

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. Legislative intent. It is the intent of the  
5 General Assembly that State assessments be rooted in classroom  
6 content and best practices and be used as an opportunity to  
7 demonstrate learning and feedback. It is also the intent of the  
8 General Assembly that assessments used for accountability  
9 should support learning opportunities that inform instruction.

10 Section 5. The School Code is amended by changing Sections  
11 2-3.25a, 2-3.25n, 2-3.52A, 2-3.61a, 2-3.64a-5, 2-3.136,  
12 2-3.153, 10-21.3a, 10-29, 34-1.1, 34-3.5, 34-18, and 34-18.24  
13 as follows:

14 (105 ILCS 5/2-3.25a) (from Ch. 122, par. 2-3.25a)

15 Sec. 2-3.25a. "School district" defined; additional  
16 standards.

17 (a) For the purposes of State accountability in this  
18 Section and Sections 3.25b, 3.25c, ~~3.25d~~, 3.25e, and 3.25f of  
19 this Code, "school district" includes other public entities  
20 responsible for administering public schools, such as  
21 cooperatives, joint agreements, charter schools, special  
22 charter districts, regional offices of education, local

1 agencies, and the Department of Human Services.

2 (b) In addition to the standards established pursuant to  
3 Section 2-3.25, the State Board of Education shall develop  
4 recognition standards for student performance and school  
5 improvement for all school districts and their individual  
6 schools, ~~which must be an outcomes based, balanced~~  
7 ~~accountability measure.~~ The State Board of Education is  
8 prohibited from having separate performance standards for  
9 students based on race or ethnicity.

10 The accountability measure shall be outlined in the State  
11 Plan that the State Board of Education submits to the federal  
12 Department of Education pursuant to the federal Every Student  
13 Succeeds Act. If the federal Every Student Succeeds Act ceases  
14 to require a State Plan, the State Board of Education shall  
15 develop a written plan in consultation with the Balanced  
16 Accountability Committee created under subsection (b-5) of  
17 this Section.

18 ~~Subject to the availability of federal, State, public, or~~  
19 ~~private funds, the balanced accountability measure must be~~  
20 ~~designed to focus on 2 components, student performance and~~  
21 ~~professional practice. The student performance component shall~~  
22 ~~count for 30% of the total balanced accountability measure, and~~  
23 ~~the professional practice component shall count for 70% of the~~  
24 ~~total balanced accountability measure. The student performance~~  
25 ~~component shall focus on student outcomes and closing the~~  
26 ~~achievement gaps within each school district and its individual~~

~~schools using a Multiple Measure Index and Annual Measurable Objectives, as set forth in Section 2-3.25d of this Code. The professional practice component shall focus on the degree to which a school district, as well as its individual schools, is implementing evidence based, best professional practices and exhibiting continued improvement. Beginning with the 2015-2016 school year, the balanced accountability measure shall consist of only the student performance component, which shall account for 100% of the total balanced accountability measure. From the 2017-2018 school year through the 2022-2023 school year, the State Board of Education and a Balanced Accountability Measure Committee shall identify a number of school districts per the designated school years to begin implementing the balanced accountability measure, which includes both the student performance and professional practice components. By the 2022-2023 school year, all school districts must be implementing the balanced accountability measure, which includes both components.~~

(b-5) The Balanced Accountability Measure Committee is created and shall consist of the following individuals: a representative of a statewide association representing regional superintendents of schools, a representative of a statewide association representing principals, a representative of an association representing principals in a city having a population exceeding 500,000, a representative of a statewide association representing school administrators, a

1 representative of a statewide professional teachers'  
2 organization, a representative of a different statewide  
3 professional teachers' organization, an additional  
4 representative from either statewide professional teachers'  
5 organization, a representative of a professional teachers'  
6 organization in a city having a population exceeding 500,000, a  
7 representative of a statewide association representing school  
8 boards, and a representative of a school district organized  
9 under Article 34 of this Code. The head of each association or  
10 entity listed in this paragraph shall appoint its respective  
11 representative. The State Superintendent of Education, in  
12 consultation with the Committee, may appoint no more than 2  
13 additional individuals to the Committee, which individuals  
14 shall serve in an advisory role and must not have voting or  
15 other decision-making rights. ~~The Committee is abolished on~~  
16 ~~June 1, 2023.~~

17 The Balanced Accountability Measure Committee shall meet  
18 no less than 4 times per year to discuss the accountability  
19 standards set forth in the State Plan pursuant to the federal  
20 Every Student Succeeds Act and to provide stakeholder feedback  
21 and recommendations to the State Board of Education with regard  
22 to the State Plan, which the State Board shall take into  
23 consideration. Upon completion of the 2019-2020 school year,  
24 the Balanced Accountability Measure Committee shall assess the  
25 implementation of the State Plan and, if necessary, make  
26 recommendations to the State Board for any changes. The

1 Committee shall consider accountability recommendations made  
2 by the Illinois P-20 Council established under Section 22-45 of  
3 this Code, the Illinois Early Learning Council created under  
4 the Illinois Early Learning Council Act, and any other  
5 stakeholder group established by the State Board in relation to  
6 the federal Every Student Succeeds Act. The State Board shall  
7 provide to the Committee an annual report with data and other  
8 information collected from entities identified by the State  
9 Board as learning partners, including, but not limited to, data  
10 and information on the learning partners' effectiveness,  
11 geographic distribution, and cost to serve as part of a  
12 comprehensive statewide system of support.

13 ~~Using a Multiple Measure Index consistent with subsection~~  
14 ~~(a) of Section 2-3.25d of this Code, the student performance~~  
15 ~~component shall consist of the following subcategories, each of~~  
16 ~~which must be valued at 10%:~~

17 ~~(1) achievement status;~~

18 ~~(2) achievement growth; and~~

19 ~~(3) Annual Measurable Objectives, as set forth in~~

20 ~~subsection (b) of Section 2-3.25d of this Code.~~

21 ~~Achievement status shall measure and assess college and career~~  
22 ~~readiness, as well as the graduation rate. Achievement growth~~  
23 ~~shall measure the school district's and its individual schools'~~  
24 ~~student growth via this State's growth value tables. Annual~~  
25 ~~Measurable Objectives shall measure the degree to which school~~  
26 ~~districts, as well as their individual schools, are closing~~

1 ~~their achievement gaps among their student population and~~  
2 ~~subgroups.~~

3 ~~The professional practice component shall consist of the~~  
4 ~~following subcategories:~~

5 ~~(A) compliance;~~

6 ~~(B) evidence based best practices; and~~

7 ~~(C) contextual improvement.~~

8 ~~Compliance, which shall count for 10%, shall measure the degree~~  
9 ~~to which a school district and its individual schools meet the~~  
10 ~~current State compliance requirements. Evidence based best~~  
11 ~~practices, which shall count for 30%, shall measure the degree~~  
12 ~~to which school districts and their individual schools are~~  
13 ~~adhering to a set of evidence-based quality standards and best~~  
14 ~~practice for effective schools that include (i) continuous~~  
15 ~~improvement, (ii) culture and climate, (iii) shared~~  
16 ~~leadership, (iv) governance, (v) education and employee~~  
17 ~~quality, (vi) family and community connections, and (vii)~~  
18 ~~student and learning development and are further developed in~~  
19 ~~consultation with the State Board of Education and the Balanced~~  
20 ~~Accountability Measure Committee set forth in this subsection~~

21 ~~(b). Contextual improvement, which shall count for 30%, shall~~  
22 ~~provide school districts and their individual schools the~~  
23 ~~opportunity to demonstrate improved outcomes through local~~  
24 ~~data, including without limitation school climate, unique~~  
25 ~~characteristics, and barriers that impact the educational~~  
26 ~~environment and hinder the development and implementation of~~

1 ~~action plans to address areas of school district and individual~~  
2 ~~school improvement. Each school district, in good faith~~  
3 ~~cooperation with its teachers or, where applicable, the~~  
4 ~~exclusive bargaining representatives of its teachers, shall~~  
5 ~~develop 2 measurable objectives to demonstrate contextual~~  
6 ~~improvement, each of which must be equally weighted. Each~~  
7 ~~school district shall begin such good faith cooperative~~  
8 ~~development of these objectives no later than 6 months prior to~~  
9 ~~the beginning of the school year in which the school district~~  
10 ~~is to implement the professional practice component of the~~  
11 ~~balanced accountability measure. The professional practice~~  
12 ~~component must be scored using trained peer review teams that~~  
13 ~~observe and verify school district practices using an~~  
14 ~~evidence-based framework.~~

15 ~~The balanced accountability measure shall combine the~~  
16 ~~student performance and professional practice components into~~  
17 ~~one summative score based on 100 points at the school district~~  
18 ~~and individual school level. A school district shall be~~  
19 ~~designated as "Exceeds Standards Exemplar" if the overall~~  
20 ~~score is 100 to 90, "Meets Standards Proficient" if the~~  
21 ~~overall score is 89 to 75, "Approaching Standards Needs~~  
22 ~~Improvement" if the overall score is 74 to 60, and "Below~~  
23 ~~Standards Unsatisfactory" if the overall score is 59 to 0.~~  
24 ~~The balanced accountability measure shall also detail both~~  
25 ~~incentives that reward school districts for continued improved~~  
26 ~~performance, as provided in Section 2 3.25c of this Code, and~~

1 ~~consequences for school districts that fail to provide evidence~~  
2 ~~of continued improved performance, which may include~~  
3 ~~presentation of a barrier analysis, additional school board and~~  
4 ~~administrator training, or additional State assistance. Based~~  
5 ~~on its summative score, a school district may be exempt from~~  
6 ~~the balanced accountability measure for one or more school~~  
7 ~~years.~~ The State Board of Education, in collaboration with the  
8 Balanced Accountability Measure Committee set forth in this  
9 subsection (b-5) ~~(b)~~, shall adopt rules that further  
10 implementation in accordance with the requirements of this  
11 Section.

