



## 103RD GENERAL ASSEMBLY

### State of Illinois

### 2023 and 2024

### SB2337

Introduced 2/10/2023, by Sen. Mary Edly-Allen

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-17a from Ch. 122, par. 10-17a  
105 ILCS 5/14A-17  
105 ILCS 5/14A-32

Amends the School Boards Article of the School Code. In provisions regarding school report cards, provides that the number and the percentage of all students in grades kindergarten through 8, disaggregated by the students demographics who have (i) been assessed for placement in a gifted education program or accelerated placement, (ii) been enrolled in a gifted education program or in accelerated placement, and (iii) received direct instruction from a teacher who holds a gifted education endorsement, and the number and percentage of students in grades 9 through 12, disaggregated by the student demographics who have been enrolled in Advanced Placement, International Baccalaureate, or dual enrollment courses or any course designated as enriched or honors shall also be reported (instead of the number and percentage of all students who have been assessed for placement in a gifted education or advanced academic program and, of those students: (i) the racial and ethnic breakdown, (ii) the percentage who are classified as low-income, and (iii) the number and percentage of students who received direct instruction from a teacher who holds a gifted education endorsement and, of those students, the percentage who are classified as low-income). Amends the Gifted and Talented Children and Children Eligible for Accelerated Placement Article of the School Code. Provides that the required plan shall include specified evidence-based practices. Effective immediately.

LRB103 27217 RJT 53587 b

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 10-17a, 14A-17, and 14A-32 as follows:

6 (105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)

7 Sec. 10-17a. State, school district, and school report  
8 cards.

9 (1) By October 31, 2013 and October 31 of each subsequent  
10 school year, the State Board of Education, through the State  
11 Superintendent of Education, shall prepare a State report  
12 card, school district report cards, and school report cards,  
13 and shall by the most economical means provide to each school  
14 district in this State, including special charter districts  
15 and districts subject to the provisions of Article 34, the  
16 report cards for the school district and each of its schools.  
17 Because of the impacts of the COVID-19 public health emergency  
18 during school year 2020-2021, the State Board of Education  
19 shall have until December 31, 2021 to prepare and provide the  
20 report cards that would otherwise be due by October 31, 2021.  
21 During a school year in which the Governor has declared a  
22 disaster due to a public health emergency pursuant to Section  
23 7 of the Illinois Emergency Management Agency Act, the report

1 cards for the school districts and each of its schools shall be  
2 prepared by December 31.

3 (2) In addition to any information required by federal  
4 law, the State Superintendent shall determine the indicators  
5 and presentation of the school report card, which must  
6 include, at a minimum, the most current data collected and  
7 maintained by the State Board of Education related to the  
8 following:

9 (A) school characteristics and student demographics,  
10 including average class size, average teaching experience,  
11 student racial/ethnic breakdown, and the percentage of  
12 students classified as low-income; the percentage of  
13 students classified as English learners, the number of  
14 students who graduate from a bilingual or English learner  
15 program, and the number of students who graduate from,  
16 transfer from, or otherwise leave bilingual programs; the  
17 percentage of students who have individualized education  
18 plans or 504 plans that provide for special education  
19 services; the number and the percentage of all students in  
20 grades kindergarten through 8, disaggregated by the  
21 students demographics described in this paragraph (A), who  
22 have (i) been assessed for placement in a gifted education  
23 program or accelerated placement, (ii) been enrolled in a  
24 gifted education program or in accelerated placement, and  
25 (iii) received direct instruction from a teacher who holds  
26 a gifted education endorsement; the number and percentage

1 of students in grades 9 through 12, disaggregated by the  
2 student demographics described in this paragraph (A), who  
3 have been enrolled in Advanced Placement, International  
4 Baccalaureate, or dual enrollment courses or any course  
5 designated as enriched or honors; ~~the number and~~  
6 ~~percentage of all students who have been assessed for~~  
7 ~~placement in a gifted education or advanced academic~~  
8 ~~program and, of those students: (i) the racial and ethnic~~  
9 ~~breakdown, (ii) the percentage who are classified as~~  
10 ~~low income, and (iii) the number and percentage of~~  
11 ~~students who received direct instruction from a teacher~~  
12 ~~who holds a gifted education endorsement and, of those~~  
13 ~~students, the percentage who are classified as low income;~~  
14 the percentage of students scoring at the "exceeds  
15 expectations" level on the assessments required under  
16 Section 2-3.64a-5 of this Code; the percentage of students  
17 who annually transferred in or out of the school district;  
18 average daily attendance; the per-pupil operating  
19 expenditure of the school district; and the per-pupil  
20 State average operating expenditure for the district type  
21 (elementary, high school, or unit);

