



Rep. William Davis

Filed: 5/20/2020

10100SB1569ham002

LRB101 09273 NHT 72142 a

1 AMENDMENT TO SENATE BILL 1569

2 AMENDMENT NO. _____. Amend Senate Bill 1569, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The School Code is amended by changing Sections
6 1H-115, 2-3.64a-5, 2-3.71, 10-19, 10-19.05, 10-20.56, 17-2.11,
7 17-2A, 18-8.15, 21B-45, 24-11, 24-12, 24A-5, 27-3, 27-6.5,
8 27-8.1, 27-21, 27-22, 34-2.1, and 34-2.2 and by adding Sections
9 10-30, 21B-110, 21B-115, 22-89, and 34-18.66 as follows:

10 (105 ILCS 5/1H-115)

11 Sec. 1H-115. Abolition of Panel.

12 (a) Except as provided in subsections (b), (c), ~~and~~ (d),
13 and (e) of this Section, the Panel shall be abolished 10 years
14 after its creation.

15 (b) The State Board, upon recommendation of the Panel or
16 petition of the school board, may abolish the Panel at any time

1 after the Panel has been in existence for 3 years if no
2 obligations of the Panel are outstanding or remain undefeased
3 and upon investigation and finding that:

4 (1) none of the factors specified in Section 1A-8 of
5 this Code remain applicable to the district; and

6 (2) there has been substantial achievement of the goals
7 and objectives established pursuant to the financial plan
8 and required under Section 1H-15 of this Code.

9 (c) The Panel of a district that otherwise meets all of the
10 requirements for abolition of a Panel under subsection (b) of
11 this Section, except for the fact that there are outstanding
12 financial obligations of the Panel, may petition the State
13 Board for reinstatement of all of the school board's powers and
14 duties assumed by the Panel; and if approved by the State
15 Board, then:

16 (1) the Panel shall continue in operation, but its
17 powers and duties shall be limited to those necessary to
18 manage and administer its outstanding obligations;

19 (2) the school board shall once again begin exercising
20 all of the powers and duties otherwise allowed by statute;
21 and

22 (3) the Panel shall be abolished as provided in
23 subsection (a) of this Section.

24 (d) If the Panel of a district otherwise meets all of the
25 requirements for abolition of a Panel under subsection (b) of
26 this Section, except for outstanding obligations of the Panel,

1 then the district may petition the State Board for abolition of
2 the Panel if the district:

3 (1) establishes an irrevocable trust fund, the purpose
4 of which is to provide moneys to defease the outstanding
5 obligations of the Panel; and

6 (2) issues funding bonds pursuant to the provisions of
7 Sections 19-8 and 19-9 of this Code.

8 A district with a Panel that falls under this subsection
9 (d) shall be abolished as provided in subsection (a) of this
10 Section.

11 (e) The duration of a Panel may be continued for more than
12 10 years after the date of its creation if the State Board
13 extends the Panel's duration under paragraph (3) of subsection
14 (e) of Section 18-8.15 of this Code.

15 (Source: P.A. 97-429, eff. 8-16-11; 98-463, eff. 8-16-13.)

16 (105 ILCS 5/2-3.64a-5)

17 Sec. 2-3.64a-5. State goals and assessment.

18 (a) For the assessment and accountability purposes of this
19 Section, "students" includes those students enrolled in a
20 public or State-operated elementary school, secondary school,
21 or cooperative or joint agreement with a governing body or
22 board of control, a charter school operating in compliance with
23 the Charter Schools Law, a school operated by a regional office
24 of education under Section 13A-3 of this Code, or a public
25 school administered by a local public agency or the Department

1 of Human Services.

2 (b) The State Board of Education shall establish the
3 academic standards that are to be applicable to students who
4 are subject to State assessments under this Section. The State
5 Board of Education shall not establish any such standards in
6 final form without first providing opportunities for public
7 participation and local input in the development of the final
8 academic standards. Those opportunities shall include a
9 well-publicized period of public comment and opportunities to
10 file written comments.

11 (c) Beginning no later than the 2014-2015 school year, the
12 State Board of Education shall annually assess all students
13 enrolled in grades 3 through 8 in English language arts and
14 mathematics.

15 Beginning no later than the 2017-2018 school year, the
16 State Board of Education shall annually assess all students in
17 science at one grade in grades 3 through 5, at one grade in
18 grades 6 through 8, and at one grade in grades 9 through 12.

19 The State Board of Education shall annually assess schools
20 that operate a secondary education program, as defined in
21 Section 22-22 of this Code, in English language arts and
22 mathematics. The State Board of Education shall administer no
23 more than 3 assessments, per student, of English language arts
24 and mathematics for students in a secondary education program.
25 One of these assessments shall be recognized by this State's
26 public institutions of higher education, as defined in the

1 Board of Higher Education Act, for the purpose of student
2 application or admissions consideration. The assessment
3 administered by the State Board of Education for the purpose of
4 student application to or admissions consideration by
5 institutions of higher education must be administered on a
6 school day during regular student attendance hours.

7 Students who do not take the State's final accountability
8 assessment or its approved alternate assessment may not receive
9 a regular high school diploma unless the student is exempted
10 from taking the State assessments under subsection (d) of this
11 Section because the student is enrolled in a program of adult
12 and continuing education, as defined in the Adult Education
13 Act, or the student is identified by the State Board of
14 Education, through rules, as being exempt from the assessment.

15 The State Board of Education shall not assess students
16 under this Section in subjects not required by this Section.

17 Districts shall inform their students of the timelines and
18 procedures applicable to their participation in every yearly
19 administration of the State assessments. The State Board of
20 Education shall establish periods of time in each school year
21 during which State assessments shall occur to meet the
22 objectives of this Section.

23 The requirements of this subsection do not apply if the
24 State Board of Education has received a waiver from the
25 administration of assessments from the U.S. Department of
26 Education.

1 (d) Every individualized educational program as described
2 in Article 14 shall identify if the State assessment or
3 components thereof require accommodation for the student. The
4 State Board of Education shall develop rules governing the
5 administration of an alternate assessment that may be available
6 to students for whom participation in this State's regular
7 assessments is not appropriate, even with accommodations as
8 allowed under this Section.

9 Students receiving special education services whose
10 individualized educational programs identify them as eligible
11 for the alternative State assessments nevertheless shall have
12 the option of also taking this State's regular final
13 accountability assessment, which shall be administered in
14 accordance with the eligible accommodations appropriate for
15 meeting these students' respective needs.

16 All students determined to be English learners shall
17 participate in the State assessments. The scores of those
18 students who have been enrolled in schools in the United States
19 for less than 12 months may not be used for the purposes of
20 accountability. Any student determined to be an English learner
21 shall receive appropriate assessment accommodations, including
22 language supports, which shall be established by rule. Approved
23 assessment accommodations must be provided until the student's
24 English language skills develop to the extent that the student
25 is no longer considered to be an English learner, as
26 demonstrated through a State-identified English language

1 proficiency assessment.

2 (e) The results or scores of each assessment taken under
3 this Section shall be made available to the parents of each
4 student.

5 In each school year, the scores attained by a student on
6 the final accountability assessment must be placed in the
7 student's permanent record pursuant to rules that the State
8 Board of Education shall adopt for that purpose in accordance
9 with Section 3 of the Illinois School Student Records Act. In
10 each school year, the scores attained by a student on the State
11 assessments administered in grades 3 through 8 must be placed
12 in the student's temporary record.

13 (f) All schools shall administer the State's academic
14 assessment of English language proficiency to all children
15 determined to be English learners.

16 (g) All schools in this State that are part of the sample
17 drawn by the National Center for Education Statistics, in
18 collaboration with their school districts and the State Board
19 of Education, shall administer the academic assessments under
20 the National Assessment of Educational Progress carried out
21 under Section 411(b)(2) of the federal National Education
22 Statistics Act of 1994 (20 U.S.C. 9010) if the U.S. Secretary
23 of Education pays the costs of administering the assessments.

24 (h) (Blank).

25 (i) For the purposes of this subsection (i), "academically
26 based assessments" means assessments consisting of questions

1 and answers that are measurable and quantifiable to measure the
2 knowledge, skills, and ability of students in the subject
3 matters covered by the assessments. All assessments
4 administered pursuant to this Section must be academically
5 based assessments. The scoring of academically based
6 assessments shall be reliable, valid, and fair and shall meet
7 the guidelines for assessment development and use prescribed by
8 the American Psychological Association, the National Council
9 on Measurement in Education, and the American Educational
10 Research Association.

11 The State Board of Education shall review the use of all
12 assessment item types in order to ensure that they are valid
13 and reliable indicators of student performance aligned to the
14 learning standards being assessed and that the development,
15 administration, and scoring of these item types are justifiable
16 in terms of cost.

17 (j) The State Superintendent of Education shall appoint a
18 committee of no more than 21 members, consisting of parents,
19 teachers, school administrators, school board members,
20 assessment experts, regional superintendents of schools, and
21 citizens, to review the State assessments administered by the
22 State Board of Education. The Committee shall select one of its
23 members as its chairperson. The Committee shall meet on an
24 ongoing basis to review the content and design of the
25 assessments (including whether the requirements of subsection
26 (i) of this Section have been met), the time and money expended

1 at the local and State levels to prepare for and administer the
2 assessments, the collective results of the assessments as
3 measured against the stated purpose of assessing student
4 performance, and other issues involving the assessments
5 identified by the Committee. The Committee shall make periodic
6 recommendations to the State Superintendent of Education and
7 the General Assembly concerning the assessments.

8 (k) The State Board of Education may adopt rules to
9 implement this Section.

10 (Source: P.A. 99-30, eff. 7-10-15; 99-185, eff. 1-1-16; 99-642,
11 eff. 7-28-16; 100-7, eff. 7-1-17; 100-222, eff. 8-18-17;
12 100-863, eff. 8-14-18; 100-1046, eff. 8-23-18.)

13 (105 ILCS 5/2-3.71) (from Ch. 122, par. 2-3.71)

14 Sec. 2-3.71. Grants for preschool educational programs.

15 (a) Preschool program.

16 (1) The State Board of Education shall implement and
17 administer a grant program under the provisions of this
18 subsection which shall consist of grants to public school
19 districts and other eligible entities, as defined by the
20 State Board of Education, to conduct voluntary preschool
21 educational programs for children ages 3 to 5 which include
22 a parent education component. A public school district
23 which receives grants under this subsection may
24 subcontract with other entities that are eligible to
25 conduct a preschool educational program. These grants must

1 be used to supplement, not supplant, funds received from
2 any other source.

3 (2) (Blank).

4 (3) Except as otherwise provided under this subsection
5 (a), any teacher of preschool children in the program
6 authorized by this subsection shall hold a Professional
7 Educator License with an early childhood education
8 endorsement.

9 (3.5) Beginning with the 2018-2019 school year and
10 until the 2023-2024 school year, an individual may teach
11 preschool children in an early childhood program under this
12 Section if he or she holds a Professional Educator License
13 with an early childhood education endorsement or with
14 short-term approval for early childhood education or he or
15 she pursues a Professional Educator License and holds any
16 of the following:

17 (A) An ECE Credential Level of 5 awarded by the
18 Department of Human Services under the Gateways to
19 Opportunity Program developed under Section 10-70 of
20 the Department of Human Services Act.

21 (B) An Educator License with Stipulations with a
22 transitional bilingual educator endorsement and he or
23 she has (i) passed an early childhood education content
24 test or (ii) completed no less than 9 semester hours of
25 postsecondary coursework in the area of early
26 childhood education.

1 (4) (Blank).

2 (4.5) The State Board of Education shall provide the
3 primary source of funding through appropriations for the
4 program. Such funds shall be distributed to achieve a goal
5 of "Preschool for All Children" for the benefit of all
6 children whose families choose to participate in the
7 program. Based on available appropriations, newly funded
8 programs shall be selected through a process giving first
9 priority to qualified programs serving primarily at-risk
10 children and second priority to qualified programs serving
11 primarily children with a family income of less than 4
12 times the poverty guidelines updated periodically in the
13 Federal Register by the U.S. Department of Health and Human
14 Services under the authority of 42 U.S.C. 9902(2). For
15 purposes of this paragraph (4.5), at-risk children are
16 those who because of their home and community environment
17 are subject to such language, cultural, economic and like
18 disadvantages to cause them to have been determined as a
19 result of screening procedures to be at risk of academic
20 failure. Such screening procedures shall be based on
21 criteria established by the State Board of Education.

22 Except as otherwise provided in this paragraph (4.5),
23 grantees under the program must enter into a memorandum of
24 understanding with the appropriate local Head Start
25 agency. This memorandum must be entered into no later than
26 3 months after the award of a grantee's grant under the

1 program, except that, in the case of the 2009-2010 program
2 year, the memorandum must be entered into no later than the
3 deadline set by the State Board of Education for
4 applications to participate in the program in fiscal year
5 2011, and must address collaboration between the grantee's
6 program and the local Head Start agency on certain issues,
7 which shall include without limitation the following:

8 (A) educational activities, curricular objectives,
9 and instruction;

10 (B) public information dissemination and access to
11 programs for families contacting programs;

12 (C) service areas;

13 (D) selection priorities for eligible children to
14 be served by programs;

15 (E) maximizing the impact of federal and State
16 funding to benefit young children;

17 (F) staff training, including opportunities for
18 joint staff training;

19 (G) technical assistance;

20 (H) communication and parent outreach for smooth
21 transitions to kindergarten;

22 (I) provision and use of facilities,
23 transportation, and other program elements;

24 (J) facilitating each program's fulfillment of its
25 statutory and regulatory requirements;

26 (K) improving local planning and collaboration;

1 and

2 (L) providing comprehensive services for the
3 neediest Illinois children and families.

4 If the appropriate local Head Start agency is unable or
5 unwilling to enter into a memorandum of understanding as
6 required under this paragraph (4.5), the memorandum of
7 understanding requirement shall not apply and the grantee
8 under the program must notify the State Board of Education
9 in writing of the Head Start agency's inability or
10 unwillingness. The State Board of Education shall compile
11 all such written notices and make them available to the
12 public.

13 (5) The State Board of Education shall develop and
14 provide evaluation tools, including tests, that school
15 districts and other eligible entities may use to evaluate
16 children for school readiness prior to age 5. The State
17 Board of Education shall require school districts and other
18 eligible entities to obtain consent from the parents or
19 guardians of children before any evaluations are
20 conducted. The State Board of Education shall encourage
21 local school districts and other eligible entities to
22 evaluate the population of preschool children in their
23 communities and provide preschool programs, pursuant to
24 this subsection, where appropriate.

25 (6) The State Board of Education shall report to the
26 General Assembly by November 1, 2018 and every 2 years

1 thereafter on the results and progress of students who were
2 enrolled in preschool educational programs, including an
3 assessment of which programs have been most successful in
4 promoting academic excellence and alleviating academic
5 failure. The State Board of Education shall assess the
6 academic progress of all students who have been enrolled in
7 preschool educational programs.

