



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2043

Introduced 2/26/2021, by Sen. Cristina H. Pacione-Zayas

SYNOPSIS AS INTRODUCED:

5 ILCS 400/5.10	from Ch. 127, par. 4255.10
105 ILCS 5/2-3.47a	
105 ILCS 5/2-3.104	from Ch. 122, par. 2-3.104
105 ILCS 5/2-3.117	
105 ILCS 5/2-3.161	
105 ILCS 5/10-17a	from Ch. 122, par. 10-17a
105 ILCS 5/10-22.6	from Ch. 122, par. 10-22.6
105 ILCS 5/21B-35	
105 ILCS 5/26-19	
105 ILCS 5/27-6.5	
105 ILCS 5/29-5	from Ch. 122, par. 29-5
105 ILCS 5/34-18.43	
105 ILCS 5/2-3.11 rep.	

Amends the Sick Leave Bank Act. Provides that the term "Agency" does not include the State Board of Education. Amends the School Code to make changes in provisions concerning the State Board's strategic plan, a State mandate report, the School Technology Program, a reading advisory group, school district and school report cards, the suspension or expulsion of pupils, licensure requirements for educators trained in other states or countries, chronic absenteeism in preschool children, physical fitness assessments, State reimbursement for transportation, and the Chicago Educational Facilities Task Force. Repeals a provision concerning the State Board's annual report to the Governor and General Assembly on the condition of the schools. Effective immediately.

LRB102 16609 CMG 22008 b

FISCAL NOTE ACT
MAY APPLY

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 Sick Leave Bank Act is amended by changing
5 Section 5.10 as follows:

6 (5 ILCS 400/5.10) (from Ch. 127, par. 4255.10)

7 Sec. 5.10. "Agency" means any branch, department, board,
8 committee or commission of State government, but does not
9 include units of local government, school districts or boards
10 of election commissioners, or the State Board of Education.

11 (Source: P.A. 87-822.)

12 Section 10. The School Code is amended by changing
13 Sections 2-3.47a, 2-3.104, 2-3.117, 2-3.161, 10-17a, 10-22.6,
14 21B-35, 26-19, 27-6.5, 29-5, and 34-18.43 as follows:

15 (105 ILCS 5/2-3.47a)

16 Sec. 2-3.47a. Strategic plan.

17 (a) The State Board of Education shall develop and
18 maintain a continuing ~~5-year~~ comprehensive strategic plan for
19 elementary and secondary education. The strategic plan shall
20 address how the State Board of Education will focus its
21 efforts to increase equity in all Illinois schools and shall

1 include, without limitation, all of the following topic areas:

2 (1) Service and support to school districts to improve
3 student performance.

4 (2) Programs to improve equitable and strategic
5 resource allocation in Equity, adequacy, and
6 predictability of educational opportunities and resources
7 for all schools.

8 (3) Efforts to enhance the social-emotional well-being
9 of Illinois students ~~Program development and improvements,~~
10 ~~including financial planning and support services.~~

11 (4) (Blank). ~~Efficient means of delivering services to~~
12 ~~schools on a regional basis.~~

13 (5) (Blank). ~~Assistance to students at risk of~~
14 ~~academic failure and the use of proven support programs~~
15 ~~and services to close the achievement gap.~~

16 (6) (Blank). ~~Educational research and development and~~
17 ~~access and training in the use of a centralized student~~
18 ~~achievement data system.~~

19 (7) (Blank). ~~Recommendations for streamlining the~~
20 ~~School Code to eliminate laws that interfere with local~~
21 ~~control, taking into account those foundational standards~~
22 ~~that have already been established.~~

23 (8) (Blank). ~~Streamlining certification of teachers~~
24 ~~and administrators to provide quality personnel and~~
25 ~~ongoing professional development.~~

26 (9) (Blank). ~~Support services to enhance the capacity~~

1 ~~of school districts to meet federal and State statutory~~
2 ~~standards.~~

3 (10) (Blank). ~~Enhanced technology for use in~~
4 ~~administration, classroom, and nontraditional educational~~
5 ~~settings.~~

6 (11) (Blank). ~~Recognition of successful, exemplary~~
7 ~~schools.~~

8 (12) (Blank). ~~The unique needs of rural school~~
9 ~~districts.~~

10 (13) (Blank). ~~School reorganization issues.~~

11 (14) Attraction and retention of diverse and qualified
12 teachers and leaders.

13 (15) (Blank). ~~Additional duties that should be~~
14 ~~assigned to regional offices of education and regional~~
15 ~~administrative service centers to support local control of~~
16 ~~school districts and eliminate any duplication and~~
17 ~~inefficiency.~~

18 The State Board of Education shall consult with the
19 educational community, hold public hearings, and receive input
20 from all interested groups in drafting the strategic plan.

21 (b) To meet the requirements of this Section, the State
22 Board of Education shall issue to the Governor and General
23 Assembly a preliminary report within 6 months after the
24 effective date of this amendatory Act of the 93rd General
25 Assembly and a final 5-year strategic plan within one year
26 after the effective date of this amendatory Act of the 93rd

1 General Assembly. Thereafter, the strategic plan shall be
2 updated and issued to the Governor and General Assembly on or
3 before July 1 of each year.

4 (Source: P.A. 93-1036, eff. 9-14-04.)

5 (105 ILCS 5/2-3.104) (from Ch. 122, par. 2-3.104)

6 Sec. 2-3.104. State mandate reports. The State Board of
7 Education shall prepare an annual report listing all new State
8 mandates applicable to the common schools during the school
9 year covered by the report, excluding only those mandates that
10 relate to school elections. The annual report shall set forth
11 for each listed mandate the date or approximate date that the
12 mandate became effective and the cost of implementing that
13 mandate during the school year covered by the report; provided
14 that if the mandate has not been in effect for the entire
15 school year covered by the report, the estimated annual cost
16 of implementing that mandate shall be set forth in that
17 report, and provided that if the mandate exists because of a
18 federal law, rule or regulation, the report shall note that
19 fact. ~~The State Board of Education shall highlight on each~~
20 ~~annual report each mandate listed thereon that first became~~
21 ~~effective and applicable to the common schools during the~~
22 ~~school year covered by the current annual report.~~ Each annual
23 report prepared by the State Board of Education shall be filed
24 by the State Board of Education with the General Assembly on or
25 before March 1 of the calendar year, beginning with calendar

1 year 1992, and shall cover only the school year ending during
2 the calendar year immediately preceding the calendar year in
3 which the annual report is required to be filed.

4 (Source: P.A. 87-632; 87-895.)

5 (105 ILCS 5/2-3.117)

6 Sec. 2-3.117. School Technology Program.

7 (a) The State Board of Education is authorized to provide
8 technology-based learning resources, including tuition
9 reimbursement for approved online courses for students, to
10 school districts to improve educational opportunities and
11 student achievement throughout the State.

12 (b) The State Board of Education is authorized, to the
13 extent funds are available, to establish a statewide support
14 system for information, professional development, technical
15 assistance, network design consultation, leadership,
16 technology planning consultation, and information exchange; to
17 expand school district connectivity; and to increase the
18 quantity and quality of student and educator access to on-line
19 resources, experts, and communications avenues from moneys
20 appropriated for the purposes of this Section.

21 (b-5) The State Board of Education may enter into
22 intergovernmental contracts or agreements with other State
23 agencies, public community colleges, public libraries, public
24 and private colleges and universities, museums on public land,
25 and other public agencies in the areas of technology,

1 telecommunications, and information access, under such terms
2 as the parties may agree, provided that those contracts and
3 agreements are in compliance with the Department of Central
4 Management Services' mandate to provide telecommunications
5 services to all State agencies.

6 (c) (Blank).

7 (d) (Blank).

8 (Source: P.A. 95-793, eff. 1-1-09.)

9 (105 ILCS 5/2-3.161)

10 Sec. 2-3.161. Definition of dyslexia; reading instruction
11 advisory group; handbook.

12 (a) The State Board of Education shall incorporate, in
13 both general education and special education, the following
14 definition of dyslexia:

15 Dyslexia is a specific learning disability that is
16 neurobiological in origin. Dyslexia is characterized by
17 difficulties with accurate and/or fluent word recognition
18 and by poor spelling and decoding abilities. These
19 difficulties typically result from a deficit in the
20 phonological component of language that is often
21 unexpected in relation to other cognitive abilities and
22 the provision of effective classroom instruction.
23 Secondary consequences may include problems in reading
24 comprehension and reduced reading experience that can
25 impede growth of vocabulary and background knowledge.