12 (Source: P.A. 99-84, eff. 1-1-16; 99-193, eff. 7-30-15; 99-642,  
13 eff. 7-28-16; 99-657, eff. 7-28-16.)

14 (105 ILCS 5/2-3.25n)

15 Sec. 2-3.25n. Every Student Succeeds ~~No Child Left Behind~~  
16 Act; requirements and construction.

17 (a) ~~The changes in the State accountability system made by~~  
18 ~~this amendatory Act of the 93rd General Assembly are a direct~~  
19 ~~result of the federal Every Student Succeeds Act ~~No Child Left~~~~  
20 ~~Behind Act of 2001 (Public Law 107-110), which~~ requires that  
21 each state develop and implement a single, statewide  
22 accountability system applicable to all schools and school  
23 districts.

24 (b) As provided in the federal Every Student Succeeds Act  
25 ~~No Child Left Behind Act of 2001 (Public Law 107-110)~~, nothing



1 in this amendatory Act of the 93rd General Assembly shall be  
2 construed to alter or otherwise affect the rights, remedies,  
3 and procedures afforded school district or school employees  
4 under federal, State, or local law (including applicable rules,  
5 regulations, or court orders) or under the terms of collective  
6 bargaining agreements, memoranda of understanding, or other  
7 agreements between such employees and their employers.

8 (c) The State Board of Education may identify a school  
9 district as eligible for targeted and comprehensive services  
10 under the federal Every Student Succeeds Act.

11 (Source: P.A. 93-470, eff. 8-8-03.)

12 (105 ILCS 5/2-3.52A) (from Ch. 122, par. 2-3.52A)

13 Sec. 2-3.52A. Pilot programs. ~~The To improve the quality of~~  
14 ~~teaching as a profession the~~ State Board of Education may,  
15 pursuant to the federal Every Student Succeeds Act and  
16 appropriations for such purposes, establish educator  
17 preparation pilot programs ~~for teachers relating to clinical~~  
18 ~~schools, restructuring the teaching workplace, and providing~~  
19 ~~special assistance and support to beginning teachers.~~ Such  
20 programs shall be conducted in accordance with rules adopted by  
21 the State Board of Education. Such rules shall provide for, but  
22 not be limited to, advisory councils and annual reports on the  
23 progress of the pilot programs.

24 (Source: P.A. 85-322.)

1 (105 ILCS 5/2-3.61a)

2 Sec. 2-3.61a. 21st Century Community Learning Center Grant  
3 Program.

4 (a) The State Board of Education shall be the designated  
5 agency responsible for the administration of programs under  
6 Part I of Subchapter X of Chapter 70 of the federal Elementary  
7 and Secondary Education Act of 1965.

8 (b) The State Board of Education shall establish and  
9 implement a 21st Century Community Learning Center Grant  
10 Program, in accordance with federal guidelines, to provide  
11 grants to support whole child-focused ~~academically focused~~  
12 after-school programs that are aligned with the regular  
13 academic programs of a school and the academic needs of  
14 students. These grants shall be used to help those students who  
15 attend high-poverty, low-performing schools meet State and  
16 local performance standards in core academic subjects and, if  
17 applicable, increase school day attendance and improve  
18 social-emotional skills ~~for students who attend high poverty,~~  
19 ~~low performing schools. These grants shall be used to help~~  
20 ~~those students who attend high poverty, low performing schools~~  
21 ~~meet State and local performance standards in core academic~~  
22 ~~subjects~~ and to offer opportunities for families of  
23 participating students to have meaningful engagement in their  
24 children's education that are linked to learning and healthy  
25 development outcomes ~~opportunities for improved literacy and~~  
26 ~~related educational development.~~ If appropriate, external

1 stakeholder feedback shall be gathered and used to inform the  
2 grant application.

3 The State Board of Education shall award grants to eligible  
4 applicants that are of sufficient size and scope to implement  
5 ~~support high quality,~~ effective after-school programs, to  
6 ensure reasonable success of achieving the goals identified in  
7 the grant application, and to offer those activities that are  
8 necessary to achieve these goals and performance indicators and  
9 measures with a direct link to student achievement.

10 (c) Using State funds, subject to appropriation, and any  
11 federal funds received for this purpose, the State Board of  
12 Education may establish any other grant programs that are  
13 necessary to establish high-quality, academically based,  
14 after-school programs that include family-centered education  
15 activities.

16 (d) The State Board of Education may adopt any rules  
17 necessary to implement this Section.

18 (Source: P.A. 93-374, eff. 7-24-03.)

19 (105 ILCS 5/2-3.64a-5)

20 Sec. 2-3.64a-5. State goals and assessment.

21 (a) For the assessment and accountability purposes of this  
22 Section, "students" includes those students enrolled in a  
23 public or State-operated elementary school, secondary school,  
24 or cooperative or joint agreement with a governing body or  
25 board of control, a charter school operating in compliance with

1 the Charter Schools Law, a school operated by a regional office  
2 of education under Section 13A-3 of this Code, or a public  
3 school administered by a local public agency or the Department  
4 of Human Services.

5 (b) The State Board of Education shall establish the  
6 academic standards that are to be applicable to students who  
7 are subject to State assessments under this Section. The State  
8 Board of Education shall not establish any such standards in  
9 final form without first providing opportunities for public  
10 participation and local input in the development of the final  
11 academic standards. Those opportunities shall include a  
12 well-publicized period of public comment and opportunities to  
13 file written comments.

14 (c) Beginning no later than the 2014-2015 school year, the  
15 State Board of Education shall annually assess all students  
16 enrolled in grades 3 through 8 in English language arts and  
17 mathematics.

18 Beginning no later than the 2017-2018 school year, the  
19 State Board of Education shall annually assess all students in  
20 science at one grade in grades 3 through 5, at one grade in  
21 grades 6 through 8, and at one grade in grades 9 through 12.

22 The State Board of Education shall annually assess schools  
23 that operate a secondary education program, as defined in  
24 Section 22-22 of this Code, in English language arts and  
25 mathematics. The State Board of Education shall administer no  
26 more than 3 assessments, per student, of English language arts

1 and mathematics for students in a secondary education program.  
2 One of these assessments shall ~~include a college and career~~  
3 ~~ready determination that shall be~~ recognized ~~accepted~~ by this  
4 State's public institutions of higher education, as defined in  
5 the Board of Higher Education Act, for the purpose of student  
6 application or admissions consideration. The assessment  
7 administered by the State Board of Education for the purpose of  
8 student application to or admissions consideration by  
9 institutions of higher education must be administered on a  
10 school day during regular student attendance hours.

11 Students who do ~~are~~ not take the State's final  
12 accountability assessment or its approved alternate assessment  
13 ~~assessed for college and career ready determinations~~ may not  
14 receive a regular high school diploma unless the student is  
15 exempted from taking the State assessments under subsection (d)  
16 of this Section because ~~(i) the student's individualized~~  
17 ~~educational program developed under Article 14 of this Code~~  
18 ~~identifies the State assessment as inappropriate for the~~  
19 ~~student, (ii) the student is enrolled in a program of adult and~~  
20 ~~continuing education, as defined in the Adult Education Act,~~  
21 ~~(iii) the school district is not required to assess the~~  
22 ~~individual student for purposes of accountability under~~  
23 ~~federal No Child Left Behind Act of 2001 requirements, (iv) the~~  
24 ~~student has been determined to be an English learner and has~~  
25 ~~been enrolled in schools in the United States for less than 12~~  
26 ~~months, or (v) the student is otherwise identified by the State~~

1 Board of Education, through rules, as being exempt from the  
2 assessment.

3 The State Board of Education shall not assess students  
4 under this Section in subjects not required by this Section.

