

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 2-3.11c, 10-20.47, 10-21.4, 18-3, and 34-18.38 as follows:

6 (105 ILCS 5/2-3.11c)

7 Sec. 2-3.11c. Teacher supply and demand report. Through  
8 January 1, 2009, to report annually, on or before January 1, on  
9 the relative supply and demand for education staff of the  
10 public schools to the Governor, to the General Assembly, and to  
11 institutions of higher education that prepare teachers,  
12 administrators, school service personnel, other certificated  
13 individuals, and other professionals employed by school  
14 districts or joint agreements. After the report due on January  
15 1, 2009 is submitted, future reports shall be submitted once  
16 every 3 years, with the first report being submitted on or  
17 before January 1, 2012 ~~2011~~. The report shall contain the  
18 following information:

19 (1) the relative supply and demand for teachers,  
20 administrators, and other certificated and  
21 non-certificated personnel by field, content area, and  
22 levels;

23 (2) State and regional analyses of fields, content

1 areas, and levels with an over-supply or under-supply of  
2 educators; and

3 (3) projections of likely high demand and low demand  
4 for educators, in a manner sufficient to advise the public,  
5 individuals, and institutions regarding career  
6 opportunities in education.

7 (Source: P.A. 96-734, eff. 8-25-09.)

8 (105 ILCS 5/10-20.47)

9 Sec. 10-20.47. Administrator and teacher salary and  
10 benefits; report. Each school board shall report to the State  
11 Board of Education, on or before October ~~July~~ 1 of each year,  
12 the base salary and benefits of the district superintendent and  
13 all administrators and teachers employed by the school  
14 district. For the purposes of this Section, "benefits" includes  
15 without limitation vacation days, sick days, bonuses,  
16 annuities, and retirement enhancements.

17 Prior to this annual reporting to the State Board of  
18 Education, the information must be presented at a regular  
19 school board meeting, subject to applicable notice  
20 requirements, and then posted on the Internet website of the  
21 school district, if any.

22 (Source: P.A. 96-266, eff. 1-1-10; 96-1000, eff. 7-2-10.)

23 (105 ILCS 5/10-21.4) (from Ch. 122, par. 10-21.4)

24 Sec. 10-21.4. Superintendent - Duties. Except in districts

1 in which there is only one school with less than four teachers,  
2 to employ a superintendent who shall have charge of the  
3 administration of the schools under the direction of the board  
4 of education. In addition to the administrative duties, the  
5 superintendent shall make recommendations to the board  
6 concerning the budget, building plans, the locations of sites,  
7 the selection, retention and dismissal of teachers and all  
8 other employees, the selection of textbooks, instructional  
9 material and courses of study. However, in districts under a  
10 Financial Oversight Panel pursuant to Section 1A-8 for  
11 violating a financial plan, the duties and responsibilities of  
12 the superintendent in relation to the financial and business  
13 operations of the district shall be approved by the Panel. In  
14 the event the Board refuses or fails to follow a directive or  
15 comply with an information request of the Panel, the  
16 performance of those duties shall be subject to the direction  
17 of the Panel. The superintendent shall also notify the State  
18 Board of Education, the board and the chief administrative  
19 official, other than the alleged perpetrator himself, in the  
20 school where the alleged perpetrator serves, that any person  
21 who is employed in a school or otherwise comes into frequent  
22 contact with children in the school has been named as a  
23 perpetrator in an indicated report filed pursuant to the Abused  
24 and Neglected Child Reporting Act, approved June 26, 1975, as  
25 amended. The superintendent shall keep or cause to be kept the  
26 records and accounts as directed and required by the board, aid

1 in making reports required by the board, and perform such other  
2 duties as the board may delegate to him.

3 In addition, each year at a time designated by the State  
4 Superintendent of Education ~~in January of each year~~, each  
5 superintendent shall report to the State Board of Education the  
6 number of high school students in the district who are enrolled  
7 in accredited courses (for which high school credit will be  
8 awarded upon successful completion of the courses) at any  
9 community college, together with the name and number of the  
10 course or courses which each such student is taking.