1 (b) (Blank). ~~Subject to specific State appropriation or~~
2 ~~the availability of private donations, the State Board of~~
3 ~~Education shall establish an advisory group to develop a~~
4 ~~training module or training modules to provide education and~~
5 ~~professional development to teachers, school administrators,~~
6 ~~and other education professionals regarding multi sensory,~~
7 ~~systematic, and sequential instruction in reading. This~~
8 ~~advisory group shall complete its work before December 15,~~
9 ~~2015 and is abolished on December 15, 2015. The State Board of~~
10 ~~Education shall reestablish the advisory group abolished on~~
11 ~~December 15, 2015 to complete the abolished group's work. The~~
12 ~~reestablished advisory group shall complete its work before~~
13 ~~December 31, 2016 and is abolished on December 31, 2016. The~~
14 ~~provisions of this subsection (b), other than this sentence,~~
15 ~~are inoperative after December 31, 2016.~~

16 (c) The State Board of Education shall develop and
17 maintain a handbook to be made available on its Internet
18 website that provides guidance for pupils, parents or
19 guardians, and teachers on the subject of dyslexia. The
20 handbook shall include, but is not limited to:

21 (1) guidelines for teachers and parents or guardians
22 on how to identify signs of dyslexia;

23 (2) a description of educational strategies that have
24 been shown to improve the academic performance of pupils
25 with dyslexia; and

26 (3) a description of resources and services available

1 to pupils with dyslexia, parents or guardians of pupils
2 with dyslexia, and teachers.

3 The State Board shall review the handbook once every 4
4 years to update, if necessary, the guidelines, educational
5 strategies, or resources and services made available in the
6 handbook.

7 (Source: P.A. 99-65, eff. 7-16-15; 99-78, eff. 7-20-15;
8 99-602, eff. 7-22-16; 99-603, eff. 7-22-16; 100-201, eff.
9 8-18-17; 100-617, eff. 7-20-18.)

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

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

13 (1) By October 31, 2013 and October 31 of each subsequent
14 school year, the State Board of Education, through the State
15 Superintendent of Education, shall prepare a State report
16 card, school district report cards, and school report cards,
17 and shall by the most economic means provide to each school
18 district in this State, including special charter districts
19 and districts subject to the provisions of Article 34, the
20 report cards for the school district and each of its schools.
21 During a school year in which the Governor has declared a
22 disaster due to a public health emergency pursuant to Section
23 7 of the Illinois Emergency Management Agency Act, the report
24 cards for the school districts and each of its schools shall be
25 prepared by December 31.

1 (2) In addition to any information required by federal
2 law, the State Superintendent shall determine the indicators
3 and presentation of the school report card, which must
4 include, at a minimum, the most current data collected and
5 maintained by the State Board of Education related to the
6 following:

7 (A) school characteristics and student demographics,
8 including average class size, average teaching experience,
9 student racial/ethnic breakdown, and the percentage of
10 students classified as low-income; the percentage of
11 students classified as English learners, the number of
12 students who graduate from a bilingual or English learner
13 program, and the number of students who graduate from,
14 transfer from, or otherwise leave bilingual programs; the
15 percentage of students who have individualized education
16 plans or 504 plans that provide for special education
17 services; the number and percentage of all students who
18 have been assessed for placement in a gifted education or
19 advanced academic program and, of those students: (i) the
20 racial and ethnic breakdown, (ii) the percentage who are
21 classified as low-income, and (iii) the number and
22 percentage of students who received direct instruction
23 from a teacher who holds a gifted education endorsement
24 and, of those students, the percentage who are classified
25 as low-income; the percentage of students scoring at the
26 "exceeds expectations" level on the assessments required

1 under Section 2-3.64a-5 of this Code; the percentage of
2 students who annually transferred in or out of the school
3 district; average daily attendance; the per-pupil
4 operating expenditure of the school district; and the
5 per-pupil State average operating expenditure for the
6 district type (elementary, high school, or unit);

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

20 (C) student outcomes, including, where applicable, the
21 percentage of students deemed proficient on assessments of
22 State standards, the percentage of students in the eighth
23 grade who pass Algebra, the percentage of students who
24 participated in workplace learning experiences, the
25 percentage of students enrolled in post-secondary
26 institutions (including colleges, universities, community

1 colleges, trade/vocational schools, and training programs
2 leading to career certification within 2 semesters of high
3 school graduation), the percentage of students graduating
4 from high school who are college and career ready, and the
5 percentage of graduates enrolled in community colleges,
6 colleges, and universities who are in one or more courses
7 that the community college, college, or university
8 identifies as a developmental course;

9 (D) student progress, including, where applicable, the
10 percentage of students in the ninth grade who have earned
11 5 credits or more without failing more than one core
12 class, a measure of students entering kindergarten ready
13 to learn, a measure of growth, and the percentage of
14 students who enter high school on track for college and
15 career readiness;

16 (E) the school environment, including, where
17 applicable, high school dropout rate by grade level, the
18 percentage of students with less than 10 absences in a
19 school year, the percentage of teachers with less than 10
20 absences in a school year for reasons other than
21 professional development, leaves taken pursuant to the
22 federal Family Medical Leave Act of 1993, long-term
23 disability, or parental leaves, the 3-year average of the
24 percentage of teachers returning to the school from the
25 previous year, the number of different principals at the
26 school in the last 6 years, the number of teachers who hold

1 a gifted education endorsement, the process and criteria
2 used by the district to determine whether a student is
3 eligible for participation in a gifted education program
4 or advanced academic program and the manner in which
5 parents and guardians are made aware of the process and
6 criteria, 2 or more indicators from any school climate
7 survey selected or approved by the State and administered
8 pursuant to Section 2-3.153 of this Code, with the same or
9 similar indicators included on school report cards for all
10 surveys selected or approved by the State pursuant to
11 Section 2-3.153 of this Code, and the combined percentage
12 of teachers rated as proficient or excellent in their most
13 recent evaluation;

14 (F) a school district's and its individual schools'
15 balanced accountability measure, in accordance with
16 Section 2-3.25a of this Code;

17 (G) the total and per pupil normal cost amount the
18 State contributed to the Teachers' Retirement System of
19 the State of Illinois in the prior fiscal year for the
20 school's employees, which shall be reported to the State
21 Board of Education by the Teachers' Retirement System of
22 the State of Illinois;

23 (H) for a school district organized under Article 34
24 of this Code only, State contributions to the Public
25 School Teachers' Pension and Retirement Fund of Chicago
26 and State contributions for health care for employees of

1 that school district;

2 (I) a school district's Final Percent of Adequacy, as
3 defined in paragraph (4) of subsection (f) of Section
4 18-8.15 of this Code;

5 (J) a school district's Local Capacity Target, as
6 defined in paragraph (2) of subsection (c) of Section
7 18-8.15 of this Code, displayed as a percentage amount;

8 (K) a school district's Real Receipts, as defined in
9 paragraph (1) of subsection (d) of Section 18-8.15 of this
10 Code, divided by a school district's Adequacy Target, as
11 defined in paragraph (1) of subsection (b) of Section
12 18-8.15 of this Code, displayed as a percentage amount;

13 (L) a school district's administrative costs; ~~and~~

14 (M) whether or not the school has participated in the
15 Illinois Youth Survey. In this paragraph (M), "Illinois
16 Youth Survey" means a self-report survey, administered in
17 school settings every 2 years, designed to gather
18 information about health and social indicators, including
19 substance abuse patterns and the attitudes of students in
20 grades 8, 10, and 12; and

21 (N) whether the school offered its students career and
22 technical education opportunities.

23 The school report card shall also provide information that
24 allows for comparing the current outcome, progress, and
25 environment data to the State average, to the school data from
26 the past 5 years, and to the outcomes, progress, and

1 environment of similar schools based on the type of school and
2 enrollment of low-income students, special education students,
3 and English learners.

4 As used in this subsection (2):

5 "Administrative costs" means costs associated with
6 executive, administrative, or managerial functions within the
7 school district that involve planning, organizing, managing,
8 or directing the school district.

9 "Advanced academic program" means a course of study to
10 which students are assigned based on advanced cognitive
11 ability or advanced academic achievement compared to local age
12 peers and in which the curriculum is substantially
13 differentiated from the general curriculum to provide
14 appropriate challenge and pace.