8 On or before November 1 of each fiscal year in which
9 the General Assembly provides funding for new programs
10 under paragraph (4.5) of this Section, the State Board of
11 Education shall report to the General Assembly on what
12 percentage of new funding was provided to programs serving
13 primarily at-risk children, what percentage of new funding
14 was provided to programs serving primarily children with a
15 family income of less than 4 times the federal poverty
16 level, and what percentage of new funding was provided to
17 other programs.

18 (7) Due to evidence that expulsion practices in the
19 preschool years are linked to poor child outcomes and are
20 employed inconsistently across racial and gender groups,
21 early childhood programs receiving State funds under this
22 subsection (a) shall prohibit expulsions. Planned
23 transitions to settings that are able to better meet a
24 child's needs are not considered expulsion under this
25 paragraph (7).

26 (A) When persistent and serious challenging

1 behaviors emerge, the early childhood program shall
2 document steps taken to ensure that the child can
3 participate safely in the program; including
4 observations of initial and ongoing challenging
5 behaviors, strategies for remediation and intervention
6 plans to address the behaviors, and communication with
7 the parent or legal guardian, including participation
8 of the parent or legal guardian in planning and
9 decision-making.

10 (B) The early childhood program shall, with
11 parental or legal guardian consent as required,
12 utilize a range of community resources, if available
13 and deemed necessary, including, but not limited to,
14 developmental screenings, referrals to programs and
15 services administered by a local educational agency or
16 early intervention agency under Parts B and C of the
17 federal Individual with Disabilities Education Act,
18 and consultation with infant and early childhood
19 mental health consultants and the child's health care
20 provider. The program shall document attempts to
21 engage these resources, including parent or legal
22 guardian participation and consent attempted and
23 obtained. Communication with the parent or legal
24 guardian shall take place in a culturally and
25 linguistically competent manner.

26 (C) If there is documented evidence that all

1 available interventions and supports recommended by a
2 qualified professional have been exhausted and the
3 program determines in its professional judgment that
4 transitioning a child to another program is necessary
5 for the well-being of the child or his or her peers and
6 staff, with parent or legal guardian permission, both
7 the current and pending programs shall create a
8 transition plan designed to ensure continuity of
9 services and the comprehensive development of the
10 child. Communication with families shall occur in a
11 culturally and linguistically competent manner.

12 (D) Nothing in this paragraph (7) shall preclude a
13 parent's or legal guardian's right to voluntarily
14 withdraw his or her child from an early childhood
15 program. Early childhood programs shall request and
16 keep on file, when received, a written statement from
17 the parent or legal guardian stating the reason for his
18 or her decision to withdraw his or her child.

19 (E) In the case of the determination of a serious
20 safety threat to a child or others or in the case of
21 behaviors listed in subsection (d) of Section 10-22.6
22 of this Code, the temporary removal of a child from
23 attendance in group settings may be used. Temporary
24 removal of a child from attendance in a group setting
25 shall trigger the process detailed in subparagraphs
26 (A), (B), and (C) of this paragraph (7), with the child

1 placed back in a group setting as quickly as possible.

2 (F) Early childhood programs may utilize and the
3 State Board of Education, the Department of Human
4 Services, and the Department of Children and Family
5 Services shall recommend training, technical support,
6 and professional development resources to improve the
7 ability of teachers, administrators, program
8 directors, and other staff to promote social-emotional
9 development and behavioral health, to address
10 challenging behaviors, and to understand trauma and
11 trauma-informed care, cultural competence, family
12 engagement with diverse populations, the impact of
13 implicit bias on adult behavior, and the use of
14 reflective practice techniques. Support shall include
15 the availability of resources to contract with infant
16 and early childhood mental health consultants.

17 (G) Beginning on July 1, 2018, early childhood
18 programs shall annually report to the State Board of
19 Education, and, beginning in fiscal year 2020, the
20 State Board of Education shall make available on a
21 biennial basis, in an existing report, all of the
22 following data for children from birth to age 5 who are
23 served by the program:

24 (i) Total number served over the course of the
25 program year and the total number of children who
26 left the program during the program year.

1 (ii) Number of planned transitions to another
2 program due to children's behavior, by children's
3 race, gender, disability, language, class/group
4 size, teacher-child ratio, and length of program
5 day.

6 (iii) Number of temporary removals of a child
7 from attendance in group settings due to a serious
8 safety threat under subparagraph (E) of this
9 paragraph (7), by children's race, gender,
10 disability, language, class/group size,
11 teacher-child ratio, and length of program day.

12 (iv) Hours of infant and early childhood
13 mental health consultant contact with program
14 leaders, staff, and families over the program
15 year.

16 (H) Changes to services for children with an
17 individualized education program or individual family
18 service plan shall be construed in a manner consistent
19 with the federal Individuals with Disabilities
20 Education Act.

21 The State Board of Education, in consultation with the
22 Governor's Office of Early Childhood Development and the
23 Department of Children and Family Services, shall adopt
24 rules to administer this paragraph (7).

25 (b) (Blank).

26 (c) Notwithstanding any other provisions of this Section,

1 grantees may serve children ages 0 to 12 of essential workers
2 if the Governor has declared a disaster due to a public health
3 emergency pursuant to Section 7 of the Illinois Emergency
4 Management Agency Act. For the purposes of this subsection,
5 essential workers include those outlined in Executive Order
6 20-8 and school employees. The State Board of Education shall
7 adopt rules to administer this subsection.

8 (Source: P.A. 100-105, eff. 1-1-18; 100-645, eff. 7-27-18.)

9 (105 ILCS 5/10-19) (from Ch. 122, par. 10-19)

10 Sec. 10-19. Length of school term - experimental programs.
11 Each school board shall annually prepare a calendar for the
12 school term, specifying the opening and closing dates and
13 providing a minimum term of at least 185 days to insure 176
14 days of actual pupil attendance, computable under Section
15 10-19.05, except that for the 1980-1981 school year only 175
16 days of actual pupil attendance shall be required because of
17 the closing of schools pursuant to Section 24-2 on January 29,
18 1981 upon the appointment by the President of that day as a day
19 of thanksgiving for the freedom of the Americans who had been
20 held hostage in Iran. Any days allowed by law for teachers'
21 institutes but not used as such or used as parental institutes
22 as provided in Section 10-22.18d shall increase the minimum
23 term by the school days not so used. Except as provided in
24 Section 10-19.1, the board may not extend the school term
25 beyond such closing date unless that extension of term is

1 necessary to provide the minimum number of computable days. In
2 case of such necessary extension school employees shall be paid
3 for such additional time on the basis of their regular
4 contracts. A school board may specify a closing date earlier
5 than that set on the annual calendar when the schools of the
6 district have provided the minimum number of computable days
7 under this Section. Nothing in this Section prevents the board
8 from employing superintendents of schools, principals and
9 other nonteaching personnel for a period of 12 months, or in
10 the case of superintendents for a period in accordance with
11 Section 10-23.8, or prevents the board from employing other
12 personnel before or after the regular school term with payment
13 of salary proportionate to that received for comparable work
14 during the school term. Remote learning days and up to 5 remote
15 learning planning days established under Section 10-30 shall be
16 deemed pupil attendance days for calculation of the length of a
17 school term under this Section.

18 A school board may make such changes in its calendar for
19 the school term as may be required by any changes in the legal
20 school holidays prescribed in Section 24-2. A school board may
21 make changes in its calendar for the school term as may be
22 necessary to reflect the utilization of teachers' institute
23 days as parental institute days as provided in Section
24 10-22.18d.

25 The calendar for the school term and any changes must be
26 submitted to and approved by the regional superintendent of

1 schools before the calendar or changes may take effect.

2 With the prior approval of the State Board of Education and
3 subject to review by the State Board of Education every 3
4 years, any school board may, by resolution of its board and in
5 agreement with affected exclusive collective bargaining
6 agents, establish experimental educational programs, including
7 but not limited to programs for e-learning days as authorized
8 under Section 10-20.56 of this Code, self-directed learning, or
9 outside of formal class periods, which programs when so
10 approved shall be considered to comply with the requirements of
11 this Section as respects numbers of days of actual pupil
12 attendance and with the other requirements of this Act as
13 respects courses of instruction.

14 (Source: P.A. 100-465, eff. 8-31-17; 101-12, eff. 7-1-19.)

15 (105 ILCS 5/10-19.05)

16 Sec. 10-19.05. Daily pupil attendance calculation.

17 (a) Except as otherwise provided in this Section, for a
18 pupil of legal school age and in kindergarten or any of grades
19 1 through 12, a day of attendance shall be counted only for
20 sessions of not less than 5 clock hours of school work per day
21 under direct supervision of (i) teachers or (ii) non-teaching
22 personnel or volunteer personnel when engaging in non-teaching
23 duties and supervising in those instances specified in
24 subsection (a) of Section 10-22.34 and paragraph 10 of Section
25 34-18. Days of attendance by pupils through verified

1 participation in an e-learning program adopted by a school
2 board and verified by the regional office of education or
3 intermediate service center for the school district under
4 Section 10-20.56 of this Code shall be considered as full days
5 of attendance under this Section.

6 (b) A pupil regularly enrolled in a public school for only
7 a part of the school day may be counted on the basis of
8 one-sixth of a school day for every class hour of instruction
9 of 40 minutes or more attended pursuant to such enrollment,
10 unless a pupil is enrolled in a block-schedule format of 80
11 minutes or more of instruction, in which case the pupil may be
12 counted on the basis of the proportion of minutes of school
13 work completed each day to the minimum number of minutes that
14 school work is required to be held that day.

15 (c) A session of 4 or more clock hours may be counted as a
16 day of attendance upon certification by the regional
17 superintendent of schools and approval by the State
18 Superintendent of Education to the extent that the district has
19 been forced to use daily multiple sessions.

20 (d) A session of 3 or more clock hours may be counted as a
21 day of attendance (1) when the remainder of the school day or
22 at least 2 hours in the evening of that day is utilized for an
23 in-service training program for teachers, up to a maximum of 10
24 days per school year, provided that a district conducts an
25 in-service training program for teachers in accordance with
26 Section 10-22.39 of this Code, or, in lieu of 4 such days, 2

1 full days may be used, in which event each such day may be
2 counted as a day required for a legal school calendar pursuant
3 to Section 10-19 of this Code; (2) when, of the 5 days allowed
4 under item (1), a maximum of 4 days are used for parent-teacher
5 conferences, or, in lieu of 4 such days, 2 full days are used,
6 in which case each such day may be counted as a calendar day
7 required under Section 10-19 of this Code, provided that the
8 full-day, parent-teacher conference consists of (i) a minimum
9 of 5 clock hours of parent-teacher conferences, (ii) both a
10 minimum of 2 clock hours of parent-teacher conferences held in
11 the evening following a full day of student attendance and a
12 minimum of 3 clock hours of parent-teacher conferences held on
13 the day immediately following evening parent-teacher
14 conferences, or (iii) multiple parent-teacher conferences held
15 in the evenings following full days of student attendance in
16 which the time used for the parent-teacher conferences is
17 equivalent to a minimum of 5 clock hours; and (3) when days in
18 addition to those provided in items (1) and (2) are scheduled
19 by a school pursuant to its school improvement plan adopted
20 under Article 34 or its revised or amended school improvement
21 plan adopted under Article 2, provided that (i) such sessions
22 of 3 or more clock hours are scheduled to occur at regular
23 intervals, (ii) the remainder of the school days in which such
24 sessions occur are utilized for in-service training programs or
25 other staff development activities for teachers, and (iii) a
26 sufficient number of minutes of school work under the direct

1 supervision of teachers are added to the school days between
2 such regularly scheduled sessions to accumulate not less than
3 the number of minutes by which such sessions of 3 or more clock
4 hours fall short of 5 clock hours. Days scheduled for
5 in-service training programs, staff development activities, or
6 parent-teacher conferences may be scheduled separately for
7 different grade levels and different attendance centers of the
8 district.

9 (e) A session of not less than one clock hour of teaching
10 hospitalized or homebound pupils on-site or by telephone to the
11 classroom may be counted as a half day of attendance; however,
12 these pupils must receive 4 or more clock hours of instruction
13 to be counted for a full day of attendance.

14 (f) A session of at least 4 clock hours may be counted as a
15 day of attendance for first grade pupils and pupils in full-day
16 kindergartens, and a session of 2 or more hours may be counted
17 as a half day of attendance by pupils in kindergartens that
18 provide only half days of attendance.

19 (g) For children with disabilities who are below the age of
20 6 years and who cannot attend 2 or more clock hours because of
21 their disability or immaturity, a session of not less than one
22 clock hour may be counted as a half day of attendance; however,
23 for such children whose educational needs require a session of
24 4 or more clock hours, a session of at least 4 clock hours may
25 be counted as a full day of attendance.

26 (h) A recognized kindergarten that provides for only a half

1 day of attendance by each pupil shall not have more than one
2 half day of attendance counted in any one day. However,
3 kindergartens may count 2 and a half days of attendance in any
4 5 consecutive school days. When a pupil attends such a
5 kindergarten for 2 half days on any one school day, the pupil
6 shall have the following day as a day absent from school,
7 unless the school district obtains permission in writing from
8 the State Superintendent of Education. Attendance at
9 kindergartens that provide for a full day of attendance by each
10 pupil shall be counted the same as attendance by first grade
11 pupils. Only the first year of attendance in one kindergarten
12 shall be counted, except in the case of children who entered
13 the kindergarten in their fifth year whose educational
14 development requires a second year of kindergarten as
15 determined under rules of the State Board of Education.

16 (i) On the days when the State's final accountability
17 assessment is administered under subsection (c) of Section
18 2-3.64a-5 of this Code, the day of attendance for a pupil whose
19 school day must be shortened to accommodate required testing
20 procedures may be less than 5 clock hours and shall be counted
21 toward the 176 days of actual pupil attendance required under
22 Section 10-19 of this Code, provided that a sufficient number
23 of minutes of school work in excess of 5 clock hours are first
24 completed on other school days to compensate for the loss of
25 school work on the examination days.

26 (j) Pupils enrolled in a remote educational program

1 established under Section 10-29 of this Code may be counted on
2 the basis of a one-fifth day of attendance for every clock hour
3 of instruction attended in the remote educational program,
4 provided that, in any month, the school district may not claim
5 for a student enrolled in a remote educational program more
6 days of attendance than the maximum number of days of
7 attendance the district can claim (i) for students enrolled in
8 a building holding year-round classes if the student is
9 classified as participating in the remote educational program
10 on a year-round schedule or (ii) for students enrolled in a
11 building not holding year-round classes if the student is not
12 classified as participating in the remote educational program
13 on a year-round schedule.

14 (j-5) The clock hour requirements of subsections (a)
15 through (j) of this Section do not apply if the Governor has
16 declared a disaster due to a public health emergency pursuant
17 to Section 7 of the Illinois Emergency Management Agency Act.
18 The State Superintendent of Education may establish minimum
19 clock hour requirements under Section 10-30 if the Governor has
20 declared a disaster due to a public health emergency pursuant
21 to Section 7 of the Illinois Emergency Management Agency Act.