22 (B) curriculum information, including, where  
23 applicable, Advanced Placement, International  
24 Baccalaureate or equivalent courses, dual enrollment  
25 courses, foreign language classes, computer science  
26 courses, school personnel resources (including Career

1 Technical Education teachers), before and after school  
2 programs, extracurricular activities, subjects in which  
3 elective classes are offered, health and wellness  
4 initiatives (including the average number of days of  
5 Physical Education per week per student), approved  
6 programs of study, awards received, community  
7 partnerships, and special programs such as programming for  
8 the gifted and talented, students with disabilities, and  
9 work-study students;

10 (C) student outcomes, including, where applicable, the  
11 percentage of students deemed proficient on assessments of  
12 State standards, the percentage of students in the eighth  
13 grade who pass Algebra, the percentage of students who  
14 participated in workplace learning experiences, the  
15 percentage of students enrolled in post-secondary  
16 institutions (including colleges, universities, community  
17 colleges, trade/vocational schools, and training programs  
18 leading to career certification within 2 semesters of high  
19 school graduation), the percentage of students graduating  
20 from high school who are college and career ready, and the  
21 percentage of graduates enrolled in community colleges,  
22 colleges, and universities who are in one or more courses  
23 that the community college, college, or university  
24 identifies as a developmental course;

25 (D) student progress, including, where applicable, the  
26 percentage of students in the ninth grade who have earned

1           5 credits or more without failing more than one core  
2           class, a measure of students entering kindergarten ready  
3           to learn, a measure of growth, and the percentage of  
4           students who enter high school on track for college and  
5           career readiness;

6           (E) the school environment, including, where  
7           applicable, high school dropout rate by grade level, the  
8           percentage of students with less than 10 absences in a  
9           school year, the percentage of teachers with less than 10  
10          absences in a school year for reasons other than  
11          professional development, leaves taken pursuant to the  
12          federal Family Medical Leave Act of 1993, long-term  
13          disability, or parental leaves, the 3-year average of the  
14          percentage of teachers returning to the school from the  
15          previous year, the number of different principals at the  
16          school in the last 6 years, the number of teachers who hold  
17          a gifted education endorsement, the process and criteria  
18          used by the district to determine whether a student is  
19          eligible for participation in a gifted education program,  
20          in accelerated placement, or in another advanced academic  
21          program and the manner in which parents and guardians are  
22          made aware of the process and criteria, the number of  
23          teachers who are National Board Certified Teachers,  
24          disaggregated by race and ethnicity, 2 or more indicators  
25          from any school climate survey selected or approved by the  
26          State and administered pursuant to Section 2-3.153 of this

1 Code, with the same or similar indicators included on  
2 school report cards for all surveys selected or approved  
3 by the State pursuant to Section 2-3.153 of this Code, the  
4 combined percentage of teachers rated as proficient or  
5 excellent in their most recent evaluation, and, beginning  
6 with the 2022-2023 school year, data on the number of  
7 incidents of violence that occurred on school grounds or  
8 during school-related activities and that resulted in an  
9 out-of-school suspension, expulsion, or removal to an  
10 alternative setting, as reported pursuant to Section  
11 2-3.162;

12 (F) a school district's and its individual schools'  
13 balanced accountability measure, in accordance with  
14 Section 2-3.25a of this Code;

15 (G) the total and per pupil normal cost amount the  
16 State contributed to the Teachers' Retirement System of  
17 the State of Illinois in the prior fiscal year for the  
18 school's employees, which shall be reported to the State  
19 Board of Education by the Teachers' Retirement System of  
20 the State of Illinois;

21 (H) for a school district organized under Article 34  
22 of this Code only, State contributions to the Public  
23 School Teachers' Pension and Retirement Fund of Chicago  
24 and State contributions for health care for employees of  
25 that school district;

26 (I) a school district's Final Percent of Adequacy, as

1 defined in paragraph (4) of subsection (f) of Section  
2 18-8.15 of this Code;

