

1 AN ACT concerning education.

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

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

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

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

9 (a) Notwithstanding any other provision of law, a ~~A~~ local  
10 school council shall be established for each attendance center  
11 within the school district, including public small schools  
12 within the district. Each local school council shall consist  
13 of the following 12 voting members: the principal of the  
14 attendance center, 2 teachers employed and assigned to perform  
15 the majority of their employment duties at the attendance  
16 center, 6 parents of students currently enrolled at the  
17 attendance center, one employee of the school district  
18 employed and assigned to perform the majority of his or her  
19 employment duties at the attendance center who is not a  
20 teacher, and 2 community residents. Neither the parents nor  
21 the community residents who serve as members of the local  
22 school council shall be employees of the Board of Education.  
23 In each secondary attendance center, the local school council

1 shall consist of 13 voting members -- the 12 voting members  
2 described above and one full-time student member, appointed as  
3 provided in subsection (m) below. In each attendance center  
4 enrolling students in 7th or 8th grade, one full-time student  
5 member shall be appointed as provided in subsection (m) of  
6 this Section. In the event that the chief executive officer of  
7 the Chicago School Reform Board of Trustees determines that a  
8 local school council is not carrying out its financial duties  
9 effectively, the chief executive officer is authorized to  
10 appoint a representative of the business community with  
11 experience in finance and management to serve as an advisor to  
12 the local school council for the purpose of providing advice  
13 and assistance to the local school council on fiscal matters.  
14 The advisor shall have access to relevant financial records of  
15 the local school council. The advisor may attend executive  
16 sessions. The chief executive officer shall issue a written  
17 policy defining the circumstances under which a local school  
18 council is not carrying out its financial duties effectively.

19 (b) Within 7 days of January 11, 1991, the Mayor shall  
20 appoint the members and officers (a Chairperson who shall be a  
21 parent member and a Secretary) of each local school council  
22 who shall hold their offices until their successors shall be  
23 elected and qualified. Members so appointed shall have all the  
24 powers and duties of local school councils as set forth in this  
25 amendatory Act of 1991. The Mayor's appointments shall not  
26 require approval by the City Council.

1           The membership of each local school council shall be  
2 encouraged to be reflective of the racial and ethnic  
3 composition of the student population of the attendance center  
4 served by the local school council.

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

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

25           (d) Beginning with the 1995-96 school year, the following  
26 procedures shall apply to the election of local school council

1 members at each attendance center:

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

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

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

18 (iv) Each parent voter shall be entitled to vote in  
19 the local school council election at each attendance  
20 center in which he or she has a child currently enrolled.  
21 Each community resident voter shall be entitled to vote in  
22 the local school council election at each attendance  
23 center for which he or she resides in the applicable  
24 attendance area or voting district, as the case may be.

25 (v) Each eligible voter shall be entitled to vote  
26 once, but not more than once, in the local school council

1 election at each attendance center at which the voter is  
2 eligible to vote.

3 (vi) The 2 teacher members and the non-teacher  
4 employee member of each local school council shall be  
5 appointed as provided in subsection (l) below each to  
6 serve for a two-year term coinciding with that of the  
7 elected parent and community resident members. From March  
8 23, 2020 through January 10, 2021, the chief executive  
9 officer or his or her designee may make accommodations to  
10 fill the vacancy of a teacher or non-teacher employee  
11 member of a local school council.

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

21 (e) The Council shall publicize the date and place of the  
22 election by posting notices at the attendance center, in  
23 public places within the attendance boundaries of the  
24 attendance center and by distributing notices to the pupils at  
25 the attendance center, and shall utilize such other means as  
26 it deems necessary to maximize the involvement of all eligible

1 voters.

2 (f) Nomination. The Council shall publicize the opening of  
3 nominations by posting notices at the attendance center, in  
4 public places within the attendance boundaries of the  
5 attendance center and by distributing notices to the pupils at  
6 the attendance center, and shall utilize such other means as  
7 it deems necessary to maximize the involvement of all eligible  
8 voters. Not less than 2 weeks before the election date,  
9 persons eligible to run for the Council shall submit their  
10 name, date of birth, social security number, if available, and  
11 some evidence of eligibility to the Council. The Council shall  
12 encourage nomination of candidates reflecting the  
13 racial/ethnic population of the students at the attendance  
14 center. Each person nominated who runs as a candidate shall  
15 disclose, in a manner determined by the Board, any economic  
16 interest held by such person, by such person's spouse or  
17 children, or by each business entity in which such person has  
18 an ownership interest, in any contract with the Board, any  
19 local school council or any public school in the school  
20 district. Each person nominated who runs as a candidate shall  
21 also disclose, in a manner determined by the Board, if he or  
22 she ever has been convicted of any of the offenses specified in  
23 subsection (c) of Section 34-18.5; provided that neither this  
24 provision nor any other provision of this Section shall be  
25 deemed to require the disclosure of any information that is  
26 contained in any law enforcement record or juvenile court