22 (k) Pupil participation in any of the following activities
23 shall be counted toward the calculation of clock hours of
24 school work per day:

25 (1) Instruction in a college course in which a student
26 is dually enrolled for both high school credit and college

1 credit.

2 (2) Participation in a Supervised Career Development
3 Experience, as defined in Section 10 of the Postsecondary
4 and Workforce Readiness Act, in which student
5 participation and learning outcomes are supervised by an
6 educator licensed under Article 21B.

7 (3) Participation in a youth apprenticeship, as
8 jointly defined in rules of the State Board of Education
9 and Department of Commerce and Economic Opportunity, in
10 which student participation and outcomes are supervised by
11 an educator licensed under Article 21B.

12 (4) Participation in a blended learning program
13 approved by the school district in which course content,
14 student evaluation, and instructional methods are
15 supervised by an educator licensed under Article 21B.

16 (Source: P.A. 101-12, eff. 7-1-19.)

17 (105 ILCS 5/10-20.56)

18 Sec. 10-20.56. E-learning days.

19 (a) The State Board of Education shall establish and
20 maintain, for implementation in school districts, a program for
21 use of electronic-learning (e-learning) days, as described in
22 this Section. School districts may utilize a program approved
23 under this Section for use during remote learning days under
24 Section 10-30.

25 (b) The school board of a school district may, by

1 resolution, adopt a research-based program or research-based
2 programs for e-learning days district-wide that shall permit
3 student instruction to be received electronically while
4 students are not physically present in lieu of the district's
5 scheduled emergency days as required by Section 10-19 of this
6 Code. The research-based program or programs may not exceed the
7 minimum number of emergency days in the approved school
8 calendar and must be verified by the regional office of
9 education or intermediate service center for the school
10 district on or before September 1st annually to ensure access
11 for all students. The regional office of education or
12 intermediate service center shall ensure that the specific
13 needs of all students are met, including special education
14 students and English learners, and that all mandates are still
15 met using the proposed research-based program. The e-learning
16 program may utilize the Internet, telephones, texts, chat
17 rooms, or other similar means of electronic communication for
18 instruction and interaction between teachers and students that
19 meet the needs of all learners. The e-learning program shall
20 address the school district's responsibility to ensure that all
21 teachers and staff who may be involved in the provision of
22 e-learning have access to any and all hardware and software
23 that may be required for the program. If a proposed program
24 does not address this responsibility, the school district must
25 propose an alternate program.

26 (c) Before its adoption by a school board, the school board

1 must hold a public hearing on a school district's initial
2 proposal for an e-learning program or for renewal of such a
3 program, at a regular or special meeting of the school board,
4 in which the terms of the proposal must be substantially
5 presented and an opportunity for allowing public comments must
6 be provided. Notice of such public hearing must be provided at
7 least 10 days prior to the hearing by:

8 (1) publication in a newspaper of general circulation
9 in the school district;

10 (2) written or electronic notice designed to reach the
11 parents or guardians of all students enrolled in the school
12 district; and

13 (3) written or electronic notice designed to reach any
14 exclusive collective bargaining representatives of school
15 district employees and all those employees not in a
16 collective bargaining unit.

17 (d) The regional office of education or intermediate
18 service center for the school district must timely verify that
19 a proposal for an e-learning program has met the requirements
20 specified in this Section and that the proposal contains
21 provisions designed to reasonably and practicably accomplish
22 the following:

23 (1) to ensure and verify at least 5 clock hours of
24 instruction or school work, as required under Section
25 10-19.05, for each student participating in an e-learning
26 day;

1 (2) to ensure access from home or other appropriate
2 remote facility for all students participating, including
3 computers, the Internet, and other forms of electronic
4 communication that must be utilized in the proposed
5 program;

6 (2.5) to ensure that non-electronic materials are made
7 available to students participating in the program who do
8 not have access to the required technology or to
9 participating teachers or students who are prevented from
10 accessing the required technology;

11 (3) to ensure appropriate learning opportunities for
12 students with special needs;

13 (4) to monitor and verify each student's electronic
14 participation;

15 (5) to address the extent to which student
16 participation is within the student's control as to the
17 time, pace, and means of learning;

18 (6) to provide effective notice to students and their
19 parents or guardians of the use of particular days for
20 e-learning;

21 (7) to provide staff and students with adequate
22 training for e-learning days' participation;

23 (8) to ensure an opportunity for any collective
24 bargaining negotiations with representatives of the school
25 district's employees that would be legally required,
26 including all classifications of school district employees

1 who are represented by collective bargaining agreements
2 and who would be affected in the event of an e-learning
3 day;

4 (9) to review and revise the program as implemented to
5 address difficulties confronted; and

6 (10) to ensure that the protocol regarding general
7 expectations and responsibilities of the program is
8 communicated to teachers, staff, and students at least 30
9 days prior to utilizing an e-learning day.

10 The school board's approval of a school district's initial
11 e-learning program and renewal of the e-learning program shall
12 be for a term of 3 years.

13 (e) The State Board of Education may adopt rules consistent
14 with the provision of this Section.

15 (Source: P.A. 100-760, eff. 8-10-18; 101-12, eff. 7-1-19.)

16 (105 ILCS 5/10-30 new)

17 Sec. 10-30. Remote learning. This Section applies if the
18 Governor has declared a disaster due to a public health
19 emergency pursuant to Section 7 of the Illinois Emergency
20 Management Agency Act.

21 (1) If the Governor has declared a disaster due to a
22 public health emergency pursuant to Section 7 of the
23 Illinois Emergency Management Agency Act, the State
24 Superintendent of Education may declare a requirement to
25 use remote learning days for a school district, multiple

1 school districts, a region, or the entire State. During
2 remote learning days, schools shall conduct instruction
3 remotely. Once declared, remote learning days shall be
4 implemented in grades pre-kindergarten through 12 as days
5 of attendance and shall be deemed pupil attendance days for
6 calculation of the length of a school term under Section
7 10-19.

8 (2) For purposes of this Section, a remote learning day
9 may be met through a district's implementation of an
10 e-learning program under Section 10-20.56.

11 (3) For any district that does not implement an
12 e-learning program under Section 10-20.56, the district
13 shall adopt a remote learning day plan approved by the
14 district superintendent. Each district may utilize remote
15 learning planning days, consecutively or in separate
16 increments, to develop, review, or amend its remote
17 learning day plan or provide professional development to
18 staff regarding remote education. Up to 5 remote learning
19 planning days may be deemed pupil attendance days for
20 calculation of the length of a school term under Section
21 10-19.

22 (4) Each remote learning day plan shall address the
23 following:

24 (i) accessibility of the remote instruction to all
25 students enrolled in the district;

26 (ii) if applicable, a requirement that the remote

1 learning day activities reflect State learning
2 standards;

3 (iii) a means for students to confer with an
4 educator, as necessary;

5 (iv) the unique needs of students in special
6 populations, including, but not limited to, students
7 eligible for special education under Article 14,
8 students who are English learners as defined in Section
9 14C-2, and students experiencing homelessness under
10 the Education for Homeless Children Act, or vulnerable
11 student populations;

12 (v) how the district will take attendance and
13 monitor and verify each student's remote
14 participation; and

15 (vi) transitions from remote learning to on-site
16 learning upon the State Superintendent's declaration
17 that remote learning days are no longer deemed
18 necessary.

19 (5) The district superintendent shall periodically
20 review and amend the district's remote learning day plan,
21 as needed, to ensure the plan meets the needs of all
22 students.

23 (6) Each remote learning day plan shall be posted on
24 the district's Internet website where other policies,
25 rules, and standards of conduct are posted and shall be
26 provided to students and faculty.

1 (7) This Section does not create any additional
2 employee bargaining rights and does not remove any employee
3 bargaining rights.

4 (8) Statutory and regulatory curricular mandates and
5 offerings may be administered via a district's remote
6 learning day plan, except that a district may not offer
7 individual behind-the-wheel instruction required by
8 Section 27-24.2 via a district's remote learning day plan.
9 This Section does not relieve schools and districts from
10 completing all statutory and regulatory curricular
11 mandates and offerings.

12 (105 ILCS 5/17-2.11) (from Ch. 122, par. 17-2.11)

13 Sec. 17-2.11. School board power to levy a tax or to borrow
14 money and issue bonds for fire prevention, safety, energy
15 conservation, accessibility, school security, and specified
16 repair purposes.

17 (a) Whenever, as a result of any lawful order of any
18 agency, other than a school board, having authority to enforce
19 any school building code applicable to any facility that houses
20 students, or any law or regulation for the protection and
21 safety of the environment, pursuant to the Environmental
22 Protection Act, any school district having a population of less
23 than 500,000 inhabitants is required to alter or reconstruct
24 any school building or permanent, fixed equipment; the district
25 may, by proper resolution, levy a tax for the purpose of making

1 such alteration or reconstruction, based on a survey report by
2 an architect or engineer licensed in this State, upon all of
3 the taxable property of the district at the value as assessed
4 by the Department of Revenue and at a rate not to exceed 0.05%
5 per year for a period sufficient to finance such alteration or
6 reconstruction, upon the following conditions:

7 (1) When there are not sufficient funds available in
8 the operations and maintenance fund of the school district,
9 the school facility occupation tax fund of the district, or
10 the fire prevention and safety fund of the district, as
11 determined by the district on the basis of rules adopted by
12 the State Board of Education, to make such alteration or
13 reconstruction or to purchase and install such permanent,
14 fixed equipment so ordered or determined as necessary.
15 Appropriate school district records must be made available
16 to the State Superintendent of Education, upon request, to
17 confirm this insufficiency.

18 (2) When a certified estimate of an architect or
19 engineer licensed in this State stating the estimated
20 amount necessary to make the alteration or reconstruction
21 or to purchase and install the equipment so ordered has
22 been secured by the school district, and the estimate has
23 been approved by the regional superintendent of schools
24 having jurisdiction over the district and the State
25 Superintendent of Education. Approval must not be granted
26 for any work that has already started without the prior

1 express authorization of the State Superintendent of
2 Education. If the estimate is not approved or is denied
3 approval by the regional superintendent of schools within 3
4 months after the date on which it is submitted to him or
5 her, the school board of the district may submit the
6 estimate directly to the State Superintendent of Education
7 for approval or denial.

8 In the case of an emergency situation, where the estimated
9 cost to effectuate emergency repairs is less than the amount
10 specified in Section 10-20.21 of this Code, the school district
11 may proceed with such repairs prior to approval by the State
12 Superintendent of Education, but shall comply with the
13 provisions of subdivision (2) of this subsection (a) as soon
14 thereafter as may be as well as Section 10-20.21 of this Code.
15 If the estimated cost to effectuate emergency repairs is
16 greater than the amount specified in Section 10-20.21 of this
17 Code, then the school district shall proceed in conformity with
18 Section 10-20.21 of this Code and with rules established by the
19 State Board of Education to address such situations. The rules
20 adopted by the State Board of Education to deal with these
21 situations shall stipulate that emergency situations must be
22 expedited and given priority consideration. For purposes of
23 this paragraph, an emergency is a situation that presents an
24 imminent and continuing threat to the health and safety of
25 students or other occupants of a facility, requires complete or
26 partial evacuation of a building or part of a building, or

1 consumes one or more of the 5 emergency days built into the
2 adopted calendar of the school or schools or would otherwise be
3 expected to cause such school or schools to fall short of the
4 minimum school calendar requirements.

5 (b) Whenever any such district determines that it is
6 necessary for energy conservation purposes that any school
7 building or permanent, fixed equipment should be altered or
8 reconstructed and that such alterations or reconstruction will
9 be made with funds not necessary for the completion of approved
10 and recommended projects contained in any safety survey report
11 or amendments thereto authorized by Section 2-3.12 of this Act;
12 the district may levy a tax or issue bonds as provided in
13 subsection (a) of this Section.

14 (c) Whenever any such district determines that it is
15 necessary for accessibility purposes and to comply with the
16 school building code that any school building or equipment
17 should be altered or reconstructed and that such alterations or
18 reconstruction will be made with funds not necessary for the
19 completion of approved and recommended projects contained in
20 any safety survey report or amendments thereto authorized under
21 Section 2-3.12 of this Act, the district may levy a tax or
22 issue bonds as provided in subsection (a) of this Section.

23 (d) Whenever any such district determines that it is
24 necessary for school security purposes and the related
25 protection and safety of pupils and school personnel that any
26 school building or property should be altered or reconstructed

1 or that security systems and equipment (including but not
2 limited to intercom, early detection and warning, access
3 control and television monitoring systems) should be purchased
4 and installed, and that such alterations, reconstruction or
5 purchase and installation of equipment will be made with funds
6 not necessary for the completion of approved and recommended
7 projects contained in any safety survey report or amendment
8 thereto authorized by Section 2-3.12 of this Act and will deter
9 and prevent unauthorized entry or activities upon school
10 property by unknown or dangerous persons, assure early
11 detection and advance warning of any such actual or attempted
12 unauthorized entry or activities and help assure the continued
13 safety of pupils and school staff if any such unauthorized
14 entry or activity is attempted or occurs; the district may levy
15 a tax or issue bonds as provided in subsection (a) of this
16 Section.

17 If such a school district determines that it is necessary
18 for school security purposes and the related protection and
19 safety of pupils and school staff to hire a school resource
20 officer or that personnel costs for school counselors, mental
21 health experts, or school resource officers are necessary and
22 the district determines that it does not need funds for any of
23 the other purposes set forth in this Section, then the district
24 may levy a tax or issue bonds as provided in subsection (a).

25 (e) If a school district does not need funds for other fire
26 prevention and safety projects, including the completion of

1 approved and recommended projects contained in any safety
2 survey report or amendments thereto authorized by Section
3 2-3.12 of this Act, and it is determined after a public hearing
4 (which is preceded by at least one published notice (i)
5 occurring at least 7 days prior to the hearing in a newspaper
6 of general circulation within the school district and (ii)
7 setting forth the time, date, place, and general subject matter
8 of the hearing) that there is a substantial, immediate, and
9 otherwise unavoidable threat to the health, safety, or welfare
10 of pupils due to disrepair of school sidewalks, playgrounds,
11 parking lots, or school bus turnarounds and repairs must be
12 made; then the district may levy a tax or issue bonds as
13 provided in subsection (a) of this Section.

14 (f) For purposes of this Section a school district may
15 replace a school building or build additions to replace
16 portions of a building when it is determined that the
17 effectuation of the recommendations for the existing building
18 will cost more than the replacement costs. Such determination
19 shall be based on a comparison of estimated costs made by an
20 architect or engineer licensed in the State of Illinois. The
21 new building or addition shall be equivalent in area (square
22 feet) and comparable in purpose and grades served and may be on
23 the same site or another site. Such replacement may only be
24 done upon order of the regional superintendent of schools and
25 the approval of the State Superintendent of Education.

26 (g) The filing of a certified copy of the resolution

1 levying the tax when accompanied by the certificates of the
2 regional superintendent of schools and State Superintendent of
3 Education shall be the authority of the county clerk to extend
4 such tax.

