



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3361

Introduced 2/4/2026, by Sen. Mike Simmons

SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.25o

105 ILCS 5/10-22.25b

105 ILCS 5/34-2.3

from Ch. 122, par. 10-22.25b

from Ch. 122, par. 34-2.3

Amends the School Code. Provides that when registering or seeking recognition status with the State Board of Education, a nonpublic elementary or secondary school shall include assurances that the school will not prohibit religious hairstyles, hair-related religious practices, or facial hair worn in accordance with a student's or employee's sincerely held religious beliefs, observance, or practice. Provides that a school uniform or dress code policy adopted by a school board or local school council may not include or apply to religious hairstyles, hair-related religious practices, or facial hair worn in accordance with a student's sincerely held religious beliefs, observance, or practice. Makes conforming changes. Effective immediately.

LRB104 19075 LNS 32520 b

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 1. This Act may be referred to as the Religious
5 Hair and Facial Hair Protections Act. This Act may also be
6 referred to as the Jett Hawkins Law.

7 Section 5. The School Code is amended by changing Sections
8 2-3.25o, 10-22.25b, and 34-2.3 as follows:

9 (105 ILCS 5/2-3.25o)

10 Sec. 2-3.25o. Registration and recognition of non-public
11 elementary and secondary schools.

12 (a) Findings. The General Assembly finds and declares (i)
13 that the Constitution of the State of Illinois provides that a
14 "fundamental goal of the People of the State is the
15 educational development of all persons to the limits of their
16 capacities" and (ii) that the educational development of every
17 school student serves the public purposes of the State. In
18 order to ensure that all Illinois students and teachers have
19 the opportunity to enroll and work in State-approved
20 educational institutions and programs, the State Board of
21 Education shall provide for the voluntary registration and
22 recognition of non-public elementary and secondary schools.

1 (b) Registration. All non-public elementary and secondary
2 schools in the State of Illinois may voluntarily register with
3 the State Board of Education on an annual basis. Registration
4 shall be completed in conformance with procedures prescribed
5 by the State Board of Education. Information required for
6 registration shall include assurances of compliance (i) with
7 federal and State laws regarding health examination and
8 immunization, attendance, length of term, and
9 nondiscrimination, including assurances that the school will
10 not prohibit hairstyles historically associated with race,
11 ethnicity, or hair texture, including, but not limited to,
12 protective hairstyles such as braids, locks, and twists, or
13 religious hairstyles, hair-related religious practices, or
14 facial hair worn in accordance with a student's or employee's
15 sincerely held religious beliefs, observance, or practice,
16 including, but not limited to, uncut hair or sidelocks (known
17 as payot or peyos), or beards, mustaches, or other facial
18 hair, and (ii) with applicable fire and health safety
19 requirements.

20 (c) Recognition. All non-public elementary and secondary
21 schools in the State of Illinois may voluntarily seek the
22 status of "Non-public School Recognition" from the State Board
23 of Education. This status may be obtained by compliance with
24 administrative guidelines and review procedures as prescribed
25 by the State Board of Education. The guidelines and procedures
26 must recognize that some of the aims and the financial bases of

1 non-public schools are different from public schools and will
2 not be identical to those for public schools, nor will they be
3 more burdensome. The guidelines and procedures must also
4 recognize the diversity of non-public schools and shall not
5 impinge upon the noneducational relationships between those
6 schools and their clientele.

7 (c-5) Prohibition against recognition. A non-public
8 elementary or secondary school may not obtain "Non-public
9 School Recognition" status unless the school requires all
10 certified and non-certified applicants for employment with the
11 school, after July 1, 2007, to authorize a fingerprint-based
12 criminal history records check as a condition of employment to
13 determine if such applicants have been convicted of any of the
14 enumerated criminal or drug offenses set forth in Section
15 21B-80 of this Code or have been convicted, within 7 years of
16 the application for employment, of any other felony under the
17 laws of this State or of any offense committed or attempted in
18 any other state or against the laws of the United States that,
19 if committed or attempted in this State, would have been
20 punishable as a felony under the laws of this State.

21 Authorization for the check shall be furnished by the
22 applicant to the school, except that if the applicant is a
23 substitute teacher seeking employment in more than one
24 non-public school, a teacher seeking concurrent part-time
25 employment positions with more than one non-public school (as
26 a reading specialist, special education teacher, or

1 otherwise), or an educational support personnel employee
2 seeking employment positions with more than one non-public
3 school, then only one of the non-public schools employing the
4 individual shall request the authorization. Upon receipt of
5 this authorization, the non-public school shall submit the
6 applicant's name, sex, race, date of birth, social security
7 number, fingerprint images, and other identifiers, as
8 prescribed by the Illinois State Police, to the Illinois State
9 Police.