5 Districts shall inform their students of the timelines and  
6 procedures applicable to their participation in every yearly  
7 administration of the State assessments. The State Board of  
8 Education shall establish periods of time in each school year  
9 during which State assessments shall occur to meet the  
10 objectives of this Section.

11 (d) Every individualized educational program as described  
12 in Article 14 shall identify if the State assessment or  
13 components thereof require accommodation ~~are appropriate~~ for  
14 the student. The State Board of Education shall develop rules  
15 governing the administration of an alternate assessment that  
16 may be available to students for whom participation in this  
17 State's regular assessments is not appropriate, even with  
18 accommodations as allowed under this Section.

19 Students receiving special education services whose  
20 individualized educational programs identify them as eligible  
21 for the alternative State assessments nevertheless shall have  
22 the option of also taking this State's regular final  
23 accountability assessment ~~that includes a college and career~~  
24 ~~ready determination~~, which shall be administered in accordance  
25 with the eligible accommodations appropriate for meeting these  
26 students' respective needs.

1 All students determined to be English learners shall  
2 participate in the State assessments. The scores of,~~excepting~~  
3 those students who have been enrolled in schools in the United  
4 States for less than 12 months may not be used for the purposes  
5 of accountability. ~~Such students may be exempted from~~  
6 ~~participation in one annual administration of the English~~  
7 ~~language arts assessment.~~ Any student determined to be an  
8 English learner shall receive appropriate assessment  
9 accommodations, including language supports, which shall be  
10 established by rule. Approved assessment accommodations must  
11 be provided until the student's English language skills develop  
12 to the extent that the student is no longer considered to be an  
13 English learner, as demonstrated through a State-identified  
14 English language proficiency assessment.

15 (e) The results or scores of each assessment taken under  
16 this Section shall be made available to the parents of each  
17 student.

18 In each school year, the scores attained by a student on  
19 the final accountability State assessment ~~that includes a~~  
20 ~~college and career ready determination~~ must be placed in the  
21 student's permanent record pursuant to rules that the State  
22 Board of Education shall adopt for that purpose in accordance  
23 with Section 3 of the Illinois School Student Records Act. In  
24 each school year, the scores attained by a student on the State  
25 assessments administered in grades 3 through 8 must be placed  
26 in the student's temporary record.

1 (f) All schools shall administer the State's ~~an~~ academic  
2 assessment of English language proficiency ~~in oral language~~  
3 ~~(listening and speaking) and reading and writing skills~~ to all  
4 children determined to be English learners.

5 (g) All schools in this State that are part of the sample  
6 drawn by the National Center for Education Statistics, in  
7 collaboration with their school districts and the State Board  
8 of Education, shall administer the ~~biennial~~ academic  
9 assessments under the National Assessment of Educational  
10 Progress carried out under Section 411(b)(2) of the federal  
11 National Education Statistics Act of 1994 (20 U.S.C. 9010) if  
12 the U.S. Secretary of Education pays the costs of administering  
13 the assessments.

14 (h) (Blank). ~~Subject to available funds to this State for~~  
15 ~~the purpose of student assessment, the State Board of Education~~  
16 ~~shall provide additional assessments and assessment resources~~  
17 ~~that may be used by school districts for local assessment~~  
18 ~~purposes. The State Board of Education shall annually~~  
19 ~~distribute a listing of these additional resources.~~

20 (i) For the purposes of this subsection (i), "academically  
21 based assessments" means assessments consisting of questions  
22 and answers that are measurable and quantifiable to measure the  
23 knowledge, skills, and ability of students in the subject  
24 matters covered by the assessments. All assessments  
25 administered pursuant to this Section must be academically  
26 based assessments. The scoring of academically based



1 assessments shall be reliable, valid, and fair and shall meet  
2 the guidelines for assessment development and use prescribed by  
3 the American Psychological Association, the National Council  
4 on Measurement in Education, and the American Educational  
5 Research Association.

6 The State Board of Education shall review the use of all  
7 assessment item types in order to ensure that they are valid  
8 and reliable indicators of student performance aligned to the  
9 learning standards being assessed and that the development,  
10 administration, and scoring of these item types are justifiable  
11 in terms of cost.

12 (j) The State Superintendent of Education shall appoint a  
13 committee of no more than 21 members, consisting of parents,  
14 teachers, school administrators, school board members,  
15 assessment experts, regional superintendents of schools, and  
16 citizens, to review the State assessments administered by the  
17 State Board of Education. The Committee shall select one of its  
18 members as its chairperson. The Committee shall meet on an  
19 ongoing basis to review the content and design of the  
20 assessments (including whether the requirements of subsection  
21 (i) of this Section have been met), the time and money expended  
22 at the local and State levels to prepare for and administer the  
23 assessments, the collective results of the assessments as  
24 measured against the stated purpose of assessing student  
25 performance, and other issues involving the assessments  
26 identified by the Committee. The Committee shall make periodic

1 recommendations to the State Superintendent of Education and  
2 the General Assembly concerning the assessments.

3 (k) The State Board of Education may adopt rules to  
4 implement this Section.

5 (Source: P.A. 99-30, eff. 7-10-15; 99-185, eff. 1-1-16; 99-642,  
6 eff. 7-28-16; 100-7, eff. 7-1-17; 100-222, eff. 8-18-17;  
7 revised 9-22-17.)

8 (105 ILCS 5/2-3.136)

9 Sec. 2-3.136. Funding for class ~~Class~~ size reduction ~~grant~~  
10 ~~programs.~~

11 (a) Class size reduction funding shall assist ~~A K-3 class~~  
12 ~~size reduction grant program is created. The program shall be~~  
13 ~~implemented and administered by the State Board of Education.~~  
14 ~~From appropriations made for purposes of this Section, the~~  
15 ~~State Board shall award grants to~~ schools that meet the  
16 criteria established by this Section ~~subsection (a)~~ for the  
17 award of funds ~~those grants.~~

18 (a-5) Funds ~~Grants~~ shall be awarded pursuant to  
19 application. The form and manner of applications and the  
20 criteria for the award of funds ~~grants~~ shall be prescribed by  
21 the State Board of Education. ~~The grant criteria as so~~  
22 ~~prescribed, however, shall provide that only those schools that~~  
23 ~~are identified as priority schools under Section 2-3.25d-5 of~~  
24 ~~this Code and that maintain grades kindergarten through 3 are~~  
25 ~~grant eligible.~~

1        Funding Grants awarded to eligible schools under this  
2        Section subsection (a) shall be used and applied by the schools  
3        to defray the costs and expenses of reducing class size to a  
4        level that is evidence-based. If a school's facilities are  
5        inadequate to allow for the specified class size, then funding  
6        may be used for, but is not limited to, support for  
7        professional learning. ~~operating and maintaining classes in~~  
8        ~~grades kindergarten through 3 with an average class size within~~  
9        ~~a specific grade of no more than 20 pupils. If a school's~~  
10       ~~facilities are inadequate to allow for this specified class~~  
11       ~~size, then a school may use the grant funds for teacher aides~~  
12       ~~instead.~~

13        (b) (Blank). ~~A K-3 pilot class size reduction grant program~~  
14       ~~is created. The program shall be implemented and administered~~  
15       ~~by the State Board of Education. From appropriations made for~~  
16       ~~purposes of this subsection (b), the State Board shall award~~  
17       ~~grants to schools that meet the criteria established by this~~  
18       ~~Section for the award of those grants.~~

19        ~~Grants shall be awarded pursuant to application. The form~~  
20       ~~and manner of application and the criteria for the award of~~  
21       ~~grants shall be prescribed by the State Board of Education.~~

22        ~~Grants awarded to eligible schools under this subsection~~  
23       ~~(b) shall be used and applied by the schools to defray the~~  
24       ~~costs and expenses of operating and maintaining classes in~~  
25       ~~grades kindergarten through 3 of no more than 15 pupils per~~  
26       ~~teacher per class. A teacher aide may not be used to meet this~~

1 ~~requirement.~~

2 (c) (Blank). ~~If a school board determines that a school is~~  
3 ~~using funds awarded under this Section for purposes not~~  
4 ~~authorized by this Section, then the school board, rather than~~  
5 ~~the school, shall determine how the funds are used.~~

6 (d) The State Board of Education shall adopt any rules,  
7 consistent with the requirements of this Section, that are  
8 necessary to implement and administer this Section ~~the class~~  
9 ~~size reduction grant programs.~~

10 (Source: P.A. 99-193, eff. 7-30-15.)

