred in the performance of their duties as the
8 board may deem appropriate.

9 (c) A majority of the full membership of the local school
10 council shall constitute a quorum, except as provided in
11 subsection (c-5), and whenever a vote is taken on any measure
12 before the local school council, a quorum being present, the
13 affirmative vote of a majority of the votes of the full
14 membership then serving of the local school council shall
15 determine the outcome thereof; provided that whenever the
16 measure before the local school council is (i) the evaluation
17 of the principal, or (ii) the renewal of his or her performance
18 contract or the inclusion of any provision or modification of
19 the contract, or (iii) the direct selection by the local
20 school council of a new principal (including a new principal
21 to fill a vacancy) to serve under a 4 year performance
22 contract, or (iv) the determination of the names of candidates
23 to be submitted to the general superintendent for the position
24 of principal, the principal and any student members of a local
25 ~~high~~ school council shall not be counted for purposes of
26 determining whether a quorum is present to act on the measure

1 and shall have no vote thereon; and provided further that 7
2 affirmative votes of the local school council shall be
3 required for the direct selection by the local school council
4 of a new principal to serve under a 4 year performance contract
5 but not for the renewal of a principal's performance contract.

6 (c-5) If the number of members serving on a ~~the~~ local
7 school council at an attendance center enrolling students
8 through the 8th grade falls below 7 members due to vacancies,
9 then 4 serving members of whom at least 2 are parent or
10 community ~~elected~~ members of the local school council shall
11 constitute a quorum for the sole purpose of convening a
12 meeting to fill vacancies through appointments in accordance
13 with the process set forth in Section 34-2.1 of this Code. If
14 the number of members serving on a local school council at a
15 secondary attendance center falls below 8 members due to
16 vacancies, then 5 serving members of whom at least 2 are parent
17 or community members of the local school council shall
18 constitute a quorum for the sole purpose of convening a
19 meeting to fill vacancies through appointments in accordance
20 with the process set forth in Section 34-2.1 of this Code. For
21 such purposes, the affirmative vote of a majority of those
22 present shall be required to fill a vacancy through
23 appointment by the local school council.

24 (d) Student members ~~of high school councils~~ shall not be
25 eligible to vote on personnel matters, including but not
26 limited to principal evaluations and contracts and the

1 allocation of teaching and staff resources.

2 (e) The local school council of an attendance center which
3 provides bilingual education shall be encouraged to provide
4 translators at each council meeting to maximize participation
5 of parents and the community.

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

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

21 (Source: P.A. 101-643, eff. 6-18-20; 102-194, eff. 7-30-21;
22 102-296, eff. 8-6-21; revised 10-18-21.)

23 (105 ILCS 5/34-2.3) (from Ch. 122, par. 34-2.3)

24 (Text of Section before amendment by P.A. 102-360)

25 Sec. 34-2.3. Local school councils; powers ~~councils~~

1 ~~Powers~~ and duties. Each local school council shall have and
2 exercise, consistent with the provisions of this Article and
3 the powers and duties of the board of education, the following
4 powers and duties:

5 1. (A) To annually evaluate the performance of the
6 principal of the attendance center using a Board approved
7 principal evaluation form, which shall include the evaluation
8 of (i) student academic improvement, as defined by the school
9 improvement plan, (ii) student absenteeism rates at the
10 school, (iii) instructional leadership, (iv) the effective
11 implementation of programs, policies, or strategies to improve
12 student academic achievement, (v) school management, and (vi)
13 any other factors deemed relevant by the local school council,
14 including, without limitation, the principal's communication
15 skills and ability to create and maintain a student-centered
16 learning environment, to develop opportunities for
17 professional development, and to encourage parental
18 involvement and community partnerships to achieve school
19 improvement;

20 (B) to determine in the manner provided by subsection (c)
21 of Section 34-2.2 and subdivision 1.5 of this Section whether
22 the performance contract of the principal shall be renewed;
23 and

24 (C) to directly select, in the manner provided by
25 subsection (c) of Section 34-2.2, a new principal (including a
26 new principal to fill a vacancy) -- without submitting any

1 list of candidates for that position to the general
2 superintendent as provided in paragraph 2 of this Section --
3 to serve under a 4 year performance contract; provided that
4 (i) the determination of whether the principal's performance
5 contract is to be renewed, based upon the evaluation required
6 by subdivision 1.5 of this Section, shall be made no later than
7 150 days prior to the expiration of the current
8 performance-based contract of the principal, (ii) in cases
9 where such performance contract is not renewed -- a direct
10 selection of a new principal -- to serve under a 4 year
11 performance contract shall be made by the local school council
12 no later than 45 days prior to the expiration of the current
13 performance contract of the principal, and (iii) a selection
14 by the local school council of a new principal to fill a
15 vacancy under a 4 year performance contract shall be made
16 within 90 days after the date such vacancy occurs. A Council
17 shall be required, if requested by the principal, to provide
18 in writing the reasons for the council's not renewing the
19 principal's contract.

