



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4709

Introduced 2/6/2024, by Rep. Maura Hirschauer

SYNOPSIS AS INTRODUCED:

10 ILCS 5/1-24	
10 ILCS 5/11-4.1	from Ch. 46, par. 11-4.1
105 ILCS 5/10-20.87 new	
105 ILCS 5/22-21	from Ch. 122, par. 22-21
105 ILCS 5/34-2.3	from Ch. 122, par. 34-2.3

Amends the Election Code. Provides that the county board or board of election commissioners may use public school buildings as polling places only if a school board or a local school council approves the use of that school. Provides that, if the county board or board of election commissioners uses all convenient and available public buildings and determines that a public school building is needed as a polling place, it shall send a written request to use the public school building to the school board or local school council. Sets forth provisions concerning the contents of the request and the response to the request. Amends the School Code. Provides that each school board or local school council shall have the power to approve or deny, in accordance with the school board or local school council's rules and policies, any request of a county board or board of election commissioners to use a school building as a polling place. Makes corresponding changes. Effective immediately.

LRB103 37217 SPS 67336 b

1 AN ACT concerning elections.

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

4 Section 5. The Election Code is amended by changing
5 Sections 1-24 and 11-4.1 as follows:

6 (10 ILCS 5/1-24)

7 (Section scheduled to be repealed on January 1, 2025)

8 Sec. 1-24. 2024 Election Day State holiday.

9 Notwithstanding any other provision of State law to the
10 contrary, the 2024 general election shall be a State holiday
11 known as 2024 General Election Day and shall be observed
12 throughout this State. The 2024 general election shall be
13 deemed a legal school holiday for purposes of the School Code.
14 Any school closed under this amendatory Act of the 103rd
15 General Assembly and Section 24-2 of the School Code ~~may shall~~
16 be made available to an election authority as a polling place
17 for 2024 General Election Day if approved by a school board or
18 a local school council established under Article 34 of the
19 School Code, as described in Section 11-4.1. This Section is
20 repealed on January 1, 2025.

21 (Source: P.A. 103-467, eff. 8-4-23.)

22 (10 ILCS 5/11-4.1) (from Ch. 46, par. 11-4.1)

1 Sec. 11-4.1. (a) In appointing polling places under this
2 Article, the county board or board of election commissioners
3 shall, insofar as they are convenient and available, use
4 ~~schools and other~~ public buildings other than public school
5 buildings, as polling places. The county board or board of
6 election commissioners may use public school buildings as
7 polling places only if a school board or a local school council
8 established under Article 34 of the School Code approves the
9 use of that school, in accordance with this Section.

10 (b) Upon request of the county board or board of election
11 commissioners, ~~the proper agency of government~~ (including
12 ~~school districts and~~ units of local government, as defined in
13 Section 1 of Article VII of the Illinois Constitution) shall
14 make a public building under its control available for use as a
15 polling place on an election day and for a reasonably
16 necessary time before and after election day, without charge.
17 If the county board or board of election commissioners uses
18 all convenient and available public buildings and determines
19 that a public school building is needed as a polling place, it
20 shall send a written request to use the public school building
21 to the school board or local school council that has
22 jurisdiction over that public school building. The written
23 request to the local school board or local school council
24 shall:

25 (1) specify the public school building that the county
26 board or board of election commissioners is requesting be

1 made available for use as a polling place, without charge;

2 (2) include a statement that the public school
3 building is needed as a polling place despite the county
4 board or board of election commissioner's best efforts to
5 utilize all other public buildings as polling places; and

6 (3) specify the dates and times that the public school
7 building is needed, including the election days and the
8 reasonably necessary times before and after the election
9 days.

10 The school board or local school council shall approve or
11 deny the request within 60 calendar days after receiving the
12 request and shall notify the county board or board of election
13 commissioners of its decision. If the school board or local
14 school council approves the request, ~~If the county board or~~
15 ~~board of election commissioners chooses a school to be a~~
16 ~~polling place, then the school district must make the school~~
17 ~~available for use as a polling place. However,~~ for the day of
18 the election, the school board or local school council ~~a~~
19 ~~school district~~ is encouraged to (i) close the school or (ii)
20 hold a teachers institute on that day with students not in
21 attendance.

22 (c) A government agency which makes a public building
23 under its control available for use as a polling place shall
24 (i) ensure the portion of the building to be used as the
25 polling place is accessible to voters with disabilities and
26 elderly voters and (ii) allow the election authority to

1 administer the election as authorized under this Code.