11 (105 ILCS 5/2-3.153)

12 Sec. 2-3.153. Survey of learning conditions.

13 (a) The State Board of Education shall administer a climate  
14 survey, identified by and paid for by the State Board of  
15 Education, select for statewide administration an instrument  
16 to provide feedback from, at a minimum, students in grades 4 ~~6~~  
17 through 12 and teachers on the instructional environment within  
18 a school. Each ~~after giving consideration to the~~  
19 ~~recommendations of the Performance Evaluation Advisory Council~~  
20 ~~made pursuant to subdivision (6) of subsection (a) of Section~~  
21 ~~24A-20 of this Code. Subject to appropriation to the State~~  
22 ~~Board of Education for the State's cost of development and~~  
23 ~~administration and, subject to subsections (b) and (c) of this~~  
24 ~~Section, each school district shall~~ annually ~~administer, at~~  
25 ~~least biennially, the~~ climate survey instrument in every public

1 school attendance center by a date specified by the State  
2 Superintendent of Education, and data resulting from the  
3 instrument's administration must be provided to the State Board  
4 of Education. The survey component that requires completion by  
5 the teachers must be administered during teacher meetings or  
6 professional development days or at other times that would not  
7 interfere with the teachers' regular classroom and direct  
8 instructional duties. The State Superintendent, ~~following~~  
9 ~~consultation with teachers, principals, and other appropriate~~  
10 ~~stakeholders,~~ shall publicly report on the survey selected  
11 indicators of learning conditions resulting from  
12 administration of the instrument at the individual school,  
13 district, and State levels and shall identify whether the  
14 indicators result from an anonymous administration of the  
15 instrument. ~~If in any year the appropriation to the State Board~~  
16 ~~of Education is insufficient for the State's costs associated~~  
17 ~~with statewide administration of the instrument, the State~~  
18 ~~Board of Education shall give priority to districts with~~  
19 ~~low performing schools and a representative sample of other~~  
20 ~~districts.~~

21 (b) A school district may elect to use, on a district-wide  
22 basis and at the school district's sole cost and expense, an  
23 alternate climate survey of learning conditions instrument  
24 pre-approved by the State Superintendent under subsection (c)  
25 of this Section in lieu of the State-adopted climate survey  
26 ~~statewide survey instrument selected under subsection (a) of~~

1 ~~this Section~~, provided that:

2 (1) the school district notifies the State Board of  
3 Education, on a form provided by the State Superintendent,  
4 of its intent to administer an alternate climate survey  
5 ~~instrument~~ on or before a date established by the State  
6 Superintendent for ~~the 2014-2015 school year and August 1~~  
7 ~~of each subsequent school year during which the instrument~~  
8 ~~will be administered;~~

9 (2) the notification submitted to the State Board under  
10 paragraph (1) of this subsection (b) must be accompanied by  
11 a certification signed by the president of the local  
12 teachers' exclusive bargaining representative and  
13 president of the school board indicating that the alternate  
14 survey has been agreed to by the teachers' exclusive  
15 bargaining representative and the school board;

16 (3) the school district's administration of the  
17 alternate instrument, including providing to the State  
18 Board of Education data and reports suitable to be  
19 published on school report cards and the State School  
20 Report Card Internet website, is performed in accordance  
21 with the requirements of subsection (a) of this Section;  
22 and

23 (4) the alternate instrument is administered each  
24 school year ~~that the statewide survey instrument is~~  
25 ~~administered; if the statewide survey is not administered~~  
26 ~~in a given school year, the school district is not required~~

1 ~~to provide the alternative instrument in that given school~~  
2 ~~year.~~

3 (c) The State Superintendent, in consultation with  
4 teachers, principals, superintendents, and other appropriate  
5 stakeholders, shall administer an approval process through  
6 which at least 2, but not more than 3, alternate survey of  
7 learning conditions instruments will be approved by the State  
8 Superintendent following a determination by the State  
9 Superintendent that each approved instrument:

10 (1) meets all requirements of subsection (a) of this  
11 Section;

12 (2) provides a summation of indicator results of the  
13 alternative survey by a date established by the State  
14 Superintendent in a manner that allows the indicator  
15 results to be included on school report cards pursuant to  
16 Section 10-17a of this Code by October 31 of the school  
17 year following the instrument's administration;

18 (3) provides summary reports for each district and  
19 attendance center intended for parents and community  
20 stakeholders;

21 (4) meets scale reliability requirements using  
22 accepted testing measures;

23 (5) provides research-based evidence linking  
24 instrument content to one or more improved student  
25 outcomes; and

26 (6) has undergone and documented testing to prove

1           validity and reliability.

2           The State Superintendent shall periodically review and update  
3           the list of approved alternate survey instruments, provided  
4           that at least 2, but no more than 3, alternate survey  
5           instruments shall be approved for use during any school year.

6           (d) 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. 97-8, eff. 6-13-11; 97-813, eff. 7-13-12; 98-648,  
13          eff. 7-1-14.)

14           (105 ILCS 5/10-21.3a)

15           Sec. 10-21.3a. Transfer of students.

16           (a) Each school board shall establish and implement a  
17           policy governing the transfer of a student from one attendance  
18           center to another within the school district upon the request  
19           of the 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. 6316) 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 or unless approved by the board  
4 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 if the  
9 student does not meet the criteria, ~~provided that the~~  
10 ~~transfer must be permitted if the attendance center is the~~  
11 ~~only attendance center serving the student's grade that has~~  
12 ~~not been identified for school improvement, corrective~~  
13 ~~action, or restructuring under Section 1116 of the federal~~  
14 ~~Elementary and Secondary Education Act of 1965 (20 U.S.C.~~  
15 ~~Sec. 6316).~~

16 (3) Any attendance center if the transfer would prevent  
17 the school district from meeting its obligations under a  
18 State or federal law, court order, or consent decree  
19 applicable to the school district.

20 (b) Each school board shall establish and implement a  
21 policy governing the transfer of students within a school  
22 district from a persistently dangerous school to another public  
23 school in that district that is not deemed to be persistently  
24 dangerous. In order to be considered a persistently dangerous  
25 school, the school must meet all of the following criteria for  
26 2 consecutive years:

1           (1) Have greater than 3% of the students enrolled in  
2           the school expelled for violence-related conduct.

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

5           (3) Have at least 3% of the students enrolled in the  
6           school exercise the individual option to transfer schools  
7           pursuant to subsection (c) of this Section.

8           (c) A student may transfer from one public school to  
9           another public school in that district if the student is a  
10          victim of a violent crime as defined in Section 3 of the Rights  
11          of Crime Victims and Witnesses Act. The violent crime must have  
12          occurred on school grounds during regular school hours or  
13          during a school-sponsored event.

14          (d) (Blank). ~~Transfers made pursuant to subsections (b) and~~  
15          ~~(c) of this Section shall be made in compliance with the~~  
16          ~~federal No Child Left Behind Act of 2001 (Public Law 107 110).~~

17          (Source: P.A. 96-328, eff. 8-11-09.)

18           (105 ILCS 5/10-29)

19           Sec. 10-29. Remote educational programs.

20           (a) For purposes of this Section, "remote educational  
21          program" means an educational program delivered to students in  
22          the home or other location outside of a school building that  
23          meets all of the following criteria:

24           (1) A student may participate in the program only after  
25          the school district, pursuant to adopted school board

1 policy, and a person authorized to enroll the student under  
2 Section 10-20.12b of this Code determine that a remote  
3 educational program will best serve the student's  
4 individual learning needs. The adopted school board policy  
5 shall include, but not be limited to, all of the following:

6 (A) Criteria for determining that a remote  
7 educational program will best serve a student's  
8 individual learning needs. The criteria must include  
9 consideration of, at a minimum, a student's prior  
10 attendance, disciplinary record, and academic history.

11 (B) Any limitations on the number of students or  
12 grade levels that may participate in a remote  
13 educational program.

14 (C) A description of the process that the school  
15 district will use to approve participation in the  
16 remote educational program. The process must include  
17 without limitation a requirement that, for any student  
18 who qualifies to receive services pursuant to the  
19 federal Individuals with Disabilities Education  
20 Improvement Act of 2004, the student's participation  
21 in a remote educational program receive prior approval  
22 from the student's individualized education program  
23 team.

24 (D) A description of the process the school  
25 district will use to develop and approve a written  
26 remote educational plan that meets the requirements of

1 subdivision (5) of this subsection (a).

2 (E) A description of the system the school district  
3 will establish to determine student participation  
4 ~~calculate the number of clock hours a student is~~  
5 ~~participating~~ in instruction in accordance with the  
6 remote educational program.

7 (F) A description of the process for renewing a  
8 remote educational program at the expiration of its  
9 term.

10 (G) Such other terms and provisions as the school  
11 district deems necessary to provide for the  
12 establishment and delivery of a remote educational  
13 program.

14 (2) The school district has determined that the remote  
15 educational program's curriculum is aligned to State  
16 learning standards and that the program offers instruction  
17 and educational experiences consistent with those given to  
18 students at the same grade level in the district.

