



Sen. Cristina H. Pacione-Zayas

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10200SB2042sam002

LRB102 16607 CMG 27340 a

1 AMENDMENT TO SENATE BILL 2042

2 AMENDMENT NO. _____. Amend Senate Bill 2042 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing
5 Sections 34-2.1, 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

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

26 (b) Within 7 days of January 11, 1991, the Mayor shall

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

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

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

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

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

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

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

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

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

25 (iv) Each parent voter shall be entitled to vote in
26 the local school council election at each attendance

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

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

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

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

1 vacancy of a student member of a local school council.

2 (e) The Council shall publicize the date and place of the
3 election 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.

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

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

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

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

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

1 member or member-elect of such determination and the local
2 school council member or member-elect shall be removed from
3 the local school council by the Board, subject to a hearing,
4 convened pursuant to Board rule, prior to removal.

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

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

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

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

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

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

24 (i) The Board shall appoint 2 teachers who are
25 employed and assigned to perform the majority of their
26 employment duties at the attendance center to serve on the

1 local school council of the attendance center for a
2 two-year term coinciding with the terms of the elected
3 parent and community members of that local school council.
4 These appointments shall be made from among those teachers
5 who are nominated in accordance with subsection (f).

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

24 (iii) In the event that a teacher representative is
25 unable to perform his or her employment duties at the
26 school due to illness, disability, leave of absence,

1 disciplinary action, or any other reason, the Board shall
2 declare a temporary vacancy and appoint a replacement
3 teacher representative to serve on the local school
4 council until such time as the teacher member originally
5 appointed pursuant to this subsection (1) resumes service
6 at the attendance center or for the remainder of the term.
7 The replacement teacher representative shall be appointed
8 in the same manner and by the same procedures as teacher
9 representatives are appointed in subdivisions (i) and (ii)
10 of this subsection (1).

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

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

26 (ii) During the twenty-second week of school in every

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

20 (iii) (Blank). ~~For the 1995-96 school year only,~~
21 ~~appointments shall be made from among those students who~~
22 ~~submitted statements of candidacy to the principal of the~~
23 ~~attendance center during the first 2 weeks of the school~~
24 ~~year. The principal shall communicate the results of any~~
25 ~~nonbinding, advisory poll to the Board. These results~~
26 ~~shall be advisory only, and the Board shall maintain~~

1 ~~absolute discretion to appoint student members to local~~
2 ~~school councils, irrespective of the preferences expressed~~
3 ~~in any such poll.~~

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

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

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

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 period, not
22 including committee meetings. If a parent member of a local
23 school council ceases to be eligible to serve on the Council
24 for any other reason, he or she shall be removed by the Board
25 subject to a hearing, convened pursuant to Board rule, prior
26 to removal. A vote to remove a Council member by the local

1 school council shall only be valid if the Council member has
2 been notified personally or by certified mail, mailed to the
3 person's last known address, of the Council's intent to vote
4 on the Council member's removal at least 7 days prior to the
5 vote. The Council member in question shall have the right to
6 explain his or her actions and shall be eligible to vote on the
7 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 teacher member of a
19 local school council as long as he or she is employed and
20 assigned to perform a majority of his or her duties at the
21 school, provided that if the teacher representative resigns
22 from employment with the Board or voluntarily transfers to
23 another school, the teacher's membership on the local school
24 council and all voting rights are terminated immediately as of
25 the date of the teacher's resignation or upon the date of the
26 teacher's voluntary transfer to another school. If a teacher

1 member of a local school council ceases to be eligible to serve
2 on a local school council for any other reason, that member
3 shall be removed by the Board subject to a hearing, convened
4 pursuant to Board rule, prior to removal.

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

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

16 (105 ILCS 5/34-2.2) (from Ch. 122, par. 34-2.2)

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

18 (a) The annual organizational meeting of each local school
19 council shall be held at the attendance center or via
20 videoconference or teleconference if guidance from the
21 Department of Public Health or Centers for Disease Control and
22 Prevention limits the size of in-person meetings at the time
23 of the meeting. At the annual organization meeting, which
24 shall be held no sooner than July 1 and no later than July 14,
25 a parent member of the local school council shall be selected

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

21 (b) Members and officers of the local school council shall
22 serve without compensation and without reimbursement of any
23 expenses incurred in the performance of their duties, except
24 that the board of education may by rule establish a procedure
25 and thereunder provide for reimbursement of members and
26 officers of local school councils for such of their reasonable

1 and necessary expenses (excluding any lodging or meal
2 expenses) incurred in the performance of their duties as the
3 board may deem appropriate.

