

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Sections  
5 10-21.4 and 10-23.8 as follows:

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

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

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

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

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

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

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

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

1 (Source: P.A. 97-256, eff. 1-1-12.)

2 (105 ILCS 5/10-23.8) (from Ch. 122, par. 10-23.8)

3 Sec. 10-23.8. Superintendent contracts. After the  
4 effective date of this amendatory Act of 1997 and the  
5 expiration of contracts in effect on the effective date of this  
6 amendatory Act, school districts may only employ a  
7 superintendent or, if authorized by law, a chief executive  
8 officer under either a contract for a period not exceeding one  
9 year or a performance-based contract for a period not exceeding  
10 5 years.

11 Performance-based contracts shall be linked to student  
12 performance and academic improvement within the schools of the  
13 districts. No performance-based contract shall be extended or  
14 rolled-over prior to its scheduled expiration unless all the  
15 performance and improvement goals contained in the contract  
16 have been met. Each performance-based contract shall include  
17 the goals and indicators of student performance and academic  
18 improvement determined and used by the local school board to  
19 measure the performance and effectiveness of the  
20 superintendent and such other information as the local school  
21 board may determine.

22 By accepting the terms of a multi-year contract, the  
23 superintendent or chief executive officer waives all rights  
24 granted him or her under Sections 24-11 through 24-16 of this  
25 Act only for the term of the multi-year contract. Upon

1 acceptance of a multi-year contract, the superintendent or  
2 chief executive officer shall not lose any previously acquired  
3 tenure credit with the district.

4 (Source: P.A. 90-548, eff. 1-1-98; 91-314, eff. 1-1-00.)