19 (3) The remote educational program is delivered by  
20 instructors that meet the following qualifications:

21 (A) they are certificated under Article 21 of this  
22 Code;

23 (B) (blank); and ~~they meet applicable highly~~  
24 ~~qualified criteria under the federal No Child Left~~  
25 ~~Behind Act of 2001; and~~

26 (C) they have responsibility for all of the

1 following elements of the program: planning  
2 instruction, diagnosing learning needs, prescribing  
3 content delivery through class activities, assessing  
4 learning, reporting outcomes to administrators and  
5 parents and guardians, and evaluating the effects of  
6 instruction.

7 (4) During the period of time from and including the  
8 opening date to the closing date of the regular school term  
9 of the school district established pursuant to Section  
10 10-19 of this Code, participation in a remote educational  
11 program may be claimed for ~~general State aid purposes under~~  
12 ~~Section 18-8.05 of this Code or~~ evidence-based funding  
13 purposes under Section 18-8.15 of this Code on any calendar  
14 day, notwithstanding whether the day is a day of pupil  
15 attendance or institute day on the school district's  
16 calendar or any other provision of law restricting  
17 instruction on that day. If the district holds year-round  
18 classes in some buildings, the district shall classify each  
19 student's participation in a remote educational program as  
20 either on a year-round or a non-year-round schedule for  
21 purposes of claiming ~~general State aid or~~ evidence-based  
22 funding. Outside of the regular school term of the  
23 district, the remote educational program may be offered as  
24 part of any summer school program authorized by this Code.

25 (5) Each student participating in a remote educational  
26 program must have a written remote educational plan that

1 has been approved by the school district and a person  
2 authorized to enroll the student under Section 10-20.12b of  
3 this Code. The school district and a person authorized to  
4 enroll the student under Section 10-20.12b of this Code  
5 must approve any amendment to a remote educational plan.  
6 The remote educational plan must include, but is not  
7 limited to, all of the following:

8 (A) Specific achievement goals for the student  
9 aligned to State learning standards.

10 (B) A description of all assessments that will be  
11 used to measure student progress, which description  
12 shall indicate the assessments that will be  
13 administered at an attendance center within the school  
14 district.

15 (C) A description of the progress reports that will  
16 be provided to the school district and the person or  
17 persons authorized to enroll the student under Section  
18 10-20.12b of this Code.

19 (D) Expectations, processes, and schedules for  
20 interaction between a teacher and student.

21 (E) A description of the specific responsibilities  
22 of the student's family and the school district with  
23 respect to equipment, materials, phone and Internet  
24 service, and any other requirements applicable to the  
25 home or other location outside of a school building  
26 necessary for the delivery of the remote educational

1 program.

2 (F) If applicable, a description of how the remote  
3 educational program will be delivered in a manner  
4 consistent with the student's individualized education  
5 program required by Section 614(d) of the federal  
6 Individuals with Disabilities Education Improvement  
7 Act of 2004 or plan to ensure compliance with Section  
8 504 of the federal Rehabilitation Act of 1973.

9 (G) A description of the procedures and  
10 opportunities for participation in academic and  
11 extra-curricular activities and programs within the  
12 school district.

13 (H) The identification of a parent, guardian, or  
14 other responsible adult who will provide direct  
15 supervision of the program. The plan must include an  
16 acknowledgment by the parent, guardian, or other  
17 responsible adult that he or she may engage only in  
18 non-teaching duties not requiring instructional  
19 judgment or the evaluation of a student. The plan shall  
20 designate the parent, guardian, or other responsible  
21 adult as non-teaching personnel or volunteer personnel  
22 under subsection (a) of Section 10-22.34 of this Code.

23 (I) The identification of a school district  
24 administrator who will oversee the remote educational  
25 program on behalf of the school district and who may be  
26 contacted by the student's parents with respect to any

1 issues or concerns with the program.

2 (J) The term of the student's participation in the  
3 remote educational program, which may not extend for  
4 longer than 12 months, unless the term is renewed by  
5 the district in accordance with subdivision (7) of this  
6 subsection (a).

7 (K) A description of the specific location or  
8 locations in which the program will be delivered. If  
9 the remote educational program is to be delivered to a  
10 student in any location other than the student's home,  
11 the plan must include a written determination by the  
12 school district that the location will provide a  
13 learning environment appropriate for the delivery of  
14 the program. The location or locations in which the  
15 program will be delivered shall be deemed a long  
16 distance teaching reception area under subsection (a)  
17 of Section 10-22.34 of this Code.

18 (L) Certification by the school district that the  
19 plan meets all other requirements of this Section.

20 (6) Students participating in a remote educational  
21 program must be enrolled in a school district attendance  
22 center pursuant to the school district's enrollment policy  
23 or policies. A student participating in a remote  
24 educational program must be tested as part of all  
25 assessments administered by the school district pursuant  
26 to Section 2-3.64a-5 of this Code at the attendance center



1 in which the student is enrolled and in accordance with the  
2 attendance center's assessment policies and schedule. The  
3 student must be included within all accountability  
4 determinations for the school district and attendance  
5 center under State and federal law.

6 (7) The term of a student's participation in a remote  
7 educational program may not extend for longer than 12  
8 months, unless the term is renewed by the school district.  
9 The district may only renew a student's participation in a  
10 remote educational program following an evaluation of the  
11 student's progress in the program, a determination that the  
12 student's continuation in the program will best serve the  
13 student's individual learning needs, and an amendment to  
14 the student's written remote educational plan addressing  
15 any changes for the upcoming term of the program.

16 For purposes of this Section, a remote educational program  
17 does not include instruction delivered to students through an  
18 e-learning program approved under Section 10-20.56 of this  
19 Code.

20 (b) A school district may, by resolution of its school  
21 board, establish a remote educational program.

22 (c) (Blank). ~~Clock hours of instruction by students in a~~  
23 ~~remote educational program meeting the requirements of this~~  
24 ~~Section may be claimed by the school district and shall be~~  
25 ~~counted as school work for general State aid purposes in~~  
26 ~~accordance with and subject to the limitations of Section~~

1 ~~18-8.05 of this Code or evidence-based funding purposes in~~  
2 ~~accordance with and subject to the limitations of Section~~  
3 ~~18-8.15 of this Code.~~

4 (d) The impact of remote educational programs on wages,  
5 hours, and terms and conditions of employment of educational  
6 employees within the school district shall be subject to local  
7 collective bargaining agreements.

8 (e) The use of a home or other location outside of a school  
9 building for a remote educational program shall not cause the  
10 home or other location to be deemed a public school facility.

11 (f) A remote educational program may be used, but is not  
12 required, for instruction delivered to a student in the home or  
13 other location outside of a school building that is not claimed  
14 for ~~general State aid purposes under Section 18-8.05 of this~~  
15 ~~Code or~~ evidence-based funding purposes under Section 18-8.15  
16 of this Code.

17 (g) School districts that, pursuant to this Section, adopt  
18 a policy for a remote educational program must submit to the  
19 State Board of Education a copy of the policy and any  
20 amendments thereto, as well as data on student participation in  
21 a format specified by the State Board of Education. The State  
22 Board of Education may perform or contract with an outside  
23 entity to perform an evaluation of remote educational programs  
24 in this State.

25 (h) The State Board of Education may adopt any rules  
26 necessary to ensure compliance by remote educational programs

1 with the requirements of this Section and other applicable  
2 legal requirements.

3 (Source: P.A. 99-193, eff. 7-30-15; 99-194, eff. 7-30-15;  
4 99-642, eff. 7-28-16; 100-465, eff. 8-31-17.)

5 (105 ILCS 5/34-1.1) (from Ch. 122, par. 34-1.1)

6 Sec. 34-1.1. Definitions. As used in this Article:

7 "Academic Accountability Council" means the Chicago  
8 Schools Academic Accountability Council created under Section  
9 34-3.4.

10 "Local School Council" means a local school council  
11 established under Section 34-2.1.

12 "School" and "attendance center" are used interchangeably  
13 to mean any attendance center operated pursuant to this Article  
14 and under the direction of one principal.

15 "Secondary Attendance Center" means a school which has  
16 students enrolled in grades 9 through 12 (although it may also  
17 have students enrolled in grades below grade 9).

18 "Local Attendance Area School" means a school which has a  
19 local attendance area established by the board.

20 "Multi-area school" means a school other than a local  
21 attendance area school.

22 "Contract school" means an attendance center managed and  
23 operated by a for-profit or not-for-profit private entity  
24 retained by the board to provide instructional and other  
25 services to a majority of the pupils enrolled in the attendance

1 center.