11 The provisions of this section shall also apply to board of  
12 director districts.

13 Notice of intent not to renew a contract must be given in  
14 writing stating the specific reason therefor by April 1 of the  
15 contract year unless the contract specifically provides  
16 otherwise. Failure to do so will automatically extend the  
17 contract for an additional year. Within 10 days after receipt  
18 of notice of intent not to renew a contract, the superintendent  
19 may request a closed session hearing on the dismissal. At the  
20 hearing the superintendent has the privilege of presenting  
21 evidence, witnesses and defenses on the grounds for dismissal.  
22 The provisions of this paragraph shall not apply to a district  
23 under a Financial Oversight Panel pursuant to Section 1A-8 for  
24 violating a financial plan.

25 (Source: P.A. 95-496, eff. 8-28-07.)

1 (105 ILCS 5/18-3) (from Ch. 122, par. 18-3)

2 Sec. 18-3. Tuition of children from orphanages and  
3 children's homes. When the children from any home for orphans,  
4 dependent, abandoned or maladjusted children maintained by any  
5 organization or association admitting to such home children  
6 from the State in general or when children residing in a school  
7 district wherein the State of Illinois maintains and operates  
8 any welfare or penal institution on property owned by the State  
9 of Illinois, which contains houses, housing units or housing  
10 accommodations within a school district, attend grades  
11 kindergarten through 12 of the public schools maintained by  
12 that school district, the State Superintendent of Education  
13 shall direct the State Comptroller to pay a specified amount  
14 sufficient to pay the annual tuition cost of such children who  
15 attended such public schools during the regular school year  
16 ending on June 30. The Comptroller shall pay the amount after  
17 receipt of a voucher submitted by the State Superintendent of  
18 Education.

19 The amount of the tuition for such children attending the  
20 public schools of the district shall be determined by the State  
21 Superintendent of Education by multiplying the number of such  
22 children in average daily attendance in such schools by 1.2  
23 times the total annual per capita cost of administering the  
24 schools of the district. Such total annual per capita cost  
25 shall be determined by totaling all expenses of the school  
26 district in the educational, operations and maintenance, bond

1 and interest, transportation, Illinois municipal retirement,  
2 and rent funds for the school year preceding the filing of such  
3 tuition claims less expenditures not applicable to the regular  
4 K-12 program, less offsetting revenues from State sources  
5 except those from the common school fund, less offsetting  
6 revenues from federal sources except those from federal  
7 impaction aid, less student and community service revenues,  
8 plus a depreciation allowance; and dividing such total by the  
9 average daily attendance for the year.

10 Annually on or before July 15 the superintendent of the  
11 district shall certify to the State Superintendent of Education  
12 the following:

13 1. The name of the home and of the organization or  
14 association maintaining it; or the legal description of the  
15 real estate upon which the house, housing units, or housing  
16 accommodations are located and that no taxes or service  
17 charges or other payments authorized by law to be made in  
18 lieu of taxes were collected therefrom or on account  
19 thereof during either of the calendar years included in the  
20 school year for which claim is being made;

21 2. The number of children from the home or living in  
22 such houses, housing units or housing accommodations and  
23 attending the schools of the district;

24 3. The total number of children attending the schools  
25 of the district;

26 4. The per capita tuition charge of the district; and

1           5. The computed amount of the tuition payment claimed  
2           as due.

3           Whenever the persons in charge of such home for orphans,  
4           dependent, abandoned or maladjusted children have received  
5           from the parent or guardian of any such child or by virtue of  
6           an order of court a specific allowance for educating such  
7           child, such persons shall pay to the school board in the  
8           district where the child attends school such amount of the  
9           allowance as is necessary to pay the tuition required by such  
10          district for the education of the child. If the allowance is  
11          insufficient to pay the tuition in full the State  
12          Superintendent of Education shall direct the Comptroller to pay  
13          to the district the difference between the total tuition  
14          charged and the amount of the allowance.

15          Whenever the facilities of a school district in which such  
16          house, housing units or housing accommodations are located, are  
17          limited, pupils may be assigned by that district to the schools  
18          of any adjacent district to the limit of the facilities of the  
19          adjacent district to properly educate such pupils as shall be  
20          determined by the school board of the adjacent district, and  
21          the State Superintendent of Education shall direct the  
22          Comptroller to pay a specified amount sufficient to pay the  
23          annual tuition of the children so assigned to and attending  
24          public schools in the adjacent districts and the Comptroller  
25          shall draw his warrant upon the State Treasurer for the payment  
26          of such amount for the benefit of the adjacent school districts

1 in the same manner as for districts in which the houses,  
2 housing units or housing accommodations are located.