5 (h) The county clerk of the county in which any school
6 district levying a tax under the authority of this Section is
7 located, in reducing raised levies, shall not consider any such
8 tax as a part of the general levy for school purposes and shall
9 not include the same in the limitation of any other tax rate
10 which may be extended.

11 Such tax shall be levied and collected in like manner as
12 all other taxes of school districts, subject to the provisions
13 contained in this Section.

14 (i) The tax rate limit specified in this Section may be
15 increased to .10% upon the approval of a proposition to effect
16 such increase by a majority of the electors voting on that
17 proposition at a regular scheduled election. Such proposition
18 may be initiated by resolution of the school board and shall be
19 certified by the secretary to the proper election authorities
20 for submission in accordance with the general election law.

21 (j) When taxes are levied by any school district for fire
22 prevention, safety, energy conservation, and school security
23 purposes as specified in this Section, and the purposes for
24 which the taxes have been levied are accomplished and paid in
25 full, and there remain funds on hand in the Fire Prevention and
26 Safety Fund from the proceeds of the taxes levied, including

1 interest earnings thereon, the school board by resolution shall
2 use such excess and other board restricted funds, excluding
3 bond proceeds and earnings from such proceeds, as follows:

4 (1) for other authorized fire prevention, safety,
5 energy conservation, required safety inspections, school
6 security purposes, sampling for lead in drinking water in
7 schools, and for repair and mitigation due to lead levels
8 in the drinking water supply; or

9 (2) for transfer to the Operations and Maintenance Fund
10 for the purpose of abating an equal amount of operations
11 and maintenance purposes taxes.

12 Notwithstanding subdivision (2) of this subsection (j) and
13 subsection (k) of this Section, through June 30, 2021 ~~2020~~, the
14 school board may, by proper resolution following a public
15 hearing set by the school board or the president of the school
16 board (that is preceded (i) by at least one published notice
17 over the name of the clerk or secretary of the board, occurring
18 at least 7 days and not more than 30 days prior to the hearing,
19 in a newspaper of general circulation within the school
20 district and (ii) by posted notice over the name of the clerk
21 or secretary of the board, at least 48 hours before the
22 hearing, at the principal office of the school board or at the
23 building where the hearing is to be held if a principal office
24 does not exist, with both notices setting forth the time, date,
25 place, and subject matter of the hearing), transfer surplus
26 life safety taxes and interest earnings thereon to the

1 Operations and Maintenance Fund for building repair work.

2 (k) If any transfer is made to the Operation and
3 Maintenance Fund, the secretary of the school board shall
4 within 30 days notify the county clerk of the amount of that
5 transfer and direct the clerk to abate the taxes to be extended
6 for the purposes of operations and maintenance authorized under
7 Section 17-2 of this Act by an amount equal to such transfer.

8 (l) If the proceeds from the tax levy authorized by this
9 Section are insufficient to complete the work approved under
10 this Section, the school board is authorized to sell bonds
11 without referendum under the provisions of this Section in an
12 amount that, when added to the proceeds of the tax levy
13 authorized by this Section, will allow completion of the
14 approved work.

15 (m) Any bonds issued pursuant to this Section shall bear
16 interest at a rate not to exceed the maximum rate authorized by
17 law at the time of the making of the contract, shall mature
18 within 20 years from date, and shall be signed by the president
19 of the school board and the treasurer of the school district.

20 (n) In order to authorize and issue such bonds, the school
21 board shall adopt a resolution fixing the amount of bonds, the
22 date thereof, the maturities thereof, rates of interest
23 thereof, place of payment and denomination, which shall be in
24 denominations of not less than \$100 and not more than \$5,000,
25 and provide for the levy and collection of a direct annual tax
26 upon all the taxable property in the school district sufficient

1 to pay the principal and interest on such bonds to maturity.
2 Upon the filing in the office of the county clerk of the county
3 in which the school district is located of a certified copy of
4 the resolution, it is the duty of the county clerk to extend
5 the tax therefor in addition to and in excess of all other
6 taxes heretofore or hereafter authorized to be levied by such
7 school district.

8 (o) After the time such bonds are issued as provided for by
9 this Section, if additional alterations or reconstructions are
10 required to be made because of surveys conducted by an
11 architect or engineer licensed in the State of Illinois, the
12 district may levy a tax at a rate not to exceed .05% per year
13 upon all the taxable property of the district or issue
14 additional bonds, whichever action shall be the most feasible.

15 (p) This Section is cumulative and constitutes complete
16 authority for the issuance of bonds as provided in this Section
17 notwithstanding any other statute or law to the contrary.

18 (q) With respect to instruments for the payment of money
19 issued under this Section either before, on, or after the
20 effective date of Public Act 86-004 (June 6, 1989), it is, and
21 always has been, the intention of the General Assembly (i) that
22 the Omnibus Bond Acts are, and always have been, supplementary
23 grants of power to issue instruments in accordance with the
24 Omnibus Bond Acts, regardless of any provision of this Act that
25 may appear to be or to have been more restrictive than those
26 Acts, (ii) that the provisions of this Section are not a

1 limitation on the supplementary authority granted by the
2 Omnibus Bond Acts, and (iii) that instruments issued under this
3 Section within the supplementary authority granted by the
4 Omnibus Bond Acts are not invalid because of any provision of
5 this Act that may appear to be or to have been more restrictive
6 than those Acts.

7 (r) When the purposes for which the bonds are issued have
8 been accomplished and paid for in full and there remain funds
9 on hand from the proceeds of the bond sale and interest
10 earnings therefrom, the board shall, by resolution, use such
11 excess funds in accordance with the provisions of Section
12 10-22.14 of this Act.

13 (s) Whenever any tax is levied or bonds issued for fire
14 prevention, safety, energy conservation, and school security
15 purposes, such proceeds shall be deposited and accounted for
16 separately within the Fire Prevention and Safety Fund.

17 (Source: P.A. 100-465, eff. 8-31-17; 101-455, eff. 8-23-19.)

18 (105 ILCS 5/17-2A) (from Ch. 122, par. 17-2A)

19 Sec. 17-2A. Interfund transfers.

20 (a) The school board of any district having a population of
21 less than 500,000 inhabitants may, by proper resolution
22 following a public hearing set by the school board or the
23 president of the school board (that is preceded (i) by at least
24 one published notice over the name of the clerk or secretary of
25 the board, occurring at least 7 days and not more than 30 days

1 prior to the hearing, in a newspaper of general circulation
2 within the school district and (ii) by posted notice over the
3 name of the clerk or secretary of the board, at least 48 hours
4 before the hearing, at the principal office of the school board
5 or at the building where the hearing is to be held if a
6 principal office does not exist, with both notices setting
7 forth the time, date, place, and subject matter of the
8 hearing), transfer money from (1) the Educational Fund to the
9 Operations and Maintenance Fund or the Transportation Fund, (2)
10 the Operations and Maintenance Fund to the Educational Fund or
11 the Transportation Fund, (3) the Transportation Fund to the
12 Educational Fund or the Operations and Maintenance Fund, or (4)
13 the Tort Immunity Fund to the Operations and Maintenance Fund
14 of said district, provided that, except during the period from
15 July 1, 2003 through June 30, 2021 ~~2020~~, such transfer is made
16 solely for the purpose of meeting one-time, non-recurring
17 expenses. Except during the period from July 1, 2003 through
18 June 30, 2021 ~~2020~~ and except as otherwise provided in
19 subsection (b) of this Section, any other permanent interfund
20 transfers authorized by any provision or judicial
21 interpretation of this Code for which the transferee fund is
22 not precisely and specifically set forth in the provision of
23 this Code authorizing such transfer shall be made to the fund
24 of the school district most in need of the funds being
25 transferred, as determined by resolution of the school board.

26 (b) (Blank).

1 (c) Notwithstanding subsection (a) of this Section or any
2 other provision of this Code to the contrary, the school board
3 of any school district (i) that is subject to the Property Tax
4 Extension Limitation Law, (ii) that is an elementary district
5 servicing students in grades K through 8, (iii) whose territory
6 is in one county, (iv) that is eligible for Section 7002
7 Federal Impact Aid, and (v) that has no more than \$81,000 in
8 funds remaining from refinancing bonds that were refinanced a
9 minimum of 5 years prior to January 20, 2017 (the effective
10 date of Public Act 99-926) may make a one-time transfer of the
11 funds remaining from the refinancing bonds to the Operations
12 and Maintenance Fund of the district by proper resolution
13 following a public hearing set by the school board or the
14 president of the school board, with notice as provided in
15 subsection (a) of this Section, so long as the district meets
16 the qualifications set forth in this subsection (c) on January
17 20, 2017 (the effective date of Public Act 99-926).

18 (d) Notwithstanding subsection (a) of this Section or any
19 other provision of this Code to the contrary, the school board
20 of any school district (i) that is subject to the Property Tax
21 Extension Limitation Law, (ii) that is a community unit school
22 district servicing students in grades K through 12, (iii) whose
23 territory is in one county, (iv) that owns property designated
24 by the United States as a Superfund site pursuant to the
25 federal Comprehensive Environmental Response, Compensation and
26 Liability Act of 1980 (42 U.S.C. 9601 et seq.), and (v) that

1 has an excess accumulation of funds in its bond fund, including
2 funds accumulated prior to July 1, 2000, may make a one-time
3 transfer of those excess funds accumulated prior to July 1,
4 2000 to the Operations and Maintenance Fund of the district by
5 proper resolution following a public hearing set by the school
6 board or the president of the school board, with notice as
7 provided in subsection (a) of this Section, so long as the
8 district meets the qualifications set forth in this subsection
9 (d) on August 4, 2017 (the effective date of Public Act
10 100-32).

11 (Source: P.A. 99-713, eff. 8-5-16; 99-922, eff. 1-17-17;
12 99-926, eff. 1-20-17; 100-32, eff. 8-4-17; 100-465, eff.
13 8-31-17; 100-863, eff. 8-14-18.)

14 (105 ILCS 5/18-8.15)

15 Sec. 18-8.15. Evidence-Based Funding ~~Evidence-based~~
16 ~~funding~~ for student success for the 2017-2018 and subsequent
17 school years.

18 (a) General provisions.

19 (1) The purpose of this Section is to ensure that, by
20 June 30, 2027 and beyond, this State has a kindergarten
21 through grade 12 public education system with the capacity
22 to ensure the educational development of all persons to the
23 limits of their capacities in accordance with Section 1 of
24 Article X of the Constitution of the State of Illinois. To
25 accomplish that objective, this Section creates a method of

1 funding public education that is evidence-based; is
2 sufficient to ensure every student receives a meaningful
3 opportunity to learn irrespective of race, ethnicity,
4 sexual orientation, gender, or community-income level; and
5 is sustainable and predictable. When fully funded under
6 this Section, every school shall have the resources, based
7 on what the evidence indicates is needed, to:

8 (A) provide all students with a high quality
9 education that offers the academic, enrichment, social
10 and emotional support, technical, and career-focused
11 programs that will allow them to become competitive
12 workers, responsible parents, productive citizens of
13 this State, and active members of our national
14 democracy;

15 (B) ensure all students receive the education they
16 need to graduate from high school with the skills
17 required to pursue post-secondary education and
18 training for a rewarding career;

19 (C) reduce, with a goal of eliminating, the
20 achievement gap between at-risk and non-at-risk
21 students by raising the performance of at-risk
22 students and not by reducing standards; and

23 (D) ensure this State satisfies its obligation to
24 assume the primary responsibility to fund public
25 education and simultaneously relieve the
26 disproportionate burden placed on local property taxes

1 to fund schools.

2 (2) The Evidence-Based Funding ~~evidence-based funding~~
3 formula under this Section shall be applied to all
4 Organizational Units in this State. The Evidence-Based
5 Funding ~~evidence-based funding~~ formula outlined in this
6 Act is based on the formula outlined in Senate Bill 1 of
7 the 100th General Assembly, as passed by both legislative
8 chambers. As further defined and described in this Section,
9 there are 4 major components of the Evidence-Based Funding
10 ~~evidence-based funding~~ model:

11 (A) First, the model calculates a unique Adequacy
12 Target ~~adequacy target~~ for each Organizational Unit in
13 this State that considers the costs to implement
14 research-based activities, the unit's student
15 demographics, and regional wage differences
16 ~~difference~~.

17 (B) Second, the model calculates each
18 Organizational Unit's Local Capacity ~~local capacity~~,
19 or the amount each Organizational Unit is assumed to
20 contribute toward ~~towards~~ its Adequacy Target ~~adequacy~~
21 ~~target~~ from local resources.

22 (C) Third, the model calculates how much funding
23 the State currently contributes to the Organizational
24 Unit, and adds that to the unit's Local Capacity ~~local~~
25 ~~capacity~~ to determine the unit's overall current
26 adequacy of funding.

1 (D) Finally, the model's distribution method
2 allocates new State funding to those Organizational
3 Units that are least well-funded, considering both
4 Local Capacity ~~local capacity~~ and State funding, in
5 relation to their Adequacy Target ~~adequacy target~~.

6 (3) An Organizational Unit receiving any funding under
7 this Section may apply those funds to any fund so received
8 for which that Organizational Unit is authorized to make
9 expenditures by law.

10 (4) As used in this Section, the following terms shall
11 have the meanings ascribed in this paragraph (4):

12 "Adequacy Target" is defined in paragraph (1) of
13 subsection (b) of this Section.

14 "Adjusted EAV" is defined in paragraph (4) of
15 subsection (d) of this Section.

16 "Adjusted Local Capacity Target" is defined in
17 paragraph (3) of subsection (c) of this Section.

18 "Adjusted Operating Tax Rate" means a tax rate for all
19 Organizational Units, for which the State Superintendent
20 shall calculate and subtract for the Operating Tax Rate a
21 transportation rate based on total expenses for
22 transportation services under this Code, as reported on the
23 most recent Annual Financial Report in Pupil
24 Transportation Services, function 2550 in both the
25 Education and Transportation funds and functions 4110 and
26 4120 in the Transportation fund, less any corresponding

1 fiscal year State of Illinois scheduled payments excluding
2 net adjustments for prior years for regular, vocational, or
3 special education transportation reimbursement pursuant to
4 Section 29-5 or subsection (b) of Section 14-13.01 of this
5 Code divided by the Adjusted EAV. If an Organizational
6 Unit's corresponding fiscal year State of Illinois
7 scheduled payments excluding net adjustments for prior
8 years for regular, vocational, or special education
9 transportation reimbursement pursuant to Section 29-5 or
10 subsection (b) of Section 14-13.01 of this Code exceed the
11 total transportation expenses, as defined in this
12 paragraph, no transportation rate shall be subtracted from
13 the Operating Tax Rate.

14 "Allocation Rate" is defined in paragraph (3) of
15 subsection (g) of this Section.

16 "Alternative School" means a public school that is
17 created and operated by a regional superintendent of
18 schools and approved by the State Board.

19 "Applicable Tax Rate" is defined in paragraph (1) of
20 subsection (d) of this Section.