10 The Illinois State Police and Federal Bureau of
11 Investigation shall furnish, pursuant to a fingerprint-based
12 criminal history records check, records of convictions,
13 forever and hereafter, until expunged, to the president or
14 principal of the non-public school that requested the check.
15 The Illinois State Police shall charge that school a fee for
16 conducting such check, which fee must be deposited into the
17 State Police Services Fund and must not exceed the cost of the
18 inquiry. Subject to appropriations for these purposes, the
19 State Superintendent of Education shall reimburse non-public
20 schools for fees paid to obtain criminal history records
21 checks under this Section.

22 A non-public school may not obtain recognition status
23 unless the school also performs a check of the Statewide Sex
24 Offender Database, as authorized by the Sex Offender Community
25 Notification Law, and the Statewide Murderer and Violent
26 Offender Against Youth Database, as authorized by the Murderer

1 and Violent Offender Against Youth Registration Act, for each
2 applicant for employment, after July 1, 2007, to determine
3 whether the applicant has been adjudicated of a sex offense or
4 of a murder or other violent crime against youth. The checks of
5 the Statewide Sex Offender Database and the Statewide Murderer
6 and Violent Offender Against Youth Database must be conducted
7 by the non-public school once for every 5 years that an
8 applicant remains employed by the non-public school.

9 Any information concerning the record of convictions
10 obtained by a non-public school's president or principal under
11 this Section is confidential and may be disseminated only to
12 the governing body of the non-public school or any other
13 person necessary to the decision of hiring the applicant for
14 employment. A copy of the record of convictions obtained from
15 the Illinois State Police shall be provided to the applicant
16 for employment. Upon a check of the Statewide Sex Offender
17 Database, the non-public school shall notify the applicant as
18 to whether or not the applicant has been identified in the Sex
19 Offender Database as a sex offender. Any information
20 concerning the records of conviction obtained by the
21 non-public school's president or principal under this Section
22 for a substitute teacher seeking employment in more than one
23 non-public school, a teacher seeking concurrent part-time
24 employment positions with more than one non-public school (as
25 a reading specialist, special education teacher, or
26 otherwise), or an educational support personnel employee

1 seeking employment positions with more than one non-public
2 school may be shared with another non-public school's
3 principal or president to which the applicant seeks
4 employment. Any unauthorized release of confidential
5 information may be a violation of Section 7 of the Criminal
6 Identification Act.

7 No non-public school may obtain recognition status that
8 knowingly employs a person, hired after July 1, 2007, for whom
9 an Illinois State Police and Federal Bureau of Investigation
10 fingerprint-based criminal history records check and a
11 Statewide Sex Offender Database check has not been initiated
12 or who has been convicted of any offense enumerated in Section
13 21B-80 of this Code or any offense committed or attempted in
14 any other state or against the laws of the United States that,
15 if committed or attempted in this State, would have been
16 punishable as one or more of those offenses. No non-public
17 school may obtain recognition status under this Section that
18 knowingly employs a person who has been found to be the
19 perpetrator of sexual or physical abuse of a minor under 18
20 years of age pursuant to proceedings under Article II of the
21 Juvenile Court Act of 1987.

22 In order to obtain recognition status under this Section,
23 a non-public school must require compliance with the
24 provisions of this subsection (c-5) from all employees of
25 persons or firms holding contracts with the school, including,
26 but not limited to, food service workers, school bus drivers,

1 and other transportation employees, who have direct, daily
2 contact with pupils. Any information concerning the records of
3 conviction or identification as a sex offender of any such
4 employee obtained by the non-public school principal or
5 president must be promptly reported to the school's governing
6 body.

7 Prior to the commencement of any student teaching
8 experience or required internship (which is referred to as
9 student teaching in this Section) in any non-public elementary
10 or secondary school that has obtained or seeks to obtain
11 recognition status under this Section, a student teacher is
12 required to authorize a fingerprint-based criminal history
13 records check. Authorization for and payment of the costs of
14 the check must be furnished by the student teacher to the chief
15 administrative officer of the non-public school where the
16 student teaching is to be completed. Upon receipt of this
17 authorization and payment, the chief administrative officer of
18 the non-public school shall submit the student teacher's name,
19 sex, race, date of birth, social security number, fingerprint
20 images, and other identifiers, as prescribed by the Illinois
21 State Police, to the Illinois State Police. The Illinois State
22 Police and the Federal Bureau of Investigation shall furnish,
23 pursuant to a fingerprint-based criminal history records
24 check, records of convictions, forever and hereinafter, until
25 expunged, to the chief administrative officer of the
26 non-public school that requested the check. The Illinois State

1 Police shall charge the school a fee for conducting the check,
2 which fee must be passed on to the student teacher, must not
3 exceed the cost of the inquiry, and must be deposited into the
4 State Police Services Fund. The school shall further perform a
5 check of the Statewide Sex Offender Database, as authorized by
6 the Sex Offender Community Notification Law, and of the
7 Statewide Murderer and Violent Offender Against Youth
8 Database, as authorized by the Murderer and Violent Offender
9 Against Youth Registration Act, for each student teacher. No
10 school that has obtained or seeks to obtain recognition status
11 under this Section may knowingly allow a person to student
12 teach for whom a criminal history records check, a Statewide
13 Sex Offender Database check, and a Statewide Murderer and
14 Violent Offender Against Youth Database check have not been
15 completed and reviewed by the chief administrative officer of
16 the non-public school.

