

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 adding Section  
5 34-18.37 as follows:

6 (105 ILCS 5/34-18.37 new)

7 Sec. 34-18.37. Establishing an equitable and effective  
8 school facility development process.

9 (a) The General Assembly finds all of the following:

10 (1) The Illinois Constitution recognizes that a  
11 "fundamental goal of the People of the State is the  
12 educational development of all persons to the limits of  
13 their capacities".

14 (2) Quality educational facilities are essential for  
15 fostering the maximum educational development of all  
16 persons through their educational experience from  
17 pre-kindergarten through high school.

18 (3) The public school is a major institution in our  
19 communities. Public schools offer resources and  
20 opportunities for the children of this State who seek and  
21 deserve quality education, but also benefit the entire  
22 community that seeks improvement through access to  
23 education.

1           (4) The equitable and efficient use of available  
2           facilities-related resources among different schools and  
3           among racial, ethnic, income, and disability groups is  
4           essential to maximize the development of quality public  
5           educational facilities for all children, youth, and  
6           adults. The factors that impact the equitable and efficient  
7           use of facility-related resources vary according to the  
8           needs of each school community. Therefore, decisions that  
9           impact school facilities should include the input of the  
10           school community to the greatest extent possible.

11           (5) School openings, school closings, school  
12           consolidations, school turnarounds, school phase-outs,  
13           school construction, school repairs, school  
14           modernizations, school boundary changes, and other related  
15           school facility decisions often have a profound impact on  
16           education in a community. In order to minimize the negative  
17           impact of school facility decisions on the community, these  
18           decisions should be implemented according to a clear  
19           system-wide criteria and with the significant involvement  
20           of local school councils, parents, educators, and the  
21           community in decision-making.

22           (6) The General Assembly has previously stated that it  
23           intended to make the individual school in the City of  
24           Chicago the essential unit for educational governance and  
25           improvement and to place the primary responsibility for  
26           school governance and improvement in the hands of parents,

1 teachers, and community residents at each school. A school  
2 facility policy must be consistent with these principles.

3 (b) In order to ensure that school facility-related  
4 decisions are made with the input of the community and reflect  
5 educationally sound and fiscally responsible criteria, a  
6 Chicago Educational Facilities Task Force shall be established  
7 within 15 days after the effective date of this amendatory Act  
8 of the 96th General Assembly.

9 (c) The Chicago Educational Facilities Task Force shall  
10 consist of all of the following members:

11 (1) Two members of the House of Representatives  
12 appointed by the Speaker of the House, at least one of whom  
13 shall be a member of the Elementary & Secondary Education  
14 Committee.

15 (2) Two members of the House of Representatives  
16 appointed by the Minority Leader of the House, at least one  
17 of whom shall be a member of the Elementary & Secondary  
18 Education Committee.

19 (3) Two members of the Senate appointed by the  
20 President of the Senate, at least one of whom shall be a  
21 member of the Education Committee.

22 (4) Two members of the Senate appointed by the Minority  
23 Leader of the Senate, at least one of whom shall be a  
24 member of the Education Committee.

25 (5) Two representatives of school community  
26 organizations with past involvement in school facility

1 issues appointed by the Speaker of the House.

2 (6) Two representatives of school community  
3 organizations with past involvement in school facility  
4 issues appointed by the President of the Senate.

5 (7) The chief executive officer of the school district  
6 or his or her designee.

7 (8) The president of the union representing teachers in  
8 the schools of the district or his or her designee.

9 (9) The president of the association representing  
10 principals in the schools of the district or his or her  
11 designee.

12 (d) The Speaker of the House shall appoint one of the  
13 appointed House members as a co-chairperson of the Chicago  
14 Educational Facilities Task Force. The President of the Senate  
15 shall appoint one of the appointed Senate members as a  
16 co-chairperson of the Chicago Educational Facilities Task  
17 Force. Members appointed by the legislative leaders shall be  
18 appointed for the duration of the Chicago Educational  
19 Facilities Task Force; in the event of a vacancy, the  
20 appointment to fill the vacancy shall be made by the  
21 legislative leader of the same chamber and party as the leader  
22 who made the original appointment.

23 (e) The Chicago Educational Facilities Task Force shall  
24 call on independent experts, as needed, to gather and analyze  
25 pertinent information on a pro bono basis, provided that these  
26 experts have no previous or on-going financial interest in

1 school facility issues related to the school district. The  
2 Chicago Educational Facilities Task Force shall secure pro bono  
3 expert assistance within 15 days after the establishment of the  
4 Chicago Educational Facilities Task Force.

5 (f) The Chicago Educational Facilities Task Force shall be  
6 empowered to gather further evidence in the form of testimony  
7 or documents or other materials.

8 (g) The Chicago Educational Facilities Task Force, with the  
9 help of the independent experts, shall analyze past Chicago  
10 experiences and data with respect to school openings, school  
11 closings, school consolidations, school turnarounds, school  
12 phase-outs, school construction, school repairs, school  
13 modernizations, school boundary changes, and other related  
14 school facility decisions on students. The Chicago Educational  
15 Facilities Task Force shall consult widely with stakeholders,  
16 including public officials, about these facility issues and  
17 their related costs and shall examine relevant best practices  
18 from other school systems for dealing with these issues  
19 systematically and equitably. These initial investigations  
20 shall include opportunities for input from local stakeholders  
21 through hearings, focus groups, and interviews.

22 (h) The Chicago Educational Facilities Task Force shall  
23 prepare final recommendations on or before October 30, 2009  
24 describing how the issues set forth in subsection (g) of this  
25 Section can be addressed effectively based upon educationally  
26 sound and fiscally responsible practices.

1       (i) The Chicago Educational Facilities Task Force shall  
2 hold hearings in separate areas of the school district at times  
3 that shall maximize school community participation to obtain  
4 comments on draft recommendations. The final hearing shall take  
5 place no later than 15 days prior to the completion of the  
6 final recommendations.

7       (j) The Chicago Educational Facilities Task Force shall  
8 prepare final proposed policy and legislative recommendations  
9 for the General Assembly, the Governor, and the school  
10 district. The recommendations may address issues, standards,  
11 and procedures set forth in this Section. The final  
12 recommendations shall be made available to the public through  
13 posting on the school district's Internet website and other  
14 forms of publication and distribution in the school district at  
15 least 7 days before the final recommendations are submitted to  
16 the General Assembly, the Governor, and the school district.

17       (k) The final recommendations may address issues of  
18 system-wide criteria for ensuring clear priorities, equity,  
19 and efficiency.

20       Without limitation, the final recommendations may propose  
21 significant decision-making roles for key stakeholders,  
22 including the individual school and community; recommend clear  
23 criteria or processes for establishing criteria for making  
24 school facility decisions; and include clear criteria for  
25 setting priorities with respect to school openings, school  
26 closings, school consolidations, school turnarounds, school

1 phase-outs, school construction, school repairs, school  
2 modernizations, school boundary changes, and other related  
3 school facility decisions, including the encouragement of  
4 multiple community uses for school space.

5 Without limitation, the final recommendations may propose  
6 criteria for student mobility; the transferring of students to  
7 lower performing schools; teacher mobility; insufficient  
8 notice to and the lack of inclusion in decision-making of local  
9 school councils, parents, and community members about school  
10 facility decisions; and costly facilities-related expenditures  
11 due to poor educational and facilities planning.

12 (1) The State Board of Education and the school district  
13 shall provide administrative support to the Chicago  
14 Educational Facilities Task Force.

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