



Rep. Michael K. Smith

Filed: 8/6/2007

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LRB095 10744 NHT 38342 a

1 AMENDMENT TO SENATE BILL 671

2 AMENDMENT NO. _____. Amend Senate Bill 671 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Sections
5 1A-4 and 21-27 and adding Section 22-45 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. (Blank).

9 B. The Board shall determine the qualifications of and
10 appoint a chief education officer, to be known as the State
11 Superintendent of Education, who may be proposed by the
12 Governor and who shall serve at the pleasure of the Board and
13 pursuant to a performance-based contract linked to statewide
14 student performance and academic improvement within Illinois
15 schools. Upon expiration or buyout of the contract of the State
16 Superintendent of Education in office on the effective date of

1 this amendatory Act of the 93rd General Assembly, a State
2 Superintendent of Education shall be appointed by a State Board
3 of Education that includes the 7 new Board members who were
4 appointed to fill seats of members whose terms were terminated
5 on the effective date of this amendatory Act of the 93rd
6 General Assembly. Thereafter, a State Superintendent of
7 Education must, at a minimum, be appointed at the beginning of
8 each term of a Governor after that Governor has made
9 appointments to the Board. A performance-based contract issued
10 for the employment of a State Superintendent of Education
11 entered into on or after the effective date of this amendatory
12 Act of the 93rd General Assembly must expire no later than
13 February 1, 2007, and subsequent contracts must expire no later
14 than February 1 each 4 years thereafter. No contract shall be
15 extended or renewed beyond February 1, 2007 and February 1 each
16 4 years thereafter, but a State Superintendent of Education
17 shall serve until his or her successor is appointed. Each
18 contract entered into on or before January 8, 2007 with a State
19 Superintendent of Education must provide that the State Board
20 of Education may terminate the contract for cause, and the
21 State Board of Education shall not thereafter be liable for
22 further payments under the contract. With regard to this
23 amendatory Act of the 93rd General Assembly, it is the intent
24 of the General Assembly that, beginning with the Governor who
25 takes office on the second Monday of January, 2007, a State
26 Superintendent of Education be appointed at the beginning of

1 each term of a Governor after that Governor has made
2 appointments to the Board. The State Superintendent of
3 Education shall not serve as a member of the State Board of
4 Education. The Board shall set the compensation of the State
5 Superintendent of Education who shall serve as the Board's
6 chief executive officer. The Board shall also establish the
7 duties, powers and responsibilities of the State
8 Superintendent, which shall be included in the State
9 Superintendent's performance-based contract along with the
10 goals and indicators of student performance and academic
11 improvement used to measure the performance and effectiveness
12 of the State Superintendent. The State Board of Education may
13 delegate to the State Superintendent of Education the authority
14 to act on the Board's behalf, provided such delegation is made
15 pursuant to adopted board policy or the powers delegated are
16 ministerial in nature. The State Board may not delegate
17 authority under this Section to the State Superintendent to (1)
18 nonrecognize school districts, (2) withhold State payments as a
19 penalty, or (3) make final decisions under the contested case
20 provisions of the Illinois Administrative Procedure Act unless
21 otherwise provided by law.

22 C. The powers and duties of the State Board of Education
23 shall encompass all duties delegated to the Office of
24 Superintendent of Public Instruction on January 12, 1975,
25 except as the law providing for such powers and duties is
26 thereafter amended, and such other powers and duties as the

1 General Assembly shall designate. The Board shall be
2 responsible for the educational policies and guidelines for
3 public schools, pre-school through grade 12 and Vocational
4 Education in the State of Illinois. The Board shall analyze the
5 present and future aims, needs, and requirements of education
6 in the State of Illinois and recommend to the General Assembly
7 the powers which should be exercised by the Board. The Board
8 shall recommend the passage and the legislation necessary to
9 determine the appropriate relationship between the Board and
10 local boards of education and the various State agencies and
11 shall recommend desirable modifications in the laws which
12 affect schools.

13 D. Two members of the Board shall be appointed by the
14 chairperson to serve on a standing joint Education Committee, 2
15 others shall be appointed from the Board of Higher Education, 2
16 others shall be appointed by the chairperson of the Illinois
17 Community College Board, and 2 others shall be appointed by the
18 chairperson of the Human Resource Investment Council. The
19 Committee shall be responsible for making recommendations
20 concerning the submission of any workforce development plan or
21 workforce training program required by federal law or under any
22 block grant authority. The Committee will be responsible for
23 developing policy on matters of mutual concern to elementary,
24 secondary and higher education such as Occupational and Career
25 Education, Teacher Preparation and Certification, Educational
26 Finance, Articulation between Elementary, Secondary and Higher

1 Education and Research and Planning. The joint Education
2 Committee shall meet at least quarterly and submit an annual
3 report of its findings, conclusions, and recommendations to the
4 State Board of Education, the Board of Higher Education, the
5 Illinois Community College Board, the Human Resource
6 Investment Council, the Governor, and the General Assembly. All
7 meetings of this Committee shall be official meetings for
8 reimbursement under this Act. On the effective date of this
9 amendatory Act of the 95th General Assembly, the Joint
10 Education Committee is abolished.

