

**SB3538**



**100TH GENERAL ASSEMBLY**

**State of Illinois**

**2017 and 2018**

**SB3538**

Introduced 2/16/2018, by Sen. Jacqueline Y. Collins

**SYNOPSIS AS INTRODUCED:**

105 ILCS 5/10-17a

from Ch. 122, par. 10-17a

Amends the School Code. Requires a school report card to include the most current data collected and maintained by the State Board of Education on the percentage of students, by grade level, who have an individualized education program or a federal Section 504 plan and who are chronically absent. Effective July 1, 2018.

LRB100 19131 AXK 34395 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

**A BILL FOR**

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 Section  
5 10-17a as follows:

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

7 (Text of Section before amendment by P.A. 100-448)

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

10 (1) By October 31, 2013 and October 31 of each subsequent  
11 school year, the State Board of Education, through the State  
12 Superintendent of Education, shall prepare a State report card,  
13 school district report cards, and school report cards, and  
14 shall by the most economic means provide to each school  
15 district in this State, including special charter districts and  
16 districts subject to the provisions of Article 34, the report  
17 cards for the school district and each of its schools.

18 (2) In addition to any information required by federal law,  
19 the State Superintendent shall determine the indicators and  
20 presentation of the school report card, which must include, at  
21 a minimum, the most current data collected and maintained by  
22 the State Board of Education related to the following:

23 (A) school characteristics and student demographics,

1 including average class size, average teaching experience,  
2 student racial/ethnic breakdown, and the percentage of  
3 students classified as low-income; the percentage of  
4 students classified as English learners; the percentage of  
5 students who have individualized education programs ~~plans~~  
6 or 504 plans that provide for special education services;  
7 the percentage of students, by grade level, who have an  
8 individualized education program or a federal Section 504  
9 plan and who are chronically absent; the number and  
10 percentage of all students who have been assessed for  
11 placement in a gifted education or advanced academic  
12 program and, of those students: (i) the racial and ethnic  
13 breakdown, (ii) the percentage who are classified as  
14 low-income, and (iii) the number and percentage of students  
15 who received direct instruction from a teacher who holds a  
16 gifted education endorsement and, of those students, the  
17 percentage who are classified as low-income; the  
18 percentage of students scoring at the "exceeds  
19 expectations" level on the assessments required under  
20 Section 2-3.64a-5 of this Code; the percentage of students  
21 who annually transferred in or out of the school district;  
22 the per-pupil operating expenditure of the school  
23 district; and the per-pupil State average operating  
24 expenditure for the district type (elementary, high  
25 school, or unit);

26 (B) curriculum information, including, where

1 applicable, Advanced Placement, International  
2 Baccalaureate or equivalent courses, dual enrollment  
3 courses, foreign language classes, school personnel  
4 resources (including Career Technical Education teachers),  
5 before and after school programs, extracurricular  
6 activities, subjects in which elective classes are  
7 offered, health and wellness initiatives (including the  
8 average number of days of Physical Education per week per  
9 student), approved programs of study, awards received,  
10 community partnerships, and special programs such as  
11 programming for the gifted and talented, students with  
12 disabilities, and work-study students;

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

1 (D) student progress, including, where applicable, the  
2 percentage of students in the ninth grade who have earned 5  
3 credits or more without failing more than one core class, a  
4 measure of students entering kindergarten ready to learn, a  
5 measure of growth, and the percentage of students who enter  
6 high school on track for college and career readiness;

7 (E) the school environment, including, where  
8 applicable, the percentage of students with less than 10  
9 absences in a school year, the percentage of teachers with  
10 less than 10 absences in a school year for reasons other  
11 than professional development, leaves taken pursuant to  
12 the 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 or  
20 advanced academic program and the manner in which parents  
21 and guardians are made aware of the process and criteria, 2  
22 or more indicators from any school climate survey selected  
23 or approved by the State and administered pursuant to  
24 Section 2-3.153 of this Code, with the same or similar  
25 indicators included on school report cards for all surveys  
26 selected or approved by the State pursuant to Section

1 2-3.153 of this Code, and the combined percentage of  
2 teachers rated as proficient or excellent in their most  
3 recent evaluation;

