



Sen. Michael Noland

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09900SB2168sam001

LRB099 13729 NHT 47580 a

1 AMENDMENT TO SENATE BILL 2168

2 AMENDMENT NO. _____. Amend Senate Bill 2168 by replacing
3 everything after the enacting clause with the following:

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,

1 assessments, and career and technology education, the school
2 board may instead, by a vote of a majority of its full
3 membership, appoint a chief executive officer to serve as its
4 superintendent, who shall be a person of recognized
5 administrative ability and management experience, hold a
6 master's degree, have been employed with the school district
7 for a minimum of 5 years in an administrative capacity, be
8 responsible for the management of the district, and have all
9 other powers and duties of a superintendent as set forth in
10 this Code, but who shall be exempt from the provisions and
11 requirements of Section 21B-15 of this Code for a period of 5
12 years.

13 In addition to the administrative duties, the
14 superintendent shall make recommendations to the board
15 concerning the budget, building plans, the locations of sites,
16 the selection, retention and dismissal of teachers and all
17 other employees, the selection of textbooks, instructional
18 material and courses of study. However, in districts under a
19 Financial Oversight Panel pursuant to Section 1A-8 for
20 violating a financial plan, the duties and responsibilities of
21 the superintendent in relation to the financial and business
22 operations of the district shall be approved by the Panel. In
23 the event the Board refuses or fails to follow a directive or
24 comply with an information request of the Panel, the
25 performance of those duties shall be subject to the direction
26 of the Panel. The superintendent shall also notify the State

1 Board of Education, the board and the chief administrative
2 official, other than the alleged perpetrator himself, in the
3 school where the alleged perpetrator serves, that any person
4 who is employed in a school or otherwise comes into frequent
5 contact with children in the school has been named as a
6 perpetrator in an indicated report filed pursuant to the Abused
7 and Neglected Child Reporting Act, approved June 26, 1975, as
8 amended. The superintendent shall keep or cause to be kept the
9 records and accounts as directed and required by the board, aid
10 in making reports required by the board, and perform such other
11 duties as the board may delegate to him.

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

20 The provisions of this Section ~~section~~ shall also apply to
21 board of director districts.

22 Notice of intent not to renew a contract must be given in
23 writing stating the specific reason therefor by April 1 of the
24 contract year unless the contract specifically provides
25 otherwise. Failure to do so will automatically extend the
26 contract for an additional year. Within 10 days after receipt

1 of notice of intent not to renew a contract, the superintendent
2 may request a closed session hearing on the dismissal. At the
3 hearing the superintendent has the privilege of presenting
4 evidence, witnesses and defenses on the grounds for dismissal.
5 The provisions of this paragraph shall not apply to a district
6 under a Financial Oversight Panel pursuant to Section 1A-8 for
7 violating a financial plan.

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

9 (105 ILCS 5/10-23.8) (from Ch. 122, par. 10-23.8)

10 Sec. 10-23.8. Superintendent contracts. After the
11 effective date of this amendatory Act of 1997 and the
12 expiration of contracts in effect on the effective date of this
13 amendatory Act, school districts may only employ a
14 superintendent or, if authorized by law, a chief executive
15 officer under either a contract for a period not exceeding one
16 year or a performance-based contract for a period not exceeding
17 5 years.

18 Performance-based contracts shall be linked to student
19 performance and academic improvement within the schools of the
20 districts. No performance-based contract shall be extended or
21 rolled-over prior to its scheduled expiration unless all the
22 performance and improvement goals contained in the contract
23 have been met. Each performance-based contract shall include
24 the goals and indicators of student performance and academic
25 improvement determined and used by the local school board to

1 measure the performance and effectiveness of the
2 superintendent and such other information as the local school
3 board may determine.

4 By accepting the terms of a multi-year contract, the
5 superintendent or chief executive officer waives all rights
6 granted him or her under Sections 24-11 through 24-16 of this
7 Act only for the term of the multi-year contract. Upon
8 acceptance of a multi-year contract, the superintendent or
9 chief executive officer shall not lose any previously acquired
10 tenure credit with the district.

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