21 "Assessment" means any of those benchmark, progress
22 monitoring, formative, diagnostic, and other assessments,
23 in addition to the State accountability assessment, that
24 assist teachers' needs in understanding the skills and
25 meeting the needs of the students they serve.

26 "Assistant principal" means a school administrator

1 duly endorsed to be employed as an assistant principal in
2 this State.

3 "At-risk student" means a student who is at risk of not
4 meeting the Illinois Learning Standards or not graduating
5 from elementary or high school and who demonstrates a need
6 for vocational support or social services beyond that
7 provided by the regular school program. All students
8 included in an Organizational Unit's Low-Income Count, as
9 well as all English learner and disabled students attending
10 the Organizational Unit, shall be considered at-risk
11 students under this Section.

12 "Average Student Enrollment" or "ASE" for fiscal year
13 2018 means, for an Organizational Unit, the greater of the
14 average number of students (grades K through 12) reported
15 to the State Board as enrolled in the Organizational Unit
16 on October 1 in the immediately preceding school year, plus
17 the pre-kindergarten students who receive special
18 education services of 2 or more hours a day as reported to
19 the State Board on December 1 in the immediately preceding
20 school year, or the average number of students (grades K
21 through 12) reported to the State Board as enrolled in the
22 Organizational Unit on October 1, plus the
23 pre-kindergarten students who receive special education
24 services of 2 or more hours a day as reported to the State
25 Board on December 1, for each of the immediately preceding
26 3 school years. For fiscal year 2019 and each subsequent

1 fiscal year, "Average Student Enrollment" or "ASE" means,
2 for an Organizational Unit, the greater of the average
3 number of students (grades K through 12) reported to the
4 State Board as enrolled in the Organizational Unit on
5 October 1 and March 1 in the immediately preceding school
6 year, plus the pre-kindergarten students who receive
7 special education services as reported to the State Board
8 on October 1 and March 1 in the immediately preceding
9 school year, or the average number of students (grades K
10 through 12) reported to the State Board as enrolled in the
11 Organizational Unit on October 1 and March 1, plus the
12 pre-kindergarten students who receive special education
13 services as reported to the State Board on October 1 and
14 March 1, for each of the immediately preceding 3 school
15 years. For the purposes of this definition, "enrolled in
16 the Organizational Unit" means the number of students
17 reported to the State Board who are enrolled in schools
18 within the Organizational Unit that the student attends or
19 would attend if not placed or transferred to another school
20 or program to receive needed services. For the purposes of
21 calculating "ASE", all students, grades K through 12,
22 excluding those attending kindergarten for a half day and
23 students attending an alternative education program
24 operated by a regional office of education or intermediate
25 service center, shall be counted as 1.0. All students
26 attending kindergarten for a half day shall be counted as

1 0.5, unless in 2017 by June 15 or by March 1 in subsequent
2 years, the school district reports to the State Board of
3 Education the intent to implement full-day kindergarten
4 district-wide for all students, then all students
5 attending kindergarten shall be counted as 1.0. Special
6 education pre-kindergarten students shall be counted as
7 0.5 each. If the State Board does not collect or has not
8 collected both an October 1 and March 1 enrollment count by
9 grade or a December 1 collection of special education
10 pre-kindergarten students as of August 31, 2017 (the
11 effective date of Public Act 100-465) ~~this amendatory Act~~
12 ~~of the 100th General Assembly~~, it shall establish such
13 collection for all future years. For any year in which
14 ~~where~~ a count by grade level was collected only once, that
15 count shall be used as the single count available for
16 computing a 3-year average ASE. Funding for programs
17 operated by a regional office of education or an
18 intermediate service center must be calculated using the
19 Evidence-Based Funding ~~evidence-based funding~~ formula
20 under this Section for the 2019-2020 school year and each
21 subsequent school year until separate adequacy formulas
22 are developed and adopted for each type of program. ASE for
23 a program operated by a regional office of education or an
24 intermediate service center must be determined by the March
25 1 enrollment for the program. For the 2019-2020 school
26 year, the ASE used in the calculation must be the

1 first-year ASE and, in that year only, the assignment of
2 students served by a regional office of education or
3 intermediate service center shall not result in a reduction
4 of the March enrollment for any school district. For the
5 2020-2021 school year, the ASE must be the greater of the
6 current-year ASE or the 2-year average ASE. Beginning with
7 the 2021-2022 school year, the ASE must be the greater of
8 the current-year ASE or the 3-year average ASE. School
9 districts shall submit the data for the ASE calculation to
10 the State Board within 45 days of the dates required in
11 this Section for submission of enrollment data in order for
12 it to be included in the ASE calculation. For fiscal year
13 2018 only, the ASE calculation shall include only
14 enrollment taken on October 1.

15 "Base Funding Guarantee" is defined in paragraph (10)
16 of subsection (g) of this Section.

17 "Base Funding Minimum" is defined in subsection (e) of
18 this Section.

19 "Base Tax Year" means the property tax levy year used
20 to calculate the Budget Year allocation of primary State
21 aid.

22 "Base Tax Year's Extension" means the product of the
23 equalized assessed valuation utilized by the county clerk
24 in the Base Tax Year multiplied by the limiting rate as
25 calculated by the county clerk and defined in PTELL.

26 "Bilingual Education Allocation" means the amount of

1 an Organizational Unit's final Adequacy Target
2 attributable to bilingual education divided by the
3 Organizational Unit's final Adequacy Target, the product
4 of which shall be multiplied by the amount of new funding
5 received pursuant to this Section. An Organizational
6 Unit's final Adequacy Target attributable to bilingual
7 education shall include all additional investments in
8 English learner students' adequacy elements.

9 "Budget Year" means the school year for which primary
10 State aid is calculated and awarded under this Section.

11 "Central office" means individual administrators and
12 support service personnel charged with managing the
13 instructional programs, business and operations, and
14 security of the Organizational Unit.

15 "Comparable Wage Index" or "CWI" means a regional cost
16 differentiation metric that measures systemic, regional
17 variations in the salaries of college graduates who are not
18 educators. The CWI utilized for this Section shall, for the
19 first 3 years of Evidence-Based Funding implementation, be
20 the CWI initially developed by the National Center for
21 Education Statistics, as most recently updated by Texas A &
22 M University. In the fourth and subsequent years of
23 Evidence-Based Funding implementation, the State
24 Superintendent shall re-determine the CWI using a similar
25 methodology to that identified in the Texas A & M
26 University study, with adjustments made no less frequently

1 than once every 5 years.

2 "Computer technology and equipment" means computers
3 servers, notebooks, network equipment, copiers, printers,
4 instructional software, security software, curriculum
5 management courseware, and other similar materials and
6 equipment.

7 "Computer technology and equipment investment
8 allocation" means the final Adequacy Target amount of an
9 Organizational Unit assigned to Tier 1 or Tier 2 in the
10 prior school year attributable to the additional \$285.50
11 per student computer technology and equipment investment
12 grant divided by the Organizational Unit's final Adequacy
13 Target, the result of which shall be multiplied by the
14 amount of new funding received pursuant to this Section. An
15 Organizational Unit assigned to a Tier 1 or Tier 2 final
16 Adequacy Target attributable to the received computer
17 technology and equipment investment grant shall include
18 all additional investments in computer technology and
19 equipment adequacy elements.

20 "Core subject" means mathematics; science; reading,
21 English, writing, and language arts; history and social
22 studies; world languages; and subjects taught as Advanced
23 Placement in high schools.

24 "Core teacher" means a regular classroom teacher in
25 elementary schools and teachers of a core subject in middle
26 and high schools.

1 "Core Intervention teacher (tutor)" means a licensed
2 teacher providing one-on-one or small group tutoring to
3 students struggling to meet proficiency in core subjects.

4 "CPPRT" means corporate personal property replacement
5 tax funds paid to an Organizational Unit during the
6 calendar year one year before the calendar year in which a
7 school year begins, pursuant to "An Act in relation to the
8 abolition of ad valorem personal property tax and the
9 replacement of revenues lost thereby, and amending and
10 repealing certain Acts and parts of Acts in connection
11 therewith", certified August 14, 1979, as amended (Public
12 Act 81-1st S.S.-1).

13 "EAV" means equalized assessed valuation as defined in
14 paragraph (2) of subsection (d) of this Section and
15 calculated in accordance with paragraph (3) of subsection
16 (d) of this Section.

17 "ECI" means the Bureau of Labor Statistics' national
18 employment cost index for civilian workers in educational
19 services in elementary and secondary schools on a
20 cumulative basis for the 12-month calendar year preceding
21 the fiscal year of the Evidence-Based Funding calculation.

22 "EIS Data" means the employment information system
23 data maintained by the State Board on educators within
24 Organizational Units.

25 "Employee benefits" means health, dental, and vision
26 insurance offered to employees of an Organizational Unit,

1 the costs associated with the statutorily required payment
2 of the normal cost of the Organizational Unit's teacher
3 pensions, Social Security employer contributions, and
4 Illinois Municipal Retirement Fund employer contributions.

5 "English learner" or "EL" means a child included in the
6 definition of "English learners" under Section 14C-2 of
7 this Code participating in a program of transitional
8 bilingual education or a transitional program of
9 instruction meeting the requirements and program
10 application procedures of Article 14C of this Code. For the
11 purposes of collecting the number of EL students enrolled,
12 the same collection and calculation methodology as defined
13 above for "ASE" shall apply to English learners, with the
14 exception that EL student enrollment shall include
15 students in grades pre-kindergarten through 12.

16 "Essential Elements" means those elements, resources,
17 and educational programs that have been identified through
18 academic research as necessary to improve student success,
19 improve academic performance, close achievement gaps, and
20 provide for other per student costs related to the delivery
21 and leadership of the Organizational Unit, as well as the
22 maintenance and operations of the unit, and which are
23 specified in paragraph (2) of subsection (b) of this
24 Section.

25 "Evidence-Based Funding" means State funding provided
26 to an Organizational Unit pursuant to this Section.

1 "Extended day" means academic and enrichment programs
2 provided to students outside the regular school day before
3 and after school or during non-instructional times during
4 the school day.

5 "Extension Limitation Ratio" means a numerical ratio
6 in which the numerator is the Base Tax Year's Extension and
7 the denominator is the Preceding Tax Year's Extension.

8 "Final Percent of Adequacy" is defined in paragraph (4)
9 of subsection (f) of this Section.

10 "Final Resources" is defined in paragraph (3) of
11 subsection (f) of this Section.

12 "Full-time equivalent" or "FTE" means the full-time
13 equivalency compensation for staffing the relevant
14 position at an Organizational Unit.

15 "Funding Gap" is defined in paragraph (1) of subsection
16 (g).

17 "Guidance counselor" means a licensed guidance
18 counselor who provides guidance and counseling support for
19 students within an Organizational Unit.

20 "Hybrid District" means a partial elementary unit
21 district created pursuant to Article 11E of this Code.

22 "Instructional assistant" means a core or special
23 education, non-licensed employee who assists a teacher in
24 the classroom and provides academic support to students.

25 "Instructional facilitator" means a qualified teacher
26 or licensed teacher leader who facilitates and coaches

1 continuous improvement in classroom instruction; provides
2 instructional support to teachers in the elements of
3 research-based instruction or demonstrates the alignment
4 of instruction with curriculum standards and assessment
5 tools; develops or coordinates instructional programs or
6 strategies; develops and implements training; chooses
7 standards-based instructional materials; provides teachers
8 with an understanding of current research; serves as a
9 mentor, site coach, curriculum specialist, or lead
10 teacher; or otherwise works with fellow teachers, in
11 collaboration, to use data to improve instructional
12 practice or develop model lessons.

13 "Instructional materials" means relevant instructional
14 materials for student instruction, including, but not
15 limited to, textbooks, consumable workbooks, laboratory
16 equipment, library books, and other similar materials.

17 "Laboratory School" means a public school that is
18 created and operated by a public university and approved by
19 the State Board.

20 "Librarian" means a teacher with an endorsement as a
21 library information specialist or another individual whose
22 primary responsibility is overseeing library resources
23 within an Organizational Unit.

24 "Limiting rate for Hybrid Districts" means the
25 combined elementary school and high school limiting
26 ~~limited~~ rates.

1 "Local Capacity" is defined in paragraph (1) of
2 subsection (c) of this Section.

3 "Local Capacity Percentage" is defined in subparagraph
4 (A) of paragraph (2) of subsection (c) of this Section.

5 "Local Capacity Ratio" is defined in subparagraph (B)
6 of paragraph (2) of subsection (c) of this Section.

7 "Local Capacity Target" is defined in paragraph (2) of
8 subsection (c) of this Section.

9 "Low-Income Count" means, for an Organizational Unit
10 in a fiscal year, the higher of the average number of
11 students for the prior school year or the immediately
12 preceding 3 school years who, as of July 1 of the
13 immediately preceding fiscal year (as determined by the
14 Department of Human Services), are eligible for at least
15 one of the following low-income ~~low-income~~ programs:
16 Medicaid, the Children's Health Insurance Program,
17 Temporary Assistance for Needy Families (TANF), or the
18 Supplemental Nutrition Assistance Program, excluding
19 pupils who are eligible for services provided by the
20 Department of Children and Family Services. Until such time
21 that grade level low-income populations become available,
22 grade level low-income populations shall be determined by
23 applying the low-income percentage to total student
24 enrollments by grade level. The low-income percentage is
25 determined by dividing the Low-Income Count by the Average
26 Student Enrollment. The low-income percentage for programs

1 operated by a regional office of education or an
2 intermediate service center must be set to the weighted
3 average of the low-income percentages of all of the school
4 districts in the service region. The weighted low-income
5 percentage is the result of multiplying the low-income
6 percentage of each school district served by the regional
7 office of education or intermediate service center by each
8 school district's Average Student Enrollment, summarizing
9 those products and dividing the total by the total Average
10 Student Enrollment for the service region.

11 "Maintenance and operations" means custodial services,
12 facility and ground maintenance, facility operations,
13 facility security, routine facility repairs, and other
14 similar services and functions.

15 "Minimum Funding Level" is defined in paragraph (9) of
16 subsection (g) of this Section.

17 "New Property Tax Relief Pool Funds" means, for any
18 given fiscal year, all State funds appropriated under
19 Section 2-3.170 of the School Code.

20 "New State Funds" means, for a given school year, all
21 State funds appropriated for Evidence-Based Funding in
22 excess of the amount needed to fund the Base Funding
23 Minimum for all Organizational Units in that school year.

24 "Net State Contribution Target" means, for a given
25 school year, the amount of State funds that would be
26 necessary to fully meet the Adequacy Target of an

1 Operational Unit minus the Preliminary Resources available
2 to each unit.

3 "Nurse" means an individual licensed as a certified
4 school nurse, in accordance with the rules established for
5 nursing services by the State Board, who is an employee of
6 and is available to provide health care-related services
7 for students of an Organizational Unit.

8 "Operating Tax Rate" means the rate utilized in the
9 previous year to extend property taxes for all purposes,
10 except, Bond and Interest, Summer School, Rent, Capital
11 Improvement, and Vocational Education Building purposes.
12 For Hybrid Districts, the Operating Tax Rate shall be the
13 combined elementary and high school rates utilized in the
14 previous year to extend property taxes for all purposes,
15 except, Bond and Interest, Summer School, Rent, Capital
16 Improvement, and Vocational Education Building purposes.