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

7 (G) the total and per pupil normal cost amount the  
8 State contributed to the Teachers' Retirement System of the  
9 State of Illinois in the prior fiscal year for the school's  
10 employees, which shall be reported to the State Board of  
11 Education by the Teachers' Retirement System of the State  
12 of Illinois; ~~and~~

13 (H) for a school district organized under Article 34 of  
14 this Code only, State contributions to the Public School  
15 Teachers' Pension and Retirement Fund of Chicago and State  
16 contributions for health care for employees of that school  
17 district; ~~and~~

18 (I) ~~(G)~~ a school district's Final Percent of Adequacy,  
19 as defined in paragraph (4) of subsection (f) of Section  
20 18-8.15 of this Code;

21 (J) ~~(H)~~ a school district's Local Capacity Target, as  
22 defined in paragraph (2) of subsection (c) of Section  
23 18-8.15 of this Code, displayed as a percentage amount; and

24 (K) ~~(I)~~ a school district's Real Receipts, as defined  
25 in paragraph (1) of subsection (d) of Section 18-8.15 of  
26 this Code, divided by a school district's Adequacy Target,

1 as defined in paragraph (1) of subsection (b) of Section  
2 18-8.15 of this Code, displayed as a percentage amount.

3 The school report card shall also provide information that  
4 allows for comparing the current outcome, progress, and  
5 environment data to the State average, to the school data from  
6 the past 5 years, and to the outcomes, progress, and  
7 environment of similar schools based on the type of school and  
8 enrollment of low-income students, special education students,  
9 and English learners.

10 As used in this ~~subsection~~ paragraph (2):

11 "Advanced academic program" means a course of study to  
12 which students are assigned based on advanced cognitive ability  
13 or advanced academic achievement compared to local age peers  
14 and in which the curriculum is substantially differentiated  
15 from the general curriculum to provide appropriate challenge  
16 and pace.

17 "Gifted education" means educational services, including  
18 differentiated curricula and instructional methods, designed  
19 to meet the needs of gifted children as defined in Article 14A  
20 of this Code.

21 (3) At the discretion of the State Superintendent, the  
22 school district report card shall include a subset of the  
23 information identified in paragraphs (A) through (E) of  
24 subsection (2) of this Section, as well as information relating  
25 to the operating expense per pupil and other finances of the  
26 school district, and the State report card shall include a

1 subset of the information identified in paragraphs (A) through  
2 (E) of subsection (2) of this Section.

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

8 (5) Annually, no more than 30 calendar days after receipt  
9 of the school district and school report cards from the State  
10 Superintendent of Education, each school district, including  
11 special charter districts and districts subject to the  
12 provisions of Article 34, shall present such report cards at a  
13 regular school board meeting subject to applicable notice  
14 requirements, post the report cards on the school district's  
15 Internet web site, if the district maintains an Internet web  
16 site, make the report cards available to a newspaper of general  
17 circulation serving the district, and, upon request, send the  
18 report cards home to a parent (unless the district does not  
19 maintain an Internet web site, in which case the report card  
20 shall be sent home to parents without request). If the district  
21 posts the report card on its Internet web site, the district  
22 shall send a written notice home to parents stating (i) that  
23 the report card is available on the web site, (ii) the address  
24 of the web site, (iii) that a printed copy of the report card  
25 will be sent to parents upon request, and (iv) the telephone  
26 number that parents may call to request a printed copy of the



1 report card.

2 (6) Nothing contained in Public Act 98-648 ~~this amendatory~~  
3 ~~Act of the 98th General Assembly~~ repeals, supersedes,  
4 invalidates, or nullifies final decisions in lawsuits pending  
5 on July 1, 2014 (the effective date of Public Act 98-648) ~~this~~  
6 ~~amendatory Act of the 98th General Assembly~~ in Illinois courts  
7 involving the interpretation of Public Act 97-8.

8 (Source: P.A. 99-30, eff. 7-10-15; 99-193, eff. 7-30-15;  
9 99-642, eff. 7-28-16; 100-227, eff. 8-18-17; 100-364, eff.  
10 1-1-18; 100-465, eff. 8-31-17; revised 9-25-17.)

