



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5042

Introduced 2/18/2020, by Rep. Emanuel Chris Welch

SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.161
105 ILCS 5/2-3.164
105 ILCS 5/27-6.5
105 ILCS 5/34-18.43
105 ILCS 5/2-3.11 rep.
105 ILCS 5/2-3.168 rep.

Amends the School Code. Removes language concerning a reading instruction advisory group, a reference to the chairperson of the State Charter School Commission in language creating the Attendance Commission, a physical fitness assessment task force, and an annual meeting of the Chicago Educational Facilities Task Force. Repeals Sections concerning a report on the condition of schools and the Advisory Council on At-Risk Students. Effective July 1, 2020.

LRB101 18964 NHT 68423 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 School Code is amended by changing Sections
5 2-3.161, 2-3.164, 27-6.5, and 34-18.43 as follows:

6 (105 ILCS 5/2-3.161)

7 Sec. 2-3.161. Definition of dyslexia; reading instruction
8 advisory group; handbook.

9 (a) The State Board of Education shall incorporate, in both
10 general education and special education, the following
11 definition of dyslexia:

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

23 (b) (Blank). ~~Subject to specific State appropriation or the~~

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

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

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

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

25 (3) a description of resources and services available
26 to pupils with dyslexia, parents or guardians of pupils

1 with dyslexia, and teachers.

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

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

9 (105 ILCS 5/2-3.164)

10 (Section scheduled to be repealed on December 16, 2020)

11 Sec. 2-3.164. Attendance Commission.

12 (a) The Attendance Commission is created within the State
13 Board of Education to study the issue of chronic absenteeism in
14 this State and make recommendations for strategies to prevent
15 chronic absenteeism. The Commission shall consist of all of the
16 following members:

17 (1) The Director of the Department of Children and
18 Family Services or his or her designee.

19 (2) The Chairperson of the State Board of Education or
20 his or her designee.

21 (3) The Chairperson of the Board of Higher Education or
22 his or her designee.

23 (4) The Secretary of the Department of Human Services
24 or his or her designee.

25 (5) The Director of the Department of Public Health or

1 his or her designee.

2 (6) The Chairperson of the Illinois Community College
3 Board or his or her designee.

4 (7) (Blank). ~~The Chairperson of the State Charter~~
5 ~~School Commission or his or her designee.~~

6 (8) An individual that deals with children's
7 disabilities, impairments, and social emotional issues,
8 appointed by the State Superintendent of Education.

9 (9) One member from each of the following
10 organizations, appointed by the State Superintendent of
11 Education:

12 (A) A non-profit organization that advocates for
13 students in temporary living situations.

14 (B) An Illinois-focused, non-profit organization
15 that advocates for the well-being of all children and
16 families in this State.

17 (C) An Illinois non-profit, anti-crime
18 organization of law enforcement that researches and
19 recommends early learning and youth development
20 strategies to reduce crime.

21 (D) An Illinois non-profit organization that
22 conducts community-organizing around family issues.

23 (E) A statewide professional teachers'
24 organization.

25 (F) A different statewide professional teachers'
26 organization.

1 (G) A professional teachers' organization in a
2 city having a population exceeding 500,000.

3 (H) An association representing school
4 administrators.

5 (I) An association representing school board
6 members.

7 (J) An association representing school principals.

8 (K) An association representing regional
9 superintendents of schools.

10 (L) An association representing parents.

11 (M) An association representing high school
12 districts.

13 (N) An association representing large unit
14 districts.

15 (O) An organization that advocates for healthier
16 school environments in Illinois.

17 (P) An organization that advocates for the health
18 and safety of Illinois youth and families by providing
19 capacity building services.

20 (Q) A statewide association of local philanthropic
21 organizations that advocates for effective
22 educational, health, and human service policies to
23 improve this State's communities.

24 (R) A statewide organization that advocates for
25 partnerships among schools, families, and the
26 community that provide access to support and remove

1 barriers to learning and development, using schools as
2 hubs.