15 "Gifted education" means educational services, including
16 differentiated curricula and instructional methods, designed
17 to meet the needs of gifted children as defined in Article 14A
18 of this Code.

19 For the purposes of paragraph (A) of this subsection (2),
20 "average daily attendance" means the average of the actual
21 number of attendance days during the previous school year for
22 any enrolled student who is subject to compulsory attendance
23 by Section 26-1 of this Code at each school and charter school.

24 (3) At the discretion of the State Superintendent, the
25 school district report card shall include a subset of the
26 information identified in paragraphs (A) through (E) of

1 subsection (2) of this Section, as well as information
2 relating to the operating expense per pupil and other finances
3 of the school district, and the State report card shall
4 include a subset of the information identified in paragraphs
5 (A) through (E) and paragraph (N) of subsection (2) of this
6 Section. The school district report card shall include the
7 average daily attendance, as that term is defined in
8 subsection (2) of this Section, of students who have
9 individualized education programs and students who have 504
10 plans that provide for special education services within the
11 school district.

12 (4) Notwithstanding anything to the contrary in this
13 Section, in consultation with key education stakeholders, the
14 State Superintendent shall at any time have the discretion to
15 amend or update any and all metrics on the school, district, or
16 State report card.

17 (5) Annually, no more than 30 calendar days after receipt
18 of the school district and school report cards from the State
19 Superintendent of Education, each school district, including
20 special charter districts and districts subject to the
21 provisions of Article 34, shall present such report cards at a
22 regular school board meeting subject to applicable notice
23 requirements, post the report cards on the school district's
24 Internet web site, if the district maintains an Internet web
25 site, make the report cards available to a newspaper of
26 general circulation serving the district, and, upon request,

1 send the report cards home to a parent (unless the district
2 does not maintain an Internet web site, in which case the
3 report card shall be sent home to parents without request). If
4 the district posts the report card on its Internet web site,
5 the district shall send a written notice home to parents
6 stating (i) that the report card is available on the web site,
7 (ii) the address of the web site, (iii) that a printed copy of
8 the report card will be sent to parents upon request, and (iv)
9 the telephone number that parents may call to request a
10 printed copy of the report card.

11 (6) Nothing contained in Public Act 98-648 repeals,
12 supersedes, invalidates, or nullifies final decisions in
13 lawsuits pending on July 1, 2014 (the effective date of Public
14 Act 98-648) in Illinois courts involving the interpretation of
15 Public Act 97-8.

16 (Source: P.A. 100-227, eff. 8-18-17; 100-364, eff. 1-1-18;
17 100-448, eff. 7-1-19; 100-465, eff. 8-31-17; 100-807, eff.
18 8-10-18; 100-863, eff. 8-14-18; 100-1121, eff. 1-1-19; 101-68,
19 eff. 1-1-20; 101-81, eff. 7-12-19; revised 9-9-19.)

20 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

21 Sec. 10-22.6. Suspension or expulsion of pupils; school
22 searches.

23 (a) To expel pupils guilty of gross disobedience or
24 misconduct, including gross disobedience or misconduct
25 perpetuated by electronic means, pursuant to subsection (b-20)

1 of this Section, and no action shall lie against them for such
2 expulsion. Expulsion shall take place only after the parents
3 have been requested to appear at a meeting of the board, or
4 with a hearing officer appointed by it, to discuss their
5 child's behavior. Such request shall be made by registered or
6 certified mail and shall state the time, place and purpose of
7 the meeting. The board, or a hearing officer appointed by it,
8 at such meeting shall state the reasons for dismissal and the
9 date on which the expulsion is to become effective. If a
10 hearing officer is appointed by the board, he shall report to
11 the board a written summary of the evidence heard at the
12 meeting and the board may take such action thereon as it finds
13 appropriate. If the board acts to expel a pupil, the written
14 expulsion decision shall detail the specific reasons why
15 removing the pupil from the learning environment is in the
16 best interest of the school. The expulsion decision shall also
17 include a rationale as to the specific duration of the
18 expulsion. An expelled pupil may be immediately transferred to
19 an alternative program in the manner provided in Article 13A
20 or 13B of this Code. A pupil must not be denied transfer
21 because of the expulsion, except in cases in which such
22 transfer is deemed to cause a threat to the safety of students
23 or staff in the alternative program.

24 (b) To suspend or by policy to authorize the
25 superintendent of the district or the principal, assistant
26 principal, or dean of students of any school to suspend pupils

1 guilty of gross disobedience or misconduct, or to suspend
2 pupils guilty of gross disobedience or misconduct on the
3 school bus from riding the school bus, pursuant to subsections
4 (b-15) and (b-20) of this Section, and no action shall lie
5 against them for such suspension. The board may by policy
6 authorize the superintendent of the district or the principal,
7 assistant principal, or dean of students of any school to
8 suspend pupils guilty of such acts for a period not to exceed
9 10 school days. If a pupil is suspended due to gross
10 disobedience or misconduct on a school bus, the board may
11 suspend the pupil in excess of 10 school days for safety
12 reasons.

13 Any suspension shall be reported immediately to the
14 parents or guardian of a pupil along with a full statement of
15 the reasons for such suspension and a notice of their right to
16 a review. The school board must be given a summary of the
17 notice, including the reason for the suspension and the
18 suspension length. Upon request of the parents or guardian,
19 the school board or a hearing officer appointed by it shall
20 review such action of the superintendent or principal,
21 assistant principal, or dean of students. At such review, the
22 parents or guardian of the pupil may appear and discuss the
23 suspension with the board or its hearing officer. If a hearing
24 officer is appointed by the board, he shall report to the board
25 a written summary of the evidence heard at the meeting. After
26 its hearing or upon receipt of the written report of its

1 hearing officer, the board may take such action as it finds
2 appropriate. If a student is suspended pursuant to this
3 subsection (b), the board shall, in the written suspension
4 decision, detail the specific act of gross disobedience or
5 misconduct resulting in the decision to suspend. The
6 suspension decision shall also include a rationale as to the
7 specific duration of the suspension. A pupil who is suspended
8 in excess of 20 school days may be immediately transferred to
9 an alternative program in the manner provided in Article 13A
10 or 13B of this Code. A pupil must not be denied transfer
11 because of the suspension, except in cases in which such
12 transfer is deemed to cause a threat to the safety of students
13 or staff in the alternative program.

14 (b-5) Among the many possible disciplinary interventions
15 and consequences available to school officials, school
16 exclusions, such as out-of-school suspensions and expulsions,
17 are the most serious. School officials shall limit the number
18 and duration of expulsions and suspensions to the greatest
19 extent practicable, and it is recommended that they use them
20 only for legitimate educational purposes. To ensure that
21 students are not excluded from school unnecessarily, it is
22 recommended that school officials consider forms of
23 non-exclusionary discipline prior to using out-of-school
24 suspensions or expulsions.

25 (b-10) Unless otherwise required by federal law or this
26 Code, school boards may not institute zero-tolerance policies

1 by which school administrators are required to suspend or
2 expel students for particular behaviors.

3 (b-15) Out-of-school suspensions of 3 days or less may be
4 used only if the student's continuing presence in school would
5 pose a threat to school safety or a disruption to other
6 students' learning opportunities. For purposes of this
7 subsection (b-15), "threat to school safety or a disruption to
8 other students' learning opportunities" shall be determined on
9 a case-by-case basis by the school board or its designee.
10 School officials shall make all reasonable efforts to resolve
11 such threats, address such disruptions, and minimize the
12 length of suspensions to the greatest extent practicable.

13 (b-20) Unless otherwise required by this Code,
14 out-of-school suspensions of longer than 3 days, expulsions,
15 and disciplinary removals to alternative schools may be used
16 only if other appropriate and available behavioral and
17 disciplinary interventions have been exhausted and the
18 student's continuing presence in school would either (i) pose
19 a threat to the safety of other students, staff, or members of
20 the school community or (ii) substantially disrupt, impede, or
21 interfere with the operation of the school. For purposes of
22 this subsection (b-20), "threat to the safety of other
23 students, staff, or members of the school community" and
24 "substantially disrupt, impede, or interfere with the
25 operation of the school" shall be determined on a case-by-case
26 basis by school officials. For purposes of this subsection

1 (b-20), the determination of whether "appropriate and
2 available behavioral and disciplinary interventions have been
3 exhausted" shall be made by school officials. School officials
4 shall make all reasonable efforts to resolve such threats,
5 address such disruptions, and minimize the length of student
6 exclusions to the greatest extent practicable. Within the
7 suspension decision described in subsection (b) of this
8 Section or the expulsion decision described in subsection (a)
9 of this Section, it shall be documented whether other
10 interventions were attempted or whether it was determined that
11 there were no other appropriate and available interventions.