11 E. Five members of the Board shall constitute a quorum. A
12 majority vote of the members appointed, confirmed and serving
13 on the Board is required to approve any action, except that the
14 7 new Board members who were appointed to fill seats of members
15 whose terms were terminated on the effective date of this
16 amendatory act of the 93rd General Assembly may vote to approve
17 actions when appointed and serving.

18 The Board shall prepare and submit to the General Assembly
19 and the Governor on or before January 14, 1976 and annually
20 thereafter a report or reports of its findings and
21 recommendations. Such annual report shall contain a separate
22 section which provides a critique and analysis of the status of
23 education in Illinois and which identifies its specific
24 problems and recommends express solutions therefor. Such
25 annual report also shall contain the following information for
26 the preceding year ending on June 30: each act or omission of a

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

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

1 Library Act.

2 F. Upon appointment of the 7 new Board members who were
3 appointed to fill seats of members whose terms were terminated
4 on the effective date of this amendatory Act of the 93rd
5 General Assembly, the Board shall review all of its current
6 rules in an effort to streamline procedures, improve
7 efficiency, and eliminate unnecessary forms and paperwork.

8 (Source: P.A. 93-1036, eff. 9-14-04.)

9 (105 ILCS 5/21-27)

10 Sec. 21-27. The Illinois Teaching Excellence Program. The
11 Illinois Teaching Excellence Program is hereby established to
12 provide categorical funding for monetary incentives and
13 bonuses for teachers and school counselors who are employed by
14 school districts and who hold a Master Certificate. The State
15 Board of Education shall allocate and distribute to each school
16 district an amount as annually appropriated by the General
17 Assembly from federal funds for the Illinois Teaching
18 Excellence Program. The State Board of Education's annual
19 budget must set out by separate line item the appropriation for
20 the program. The State Superintendent of Education shall direct
21 the State Comptroller to pay a specified amount sufficient to
22 pay the annual incentives and bonuses under this program, and
23 the Comptroller shall pay the amount after receipt of a voucher
24 submitted by the State Superintendent of Education. The State
25 Board of Education may not prorate funds under this program,

1 nor may the State Board of Education prioritize the incentives
2 and bonuses under the program in allocating funds. If the
3 amount appropriated for any fiscal year under this Section is
4 less than the amount required for purposes of this Section, the
5 amount required to eliminate any insufficiency must be paid the
6 next fiscal year. Payments required to eliminate any
7 insufficiency for the prior fiscal year must be made before any
8 payments are made for the current fiscal year. Unless otherwise
9 provided by appropriation, each school district's annual
10 allocation shall be the sum of the amounts earned for the
11 following incentives and bonuses:

12 (1) An annual payment of \$3,000 to be paid to (A) each
13 teacher who successfully completes the program leading to
14 and who receives a Master Certificate and is employed as a
15 teacher by a school district and (B) each school counselor
16 who successfully completes the program leading to and who
17 receives a Master Certificate and is employed as a school
18 counselor by a school district. The school district shall
19 distribute this payment to each eligible teacher or school
20 counselor as a single payment or in not more than 3
21 payments.

22 (2) An annual incentive equal to \$500 shall be paid to
23 each teacher who holds a Master Certificate, who is
24 employed as a teacher by a school district, and who agrees,
25 in writing, to provide at least 30 hours and up to 59 hours
26 of mentoring during that year to classroom teachers. An

1 annual incentive equal to \$1,000 shall be paid to each
2 teacher who holds a Master Certificate, who is employed as
3 a teacher by a school district, and who agrees, in writing,
4 to provide 60 hours of mentoring during that year to
5 classroom teachers. This mentoring may include, either
6 singly or in combination, (i) providing high quality
7 professional development for new and experienced teachers,
8 and (ii) assisting National Board for Professional
9 Teaching Standards (NBPTS) candidates through the NBPTS
10 certification process. The school district shall
11 distribute 50% of each annual incentive payment upon
12 completion of 30 hours of the required mentoring and the
13 remaining 50% of the incentive upon completion of the
14 required 60 hours of mentoring. Credit may not be granted
15 by a school district for mentoring or related services
16 provided during a regular school day or during the total
17 number of days of required service for the school year.