3 The school district shall certify to the State  
4 Superintendent of Education the report of claims due for such  
5 tuition payments on or before July 15. The State Superintendent  
6 of Education shall direct the Comptroller to pay to the  
7 district, on or before August 15, the amount due the district  
8 for the school year in accordance with the calculation of the  
9 claim as set forth in this Section.

10 Summer session costs shall be reimbursed based on the  
11 actual expenditures for providing these services. On or before  
12 November 1 of each year, the superintendent of each eligible  
13 school district shall certify to the State Superintendent of  
14 Education the claim of the district for the summer session  
15 following the regular school year just ended. The State  
16 Superintendent of Education shall transmit to the Comptroller  
17 no later than December 15th of each year vouchers for payment  
18 of amounts due to school districts for summer session.

19 Claims for tuition for children from any home for orphans  
20 or dependent, abandoned, or maladjusted children beginning  
21 with the 1993-1994 school year shall be paid on a current year  
22 basis. On September 30, December 31, and March 31, the State  
23 Board of Education shall voucher payments for districts with  
24 those students based on an estimated cost calculated from the  
25 prior year's claim. Final claims for those students for the  
26 regular school term must be received at the State Board of



1 Education by July 15 following the end of the regular school  
2 year. Final claims for those students shall be vouchered by  
3 August 30 ~~15~~. During fiscal year 1994 both the 1992-1993 school  
4 year and the 1993-1994 school year shall be paid in order to  
5 change the cycle of payment from a reimbursement basis to a  
6 current year funding basis of payment. However,  
7 notwithstanding any other provisions of this Section or the  
8 School Code, beginning with fiscal year 1994 and each fiscal  
9 year thereafter, if the amount appropriated for any fiscal year  
10 is less than the amount required for purposes of this Section,  
11 the amount required to eliminate any insufficient  
12 reimbursement for each district claim under this Section shall  
13 be reimbursed on August 30 of the next fiscal year. Payments  
14 required to eliminate any insufficiency for prior fiscal year  
15 claims shall be made before any claims are paid for the current  
16 fiscal year.

17 If a school district makes a claim for reimbursement under  
18 Section 14-7.03 it shall not include in any claim filed under  
19 this Section children residing on the property of State  
20 institutions included in its claim under Section 14-7.03.

21 Any child who is not a resident of Illinois who is placed  
22 in a child welfare institution, private facility, State  
23 operated program, orphanage or children's home shall have the  
24 payment for his educational tuition and any related services  
25 assured by the placing agent.

26 In order to provide services appropriate to allow a student

1 under the legal guardianship or custodianship of the State to  
2 participate in local school district educational programs,  
3 costs may be incurred in appropriate cases by the district that  
4 are in excess of 1.2 times the district per capita tuition  
5 charge allowed under the provisions of this Section. In the  
6 event such excess costs are incurred, they must be documented  
7 in accordance with cost rules established under the authority  
8 of this Section and may then be claimed for reimbursement under  
9 this Section.

10 Planned services for students eligible for this funding  
11 must be a collaborative effort between the appropriate State  
12 agency or the student's group home or institution and the local  
13 school district.

14 (Source: P.A. 95-793, eff. 1-1-09; 96-734, eff. 8-25-09.)

15 (105 ILCS 5/34-18.38)

16 Sec. 34-18.38. Administrator and teacher salary and  
17 benefits; report. The board shall report to the State Board of  
18 Education, on or before October ~~July~~ 1 of each year, the base  
19 salary and benefits of the general superintendent of schools or  
20 chief executive officer and all administrators and teachers  
21 employed by the school district. For the purposes of this  
22 Section, "benefits" includes without limitation vacation days,  
23 sick days, bonuses, annuities, and retirement enhancements.

24 Prior to this annual reporting to the State Board of  
25 Education, the information must be presented at a regular board

1 meeting, subject to applicable notice requirements, and then  
2 posted on the Internet website of the school district, if any.

3 (Source: P.A. 96-266, eff. 1-1-10; 96-1000, eff. 7-2-10.)

4 (105 ILCS 5/2-3.74 rep.)

5 (105 ILCS 5/2-3.87 rep.)

6 (105 ILCS 5/2-3.111 rep.)

7 (105 ILCS 5/10-20.50 rep.)

8 (105 ILCS 5/10-21.6 rep.)

9 (105 ILCS 5/34-18.41 rep.)

10 Section 10. The School Code is amended by repealing  
11 Sections 2-3.74, 2-3.87, 2-3.111, 10-20.50, 10-21.6, and  
12 34-18.41.