1 record that is confidential or whose accessibility or  
2 disclosure is restricted or prohibited under Section 5-901 or  
3 5-905 of the Juvenile Court Act of 1987. Failure to make such  
4 disclosure shall render a person ineligible for election or to  
5 serve on the local school council. The same disclosure shall  
6 be required of persons under consideration for appointment to  
7 the Council pursuant to subsections (l) and (m) of this  
8 Section.

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

1 defined in Section 401.1, 405.1, or 405.2 of the Illinois  
2 Controlled Substances Act or (ii) any offense committed or  
3 attempted in any other state or against the laws of the United  
4 States, which, if committed or attempted in this State, would  
5 have been punishable as one or more of the foregoing offenses.

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

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



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

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

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

8 (k) The general superintendent shall resolve any disputes  
9 concerning election procedure or results and shall ensure  
10 that, except as provided in subsections (e) and (g), no  
11 resources of any attendance center shall be used to endorse or  
12 promote any candidate.

13 (l) ~~In Beginning with the 1995-1996 school year and in~~  
14 every even numbered year ~~thereafter~~, the Board shall appoint 2  
15 teacher members to each local school council. These  
16 appointments shall be made in the following manner:

17 (i) The Board shall appoint 2 teachers who are  
18 employed and assigned to perform the majority of their  
19 employment duties at the attendance center to serve on the  
20 local school council of the attendance center for a  
21 two-year term coinciding with the terms of the elected  
22 parent and community members of that local school council.  
23 These appointments shall be made from among those teachers  
24 who are nominated in accordance with subsection (f).

25 (ii) A non-binding, advisory poll to ascertain the  
26 preferences of the school staff regarding appointments of

1 teachers to the local school council for that attendance  
2 center shall be conducted in accordance with the  
3 procedures used to elect parent and community Council  
4 representatives. At such poll, each member of the school  
5 staff shall be entitled to indicate his or her preference  
6 for up to 2 candidates from among those who submitted  
7 statements of candidacy as described above. These  
8 preferences shall be advisory only and the Board shall  
9 maintain absolute discretion to appoint teacher members to  
10 local school councils, irrespective of the preferences  
11 expressed in any such poll. Prior to the appointment of  
12 staff members to local school councils, the Board shall  
13 make public the vetting process of staff member  
14 candidates. Any member of the school community shall be  
15 allowed to make an inquiry to the Board to determine if the  
16 Board may challenge a staff member's candidacy. An inquiry  
17 made to the Board shall be made in writing in accordance  
18 with Board rules.

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

1 at the attendance center or for the remainder of the term.  
2 The replacement teacher representative shall be appointed  
3 in the same manner and by the same procedures as teacher  
4 representatives are appointed in subdivisions (i) and (ii)  
5 of this subsection (l).

6 (m) ~~In Beginning with the 1995-1996 school year, and in~~  
7 every school year ~~thereafter~~, the Board shall appoint one  
8 student member to each secondary attendance center and  
9 attendance center enrolling students in 7th or 8th grade,  
10 although no attendance center shall have more than one student  
11 member. The Board may establish criteria for students to be  
12 considered eligible to serve as a student member. These  
13 appointments shall be made in the following manner:

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

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

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

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

25 (n) The Board may promulgate such other rules and  
26 regulations for election procedures as may be deemed necessary

1 to ensure fair elections.

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

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

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

1 and forms for compliance with economic interest statements.

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

1 explain his or her actions and shall be eligible to vote on the  
2 question of his or her removal from the Council. The  
3 provisions of this subsection shall be contained within the  
4 petitions used to nominate Council candidates.

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

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

26 (s) As used in this Section only, "community resident"

1 means a person, 17 years of age or older, residing within an  
2 attendance area served by a school, excluding any person who  
3 is a parent of a student enrolled in that school; provided that  
4 with respect to any multi-area school, community resident  
5 means any person, 17 years of age or older, residing within the  
6 voting district established for that school pursuant to  
7 Section 34-2.1c, excluding any person who is a parent of a  
8 student enrolled in that school. This definition does not  
9 apply to any provisions concerning school boards.