20 1.5. The local school council's determination of whether
21 to renew the principal's contract shall be based on an
22 evaluation to assess the educational and administrative
23 progress made at the school during the principal's current
24 performance-based contract. The local school council shall
25 base its evaluation on (i) student academic improvement, as
26 defined by the school improvement plan, (ii) student

1 absenteeism rates at the school, (iii) instructional
2 leadership, (iv) the effective implementation of programs,
3 policies, or strategies to improve student academic
4 achievement, (v) school management, and (vi) any other factors
5 deemed relevant by the local school council, including,
6 without limitation, the principal's communication skills and
7 ability to create and maintain a student-centered learning
8 environment, to develop opportunities for professional
9 development, and to encourage parental involvement and
10 community partnerships to achieve school improvement. If a
11 local school council fails to renew the performance contract
12 of a principal rated by the general superintendent, or his or
13 her designee, in the previous years' evaluations as meeting or
14 exceeding expectations, the principal, within 15 days after
15 the local school council's decision not to renew the contract,
16 may request a review of the local school council's principal
17 non-retention decision by a hearing officer appointed by the
18 American Arbitration Association. A local school council
19 member or members or the general superintendent may support
20 the principal's request for review. During the period of the
21 hearing officer's review of the local school council's
22 decision on whether or not to retain the principal, the local
23 school council shall maintain all authority to search for and
24 contract with a person to serve as interim or acting
25 principal, or as the principal of the attendance center under
26 a 4-year performance contract, provided that any performance

1 contract entered into by the local school council shall be
2 voidable or modified in accordance with the decision of the
3 hearing officer. The principal may request review only once
4 while at that attendance center. If a local school council
5 renews the contract of a principal who failed to obtain a
6 rating of "meets" or "exceeds expectations" in the general
7 superintendent's evaluation for the previous year, the general
8 superintendent, within 15 days after the local school
9 council's decision to renew the contract, may request a review
10 of the local school council's principal retention decision by
11 a hearing officer appointed by the American Arbitration
12 Association. The general superintendent may request a review
13 only once for that principal at that attendance center. All
14 requests to review the retention or non-retention of a
15 principal shall be submitted to the general superintendent,
16 who shall, in turn, forward such requests, within 14 days of
17 receipt, to the American Arbitration Association. The general
18 superintendent shall send a contemporaneous copy of the
19 request that was forwarded to the American Arbitration
20 Association to the principal and to each local school council
21 member and shall inform the local school council of its rights
22 and responsibilities under the arbitration process, including
23 the local school council's right to representation and the
24 manner and process by which the Board shall pay the costs of
25 the council's representation. If the local school council
26 retains the principal and the general superintendent requests

1 a review of the retention decision, the local school council
2 and the general superintendent shall be considered parties to
3 the arbitration, a hearing officer shall be chosen between
4 those 2 parties pursuant to procedures promulgated by the
5 State Board of Education, and the principal may retain counsel
6 and participate in the arbitration. If the local school
7 council does not retain the principal and the principal
8 requests a review of the retention decision, the local school
9 council and the principal shall be considered parties to the
10 arbitration and a hearing officer shall be chosen between
11 those 2 parties pursuant to procedures promulgated by the
12 State Board of Education. The hearing shall begin (i) within
13 45 days after the initial request for review is submitted by
14 the principal to the general superintendent or (ii) if the
15 initial request for review is made by the general
16 superintendent, within 45 days after that request is mailed to
17 the American Arbitration Association. The hearing officer
18 shall render a decision within 45 days after the hearing
19 begins and within 90 days after the initial request for
20 review. The Board shall contract with the American Arbitration
21 Association for all of the hearing officer's reasonable and
22 necessary costs. In addition, the Board shall pay any
23 reasonable costs incurred by a local school council for
24 representation before a hearing officer.

25 1.10. The hearing officer shall conduct a hearing, which
26 shall include (i) a review of the principal's performance,

1 evaluations, and other evidence of the principal's service at
2 the school, (ii) reasons provided by the local school council
3 for its decision, and (iii) documentation evidencing views of
4 interested persons, including, without limitation, students,
5 parents, local school council members, school faculty and
6 staff, the principal, the general superintendent or his or her
7 designee, and members of the community. The burden of proof in
8 establishing that the local school council's decision was
9 arbitrary and capricious shall be on the party requesting the
10 arbitration, and this party shall sustain the burden by a
11 preponderance of the evidence. The hearing officer shall set
12 the local school council decision aside if that decision, in
13 light of the record developed at the hearing, is arbitrary and
14 capricious. The decision of the hearing officer may not be
15 appealed to the Board or the State Board of Education. If the
16 hearing officer decides that the principal shall be retained,
17 the retention period shall not exceed 2 years.

18 2. In the event (i) the local school council does not renew
19 the performance contract of the principal, or the principal
20 fails to receive a satisfactory rating as provided in
21 subsection (h) of Section 34-8.3, or the principal is removed
22 for cause during the term of his or her performance contract in
23 the manner provided by Section 34-85, or a vacancy in the
24 position of principal otherwise occurs prior to the expiration
25 of the term of a principal's performance contract, and (ii)
26 the local school council fails to directly select a new

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

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

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

15 2.5. Whenever a vacancy in the office of a principal
16 occurs for any reason, the vacancy shall be filled in the
17 manner provided by this Section by the selection of a new
18 principal to serve under a 4 year performance contract.

19 3. To establish additional criteria to be included as part
20 of the performance contract of its principal, provided that
21 such additional criteria shall not discriminate on the basis
22 of race, sex, creed, color or disability unrelated to ability
23 to perform, and shall not be inconsistent with the uniform 4
24 year performance contract for principals developed by the
25 board as provided in Section 34-8.1 of the School Code or with
26 other provisions of this Article governing the authority and

1 responsibility of principals.