2 (d) If a qualified elector's precinct polling place is a
3 school and the elector will be unable to enter that polling
4 place without violating Section 11-9.3 of the Criminal Code of
5 2012 because the elector is a child sex offender as defined in
6 Section 11-9.3 of the Criminal Code of 2012, that elector may
7 vote by a vote by mail ballot in accordance with Article 19 of
8 this Code or may vote early in accordance with Article 19A of
9 this Code.

10 (Source: P.A. 98-773, eff. 7-18-14; 98-1171, eff. 6-1-15;
11 99-143, eff. 7-27-15.)

12 Section 10. The School Code is amended by changing
13 Sections 22-21 and 34-2.3 and by adding Section 10-20.87 as
14 follows:

15 (105 ILCS 5/10-20.87 new)

16 Sec. 10-20.87. Approval of the use of school buildings for
17 elections. Each school board shall have the power to approve
18 or deny, in accordance with the school board's rules and
19 policies, any request of a county board or board of election
20 commissioners to use a school building as a polling place as
21 described in Section 11-4.1 of the Election Code.

22 (105 ILCS 5/22-21) (from Ch. 122, par. 22-21)

23 Sec. 22-21. Elections-Use of school buildings.

1 (a) A ~~Every~~ school board or a local school council
2 established under Article 34 of this Code may approve or deny a
3 request, in accordance with Section 11-4.1 of the Election
4 Code, for the use of a public school building under its
5 jurisdiction as a polling place for an election to be held,
6 provided the request is made by ~~shall offer to~~ the appropriate
7 officer or board having responsibility for providing polling
8 places for elections ~~the use of any and all buildings under its~~
9 ~~jurisdiction for any and all elections to be held, if so~~
10 ~~requested by such appropriate officer or board.~~

11 (b) If the school board or local school council approves
12 the request to use any of the school buildings under its
13 jurisdiction as a polling place for any election, the
14 following shall occur at each polling place:

15 (1) Election officers shall place 2 or more cones,
16 small United States national flags, or some other marker a
17 distance of 100 horizontal feet from each entrance to the
18 room used by voters to engage in voting, which shall be
19 known as the polling room.

20 (2) If the polling room is located within a building
21 that is a public or private school and the distance of 100
22 horizontal feet ends within the interior of the building,
23 then the markers shall be placed outside of the building
24 at each entrance used by voters to enter that building on
25 the grounds adjacent to the thoroughfare or walkway.

26 (3) If the polling room is located within a public or

1 private school building with 2 or more floors and the
2 polling room is located on the ground floor, then the
3 markers shall be placed 100 horizontal feet from each
4 entrance to the polling room used by voters to engage in
5 voting.

6 (4) If the polling room is located in a public or
7 private school building with 2 or more floors and the
8 polling room is located on a floor above or below the
9 ground floor, then the markers shall be placed a distance
10 of 100 feet from the nearest elevator or staircase used by
11 voters on the ground floor to access the floor where the
12 polling room is located.

13 (5) The area within where the markers are placed shall
14 be known as a campaign free zone, and electioneering is
15 prohibited pursuant to this subsection.

16 (c) Notwithstanding any other provision of this Code, the
17 area on polling place property beyond the campaign free zone,
18 whether publicly or privately owned, is a public forum for the
19 time that the polls are open on an election day. ~~At the request~~
20 ~~of election officers any publicly owned building must be made~~
21 ~~available for use as a polling place.~~ A person shall have the
22 right to congregate and engage in electioneering on any
23 polling place property while the polls are open beyond the
24 campaign free zone, including but not limited to, the
25 placement of temporary signs. This subsection shall be
26 construed liberally in favor of persons engaging in

1 electioneering on all polling place property beyond the
2 campaign free zone for the time that the polls are open on an
3 election day.

4 (Source: P.A. 93-574, eff. 8-21-03.)

