

HB3363



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3363

by Rep. Dan Caulkins

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-21.4

from Ch. 122, par. 10-21.4

Amends the School Code. Removes the exception for a school district in which there is only one school with fewer than 4 teachers to the requirement that each school district employ a superintendent. Effective immediately.

LRB101 09379 AXK 54477 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

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 5. The School Code is amended by changing Section
5 10-21.4 as follows:

6 (105 ILCS 5/10-21.4) (from Ch. 122, par. 10-21.4)

7 Sec. 10-21.4. Superintendent; duties ~~Duties~~. Each school
8 district must ~~Except in districts in which there is only one~~
9 ~~school with fewer than 4 teachers, to~~ employ a superintendent,
10 who shall have charge of the administration of the schools
11 under the direction of the board of education. However, in any
12 school district that has boundaries that lie in 3 counties, one
13 county of which has a population exceeding 1,000,000
14 inhabitants, that has an enrollment of more than 35,000
15 students, and that has on staff properly licensed assistant
16 superintendents or directors in the areas of instruction,
17 finance, special education, assessments, and career and
18 technology education, the school board may instead, by a vote
19 of a majority of its full membership, appoint a chief executive
20 officer to serve as its superintendent, who shall be a person
21 of recognized administrative ability and management
22 experience, hold a master's degree, have been employed with the
23 school district for a minimum of 5 years in an administrative

1 capacity, be responsible for the management of the district,
2 and have all other powers and duties of a superintendent as set
3 forth in this Code, but who shall be exempt from the provisions
4 and requirements of Section 21B-15 of this Code for a period of
5 5 years.

6 In addition to the administrative duties, the
7 superintendent shall make recommendations to the board
8 concerning the budget, building plans, the locations of sites,
9 the selection, retention and dismissal of teachers and all
10 other employees, the selection of textbooks, instructional
11 material and courses of study. However, in districts under a
12 Financial Oversight Panel pursuant to Section 1A-8 for
13 violating a financial plan, the duties and responsibilities of
14 the superintendent in relation to the financial and business
15 operations of the district shall be approved by the Panel. In
16 the event the Board refuses or fails to follow a directive or
17 comply with an information request of the Panel, the
18 performance of those duties shall be subject to the direction
19 of the Panel. The superintendent shall also notify the State
20 Board of Education, the board and the chief administrative
21 official, other than the alleged perpetrator himself, in the
22 school where the alleged perpetrator serves, that any person
23 who is employed in a school or otherwise comes into frequent
24 contact with children in the school has been named as a
25 perpetrator in an indicated report filed pursuant to the Abused
26 and Neglected Child Reporting Act, approved June 26, 1975, as

1 amended. The superintendent shall keep or cause to be kept the
2 records and accounts as directed and required by the board, aid
3 in making reports required by the board, and perform such other
4 duties as the board may delegate to him.

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

13 The provisions of this Section shall also apply to board of
14 director districts.

15 Notice of intent not to renew a contract must be given in
16 writing stating the specific reason therefor by April 1 of the
17 contract year unless the contract specifically provides
18 otherwise. Failure to do so will automatically extend the
19 contract for an additional year. Within 10 days after receipt
20 of notice of intent not to renew a contract, the superintendent
21 may request a closed session hearing on the dismissal. At the
22 hearing the superintendent has the privilege of presenting
23 evidence, witnesses and defenses on the grounds for dismissal.
24 The provisions of this paragraph shall not apply to a district
25 under a Financial Oversight Panel pursuant to Section 1A-8 for
26 violating a financial plan.

1 (Source: P.A. 99-846, eff. 6-1-17.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.