3 (S) An organization representing statewide
4 programs actively involved in truancy intervention.

5 Attendance Commission members shall serve without
6 compensation but shall be reimbursed for their travel expenses
7 from appropriations to the State Board of Education available
8 for that purpose and subject to the rules of the appropriate
9 travel control board.

10 (b) The Attendance Commission shall meet initially at the
11 call of the State Superintendent of Education. The members
12 shall elect a chairperson at their initial meeting. Thereafter,
13 the Attendance Commission shall meet at the call of the
14 chairperson. The Attendance Commission shall hold hearings on a
15 periodic basis to receive testimony from the public regarding
16 attendance.

17 (c) The Attendance Commission shall identify strategies,
18 mechanisms, and approaches to help parents, educators,
19 principals, superintendents, and the State Board of Education
20 address and prevent chronic absenteeism and shall recommend to
21 the General Assembly and State Board of Education:

22 (1) a standard for attendance and chronic absenteeism,
23 defining attendance as a calculation of standard clock
24 hours in a day that equal a full day based on instructional
25 minutes for both a half day and a full day per learning
26 environment;

1 (2) mechanisms to improve data systems to monitor and
2 track chronic absenteeism across this State in a way that
3 identifies trends from prekindergarten through grade 12
4 and allows the identification of students who need
5 individualized chronic absenteeism prevention plans;

6 (3) mechanisms for reporting and accountability for
7 schools and districts across this State, including
8 creating multiple measure indexes for reporting;

9 (4) best practices for utilizing attendance and
10 chronic absenteeism data to create multi-tiered systems of
11 support and prevention that will result in students being
12 ready for college and career; and

13 (5) new initiatives and responses to ongoing
14 challenges presented by chronic absenteeism.

15 (d) The State Board of Education shall provide
16 administrative support to the Commission. The Attendance
17 Commission shall submit an initial report to the General
18 Assembly and the State Board of Education no later than March
19 15, 2016. The Attendance Commission shall submit an annual
20 report to the General Assembly and the State Board of Education
21 no later than December 15, 2016 and each December 15
22 thereafter.

23 (e) The Attendance Commission is abolished and this Section
24 is repealed on December 16, 2020.

25 (Source: P.A. 99-432, eff. 8-21-15; 99-601, eff. 7-22-16;
26 99-642, eff. 7-28-16.)

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, body
5 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 subsection
15 ~~subsections (c) and~~ (e) of this Section, to assess student
16 fitness indicators.

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

25 (c) (Blank). ~~On or before October 1, 2014, the State~~

1 ~~Superintendent of Education shall appoint a 15-member~~
2 ~~stakeholder and expert task force, including members~~
3 ~~representing organizations that represent physical education~~
4 ~~teachers, school officials, principals, health promotion and~~
5 ~~disease prevention advocates and experts, school health~~
6 ~~advocates and experts, and other experts with operational and~~
7 ~~academic expertise in the measurement of fitness. The task~~
8 ~~force shall make recommendations to the State Board of~~
9 ~~Education on the following:~~

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

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

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

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

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

1 ~~gender;~~

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

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

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

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

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

20 (d) The State Board of Education must ~~On or before December~~
21 ~~31, 2015, the State Board of Education shall use the~~
22 ~~recommendations of the task force under subsection (c) of this~~
23 ~~Section to~~ adopt rules for the implementation of physical
24 fitness assessments under this Section by each public school
25 ~~for the 2016-2017 school year and every school year thereafter.~~

26 (e) The ~~On or before September 1, 2016,~~ the State Board of

1 Education shall adopt rules for data submission by school
2 districts and develop a system for collecting and reporting the
3 aggregated fitness information from the physical fitness
4 assessments. This system shall also support the collection of
5 data from school districts that use a fitness testing software
6 program.

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

14 (g) Nothing in this Section precludes schools from
15 implementing a physical fitness assessment before the
16 2016-2017 school year or from implementing more robust forms of
17 a physical fitness assessment.