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

6 Sec. 34-2.3. Local school councils; powers and duties.
7 Each local school council shall have and exercise, consistent
8 with the provisions of this Article and the powers and duties
9 of the board of education, the following powers and duties:

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

25 (B) to determine in the manner provided by subsection (c)

1 of Section 34-2.2 and subdivision 1.5 of this Section whether
2 the performance contract of the principal shall be renewed;
3 and

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

26 1.5. The local school council's determination of whether

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

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

1 member and shall inform the local school council of its rights
2 and responsibilities under the arbitration process, including
3 the local school council's right to representation and the
4 manner and process by which the Board shall pay the costs of
5 the council's representation. If the local school council
6 retains the principal and the general superintendent requests
7 a review of the retention decision, the local school council
8 and the general superintendent shall be considered parties to
9 the arbitration, a hearing officer shall be chosen between
10 those 2 parties pursuant to procedures promulgated by the
11 State Board of Education, and the principal may retain counsel
12 and participate in the arbitration. If the local school
13 council does not retain the principal and the principal
14 requests a review of the retention decision, the local school
15 council and the principal shall be considered parties to the
16 arbitration and a hearing officer shall be chosen between
17 those 2 parties pursuant to procedures promulgated by the
18 State Board of Education. The hearing shall begin (i) within
19 45 days after the initial request for review is submitted by
20 the principal to the general superintendent or (ii) if the
21 initial request for review is made by the general
22 superintendent, within 45 days after that request is mailed to
23 the American Arbitration Association. The hearing officer
24 shall render a decision within 45 days after the hearing
25 begins and within 90 days after the initial request for
26 review. The Board shall contract with the American Arbitration

1 Association for all of the hearing officer's reasonable and
2 necessary costs. In addition, the Board shall pay any
3 reasonable costs incurred by a local school council for
4 representation before a hearing officer.

5 1.10. The hearing officer shall conduct a hearing, which
6 shall include (i) a review of the principal's performance,
7 evaluations, and other evidence of the principal's service at
8 the school, (ii) reasons provided by the local school council
9 for its decision, and (iii) documentation evidencing views of
10 interested persons, including, without limitation, students,
11 parents, local school council members, school faculty and
12 staff, the principal, the general superintendent or his or her
13 designee, and members of the community. The burden of proof in
14 establishing that the local school council's decision was
15 arbitrary and capricious shall be on the party requesting the
16 arbitration, and this party shall sustain the burden by a
17 preponderance of the evidence. The hearing officer shall set
18 the local school council decision aside if that decision, in
19 light of the record developed at the hearing, is arbitrary and
20 capricious. The decision of the hearing officer may not be
21 appealed to the Board or the State Board of Education. If the
22 hearing officer decides that the principal shall be retained,
23 the retention period shall not exceed 2 years.

24 2. In the event (i) the local school council does not renew
25 the performance contract of the principal, or the principal
26 fails to receive a satisfactory rating as provided in

1 subsection (h) of Section 34-8.3, or the principal is removed
2 for cause during the term of his or her performance contract in
3 the manner provided by Section 34-85, or a vacancy in the
4 position of principal otherwise occurs prior to the expiration
5 of the term of a principal's performance contract, and (ii)
6 the local school council fails to directly select a new
7 principal to serve under a 4 year performance contract, the
8 local school council in such event shall submit to the general
9 superintendent a list of 3 candidates -- listed in the local
10 school council's order of preference -- for the position of
11 principal, one of which shall be selected by the general
12 superintendent to serve as principal of the attendance center.
13 If the general superintendent fails or refuses to select one
14 of the candidates on the list to serve as principal within 30
15 days after being furnished with the candidate list, the
16 general superintendent shall select and place a principal on
17 an interim basis (i) for a period not to exceed one year or
18 (ii) until the local school council selects a new principal
19 with 7 affirmative votes as provided in subsection (c) of
20 Section 34-2.2, whichever occurs first. If the local school
21 council fails or refuses to select and appoint a new
22 principal, as specified by subsection (c) of Section 34-2.2,
23 the general superintendent may select and appoint a new
24 principal on an interim basis for an additional year or until a
25 new contract principal is selected by the local school
26 council. There shall be no discrimination on the basis of

1 race, sex, creed, color or disability unrelated to ability to
2 perform in connection with the submission of candidates for,
3 and the selection of a candidate to serve as principal of an
4 attendance center. No person shall be directly selected,
5 listed as a candidate for, or selected to serve as principal of
6 an attendance center (i) if such person has been removed for
7 cause from employment by the Board or (ii) if such person does
8 not hold a valid Professional Educator License issued under
9 Article 21B and endorsed as required by that Article for the
10 position of principal. A principal whose performance contract
11 is not renewed as provided under subsection (c) of Section
12 34-2.2 may nevertheless, if otherwise qualified and licensed
13 as herein provided and if he or she has received a satisfactory
14 rating as provided in subsection (h) of Section 34-8.3, be
15 included by a local school council as one of the 3 candidates
16 listed in order of preference on any candidate list from which
17 one person is to be selected to serve as principal of the
18 attendance center under a new performance contract. The
19 initial candidate list required to be submitted by a local
20 school council to the general superintendent in cases where
21 the local school council does not renew the performance
22 contract of its principal and does not directly select a new
23 principal to serve under a 4 year performance contract shall
24 be submitted not later than 30 days prior to the expiration of
25 the current performance contract. In cases where the local
26 school council fails or refuses to submit the candidate list

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

21 2.5. Whenever a vacancy in the office of a principal
22 occurs for any reason, the vacancy shall be filled in the
23 manner provided by this Section by the selection of a new
24 principal to serve under a 4 year performance contract.