17 A copy of the record of convictions obtained from the
18 Illinois State Police must be provided to the student teacher.
19 Any information concerning the record of convictions obtained
20 by the chief administrative officer of the non-public school
21 is confidential and may be transmitted only to the chief
22 administrative officer of the non-public school or his or her
23 designee, the State Superintendent of Education, the State
24 Educator Preparation and Licensure Board, or, for
25 clarification purposes, the Illinois State Police or the
26 Statewide Sex Offender Database or Statewide Murderer and

1 Violent Offender Against Youth Database. Any unauthorized
2 release of confidential information may be a violation of
3 Section 7 of the Criminal Identification Act.

4 No school that has obtained or seeks to obtain recognition
5 status under this Section may knowingly allow a person to
6 student teach who has been convicted of any offense that would
7 subject him or her to license suspension or revocation
8 pursuant to Section 21B-80 of this Code or who has been found
9 to be the perpetrator of sexual or physical abuse of a minor
10 under 18 years of age pursuant to proceedings under Article II
11 of the Juvenile Court Act of 1987.

12 Any school that has obtained or seeks to obtain
13 recognition status under this Section may not prohibit
14 hairstyles historically associated with race, ethnicity, or
15 hair texture, including, but not limited to, protective
16 hairstyles such as braids, locks, and twists, or religious
17 hairstyles, hair-related religious practices, or facial hair
18 worn in accordance with a student's or employee's sincerely
19 held religious beliefs, observance, or practice, including,
20 but not limited to, uncut hair or sidelocks (known as payot or
21 peyos), or beards, mustaches, or other facial hair.

22 (d) Public purposes. The provisions of this Section are in
23 the public interest, for the public benefit, and serve secular
24 public purposes.

25 (e) Definition. For purposes of this Section, a non-public
26 school means any non-profit, non-home-based, and non-public

1 elementary or secondary school that is in compliance with
2 Title VI of the Civil Rights Act of 1964 and attendance at
3 which satisfies the requirements of Section 26-1 of this Code.

4 (Source: P.A. 102-360, eff. 1-1-22; 102-538, eff. 8-20-21;
5 102-813, eff. 5-13-22; 103-111, eff. 6-29-23; 103-605, eff.
6 7-1-24.)

7 (105 ILCS 5/10-22.25b) (from Ch. 122, par. 10-22.25b)

8 Sec. 10-22.25b. School uniforms.

9 (a) In this Section, "religious hairstyles, hair-related
10 religious practices, or facial hair" means hair length, hair
11 arrangement, head hair, or facial hair maintained, worn, or
12 displayed in accordance with a student's sincerely held
13 religious beliefs, observance, or practice, including, but not
14 limited to, uncut hair, sidelocks (known as payot or peyos),
15 or beards, mustaches, or other facial hair.

16 (b) The school board may adopt a school uniform or dress
17 code policy that governs all or certain individual attendance
18 centers and that is necessary to maintain the orderly process
19 of a school function or prevent endangerment of student health
20 or safety. A school uniform or dress code policy adopted by a
21 school board: (i) shall not be applied in such manner as to
22 discipline or deny attendance to a transfer student or any
23 other student for noncompliance with that policy during such
24 period of time as is reasonably necessary to enable the
25 student to acquire a school uniform or otherwise comply with

1 the dress code policy that is in effect at the attendance
2 center or in the district into which the student's enrollment
3 is transferred; (ii) shall include criteria and procedures
4 under which the school board will accommodate the needs of or
5 otherwise provide appropriate resources to assist a student
6 from an indigent family in complying with an applicable school
7 uniform or dress code policy; (iii) shall not include or apply
8 to hairstyles, including hairstyles historically associated
9 with race, ethnicity, or hair texture, including, but not
10 limited to, protective hairstyles such as braids, locks, and
11 twists, or religious hairstyles, hair-related religious
12 practices, or facial hair worn in accordance with a student's
13 sincerely held religious beliefs, observance, or practice,
14 including, but not limited to, uncut hair or sidelocks (known
15 as payot or peyos), or beards, mustaches, or other facial
16 hair; and (iv) shall not prohibit the right of a student to
17 wear or accessorize the student's graduation attire with items
18 associated with the student's cultural, ethnic, or religious
19 identity or any other protected characteristic or category
20 identified in subsection (Q) of Section 1-103 of the Illinois
21 Human Rights Act.

22 Nothing in item (iii) of this subsection (b) prohibits a
23 school from requiring that hair or facial hair be secured,
24 covered, or otherwise controlled during a specific activity if
25 necessary to prevent endangerment of student health or safety,
26 as long as the requirement is applied in the least restrictive

1 manner practicable and does not require cutting, shaving, or
2 other permanent alteration.