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

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

19 Beginning in fiscal year 1991 and in each fiscal year
20 thereafter, the Board may reserve up to 1% of its total fiscal
21 year budget for distribution on a prioritized basis to schools
22 throughout the school system in order to assure adequate
23 programs to meet the needs of special student populations as
24 determined by the Board. This distribution shall take into
25 account the needs catalogued in the Systemwide Plan and the
26 various local school improvement plans of the local school

1 councils. Information about these centrally funded programs
2 shall be distributed to the local school councils so that
3 their subsequent planning and programming will account for
4 these provisions.

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

21 The expenditure plan developed by the principal with
22 respect to amounts available from the fund for prioritized
23 special needs programs and the allocated lump sum amount must
24 be approved by the local school council.

25 The lump sum allocation shall take into account the
26 following principles:

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

13 b. Other personnel: Funds for other teacher
14 certificated and uncertificated personnel paid through
15 non-categorical funds shall be provided according to
16 system-wide formulas based on student enrollment and the
17 special needs of the school as determined by the Board.

18 c. Non-compensation items: Appropriations for all
19 non-compensation items shall be based on system-wide
20 formulas based on student enrollment and on the special
21 needs of the school or factors related to the physical
22 plant, including but not limited to textbooks, electronic
23 textbooks and the technological equipment necessary to
24 gain access to and use electronic textbooks, supplies,
25 electricity, equipment, and routine maintenance.

26 d. Funds for categorical programs: Schools shall

1 receive personnel and funds based on, and shall use such
2 personnel and funds in accordance with State and Federal
3 requirements applicable to each categorical program
4 provided to meet the special needs of the student body
5 (including but not limited to, Federal Chapter I,
6 Bilingual, and Special Education).

7 d.1. Funds for State Title I: Each school shall
8 receive funds based on State and Board requirements
9 applicable to each State Title I pupil provided to meet
10 the special needs of the student body. Each school shall
11 receive the proportion of funds as provided in Section
12 18-8 or 18-8.15 to which they are entitled. These funds
13 shall be spent only with the budgetary approval of the
14 Local School Council as provided in Section 34-2.3.

15 e. The Local School Council shall have the right to
16 request the principal to close positions and open new ones
17 consistent with the provisions of the local school
18 improvement plan provided that these decisions are
19 consistent with applicable law and collective bargaining
20 agreements. If a position is closed, pursuant to this
21 paragraph, the local school shall have for its use the
22 system-wide average compensation for the closed position.

23 f. Operating within existing laws and collective
24 bargaining agreements, the local school council shall have
25 the right to direct the principal to shift expenditures
26 within funds.

1 g. (Blank).

2 Any funds unexpended at the end of the fiscal year shall be
3 available to the board of education for use as part of its
4 budget for the following fiscal year.

5 5. To make recommendations to the principal concerning
6 textbook selection and concerning curriculum developed
7 pursuant to the school improvement plan which is consistent
8 with systemwide curriculum objectives in accordance with
9 Sections 34-8 and 34-18 of the School Code and in conformity
10 with the collective bargaining agreement.

11 6. To advise the principal concerning the attendance and
12 disciplinary policies for the attendance center, subject to
13 the provisions of this Article and Article 26, and consistent
14 with the uniform system of discipline established by the board
15 pursuant to Section 34-19.

16 7. To approve a school improvement plan developed as
17 provided in Section 34-2.4. The process and schedule for plan
18 development shall be publicized to the entire school
19 community, and the community shall be afforded the opportunity
20 to make recommendations concerning the plan. At least twice a
21 year the principal and local school council shall report
22 publicly on progress and problems with respect to plan
23 implementation.

24 8. To evaluate the allocation of teaching resources and
25 other certificated and uncertificated staff to the attendance
26 center to determine whether such allocation is consistent with

1 and in furtherance of instructional objectives and school
2 programs reflective of the school improvement plan adopted for
3 the attendance center; and to make recommendations to the
4 board, the general superintendent and the principal concerning
5 any reallocation of teaching resources or other staff whenever
6 the council determines that any such reallocation is
7 appropriate because the qualifications of any existing staff
8 at the attendance center do not adequately match or support
9 instructional objectives or school programs which reflect the
10 school improvement plan.

11 9. To make recommendations to the principal and the
12 general superintendent concerning their respective
13 appointments, after August 31, 1989, and in the manner
14 provided by Section 34-8 and Section 34-8.1, of persons to
15 fill any vacant, additional or newly created positions for
16 teachers at the attendance center or at attendance centers
17 which include the attendance center served by the local school
18 council.

19 10. To request of the Board the manner in which training
20 and assistance shall be provided to the local school council.
21 Pursuant to Board guidelines a local school council is
22 authorized to direct the Board of Education to contract with
23 personnel or not-for-profit organizations not associated with
24 the school district to train or assist council members. If
25 training or assistance is provided by contract with personnel
26 or organizations not associated with the school district, the

1 period of training or assistance shall not exceed 30 hours
2 during a given school year; person shall not be employed on a
3 continuous basis longer than said period and shall not have
4 been employed by the Chicago Board of Education within the
5 preceding six months. Council members shall receive training
6 in at least the following areas:

7 1. school budgets;

8 2. educational theory pertinent to the attendance
9 center's particular needs, including the development of
10 the school improvement plan and the principal's
11 performance contract; and

12 3. personnel selection.

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

15 11. In accordance with systemwide guidelines contained in
16 the System-Wide Educational Reform Goals and Objectives Plan,
17 criteria for evaluation of performance shall be established
18 for local school councils and local school council members. If
19 a local school council persists in noncompliance with
20 systemwide requirements, the Board may impose sanctions and
21 take necessary corrective action, consistent with Section
22 34-8.3.