12 (b-25) Students who are suspended out-of-school for longer
13 than 4 school days shall be provided appropriate and available
14 support services during the period of their suspension. For
15 purposes of this subsection (b-25), "appropriate and available
16 support services" shall be determined by school authorities.
17 Within the suspension decision described in subsection (b) of
18 this Section, it shall be documented whether such services are
19 to be provided or whether it was determined that there are no
20 such appropriate and available services.

21 A school district may refer students who are expelled to
22 appropriate and available support services.

23 A school district shall create a policy to facilitate the
24 re-engagement of students who are suspended out-of-school,
25 expelled, or returning from an alternative school setting.

26 (b-30) A school district shall create a policy by which

1 suspended pupils, including those pupils suspended from the
2 school bus who do not have alternate transportation to school,
3 shall have the opportunity to make up work for equivalent
4 academic credit. It shall be the responsibility of a pupil's
5 parent or guardian to notify school officials that a pupil
6 suspended from the school bus does not have alternate
7 transportation to school.

8 (c) A school board must invite a representative from a
9 local mental health agency to consult with the board at the
10 meeting whenever there is evidence that mental illness may be
11 the cause of a student's expulsion or suspension. ~~The~~
12 ~~Department of Human Services shall be invited to send a~~
13 ~~representative to consult with the board at such meeting~~
14 ~~whenever there is evidence that mental illness may be the~~
15 ~~cause for expulsion or suspension.~~

16 (c-5) School districts shall make reasonable efforts to
17 provide ongoing professional development to teachers,
18 administrators, school board members, school resource
19 officers, and staff on the adverse consequences of school
20 exclusion and justice-system involvement, effective classroom
21 management strategies, culturally responsive discipline, the
22 appropriate and available supportive services for the
23 promotion of student attendance and engagement, and
24 developmentally appropriate disciplinary methods that promote
25 positive and healthy school climates.

26 (d) The board may expel a student for a definite period of

1 time not to exceed 2 calendar years, as determined on a
2 case-by-case basis. A student who is determined to have
3 brought one of the following objects to school, any
4 school-sponsored activity or event, or any activity or event
5 that bears a reasonable relationship to school shall be
6 expelled for a period of not less than one year:

7 (1) A firearm. For the purposes of this Section,
8 "firearm" means any gun, rifle, shotgun, weapon as defined
9 by Section 921 of Title 18 of the United States Code,
10 firearm as defined in Section 1.1 of the Firearm Owners
11 Identification Card Act, or firearm as defined in Section
12 24-1 of the Criminal Code of 2012. The expulsion period
13 under this subdivision (1) may be modified by the
14 superintendent, and the superintendent's determination may
15 be modified by the board on a case-by-case basis.

16 (2) A knife, brass knuckles or other knuckle weapon
17 regardless of its composition, a billy club, or any other
18 object if used or attempted to be used to cause bodily
19 harm, including "look alike" of any firearm as defined in
20 subdivision (1) of this subsection (d). The expulsion
21 requirement under this subdivision (2) may be modified by
22 the superintendent, and the superintendent's determination
23 may be modified by the board on a case-by-case basis.

24 Expulsion or suspension shall be construed in a manner
25 consistent with the federal Individuals with Disabilities
26 Education Act. A student who is subject to suspension or

1 expulsion as provided in this Section may be eligible for a
2 transfer to an alternative school program in accordance with
3 Article 13A of the School Code.

4 (d-5) The board may suspend or by regulation authorize the
5 superintendent of the district or the principal, assistant
6 principal, or dean of students of any school to suspend a
7 student for a period not to exceed 10 school days or may expel
8 a student for a definite period of time not to exceed 2
9 calendar years, as determined on a case-by-case basis, if (i)
10 that student has been determined to have made an explicit
11 threat on an Internet website against a school employee, a
12 student, or any school-related personnel, (ii) the Internet
13 website through which the threat was made is a site that was
14 accessible within the school at the time the threat was made or
15 was available to third parties who worked or studied within
16 the school grounds at the time the threat was made, and (iii)
17 the threat could be reasonably interpreted as threatening to
18 the safety and security of the threatened individual because
19 of his or her duties or employment status or status as a
20 student inside the school.

21 (e) To maintain order and security in the schools, school
22 authorities may inspect and search places and areas such as
23 lockers, desks, parking lots, and other school property and
24 equipment owned or controlled by the school, as well as
25 personal effects left in those places and areas by students,
26 without notice to or the consent of the student, and without a

1 search warrant. As a matter of public policy, the General
2 Assembly finds that students have no reasonable expectation of
3 privacy in these places and areas or in their personal effects
4 left in these places and areas. School authorities may request
5 the assistance of law enforcement officials for the purpose of
6 conducting inspections and searches of lockers, desks, parking
7 lots, and other school property and equipment owned or
8 controlled by the school for illegal drugs, weapons, or other
9 illegal or dangerous substances or materials, including
10 searches conducted through the use of specially trained dogs.
11 If a search conducted in accordance with this Section produces
12 evidence that the student has violated or is violating either
13 the law, local ordinance, or the school's policies or rules,
14 such evidence may be seized by school authorities, and
15 disciplinary action may be taken. School authorities may also
16 turn over such evidence to law enforcement authorities.

17 (f) Suspension or expulsion may include suspension or
18 expulsion from school and all school activities and a
19 prohibition from being present on school grounds.

20 (g) A school district may adopt a policy providing that if
21 a student is suspended or expelled for any reason from any
22 public or private school in this or any other state, the
23 student must complete the entire term of the suspension or
24 expulsion in an alternative school program under Article 13A
25 of this Code or an alternative learning opportunities program
26 under Article 13B of this Code before being admitted into the

1 school district if there is no threat to the safety of students
2 or staff in the alternative program.

3 (h) School officials shall not advise or encourage
4 students to drop out voluntarily due to behavioral or academic
5 difficulties.

6 (i) A student may not be issued a monetary fine or fee as a
7 disciplinary consequence, though this shall not preclude
8 requiring a student to provide restitution for lost, stolen,
9 or damaged property.

10 (j) Subsections (a) through (i) of this Section shall
11 apply to elementary and secondary schools, charter schools,
12 special charter districts, and school districts organized
13 under Article 34 of this Code.

14 (k) The expulsion of children enrolled in programs funded
15 under Section 1C-2 of this Code is subject to the requirements
16 under paragraph (7) of subsection (a) of Section 2-3.71 of
17 this Code.

18 (l) Beginning with the 2018-2019 school year, an in-school
19 suspension program provided by a school district for any
20 students in kindergarten through grade 12 may focus on
21 promoting non-violent conflict resolution and positive
22 interaction with other students and school personnel. A school
23 district may employ a school social worker or a licensed
24 mental health professional to oversee an in-school suspension
25 program in kindergarten through grade 12.

26 (Source: P.A. 100-105, eff. 1-1-18; 100-810, eff. 1-1-19;

1 100-863, eff. 8-14-18; 100-1035, eff. 8-22-18; 101-81, eff.
2 7-12-19.)

3 (105 ILCS 5/21B-35)

4 Sec. 21B-35. Minimum requirements for educators trained in
5 other states or countries.

6 (a) Any applicant who has not been entitled by an
7 Illinois-approved educator preparation program at an Illinois
8 institution of higher education applying for a Professional
9 Educator License endorsed in a teaching field or school
10 support personnel area must meet the following requirements:

11 (1) the applicant must:

12 (A) hold a comparable and valid educator license
13 or certificate, as defined by rule, with similar grade
14 level and content area credentials from another state,
15 with the State Board of Education having the authority
16 to determine what constitutes similar grade level and
17 content area credentials from another state;

18 (B) have a bachelor's degree from a regionally
19 accredited institution of higher education; and

20 (C) (blank); or ~~have demonstrated proficiency in~~
21 ~~the English language by either passing the English~~
22 ~~language proficiency test required by the State Board~~
23 ~~of Education or providing evidence of completing a~~
24 ~~postsecondary degree at an institution in which the~~
25 ~~mode of instruction was English; or~~

1 (2) the applicant must:

2 (A) have completed a state-approved program for
3 the licensure area sought, including coursework
4 concerning methods of instruction of the exceptional
5 child, methods of reading and reading in the content
6 area, and instructional strategies for English
7 learners;

8 (B) have a bachelor's degree from a regionally
9 accredited institution of higher education;

10 (C) have successfully met all Illinois examination
11 requirements, except that:

12 (i) (blank);

13 (ii) an applicant who has successfully
14 completed a test of content, as defined by rules,
15 at the time of initial licensure in another state
16 is not required to complete a test of content; and

17 (iii) an applicant for a teaching endorsement
18 who has successfully completed an evidence-based
19 assessment of teacher effectiveness, as defined by
20 rules, at the time of initial licensure in another
21 state is not required to complete an
22 evidence-based assessment of teacher
23 effectiveness; and

24 (D) for an applicant for a teaching endorsement,
25 have completed student teaching or an equivalent
26 experience or, for an applicant for a school service

1 personnel endorsement, have completed an internship or
2 an equivalent experience.