11 (Text of Section after amendment by P.A. 100-448)

12 Sec. 10-17a. State, school district, and school report  
13 cards.

14 (1) By October 31, 2013 and October 31 of each subsequent  
15 school year, the State Board of Education, through the State  
16 Superintendent of Education, shall prepare a State report card,  
17 school district report cards, and school report cards, and  
18 shall by the most economic means provide to each school  
19 district in this State, including special charter districts and  
20 districts subject to the provisions of Article 34, the report  
21 cards for the school district and each of its schools.

22 (2) In addition to any information required by federal law,  
23 the State Superintendent shall determine the indicators and  
24 presentation of the school report card, which must include, at  
25 a minimum, the most current data collected and maintained by

1 the State Board of Education related to the following:

2 (A) school characteristics and student demographics,  
3 including average class size, average teaching experience,  
4 student racial/ethnic breakdown, and the percentage of  
5 students classified as low-income; the percentage of  
6 students classified as English learners; the percentage of  
7 students who have individualized education programs ~~plans~~  
8 or 504 plans that provide for special education services;  
9 the percentage of students, by grade level, who have an  
10 individualized education program or a federal Section 504  
11 plan and who are chronically absent; the number and  
12 percentage of all students who have been assessed for  
13 placement in a gifted education or advanced academic  
14 program and, of those students: (i) the racial and ethnic  
15 breakdown, (ii) the percentage who are classified as  
16 low-income, and (iii) the number and percentage of students  
17 who received direct instruction from a teacher who holds a  
18 gifted education endorsement and, of those students, the  
19 percentage who are classified as low-income; the  
20 percentage of students scoring at the "exceeds  
21 expectations" level on the assessments required under  
22 Section 2-3.64a-5 of this Code; the percentage of students  
23 who annually transferred in or out of the school district;  
24 average daily attendance; the per-pupil operating  
25 expenditure of the school district; and the per-pupil State  
26 average operating expenditure for the district type

1 (elementary, high school, or unit);

2 (B) curriculum information, including, where  
3 applicable, Advanced Placement, International  
4 Baccalaureate or equivalent courses, dual enrollment  
5 courses, foreign language classes, school personnel  
6 resources (including Career Technical Education teachers),  
7 before and after school programs, extracurricular  
8 activities, subjects in which elective classes are  
9 offered, health and wellness initiatives (including the  
10 average number of days of Physical Education per week per  
11 student), approved programs of study, awards received,  
12 community partnerships, and special programs such as  
13 programming for the gifted and talented, students with  
14 disabilities, and work-study students;

15 (C) student outcomes, including, where applicable, the  
16 percentage of students deemed proficient on assessments of  
17 State standards, the percentage of students in the eighth  
18 grade who pass Algebra, the percentage of students enrolled  
19 in post-secondary institutions (including colleges,  
20 universities, community colleges, trade/vocational  
21 schools, and training programs leading to career  
22 certification within 2 semesters of high school  
23 graduation), the percentage of students graduating from  
24 high school who are college and career ready, and the  
25 percentage of graduates enrolled in community colleges,  
26 colleges, and universities who are in one or more courses

1 that the community college, college, or university  
2 identifies as a developmental course;

3 (D) student progress, including, where applicable, the  
4 percentage of students in the ninth grade who have earned 5  
5 credits or more without failing more than one core class, a  
6 measure of students entering kindergarten ready to learn, a  
7 measure of growth, and the percentage of students who enter  
8 high school on track for college and career readiness;

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

1 indicators included on school report cards for all surveys  
2 selected or approved by the State pursuant to Section  
3 2-3.153 of this Code, and the combined percentage of  
4 teachers rated as proficient or excellent in their most  
5 recent evaluation;

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

9 (G) the total and per pupil normal cost amount the  
10 State contributed to the Teachers' Retirement System of the  
11 State of Illinois in the prior fiscal year for the school's  
12 employees, which shall be reported to the State Board of  
13 Education by the Teachers' Retirement System of the State  
14 of Illinois; ~~and~~

15 (H) for a school district organized under Article 34 of  
16 this Code only, State contributions to the Public School  
17 Teachers' Pension and Retirement Fund of Chicago and State  
18 contributions for health care for employees of that school  
19 district; ~~and~~