18 (3) An annual incentive equal to \$1,500 shall be paid
19 to each teacher who holds a Master Certificate, who is
20 employed as a teacher by a school district, and who agrees,
21 in writing, to provide at least 30 hours and up to 59 hours
22 of mentoring during that year to classroom teachers in
23 schools on academic early warning status or in schools in
24 which 50% or more of the students receive free or reduced
25 price lunches or both. This mentoring may include, either
26 singly or in combination, (i) providing high quality

1 professional development for new and experienced teachers
2 in schools on academic early warning status or in schools
3 in which 50% or more of the students receive free or
4 reduced price lunches, or both, and (ii) assisting National
5 Board for Professional Teaching Standards (NBPTS)
6 candidates through the NBPTS certification process in
7 schools on academic early warning status or in schools in
8 which 50% or more of the students receive free or reduced
9 price lunches, or both. An annual incentive equal to \$3,000
10 shall be paid to each teacher who holds a Master
11 Certificate, who is employed as a teacher by a school
12 district, and who agrees, in writing, to provide 60 hours
13 of mentoring during that year to classroom teachers in
14 schools on academic early warning status or in schools in
15 which 50% or more of the students receive free or reduced
16 price lunches or both. This mentoring may include, either
17 singly or in combination, (i) providing high quality
18 professional development for new and experienced teachers
19 in schools on academic early warning status or in schools
20 in which 50% or more of the students receive free or
21 reduced price lunches, or both, and (ii) assisting National
22 Board for Professional Teaching Standards (NBPTS)
23 candidates through the NBPTS certification process in
24 schools on academic early warning status or in schools in
25 which 50% or more of the students receive free or reduced
26 price lunches, or both. The school district shall

1 distribute 50% of each annual incentive payment upon
2 completion of 30 hours of the required mentoring and the
3 remaining 50% of the incentive upon completion of the
4 required 60 hours of mentoring. Credit may not be granted
5 by a school district for mentoring or related services
6 provided during a regular school day or during the total
7 number of days of required service for the school year.

8 Each regional superintendent of schools shall provide
9 information about the Master Certificate Program of the
10 National Board for Professional Teaching Standards (NBPTS) and
11 this amendatory Act of the 91st General Assembly to each
12 individual seeking to register or renew a certificate under
13 Section 21-14 of this Code.

14 Having a basic understanding of the Illinois Teaching
15 Excellence Program is necessary for the growth and development
16 that this State has begun. The State Board of Education shall
17 employ or partner with a National Board-certified teacher or a
18 retired National Board-certified teacher to administer the
19 program.

20 (Source: P.A. 93-470, eff. 8-8-03; 94-105, eff. 7-1-05; 94-901,
21 eff. 6-22-06.)

22 (105 ILCS 5/22-45 new)

23 Sec. 22-45. Illinois P-20 Council.

24 (a) The General Assembly finds that preparing Illinoisans
25 for success in school and the workplace requires a continuum of

1 quality education from preschool through graduate school. This
2 State needs a framework to guide education policy and integrate
3 education at every level. A statewide coordinating council to
4 study and make recommendations concerning education at all
5 levels can avoid fragmentation of policies, promote improved
6 teaching and learning, and continue to cultivate and
7 demonstrate strong accountability and efficiency. Establishing
8 an Illinois P-20 Council will develop a statewide agenda that
9 will move the State towards the common goals of improving
10 academic achievement, increasing college access and success,
11 improving use of existing data and measurements, developing
12 improved accountability, promoting lifelong learning, easing
13 the transition to college, and reducing remediation. A
14 pre-kindergarten through grade 20 agenda will strengthen this
15 State's economic competitiveness by producing a highly-skilled
16 workforce. In addition, lifelong learning plans will enhance
17 this State's ability to leverage funding.

18 (b) There is created the Illinois P-20 Council. The
19 Illinois P-20 Council shall include all of the following
20 members:

21 (1) The Governor or his or designee, to serve as
22 chairperson.

23 (2) Four members of the General Assembly, one appointed
24 by the Speaker of the House of Representatives, one
25 appointed by the Minority Leader of the House of
26 Representatives, one appointed by the President of the

1 Senate, and one appointed by the Minority Leader of the
2 Senate.

3 (3) Six at-large members appointed by the Governor as
4 follows, with 2 members being from the City of Chicago, 2
5 members being from Lake County, McHenry County, Kane
6 County, DuPage County, Will County, or that part of Cook
7 County outside of the City of Chicago, and 2 members being
8 from the remainder of the State:

9 (A) one representative of civic leaders;

10 (B) one representative of local government;

11 (C) one representative of trade unions;

12 (D) one representative of nonprofit organizations
13 or foundations;

14 (E) one representative of parents' organizations;

15 and

16 (F) one education research expert.

17 (4) Five members appointed by statewide business
18 organizations and business trade associations.