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

11 (105 ILCS 5/34-2.2) (from Ch. 122, par. 34-2.2)

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

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



1 34-2.1 may be held no sooner than January 11, 2021 and no later  
2 than January 31, 2021. Whenever a vacancy in the office of  
3 chairperson or secretary of a local school council shall  
4 occur, a new chairperson (who shall be a parent member) or  
5 secretary, as the case may be, shall be elected by the members  
6 of the local school council from among their number to serve as  
7 such chairperson or secretary for the unexpired term of office  
8 in which the vacancy occurs. At each annual organizational  
9 meeting, the time and place of any regular meetings of the  
10 local school council shall be fixed. Special meetings of the  
11 local school council may be called by the chairperson or by any  
12 4 members by giving notice thereof in writing, specifying the  
13 time, place and purpose of the meeting. Public notice of  
14 meetings shall also be given in accordance with the Open  
15 Meetings Act.

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

25 (c) A majority of the full membership of the local school  
26 council shall constitute a quorum, and whenever a vote is

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

22 (d) Student members ~~of high school councils~~ shall not be  
23 eligible to vote on personnel matters, including but not  
24 limited to principal evaluations and contracts and the  
25 allocation of teaching and staff resources.

26 (e) The local school council of an attendance center which

1 provides bilingual education shall be encouraged to provide  
2 translators at each council meeting to maximize participation  
3 of parents and the community.

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

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

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

20 (105 ILCS 5/34-2.4b) (from Ch. 122, par. 34-2.4b)

21 Sec. 34-2.4b. Limitation upon applicability.

22 (a) The provisions of Sections 34-2.1, 34-2.2, 34-2.3,  
23 34-2.3a, 34-2.4 and 34-8.3~~7~~ and those provisions of paragraph  
24 1 of Section 34-18 and paragraph (c) of Section 34A-201a  
25 relating to the allocation or application -- by formula or

1 otherwise -- of lump sum amounts and other funds to attendance  
2 centers, shall not apply to attendance centers that have  
3 applied for and been designated as a "Small School" by the  
4 Board except for the schools listed in subsection (b), the  
5 Cook County Juvenile Detention Center and Cook County Jail  
6 schools, nor to the district's alternative schools for  
7 pregnant girls, nor to alternative schools established under  
8 Article 13A, nor to a contract school, nor to the Michael R.  
9 Durso School, the Jackson Adult Center, the Hillard Adult  
10 Center, the Alternative Transitional School, or any other  
11 attendance center designated by the Board as an alternative  
12 school, provided that the designation is not applied to an  
13 attendance center that has in place a legally constituted  
14 local school council, except for contract turnaround schools  
15 other than the schools listed in subsection (b). The board of  
16 education shall have and exercise with respect to those  
17 schools and with respect to the conduct, operation, affairs  
18 and budgets of those schools, and with respect to the  
19 principals, teachers and other school staff there employed,  
20 the same powers which are exercisable by local school councils  
21 with respect to the other attendance centers, principals,  
22 teachers and school staff within the district, together with  
23 all powers and duties generally exercisable by the board of  
24 education with respect to all attendance centers within the  
25 district. The board of education shall develop appropriate  
26 alternative methods for involving parents, community members

1 and school staff to the maximum extent possible in all of the  
2 activities of those schools, and may delegate to the parents,  
3 community members and school staff so involved the same powers  
4 which are exercisable by local school councils with respect to  
5 other attendance centers.

6 (b) The provisions of subsection (a) do not apply to the  
7 following schools:

8 (1) Telpochcalli.

9 (2) Ariel.

10 (3) Raby High School.

11 (4) Williams High School.

12 (5) Bronzeville High School.

13 (6) Infinity High School.

14 (7) Multicultural High School.

15 (8) Orr High School.

16 (9) Lindblom High School.

17 (10) World Language High School.

18 (11) Uplift High School.

19 (12) Tarkington.

20 (13) Suder.

21 (14) Frazier Prospective.