17 "Organizational Unit" means a Laboratory School or any
18 public school district that is recognized as such by the
19 State Board and that contains elementary schools typically
20 serving kindergarten through 5th grades, middle schools
21 typically serving 6th through 8th grades, high schools
22 typically serving 9th through 12th grades, a program
23 established under Section 2-3.66 or 2-3.41, or a program
24 operated by a regional office of education or an
25 intermediate service center under Article 13A or 13B. The
26 General Assembly acknowledges that the actual grade levels

1 served by a particular Organizational Unit may vary
2 slightly from what is typical.

3 "Organizational Unit CWI" is determined by calculating
4 the CWI in the region and original county in which an
5 Organizational Unit's primary administrative office is
6 located as set forth in this paragraph, provided that if
7 the Organizational Unit CWI as calculated in accordance
8 with this paragraph is less than 0.9, the Organizational
9 Unit CWI shall be increased to 0.9. Each county's current
10 CWI value shall be adjusted based on the CWI value of that
11 county's neighboring Illinois counties, to create a
12 "weighted adjusted index value". This shall be calculated
13 by summing the CWI values of all of a county's adjacent
14 Illinois counties and dividing by the number of adjacent
15 Illinois counties, then taking the weighted value of the
16 original county's CWI value and the adjacent Illinois
17 county average. To calculate this weighted value, if the
18 number of adjacent Illinois counties is greater than 2, the
19 original county's CWI value will be weighted at 0.25 and
20 the adjacent Illinois county average will be weighted at
21 0.75. If the number of adjacent Illinois counties is 2, the
22 original county's CWI value will be weighted at 0.33 and
23 the adjacent Illinois county average will be weighted at
24 0.66. The greater of the county's current CWI value and its
25 weighted adjusted index value shall be used as the
26 Organizational Unit CWI.

1 "Preceding Tax Year" means the property tax levy year
2 immediately preceding the Base Tax Year.

3 "Preceding Tax Year's Extension" means the product of
4 the equalized assessed valuation utilized by the county
5 clerk in the Preceding Tax Year multiplied by the Operating
6 Tax Rate.

7 "Preliminary Percent of Adequacy" is defined in
8 paragraph (2) of subsection (f) of this Section.

9 "Preliminary Resources" is defined in paragraph (2) of
10 subsection (f) of this Section.

11 "Principal" means a school administrator duly endorsed
12 to be employed as a principal in this State.

13 "Professional development" means training programs for
14 licensed staff in schools, including, but not limited to,
15 programs that assist in implementing new curriculum
16 programs, provide data focused or academic assessment data
17 training to help staff identify a student's weaknesses and
18 strengths, target interventions, improve instruction,
19 encompass instructional strategies for English learner,
20 gifted, or at-risk students, address inclusivity, cultural
21 sensitivity, or implicit bias, or otherwise provide
22 professional support for licensed staff.

23 "Prototypical" means 450 special education
24 pre-kindergarten and kindergarten through grade 5 students
25 for an elementary school, 450 grade 6 through 8 students
26 for a middle school, and 600 grade 9 through 12 students

1 for a high school.

2 "PTELL" means the Property Tax Extension Limitation
3 Law.

4 "PTELL EAV" is defined in paragraph (4) of subsection
5 (d) of this Section.

6 "Pupil support staff" means a nurse, psychologist,
7 social worker, family liaison personnel, or other staff
8 member who provides support to at-risk or struggling
9 students.

10 "Real Receipts" is defined in paragraph (1) of
11 subsection (d) of this Section.

12 "Regionalization Factor" means, for a particular
13 Organizational Unit, the figure derived by dividing the
14 Organizational Unit CWI by the Statewide Weighted CWI.

15 "School site staff" means the primary school secretary
16 and any additional clerical personnel assigned to a school.

17 "Special education" means special educational
18 facilities and services, as defined in Section 14-1.08 of
19 this Code.

20 "Special Education Allocation" means the amount of an
21 Organizational Unit's final Adequacy Target attributable
22 to special education divided by the Organizational Unit's
23 final Adequacy Target, the product of which shall be
24 multiplied by the amount of new funding received pursuant
25 to this Section. An Organizational Unit's final Adequacy
26 Target attributable to special education shall include all

1 special education investment adequacy elements.

2 "Specialist teacher" means a teacher who provides
3 instruction in subject areas not included in core subjects,
4 including, but not limited to, art, music, physical
5 education, health, driver education, career-technical
6 education, and such other subject areas as may be mandated
7 by State law or provided by an Organizational Unit.

8 "Specially Funded Unit" means an Alternative School,
9 safe school, Department of Juvenile Justice school,
10 special education cooperative or entity recognized by the
11 State Board as a special education cooperative,
12 State-approved charter school, or alternative learning
13 opportunities program that received direct funding from
14 the State Board during the 2016-2017 school year through
15 any of the funding sources included within the calculation
16 of the Base Funding Minimum or Glenwood Academy.

17 "Supplemental Grant Funding" means supplemental
18 general State aid funding received by an Organizational
19 ~~Organization~~ Unit during the 2016-2017 school year
20 pursuant to subsection (H) of Section 18-8.05 of this Code
21 (now repealed).

22 "State Adequacy Level" is the sum of the Adequacy
23 Targets of all Organizational Units.

24 "State Board" means the State Board of Education.

25 "State Superintendent" means the State Superintendent
26 of Education.

1 "Statewide Weighted CWI" means a figure determined by
2 multiplying each Organizational Unit CWI times the ASE for
3 that Organizational Unit creating a weighted value,
4 summing all Organizational Units' ~~Unit's~~ weighted values,
5 and dividing by the total ASE of all Organizational Units,
6 thereby creating an average weighted index.

7 "Student activities" means non-credit producing
8 after-school programs, including, but not limited to,
9 clubs, bands, sports, and other activities authorized by
10 the school board of the Organizational Unit.

11 "Substitute teacher" means an individual teacher or
12 teaching assistant who is employed by an Organizational
13 Unit and is temporarily serving the Organizational Unit on
14 a per diem or per period-assignment basis to replace
15 ~~replacing~~ another staff member.

16 "Summer school" means academic and enrichment programs
17 provided to students during the summer months outside of
18 the regular school year.

19 "Supervisory aide" means a non-licensed staff member
20 who helps in supervising students of an Organizational
21 Unit, but does so outside of the classroom, in situations
22 such as, but not limited to, monitoring hallways and
23 playgrounds, supervising lunchrooms, or supervising
24 students when being transported in buses serving the
25 Organizational Unit.

26 "Target Ratio" is defined in paragraph (4) of

1 subsection (g).

2 "Tier 1", "Tier 2", "Tier 3", and "Tier 4" are defined
3 in paragraph (3) of subsection (g).

4 "Tier 1 Aggregate Funding", "Tier 2 Aggregate
5 Funding", "Tier 3 Aggregate Funding", and "Tier 4 Aggregate
6 Funding" are defined in paragraph (1) of subsection (g).

7 (b) Adequacy Target calculation.

8 (1) Each Organizational Unit's Adequacy Target is the
9 sum of the Organizational Unit's cost of providing
10 Essential Elements, as calculated in accordance with this
11 subsection (b), with the salary amounts in the Essential
12 Elements multiplied by a Regionalization Factor calculated
13 pursuant to paragraph (3) of this subsection (b).

14 (2) The Essential Elements are attributable on a pro
15 rata basis related to defined subgroups of the ASE of each
16 Organizational Unit as specified in this paragraph (2),
17 with investments and FTE positions pro rata funded based on
18 ASE counts in excess or less than the thresholds set forth
19 in this paragraph (2). The method for calculating
20 attributable pro rata costs and the defined subgroups
21 thereto are as follows:

22 (A) Core class size investments. Each
23 Organizational Unit shall receive the funding required
24 to support that number of FTE core teacher positions as
25 is needed to keep the respective class sizes of the
26 Organizational Unit to the following maximum numbers:

1 (i) For grades kindergarten through 3, the
2 Organizational Unit shall receive funding required
3 to support one FTE core teacher position for every
4 15 Low-Income Count students in those grades and
5 one FTE core teacher position for every 20
6 non-Low-Income Count students in those grades.

7 (ii) For grades 4 through 12, the
8 Organizational Unit shall receive funding required
9 to support one FTE core teacher position for every
10 20 Low-Income Count students in those grades and
11 one FTE core teacher position for every 25
12 non-Low-Income Count students in those grades.

13 The number of non-Low-Income Count students in a
14 grade shall be determined by subtracting the
15 Low-Income students in that grade from the ASE of the
16 Organizational Unit for that grade.

17 (B) Specialist teacher investments. Each
18 Organizational Unit shall receive the funding needed
19 to cover that number of FTE specialist teacher
20 positions that correspond to the following
21 percentages:

22 (i) if the Organizational Unit operates an
23 elementary or middle school, then 20.00% of the
24 number of the Organizational Unit's core teachers,
25 as determined under subparagraph (A) of this
26 paragraph (2); and

1 (ii) if such Organizational Unit operates a
2 high school, then 33.33% of the number of the
3 Organizational Unit's core teachers.

4 (C) Instructional facilitator investments. Each
5 Organizational Unit shall receive the funding needed
6 to cover one FTE instructional facilitator position
7 for every 200 combined ASE of pre-kindergarten
8 children with disabilities and all kindergarten
9 through grade 12 students of the Organizational Unit.

10 (D) Core intervention teacher (tutor) investments.
11 Each Organizational Unit shall receive the funding
12 needed to cover one FTE teacher position for each
13 prototypical elementary, middle, and high school.

14 (E) Substitute teacher investments. Each
15 Organizational Unit shall receive the funding needed
16 to cover substitute teacher costs that is equal to
17 5.70% of the minimum pupil attendance days required
18 under Section 10-19 of this Code for all full-time
19 equivalent core, specialist, and intervention
20 teachers, school nurses, special education teachers
21 and instructional assistants, instructional
22 facilitators, and summer school and extended day
23 ~~extended-day~~ teacher positions, as determined under
24 this paragraph (2), at a salary rate of 33.33% of the
25 average salary for grade K through 12 teachers and
26 33.33% of the average salary of each instructional

1 assistant position.

2 (F) Core guidance counselor investments. Each
3 Organizational Unit shall receive the funding needed
4 to cover one FTE guidance counselor for each 450
5 combined ASE of pre-kindergarten children with
6 disabilities and all kindergarten through grade 5
7 students, plus one FTE guidance counselor for each 250
8 grades 6 through 8 ASE middle school students, plus one
9 FTE guidance counselor for each 250 grades 9 through 12
10 ASE high school students.

11 (G) Nurse investments. Each Organizational Unit
12 shall receive the funding needed to cover one FTE nurse
13 for each 750 combined ASE of pre-kindergarten children
14 with disabilities and all kindergarten through grade
15 12 students across all grade levels it serves.

16 (H) Supervisory aide investments. Each
17 Organizational Unit shall receive the funding needed
18 to cover one FTE for each 225 combined ASE of
19 pre-kindergarten children with disabilities and all
20 kindergarten through grade 5 students, plus one FTE for
21 each 225 ASE middle school students, plus one FTE for
22 each 200 ASE high school students.

23 (I) Librarian investments. Each Organizational
24 Unit shall receive the funding needed to cover one FTE
25 librarian for each prototypical elementary school,
26 middle school, and high school and one FTE aide or

1 media technician for every 300 combined ASE of
2 pre-kindergarten children with disabilities and all
3 kindergarten through grade 12 students.

4 (J) Principal investments. Each Organizational
5 Unit shall receive the funding needed to cover one FTE
6 principal position for each prototypical elementary
7 school, plus one FTE principal position for each
8 prototypical middle school, plus one FTE principal
9 position for each prototypical high school.

10 (K) Assistant principal investments. Each
11 Organizational Unit shall receive the funding needed
12 to cover one FTE assistant principal position for each
13 prototypical elementary school, plus one FTE assistant
14 principal position for each prototypical middle
15 school, plus one FTE assistant principal position for
16 each prototypical high school.

17 (L) School site staff investments. Each
18 Organizational Unit shall receive the funding needed
19 for one FTE position for each 225 ASE of
20 pre-kindergarten children with disabilities and all
21 kindergarten through grade 5 students, plus one FTE
22 position for each 225 ASE middle school students, plus
23 one FTE position for each 200 ASE high school students.

24 (M) Gifted investments. Each Organizational Unit
25 shall receive \$40 per kindergarten through grade 12
26 ASE.

1 (N) Professional development investments. Each
2 Organizational Unit shall receive \$125 per student of
3 the combined ASE of pre-kindergarten children with
4 disabilities and all kindergarten through grade 12
5 students for trainers and other professional
6 development-related expenses for supplies and
7 materials.

8 (O) Instructional material investments. Each
9 Organizational Unit shall receive \$190 per student of
10 the combined ASE of pre-kindergarten children with
11 disabilities and all kindergarten through grade 12
12 students to cover instructional material costs.

13 (P) Assessment investments. Each Organizational
14 Unit shall receive \$25 per student of the combined ASE
15 of pre-kindergarten children with disabilities and all
16 kindergarten through grade 12 students ~~student~~ to
17 cover assessment costs.

18 (Q) Computer technology and equipment investments.
19 Each Organizational Unit shall receive \$285.50 per
20 student of the combined ASE of pre-kindergarten
21 children with disabilities and all kindergarten
22 through grade 12 students to cover computer technology
23 and equipment costs. For the 2018-2019 school year and
24 subsequent school years, Organizational Units assigned
25 to Tier 1 and Tier 2 in the prior school year shall
26 receive an additional \$285.50 per student of the

1 combined ASE of pre-kindergarten children with
2 disabilities and all kindergarten through grade 12
3 students to cover computer technology and equipment
4 costs in the Organizational ~~Organization~~ Unit's
5 Adequacy Target. The State Board may establish
6 additional requirements for Organizational Unit
7 expenditures of funds received pursuant to this
8 subparagraph (Q), including a requirement that funds
9 received pursuant to this subparagraph (Q) may be used
10 only for serving the technology needs of the district.
11 It is the intent of Public Act 100-465 ~~this amendatory~~
12 ~~Act of the 100th General Assembly~~ that all Tier 1 and
13 Tier 2 districts receive the addition to their Adequacy
14 Target in the following year, subject to compliance
15 with the requirements of the State Board.

16 (R) Student activities investments. Each
17 Organizational Unit shall receive the following
18 funding amounts to cover student activities: \$100 per
19 kindergarten through grade 5 ASE student in elementary
20 school, plus \$200 per ASE student in middle school,
21 plus \$675 per ASE student in high school.

22 (S) Maintenance and operations investments. Each
23 Organizational Unit shall receive \$1,038 per student
24 of the combined ASE of pre-kindergarten children with
25 disabilities and all kindergarten through grade 12
26 students for day-to-day maintenance and operations

1 expenditures, including salary, supplies, and
2 materials, as well as purchased services, but
3 excluding employee benefits. The proportion of salary
4 for the application of a Regionalization Factor and the
5 calculation of benefits is equal to \$352.92.

