



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB0265

by Rep. Mary E. Flowers

#### SYNOPSIS AS INTRODUCED:

New Act

105 ILCS 5/10-17a

from Ch. 122, par. 10-17a

105 ILCS 5/34-18.24

Creates the Lead in Schools Reporting Act. Provides that on an annual basis the Department of Public Health, in coordination with local departments of public health serving the City of Chicago, shall conduct specified lead testing at public school facilities within the City. Provides that the results from such testing shall be transmitted to the State Board of Education. Provides that the Department shall notify the Board if a detected lead level meets a level that the Department deems unsafe. Amends the School Code. Provides that school report cards for cities with populations in excess of 500,000 shall include lead testing results and that students in such districts may transfer from one attendance center to another attendance center in that district if any lead levels at his or her current attendance center meets a level that the Department deems unsafe. Makes other changes to provisions concerning transfers to specified attendance centers.

LRB100 05354 MJP 15365 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Lead  
5 in Schools Reporting Act.

6 Section 5. Definitions. As used in this Act:

7 "Department" means the Department of Public Health.

8 "Lead inspector" means an individual who has been trained  
9 by a Department-approved training program and is licensed by  
10 the Department to conduct lead inspections; to sample for the  
11 presence of lead in paint, dust, soil, and water; and to  
12 conduct compliance investigations.

13 Section 10. Lead testing and reporting. On an annual basis,  
14 the Department of Public Health, in coordination with local  
15 departments of public health serving the City of Chicago, shall  
16 employ lead inspectors to test all public school facilities  
17 within the City of Chicago for the presence of lead in paint,  
18 dust, soil, and water. The results of this lead testing shall  
19 be transmitted to the State Board of Education for the purpose  
20 of inclusion in school report cards. The Department shall  
21 notify the State Board of Education if a lead level detected in  
22 the paint, dust, soil, or water at a public school facility in

1 the City of Chicago meets a level that the Department deems  
2 unsafe, including, but not limited to, the current State or  
3 federal action levels for lead in drinking water at the time  
4 results are transmitted by the Department to the State Board of  
5 Education.

6 Section 15. The School Code is amended by changing Sections  
7 10-17a and 34-18.24 as follows:

8 (105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)

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

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

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

24 (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 plans or 504  
6 plans that provide for special education services; the  
7 percentage of students who annually transferred in or out  
8 of the school district; the per-pupil operating  
9 expenditure of the school district; and the per-pupil State  
10 average operating expenditure for the district type  
11 (elementary, high school, or unit);

12 (B) curriculum information, including, where  
13 applicable, Advanced Placement, International  
14 Baccalaureate or equivalent courses, dual enrollment  
15 courses, foreign language classes, school personnel  
16 resources (including Career Technical Education teachers),  
17 before and after school programs, extracurricular  
18 activities, subjects in which elective classes are  
19 offered, health and wellness initiatives (including the  
20 average number of days of Physical Education per week per  
21 student), approved programs of study, awards received,  
22 community partnerships, and special programs such as  
23 programming for the gifted and talented, students with  
24 disabilities, and work-study students;

25 (C) student outcomes, including, where applicable, the  
26 percentage of students deemed proficient on assessments of

1 State standards, the percentage of students in the eighth  
2 grade who pass Algebra, the percentage of students enrolled  
3 in post-secondary institutions (including colleges,  
4 universities, community colleges, trade/vocational  
5 schools, and training programs leading to career  
6 certification within 2 semesters of high school  
7 graduation), the percentage of students graduating from  
8 high school who are college and career ready, and the  
9 percentage of graduates enrolled in community colleges,  
10 colleges, and universities who are in one or more courses  
11 that the community college, college, or university  
12 identifies as a developmental course;

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

19 (E) the school environment, including, where  
20 applicable, the percentage of students with less than 10  
21 absences in a school year, the percentage of teachers with  
22 less than 10 absences in a school year for reasons other  
23 than professional development, leaves taken pursuant to  
24 the federal Family Medical Leave Act of 1993, long-term  
25 disability, or parental leaves, the 3-year average of the  
26 percentage of teachers returning to the school from the

1 previous year, the number of different principals at the  
2 school in the last 6 years, 2 or more indicators from any  
3 school climate survey selected or approved by the State and  
4 administered pursuant to Section 2-3.153 of this Code, with  
5 the same or similar indicators included on school report  
6 cards for all surveys selected or approved by the State  
7 pursuant to Section 2-3.153 of this Code, and the combined  
8 percentage of teachers rated as proficient or excellent in  
9 their most recent evaluation; ~~and~~

10 (F) a school district's and its individual schools'  
11 balanced accountability measure, in accordance with  
12 Section 2-3.25a of this Code; ~~and~~

13 (G) for a school district organized under Article 34 of  
14 this Code, the lead levels at each individual school as  
15 reported to the State Board of Education under the Lead in  
16 Schools Reporting Act, including whether any lead levels  
17 meet a level the Department of Public Health deems unsafe.

