

# HB2205



## 101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2205

by Rep. Nicholas K. Smith

### SYNOPSIS AS INTRODUCED:

105 ILCS 5/34-230

Amends the Chicago School District Article of the School Code. With regard to a proposed school closure, requires the chief executive officer to publish on the school district's website a full financial report on the closure that includes an analysis of the closure's costs and benefits to the district. Effective immediately.

LRB101 07683 AXK 52731 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Section  
5 34-230 as follows:

6 (105 ILCS 5/34-230)

7 Sec. 34-230. School action public meetings and hearings.

8 (a) By October 1 of each year, the chief executive officer  
9 shall prepare and publish guidelines for school actions. The  
10 guidelines shall outline the academic and non-academic  
11 criteria for a school action. These guidelines shall be created  
12 with the involvement of local school councils, parents,  
13 educators, and community organizations. These guidelines, and  
14 each subsequent revision, shall be subject to a public comment  
15 period of at least 21 days before their approval.

16 (b) The chief executive officer shall announce all proposed  
17 school actions to be taken at the close of the current academic  
18 year consistent with the guidelines by December 1 of each year.

19 (c) On or before December 1 of each year, the chief  
20 executive officer shall publish notice of the proposed school  
21 actions.

22 (1) Notice of the proposal for a school action shall  
23 include a written statement of the basis for the school

1 action, an explanation of how the school action meets the  
2 criteria set forth in the guidelines, and a draft School  
3 Transition Plan identifying the items required in Section  
4 34-225 of this Code for all schools affected by the school  
5 action. The notice shall state the date, time, and place of  
6 the hearing or meeting. For a school closure only, at the  
7 time notice is given, the chief executive officer must  
8 publish on the district's website a full financial report  
9 on the closure that includes an analysis of the closure's  
10 costs and benefits to the district.

11 (2) The chief executive officer or his or her designee  
12 shall provide notice to the principal, staff, local school  
13 council, and parents or guardians of any school that is  
14 subject to the proposed school action.

15 (3) The chief executive officer shall provide written  
16 notice of any proposed school action to the State Senator,  
17 State Representative, and alderman for the school or  
18 schools that are subject to the proposed school action.

19 (4) The chief executive officer shall publish notice of  
20 proposed school actions on the district's Internet  
21 website.

22 (5) The chief executive officer shall provide notice of  
23 proposed school actions at least 30 calendar days in  
24 advance of a public hearing or meeting. The notice shall  
25 state the date, time, and place of the hearing or meeting.  
26 No Board decision regarding a proposed school action may

1 take place less than 60 days after the announcement of the  
2 proposed school action.

3 (d) The chief executive officer shall publish a brief  
4 summary of the proposed school actions and the date, time, and  
5 place of the hearings or meetings in a newspaper of general  
6 circulation.

7 (e) The chief executive officer shall designate at least 3  
8 opportunities to elicit public comment at a hearing or meeting  
9 on a proposed school action and shall do the following:

10 (1) Convene at least one public hearing at the  
11 centrally located office of the Board.

12 (2) Convene at least 2 additional public hearings or  
13 meetings at a location convenient to the school community  
14 subject to the proposed school action.

15 (f) Public hearings shall be conducted by a qualified  
16 independent hearing officer chosen from a list of independent  
17 hearing officers. The general counsel shall compile and publish  
18 a list of independent hearing officers by November 1 of each  
19 school year. The independent hearing officer shall have the  
20 following qualifications:

21 (1) he or she must be a licensed attorney eligible to  
22 practice law in Illinois;

23 (2) he or she must not be an employee of the Board; and

24 (3) he or she must not have represented the Board, its  
25 employees or any labor organization representing its  
26 employees, any local school council, or any charter or

1 contract school in any capacity within the last year.

2 The independent hearing officer shall issue a written  
3 report that summarizes the hearing and determines whether the  
4 chief executive officer complied with the requirements of this  
5 Section and the guidelines.

6 The chief executive officer shall publish the report on the  
7 district's Internet website within 5 calendar days after  
8 receiving the report and at least 15 days prior to any Board  
9 action being taken.

10 (g) Public meetings shall be conducted by a representative  
11 of the chief executive officer. A summary of the public meeting  
12 shall be published on the district's Internet website within 5  
13 calendar days after the meeting.

14 (h) If the chief executive officer proposes a school action  
15 without following the mandates set forth in this Section, the  
16 proposed school action shall not be approved by the Board  
17 during the school year in which the school action was proposed.

18 (Source: P.A. 97-473, eff. 1-1-12; 97-474, eff. 8-22-11;  
19 97-813, eff. 7-13-12; 97-1133, eff. 11-30-12.)

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