6 (T) Central office investments. Each
7 Organizational Unit shall receive \$742 per student of
8 the combined ASE of pre-kindergarten children with
9 disabilities and all kindergarten through grade 12
10 students to cover central office operations, including
11 administrators and classified personnel charged with
12 managing the instructional programs, business and
13 operations of the school district, and security
14 personnel. The proportion of salary for the
15 application of a Regionalization Factor and the
16 calculation of benefits is equal to \$368.48.

17 (U) Employee benefit investments. Each
18 Organizational Unit shall receive 30% of the total of
19 all salary-calculated elements of the Adequacy Target,
20 excluding substitute teachers and student activities
21 investments, to cover benefit costs. For central
22 office and maintenance and operations investments, the
23 benefit calculation shall be based upon the salary
24 proportion of each investment. If at any time the
25 responsibility for funding the employer normal cost of
26 teacher pensions is assigned to school districts, then

1 position for every 125 Low-Income Count students;

2 (ii) one FTE pupil support staff position for
3 every 125 Low-Income Count students;

4 (iii) one FTE extended day teacher position
5 for every 120 Low-Income Count students; and

6 (iv) one FTE summer school teacher position
7 for every 120 Low-Income Count students.

8 (W) Additional investments in English learner
9 students. In addition to and not in lieu of all other
10 funding under this paragraph (2), each Organizational
11 Unit shall receive funding based on the average teacher
12 salary for grades K through 12 to cover the costs of:

13 (i) one FTE intervention teacher (tutor)
14 position for every 125 English learner students;

15 (ii) one FTE pupil support staff position for
16 every 125 English learner students;

17 (iii) one FTE extended day teacher position
18 for every 120 English learner students;

19 (iv) one FTE summer school teacher position
20 for every 120 English learner students; and

21 (v) one FTE core teacher position for every 100
22 English learner students.

23 (X) Special education investments. Each
24 Organizational Unit shall receive funding based on the
25 average teacher salary for grades K through 12 to cover
26 special education as follows:

1 (i) one FTE teacher position for every 141
2 combined ASE of pre-kindergarten children with
3 disabilities and all kindergarten through grade 12
4 students;

5 (ii) one FTE instructional assistant for every
6 141 combined ASE of pre-kindergarten children with
7 disabilities and all kindergarten through grade 12
8 students; and

9 (iii) one FTE psychologist position for every
10 1,000 combined ASE of pre-kindergarten children
11 with disabilities and all kindergarten through
12 grade 12 students.

13 (3) For calculating the salaries included within the
14 Essential Elements, the State Superintendent shall
15 annually calculate average salaries to the nearest dollar
16 using the employment information system data maintained by
17 the State Board, limited to public schools only and
18 excluding special education and vocational cooperatives,
19 schools operated by the Department of Juvenile Justice, and
20 charter schools, for the following positions:

21 (A) Teacher for grades K through 8.

22 (B) Teacher for grades 9 through 12.

23 (C) Teacher for grades K through 12.

24 (D) Guidance counselor for grades K through 8.

25 (E) Guidance counselor for grades 9 through 12.

26 (F) Guidance counselor for grades K through 12.

- 1 (G) Social worker.
2 (H) Psychologist.
3 (I) Librarian.
4 (J) Nurse.
5 (K) Principal.
6 (L) Assistant principal.

7 For the purposes of this paragraph (3), "teacher"
8 includes core teachers, specialist and elective teachers,
9 instructional facilitators, tutors, special education
10 teachers, pupil support staff teachers, English learner
11 teachers, extended day ~~extended day~~ teachers, and summer
12 school teachers. Where specific grade data is not required
13 for the Essential Elements, the average salary for
14 corresponding positions shall apply. For substitute
15 teachers, the average teacher salary for grades K through
16 12 shall apply.

17 For calculating the salaries included within the
18 Essential Elements for positions not included within EIS
19 Data, the following salaries shall be used in the first
20 year of implementation of Evidence-Based Funding:

- 21 (i) school site staff, \$30,000; and
22 (ii) non-instructional assistant, instructional
23 assistant, library aide, library media tech, or
24 supervisory aide: \$25,000.

25 In the second and subsequent years of implementation of
26 Evidence-Based Funding, the amounts in items (i) and (ii)

1 of this paragraph (3) shall annually increase by the ECI.

2 The salary amounts for the Essential Elements
3 determined pursuant to subparagraphs (A) through (L), (S)
4 and (T), and (V) through (X) of paragraph (2) of subsection
5 (b) of this Section shall be multiplied by a
6 Regionalization Factor.

7 (c) Local Capacity ~~capacity~~ calculation.

8 (1) Each Organizational Unit's Local Capacity
9 represents an amount of funding it is assumed to contribute
10 toward its Adequacy Target for purposes of the
11 Evidence-Based Funding formula calculation. "Local
12 Capacity" means either (i) the Organizational Unit's Local
13 Capacity Target as calculated in accordance with paragraph
14 (2) of this subsection (c) if its Real Receipts are equal
15 to or less than its Local Capacity Target or (ii) the
16 Organizational Unit's Adjusted Local Capacity, as
17 calculated in accordance with paragraph (3) of this
18 subsection (c) if Real Receipts are more than its Local
19 Capacity Target.

20 (2) "Local Capacity Target" means, for an
21 Organizational Unit, that dollar amount that is obtained by
22 multiplying its Adequacy Target by its Local Capacity
23 Ratio.

24 (A) An Organizational Unit's Local Capacity
25 Percentage is the conversion of the Organizational
26 Unit's Local Capacity Ratio, as such ratio is

1 determined in accordance with subparagraph (B) of this
2 paragraph (2), into a cumulative distribution
3 resulting in a percentile ranking to determine each
4 Organizational Unit's relative position to all other
5 Organizational Units in this State. The calculation of
6 Local Capacity Percentage is described in subparagraph
7 (C) of this paragraph (2).

8 (B) An Organizational Unit's Local Capacity Ratio
9 in a given year is the percentage obtained by dividing
10 its Adjusted EAV or PTELL EAV, whichever is less, by
11 its Adequacy Target, with the resulting ratio further
12 adjusted as follows:

13 (i) for Organizational Units serving grades
14 kindergarten through 12 and Hybrid Districts, no
15 further adjustments shall be made;

16 (ii) for Organizational Units serving grades
17 kindergarten through 8, the ratio shall be
18 multiplied by 9/13;

19 (iii) for Organizational Units serving grades
20 9 through 12, the Local Capacity Ratio shall be
21 multiplied by 4/13; and

22 (iv) for an Organizational Unit with a
23 different grade configuration than those specified
24 in items (i) through (iii) of this subparagraph
25 (B), the State Superintendent shall determine a
26 comparable adjustment based on the grades served.

1 (C) The Local Capacity Percentage is equal to the
2 percentile ranking of the district. Local Capacity
3 Percentage converts each Organizational Unit's Local
4 Capacity Ratio to a cumulative distribution resulting
5 in a percentile ranking to determine each
6 Organizational Unit's relative position to all other
7 Organizational Units in this State. The Local Capacity
8 Percentage cumulative distribution resulting in a
9 percentile ranking for each Organizational Unit shall
10 be calculated using the standard normal distribution
11 of the score in relation to the weighted mean and
12 weighted standard deviation and Local Capacity Ratios
13 of all Organizational Units. If the value assigned to
14 any Organizational Unit is in excess of 90%, the value
15 shall be adjusted to 90%. For Laboratory Schools, the
16 Local Capacity Percentage shall be set at 10% in
17 recognition of the absence of EAV and resources from
18 the public university that are allocated to the
19 Laboratory School. For programs operated by a regional
20 office of education or an intermediate service center,
21 the Local Capacity Percentage must be set at 10% in
22 recognition of the absence of EAV and resources from
23 school districts that are allocated to the regional
24 office of education or intermediate service center.
25 The weighted mean for the Local Capacity Percentage
26 shall be determined by multiplying each Organizational

1 Unit's Local Capacity Ratio times the ASE for the unit
2 creating a weighted value, summing the weighted values
3 of all Organizational Units, and dividing by the total
4 ASE of all Organizational Units. The weighted standard
5 deviation shall be determined by taking the square root
6 of the weighted variance of all Organizational Units'
7 Local Capacity Ratio, where the variance is calculated
8 by squaring the difference between each unit's Local
9 Capacity Ratio and the weighted mean, then multiplying
10 the variance for each unit times the ASE for the unit
11 to create a weighted variance for each unit, then
12 summing all units' weighted variance and dividing by
13 the total ASE of all units.

14 (D) For any Organizational Unit, the
15 Organizational Unit's Adjusted Local Capacity Target
16 shall be reduced by either (i) the school board's
17 remaining contribution pursuant to paragraph (ii) of
18 subsection (b-4) of Section 16-158 of the Illinois
19 Pension Code in a given year, or (ii) the board of
20 education's remaining contribution pursuant to
21 paragraph (iv) of subsection (b) of Section 17-129 of
22 the Illinois Pension Code absent the employer normal
23 cost portion of the required contribution and amount
24 allowed pursuant to subdivision (3) of Section
25 17-142.1 of the Illinois Pension Code in a given year.
26 In the preceding sentence, item (i) shall be certified

1 to the State Board of Education by the Teachers'
2 Retirement System of the State of Illinois and item
3 (ii) shall be certified to the State Board of Education
4 by the Public School Teachers' Pension and Retirement
5 Fund of the City of Chicago.

6 (3) If an Organizational Unit's Real Receipts are more
7 than its Local Capacity Target, then its Local Capacity
8 shall equal an Adjusted Local Capacity Target as calculated
9 in accordance with this paragraph (3). The Adjusted Local
10 Capacity Target is calculated as the sum of the
11 Organizational Unit's Local Capacity Target and its Real
12 Receipts Adjustment. The Real Receipts Adjustment equals
13 the Organizational Unit's Real Receipts less its Local
14 Capacity Target, with the resulting figure multiplied by
15 the Local Capacity Percentage.

16 As used in this paragraph (3), "Real Percent of
17 Adequacy" means the sum of an Organizational Unit's Real
18 Receipts, CPPRT, and Base Funding Minimum, with the
19 resulting figure divided by the Organizational Unit's
20 Adequacy Target.

21 (d) Calculation of Real Receipts, EAV, and Adjusted EAV for
22 purposes of the Local Capacity calculation.

23 (1) An Organizational Unit's Real Receipts are the
24 product of its Applicable Tax Rate and its Adjusted EAV. An
25 Organizational Unit's Applicable Tax Rate is its Adjusted
26 Operating Tax Rate for property within the Organizational

1 Unit.

2 (2) The State Superintendent shall calculate the
3 equalized assessed valuation ~~Equalized Assessed Valuation~~,
4 or EAV, of all taxable property of each Organizational Unit
5 as of September 30 of the previous year in accordance with
6 paragraph (3) of this subsection (d). The State
7 Superintendent shall then determine the Adjusted EAV of
8 each Organizational Unit in accordance with paragraph (4)
9 of this subsection (d), which Adjusted EAV figure shall be
10 used for the purposes of calculating Local Capacity.

11 (3) To calculate Real Receipts and EAV, the Department
12 of Revenue shall supply to the State Superintendent the
13 value as equalized or assessed by the Department of Revenue
14 of all taxable property of every Organizational Unit,
15 together with (i) the applicable tax rate used in extending
16 taxes for the funds of the Organizational Unit as of
17 September 30 of the previous year and (ii) the limiting
18 rate for all Organizational Units subject to property tax
19 extension limitations as imposed under PTELL.

20 (A) The Department of Revenue shall add to the
21 equalized assessed value of all taxable property of
22 each Organizational Unit situated entirely or
23 partially within a county that is or was subject to the
24 provisions of Section 15-176 or 15-177 of the Property
25 Tax Code (i) an amount equal to the total amount by
26 which the homestead exemption allowed under Section

1 15-176 or 15-177 of the Property Tax Code for real
2 property situated in that Organizational Unit exceeds
3 the total amount that would have been allowed in that
4 Organizational Unit if the maximum reduction under
5 Section 15-176 was (I) \$4,500 in Cook County or \$3,500
6 in all other counties in tax year 2003 or (II) \$5,000
7 in all counties in tax year 2004 and thereafter and
8 (ii) an amount equal to the aggregate amount for the
9 taxable year of all additional exemptions under
10 Section 15-175 of the Property Tax Code for owners with
11 a household income of \$30,000 or less. The county clerk
12 of any county that is or was subject to the provisions
13 of Section 15-176 or 15-177 of the Property Tax Code
14 shall annually calculate and certify to the Department
15 of Revenue for each Organizational Unit all homestead
16 exemption amounts under Section 15-176 or 15-177 of the
17 Property Tax Code and all amounts of additional
18 exemptions under Section 15-175 of the Property Tax
19 Code for owners with a household income of \$30,000 or
20 less. It is the intent of this subparagraph (A) that if
21 the general homestead exemption for a parcel of
22 property is determined under Section 15-176 or 15-177
23 of the Property Tax Code rather than Section 15-175,
24 then the calculation of EAV shall not be affected by
25 the difference, if any, between the amount of the
26 general homestead exemption allowed for that parcel of

1 property under Section 15-176 or 15-177 of the Property
2 Tax Code and the amount that would have been allowed
3 had the general homestead exemption for that parcel of
4 property been determined under Section 15-175 of the
5 Property Tax Code. It is further the intent of this
6 subparagraph (A) that if additional exemptions are
7 allowed under Section 15-175 of the Property Tax Code
8 for owners with a household income of less than
9 \$30,000, then the calculation of EAV shall not be
10 affected by the difference, if any, because of those
11 additional exemptions.

12 (B) With respect to any part of an Organizational
13 Unit within a redevelopment project area in respect to
14 which a municipality has adopted tax increment
15 allocation financing pursuant to the Tax Increment
16 Allocation Redevelopment Act, Division 74.4 of Article
17 11 of the Illinois Municipal Code, or the Industrial
18 Jobs Recovery Law, Division 74.6 of Article 11 of the
19 Illinois Municipal Code, no part of the current EAV of
20 real property located in any such project area that
21 ~~which~~ is attributable to an increase above the total
22 initial EAV of such property shall be used as part of
23 the EAV of the Organizational Unit, until such time as
24 all redevelopment project costs have been paid, as
25 provided in Section 11-74.4-8 of the Tax Increment
26 Allocation Redevelopment Act or in Section 11-74.6-35

1 of the Industrial Jobs Recovery Law. For the purpose of
2 the EAV of the Organizational Unit, the total initial
3 EAV or the current EAV, whichever is lower, shall be
4 used until such time as all redevelopment project costs
5 have been paid.