3 (b) In order to receive a Professional Educator License
4 endorsed in a teaching field or school support personnel area,
5 applicants trained in another country must meet all of the
6 following requirements:

7 (1) Have completed a comparable education program in
8 another country.

9 (2) Have had transcripts evaluated by an evaluation
10 service approved by the State Superintendent of Education.

11 (3) Have a degree comparable to a degree from a
12 regionally accredited institution of higher education.

13 (4) Have completed coursework aligned to standards
14 concerning methods of instruction of the exceptional
15 child, methods of reading and reading in the content area,
16 and instructional strategies for English learners.

17 (5) (Blank).

18 (6) (Blank).

19 (7) Have successfully met all State licensure
20 examination requirements. Applicants who have successfully
21 completed a test of content, as defined by rules, at the
22 time of initial licensure in another country shall not be
23 required to complete a test of content. Applicants for a
24 teaching endorsement who have successfully completed an
25 evidence-based assessment of teacher effectiveness, as
26 defined by rules, at the time of initial licensure in

1 another country shall not be required to complete an
2 evidence-based assessment of teacher effectiveness.

3 (8) Have completed student teaching or an equivalent
4 experience.

5 (9) (Blank). ~~Have demonstrated proficiency in the~~
6 ~~English language by either passing the English language~~
7 ~~proficiency test required by the State Board of Education~~
8 ~~or providing evidence of completing a postsecondary degree~~
9 ~~at an institution in which the mode of instruction was~~
10 ~~English.~~

11 (b-5) All applicants who have not been entitled by an
12 Illinois-approved educator preparation program at an Illinois
13 institution of higher education and applicants trained in
14 another country applying for a Professional Educator License
15 endorsed for principal or superintendent must hold a master's
16 degree from a regionally accredited institution of higher
17 education, ~~pass the English language proficiency test required~~
18 ~~by the State Board of Education,~~ and hold a comparable and
19 valid educator license or certificate with similar grade level
20 and subject matter credentials, with the State Board of
21 Education having the authority to determine what constitutes
22 similar grade level and subject matter credentials from
23 another state, or must meet all of the following requirements:

24 (1) Have completed an educator preparation program
25 approved by another state or comparable educator program
26 in another country leading to the receipt of a license or

1 certificate for the Illinois endorsement sought.

2 (2) Have successfully met all State licensure
3 examination requirements, as required by Section 21B-30 of
4 this Code. Applicants who have successfully completed a
5 test of content, as defined by rules, at the time of
6 initial licensure in another state or country shall not be
7 required to complete a test of content.

8 (2.5) Have completed an internship, as defined by
9 rule.

10 (3) (Blank).

11 (4) Have completed coursework aligned to standards
12 concerning methods of instruction of the exceptional
13 child, methods of reading and reading in the content area,
14 and instructional strategies for English learners.

15 (4.5) (Blank). ~~Have demonstrated proficiency in the~~
16 ~~English language by either passing the English language~~
17 ~~proficiency test required by the State Board of Education~~
18 ~~or providing evidence of completing a postsecondary degree~~
19 ~~at an institution in which the mode of instruction was~~
20 ~~English.~~

21 (5) Have completed a master's degree.

22 (6) Have successfully completed teaching, school
23 support, or administrative experience as defined by rule.

24 (b-7) All applicants who have not been entitled by an
25 Illinois-approved educator preparation program at an Illinois
26 institution of higher education applying for a Professional

1 Educator License endorsed for Director of Special Education
2 must hold a master's degree from a regionally accredited
3 institution of higher education and must hold a comparable and
4 valid educator license or certificate with similar grade level
5 and subject matter credentials, with the State Board of
6 Education having the authority to determine what constitutes
7 similar grade level and subject matter credentials from
8 another state, or must meet all of the following requirements:

9 (1) Have completed a master's degree.

10 (2) Have 2 years of full-time experience providing
11 special education services.

12 (3) Have successfully completed all examination
13 requirements, as required by Section 21B-30 of this Code.
14 Applicants who have successfully completed a test of
15 content, as identified by rules, at the time of initial
16 licensure in another state or country shall not be
17 required to complete a test of content.

18 (4) Have completed coursework aligned to standards
19 concerning methods of instruction of the exceptional
20 child, methods of reading and reading in the content area,
21 and instructional strategies for English learners.

22 (b-10) All applicants who have not been entitled by an
23 Illinois-approved educator preparation program at an Illinois
24 institution of higher education applying for a Professional
25 Educator License endorsed for chief school business official
26 must hold a master's degree from a regionally accredited

1 institution of higher education and must hold a comparable and
2 valid educator license or certificate with similar grade level
3 and subject matter credentials, with the State Board of
4 Education having the authority to determine what constitutes
5 similar grade level and subject matter credentials from
6 another state, or must meet all of the following requirements:

7 (1) Have completed a master's degree in school
8 business management, finance, or accounting.

9 (2) Have successfully completed an internship in
10 school business management or have 2 years of experience
11 as a school business administrator.

12 (3) Have successfully met all State examination
13 requirements, as required by Section 21B-30 of this Code.
14 Applicants who have successfully completed a test of
15 content, as identified by rules, at the time of initial
16 licensure in another state or country shall not be
17 required to complete a test of content.

18 (4) Have completed modules aligned to standards
19 concerning methods of instruction of the exceptional
20 child, methods of reading and reading in the content area,
21 and instructional strategies for English learners.

22 (c) The State Board of Education, in consultation with the
23 State Educator Preparation and Licensure Board, may adopt such
24 rules as may be necessary to implement this Section.

25 (Source: P.A. 100-13, eff. 7-1-17; 100-584, eff. 4-6-18;
26 100-596, eff. 7-1-18; 101-220, eff. 8-7-19; 101-643, eff.

1 6-18-20.)

2 (105 ILCS 5/26-19)

3 Sec. 26-19. Chronic absenteeism in preschool children.

4 (a) In this Section, "chronic absence" has the meaning
5 ascribed to that term in Section 26-18 of this Code.

6 (b) The General Assembly makes all of the following
7 findings:

8 (1) The early years are an extremely important period
9 in a child's learning and development.

10 (2) Missed learning opportunities in the early years
11 make it difficult for a child to enter kindergarten ready
12 for success.

13 (3) Attendance patterns in the early years serve as
14 predictors of chronic absenteeism and reduced educational
15 outcomes in later school years. Therefore, it is crucial
16 that the implications of chronic absence be understood and
17 reviewed regularly under the Preschool for All Program and
18 Preschool for All Expansion Program ~~in all publicly funded~~
19 ~~early childhood programs receiving State funds~~ under
20 Section 2-3.71 of this Code.

21 (c) The Preschool for All Program and Preschool for All
22 Expansion Program ~~Beginning July 1, 2019, any publicly funded~~
23 ~~early childhood program receiving State funds~~ under Section
24 2-3.71 of this Code shall collect and review its chronic
25 absence data and determine what support and resources are

1 needed to positively engage chronically absent students and
2 their families to encourage the habit of daily attendance and
3 promote success.

4 (d) The Preschool for All Program and Preschool for All
5 Expansion Program ~~Publicly funded early childhood programs~~
6 ~~receiving State funds~~ under Section 2-3.71 of this Code are
7 encouraged to do all of the following:

8 (1) Provide support to students who are at risk of
9 reaching or exceeding chronic absence levels.

10 (2) Make resources available to families, such as
11 those available through the State Board of Education's
12 Family Engagement Framework, to support and encourage
13 families to ensure their children's daily program
14 attendance.

15 (3) Include information about chronic absenteeism as
16 part of their preschool to kindergarten transition
17 resources.