2 "Contract turnaround school" means an experimental  
3 contract school created by the board to implement alternative  
4 governance in an attendance center subject to restructuring or  
5 similar intervention ~~under federal law that has not made~~  
6 ~~adequate yearly progress for 5 consecutive years or a time~~  
7 ~~period set forth in federal law.~~

8 "Parent" means a parent or legal guardian of an enrolled  
9 student of an attendance center.

10 "Community resident" means a person, 18 years of age or  
11 older, residing within an attendance area served by a school,  
12 excluding any person who is a parent of a student enrolled in  
13 that school; provided that with respect to any multi-area  
14 school, community resident means any person, 18 years of age or  
15 older, residing within the voting district established for that  
16 school pursuant to Section 34-2.1c, excluding any person who is  
17 a parent of a student enrolled in that school.

18 "School staff" means all certificated and uncertificated  
19 school personnel, including all teaching and administrative  
20 staff (other than the principal) and including all custodial,  
21 food service and other civil service employees, who are  
22 employed at and assigned to perform the majority of their  
23 employment duties at one attendance center served by the same  
24 local school council.

25 "Regular meetings" means the meeting dates established by  
26 the local school council at its annual organizational meeting.

1 (Source: P.A. 96-105, eff. 7-30-09.)

2 (105 ILCS 5/34-18) (from Ch. 122, par. 34-18)

3 Sec. 34-18. Powers of the board. The board shall exercise  
4 general supervision and jurisdiction over the public education  
5 and the public school system of the city, and, except as  
6 otherwise provided by this Article, shall have power:

7 1. To make suitable provision for the establishment and  
8 maintenance throughout the year or for such portion thereof  
9 as it may direct, not less than 9 months, of schools of all  
10 grades and kinds, including normal schools, high schools,  
11 night schools, schools for defectives and delinquents,  
12 parental and truant schools, schools for the blind, the  
13 deaf and persons with physical disabilities, schools or  
14 classes in manual training, constructural and vocational  
15 teaching, domestic arts and physical culture, vocation and  
16 extension schools and lecture courses, and all other  
17 educational courses and facilities, including  
18 establishing, equipping, maintaining and operating  
19 playgrounds and recreational programs, when such programs  
20 are conducted in, adjacent to, or connected with any public  
21 school under the general supervision and jurisdiction of  
22 the board; provided that the calendar for the school term  
23 and any changes must be submitted to and approved by the  
24 State Board of Education before the calendar or changes may  
25 take effect, and provided that in allocating funds from

1 year to year for the operation of all attendance centers  
2 within the district, the board shall ensure that  
3 supplemental general State aid or supplemental grant funds  
4 are allocated and applied in accordance with Section 18-8,  
5 18-8.05, or 18-8.15. To admit to such schools without  
6 charge foreign exchange students who are participants in an  
7 organized exchange student program which is authorized by  
8 the board. The board shall permit all students to enroll in  
9 apprenticeship programs in trade schools operated by the  
10 board, whether those programs are union-sponsored or not.  
11 No student shall be refused admission into or be excluded  
12 from any course of instruction offered in the common  
13 schools by reason of that student's sex. No student shall  
14 be denied equal access to physical education and  
15 interscholastic athletic programs supported from school  
16 district funds or denied participation in comparable  
17 physical education and athletic programs solely by reason  
18 of the student's sex. Equal access to programs supported  
19 from school district funds and comparable programs will be  
20 defined in rules promulgated by the State Board of  
21 Education in consultation with the Illinois High School  
22 Association. Notwithstanding any other provision of this  
23 Article, neither the board of education nor any local  
24 school council or other school official shall recommend  
25 that children with disabilities be placed into regular  
26 education classrooms unless those children with

1 disabilities are provided with supplementary services to  
2 assist them so that they benefit from the regular classroom  
3 instruction and are included on the teacher's regular  
4 education class register;

5 2. To furnish lunches to pupils, to make a reasonable  
6 charge therefor, and to use school funds for the payment of  
7 such expenses as the board may determine are necessary in  
8 conducting the school lunch program;

9 3. To co-operate with the circuit court;

10 4. To make arrangements with the public or quasi-public  
11 libraries and museums for the use of their facilities by  
12 teachers and pupils of the public schools;

13 5. To employ dentists and prescribe their duties for  
14 the purpose of treating the pupils in the schools, but  
15 accepting such treatment shall be optional with parents or  
16 guardians;

17 6. To grant the use of assembly halls and classrooms  
18 when not otherwise needed, including light, heat, and  
19 attendants, for free public lectures, concerts, and other  
20 educational and social interests, free of charge, under  
21 such provisions and control as the principal of the  
22 affected attendance center may prescribe;

23 7. To apportion the pupils to the several schools;  
24 provided that no pupil shall be excluded from or segregated  
25 in any such school on account of his color, race, sex, or  
26 nationality. The board shall take into consideration the

1 prevention of segregation and the elimination of  
2 separation of children in public schools because of color,  
3 race, sex, or nationality. Except that children may be  
4 committed to or attend parental and social adjustment  
5 schools established and maintained either for boys or girls  
6 only. All records pertaining to the creation, alteration or  
7 revision of attendance areas shall be open to the public.  
8 Nothing herein shall limit the board's authority to  
9 establish multi-area attendance centers or other student  
10 assignment systems for desegregation purposes or  
11 otherwise, and to apportion the pupils to the several  
12 schools. Furthermore, beginning in school year 1994-95,  
13 pursuant to a board plan adopted by October 1, 1993, the  
14 board shall offer, commencing on a phased-in basis, the  
15 opportunity for families within the school district to  
16 apply for enrollment of their children in any attendance  
17 center within the school district which does not have  
18 selective admission requirements approved by the board.  
19 The appropriate geographical area in which such open  
20 enrollment may be exercised shall be determined by the  
21 board of education. Such children may be admitted to any  
22 such attendance center on a space available basis after all  
23 children residing within such attendance center's area  
24 have been accommodated. If the number of applicants from  
25 outside the attendance area exceed the space available,  
26 then successful applicants shall be selected by lottery.



1           The board of education's open enrollment plan must include  
2           provisions that allow low income students to have access to  
3           transportation needed to exercise school choice. Open  
4           enrollment shall be in compliance with the provisions of  
5           the Consent Decree and Desegregation Plan cited in Section  
6           34-1.01;

7           8. To approve programs and policies for providing  
8           transportation services to students. Nothing herein shall  
9           be construed to permit or empower the State Board of  
10          Education to order, mandate, or require busing or other  
11          transportation of pupils for the purpose of achieving  
12          racial balance in any school;

13          9. Subject to the limitations in this Article, to  
14          establish and approve system-wide curriculum objectives  
15          and standards, including graduation standards, which  
16          reflect the multi-cultural diversity in the city and are  
17          consistent with State law, provided that for all purposes  
18          of this Article courses or proficiency in American Sign  
19          Language shall be deemed to constitute courses or  
20          proficiency in a foreign language; and to employ principals  
21          and teachers, appointed as provided in this Article, and  
22          fix their compensation. The board shall prepare such  
23          reports related to minimal competency testing as may be  
24          requested by the State Board of Education, and in addition  
25          shall monitor and approve special education and bilingual  
26          education programs and policies within the district to

1        assure that appropriate services are provided in  
2        accordance with applicable State and federal laws to  
3        children requiring services and education in those areas;

4            10. To employ non-teaching personnel or utilize  
5        volunteer personnel for: (i) non-teaching duties not  
6        requiring instructional judgment or evaluation of pupils,  
7        including library duties; and (ii) supervising study  
8        halls, long distance teaching reception areas used  
9        incident to instructional programs transmitted by  
10       electronic media such as computers, video, and audio,  
11       detention and discipline areas, and school-sponsored  
12       extracurricular activities. The board may further utilize  
13       volunteer non-certificated personnel or employ  
14       non-certificated personnel to assist in the instruction of  
15       pupils under the immediate supervision of a teacher holding  
16       a valid certificate, directly engaged in teaching subject  
17       matter or conducting activities; provided that the teacher  
18       shall be continuously aware of the non-certificated  
19       persons' activities and shall be able to control or modify  
20       them. The general superintendent shall determine  
21       qualifications of such personnel and shall prescribe rules  
22       for determining the duties and activities to be assigned to  
23       such personnel;

24            10.5. To utilize volunteer personnel from a regional  
25        School Crisis Assistance Team (S.C.A.T.), created as part  
26        of the Safe to Learn Program established pursuant to

1 Section 25 of the Illinois Violence Prevention Act of 1995,  
2 to provide assistance to schools in times of violence or  
3 other traumatic incidents within a school community by  
4 providing crisis intervention services to lessen the  
5 effects of emotional trauma on individuals and the  
6 community; the School Crisis Assistance Team Steering  
7 Committee shall determine the qualifications for  
8 volunteers;