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

23 (105 ILCS 5/34-8.3) (from Ch. 122, par. 34-8.3)

24 Sec. 34-8.3. Remediation and probation of attendance  
25 centers.

1           (a) The general superintendent shall monitor the  
2 performance of the attendance centers within the district and  
3 shall identify attendance centers, pursuant to criteria that  
4 the board shall establish, in which:

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

7           (2) there is a pervasive breakdown in the educational  
8 program as indicated by factors, including, but not  
9 limited to, the absence of improvement in student reading  
10 and math achievement scores, an increased drop-out rate, a  
11 decreased graduation rate, and a decrease in rate of  
12 student attendance;

13           (3) (blank); or

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

18           (b) If the general superintendent identifies a  
19 nonperforming school as described herein, he or she shall  
20 place the attendance center on remediation by developing a  
21 remediation plan for the center. The purpose of the  
22 remediation plan shall be to correct the deficiencies in the  
23 performance of the attendance center by one or more of the  
24 following methods:

25           (1) drafting a new school improvement plan;

26           (2) applying to the board for additional funding for

1 training for the local school council;

2 (3) directing implementation of a school improvement  
3 plan;

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

6 Nothing in this Section removes any authority of the local  
7 school council, which shall retain the right to reject or  
8 modify any school improvement plan or implementation thereof,  
9 as long as the rejection or modification of any school  
10 improvement plan or implementation thereof is consistent with  
11 State and federal requirements.

12 If, however, the general superintendent determines that  
13 the problems are not able to be remediated by these methods,  
14 the general superintendent shall place the attendance center  
15 on probation. The board shall establish guidelines that  
16 determine the factors for placing an attendance center on  
17 probation.

18 (c) Each school placed on probation shall have a school  
19 improvement plan and school budget for correcting deficiencies  
20 ~~identified by the board~~. The plan shall include specific steps  
21 that the local school council and school staff must take to  
22 correct identified deficiencies and specific objective  
23 criteria by which the school's subsequent progress will be  
24 determined. The school budget shall include specific  
25 expenditures directly calculated to correct educational and  
26 operational deficiencies identified at the school by the

1 probation team.

2 (d) Schools placed on probation that, after a maximum of  
3 one year, fail to make adequate progress in correcting  
4 deficiencies are subject to the following actions by the  
5 general superintendent with the approval of the board, after  
6 opportunity for a hearing:

7 (1) (Blank). ~~Ordering new local school council~~  
8 ~~elections.~~

9 (2) Removing and replacing the principal.

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

12 (4) Reconstitution of the attendance center and  
13 replacement and reassignment by the general superintendent  
14 of all employees of the attendance center.

15 (5) Intervention under Section 34-8.4.

16 (5.5) Operating an attendance center as a contract  
17 turnaround school.

18 (6) Closing of the school.

19 (e) Schools placed on probation shall remain on probation  
20 from year to year until deficiencies are corrected, even if  
21 such schools make acceptable annual progress. The board shall  
22 establish, in writing, criteria for determining whether or not  
23 a school shall remain on probation. If academic achievement  
24 tests are used as the factor for placing a school on probation,  
25 the general superintendent shall consider objective criteria,  
26 not just an increase in test scores, in deciding whether or not



1 a school shall remain on probation. These criteria shall  
2 include attendance, test scores, student mobility rates,  
3 poverty rates, bilingual education eligibility, special  
4 education, and English language proficiency programs, with  
5 progress made in these areas being taken into consideration in  
6 deciding whether or not a school shall remain on probation.  
7 Such criteria shall be delivered to each local school council  
8 on or before August 1 of each year.

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

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

14 and

15 (2) to approve the school budget.

16 With respect to the employment, dismissal, and evaluation  
17 of a school principal, the local school council of a school  
18 that has been on probation for 5 years or more shall conduct a  
19 non-binding poll that must be considered by the network chief.  
20 The network chief shall work collaboratively with the local  
21 school council throughout the process.

22 (f) Where the board has reason to believe that violations  
23 of civil rights, or of civil or criminal law have occurred, or  
24 when the general superintendent deems that the school is in  
25 educational crisis it may take immediate corrective action,  
26 including the actions specified in this Section, without first

1 placing the school on remediation or probation. Nothing  
2 described herein shall limit the authority of the board as  
3 provided by any law of this State. The board shall develop  
4 criteria governing the determination regarding when a school  
5 is in educational crisis. Such criteria shall be delivered to  
6 each local school council on or before August 1 of each year.

7 (g) All persons serving as subdistrict superintendent on  
8 May 1, 1995 shall be deemed by operation of law to be serving  
9 under a performance contract which expires on June 30, 1995,  
10 and the employment of each such person as subdistrict  
11 superintendent shall terminate on June 30, 1995. The board  
12 shall have no obligation to compensate any such person as a  
13 subdistrict superintendent after June 30, 1995.

14 (h) The general superintendent shall, in consultation with  
15 local school councils, conduct an annual evaluation of each  
16 principal in the district pursuant to guidelines promulgated  
17 by the Board of Education.

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

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law.