18 (e) On or before July 1, 2020, and annually thereafter,
19 the Preschool for All Program and Preschool for All Expansion
20 Program ~~an early childhood program~~ shall report all data
21 collected under subsection (c) of this Section to the State
22 Board of Education, which shall make the report publicly
23 available via the Illinois Early Childhood Asset Map Internet
24 website and the Preschool for All Program or Preschool for All
25 Expansion Program triennial report.

26 (Source: P.A. 100-819, eff. 7-1-19.)

1 (105 ILCS 5/27-6.5)

2 Sec. 27-6.5. Physical fitness assessments in schools.

3 (a) As used in this Section, "physical fitness assessment"
4 means a series of assessments to measure aerobic capacity,
5 body composition, muscular strength, muscular endurance, and
6 flexibility.

7 (b) To measure the effectiveness of State Goal 20 of the
8 Illinois Learning Standards for Physical Development and
9 Health, beginning with the 2016-2017 school year and every
10 school year thereafter, the State Board of Education shall
11 require all public schools to use a scientifically-based,
12 health-related physical fitness assessment for grades 3
13 through 12 and periodically report fitness information to the
14 State Board of Education, as set forth in subsections (c) and
15 (e) of this Section, to assess student fitness indicators.

16 Public schools shall integrate health-related fitness
17 testing into the curriculum as an instructional tool, except
18 in grades before the 3rd grade. Fitness tests must be
19 appropriate to students' developmental levels and physical
20 abilities. The testing must be used to teach students how to
21 assess their fitness levels, set goals for improvement, and
22 monitor progress in reaching their goals. Fitness scores shall
23 not be used for grading students or evaluating teachers.

24 (c) (Blank). ~~On or before October 1, 2014, the State~~
25 ~~Superintendent of Education shall appoint a 15 member~~

1 ~~stakeholder and expert task force, including members~~
2 ~~representing organizations that represent physical education~~
3 ~~teachers, school officials, principals, health promotion and~~
4 ~~disease prevention advocates and experts, school health~~
5 ~~advocates and experts, and other experts with operational and~~
6 ~~academic expertise in the measurement of fitness. The task~~
7 ~~force shall make recommendations to the State Board of~~
8 ~~Education on the following:~~

9 ~~(1) methods for ensuring the validity and uniformity~~
10 ~~of reported physical fitness assessment scores, including~~
11 ~~assessment administration protocols and professional~~
12 ~~development approaches for physical education teachers;~~

13 ~~(2) how often physical fitness assessment scores~~
14 ~~should be reported to the State Board of Education;~~

15 ~~(3) the grade levels within elementary, middle, and~~
16 ~~high school categories for which physical fitness~~
17 ~~assessment scores should be reported to the State Board of~~
18 ~~Education;~~

19 ~~(4) the minimum fitness indicators that should be~~
20 ~~reported to the State Board of Education, including, but~~
21 ~~not limited to, a score for aerobic capacity (for grades 4~~
22 ~~through 12); muscular strength; endurance; and~~
23 ~~flexibility;~~

24 ~~(5) the demographic information that should accompany~~
25 ~~the scores, including, but not limited to, grade and~~
26 ~~gender;~~

1 ~~(6) the development of protocols regarding the~~
2 ~~protection of students' confidentiality and individual~~
3 ~~information and identifiers; and~~

4 ~~(7) how physical fitness assessment data should be~~
5 ~~reported by the State Board of Education to the public,~~
6 ~~including potential correlations with student academic~~
7 ~~achievement, attendance, and discipline data and other~~
8 ~~recommended uses of the reported data.~~

9 ~~The State Board of Education shall provide administrative~~
10 ~~and other support to the task force.~~

11 ~~The task force shall submit its recommendations on~~
12 ~~physical fitness assessments on or before April 1, 2015. The~~
13 ~~task force may also recommend methods for assessing student~~
14 ~~progress on State Goals 19 and 21 through 24 of the Illinois~~
15 ~~Learning Standards for Physical Development and Health. The~~
16 ~~task force is dissolved on April 30, 2015.~~

17 ~~The provisions of this subsection (c), other than this~~
18 ~~sentence, are inoperative after March 31, 2016.~~

19 (d) The State Board of Education must ~~On or before~~
20 ~~December 31, 2015, the State Board of Education shall use the~~
21 ~~recommendations of the task force under subsection (c) of this~~
22 ~~Section to~~ adopt rules for the implementation of physical
23 fitness assessments under this Section by each public school
24 ~~for the 2016-2017 school year and every school year~~
25 ~~thereafter.~~ The requirements of this Section do not apply if
26 the Governor has declared a disaster due to a public health

1 emergency pursuant to Section 7 of the Illinois Emergency
2 Management Agency Act.

3 (e) ~~The On or before September 1, 2016,~~ the State Board of
4 Education shall adopt rules for data submission by school
5 districts and develop a system for collecting and reporting
6 the aggregated fitness information from the physical fitness
7 assessments. This system shall also support the collection of
8 data from school districts that use a fitness testing software
9 program.

10 (f) School districts may report the aggregate findings of
11 physical fitness assessments by grade level and school to
12 parents and members of the community through typical
13 communication channels, such as Internet websites, school
14 newsletters, school board reports, and presentations.
15 Districts may also provide individual fitness assessment
16 reports to students' parents.

17 (g) Nothing in this Section precludes schools from
18 implementing a physical fitness assessment before the
19 2016-2017 school year or from implementing more robust forms
20 of a physical fitness assessment.

21 (Source: P.A. 101-643, eff. 6-18-20.)

22 (105 ILCS 5/29-5) (from Ch. 122, par. 29-5)

23 Sec. 29-5. Reimbursement by State for transportation. Any
24 school district, maintaining a school, transporting resident
25 pupils to another school district's vocational program,

1 offered through a joint agreement approved by the State Board
2 of Education, as provided in Section 10-22.22 or transporting
3 its resident pupils to a school which meets the standards for
4 recognition as established by the State Board of Education
5 which provides transportation meeting the standards of safety,
6 comfort, convenience, efficiency and operation prescribed by
7 the State Board of Education for resident pupils in
8 kindergarten or any of grades 1 through 12 who: (a) reside at
9 least 1 1/2 miles as measured by the customary route of travel,
10 from the school attended; or (b) reside in areas where
11 conditions are such that walking constitutes a hazard to the
12 safety of the child when determined under Section 29-3; and
13 (c) are transported to the school attended from pick-up points
14 at the beginning of the school day and back again at the close
15 of the school day or transported to and from their assigned
16 attendance centers during the school day, shall be reimbursed
17 by the State as hereinafter provided in this Section.

18 The State will pay the prorated allowable cost of
19 transporting eligible pupils less the real equalized assessed
20 valuation as computed under paragraph (3) of subsection (d) of
21 Section 18-8.15 ~~prior year assessed valuation~~ in a dual school
22 district maintaining secondary grades 9 to 12 inclusive times
23 a qualifying rate of .05%; in elementary school districts
24 maintaining grades K to 8 times a qualifying rate of .06%; and
25 in unit districts maintaining grades K to 12, including
26 partial elementary unit districts formed pursuant to Article

1 ~~11E optional elementary unit districts and combined high~~
2 ~~school - unit districts,~~ times a qualifying rate of .07%~~;~~
3 ~~provided that for optional elementary unit districts and~~
4 ~~combined high school - unit districts,~~ prior year assessed
5 ~~valuation for high school purposes, as defined in Article 11E~~
6 ~~of this Code, must be used.~~ To be eligible to receive
7 reimbursement in excess of 4/5 of the cost to transport
8 eligible pupils, a school district or partial elementary unit
9 district formed pursuant to Article 11E shall have a
10 Transportation Fund tax rate of at least .12%. The
11 Transportation Fund tax rate for a partial elementary unit
12 district formed pursuant Article 11E shall be the combined
13 elementary and high school rates pursuant to paragraph (4) of
14 subsection (a) of Section 18-8.15. If a school district or
15 partial elementary unit district formed pursuant to Article
16 11E does not have a .12% Transportation Fund tax rate, the
17 amount of its claim in excess of 4/5 of the cost of
18 transporting pupils shall be reduced by the sum arrived at by
19 subtracting the Transportation Fund tax rate from .12% and
20 multiplying that amount by the district's real equalized
21 assessed valuation as computed under paragraph (3) of
22 subsection (d) of Section 18-8.15 ~~prior year equalized or~~
23 ~~assessed valuation,~~ provided~~7~~ that in no case shall said
24 reduction result in reimbursement of less than 4/5 of the cost
25 to transport eligible pupils.