3 (c) A student whose parents or legal guardians object on
4 religious grounds to the student's compliance with an
5 applicable school uniform or dress code policy shall not be
6 required to comply with that policy if the student's parents
7 or legal guardians present to the school board a signed
8 statement of objection detailing the grounds for the
9 objection. This Section applies to school boards of all
10 districts, including special charter districts and districts
11 organized under Article 34. If a school board does not comply
12 with the requirements and prohibitions set forth in this
13 Section, the school district is subject to the penalty imposed
14 pursuant to subsection (a) of Section 2-3.25.

15 (d) The ~~By no later than July 1, 2022, the~~ State Board of
16 Education shall make available to schools resource materials
17 developed in consultation with stakeholders regarding
18 hairstyles, including hairstyles historically associated with
19 race, ethnicity, or hair texture, including, but not limited
20 to, protective hairstyles such as braids, locks, and twists,
21 and regarding religious hairstyles, hair-related religious
22 practices, or facial hair worn in accordance with a student's
23 sincerely held religious beliefs, observance, or practice. The
24 State Board of Education shall make the resource materials
25 available on its Internet website.

26 (Source: P.A. 102-360, eff. 1-1-22; 103-463, eff. 8-4-23.)

1 (105 ILCS 5/34-2.3) (from Ch. 122, par. 34-2.3)

2 Sec. 34-2.3. Local school councils; powers and duties.
3 Each local school council shall have and exercise, consistent
4 with the provisions of this Article and the powers and duties
5 of the board of education, the following powers and duties:

6 1. (A) To annually evaluate the performance of the
7 principal of the attendance center using a Board-approved
8 ~~Board-approved~~ principal evaluation form, which shall
9 include the evaluation of (i) student academic
10 improvement, as defined by the school improvement plan,
11 (ii) student absenteeism rates at the school, (iii)
12 instructional leadership, (iv) the effective
13 implementation of programs, policies, or strategies to
14 improve student academic achievement, (v) school
15 management, and (vi) any other factors deemed relevant by
16 the local school council, including, without limitation,
17 the principal's communication skills and ability to create
18 and maintain a student-centered learning environment, to
19 develop opportunities for professional development, and to
20 encourage parental involvement and community partnerships
21 to achieve school improvement;

22 (B) to determine in the manner provided by subsection
23 (c) of Section 34-2.2 and subdivision 1.5 of this Section
24 whether the performance contract of the principal shall be
25 renewed; and

1 (C) to directly select, in the manner provided by
2 subsection (c) of Section 34-2.2, a new principal
3 (including a new principal to fill a vacancy) -- without
4 submitting any list of candidates for that position to the
5 general superintendent as provided in subdivision
6 ~~paragraph~~ 2 of this Section -- to serve under a 4 year
7 performance contract; provided that (i) the determination
8 of whether the principal's performance contract is to be
9 renewed, based upon the evaluation required by subdivision
10 1.5 of this Section, shall be made no later than 150 days
11 prior to the expiration of the current performance-based
12 contract of the principal, (ii) in cases where such
13 performance contract is not renewed -- a direct selection
14 of a new principal -- to serve under a 4 year performance
15 contract shall be made by the local school council no
16 later than 45 days prior to the expiration of the current
17 performance contract of the principal, and (iii) a
18 selection by the local school council of a new principal
19 to fill a vacancy under a 4-year ~~4-year~~ performance
20 contract shall be made within 90 days after the date such
21 vacancy occurs. A council ~~Council~~ shall be required, if
22 requested by the principal, to provide in writing the
23 reasons for the council's not renewing the principal's
24 contract.

25 1.5. The local school council's determination of
26 whether to renew the principal's contract shall be based

1 on an evaluation to assess the educational and
2 administrative progress made at the school during the
3 principal's current performance-based contract. The local
4 school council shall base its evaluation on (i) student
5 academic improvement, as defined by the school improvement
6 plan, (ii) student absenteeism rates at the school, (iii)
7 instructional leadership, (iv) the effective
8 implementation of programs, policies, or strategies to
9 improve student academic achievement, (v) school
10 management, and (vi) any other factors deemed relevant by
11 the local school council, including, without limitation,
12 the principal's communication skills and ability to create
13 and maintain a student-centered learning environment, to
14 develop opportunities for professional development, and to
15 encourage parental involvement and community partnerships
16 to achieve school improvement. If a local school council
17 fails to renew the performance contract of a principal
18 rated by the general superintendent, or his or her
19 designee, in the previous years' evaluations as meeting or
20 exceeding expectations, the principal, within 15 days
21 after the local school council's decision not to renew the
22 contract, may request a review of the local school
23 council's principal non-retention decision by a hearing
24 officer appointed by the American Arbitration Association.
25 A local school council member or members or the general
26 superintendent may support the principal's request for