19 (5) Six members appointed by statewide professional
20 organizations and associations representing
21 pre-kindergarten through grade 20 teachers, community
22 college faculty, and public university faculty. Of these 6
23 members, one must be a nationally board-certified teacher
24 in the area of special education or a nationally
25 board-certified teacher turned administrator in the area
26 of special education.

1 (F) The Director of Commerce and Economic
2 Opportunity or his or her designee.

3 (G) The Chairperson of the Illinois Early Learning
4 Council or his or her designee.

5 (H) The President of the Illinois Mathematics and
6 Science Academy or his or her designee.

7 (I) One regional superintendent of schools
8 appointed by the Governor.

9 (J) One individual who represents the area of adult
10 learning.

11 Ex-officio members shall have no vote on the Illinois P-20
12 Council.

13 Appointed members shall serve for staggered terms expiring
14 on July 1 of the first, second, or third calendar year
15 following their appointments or until their successors are
16 appointed and have qualified. Staggered terms shall be
17 determined by lot at the organizing meeting of the Illinois
18 P-20 Council.

19 Vacancies shall be filled in the same manner as original
20 appointments, and any member so appointed shall serve during
21 the remainder of the term for which the vacancy occurred.

22 (b-5) The Illinois P-20 Council shall be called at the
23 discretion of the Governor; however, the Council shall meet
24 quarterly on the last Tuesday of February, May, August, and
25 October. Changes to these meeting dates may be made by a simple
26 majority vote of the Council. The first meeting of the Council

1 shall be in October 2007 for all members appointed to the
2 Council at that time. The Governor must make his or her initial
3 appointments before February 1, 2008.

4 (c) The Illinois P-20 Council shall be funded through State
5 appropriations to support staff activities, research,
6 data-collection, and dissemination. The Illinois P-20 Council
7 shall be staffed by the Office of the Governor, in coordination
8 with relevant State agencies, boards, and commissions. The
9 Illinois Education Research Council shall provide research and
10 coordinate research collection activities for the Illinois
11 P-20 Council.

12 (d) The Illinois P-20 Council shall have all of the
13 following duties:

14 (1) To make recommendations to do all of the following:

15 (A) Coordinate pre-kindergarten through grade 20
16 (graduate school) education in this State through
17 working at the intersections of educational systems to
18 promote collaborative infrastructure.

19 (B) Coordinate and leverage strategies, actions,
20 legislation, policies, and resources of all
21 stakeholders to support fundamental and lasting
22 improvement in this State's public schools, community
23 colleges, and universities.

24 (C) Better align the high school curriculum with
25 postsecondary expectations.

26 (D) Better align assessments across all levels of

1 education.

2 (E) Reduce the need for students entering
3 institutions of higher education to take remedial
4 courses.

5 (F) Smooth the transition from high school to
6 college.

7 (G) Improve high school and college graduation
8 rates.

9 (H) Improve the rigor and relevance of academic
10 standards for college and workforce readiness.

11 (I) Better align college and university teaching
12 programs with the needs of Illinois schools.

13 (2) To advise the Governor, the General Assembly, the
14 State's education and higher education agencies, and the
15 State's workforce and economic development boards and
16 agencies on policies related to lifelong learning for
17 Illinois students and families.

18 (3) To articulate a framework for systemic educational
19 improvement that will enable every student to meet or
20 exceed Illinois learning standards and be well-prepared to
21 succeed in the workforce and community.

22 (4) To provide an estimated fiscal impact for
23 implementation of all Council recommendations.

24 (e) The chairperson of the Illinois P-20 Council may
25 authorize the creation of working groups focusing on areas of
26 interest to Illinois educational and workforce development,

1 including without limitation the following areas:

2 (1) Preparation, recruitment, and certification of
3 highly qualified teachers.

4 (2) Mentoring and induction of highly qualified
5 teachers.

6 (3) The diversity of highly qualified teachers.

7 (4) Funding for highly qualified teachers, including
8 developing a strategic and collaborative plan to seek
9 federal and private grants to support initiatives
10 targeting teacher preparation and its impact on student
11 achievement.

12 (5) Highly effective administrators.

13 (6) Illinois birth through age 3 education,
14 pre-kindergarten, and early childhood education.

15 (7) The assessment, alignment, outreach, and network
16 of college and workforce readiness efforts.

17 (8) Alternative routes to college access.

18 (9) Research data and accountability.

19 (10) Relevant and additional accountability measures
20 in the areas of finance and academics.

21 The chairperson of the Illinois P-20 Council may designate
22 Council members to serve as working group chairpersons. Working
23 groups may invite organizations and individuals representing
24 pre-kindergarten through grade 20 interests to participate in
25 discussions, data collection, and dissemination.

1 (110 ILCS 205/9.10 rep.)

2 Section 10. The Board of Higher Education Act is amended by
3 repealing Section 9.10.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.".