26 The minimum amount to be received by a district is \$16

1 times the number of eligible pupils transported.

2 When calculating the reimbursement for transportation
3 costs, the State Board of Education may not deduct the number
4 of pupils enrolled in early education programs from the number
5 of pupils eligible for reimbursement if the pupils enrolled in
6 the early education programs are transported at the same time
7 as other eligible pupils.

8 Any such district transporting resident pupils during the
9 school day to an area vocational school or another school
10 district's vocational program more than 1 1/2 miles from the
11 school attended, as provided in Sections 10-22.20a and
12 10-22.22, shall be reimbursed by the State for 4/5 of the cost
13 of transporting eligible pupils.

14 School day means that period of time during which the
15 pupil is required to be in attendance for instructional
16 purposes.

17 If a pupil is at a location within the school district
18 other than his residence for child care purposes at the time
19 for transportation to school, that location may be considered
20 for purposes of determining the 1 1/2 miles from the school
21 attended.

22 Claims for reimbursement that include children who attend
23 any school other than a public school shall show the number of
24 such children transported.

25 Claims for reimbursement under this Section shall not be
26 paid for the transportation of pupils for whom transportation

1 costs are claimed for payment under other Sections of this
2 Act.

3 The allowable direct cost of transporting pupils for
4 regular, vocational, and special education pupil
5 transportation shall be limited to the sum of the cost of
6 physical examinations required for employment as a school bus
7 driver; the salaries of full-time or part-time drivers and
8 school bus maintenance personnel; employee benefits excluding
9 Illinois municipal retirement payments, social security
10 payments, unemployment insurance payments and workers'
11 compensation insurance premiums; expenditures to independent
12 carriers who operate school buses; payments to other school
13 districts for pupil transportation services; pre-approved
14 contractual expenditures for computerized bus scheduling;
15 expenditures for housing assistance and homeless prevention
16 under Sections 1-17 and 1-18 of the Education for Homeless
17 Children Act that are not in excess of the school district's
18 actual costs for providing transportation services and are not
19 otherwise claimed in another State or federal grant that
20 permits those costs to a parent, a legal guardian, any other
21 person who enrolled a pupil, or a homeless assistance agency
22 that is part of the federal McKinney-Vento Homeless Assistance
23 Act's continuum of care for the area in which the district is
24 located; the cost of gasoline, oil, tires, and other supplies
25 necessary for the operation of school buses; the cost of
26 converting buses' gasoline engines to more fuel efficient

1 engines or to engines which use alternative energy sources;
2 the cost of travel to meetings and workshops conducted by the
3 regional superintendent or the State Superintendent of
4 Education pursuant to the standards established by the
5 Secretary of State under Section 6-106 of the Illinois Vehicle
6 Code to improve the driving skills of school bus drivers; the
7 cost of maintenance of school buses including parts and
8 materials used; expenditures for leasing transportation
9 vehicles, except interest and service charges; the cost of
10 insurance and licenses for transportation vehicles;
11 expenditures for the rental of transportation equipment; plus
12 a depreciation allowance of 20% for 5 years for school buses
13 and vehicles approved for transporting pupils to and from
14 school and a depreciation allowance of 10% for 10 years for
15 other transportation equipment so used. Each school year, if a
16 school district has made expenditures to the Regional
17 Transportation Authority or any of its service boards, a mass
18 transit district, or an urban transportation district under an
19 intergovernmental agreement with the district to provide for
20 the transportation of pupils and if the public transit carrier
21 received direct payment for services or passes from a school
22 district within its service area during the 2000-2001 school
23 year, then the allowable direct cost of transporting pupils
24 for regular, vocational, and special education pupil
25 transportation shall also include the expenditures that the
26 district has made to the public transit carrier. In addition

1 to the above allowable costs school districts shall also claim
2 all transportation supervisory salary costs, including
3 Illinois municipal retirement payments, and all transportation
4 related building and building maintenance costs without
5 limitation.

6 Special education allowable costs shall also include
7 expenditures for the salaries of attendants or aides for that
8 portion of the time they assist special education pupils while
9 in transit and expenditures for parents and public carriers
10 for transporting special education pupils when pre-approved by
11 the State Superintendent of Education.

12 Indirect costs shall be included in the reimbursement
13 claim for districts which own and operate their own school
14 buses. Such indirect costs shall include administrative costs,
15 or any costs attributable to transporting pupils from their
16 attendance centers to another school building for
17 instructional purposes. No school district which owns and
18 operates its own school buses may claim reimbursement for
19 indirect costs which exceed 5% of the total allowable direct
20 costs for pupil transportation.

21 The State Board of Education shall prescribe uniform
22 regulations for determining the above standards and shall
23 prescribe forms of cost accounting and standards of
24 determining reasonable depreciation. Such depreciation shall
25 include the cost of equipping school buses with the safety
26 features required by law or by the rules, regulations and

1 standards promulgated by the State Board of Education, and the
2 Department of Transportation for the safety and construction
3 of school buses provided, however, any equipment cost
4 reimbursed by the Department of Transportation for equipping
5 school buses with such safety equipment shall be deducted from
6 the allowable cost in the computation of reimbursement under
7 this Section in the same percentage as the cost of the
8 equipment is depreciated.

9 On or before August 15, annually, the chief school
10 administrator for the district shall certify to the State
11 Superintendent of Education the district's claim for
12 reimbursement for the school year ending on June 30 next
13 preceding. The State Superintendent of Education shall check
14 and approve the claims and prepare the vouchers showing the
15 amounts due for district reimbursement claims. Each fiscal
16 year, the State Superintendent of Education shall prepare and
17 transmit the first 3 vouchers to the Comptroller on the 30th
18 day of September, December and March, respectively, and the
19 final voucher, no later than June 20.

20 If the amount appropriated for transportation
21 reimbursement is insufficient to fund total claims for any
22 fiscal year, the State Board of Education shall reduce each
23 school district's allowable costs and flat grant amount
24 proportionately to make total adjusted claims equal the total
25 amount appropriated.

26 For purposes of calculating claims for reimbursement under

1 this Section for any school year beginning July 1, 2016, the
2 equalized assessed valuation for a school district or partial
3 elementary unit district formed pursuant to Article 11E used
4 to compute reimbursement shall be the real equalized assessed
5 valuation as computed under paragraph (3) of subsection (d) of
6 Section 18-8.15. ~~For purposes of calculating claims for~~
7 ~~reimbursement under this Section for any school year beginning~~
8 ~~July 1, 1998, or thereafter, the equalized assessed valuation~~
9 ~~for a school district used to compute reimbursement shall be~~
10 ~~computed in the same manner as it is computed under paragraph~~
11 ~~(2) of subsection (C) of Section 18-8.05.~~

12 All reimbursements received from the State shall be
13 deposited into the district's transportation fund or into the
14 fund from which the allowable expenditures were made.

15 Notwithstanding any other provision of law, any school
16 district receiving a payment under this Section or under
17 Section 14-7.02, 14-7.02b, or 14-13.01 of this Code may
18 classify all or a portion of the funds that it receives in a
19 particular fiscal year or from ~~general~~ State aid pursuant to
20 Section 18-8.15 ~~18-8.05~~ of this Code as funds received in
21 connection with any funding program for which it is entitled
22 to receive funds from the State in that fiscal year
23 (including, without limitation, any funding program referenced
24 in this Section), regardless of the source or timing of the
25 receipt. The district may not classify more funds as funds
26 received in connection with the funding program than the

1 district is entitled to receive in that fiscal year for that
2 program. Any classification by a district must be made by a
3 resolution of its board of education. The resolution must
4 identify the amount of any payments or general State aid to be
5 classified under this paragraph and must specify the funding
6 program to which the funds are to be treated as received in
7 connection therewith. This resolution is controlling as to the
8 classification of funds referenced therein. A certified copy
9 of the resolution must be sent to the State Superintendent of
10 Education. The resolution shall still take effect even though
11 a copy of the resolution has not been sent to the State
12 Superintendent of Education in a timely manner. No
13 classification under this paragraph by a district shall affect
14 the total amount or timing of money the district is entitled to
15 receive under this Code. No classification under this
16 paragraph by a district shall in any way relieve the district
17 from or affect any requirements that otherwise would apply
18 with respect to that funding program, including any accounting
19 of funds by source, reporting expenditures by original source
20 and purpose, reporting requirements, or requirements of
21 providing services.

