

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  
5 Section 1A-4 as follows:

6 (105 ILCS 5/1A-4) (from Ch. 122, par. 1A-4)

7 Sec. 1A-4. Powers and duties of the Board.

8 A. Upon the appointment of new Board members as provided  
9 in subsection (b) of Section 1A-1 of this Code and every 2  
10 years thereafter, the chairperson of the Board shall be  
11 selected by the Governor, with the advice and consent of the  
12 Senate, from the membership of the Board to serve as  
13 chairperson for 2 years.

14 B. The Board shall determine the qualifications of and  
15 appoint a chief education officer to be known as the State  
16 Superintendent of Education who shall serve at the pleasure  
17 of the Board and pursuant to a performance-based contract  
18 linked to statewide student performance and academic  
19 improvement within Illinois schools. No performance-based  
20 contract issued for the employment of the State  
21 Superintendent of Education shall be for a term longer than 3  
22 years and no contract shall be extended or renewed prior to  
23 its scheduled expiration unless the performance and  
24 improvement goals contained in the contract have been met.  
25 The State Superintendent of Education shall not serve as a  
26 member of the State Board of Education. The Board shall set  
27 the compensation of the State Superintendent of Education who  
28 shall serve as the Board's chief executive officer. The Board  
29 shall also establish the duties, powers and responsibilities  
30 of the State Superintendent, which shall be included in the  
31 State Superintendent's performance-based contract along with

1 the goals and indicators of student performance and academic  
2 improvement used to measure the performance and effectiveness  
3 of the State Superintendent. The State Board of Education may  
4 delegate to the State Superintendent of Education the  
5 authority to act on the Board's behalf, provided such  
6 delegation is made pursuant to adopted board policy or the  
7 powers delegated are ministerial in nature. The State Board  
8 may not delegate authority under this Section to the State  
9 Superintendent to (1) nonrecognize school districts, (2)  
10 withhold State payments as a penalty, or (3) make final  
11 decisions under the contested case provisions of the Illinois  
12 Administrative Procedure Act unless otherwise provided by  
13 law.

14 C. The powers and duties of the State Board of Education  
15 shall encompass all duties delegated to the Office of  
16 Superintendent of Public Instruction on January 12, 1975,  
17 except as the law providing for such powers and duties is  
18 thereafter amended, and such other powers and duties as the  
19 General Assembly shall designate. The Board shall be  
20 responsible for the educational policies and guidelines for  
21 public schools, pre-school through grade 12 and Vocational  
22 Education in the State of Illinois. The Board shall analyze  
23 the present and future aims, needs, and requirements of  
24 education in the State of Illinois and recommend to the  
25 General Assembly the powers which should be exercised by the  
26 Board. The Board shall recommend the passage and the  
27 legislation necessary to determine the appropriate  
28 relationship between the Board and local boards of education  
29 and the various State agencies and shall recommend desirable  
30 modifications in the laws which affect schools.

31 D. Two members of the Board shall be appointed by the  
32 chairperson to serve on a standing joint Education Committee,  
33 2 others shall be appointed from the Board of Higher  
34 Education, 2 others shall be appointed by the chairperson of

1 the Illinois Community College Board, and 2 others shall be  
2 appointed by the chairperson of the Human Resource Investment  
3 Council. The Committee shall be responsible for making  
4 recommendations concerning the submission of any workforce  
5 development plan or workforce training program required by  
6 federal law or under any block grant authority. The  
7 Committee will be responsible for developing policy on  
8 matters of mutual concern to elementary, secondary and higher  
9 education such as Occupational and Career Education, Teacher  
10 Preparation and Certification, Educational Finance,  
11 Articulation between Elementary, Secondary and Higher  
12 Education and Research and Planning. The joint Education  
13 Committee shall meet at least quarterly and submit an annual  
14 report of its findings, conclusions, and recommendations to  
15 the State Board of Education, the Board of Higher Education,  
16 the Illinois Community College Board, the Human Resource  
17 Investment Council, the Governor, and the General Assembly.  
18 All meetings of this Committee shall be official meetings for  
19 reimbursement under this Act.

20 E. Five members of the Board shall constitute a quorum.  
21 A majority vote of the members appointed, confirmed and  
22 serving on the Board is required to approve any action.

23 The Board shall prepare and submit to the General  
24 Assembly and the Governor on or before January 14, 1976 and  
25 annually thereafter a report or reports of its findings and  
26 recommendations. Such annual report shall contain a separate  
27 section which provides a critique and analysis of the status  
28 of education in Illinois and which identifies its specific  
29 problems and recommends express solutions therefor. Such  
30 annual report also shall contain the following information  
31 for the preceding year ending on June 30: each act or  
32 omission of a school district of which the State Board of  
33 Education has knowledge as a consequence of scheduled,  
34 approved visits and which constituted a failure by the

1 district to comply with applicable State or federal laws or  
2 regulations relating to public education, the name of such  
3 district, the date or dates on which the State Board of  
4 Education notified the school district of such act or  
5 omission, and what action, if any, the school district took  
6 with respect thereto after being notified thereof by the  
7 State Board of Education. The report shall also include the  
8 statewide high school dropout rate by grade level, sex and  
9 race and the annual student dropout rate of and the number of  
10 students who graduate from, transfer from or otherwise leave  
11 bilingual programs. The Auditor General shall annually  
12 perform a compliance audit of the State Board of Education's  
13 performance of the reporting duty imposed by this amendatory  
14 Act of 1986. A regular system of communication with other  
15 directly related State agencies shall be implemented.

16 The requirement for reporting to the General Assembly  
17 shall be satisfied by filing copies of the report with the  
18 Speaker, the Minority Leader and the Clerk of the House of  
19 Representatives and the President, the Minority Leader and  
20 the Secretary of the Senate and the Legislative Council, as  
21 required by Section 3.1 of the General Assembly Organization  
22 Act, and filing such additional copies with the State  
23 Government Report Distribution Center for the General  
24 Assembly as is required under paragraph (t) of Section 7 of  
25 the State Library Act.

26 (Source: P.A. 89-430, eff. 12-15-95; 89-610, eff. 8-6-96;  
27 89-698, eff. 1-14-97; 90-548, eff. 1-1-98.)