9 11. To provide television studio facilities in not to  
10 exceed one school building and to provide programs for  
11 educational purposes, provided, however, that the board  
12 shall not construct, acquire, operate, or maintain a  
13 television transmitter; to grant the use of its studio  
14 facilities to a licensed television station located in the  
15 school district; and to maintain and operate not to exceed  
16 one school radio transmitting station and provide programs  
17 for educational purposes;

18 12. To offer, if deemed appropriate, outdoor education  
19 courses, including field trips within the State of  
20 Illinois, or adjacent states, and to use school educational  
21 funds for the expense of the said outdoor educational  
22 programs, whether within the school district or not;

23 13. During that period of the calendar year not  
24 embraced within the regular school term, to provide and  
25 conduct courses in subject matters normally embraced in the  
26 program of the schools during the regular school term and

1 to give regular school credit for satisfactory completion  
2 by the student of such courses as may be approved for  
3 credit by the State Board of Education;

4 14. To insure against any loss or liability of the  
5 board, the former School Board Nominating Commission,  
6 Local School Councils, the Chicago Schools Academic  
7 Accountability Council, or the former Subdistrict Councils  
8 or of any member, officer, agent or employee thereof,  
9 resulting from alleged violations of civil rights arising  
10 from incidents occurring on or after September 5, 1967 or  
11 from the wrongful or negligent act or omission of any such  
12 person whether occurring within or without the school  
13 premises, provided the officer, agent or employee was, at  
14 the time of the alleged violation of civil rights or  
15 wrongful act or omission, acting within the scope of his  
16 employment or under direction of the board, the former  
17 School Board Nominating Commission, the Chicago Schools  
18 Academic Accountability Council, Local School Councils, or  
19 the former Subdistrict Councils; and to provide for or  
20 participate in insurance plans for its officers and  
21 employees, including but not limited to retirement  
22 annuities, medical, surgical and hospitalization benefits  
23 in such types and amounts as may be determined by the  
24 board; provided, however, that the board shall contract for  
25 such insurance only with an insurance company authorized to  
26 do business in this State. Such insurance may include

1 provision for employees who rely on treatment by prayer or  
2 spiritual means alone for healing, in accordance with the  
3 tenets and practice of a recognized religious  
4 denomination;

5 15. To contract with the corporate authorities of any  
6 municipality or the county board of any county, as the case  
7 may be, to provide for the regulation of traffic in parking  
8 areas of property used for school purposes, in such manner  
9 as is provided by Section 11-209 of The Illinois Vehicle  
10 Code, approved September 29, 1969, as amended;

11 16. (a) To provide, on an equal basis, access to a high  
12 school campus and student directory information to the  
13 official recruiting representatives of the armed forces of  
14 Illinois and the United States for the purposes of  
15 informing students of the educational and career  
16 opportunities available in the military if the board has  
17 provided such access to persons or groups whose purpose is  
18 to acquaint students with educational or occupational  
19 opportunities available to them. The board is not required  
20 to give greater notice regarding the right of access to  
21 recruiting representatives than is given to other persons  
22 and groups. In this paragraph 16, "directory information"  
23 means a high school student's name, address, and telephone  
24 number.

25 (b) If a student or his or her parent or guardian  
26 submits a signed, written request to the high school before

1 the end of the student's sophomore year (or if the student  
2 is a transfer student, by another time set by the high  
3 school) that indicates that the student or his or her  
4 parent or guardian does not want the student's directory  
5 information to be provided to official recruiting  
6 representatives under subsection (a) of this Section, the  
7 high school may not provide access to the student's  
8 directory information to these recruiting representatives.  
9 The high school shall notify its students and their parents  
10 or guardians of the provisions of this subsection (b).

11 (c) A high school may require official recruiting  
12 representatives of the armed forces of Illinois and the  
13 United States to pay a fee for copying and mailing a  
14 student's directory information in an amount that is not  
15 more than the actual costs incurred by the high school.

16 (d) Information received by an official recruiting  
17 representative under this Section may be used only to  
18 provide information to students concerning educational and  
19 career opportunities available in the military and may not  
20 be released to a person who is not involved in recruiting  
21 students for the armed forces of Illinois or the United  
22 States;

23 17. (a) To sell or market any computer program  
24 developed by an employee of the school district, provided  
25 that such employee developed the computer program as a  
26 direct result of his or her duties with the school district

1 or through the utilization of the school district resources  
2 or facilities. The employee who developed the computer  
3 program shall be entitled to share in the proceeds of such  
4 sale or marketing of the computer program. The distribution  
5 of such proceeds between the employee and the school  
6 district shall be as agreed upon by the employee and the  
7 school district, except that neither the employee nor the  
8 school district may receive more than 90% of such proceeds.  
9 The negotiation for an employee who is represented by an  
10 exclusive bargaining representative may be conducted by  
11 such bargaining representative at the employee's request.

12 (b) For the purpose of this paragraph 17:

13 (1) "Computer" means an internally programmed,  
14 general purpose digital device capable of  
15 automatically accepting data, processing data and  
16 supplying the results of the operation.

17 (2) "Computer program" means a series of coded  
18 instructions or statements in a form acceptable to a  
19 computer, which causes the computer to process data in  
20 order to achieve a certain result.

21 (3) "Proceeds" means profits derived from  
22 marketing or sale of a product after deducting the  
23 expenses of developing and marketing such product;

24 18. To delegate to the general superintendent of  
25 schools, by resolution, the authority to approve contracts  
26 and expenditures in amounts of \$10,000 or less;

1           19. Upon the written request of an employee, to  
2 withhold from the compensation of that employee any dues,  
3 payments or contributions payable by such employee to any  
4 labor organization as defined in the Illinois Educational  
5 Labor Relations Act. Under such arrangement, an amount  
6 shall be withheld from each regular payroll period which is  
7 equal to the pro rata share of the annual dues plus any  
8 payments or contributions, and the board shall transmit  
9 such withholdings to the specified labor organization  
10 within 10 working days from the time of the withholding;

11           19a. Upon receipt of notice from the comptroller of a  
12 municipality with a population of 500,000 or more, a county  
13 with a population of 3,000,000 or more, the Cook County  
14 Forest Preserve District, the Chicago Park District, the  
15 Metropolitan Water Reclamation District, the Chicago  
16 Transit Authority, or a housing authority of a municipality  
17 with a population of 500,000 or more that a debt is due and  
18 owing the municipality, the county, the Cook County Forest  
19 Preserve District, the Chicago Park District, the  
20 Metropolitan Water Reclamation District, the Chicago  
21 Transit Authority, or the housing authority by an employee  
22 of the Chicago Board of Education, to withhold, from the  
23 compensation of that employee, the amount of the debt that  
24 is due and owing and pay the amount withheld to the  
25 municipality, the county, the Cook County Forest Preserve  
26 District, the Chicago Park District, the Metropolitan



1 Water Reclamation District, the Chicago Transit Authority,  
2 or the housing authority; provided, however, that the  
3 amount deducted from any one salary or wage payment shall  
4 not exceed 25% of the net amount of the payment. Before the  
5 Board deducts any amount from any salary or wage of an  
6 employee under this paragraph, the municipality, the  
7 county, the Cook County Forest Preserve District, the  
8 Chicago Park District, the Metropolitan Water Reclamation  
9 District, the Chicago Transit Authority, or the housing  
10 authority shall certify that (i) the employee has been  
11 afforded an opportunity for a hearing to dispute the debt  
12 that is due and owing the municipality, the county, the  
13 Cook County Forest Preserve District, the Chicago Park  
14 District, the Metropolitan Water Reclamation District, the  
15 Chicago Transit Authority, or the housing authority and  
16 (ii) the employee has received notice of a wage deduction  
17 order and has been afforded an opportunity for a hearing to  
18 object to the order. For purposes of this paragraph, "net  
19 amount" means that part of the salary or wage payment  
20 remaining after the deduction of any amounts required by  
21 law to be deducted and "debt due and owing" means (i) a  
22 specified sum of money owed to the municipality, the  
23 county, the Cook County Forest Preserve District, the  
24 Chicago Park District, the Metropolitan Water Reclamation  
25 District, the Chicago Transit Authority, or the housing  
26 authority for services, work, or goods, after the period

1 granted for payment has expired, or (ii) a specified sum of  
2 money owed to the municipality, the county, the Cook County  
3 Forest Preserve District, the Chicago Park District, the  
4 Metropolitan Water Reclamation District, the Chicago  
5 Transit Authority, or the housing authority pursuant to a  
6 court order or order of an administrative hearing officer  
7 after the exhaustion of, or the failure to exhaust,  
8 judicial review;

9 20. The board is encouraged to employ a sufficient  
10 number of certified school counselors to maintain a  
11 student/counselor ratio of 250 to 1 by July 1, 1990. Each  
12 counselor shall spend at least 75% of his work time in  
13 direct contact with students and shall maintain a record of  
14 such time;

15 21. To make available to students vocational and career  
16 counseling and to establish 5 special career counseling  
17 days for students and parents. On these days  
18 representatives of local businesses and industries shall  
19 be invited to the school campus and shall inform students  
20 of career opportunities available to them in the various  
21 businesses and industries. Special consideration shall be  
22 given to counseling minority students as to career  
23 opportunities available to them in various fields. For the  
24 purposes of this paragraph, minority student means a person  
25 who is any of the following:

26 (a) American Indian or Alaska Native (a person having

1 origins in any of the original peoples of North and South  
2 America, including Central America, and who maintains  
3 tribal affiliation or community attachment).