1 review. During the period of the hearing officer's review
2 of the local school council's decision on whether or not
3 to retain the principal, the local school council shall
4 maintain all authority to search for and contract with a
5 person to serve as interim or acting principal, or as the
6 principal of the attendance center under a 4-year
7 performance contract, provided that any performance
8 contract entered into by the local school council shall be
9 voidable or modified in accordance with the decision of
10 the hearing officer. The principal may request review only
11 once while at that attendance center. If a local school
12 council renews the contract of a principal who failed to
13 obtain a rating of "meets" or "exceeds expectations" in
14 the general superintendent's evaluation for the previous
15 year, the general superintendent, within 15 days after the
16 local school council's decision to renew the contract, may
17 request a review of the local school council's principal
18 retention decision by a hearing officer appointed by the
19 American Arbitration Association. The general
20 superintendent may request a review only once for that
21 principal at that attendance center. All requests to
22 review the retention or non-retention of a principal shall
23 be submitted to the general superintendent, who shall, in
24 turn, forward such requests, within 14 days of receipt, to
25 the American Arbitration Association. The general
26 superintendent shall send a contemporaneous copy of the

1 request that was forwarded to the American Arbitration
2 Association to the principal and to each local school
3 council member and shall inform the local school council
4 of its rights and responsibilities under the arbitration
5 process, including the local school council's right to
6 representation and the manner and process by which the
7 Board shall pay the costs of the council's representation.
8 If the local school council retains the principal and the
9 general superintendent requests a review of the retention
10 decision, the local school council and the general
11 superintendent shall be considered parties to the
12 arbitration, a hearing officer shall be chosen between
13 those 2 parties pursuant to procedures promulgated by the
14 State Board of Education, and the principal may retain
15 counsel and participate in the arbitration. If the local
16 school council does not retain the principal and the
17 principal requests a review of the retention decision, the
18 local school council and the principal shall be considered
19 parties to the arbitration and a hearing officer shall be
20 chosen between those 2 parties pursuant to procedures
21 promulgated by the State Board of Education. The hearing
22 shall begin (i) within 45 days after the initial request
23 for review is submitted by the principal to the general
24 superintendent or (ii) if the initial request for review
25 is made by the general superintendent, within 45 days
26 after that request is mailed to the American Arbitration

1 Association. The hearing officer shall render a decision
2 within 45 days after the hearing begins and within 90 days
3 after the initial request for review. The Board shall
4 contract with the American Arbitration Association for all
5 of the hearing officer's reasonable and necessary costs.
6 In addition, the Board shall pay any reasonable costs
7 incurred by a local school council for representation
8 before a hearing officer.

9 1.10. The hearing officer shall conduct a hearing,
10 which shall include (i) a review of the principal's
11 performance, evaluations, and other evidence of the
12 principal's service at the school, (ii) reasons provided
13 by the local school council for its decision, and (iii)
14 documentation evidencing views of interested persons,
15 including, without limitation, students, parents, local
16 school council members, school faculty and staff, the
17 principal, the general superintendent or his or her
18 designee, and members of the community. The burden of
19 proof in establishing that the local school council's
20 decision was arbitrary and capricious shall be on the
21 party requesting the arbitration, and this party shall
22 sustain the burden by a preponderance of the evidence. The
23 hearing officer shall set the local school council
24 decision aside if that decision, in light of the record
25 developed at the hearing, is arbitrary and capricious. The
26 decision of the hearing officer may not be appealed to the

1 Board or the State Board of Education. If the hearing
2 officer decides that the principal shall be retained, the
3 retention period shall not exceed 2 years.

4 2. In the event (i) the local school council does not
5 renew the performance contract of the principal, or the
6 principal fails to receive a satisfactory rating as
7 provided in subsection (h) of Section 34-8.3, or the
8 principal is removed for cause during the term of his or
9 her performance contract in the manner provided by Section
10 34-85, or a vacancy in the position of principal otherwise
11 occurs prior to the expiration of the term of a
12 principal's performance contract, and (ii) the local
13 school council fails to directly select a new principal to
14 serve under a 4-year ~~4-year~~ performance contract, the
15 local school council in such event shall submit to the
16 general superintendent a list of 3 candidates -- listed in
17 the local school council's order of preference -- for the
18 position of principal, one of which shall be selected by
19 the general superintendent to serve as principal of the
20 attendance center. If the general superintendent fails or
21 refuses to select one of the candidates on the list to
22 serve as principal within 30 days after being furnished
23 with the candidate list, the general superintendent shall
24 select and place a principal on an interim basis (i) for a
25 period not to exceed one year or (ii) until the local
26 school council selects a new principal with 7 affirmative

1 votes as provided in subsection (c) of Section 34-2.2,
2 whichever occurs first. If the local school council fails
3 or refuses to select and appoint a new principal, as
4 specified by subsection (c) of Section 34-2.2, the general
5 superintendent may select and appoint a new principal on
6 an interim basis for an additional year or until a new
7 contract principal is selected by the local school
8 council. There shall be no discrimination on the basis of
9 race, sex, creed, color, or disability unrelated to
10 ability to perform in connection with the submission of
11 candidates for, and the selection of a candidate to serve
12 as principal of an attendance center. No person shall be
13 directly selected, listed as a candidate for, or selected
14 to serve as principal of an attendance center (i) if such
15 person has been removed for cause from employment by the
16 Board or (ii) if such person does not hold a valid
17 Professional Educator License issued under Article 21B and
18 endorsed as required by that Article for the position of
19 principal. A principal whose performance contract is not
20 renewed as provided under subsection (c) of Section 34-2.2
21 may nevertheless, if otherwise qualified and licensed as
22 herein provided and if he or she has received a
23 satisfactory rating as provided in subsection (h) of
24 Section 34-8.3, be included by a local school council as
25 one of the 3 candidates listed in order of preference on
26 any candidate list from which one person is to be selected

