

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 10-21.4 and 10-23.8 as follows:

6 (105 ILCS 5/10-21.4) (from Ch. 122, par. 10-21.4)

7 Sec. 10-21.4. Superintendent - Duties. Except in districts
8 in which there is only one school with fewer ~~less~~ than 4 ~~four~~
9 teachers, to employ a superintendent, who shall have charge of
10 the administration of the schools under the direction of the
11 board of education. However, in any school district that has
12 boundaries that lie in 3 counties, one county of which has a
13 population exceeding 1,000,000 inhabitants, that has an
14 enrollment of more than 35,000 students, and that has on staff
15 properly licensed assistant superintendents or directors in
16 the areas of instruction, finance, special education,
17 assessments, and career and technology education, the school
18 board may instead, by a vote of a majority of its full
19 membership, appoint a chief executive officer to serve as its
20 superintendent, who shall be a person of recognized
21 administrative ability and management experience, hold a
22 master's degree, have been employed with the school district
23 for a minimum of 5 years in an administrative capacity, be

1 responsible for the management of the district, and have all
2 other powers and duties of a superintendent as set forth in
3 this Code, but who shall be exempt from the provisions and
4 requirements of Section 21B-15 of this Code for a period of 5
5 years.

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

1 amended. The superintendent shall keep or cause to be kept the
2 records and accounts as directed and required by the board, aid
3 in making reports required by the board, and perform such other
4 duties as the board may delegate to him.

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

13 The provisions of this Section ~~section~~ shall also apply to
14 board of director districts.

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

1 (Source: P.A. 97-256, eff. 1-1-12.)

2 (105 ILCS 5/10-23.8) (from Ch. 122, par. 10-23.8)

3 Sec. 10-23.8. Superintendent contracts. After the
4 effective date of this amendatory Act of 1997 and the
5 expiration of contracts in effect on the effective date of this
6 amendatory Act, school districts may only employ a
7 superintendent or, if authorized by law, a chief executive
8 officer under either a contract for a period not exceeding one
9 year or a performance-based contract for a period not exceeding
10 5 years.

11 Performance-based contracts shall be linked to student
12 performance and academic improvement within the schools of the
13 districts. No performance-based contract shall be extended or
14 rolled-over prior to its scheduled expiration unless all the
15 performance and improvement goals contained in the contract
16 have been met. Each performance-based contract shall include
17 the goals and indicators of student performance and academic
18 improvement determined and used by the local school board to
19 measure the performance and effectiveness of the
20 superintendent and such other information as the local school
21 board may determine.

22 By accepting the terms of a multi-year contract, the
23 superintendent or chief executive officer waives all rights
24 granted him or her under Sections 24-11 through 24-16 of this
25 Act only for the term of the multi-year contract. Upon

1 acceptance of a multi-year contract, the superintendent or
2 chief executive officer shall not lose any previously acquired
3 tenure credit with the district.

4 (Source: P.A. 90-548, eff. 1-1-98; 91-314, eff. 1-1-00.)