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

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

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

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

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

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

25 (105 ILCS 5/34-2.4b) (from Ch. 122, par. 34-2.4b)

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

2 (a) The provisions of Sections 34-2.1, 34-2.2, 34-2.3,
3 34-2.3a, 34-2.4 and 34-8.3~~7~~ and those provisions of paragraph
4 1 of Section 34-18 and paragraph (c) of Section 34A-201a
5 relating to the allocation or application -- by formula or
6 otherwise -- of lump sum amounts and other funds to attendance
7 centers~~7~~ shall not apply to attendance centers that have
8 applied for and been designated as a "Small School" by the
9 Board except for the schools listed in subsection (b), the
10 Cook County Juvenile Detention Center and Cook County Jail
11 schools, nor to the district's alternative schools for
12 pregnant girls, nor to alternative schools established under
13 Article 13A, nor to a contract school, nor to the Michael R.
14 Durso School, the Jackson Adult Center, the Hillard Adult
15 Center, the Alternative Transitional School, or any other
16 attendance center designated by the Board as an alternative
17 school, provided that the designation is not applied to an
18 attendance center that has in place a legally constituted
19 local school council, except for contract turnaround schools
20 other than the schools listed in subsection (b). The board of
21 education shall have and exercise with respect to those
22 schools and with respect to the conduct, operation, affairs
23 and budgets of those schools, and with respect to the
24 principals, teachers and other school staff there employed,
25 the same powers which are exercisable by local school councils
26 with respect to the other attendance centers, principals,

1 teachers and school staff within the district, together with
2 all powers and duties generally exercisable by the board of
3 education with respect to all attendance centers within the
4 district. The board of education shall develop appropriate
5 alternative methods for involving parents, community members
6 and school staff to the maximum extent possible in all of the
7 activities of those schools, and may delegate to the parents,
8 community members and school staff so involved the same powers
9 which are exercisable by local school councils with respect to
10 other attendance centers.

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

13 (1) Telpochcalli.

14 (2) Ariel.

15 (3) Raby High School.

16 (4) Williams High School.

17 (5) Bronzeville High School.

18 (6) Infinity High School.

19 (7) Multicultural High School.

20 (8) Orr High School.

21 (9) Lindblom High School.

22 (10) World Language High School.

23 (11) Uplift High School.

24 (12) Tarkington.

25 (13) Suder.

26 (14) Frazier Prospective.

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

2 (105 ILCS 5/34-8.3) (from Ch. 122, par. 34-8.3)

3 Sec. 34-8.3. Remediation and probation of attendance
4 centers.

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

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

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

17 (3) (blank); or

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

22 (b) If the general superintendent identifies a
23 nonperforming school as described herein, he or she shall
24 place the attendance center on remediation by developing a
25 remediation plan for the center. The purpose of the

1 remediation plan shall be to correct the deficiencies in the
2 performance of the attendance center by one or more of the
3 following methods:

- 4 (1) drafting a new school improvement plan;
- 5 (2) applying to the board for additional funding for
6 training for the local school council;
- 7 (3) directing implementation of a school improvement
8 plan;
- 9 (4) mediating disputes or other obstacles to reform or
10 improvement at the attendance center.

11 Nothing in this Section removes any authority of the local
12 school council, which shall retain the right to reject or
13 modify any school improvement plan or implementation thereof,
14 as long as it is consistent with State and federal
15 requirements.

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

22 (c) Each school placed on probation shall have a school
23 improvement plan and school budget for correcting deficiencies
24 ~~identified by the board~~. The plan shall include specific steps
25 that the local school council and school staff must take to
26 correct identified deficiencies and specific objective

1 criteria by which the school's subsequent progress will be
2 determined. The school budget shall include specific
3 expenditures directly calculated to correct educational and
4 operational deficiencies identified at the school by the
5 probation team.

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

11 (1) (Blank). ~~Ordering new local school council~~
12 ~~elections.~~

13 (2) Removing and replacing the principal.

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

16 (4) Reconstitution of the attendance center and
17 replacement and reassignment by the general superintendent
18 of all employees of the attendance center.

19 (5) Intervention under Section 34-8.4.

20 (5.5) Operating an attendance center as a contract
21 turnaround school.

22 (6) Closing of the school.

23 (e) Schools placed on probation shall remain on probation
24 from year to year until deficiencies are corrected, even if
25 such schools make acceptable annual progress. The board shall
26 establish, in writing, criteria for determining whether or not

1 a school shall remain on probation. If academic achievement
2 tests are used as the factor for placing a school on probation,
3 the general superintendent shall consider objective criteria,
4 not just an increase in test scores, in deciding whether or not
5 a school shall remain on probation. These criteria shall
6 include attendance, test scores, student mobility rates,
7 poverty rates, bilingual education eligibility, special
8 education, and English language proficiency programs, with
9 progress made in these areas being taken into consideration in
10 deciding whether or not a school shall remain on probation.
11 Such criteria shall be delivered to each local school council
12 on or before August 1 of each year.

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

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

18 and

19 (2) to approve the school budget.

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

26 (f) Where the board has reason to believe that violations

1 of civil rights, or of civil or criminal law have occurred, or
2 when the general superintendent deems that the school is in
3 educational crisis it may take immediate corrective action,
4 including the actions specified in this Section, without first
5 placing the school on remediation or probation. Nothing
6 described herein shall limit the authority of the board as
7 provided by any law of this State. The board shall develop
8 criteria governing the determination regarding when a school
9 is in educational crisis. Such criteria shall be delivered to
10 each local school council on or before August 1 of each year.

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

18 (h) The general superintendent shall, in consultation with
19 local school councils, conduct an annual evaluation of each
20 principal in the district pursuant to guidelines promulgated
21 by the Board of Education.

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

23 Section 99. Effective date. This Act takes effect upon
24 becoming law."