3 (J) a school district's Local Capacity Target, as  
4 defined in paragraph (2) of subsection (c) of Section  
5 18-8.15 of this Code, displayed as a percentage amount;

6 (K) a school district's Real Receipts, as defined in  
7 paragraph (1) of subsection (d) of Section 18-8.15 of this  
8 Code, divided by a school district's Adequacy Target, as  
9 defined in paragraph (1) of subsection (b) of Section  
10 18-8.15 of this Code, displayed as a percentage amount;

11 (L) a school district's administrative costs;

12 (M) whether or not the school has participated in the  
13 Illinois Youth Survey. In this paragraph (M), "Illinois  
14 Youth Survey" means a self-report survey, administered in  
15 school settings every 2 years, designed to gather  
16 information about health and social indicators, including  
17 substance abuse patterns and the attitudes of students in  
18 grades 8, 10, and 12; and

19 (N) whether the school offered its students career and  
20 technical education opportunities.

21 The school report card shall also provide information that  
22 allows for comparing the current outcome, progress, and  
23 environment data to the State average, to the school data from  
24 the past 5 years, and to the outcomes, progress, and  
25 environment of similar schools based on the type of school and  
26 enrollment of low-income students, special education students,



1 and English learners.

2 As used in this subsection (2):

3 "Accelerated placement" has the meaning ascribed to that  
4 term in Section 14A-17 of this Code.

5 "Administrative costs" means costs associated with  
6 executive, administrative, or managerial functions within the  
7 school district that involve planning, organizing, managing,  
8 or directing the school district.

9 "Advanced academic program" means a course of study,  
10 including, but not limited to, accelerated placement, advanced  
11 placement coursework, International Baccalaureate coursework,  
12 dual enrollment, or any course designated as enriched or  
13 honors, that a student is enrolled in ~~to which students are~~  
14 ~~assigned~~ based on advanced cognitive ability or advanced  
15 academic achievement compared to local age peers and in which  
16 the curriculum is substantially differentiated from the  
17 general curriculum to provide appropriate challenge and pace.

18 "Computer science" means the study of computers and  
19 algorithms, including their principles, their hardware and  
20 software designs, their implementation, and their impact on  
21 society. "Computer science" does not include the study of  
22 everyday uses of computers and computer applications, such as  
23 keyboarding or accessing the Internet.

24 "Gifted education" means educational services, including  
25 differentiated curricula and instructional methods, designed  
26 to meet the needs of gifted children as defined in Article 14A

1 of this Code.

2 For the purposes of paragraph (A) of this subsection (2),  
3 "average daily attendance" means the average of the actual  
4 number of attendance days during the previous school year for  
5 any enrolled student who is subject to compulsory attendance  
6 by Section 26-1 of this Code at each school and charter school.

7 (3) At the discretion of the State Superintendent, the  
8 school district report card shall include a subset of the  
9 information identified in paragraphs (A) through (E) of  
10 subsection (2) of this Section, as well as information  
11 relating to the operating expense per pupil and other finances  
12 of the school district, and the State report card shall  
13 include a subset of the information identified in paragraphs  
14 (A) through (E) and paragraph (N) of subsection (2) of this  
15 Section. The school district report card shall include the  
16 average daily attendance, as that term is defined in  
17 subsection (2) of this Section, of students who have  
18 individualized education programs and students who have 504  
19 plans that provide for special education services within the  
20 school district.

21 (4) Notwithstanding anything to the contrary in this  
22 Section, in consultation with key education stakeholders, the  
23 State Superintendent shall at any time have the discretion to  
24 amend or update any and all metrics on the school, district, or  
25 State report card.

26 (5) Annually, no more than 30 calendar days after receipt

1 of the school district and school report cards from the State  
2 Superintendent of Education, each school district, including  
3 special charter districts and districts subject to the  
4 provisions of Article 34, shall present such report cards at a  
5 regular school board meeting subject to applicable notice  
6 requirements, post the report cards on the school district's  
7 Internet web site, if the district maintains an Internet web  
8 site, make the report cards available to a newspaper of  
9 general circulation serving the district, and, upon request,  
10 send the report cards home to a parent (unless the district  
11 does not maintain an Internet web site, in which case the  
12 report card shall be sent home to parents without request). If  
13 the district posts the report card on its Internet web site,  
14 the district shall send a written notice home to parents  
15 stating (i) that the report card is available on the web site,  
16 (ii) the address of the web site, (iii) that a printed copy of  
17 the report card will be sent to parents upon request, and (iv)  
18 the telephone number that parents may call to request a  
19 printed copy of the report card.