18 (Source: P.A. 98-859, eff. 8-4-14.)

19 (105 ILCS 5/34-18.43)

20 Sec. 34-18.43. Establishing an equitable and effective
21 school facility development process.

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

23 (1) The Illinois Constitution recognizes that a
24 "fundamental goal of the People of the State is the
25 educational development of all persons to the limits of

1 their capacities".

2 (2) Quality educational facilities are essential for
3 fostering the maximum educational development of all
4 persons through their educational experience from
5 pre-kindergarten through high school.

6 (3) The public school is a major institution in our
7 communities. Public schools offer resources and
8 opportunities for the children of this State who seek and
9 deserve quality education, but also benefit the entire
10 community that seeks improvement through access to
11 education.

12 (4) The equitable and efficient use of available
13 facilities-related resources among different schools and
14 among racial, ethnic, income, and disability groups is
15 essential to maximize the development of quality public
16 educational facilities for all children, youth, and
17 adults. The factors that impact the equitable and efficient
18 use of facility-related resources vary according to the
19 needs of each school community. Therefore, decisions that
20 impact school facilities should include the input of the
21 school community to the greatest extent possible.

22 (5) School openings, school closings, school
23 consolidations, school turnarounds, school phase-outs,
24 school construction, school repairs, school
25 modernizations, school boundary changes, and other related
26 school facility decisions often have a profound impact on

1 education in a community. In order to minimize the negative
2 impact of school facility decisions on the community, these
3 decisions should be implemented according to a clear
4 system-wide criteria and with the significant involvement
5 of local school councils, parents, educators, and the
6 community in decision-making.

7 (6) The General Assembly has previously stated that it
8 intended to make the individual school in the City of
9 Chicago the essential unit for educational governance and
10 improvement and to place the primary responsibility for
11 school governance and improvement in the hands of parents,
12 teachers, and community residents at each school. A school
13 facility policy must be consistent with these principles.

14 (b) In order to ensure that school facility-related
15 decisions are made with the input of the community and reflect
16 educationally sound and fiscally responsible criteria, a
17 Chicago Educational Facilities Task Force shall be established
18 within 15 days after the effective date of this amendatory Act
19 of the 96th General Assembly.

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

22 (1) Two members of the House of Representatives
23 appointed by the Speaker of the House, at least one of whom
24 shall be a member of the Elementary & Secondary Education
25 Committee.

26 (2) Two members of the House of Representatives

1 appointed by the Minority Leader of the House, at least one
2 of whom shall be a member of the Elementary & Secondary
3 Education Committee.

4 (3) Two members of the Senate appointed by the
5 President of the Senate, at least one of whom shall be a
6 member of the Education Committee.

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

10 (5) Two representatives of school community
11 organizations with past involvement in school facility
12 issues appointed by the Speaker of the House.

13 (6) Two representatives of school community
14 organizations with past involvement in school facility
15 issues appointed by the President of the Senate.

16 (7) The chief executive officer of the school district
17 or his or her designee.

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

20 (9) The president of the association representing
21 principals in the schools of the district or his or her
22 designee.

23 (d) The Speaker of the House shall appoint one of the
24 appointed House members as a co-chairperson of the Chicago
25 Educational Facilities Task Force. The President of the Senate
26 shall appoint one of the appointed Senate members as a

1 co-chairperson of the Chicago Educational Facilities Task
2 Force. Members appointed by the legislative leaders shall be
3 appointed for the duration of the Chicago Educational
4 Facilities Task Force; in the event of a vacancy, the
5 appointment to fill the vacancy shall be made by the
6 legislative leader of the same chamber and party as the leader
7 who made the original appointment.