23 12. Each local school council shall comply with the Open
24 Meetings Act and the Freedom of Information Act. Each local
25 school council shall issue and transmit to its school
26 community a detailed annual report accounting for its

1 activities programmatically and financially. Each local school
2 council shall convene at least 2 well-publicized meetings
3 annually with its entire school community. These meetings
4 shall include presentation of the proposed local school
5 improvement plan, of the proposed school expenditure plan, and
6 the annual report, and shall provide an opportunity for public
7 comment.

8 13. Each local school council is encouraged to involve
9 additional non-voting members of the school community in
10 facilitating the council's exercise of its responsibilities.

11 14. The local school council may adopt a school uniform or
12 dress code policy that governs the attendance center and that
13 is necessary to maintain the orderly process of a school
14 function or prevent endangerment of student health or safety,
15 consistent with the policies and rules of the Board of
16 Education. A school uniform or dress code policy adopted by a
17 local school council: (i) shall not be applied in such manner
18 as to discipline or deny attendance to a transfer student or
19 any other student for noncompliance with that policy during
20 such period of time as is reasonably necessary to enable the
21 student to acquire a school uniform or otherwise comply with
22 the dress code policy that is in effect at the attendance
23 center into which the student's enrollment is transferred; and
24 (ii) shall include criteria and procedures under which the
25 local school council will accommodate the needs of or
26 otherwise provide appropriate resources to assist a student

1 from an indigent family in complying with an applicable school
2 uniform or dress code policy. A student whose parents or legal
3 guardians object on religious grounds to the student's
4 compliance with an applicable school uniform or dress code
5 policy shall not be required to comply with that policy if the
6 student's parents or legal guardians present to the local
7 school council a signed statement of objection detailing the
8 grounds for the objection.

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

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

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

24 16. (Blank).

25 17. Names and addresses of local school council members
26 shall be a matter of public record.

1 (Source: P.A. 100-465, eff. 8-31-17.)

2 (Text of Section after amendment by P.A. 102-360)

3 Sec. 34-2.3. Local school councils; powers ~~councils~~
4 ~~Powers~~ and duties. Each local school council shall have and
5 exercise, consistent with the provisions of this Article and
6 the powers and duties of the board of education, the following
7 powers and duties:

8 1. (A) To annually evaluate the performance of the
9 principal of the attendance center using a Board approved
10 principal evaluation form, which shall include the evaluation
11 of (i) student academic improvement, as defined by the school
12 improvement plan, (ii) student absenteeism rates at the
13 school, (iii) instructional leadership, (iv) the effective
14 implementation of programs, policies, or strategies to improve
15 student academic achievement, (v) school management, and (vi)
16 any other factors deemed relevant by the local school council,
17 including, without limitation, the principal's communication
18 skills and ability to create and maintain a student-centered
19 learning environment, to develop opportunities for
20 professional development, and to encourage parental
21 involvement and community partnerships to achieve school
22 improvement;

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

1 and

2 (C) to directly select, in the manner provided by
3 subsection (c) of Section 34-2.2, a new principal (including a
4 new principal to fill a vacancy) -- without submitting any
5 list of candidates for that position to the general
6 superintendent as provided in paragraph 2 of this Section --
7 to serve under a 4 year performance contract; provided that
8 (i) the determination of whether the principal's performance
9 contract is to be renewed, based upon the evaluation required
10 by subdivision 1.5 of this Section, shall be made no later than
11 150 days prior to the expiration of the current
12 performance-based contract of the principal, (ii) in cases
13 where such performance contract is not renewed -- a direct
14 selection of a new principal -- to serve under a 4 year
15 performance contract shall be made by the local school council
16 no later than 45 days prior to the expiration of the current
17 performance contract of the principal, and (iii) a selection
18 by the local school council of a new principal to fill a
19 vacancy under a 4 year performance contract shall be made
20 within 90 days after the date such vacancy occurs. A Council
21 shall be required, if requested by the principal, to provide
22 in writing the reasons for the council's not renewing the
23 principal's contract.

24 1.5. The local school council's determination of whether
25 to renew the principal's contract shall be based on an
26 evaluation to assess the educational and administrative

1 progress made at the school during the principal's current
2 performance-based contract. The local school council shall
3 base its evaluation on (i) student academic improvement, as
4 defined by the school improvement plan, (ii) student
5 absenteeism rates at the school, (iii) instructional
6 leadership, (iv) the effective implementation of programs,
7 policies, or strategies to improve student academic
8 achievement, (v) school management, and (vi) any other factors
9 deemed relevant by the local school council, including,
10 without limitation, the principal's communication skills and
11 ability to create and maintain a student-centered learning
12 environment, to develop opportunities for professional
13 development, and to encourage parental involvement and
14 community partnerships to achieve school improvement. If a
15 local school council fails to renew the performance contract
16 of a principal rated by the general superintendent, or his or
17 her designee, in the previous years' evaluations as meeting or
18 exceeding expectations, the principal, within 15 days after
19 the local school council's decision not to renew the contract,
20 may request a review of the local school council's principal
21 non-retention decision by a hearing officer appointed by the
22 American Arbitration Association. A local school council
23 member or members or the general superintendent may support
24 the principal's request for review. During the period of the
25 hearing officer's review of the local school council's
26 decision on whether or not to retain the principal, the local