20 (6) Nothing contained in Public Act 98-648 repeals,  
21 supersedes, invalidates, or nullifies final decisions in  
22 lawsuits pending on July 1, 2014 (the effective date of Public  
23 Act 98-648) in Illinois courts involving the interpretation of  
24 Public Act 97-8.

25 (Source: P.A. 101-68, eff. 1-1-20; 101-81, eff. 7-12-19;  
26 101-654, eff. 3-8-21; 102-16, eff. 6-17-21; 102-294, eff.

1 1-1-22; 102-539, eff. 8-20-21; 102-558, eff. 8-20-21; 102-594,  
2 eff. 7-1-22; 102-813, eff. 5-13-22.)

3 (105 ILCS 5/14A-17)

4 Sec. 14A-17. Accelerated placement; advanced academic  
5 program. For purposes of this Article, "accelerated placement"  
6 means the placement of a child in an educational setting with  
7 curriculum that is usually reserved for children who are older  
8 or in higher grades than the child. "Accelerated placement"  
9 under this Article or other school district-adopted policies  
10 shall include, but need not be limited to, the following types  
11 of acceleration: early entrance to kindergarten or first  
12 grade, accelerating a child in a single subject, and grade  
13 acceleration.

14 "Advanced academic program" means a course of study,  
15 including, but not limited to, accelerated placement, advanced  
16 placement coursework, International Baccalaureate coursework,  
17 dual enrollment, or any course designated as enriched or  
18 honors, that a student is enrolled in based on the student's  
19 advanced cognitive ability or advanced academic achievement  
20 compared to local age peers and in which the curriculum is  
21 substantially differentiated from the general curriculum to  
22 provide appropriate challenge and pace.

23 (Source: P.A. 100-421, eff. 7-1-18.)

24 (105 ILCS 5/14A-32)

1           Sec. 14A-32. Accelerated placement; school district  
2 responsibilities.

3           (a) Each school district shall have a policy that allows  
4 for accelerated placement that includes or incorporates by  
5 reference the following components:

6                 (1) a provision that provides that participation in  
7 accelerated placement is not limited to those children who  
8 have been identified as gifted and talented, but rather is  
9 open to all children who demonstrate high ability and who  
10 may benefit from accelerated placement;

11                (2) a fair and equitable decision-making process that  
12 involves multiple persons and includes a student's parents  
13 or guardians;

14                (3) procedures for notifying parents or guardians of a  
15 child of a decision affecting that child's participation  
16 in an accelerated placement program; and

17                (4) an assessment process that includes multiple  
18 valid, reliable indicators.

19           (a-5) By no later than the beginning of the 2023-2024  
20 school year, a school district's accelerated placement policy  
21 shall allow for the automatic enrollment, in the following  
22 school term, of a student into the next most rigorous level of  
23 advanced coursework offered by the high school if the student  
24 meets or exceeds State standards in English language arts,  
25 mathematics, or science on a State assessment administered  
26 under Section 2-3.64a-5 as follows:

1           (1) A student who meets or exceeds State standards in  
2           English language arts shall be automatically enrolled into  
3           the next most rigorous level of advanced coursework in  
4           English, social studies, humanities, or related subjects.

5           (2) A student who meets or exceeds State standards in  
6           mathematics shall be automatically enrolled into the next  
7           most rigorous level of advanced coursework in mathematics.

8           (3) A student who meets or exceeds State standards in  
9           science shall be automatically enrolled into the next most  
10          rigorous level of advanced coursework in science.

11          For a student entering grade 12, the next most rigorous  
12          level of advanced coursework in English language arts or  
13          mathematics shall be a dual credit course, as defined in the  
14          Dual Credit Quality Act, an Advanced Placement course, as  
15          defined in Section 10 of the College and Career Success for All  
16          Students Act, or an International Baccalaureate course;  
17          otherwise, the next most rigorous level of advanced coursework  
18          under this subsection (a-5) may include a dual credit course,  
19          as defined in the Dual Credit Quality Act, an Advanced  
20          Placement course, as defined in Section 10 of the College and  
21          Career Success for All Students Act, an International  
22          Baccalaureate course, an honors class, an enrichment  
23          opportunity, a gifted program, or another program offered by  
24          the district.