4 (b) Asian (a person having origins in any of the  
5 original peoples of the Far East, Southeast Asia, or the  
6 Indian subcontinent, including, but not limited to,  
7 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,  
8 the Philippine Islands, Thailand, and Vietnam).

9 (c) Black or African American (a person having origins  
10 in any of the black racial groups of Africa). Terms such as  
11 "Haitian" or "Negro" can be used in addition to "Black or  
12 African American".

13 (d) Hispanic or Latino (a person of Cuban, Mexican,  
14 Puerto Rican, South or Central American, or other Spanish  
15 culture or origin, regardless of race).

16 (e) Native Hawaiian or Other Pacific Islander (a person  
17 having origins in any of the original peoples of Hawaii,  
18 Guam, Samoa, or other Pacific Islands).

19 Counseling days shall not be in lieu of regular school  
20 days;

21 22. To report to the State Board of Education the  
22 annual student dropout rate and number of students who  
23 graduate from, transfer from or otherwise leave bilingual  
24 programs;

25 23. Except as otherwise provided in the Abused and  
26 Neglected Child Reporting Act or other applicable State or

1 federal law, to permit school officials to withhold, from  
2 any person, information on the whereabouts of any child  
3 removed from school premises when the child has been taken  
4 into protective custody as a victim of suspected child  
5 abuse. School officials shall direct such person to the  
6 Department of Children and Family Services, or to the local  
7 law enforcement agency if appropriate;

8 24. To develop a policy, based on the current state of  
9 existing school facilities, projected enrollment and  
10 efficient utilization of available resources, for capital  
11 improvement of schools and school buildings within the  
12 district, addressing in that policy both the relative  
13 priority for major repairs, renovations and additions to  
14 school facilities, and the advisability or necessity of  
15 building new school facilities or closing existing schools  
16 to meet current or projected demographic patterns within  
17 the district;

18 25. To make available to the students in every high  
19 school attendance center the ability to take all courses  
20 necessary to comply with the Board of Higher Education's  
21 college entrance criteria effective in 1993;

22 26. To encourage mid-career changes into the teaching  
23 profession, whereby qualified professionals become  
24 certified teachers, by allowing credit for professional  
25 employment in related fields when determining point of  
26 entry on teacher pay scale;

1           27. To provide or contract out training programs for  
2 administrative personnel and principals with revised or  
3 expanded duties pursuant to this Act in order to assure  
4 they have the knowledge and skills to perform their duties;

5           28. To establish a fund for the prioritized special  
6 needs programs, and to allocate such funds and other lump  
7 sum amounts to each attendance center in a manner  
8 consistent with the provisions of part 4 of Section 34-2.3.  
9 Nothing in this paragraph shall be construed to require any  
10 additional appropriations of State funds for this purpose;

11           29. (Blank);

12           30. Notwithstanding any other provision of this Act or  
13 any other law to the contrary, to contract with third  
14 parties for services otherwise performed by employees,  
15 including those in a bargaining unit, and to layoff those  
16 employees upon 14 days written notice to the affected  
17 employees. Those contracts may be for a period not to  
18 exceed 5 years and may be awarded on a system-wide basis.  
19 The board may not operate more than 30 contract schools,  
20 provided that the board may operate an additional 5  
21 contract turnaround schools pursuant to item (5.5) of  
22 subsection (d) of Section 34-8.3 of this Code;

23           31. To promulgate rules establishing procedures  
24 governing the layoff or reduction in force of employees and  
25 the recall of such employees, including, but not limited  
26 to, criteria for such layoffs, reductions in force or

1 recall rights of such employees and the weight to be given  
2 to any particular criterion. Such criteria shall take into  
3 account factors including, but not be limited to,  
4 qualifications, certifications, experience, performance  
5 ratings or evaluations, and any other factors relating to  
6 an employee's job performance;

7 32. To develop a policy to prevent nepotism in the  
8 hiring of personnel or the selection of contractors;

9 33. (Blank); and ~~To enter into a partnership agreement,~~  
10 ~~as required by Section 34 3.5 of this Code, and,~~  
11 ~~notwithstanding any other provision of law to the contrary,~~  
12 ~~to promulgate policies, enter into contracts, and take any~~  
13 ~~other action necessary to accomplish the objectives and~~  
14 ~~implement the requirements of that agreement; and~~

15 34. To establish a Labor Management Council to the  
16 board comprised of representatives of the board, the chief  
17 executive officer, and those labor organizations that are  
18 the exclusive representatives of employees of the board and  
19 to promulgate policies and procedures for the operation of  
20 the Council.

21 The specifications of the powers herein granted are not to  
22 be construed as exclusive but the board shall also exercise all  
23 other powers that they may be requisite or proper for the  
24 maintenance and the development of a public school system, not  
25 inconsistent with the other provisions of this Article or  
26 provisions of this Code which apply to all school districts.

1           In addition to the powers herein granted and authorized to  
2 be exercised by the board, it shall be the duty of the board to  
3 review or to direct independent reviews of special education  
4 expenditures and services. The board shall file a report of  
5 such review with the General Assembly on or before May 1, 1990.  
6 (Source: P.A. 99-143, eff. 7-27-15; 100-465, eff. 8-31-17.)

7           (105 ILCS 5/34-18.24)

8           Sec. 34-18.24. Transfer of students.

9           (a) The board shall establish and implement a policy  
10 governing the transfer of a student from one attendance center  
11 to another within the school district upon the request of the  
12 student's parent or guardian. ~~Any request by a parent or~~  
13 ~~guardian to transfer his or her child from one attendance~~  
14 ~~center to another within the school district pursuant to~~  
15 ~~Section 1116 of the federal Elementary and Secondary Education~~  
16 ~~Act of 1965 (20 U.S.C. Sec. 6317) must be made no later than 30~~  
17 ~~days after the parent or guardian receives notice of the right~~  
18 ~~to transfer pursuant to that law.~~ A student may not transfer to  
19 any of the following attendance centers, except by change in  
20 residence if the policy authorizes enrollment based on  
21 residence in an attendance area or unless approved by the board  
22 on an individual basis:

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

25           (2) An attendance center for which the board has

1 established academic criteria for enrollment if the  
2 student does not meet the criteria, ~~provided that the~~  
3 ~~transfer must be permitted if the attendance center is the~~  
4 ~~only attendance center serving the student's grade that has~~  
5 ~~not been identified for school improvement, corrective~~  
6 ~~action, or restructuring under Section 1116 of the federal~~  
7 ~~Elementary and Secondary Education Act of 1965 (20 U.S.C.~~  
8 ~~Sec. 6317).~~

9 (3) Any attendance center if the transfer would prevent  
10 the school district from meeting its obligations under a  
11 State or federal law, court order, or consent decree  
12 applicable to the school district.

13 (b) The board shall establish and implement a policy governing  
14 the transfer of students within the school district from a  
15 persistently dangerous attendance center to another attendance  
16 center in that district that is not deemed to be persistently  
17 dangerous. In order to be considered a persistently dangerous  
18 attendance center, the attendance center must meet all of the  
19 following criteria for 2 consecutive years:

20 (1) Have greater than 3% of the students enrolled in  
21 the attendance center expelled for violence-related  
22 conduct.

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

25 (3) Have at least 3% of the students enrolled in the  
26 attendance center exercise the individual option to



1 transfer attendance centers pursuant to subsection (c) of  
2 this Section.

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

9 (d) (Blank). ~~Transfers made pursuant to subsections (b) and~~  
10 ~~(c) of this Section shall be made in compliance with the~~  
11 ~~federal No Child Left Behind Act of 2001 (Public Law 107-110).~~  
12 (Source: P.A. 92-604, eff. 7-1-02; 93-633, eff. 12-23-03.)

13 (105 ILCS 5/2-3.25d rep.)

14 (105 ILCS 5/10-20.39 rep.)

15 (105 ILCS 5/21B-200 rep.)

16 (105 ILCS 5/34-3.5 rep.)

17 (105 ILCS 5/34-18.31 rep.)

18 Section 10. The School Code is amended by repealing  
19 Sections 2-3.25d, 10-20.39, 21B-200, 34-3.5, and 34-18.31.

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.