



Rep. Nicholas K. Smith

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10100HB2205ham001

LRB101 07683 AXK 58325 a

1 AMENDMENT TO HOUSE BILL 2205

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2205 by replacing  
3 everything after the enacting clause with the following:

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

1 school actions to be taken at the close of the current academic  
2 year consistent with the guidelines by December 1 of each year.

3 (c) On or before December 1 of each year, the chief  
4 executive officer shall publish notice of the proposed school  
5 actions.

6 (1) Notice of the proposal for a school action shall  
7 include a written statement of the basis for the school  
8 action, an explanation of how the school action meets the  
9 criteria set forth in the guidelines, and a draft School  
10 Transition Plan identifying the items required in Section  
11 34-225 of this Code for all schools affected by the school  
12 action. The notice shall state the date, time, and place of  
13 the hearing or meeting. For a school closure only, 8 months  
14 after notice is given, the chief executive officer must  
15 publish on the district's website a full financial report  
16 on the closure that includes an analysis of the closure's  
17 costs and benefits to the district.

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

22 (3) The chief executive officer shall provide written  
23 notice of any proposed school action to the State Senator,  
24 State Representative, and alderman for the school or  
25 schools that are subject to the proposed school action.

26 (4) The chief executive officer shall publish notice of

1 proposed school actions on the district's Internet  
2 website.

3 (5) The chief executive officer shall provide notice of  
4 proposed school actions at least 30 calendar days in  
5 advance of a public hearing or meeting. The notice shall  
6 state the date, time, and place of the hearing or meeting.  
7 No Board decision regarding a proposed school action may  
8 take place less than 60 days after the announcement of the  
9 proposed school action.

10 (d) The chief executive officer shall publish a brief  
11 summary of the proposed school actions and the date, time, and  
12 place of the hearings or meetings in a newspaper of general  
13 circulation.

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

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

19 (2) Convene at least 2 additional public hearings or  
20 meetings at a location convenient to the school community  
21 subject to the proposed school action.

22 (f) Public hearings shall be conducted by a qualified  
23 independent hearing officer chosen from a list of independent  
24 hearing officers. The general counsel shall compile and publish  
25 a list of independent hearing officers by November 1 of each  
26 school year. The independent hearing officer shall have the

1 following qualifications:

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

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

5 (3) he or she must not have represented the Board, its  
6 employees or any labor organization representing its  
7 employees, any local school council, or any charter or  
8 contract school in any capacity within the last year.

9 The independent hearing officer shall issue a written  
10 report that summarizes the hearing and determines whether the  
11 chief executive officer complied with the requirements of this  
12 Section and the guidelines.

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

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

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

25 (Source: P.A. 97-473, eff. 1-1-12; 97-474, eff. 8-22-11;  
26 97-813, eff. 7-13-12; 97-1133, eff. 11-30-12.)

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