1 school council shall maintain all authority to search for and
2 contract with a person to serve as interim or acting
3 principal, or as the principal of the attendance center under
4 a 4-year performance contract, provided that any performance
5 contract entered into by the local school council shall be
6 voidable or modified in accordance with the decision of the
7 hearing officer. The principal may request review only once
8 while at that attendance center. If a local school council
9 renews the contract of a principal who failed to obtain a
10 rating of "meets" or "exceeds expectations" in the general
11 superintendent's evaluation for the previous year, the general
12 superintendent, within 15 days after the local school
13 council's decision to renew the contract, may request a review
14 of the local school council's principal retention decision by
15 a hearing officer appointed by the American Arbitration
16 Association. The general superintendent may request a review
17 only once for that principal at that attendance center. All
18 requests to review the retention or non-retention of a
19 principal shall be submitted to the general superintendent,
20 who shall, in turn, forward such requests, within 14 days of
21 receipt, to the American Arbitration Association. The general
22 superintendent shall send a contemporaneous copy of the
23 request that was forwarded to the American Arbitration
24 Association to the principal and to each local school council
25 member and shall inform the local school council of its rights
26 and responsibilities under the arbitration process, including

1 the local school council's right to representation and the
2 manner and process by which the Board shall pay the costs of
3 the council's representation. If the local school council
4 retains the principal and the general superintendent requests
5 a review of the retention decision, the local school council
6 and the general superintendent shall be considered parties to
7 the arbitration, a hearing officer shall be chosen between
8 those 2 parties pursuant to procedures promulgated by the
9 State Board of Education, and the principal may retain counsel
10 and participate in the arbitration. If the local school
11 council does not retain the principal and the principal
12 requests a review of the retention decision, the local school
13 council and the principal shall be considered parties to the
14 arbitration and a hearing officer shall be chosen between
15 those 2 parties pursuant to procedures promulgated by the
16 State Board of Education. The hearing shall begin (i) within
17 45 days after the initial request for review is submitted by
18 the principal to the general superintendent or (ii) if the
19 initial request for review is made by the general
20 superintendent, within 45 days after that request is mailed to
21 the American Arbitration Association. The hearing officer
22 shall render a decision within 45 days after the hearing
23 begins and within 90 days after the initial request for
24 review. The Board shall contract with the American Arbitration
25 Association for all of the hearing officer's reasonable and
26 necessary costs. In addition, the Board shall pay any

1 reasonable costs incurred by a local school council for
2 representation before a hearing officer.

3 1.10. The hearing officer shall conduct a hearing, which
4 shall include (i) a review of the principal's performance,
5 evaluations, and other evidence of the principal's service at
6 the school, (ii) reasons provided by the local school council
7 for its decision, and (iii) documentation evidencing views of
8 interested persons, including, without limitation, students,
9 parents, local school council members, school faculty and
10 staff, the principal, the general superintendent or his or her
11 designee, and members of the community. The burden of proof in
12 establishing that the local school council's decision was
13 arbitrary and capricious shall be on the party requesting the
14 arbitration, and this party shall sustain the burden by a
15 preponderance of the evidence. The hearing officer shall set
16 the local school council decision aside if that decision, in
17 light of the record developed at the hearing, is arbitrary and
18 capricious. The decision of the hearing officer may not be
19 appealed to the Board or the State Board of Education. If the
20 hearing officer decides that the principal shall be retained,
21 the retention period shall not exceed 2 years.

22 2. In the event (i) the local school council does not renew
23 the performance contract of the principal, or the principal
24 fails to receive a satisfactory rating as provided in
25 subsection (h) of Section 34-8.3, or the principal is removed
26 for cause during the term of his or her performance contract in

1 the manner provided by Section 34-85, or a vacancy in the
2 position of principal otherwise occurs prior to the expiration
3 of the term of a principal's performance contract, and (ii)
4 the local school council fails to directly select a new
5 principal to serve under a 4 year performance contract, the
6 local school council in such event shall submit to the general
7 superintendent a list of 3 candidates -- listed in the local
8 school council's order of preference -- for the position of
9 principal, one of which shall be selected by the general
10 superintendent to serve as principal of the attendance center.
11 If the general superintendent fails or refuses to select one
12 of the candidates on the list to serve as principal within 30
13 days after being furnished with the candidate list, the
14 general superintendent shall select and place a principal on
15 an interim basis (i) for a period not to exceed one year or
16 (ii) until the local school council selects a new principal
17 with 7 affirmative votes as provided in subsection (c) of
18 Section 34-2.2, whichever occurs first. If the local school
19 council fails or refuses to select and appoint a new
20 principal, as specified by subsection (c) of Section 34-2.2,
21 the general superintendent may select and appoint a new
22 principal on an interim basis for an additional year or until a
23 new contract principal is selected by the local school
24 council. There shall be no discrimination on the basis of
25 race, sex, creed, color or disability unrelated to ability to
26 perform in connection with the submission of candidates for,

1 and the selection of a candidate to serve as principal of an
2 attendance center. No person shall be directly selected,
3 listed as a candidate for, or selected to serve as principal of
4 an attendance center (i) if such person has been removed for
5 cause from employment by the Board or (ii) if such person does
6 not hold a valid administrative certificate issued or
7 exchanged under Article 21 and endorsed as required by that
8 Article for the position of principal. A principal whose
9 performance contract is not renewed as provided under
10 subsection (c) of Section 34-2.2 may nevertheless, if
11 otherwise qualified and certified as herein provided and if he
12 or she has received a satisfactory rating as provided in
13 subsection (h) of Section 34-8.3, be included by a local
14 school council as one of the 3 candidates listed in order of
15 preference on any candidate list from which one person is to be
16 selected to serve as principal of the attendance center under
17 a new performance contract. The initial candidate list
18 required to be submitted by a local school council to the
19 general superintendent in cases where the local school council
20 does not renew the performance contract of its principal and
21 does not directly select a new principal to serve under a 4
22 year performance contract shall be submitted not later than 30
23 days prior to the expiration of the current performance
24 contract. In cases where the local school council fails or
25 refuses to submit the candidate list to the general
26 superintendent no later than 30 days prior to the expiration