25 3. To establish additional criteria to be included as part
26 of the performance contract of its principal, provided that

1 such additional criteria shall not discriminate on the basis
2 of race, sex, creed, color or disability unrelated to ability
3 to perform, and shall not be inconsistent with the uniform 4
4 year performance contract for principals developed by the
5 board as provided in Section 34-8.1 of the School Code or with
6 other provisions of this Article governing the authority and
7 responsibility of principals.

8 4. To approve the expenditure plan prepared by the
9 principal with respect to all funds allocated and distributed
10 to the attendance center by the Board. The expenditure plan
11 shall be administered by the principal. Notwithstanding any
12 other provision of this Act or any other law, any expenditure
13 plan approved and administered under this Section 34-2.3 shall
14 be consistent with and subject to the terms of any contract for
15 services with a third party entered into by the Chicago School
16 Reform Board of Trustees or the board under this Act.

17 Via a supermajority vote of 8 members of a local school
18 council enrolling students through the 8th grade or 9 members
19 of a local school council at a secondary attendance center or
20 an attendance center enrolling students in grades 7 through
21 12, the Council may transfer allocations pursuant to Section
22 34-2.3 within funds; provided that such a transfer is
23 consistent with applicable law and collective bargaining
24 agreements.

25 Beginning in fiscal year 1991 and in each fiscal year
26 thereafter, the Board may reserve up to 1% of its total fiscal

1 year budget for distribution on a prioritized basis to schools
2 throughout the school system in order to assure adequate
3 programs to meet the needs of special student populations as
4 determined by the Board. This distribution shall take into
5 account the needs catalogued in the Systemwide Plan and the
6 various local school improvement plans of the local school
7 councils. Information about these centrally funded programs
8 shall be distributed to the local school councils so that
9 their subsequent planning and programming will account for
10 these provisions.

11 Beginning in fiscal year 1991 and in each fiscal year
12 thereafter, from other amounts available in the applicable
13 fiscal year budget, the board shall allocate a lump sum amount
14 to each local school based upon such formula as the board shall
15 determine taking into account the special needs of the student
16 body. The local school principal shall develop an expenditure
17 plan in consultation with the local school council, the
18 professional personnel leadership committee and with all other
19 school personnel, which reflects the priorities and activities
20 as described in the school's local school improvement plan and
21 is consistent with applicable law and collective bargaining
22 agreements and with board policies and standards; however, the
23 local school council shall have the right to request waivers
24 of board policy from the board of education and waivers of
25 employee collective bargaining agreements pursuant to Section
26 34-8.1a.

1 The expenditure plan developed by the principal with
2 respect to amounts available from the fund for prioritized
3 special needs programs and the allocated lump sum amount must
4 be approved by the local school council.

5 The lump sum allocation shall take into account the
6 following principles:

7 a. Teachers: Each school shall be allocated funds
8 equal to the amount appropriated in the previous school
9 year for compensation for teachers (regular grades
10 kindergarten through 12th grade) plus whatever increases
11 in compensation have been negotiated contractually or
12 through longevity as provided in the negotiated agreement.
13 Adjustments shall be made due to layoff or reduction in
14 force, lack of funds or work, change in subject
15 requirements, enrollment changes, or contracts with third
16 parties for the performance of services or to rectify any
17 inconsistencies with system-wide allocation formulas or
18 for other legitimate reasons.

19 b. Other personnel: Funds for other teacher licensed
20 and nonlicensed personnel paid through non-categorical
21 funds shall be provided according to system-wide formulas
22 based on student enrollment and the special needs of the
23 school as determined by the Board.

24 c. Non-compensation items: Appropriations for all
25 non-compensation items shall be based on system-wide
26 formulas based on student enrollment and on the special

1 needs of the school or factors related to the physical
2 plant, including but not limited to textbooks, electronic
3 textbooks and the technological equipment necessary to
4 gain access to and use electronic textbooks, supplies,
5 electricity, equipment, and routine maintenance.