1 to serve as principal of the attendance center under a new
2 performance contract. The initial candidate list required
3 to be submitted by a local school council to the general
4 superintendent in cases where the local school council
5 does not renew the performance contract of its principal
6 and does not directly select a new principal to serve
7 under a 4-year ~~4-year~~ performance contract shall be
8 submitted not later than 30 days prior to the expiration
9 of the current performance contract. In cases where the
10 local school council fails or refuses to submit the
11 candidate list to the general superintendent no later than
12 30 days prior to the expiration of the incumbent
13 principal's contract, the general superintendent may
14 appoint a principal on an interim basis for a period not to
15 exceed one year, during which time the local school
16 council shall be able to select a new principal with 7
17 affirmative votes as provided in subsection (c) of Section
18 34-2.2. In cases where a principal is removed for cause or
19 a vacancy otherwise occurs in the position of principal
20 and the vacancy is not filled by direct selection by the
21 local school council, the candidate list shall be
22 submitted by the local school council to the general
23 superintendent within 90 days after the date such removal
24 or vacancy occurs. In cases where the local school council
25 fails or refuses to submit the candidate list to the
26 general superintendent within 90 days after the date of

1 the vacancy, the general superintendent may appoint a
2 principal on an interim basis for a period of one year,
3 during which time the local school council shall be able
4 to select a new principal with 7 affirmative votes as
5 provided in subsection (c) of Section 34-2.2.

6 2.5. Whenever a vacancy in the office of a principal
7 occurs for any reason, the vacancy shall be filled in the
8 manner provided by this Section by the selection of a new
9 principal to serve under a 4-year ~~4-year~~ performance
10 contract.

11 3. To establish additional criteria to be included as
12 part of the performance contract of its principal,
13 provided that such additional criteria shall not
14 discriminate on the basis of race, sex, creed, color, or
15 disability unrelated to ability to perform, and shall not
16 be inconsistent with the uniform 4-year ~~4-year~~ performance
17 contract for principals developed by the board as provided
18 in Section 34-8.1 of this ~~the School~~ Code or with other
19 provisions of this Article governing the authority and
20 responsibility of principals.

21 4. To approve the expenditure plan prepared by the
22 principal with respect to all funds allocated and
23 distributed to the attendance center by the Board. The
24 expenditure plan shall be administered by the principal.
25 Notwithstanding any other provision of this Code ~~Act~~ or
26 any other law, any expenditure plan approved and

1 administered under this Section 34-2.3 shall be consistent
2 with and subject to the terms of any contract for services
3 with a third party entered into by the Chicago School
4 Reform Board of Trustees or the board under this Code Act.

5 Via a supermajority vote of 8 members of a local
6 school council enrolling students through the 8th grade or
7 9 members of a local school council at a secondary
8 attendance center or an attendance center enrolling
9 students in grades 7 through 12, the Council may transfer
10 allocations pursuant to this Section 34-2.3 within funds;
11 provided that such a transfer is consistent with
12 applicable law and collective bargaining agreements.

13 Beginning in fiscal year 1991 and in each fiscal year
14 thereafter, the Board may reserve up to 1% of its total
15 fiscal year budget for distribution on a prioritized basis
16 to schools throughout the school system in order to assure
17 adequate programs to meet the needs of special student
18 populations as determined by the Board. This distribution
19 shall take into account the needs catalogued in the
20 Systemwide Plan and the various local school improvement
21 plans of the local school councils. Information about
22 these centrally funded programs shall be distributed to
23 the local school councils so that their subsequent
24 planning and programming will account for these
25 provisions.

26 Beginning in fiscal year 1991 and in each fiscal year

1 thereafter, from other amounts available in the applicable
2 fiscal year budget, the board shall allocate a lump sum
3 amount to each local school based upon such formula as the
4 board shall determine taking into account the special
5 needs of the student body. The local school principal
6 shall develop an expenditure plan in consultation with the
7 local school council, the professional personnel
8 leadership committee and with all other school personnel,
9 which reflects the priorities and activities as described
10 in the school's local school improvement plan and is
11 consistent with applicable law and collective bargaining
12 agreements and with board policies and standards; however,
13 the local school council shall have the right to request
14 waivers of board policy from the board of education and
15 waivers of employee collective bargaining agreements
16 pursuant to Section 34-8.1a.

17 The expenditure plan developed by the principal with
18 respect to amounts available from the fund for prioritized
19 special needs programs and the allocated lump sum amount
20 must be approved by the local school council.