20 (I) ~~(G)~~ a school district's Final Percent of Adequacy,  
21 as defined in paragraph (4) of subsection (f) of Section  
22 18-8.15 of this Code;

23 (J) ~~(H)~~ a school district's Local Capacity Target, as  
24 defined in paragraph (2) of subsection (c) of Section  
25 18-8.15 of this Code, displayed as a percentage amount; and

26 (K) ~~(I)~~ a school district's Real Receipts, as defined

1 in paragraph (1) of subsection (d) of Section 18-8.15 of  
2 this Code, divided by a school district's Adequacy Target,  
3 as defined in paragraph (1) of subsection (b) of Section  
4 18-8.15 of this Code, displayed as a percentage amount.

5 The school report card shall also provide information that  
6 allows for comparing the current outcome, progress, and  
7 environment data to the State average, to the school data from  
8 the past 5 years, and to the outcomes, progress, and  
9 environment of similar schools based on the type of school and  
10 enrollment of low-income students, special education students,  
11 and English learners.

12 As used in this subsection ~~paragraph~~ (2):

13 "Advanced academic program" means a course of study to  
14 which students are assigned based on advanced cognitive ability  
15 or advanced academic achievement compared to local age peers  
16 and in which the curriculum is substantially differentiated  
17 from the general curriculum to provide appropriate challenge  
18 and pace.

19 "Gifted education" means educational services, including  
20 differentiated curricula and instructional methods, designed  
21 to meet the needs of gifted children as defined in Article 14A  
22 of this Code.

23 For the purposes of paragraph (A) of this subsection (2),  
24 "average daily attendance" means the average of the actual  
25 number of attendance days during the previous school year for  
26 any enrolled student who is subject to compulsory attendance by

1 Section 26-1 of this Code at each school and charter school.

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

15 (4) Notwithstanding anything to the contrary in this  
16 Section, in consultation with key education stakeholders, the  
17 State Superintendent shall at any time have the discretion to  
18 amend or update any and all metrics on the school, district, or  
19 State report card.

20 (5) Annually, no more than 30 calendar days after receipt  
21 of the school district and school report cards from the State  
22 Superintendent of Education, each school district, including  
23 special charter districts and districts subject to the  
24 provisions of Article 34, shall present such report cards at a  
25 regular school board meeting subject to applicable notice  
26 requirements, post the report cards on the school district's

1 Internet web site, if the district maintains an Internet web  
2 site, make the report cards available to a newspaper of general  
3 circulation serving the district, and, upon request, send the  
4 report cards home to a parent (unless the district does not  
5 maintain an Internet web site, in which case the report card  
6 shall be sent home to parents without request). If the district  
7 posts the report card on its Internet web site, the district  
8 shall send a written notice home to parents stating (i) that  
9 the report card is available on the web site, (ii) the address  
10 of the web site, (iii) that a printed copy of the report card  
11 will be sent to parents upon request, and (iv) the telephone  
12 number that parents may call to request a printed copy of the  
13 report card.

14 (6) Nothing contained in Public Act 98-648 ~~this amendatory~~  
15 ~~Act of the 98th General Assembly~~ repeals, supersedes,  
16 invalidates, or nullifies final decisions in lawsuits pending  
17 on July 1, 2014 (the effective date of Public Act 98-648) ~~this~~  
18 ~~amendatory Act of the 98th General Assembly~~ in Illinois courts  
19 involving the interpretation of Public Act 97-8.

20 (Source: P.A. 99-30, eff. 7-10-15; 99-193, eff. 7-30-15;  
21 99-642, eff. 7-28-16; 100-227, eff. 8-18-17; 100-364, eff.  
22 1-1-18; 100-448, eff. 7-1-19; 100-465, eff. 8-31-17; revised  
23 9-25-17.)

24 Section 95. No acceleration or delay. Where this Act makes  
25 changes in a statute that is represented in this Act by text



1 that is not yet or no longer in effect (for example, a Section  
2 represented by multiple versions), the use of that text does  
3 not accelerate or delay the taking effect of (i) the changes  
4 made by this Act or (ii) provisions derived from any other  
5 Public Act.

6 Section 99. Effective date. This Act takes effect July 1,  
7 2018.