25          A school district may use the student's most recent State  
26          assessment results to determine whether a student meets or

1 exceeds State standards. For a student entering grade 9,  
2 results from the State assessment taken in grades 6 through 8  
3 may be used. For other high school grades, the results from a  
4 locally selected, nationally normed assessment may be used  
5 instead of the State assessment if those results are the most  
6 recent.

7 A school district must provide the parent or guardian of a  
8 student eligible for automatic enrollment under this  
9 subsection (a-5) with the option to instead have the student  
10 enroll in alternative coursework that better aligns with the  
11 student's postsecondary education or career goals.

12 Nothing in this subsection (a-5) may be interpreted to  
13 preclude other students from enrolling in advanced coursework  
14 per the policy of a school district.

15 (b) Further, a school district's accelerated placement  
16 policy may include or incorporate by reference, but need not  
17 be limited to, the following components:

18 (1) procedures for annually informing the community  
19 at-large, including parents or guardians, community-based  
20 organizations, and providers of out-of-school programs,  
21 about the accelerated placement program and the methods  
22 used for the identification of children eligible for  
23 accelerated placement, including strategies to reach  
24 groups of students and families who have been historically  
25 underrepresented in accelerated placement programs and  
26 advanced coursework;

1           (2) a process for referral that allows for multiple  
2           referrers, including a child's parents or guardians; other  
3           referrers may include licensed education professionals,  
4           the child, with the written consent of a parent or  
5           guardian, a peer, through a licensed education  
6           professional who has knowledge of the referred child's  
7           abilities, or, in case of possible early entrance, a  
8           preschool educator, pediatrician, or psychologist who  
9           knows the child;

10          (3) a provision that provides that children  
11          participating in an accelerated placement program and  
12          their parents or guardians will be provided a written plan  
13          detailing the type of acceleration the child will receive  
14          and strategies to support the child;

15          (4) procedures to provide support and promote success  
16          for students who are newly enrolled in an accelerated  
17          placement program; and

18          (5) a process for the school district to review and  
19          utilize disaggregated data on participation in an  
20          accelerated placement program to address gaps among  
21          demographic groups in accelerated placement opportunities.

22          (c) The State Board of Education shall adopt rules to  
23          determine data to be collected and disaggregated by  
24          demographic group regarding accelerated placement, including  
25          the rates of students who participate in and successfully  
26          complete advanced coursework, and a method of making the



1 information available to the public.

2 (d) On or before November 1, 2022, following a review of  
3 disaggregated data on the participation and successful  
4 completion rates of students enrolled in an accelerated  
5 placement program, each school district shall develop a plan  
6 to expand access to its accelerated placement program and to  
7 ensure the teaching capacity necessary to meet the increased  
8 demand. The plan may incorporate one or more of the following  
9 evidence-based practices:

10 (1) the use of multiple tools to assess exceptional  
11 potential and provide several pathways into advanced  
12 academic programs when assessing student need for advanced  
13 academic or accelerated programming;

14 (2) providing enrichment opportunities starting in the  
15 early grades to address achievement gaps that occur at  
16 school entry and provide students opportunities to  
17 demonstrate their advanced potential;

18 (3) the use of universal screening combined with local  
19 school-based norms for placement in accelerated and  
20 advanced learning programs;

21 (4) developing a continuum of services to identify and  
22 develop talent in all learners ranging from enriched  
23 learning experiences, such as problem-based learning,  
24 performance tasks, critical thinking, and career  
25 exploration, to accelerated placement and advanced  
26 academic programming; and

1           (5) providing professional learning in gifted  
2           education for teachers and other appropriate school  
3           personnel to appropriately identify and challenge students  
4           from diverse cultures and backgrounds who may benefit from  
5           accelerated placement or advanced academic programming.

6           (Source: P.A. 101-654, eff. 3-8-21; 102-209, eff. 11-30-21  
7           (See Section 5 of P.A. 102-671 for effective date of P.A.  
8           102-209).)

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