6 d. Funds for categorical programs: Schools shall
7 receive personnel and funds based on, and shall use such
8 personnel and funds in accordance with State and Federal
9 requirements applicable to each categorical program
10 provided to meet the special needs of the student body
11 (including but not limited to, Federal Chapter I,
12 Bilingual, and Special Education).

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

21 e. The Local School Council shall have the right to
22 request the principal to close positions and open new ones
23 consistent with the provisions of the local school
24 improvement plan provided that these decisions are
25 consistent with applicable law and collective bargaining
26 agreements. If a position is closed, pursuant to this

1 paragraph, the local school shall have for its use the
2 system-wide average compensation for the closed position.

3 f. Operating within existing laws and collective
4 bargaining agreements, the local school council shall have
5 the right to direct the principal to shift expenditures
6 within funds.

7 g. (Blank).

8 Any funds unexpended at the end of the fiscal year shall be
9 available to the board of education for use as part of its
10 budget for the following fiscal year.

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

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

22 7. To approve a school improvement plan developed as
23 provided in Section 34-2.4. The process and schedule for plan
24 development shall be publicized to the entire school
25 community, and the community shall be afforded the opportunity
26 to make recommendations concerning the plan. At least twice a

1 year the principal and local school council shall report
2 publicly on progress and problems with respect to plan
3 implementation.

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

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

25 10. To request of the Board the manner in which training
26 and assistance shall be provided to the local school council.

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

13 1. school budgets;

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

18 3. personnel selection.

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

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

1 take necessary corrective action, consistent with Section
2 34-8.3.

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

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

17 14. The local school council may adopt a school uniform or
18 dress code policy that governs the attendance center and that
19 is necessary to maintain the orderly process of a school
20 function or prevent endangerment of student health or safety,
21 consistent with the policies and rules of the Board of
22 Education. A school uniform or dress code policy adopted by a
23 local school council: (i) shall not be applied in such manner
24 as to discipline or deny attendance to a transfer student or
25 any other student for noncompliance with that policy during
26 such period of time as is reasonably necessary to enable the

1 student to acquire a school uniform or otherwise comply with
2 the dress code policy that is in effect at the attendance
3 center into which the student's enrollment is transferred;
4 (ii) shall include criteria and procedures under which the
5 local school council will accommodate the needs of or
6 otherwise provide appropriate resources to assist a student
7 from an indigent family in complying with an applicable school
8 uniform or dress code policy; (iii) shall not include or apply
9 to hairstyles, including hairstyles historically associated
10 with race, ethnicity, or hair texture, including, but not
11 limited to, protective hairstyles such as braids, locks, and
12 twists; and (iv) shall not prohibit the right of a student to
13 wear or accessorize the student's graduation attire with items
14 associated with the student's cultural, ethnic, or religious
15 identity or any other protected characteristic or category
16 identified in subsection (Q) of Section 1-103 of the Illinois
17 Human Rights Act. A student whose parents or legal guardians
18 object on religious grounds to the student's compliance with
19 an applicable school uniform or dress code policy shall not be
20 required to comply with that policy if the student's parents
21 or legal guardians present to the local school council a
22 signed statement of objection detailing the grounds for the
23 objection. If a local school council does not comply with the
24 requirements and prohibitions set forth in this paragraph 14,
25 the attendance center is subject to the penalty imposed
26 pursuant to subsection (a) of Section 2-3.25.

1 15. All decisions made and actions taken by the local
2 school council in the exercise of its powers and duties shall
3 comply with State and federal laws, all applicable collective
4 bargaining agreements, court orders and rules properly
5 promulgated by the Board.

6 15a. To grant, in accordance with board rules and
7 policies, the use of assembly halls and classrooms when not
8 otherwise needed, including lighting, heat, and attendants,
9 for public lectures, concerts, and other educational and
10 social activities.

11 15b. To approve, in accordance with board rules and
12 policies, receipts and expenditures for all internal accounts
13 of the attendance center, and to approve all fund-raising
14 activities by nonschool organizations that use the school
15 building.

16 15c. To approve or deny, in accordance with the rules and
17 policies of the local school council, any request of a county
18 board or board of election commissioners to use a school
19 building as a polling place as described in Section 11-4.1 of
20 the Election Code.

21 16. (Blank).

22 17. Names and addresses of local school council members
23 shall be a matter of public record.

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

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.