22 Any school district with a population of not more than
23 500,000 must deposit all funds received under this Article
24 into the transportation fund and use those funds for the
25 provision of transportation services.

26 (Source: P.A. 100-332, eff. 8-25-17; 100-465, eff. 8-31-17;

1 100-863, eff. 8-14-18.)

2 (105 ILCS 5/34-18.43)

3 Sec. 34-18.43. Establishing an equitable and effective
4 school facility development process.

5 (a) The General Assembly finds all of the following:

6 (1) The Illinois Constitution recognizes that a
7 "fundamental goal of the People of the State is the
8 educational development of all persons to the limits of
9 their capacities".

10 (2) Quality educational facilities are essential for
11 fostering the maximum educational development of all
12 persons through their educational experience from
13 pre-kindergarten through high school.

14 (3) The public school is a major institution in our
15 communities. Public schools offer resources and
16 opportunities for the children of this State who seek and
17 deserve quality education, but also benefit the entire
18 community that seeks improvement through access to
19 education.

20 (4) The equitable and efficient use of available
21 facilities-related resources among different schools and
22 among racial, ethnic, income, and disability groups is
23 essential to maximize the development of quality public
24 educational facilities for all children, youth, and
25 adults. The factors that impact the equitable and

1 efficient use of facility-related resources vary according
2 to the needs of each school community. Therefore,
3 decisions that impact school facilities should include the
4 input of the school community to the greatest extent
5 possible.

6 (5) School openings, school closings, school
7 consolidations, school turnarounds, school phase-outs,
8 school construction, school repairs, school
9 modernizations, school boundary changes, and other related
10 school facility decisions often have a profound impact on
11 education in a community. In order to minimize the
12 negative impact of school facility decisions on the
13 community, these decisions should be implemented according
14 to a clear system-wide criteria and with the significant
15 involvement of local school councils, parents, educators,
16 and the community in decision-making.

17 (6) The General Assembly has previously stated that it
18 intended to make the individual school in the City of
19 Chicago the essential unit for educational governance and
20 improvement and to place the primary responsibility for
21 school governance and improvement in the hands of parents,
22 teachers, and community residents at each school. A school
23 facility policy must be consistent with these principles.

24 (b) In order to ensure that school facility-related
25 decisions are made with the input of the community and reflect
26 educationally sound and fiscally responsible criteria, a

1 Chicago Educational Facilities Task Force shall be established
2 within 15 days after the effective date of this amendatory Act
3 of the 96th General Assembly.

4 (c) The Chicago Educational Facilities Task Force shall
5 consist of all of the following members:

6 (1) Two members of the House of Representatives
7 appointed by the Speaker of the House, at least one of whom
8 shall be a member of the Elementary & Secondary Education
9 Committee.

10 (2) Two members of the House of Representatives
11 appointed by the Minority Leader of the House, at least
12 one of whom shall be a member of the Elementary & Secondary
13 Education Committee.

14 (3) Two members of the Senate appointed by the
15 President of the Senate, at least one of whom shall be a
16 member of the Education Committee.

17 (4) Two members of the Senate appointed by the
18 Minority Leader of the Senate, at least one of whom shall
19 be a member of the Education Committee.

20 (5) Two representatives of school community
21 organizations with past involvement in school facility
22 issues appointed by the Speaker of the House.

23 (6) Two representatives of school community
24 organizations with past involvement in school facility
25 issues appointed by the President of the Senate.

26 (7) The chief executive officer of the school district

1 or his or her designee.

2 (8) The president of the union representing teachers
3 in the schools of the district or his or her designee.

4 (9) The president of the association representing
5 principals in the schools of the district or his or her
6 designee.

7 (d) The Speaker of the House shall appoint one of the
8 appointed House members as a co-chairperson of the Chicago
9 Educational Facilities Task Force. The President of the Senate
10 shall appoint one of the appointed Senate members as a
11 co-chairperson of the Chicago Educational Facilities Task
12 Force. Members appointed by the legislative leaders shall be
13 appointed for the duration of the Chicago Educational
14 Facilities Task Force; in the event of a vacancy, the
15 appointment to fill the vacancy shall be made by the
16 legislative leader of the same chamber and party as the leader
17 who made the original appointment.

18 (e) The Chicago Educational Facilities Task Force shall
19 call on independent experts, as needed, to gather and analyze
20 pertinent information on a pro bono basis, provided that these
21 experts have no previous or on-going financial interest in
22 school facility issues related to the school district. The
23 Chicago Educational Facilities Task Force shall secure pro
24 bono expert assistance within 15 days after the establishment
25 of the Chicago Educational Facilities Task Force.

26 (f) The Chicago Educational Facilities Task Force shall be

1 empowered to gather further evidence in the form of testimony
2 or documents or other materials.

3 (g) The Chicago Educational Facilities Task Force, with
4 the help of the independent experts, shall analyze past
5 Chicago experiences and data with respect to school openings,
6 school closings, school consolidations, school turnarounds,
7 school phase-outs, school construction, school repairs, school
8 modernizations, school boundary changes, and other related
9 school facility decisions on students. The Chicago Educational
10 Facilities Task Force shall consult widely with stakeholders,
11 including public officials, about these facility issues and
12 their related costs and shall examine relevant best practices
13 from other school systems for dealing with these issues
14 systematically and equitably. These initial investigations
15 shall include opportunities for input from local stakeholders
16 through hearings, focus groups, and interviews.

17 (h) The Chicago Educational Facilities Task Force shall
18 prepare recommendations describing how the issues set forth in
19 subsection (g) of this Section can be addressed effectively
20 based upon educationally sound and fiscally responsible
21 practices.

22 (i) The Chicago Educational Facilities Task Force shall
23 hold hearings in separate areas of the school district at
24 times that shall maximize school community participation to
25 obtain comments on draft recommendations. The final hearing
26 shall take place no later than 15 days prior to the completion

1 of the final recommendations.

2 (j) The Chicago Educational Facilities Task Force shall
3 prepare final proposed policy and legislative recommendations
4 for the General Assembly, the Governor, and the school
5 district. The recommendations may address issues, standards,
6 and procedures set forth in this Section. The final
7 recommendations shall be made available to the public through
8 posting on the school district's Internet website and other
9 forms of publication and distribution in the school district
10 at least 7 days before the recommendations are submitted to
11 the General Assembly, the Governor, and the school district.

12 (k) The recommendations may address issues of system-wide
13 criteria for ensuring clear priorities, equity, and
14 efficiency.

15 Without limitation, the final recommendations may propose
16 significant decision-making roles for key stakeholders,
17 including the individual school and community; recommend clear
18 criteria or processes for establishing criteria for making
19 school facility decisions; and include clear criteria for
20 setting priorities with respect to school openings, school
21 closings, school consolidations, school turnarounds, school
22 phase-outs, school construction, school repairs, school
23 modernizations, school boundary changes, and other related
24 school facility decisions, including the encouragement of
25 multiple community uses for school space.

26 Without limitation, the recommendations may propose

1 criteria for student mobility; the transferring of students to
2 lower performing schools; teacher mobility; insufficient
3 notice to and the lack of inclusion in decision-making of
4 local school councils, parents, and community members about
5 school facility decisions; and costly facilities-related
6 expenditures due to poor educational and facilities planning.

7 (l) The State Board of Education and the school district
8 shall provide administrative support to the Chicago
9 Educational Facilities Task Force.

10 (m) After recommendations have been issued, the Chicago
11 Educational Facilities Task Force shall meet ~~at least once~~
12 ~~annually,~~ upon the call of the chairs, for the purpose of
13 reviewing Chicago public schools' compliance with the
14 provisions of Sections 34-200 through 34-235 of this Code
15 concerning school action and facility master planning. The
16 Task Force shall prepare a report to the General Assembly, the
17 Governor's Office, the Mayor of the City of Chicago, and the
18 Chicago Board of Education indicating how the district has met
19 the requirements of the provisions of Sections 34-200 through
20 34-235 of this Code concerning school action and facility
21 master planning.

22 (Source: P.A. 96-803, eff. 10-30-09; 97-333, eff. 8-12-11;
23 97-473, eff. 1-1-12; 97-474, eff. 8-22-11.)

24 (105 ILCS 5/2-3.11 rep.)

25 Section 15. The School Code is amended by repealing

1 Section 2-3.11.

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