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

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

23 3. To establish additional criteria to be included as part
24 of the performance contract of its principal, provided that
25 such additional criteria shall not discriminate on the basis
26 of race, sex, creed, color or disability unrelated to ability

1 to perform, and shall not be inconsistent with the uniform 4
2 year performance contract for principals developed by the
3 board as provided in Section 34-8.1 of the School Code or with
4 other provisions of this Article governing the authority and
5 responsibility of principals.

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

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

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

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

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

25 The expenditure plan developed by the principal with
26 respect to amounts available from the fund for prioritized

1 special needs programs and the allocated lump sum amount must
2 be approved by the local school council.

3 The lump sum allocation shall take into account the
4 following principles:

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

17 b. Other personnel: Funds for other teacher
18 certificated and uncertificated personnel paid through
19 non-categorical funds shall be provided according to
20 system-wide formulas based on student enrollment and the
21 special needs of the school as determined by the Board.

22 c. Non-compensation items: Appropriations for all
23 non-compensation items shall be based on system-wide
24 formulas based on student enrollment and on the special
25 needs of the school or factors related to the physical
26 plant, including but not limited to textbooks, electronic

1 textbooks and the technological equipment necessary to
2 gain access to and use electronic textbooks, supplies,
3 electricity, equipment, and routine maintenance.

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

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

19 e. The Local School Council shall have the right to
20 request the principal to close positions and open new ones
21 consistent with the provisions of the local school
22 improvement plan provided that these decisions are
23 consistent with applicable law and collective bargaining
24 agreements. If a position is closed, pursuant to this
25 paragraph, the local school shall have for its use the
26 system-wide average compensation for the closed position.

1 f. Operating within existing laws and collective
2 bargaining agreements, the local school council shall have
3 the right to direct the principal to shift expenditures
4 within funds.

5 g. (Blank).

6 Any funds unexpended at the end of the fiscal year shall be
7 available to the board of education for use as part of its
8 budget for the following fiscal year.

9 5. To make recommendations to the principal concerning
10 textbook selection and concerning curriculum developed
11 pursuant to the school improvement plan which is consistent
12 with systemwide curriculum objectives in accordance with
13 Sections 34-8 and 34-18 of the School Code and in conformity
14 with the collective bargaining agreement.

15 6. To advise the principal concerning the attendance and
16 disciplinary policies for the attendance center, subject to
17 the provisions of this Article and Article 26, and consistent
18 with the uniform system of discipline established by the board
19 pursuant to Section 34-19.

20 7. To approve a school improvement plan developed as
21 provided in Section 34-2.4. The process and schedule for plan
22 development shall be publicized to the entire school
23 community, and the community shall be afforded the opportunity
24 to make recommendations concerning the plan. At least twice a
25 year the principal and local school council shall report
26 publicly on progress and problems with respect to plan

1 implementation.

2 8. To evaluate the allocation of teaching resources and
3 other certificated and uncertificated staff to the attendance
4 center to determine whether such allocation is consistent with
5 and in furtherance of instructional objectives and school
6 programs reflective of the school improvement plan adopted for
7 the attendance center; and to make recommendations to the
8 board, the general superintendent and the principal concerning
9 any reallocation of teaching resources or other staff whenever
10 the council determines that any such reallocation is
11 appropriate because the qualifications of any existing staff
12 at the attendance center do not adequately match or support
13 instructional objectives or school programs which reflect the
14 school improvement plan.

15 9. To make recommendations to the principal and the
16 general superintendent concerning their respective
17 appointments, after August 31, 1989, and in the manner
18 provided by Section 34-8 and Section 34-8.1, of persons to
19 fill any vacant, additional or newly created positions for
20 teachers at the attendance center or at attendance centers
21 which include the attendance center served by the local school
22 council.

23 10. To request of the Board the manner in which training
24 and assistance shall be provided to the local school council.
25 Pursuant to Board guidelines a local school council is
26 authorized to direct the Board of Education to contract with

1 personnel or not-for-profit organizations not associated with
2 the school district to train or assist council members. If
3 training or assistance is provided by contract with personnel
4 or organizations not associated with the school district, the
5 period of training or assistance shall not exceed 30 hours
6 during a given school year; person shall not be employed on a
7 continuous basis longer than said period and shall not have
8 been employed by the Chicago Board of Education within the
9 preceding six months. Council members shall receive training
10 in at least the following areas:

11 1. school budgets;

12 2. educational theory pertinent to the attendance
13 center's particular needs, including the development of
14 the school improvement plan and the principal's
15 performance contract; and

16 3. personnel selection.

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

19 11. In accordance with systemwide guidelines contained in
20 the System-Wide Educational Reform Goals and Objectives Plan,
21 criteria for evaluation of performance shall be established
22 for local school councils and local school council members. If
23 a local school council persists in noncompliance with
24 systemwide requirements, the Board may impose sanctions and
25 take necessary corrective action, consistent with Section
26 34-8.3.