21 The lump sum allocation shall take into account the
22 following principles:

23 a. Teachers: Each school shall be allocated funds
24 equal to the amount appropriated in the previous
25 school year for compensation for teachers (regular
26 grades kindergarten through 12th grade) plus whatever

1 increases in compensation have been negotiated
2 contractually or through longevity as provided in the
3 negotiated agreement. Adjustments shall be made due to
4 layoff or reduction in force, lack of funds or work,
5 change in subject requirements, enrollment changes, or
6 contracts with third parties for the performance of
7 services or to rectify any inconsistencies with
8 system-wide allocation formulas or for other
9 legitimate reasons.

10 b. Other personnel: Funds for other teacher
11 licensed and nonlicensed personnel paid through
12 non-categorical funds shall be provided according to
13 system-wide formulas based on student enrollment and
14 the special needs of the school as determined by the
15 Board.

16 c. Non-compensation items: Appropriations for all
17 non-compensation items shall be based on system-wide
18 formulas based on student enrollment and on the
19 special needs of the school or factors related to the
20 physical plant, including, but not limited to,
21 textbooks, electronic textbooks and the technological
22 equipment necessary to gain access to and use
23 electronic textbooks, supplies, electricity,
24 equipment, and routine maintenance.

25 d. Funds for categorical programs: Schools shall
26 receive personnel and funds based on, and shall use

1 such personnel and funds in accordance with State and
2 federal ~~Federal~~ requirements applicable to each
3 categorical program provided to meet the special needs
4 of the student body (including, but not limited to,
5 Federal Chapter I, Bilingual, and Special Education).

6 d.1. Funds for State Title I: Each school shall
7 receive funds based on State and Board requirements
8 applicable to each State Title I pupil provided to
9 meet the special needs of the student body. Each
10 school shall receive the proportion of funds as
11 provided in Section 18-8 or 18-8.15 to which they are
12 entitled. These funds shall be spent only with the
13 budgetary approval of the local school council ~~Local~~
14 ~~School Council~~ as provided in Section 34-2.3.

15 e. The local school council ~~Local School Council~~
16 shall have the right to request the principal to close
17 positions and open new ones consistent with the
18 provisions of the local school improvement plan
19 provided that these decisions are consistent with
20 applicable law and collective bargaining agreements.
21 If a position is closed, pursuant to this paragraph,
22 the local school shall have for its use the
23 system-wide average compensation for the closed
24 position.

25 f. Operating within existing laws and collective
26 bargaining agreements, the local school council shall

1 have the right to direct the principal to shift
2 expenditures within funds.

3 g. (Blank).

4 Any funds unexpended at the end of the fiscal year
5 shall be available to the board of education for use as
6 part of its budget for the following fiscal year.

7 5. To make recommendations to the principal concerning
8 textbook selection and concerning curriculum developed
9 pursuant to the school improvement plan which is
10 consistent with systemwide curriculum objectives in
11 accordance with Sections 34-8 and 34-18 of this ~~the School~~
12 Code and in conformity with the collective bargaining
13 agreement.

14 6. To advise the principal concerning the attendance
15 and disciplinary policies for the attendance center,
16 subject to the provisions of this Article and Article 26,
17 and consistent with the uniform system of discipline
18 established by the board pursuant to Section 34-19.

19 7. To approve a school improvement plan developed as
20 provided in Section 34-2.4. The process and schedule for
21 plan development shall be publicized to the entire school
22 community, and the community shall be afforded the
23 opportunity to make recommendations concerning the plan.
24 At least twice a year the principal and local school
25 council shall report publicly on progress and problems
26 with respect to plan implementation.

1 8. To evaluate the allocation of teaching resources
2 and other licensed and nonlicensed staff to the attendance
3 center to determine whether such allocation is consistent
4 with and in furtherance of instructional objectives and
5 school programs reflective of the school improvement plan
6 adopted for the attendance center; and to make
7 recommendations to the board, the general superintendent,
8 and the principal concerning any reallocation of teaching
9 resources or other staff whenever the council determines
10 that any such reallocation is appropriate because the
11 qualifications of any existing staff at the attendance
12 center do not adequately match or support instructional
13 objectives or school programs which reflect the school
14 improvement plan.

15 9. To make recommendations to the principal and the
16 general superintendent concerning their respective
17 appointments, after August 31, 1989, and in the manner
18 provided by Section 34-8 and Section 34-8.1, of persons to
19 fill any vacant, additional, or newly created positions
20 for teachers at the attendance center or at attendance
21 centers which include the attendance center served by the
22 local school council.

23 10. To request of the Board the manner in which
24 training and assistance shall be provided to the local
25 school council. Pursuant to Board guidelines a local
26 school council is authorized to direct the Board of

1 Education to contract with personnel or not-for-profit
2 organizations not associated with the school district to
3 train or assist council members. If training or assistance
4 is provided by contract with personnel or organizations
5 not associated with the school district, the period of
6 training or assistance shall not exceed 30 hours during a
7 given school year; the person shall not be employed on a
8 continuous basis longer than said period and shall not
9 have been employed by the Chicago Board of Education
10 within the preceding six months. Council members shall
11 receive training in at least the following areas:

12 1. school budgets;

13 2. educational theory pertinent to the attendance
14 center's particular needs, including the development
15 of the school improvement plan and the principal's
16 performance contract; and

17 3. personnel selection.