8 (e) The Chicago Educational Facilities Task Force shall
9 call on independent experts, as needed, to gather and analyze
10 pertinent information on a pro bono basis, provided that these
11 experts have no previous or on-going financial interest in
12 school facility issues related to the school district. The
13 Chicago Educational Facilities Task Force shall secure pro bono
14 expert assistance within 15 days after the establishment of the
15 Chicago Educational Facilities Task Force.

16 (f) The Chicago Educational Facilities Task Force shall be
17 empowered to gather further evidence in the form of testimony
18 or documents or other materials.

19 (g) The Chicago Educational Facilities Task Force, with the
20 help of the independent experts, shall analyze past Chicago
21 experiences and data with respect to school openings, school
22 closings, school consolidations, school turnarounds, school
23 phase-outs, school construction, school repairs, school
24 modernizations, school boundary changes, and other related
25 school facility decisions on students. The Chicago Educational
26 Facilities Task Force shall consult widely with stakeholders,

1 including public officials, about these facility issues and
2 their related costs and shall examine relevant best practices
3 from other school systems for dealing with these issues
4 systematically and equitably. These initial investigations
5 shall include opportunities for input from local stakeholders
6 through hearings, focus groups, and interviews.

7 (h) The Chicago Educational Facilities Task Force shall
8 prepare recommendations describing how the issues set forth in
9 subsection (g) of this Section can be addressed effectively
10 based upon educationally sound and fiscally responsible
11 practices.

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

18 (j) The Chicago Educational Facilities Task Force shall
19 prepare final proposed policy and legislative recommendations
20 for the General Assembly, the Governor, and the school
21 district. The recommendations may address issues, standards,
22 and procedures set forth in this Section. The final
23 recommendations shall be made available to the public through
24 posting on the school district's Internet website and other
25 forms of publication and distribution in the school district at
26 least 7 days before the recommendations are submitted to the

1 General Assembly, the Governor, and the school district.

2 (k) The recommendations may address issues of system-wide
3 criteria for ensuring clear priorities, equity, and
4 efficiency.

5 Without limitation, the final recommendations may propose
6 significant decision-making roles for key stakeholders,
7 including the individual school and community; recommend clear
8 criteria or processes for establishing criteria for making
9 school facility decisions; and include clear criteria for
10 setting priorities with respect to school openings, school
11 closings, school consolidations, school turnarounds, school
12 phase-outs, school construction, school repairs, school
13 modernizations, school boundary changes, and other related
14 school facility decisions, including the encouragement of
15 multiple community uses for school space.

16 Without limitation, the recommendations may propose
17 criteria for student mobility; the transferring of students to
18 lower performing schools; teacher mobility; insufficient
19 notice to and the lack of inclusion in decision-making of local
20 school councils, parents, and community members about school
21 facility decisions; and costly facilities-related expenditures
22 due to poor educational and facilities planning.

23 (l) The State Board of Education and the school district
24 shall provide administrative support to the Chicago
25 Educational Facilities Task Force.

26 (m) After recommendations have been issued, the Chicago

1 Educational Facilities Task Force shall meet ~~at least once~~
2 ~~annually~~, upon the call of the chairs~~7~~ for the purpose of
3 reviewing Chicago public schools' compliance with the
4 provisions of Sections 34-200 through 34-235 of this Code
5 concerning school action and facility master planning. The Task
6 Force shall prepare a report to the General Assembly, the
7 Governor's Office, the Mayor of the City of Chicago, and the
8 Chicago Board of Education indicating how the district has met
9 the requirements of the provisions of Sections 34-200 through
10 34-235 of this Code concerning school action and facility
11 master planning.

12 (Source: P.A. 96-803, eff. 10-30-09; 97-333, eff. 8-12-11;
13 97-473, eff. 1-1-12; 97-474, eff. 8-22-11.)

14 (105 ILCS 5/2-3.11 rep.)

15 (105 ILCS 5/2-3.168 rep.)

16 Section 10. The School Code is amended by repealing
17 Sections 2-3.11 and 2-3.168.

18 Section 99. Effective date. This Act takes effect July 1,
19 2020.