1 12. Each local school council shall comply with the Open
2 Meetings Act and the Freedom of Information Act. Each local
3 school council shall issue and transmit to its school
4 community a detailed annual report accounting for its
5 activities programmatically and financially. Each local school
6 council shall convene at least 2 well-publicized meetings
7 annually with its entire school community. These meetings
8 shall include presentation of the proposed local school
9 improvement plan, of the proposed school expenditure plan, and
10 the annual report, and shall provide an opportunity for public
11 comment.

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

15 14. The local school council may adopt a school uniform or
16 dress code policy that governs the attendance center and that
17 is necessary to maintain the orderly process of a school
18 function or prevent endangerment of student health or safety,
19 consistent with the policies and rules of the Board of
20 Education. A school uniform or dress code policy adopted by a
21 local school council: (i) shall not be applied in such manner
22 as to discipline or deny attendance to a transfer student or
23 any other student for noncompliance with that policy during
24 such period of time as is reasonably necessary to enable the
25 student to acquire a school uniform or otherwise comply with
26 the dress code policy that is in effect at the attendance

1 center into which the student's enrollment is transferred;
2 (ii) shall include criteria and procedures under which the
3 local school council will accommodate the needs of or
4 otherwise provide appropriate resources to assist a student
5 from an indigent family in complying with an applicable school
6 uniform or dress code policy; and (iii) shall not include or
7 apply to hairstyles, including hairstyles historically
8 associated with race, ethnicity, or hair texture, including,
9 but not limited to, protective hairstyles such as braids,
10 locks, and twists. A student whose parents or legal guardians
11 object on religious grounds to the student's compliance with
12 an applicable school uniform or dress code policy shall not be
13 required to comply with that policy if the student's parents
14 or legal guardians present to the local school council a
15 signed statement of objection detailing the grounds for the
16 objection. If a local school council does not comply with the
17 requirements and prohibitions set forth in this paragraph 14,
18 the attendance center is subject to the penalty imposed
19 pursuant to subsection (a) of Section 2-3.25.

20 15. All decisions made and actions taken by the local
21 school council in the exercise of its powers and duties shall
22 comply with State and federal laws, all applicable collective
23 bargaining agreements, court orders and rules properly
24 promulgated by the Board.

25 15a. To grant, in accordance with board rules and
26 policies, the use of assembly halls and classrooms when not

1 otherwise needed, including lighting, heat, and attendants,
2 for public lectures, concerts, and other educational and
3 social activities.

4 15b. To approve, in accordance with board rules and
5 policies, receipts and expenditures for all internal accounts
6 of the attendance center, and to approve all fund-raising
7 activities by nonschool organizations that use the school
8 building.

9 16. (Blank).

10 17. Names and addresses of local school council members
11 shall be a matter of public record.

12 (Source: P.A. 102-360, eff. 1-1-22.)

13 (105 ILCS 5/34-2.4b) (from Ch. 122, par. 34-2.4b)

14 Sec. 34-2.4b. Limitation upon applicability. Beginning
15 with the first local school council election that occurs after
16 the effective date of this amendatory Act of the 102nd General
17 Assembly, the ~~The~~ provisions of Sections 34-2.1, 34-2.2,
18 34-2.3, 34-2.3a, 34-2.4 and 34-8.3~~7~~ and those provisions of
19 paragraph 1 of Section 34-18 and paragraph (c) of Section
20 34A-201a relating to the allocation or application -- by
21 formula or otherwise -- of lump sum amounts and other funds to
22 attendance centers~~7~~ shall not apply to ~~attendance centers that~~
23 ~~have applied for and been designated as a "Small School" by the~~
24 ~~Board~~~~7~~, the Cook County Juvenile Detention Center and Cook
25 County Jail schools, nor to the district's alternative schools

1 for pregnant girls, nor to alternative schools established
2 under Article 13A, nor to a contract school, nor to the Michael
3 R. Durso School, the Jackson Adult Center, the Hillard Adult
4 Center, the Alternative Transitional School, or any other
5 attendance center designated by the Board as an alternative
6 school, nor to any school established as a teacher training
7 academy, nor to any school with a specialty 2-year programming
8 model, nor to any school established as a one-year school or
9 program, nor to any school with a specialty student focus or
10 transient student population, provided that the designation is
11 not applied to an attendance center that has in place a legally
12 constituted local school council, except for contract
13 turnaround schools. The board of education shall have and
14 exercise with respect to those schools and with respect to the
15 conduct, operation, affairs and budgets of those schools, and
16 with respect to the principals, teachers and other school
17 staff there employed, the same powers which are exercisable by
18 local school councils with respect to the other attendance
19 centers, principals, teachers and school staff within the
20 district, together with all powers and duties generally
21 exercisable by the board of education with respect to all
22 attendance centers within the district. The board of education
23 shall develop appropriate alternative methods for involving
24 parents, community members and school staff to the maximum
25 extent possible in all of the activities of those schools, and
26 may delegate to the parents, community members and school

1 staff so involved the same powers which are exercisable by
2 local school councils with respect to other attendance
3 centers.

4 (Source: P.A. 96-105, eff. 7-30-09.)