18 Council members shall, to the greatest extent possible,
19 complete such training within 90 days of election.

20 11. In accordance with systemwide guidelines contained
21 in the System-Wide Educational Reform Goals and Objectives
22 Plan, criteria for evaluation of performance shall be
23 established for local school councils and local school
24 council members. If a local school council persists in
25 noncompliance with systemwide requirements, the Board may
26 impose sanctions and take necessary corrective action,

1 consistent with Section 34-8.3.

2 12. Each local school council shall comply with the
3 Open Meetings Act and the Freedom of Information Act. Each
4 local school council shall issue and transmit to its
5 school community a detailed annual report accounting for
6 its activities programmatically and financially. Each
7 local school council shall convene at least 2
8 well-publicized meetings annually with its entire school
9 community. These meetings shall include presentation of
10 the proposed local school improvement plan, of the
11 proposed school expenditure plan, and the annual report,
12 and shall provide an opportunity for public comment.

13 13. Each local school council is encouraged to involve
14 additional non-voting members of the school community in
15 facilitating the council's exercise of its
16 responsibilities.

17 14. In this subdivision 14, "religious hairstyles,
18 hair-related religious practices, or facial hair" has the
19 meaning given to that term in Section 10-22.25b.

20 The local school council may adopt a school uniform or
21 dress code policy that governs the attendance center and
22 that is necessary to maintain the orderly process of a
23 school function or prevent endangerment of student health
24 or safety, consistent with the policies and rules of the
25 Board of Education. A school uniform or dress code policy
26 adopted by a local school council: (i) shall not be

1 applied in such manner as to discipline or deny attendance
2 to a transfer student or any other student for
3 noncompliance with that policy during such period of time
4 as is reasonably necessary to enable the student to
5 acquire a school uniform or otherwise comply with the
6 dress code policy that is in effect at the attendance
7 center into which the student's enrollment is transferred;
8 (ii) shall include criteria and procedures under which the
9 local school council will accommodate the needs of or
10 otherwise provide appropriate resources to assist a
11 student from an indigent family in complying with an
12 applicable school uniform or dress code policy; (iii)
13 shall not include or apply to hairstyles, including
14 hairstyles historically associated with race, ethnicity,
15 or hair texture, including, but not limited to, protective
16 hairstyles such as braids, locks, and twists, or religious
17 hairstyles, hair-related religious practices, or facial
18 hair worn in accordance with a student's sincerely held
19 religious beliefs, observance, or practice, including, but
20 not limited to, uncut hair or sidelocks (known as payot or
21 peyos), or beards, mustaches, or other facial hair; and
22 (iv) shall not prohibit the right of a student to wear or
23 accessorize the student's graduation attire with items
24 associated with the student's cultural, ethnic, or
25 religious identity or any other protected characteristic
26 or category identified in subsection (Q) of Section 1-103

1 of the Illinois Human Rights Act.

2 Nothing in item (iii) of this subdivision 14 prohibits
3 a school from requiring that hair or facial hair be
4 secured, covered, or otherwise controlled during a
5 specific activity if necessary to prevent endangerment of
6 student health or safety, as long as the requirement is
7 applied in the least restrictive manner practicable and
8 does not require cutting, shaving, or other permanent
9 alteration.

10 A student whose parents or legal guardians object on
11 religious grounds to the student's compliance with an
12 applicable school uniform or dress code policy shall not
13 be required to comply with that policy if the student's
14 parents or legal guardians present to the local school
15 council a signed statement of objection detailing the
16 grounds for the objection. If a local school council does
17 not comply with the requirements and prohibitions set
18 forth in this subdivision ~~paragraph~~ 14, the attendance
19 center is subject to the penalty imposed pursuant to
20 subsection (a) of Section 2-3.25.

21 15. All decisions made and actions taken by the local
22 school council in the exercise of its powers and duties
23 shall comply with State and federal laws, all applicable
24 collective bargaining agreements, court orders, and rules
25 properly promulgated by the Board.

26 15a. To grant, in accordance with board rules and

1 policies, the use of assembly halls and classrooms when
2 not otherwise needed, including lighting, heat, and
3 attendants, for public lectures, concerts, and other
4 educational and social activities.

5 15b. To approve, in accordance with board rules and
6 policies, receipts and expenditures for all internal
7 accounts of the attendance center, and to approve all
8 fund-raising activities by nonschool organizations that
9 use the school building.

10 16. (Blank).

11 ~~17.~~ Names and addresses of local school council members
12 shall be a matter of public record.

13 (Source: P.A. 102-360, eff. 1-1-22; 102-677, eff. 12-3-21;
14 102-894, eff. 5-20-22; 103-463, eff. 8-4-23; revised 6-27-25.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.