18 The school report card shall also provide information that  
19 allows for comparing the current outcome, progress, and  
20 environment data to the State average, to the school data from  
21 the past 5 years, and to the outcomes, progress, and  
22 environment of similar schools based on the type of school and  
23 enrollment of low-income students, special education students,  
24 and English learners.

25 (3) At the discretion of the State Superintendent, the  
26 school district report card shall include a subset of the

1 information identified in paragraphs (A) through (E) of  
2 subsection (2) of this Section, as well as information relating  
3 to the operating expense per pupil and other finances of the  
4 school district, and the State report card shall include a  
5 subset of the information identified in paragraphs (A) through  
6 (E) of subsection (2) of this Section.

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

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

1 the report card is available on the web site, (ii) the address  
2 of the web site, (iii) that a printed copy of the report card  
3 will be sent to parents upon request, and (iv) the telephone  
4 number that parents may call to request a printed copy of the  
5 report card.

6 (6) Nothing contained in this amendatory Act of the 98th  
7 General Assembly repeals, supersedes, invalidates, or  
8 nullifies final decisions in lawsuits pending on the effective  
9 date of this amendatory Act of the 98th General Assembly in  
10 Illinois courts involving the interpretation of Public Act  
11 97-8.

12 (Source: P.A. 98-463, eff. 8-16-13; 98-648, eff. 7-1-14; 99-30,  
13 eff. 7-10-15; 99-193, eff. 7-30-15; 99-642, eff. 7-28-16.)

14 (105 ILCS 5/34-18.24)

15 Sec. 34-18.24. Transfer of students.

16 (a) The board shall establish and implement a policy  
17 governing the transfer of a student from one attendance center  
18 to another within the school district upon the request of the  
19 student's parent or guardian. Any request by a parent or  
20 guardian to transfer his or her child from one attendance  
21 center to another within the school district pursuant to  
22 Section 1116 of the federal Elementary and Secondary Education  
23 Act of 1965 (20 U.S.C. Sec. 6317) must be made no later than 30  
24 days after the parent or guardian receives notice of the right  
25 to transfer pursuant to that law. A student may not transfer to



1 any of the following attendance centers, except by change in  
2 residence if the policy authorizes enrollment based on  
3 residence in an attendance area, if subsection (e) applies, or  
4 unless approved by the board on an individual basis:

5 (1) An attendance center that exceeds or as a result of  
6 the transfer would exceed its attendance capacity.

7 (2) An attendance center for which the board has  
8 established academic criteria for enrollment in compliance  
9 with the federal Every Student Succeeds Act or the federal  
10 Individuals with Disabilities Education Act if the student  
11 does not meet the criteria, provided that the transfer must  
12 be permitted if the attendance center is the only  
13 attendance center serving the student's grade that has not  
14 been identified for school improvement, corrective action,  
15 or restructuring under Section 1116 of the federal  
16 Elementary and Secondary Education Act of 1965 (20 U.S.C.  
17 Sec. 6317).

18 (3) Any attendance center if the transfer would prevent  
19 the school district from meeting its obligations under a  
20 State or federal law, including the federal Individuals  
21 with Disabilities Education Act; court order; or consent  
22 decree applicable to the school district.

23 (b) The board shall establish and implement a policy  
24 governing the transfer of students within the school district  
25 from a persistently dangerous attendance center to another  
26 attendance center in that district that is not deemed to be

1 persistently dangerous. In order to be considered a  
2 persistently dangerous attendance center, the attendance  
3 center must meet all of the following criteria for 2  
4 consecutive years:

5 (1) Have greater than 3% of the students enrolled in  
6 the attendance center expelled for violence-related  
7 conduct.

8 (2) Have one or more students expelled for bringing a  
9 firearm to school as defined in 18 U.S.C. 921.

10 (3) Have at least 3% of the students enrolled in the  
11 attendance center exercise the individual option to  
12 transfer attendance centers pursuant to subsection (c) of  
13 this Section.

14 (c) A student may transfer from one attendance center to  
15 another attendance center within the district if the student is  
16 a victim of a violent crime as defined in Section 3 of the  
17 Rights of Crime Victims and Witnesses Act. The violent crime  
18 must have occurred on school grounds during regular school  
19 hours or during a school-sponsored event.

20 (d) Transfers made pursuant to subsections (b) and (c) of  
21 this Section shall be made in compliance with the federal No  
22 Child Left Behind Act of 2001 (Public Law 107-110).

23 (e) A student may transfer from one attendance center to  
24 another attendance center within or outside of the district if  
25 any lead levels at his or her current attendance center meet a  
26 level the Department of Public Health deems unsafe.

1 (Source: P.A. 92-604, eff. 7-1-02; 93-633, eff. 12-23-03.)