5 (105 ILCS 5/34-8.3) (from Ch. 122, par. 34-8.3)

6 Sec. 34-8.3. Remediation and probation of attendance
7 centers.

8 (a) The general superintendent shall monitor the
9 performance of the attendance centers within the district and
10 shall identify attendance centers, pursuant to criteria that
11 the board shall establish, in which:

12 (1) there is a failure to develop, implement, or
13 comply with a school improvement plan;

14 (2) there is a pervasive breakdown in the educational
15 program as indicated by factors, including, but not
16 limited to, the absence of improvement in student reading
17 and math achievement scores, an increased drop-out rate, a
18 decreased graduation rate, and a decrease in rate of
19 student attendance;

20 (3) (blank); or

21 (4) there is a failure or refusal to comply with the
22 provisions of this Act, other applicable laws, collective
23 bargaining agreements, court orders, or with Board rules
24 which the Board is authorized to promulgate.

25 (b) If the general superintendent identifies a

1 nonperforming school as described herein, he or she shall
2 place the attendance center on remediation by developing a
3 remediation plan for the center. The purpose of the
4 remediation plan shall be to correct the deficiencies in the
5 performance of the attendance center by one or more of the
6 following methods:

7 (1) drafting a new school improvement plan;

8 (2) applying to the board for additional funding for
9 training for the local school council;

10 (3) directing implementation of a school improvement
11 plan;

12 (4) mediating disputes or other obstacles to reform or
13 improvement at the attendance center.

14 Nothing in this Section removes any authority of the local
15 school council, which shall retain the right to reject or
16 modify any school improvement plan or implementation thereof,
17 as long as the rejection or modification of any school
18 improvement plan or implementation thereof is consistent with
19 State and federal requirements.

20 If, however, the general superintendent determines that
21 the problems are not able to be remediated by these methods,
22 the general superintendent shall place the attendance center
23 on probation. The board shall establish guidelines that
24 determine the factors for placing an attendance center on
25 probation.

26 (c) Each school placed on probation shall have a school

1 improvement plan and school budget for correcting deficiencies
2 identified by the board. The plan shall include specific steps
3 that the local school council and school staff must take to
4 correct identified deficiencies and specific objective
5 criteria by which the school's subsequent progress will be
6 determined. The school budget shall include specific
7 expenditures directly calculated to correct educational and
8 operational deficiencies identified at the school by the
9 probation team.

10 (d) Schools placed on probation that, after a maximum of
11 one year, fail to make adequate progress in correcting
12 deficiencies are subject to the following actions by the
13 general superintendent with the approval of the board, after
14 opportunity for a hearing:

15 (1) Ordering new local school council elections.

16 (2) Removing and replacing the principal.

17 (3) Replacement of faculty members, subject to the
18 provisions of Section 24A-5.

19 (4) Reconstitution of the attendance center and
20 replacement and reassignment by the general superintendent
21 of all employees of the attendance center.

22 (5) Intervention under Section 34-8.4.

23 (5.5) Operating an attendance center as a contract
24 turnaround school.

25 (6) Closing of the school.

26 (e) Schools placed on probation shall remain on probation

1 from year to year until deficiencies are corrected, even if
2 such schools make acceptable annual progress. The board shall
3 establish, in writing, criteria for determining whether or not
4 a school shall remain on probation. If academic achievement
5 tests are used as the factor for placing a school on probation,
6 the general superintendent shall consider objective criteria,
7 not just an increase in test scores, in deciding whether or not
8 a school shall remain on probation. These criteria shall
9 include attendance, test scores, student mobility rates,
10 poverty rates, bilingual education eligibility, special
11 education, and English language proficiency programs, with
12 progress made in these areas being taken into consideration in
13 deciding whether or not a school shall remain on probation.
14 Such criteria shall be delivered to each local school council
15 on or before October 31 of each year.

16 (e-5) Notwithstanding any other provision of this Section
17 to the contrary, a school that has been on probation for 5
18 years or more shall have the following powers restored to its
19 local school council:

20 (1) to grant approval of the school improvement plan;

21 and

22 (2) to approve the school budget.

23 With respect to the employment, dismissal, and evaluation
24 of a school principal, the local school council of a school
25 that has been on probation for 5 years or more shall conduct a
26 non-binding poll that must be considered by the network chief.

1 The network chief shall work collaboratively with the local
2 school council throughout the process of employment,
3 dismissal, and evaluation of a school principal.

4 (f) Where the board has reason to believe that violations
5 of civil rights, or of civil or criminal law have occurred, or
6 when the general superintendent deems that the school is in
7 educational crisis it may take immediate corrective action,
8 including the actions specified in this Section, without first
9 placing the school on remediation or probation. Nothing
10 described herein shall limit the authority of the board as
11 provided by any law of this State. The board shall develop
12 criteria governing the determination regarding when a school
13 is in educational crisis. Such criteria shall be delivered to
14 each local school council on or before October 31 of each year.

15 (g) All persons serving as subdistrict superintendent on
16 May 1, 1995 shall be deemed by operation of law to be serving
17 under a performance contract which expires on June 30, 1995,
18 and the employment of each such person as subdistrict
19 superintendent shall terminate on June 30, 1995. The board
20 shall have no obligation to compensate any such person as a
21 subdistrict superintendent after June 30, 1995.

22 (h) The general superintendent shall, in consultation with
23 local school councils, conduct an annual evaluation of each
24 principal in the district pursuant to guidelines promulgated
25 by the Board of Education.

26 (Source: P.A. 96-105, eff. 7-30-09.)

1 Section 95. No acceleration or delay. Where this Act makes
2 changes in a statute that is represented in this Act by text
3 that is not yet or no longer in effect (for example, a Section
4 represented by multiple versions), the use of that text does
5 not accelerate or delay the taking effect of (i) the changes
6 made by this Act or (ii) provisions derived from any other
7 Public Act.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.".