6 (B-5) The real property equalized assessed
7 valuation for a school district shall be adjusted by
8 subtracting from the real property value, as equalized
9 or assessed by the Department of Revenue, for the
10 district an amount computed by dividing the amount of
11 any abatement of taxes under Section 18-170 of the
12 Property Tax Code by 3.00% for a district maintaining
13 grades kindergarten through 12, by 2.30% for a district
14 maintaining grades kindergarten through 8, or by 1.05%
15 for a district maintaining grades 9 through 12 and
16 adjusted by an amount computed by dividing the amount
17 of any abatement of taxes under subsection (a) of
18 Section 18-165 of the Property Tax Code by the same
19 percentage rates for district type as specified in this
20 subparagraph (B-5).

21 (C) For Organizational Units that are Hybrid
22 Districts, the State Superintendent shall use the
23 lesser of the adjusted equalized assessed valuation
24 for property within the partial elementary unit
25 district for elementary purposes, as defined in
26 Article 11E of this Code, or the adjusted equalized

1 assessed valuation for property within the partial
2 elementary unit district for high school purposes, as
3 defined in Article 11E of this Code.

4 (4) An Organizational Unit's Adjusted EAV shall be the
5 average of its EAV over the immediately preceding 3 years
6 or its EAV in the immediately preceding year if the EAV in
7 the immediately preceding year has declined by 10% or more
8 compared to the 3-year average. In the event of
9 Organizational Unit reorganization, consolidation, or
10 annexation, the Organizational Unit's Adjusted EAV for the
11 first 3 years after such change shall be as follows: the
12 most current EAV shall be used in the first year, the
13 average of a 2-year EAV or its EAV in the immediately
14 preceding year if the EAV declines by 10% or more compared
15 to the 2-year average for the second year, and a 3-year
16 average EAV or its EAV in the immediately preceding year if
17 the Adjusted ~~adjusted~~ EAV declines by 10% or more compared
18 to the 3-year average for the third year. For any school
19 district whose EAV in the immediately preceding year is
20 used in calculations, in the following year, the Adjusted
21 EAV shall be the average of its EAV over the immediately
22 preceding 2 years or the immediately preceding year if that
23 year represents a decline of 10% or more compared to the
24 2-year average.

25 "PTELL EAV" means a figure calculated by the State
26 Board for Organizational Units subject to PTELL as

1 described in this paragraph (4) for the purposes of
2 calculating an Organizational Unit's Local Capacity Ratio.
3 Except as otherwise provided in this paragraph (4), the
4 PTELL EAV of an Organizational Unit shall be equal to the
5 product of the equalized assessed valuation last used in
6 the calculation of general State aid under Section 18-8.05
7 of this Code (now repealed) or Evidence-Based Funding under
8 this Section and the Organizational Unit's Extension
9 Limitation Ratio. If an Organizational Unit has approved or
10 does approve an increase in its limiting rate, pursuant to
11 Section 18-190 of the Property Tax Code, affecting the Base
12 Tax Year, the PTELL EAV shall be equal to the product of
13 the equalized assessed valuation last used in the
14 calculation of general State aid under Section 18-8.05 of
15 this Code (now repealed) or Evidence-Based Funding under
16 this Section multiplied by an amount equal to one plus the
17 percentage increase, if any, in the Consumer Price Index
18 for All Urban Consumers for all items published by the
19 United States Department of Labor for the 12-month calendar
20 year preceding the Base Tax Year, plus the equalized
21 assessed valuation of new property, annexed property, and
22 recovered tax increment value and minus the equalized
23 assessed valuation of disconnected property.

24 As used in this paragraph (4), "new property" and
25 "recovered tax increment value" shall have the meanings set
26 forth in the Property Tax Extension Limitation Law.

1 (e) Base Funding Minimum calculation.

2 (1) For the 2017-2018 school year, the Base Funding
3 Minimum of an Organizational Unit or a Specially Funded
4 Unit shall be the amount of State funds distributed to the
5 Organizational Unit or Specially Funded Unit during the
6 2016-2017 school year prior to any adjustments and
7 specified appropriation amounts described in this
8 paragraph (1) from the following Sections, as calculated by
9 the State Superintendent: Section 18-8.05 of this Code (now
10 repealed); Section 5 of Article 224 of Public Act 99-524
11 (equity grants); Section 14-7.02b of this Code (funding for
12 children requiring special education services); Section
13 14-13.01 of this Code (special education facilities and
14 staffing), except for reimbursement of the cost of
15 transportation pursuant to Section 14-13.01; Section
16 14C-12 of this Code (English learners); and Section 18-4.3
17 of this Code (summer school), based on an appropriation
18 level of \$13,121,600. For a school district organized under
19 Article 34 of this Code, the Base Funding Minimum also
20 includes (i) the funds allocated to the school district
21 pursuant to Section 1D-1 of this Code attributable to
22 funding programs authorized by the Sections of this Code
23 listed in the preceding sentence, and (ii) the difference
24 between (I) the funds allocated to the school district
25 pursuant to Section 1D-1 of this Code attributable to the
26 funding programs authorized by Section 14-7.02 (non-public

1 special education reimbursement), subsection (b) of
2 Section 14-13.01 (special education transportation),
3 Section 29-5 (transportation), Section 2-3.80
4 (agricultural education), Section 2-3.66 (truants'
5 alternative education), Section 2-3.62 (educational
6 service centers), and Section 14-7.03 (special education -
7 orphanage) of this Code and Section 15 of the Childhood
8 Hunger Relief Act (free breakfast program) and (II) the
9 school district's actual expenditures for its non-public
10 special education, special education transportation,
11 transportation programs, agricultural education, truants'
12 alternative education, services that would otherwise be
13 performed by a regional office of education, special
14 education orphanage expenditures, and free breakfast, as
15 most recently calculated and reported pursuant to
16 subsection (f) of Section 1D-1 of this Code. The Base
17 Funding Minimum for Glenwood Academy shall be \$625,500. For
18 programs operated by a regional office of education or an
19 intermediate service center, the Base Funding Minimum must
20 be the total amount of State funds allocated to those
21 programs in the 2018-2019 school year and amounts provided
22 pursuant to Article 34 of Public Act 100-586 and Section
23 3-16 of this Code. All programs established after June 5,
24 2019 (the effective date of Public Act 101-10) ~~this~~
25 ~~amendatory Act of the 101st General Assembly~~ and
26 administered by a regional office of education or an

1 intermediate service center must have an initial Base
2 Funding Minimum set to an amount equal to the first-year
3 ASE multiplied by the amount of per pupil funding received
4 in the previous school year by the lowest funded similar
5 existing program type. If the enrollment for a program
6 operated by a regional office of education or an
7 intermediate service center is zero, then it may not
8 receive Base Funding Minimum funds for that program in the
9 next fiscal year, and those funds must be distributed to
10 Organizational Units under subsection (g).

11 (2) For the 2018-2019 and subsequent school years, the
12 Base Funding Minimum of Organizational Units and Specially
13 Funded Units shall be the sum of (i) the amount of
14 Evidence-Based Funding for the prior school year, (ii) the
15 Base Funding Minimum for the prior school year, and (iii)
16 any amount received by a school district pursuant to
17 Section 7 of Article 97 of Public Act 100-21.

18 (3) Subject to approval by the General Assembly as
19 provided in this paragraph (3), an Organizational Unit that
20 meets all of the following criteria, as determined by the
21 State Board, shall have District Intervention Money added
22 to its Base Funding Minimum at the time the Base Funding
23 Minimum is calculated by the State Board:

24 (A) The Organizational Unit is operating under an
25 Independent Authority under Section 2-3.25f-5 of this
26 Code for a minimum of 4 school years or is subject to

1 the control of the State Board pursuant to a court
2 order for a minimum of 4 school years.

3 (B) The Organizational Unit was designated as a
4 Tier 1 or Tier 2 Organizational Unit in the previous
5 school year under paragraph (3) of subsection (g) of
6 this Section.

7 (C) The Organizational Unit demonstrates
8 sustainability through a 5-year financial and
9 strategic plan.

10 (D) The Organizational Unit has made sufficient
11 progress and achieved sufficient stability in the
12 areas of governance, academic growth, and finances.

13 As part of its determination under this paragraph (3),
14 the State Board may consider the Organizational Unit's
15 summative designation, any accreditations of the
16 Organizational Unit, or the Organizational Unit's
17 financial profile, as calculated by the State Board.

18 If the State Board determines that an Organizational
19 Unit has met the criteria set forth in this paragraph (3),
20 it must submit a report to the General Assembly, no later
21 than January 2 of the fiscal year in which the State Board
22 makes its determination, on the amount of District
23 Intervention Money to add to the Organizational Unit's Base
24 Funding Minimum. The General Assembly must review the State
25 Board's report and may approve or disapprove, by joint
26 resolution, the addition of District Intervention Money.

1 If the General Assembly fails to act on the report within
2 40 calendar days from the receipt of the report, the
3 addition of District Intervention Money is deemed
4 approved. If the General Assembly approves the amount of
5 District Intervention Money to be added to the
6 Organizational Unit's Base Funding Minimum, the District
7 Intervention Money must be added to the Base Funding
8 Minimum annually thereafter.

9 For the first 4 years following the initial year that
10 the State Board determines that an Organizational Unit has
11 met the criteria set forth in this paragraph (3) and has
12 received funding under this Section, the Organizational
13 Unit must annually submit to the State Board, on or before
14 November 30, a progress report regarding its financial and
15 strategic plan under subparagraph (C) of this paragraph
16 (3). The plan shall include the financial data from the
17 past 4 annual financial reports or financial audits that
18 must be presented to the State Board by November 15 of each
19 year and the approved budget financial data for the current
20 year. The plan shall be developed according to the
21 guidelines presented to the Organizational Unit by the
22 State Board. The plan shall further include financial
23 projections for the next 3 fiscal years and include a
24 discussion and financial summary of the Organizational
25 Unit's facility needs. If the Organizational Unit does not
26 demonstrate sufficient progress toward its 5-year plan or

1 if it has failed to file an annual financial report, an
2 annual budget, a financial plan, a deficit reduction plan,
3 or other financial information as required by law, the
4 State Board may establish a Financial Oversight Panel under
5 Article 1H of this Code. However, if the Organizational
6 Unit already has a Financial Oversight Panel, the State
7 Board may extend the duration of the Panel.

8 (f) Percent of Adequacy and Final Resources calculation.

9 (1) The Evidence-Based Funding formula establishes a
10 Percent of Adequacy for each Organizational Unit in order
11 to place such units into tiers for the purposes of the
12 funding distribution system described in subsection (g) of
13 this Section. Initially, an Organizational Unit's
14 Preliminary Resources and Preliminary Percent of Adequacy
15 are calculated pursuant to paragraph (2) of this subsection
16 (f). Then, an Organizational Unit's Final Resources and
17 Final Percent of Adequacy are calculated to account for the
18 Organizational Unit's poverty concentration levels
19 pursuant to paragraphs (3) and (4) of this subsection (f).

20 (2) An Organizational Unit's Preliminary Resources are
21 equal to the sum of its Local Capacity Target, CPPRT, and
22 Base Funding Minimum. An Organizational Unit's Preliminary
23 Percent of Adequacy is the lesser of (i) its Preliminary
24 Resources divided by its Adequacy Target or (ii) 100%.

25 (3) Except for Specially Funded Units, an
26 Organizational Unit's Final Resources are equal the sum of

1 its Local Capacity, CPPRT, and Adjusted Base Funding
2 Minimum. The Base Funding Minimum of each Specially Funded
3 Unit shall serve as its Final Resources, except that the
4 Base Funding Minimum for State-approved charter schools
5 shall not include any portion of general State aid
6 allocated in the prior year based on the per capita tuition
7 charge times the charter school enrollment.

8 (4) An Organizational Unit's Final Percent of Adequacy
9 is its Final Resources divided by its Adequacy Target. An
10 Organizational Unit's Adjusted Base Funding Minimum is
11 equal to its Base Funding Minimum less its Supplemental
12 Grant Funding, with the resulting figure added to the
13 product of its Supplemental Grant Funding and Preliminary
14 Percent of Adequacy.

15 (g) Evidence-Based Funding formula distribution system.

16 (1) In each school year under the Evidence-Based
17 Funding formula, each Organizational Unit receives funding
18 equal to the sum of its Base Funding Minimum and the unit's
19 allocation of New State Funds determined pursuant to this
20 subsection (g). To allocate New State Funds, the
21 Evidence-Based Funding formula distribution system first
22 places all Organizational Units into one of 4 tiers in
23 accordance with paragraph (3) of this subsection (g), based
24 on the Organizational Unit's Final Percent of Adequacy. New
25 State Funds are allocated to each of the 4 tiers as
26 follows: Tier 1 Aggregate Funding equals 50% of all New

1 State Funds, Tier 2 Aggregate Funding equals 49% of all New
2 State Funds, Tier 3 Aggregate Funding equals 0.9% of all
3 New State Funds, and Tier 4 Aggregate Funding equals 0.1%
4 of all New State Funds. Each Organizational Unit within
5 Tier 1 or Tier 2 receives an allocation of New State Funds
6 equal to its tier Funding Gap, as defined in the following
7 sentence, multiplied by the tier's Allocation Rate
8 determined pursuant to paragraph (4) of this subsection
9 (g). For Tier 1, an Organizational Unit's Funding Gap
10 equals the tier's Target Ratio, as specified in paragraph
11 (5) of this subsection (g), multiplied by the
12 Organizational Unit's Adequacy Target, with the resulting
13 amount reduced by the Organizational Unit's Final
14 Resources. For Tier 2, an Organizational Unit's Funding Gap
15 equals the tier's Target Ratio, as described in paragraph
16 (5) of this subsection (g), multiplied by the
17 Organizational Unit's Adequacy Target, with the resulting
18 amount reduced by the Organizational Unit's Final
19 Resources and its Tier 1 funding allocation. To determine
20 the Organizational Unit's Funding Gap, the resulting
21 amount is then multiplied by a factor equal to one minus
22 the Organizational Unit's Local Capacity Target
23 percentage. Each Organizational Unit within Tier 3 or Tier
24 4 receives an allocation of New State Funds equal to the
25 product of its Adequacy Target and the tier's Allocation
26 Rate, as specified in paragraph (4) of this subsection (g).

1 (2) To ensure equitable distribution of dollars for all
2 Tier 2 Organizational Units, no Tier 2 Organizational Unit
3 shall receive fewer dollars per ASE than any Tier 3
4 Organizational Unit. Each Tier 2 and Tier 3 Organizational
5 Unit shall have its funding allocation divided by its ASE.
6 Any Tier 2 Organizational Unit with a funding allocation
7 per ASE below the greatest Tier 3 allocation per ASE shall
8 get a funding allocation equal to the greatest Tier 3
9 funding allocation per ASE multiplied by the
10 Organizational Unit's ASE. Each Tier 2 Organizational
11 Unit's Tier 2 funding allocation shall be multiplied by the
12 percentage calculated by dividing the original Tier 2
13 Aggregate Funding by the sum of all Tier 2 Organizational
14 Units' ~~Unit's~~ Tier 2 funding allocation after adjusting
15 districts' funding below Tier 3 levels.

16 (3) Organizational Units are placed into one of 4 tiers
17 as follows:

18 (A) Tier 1 consists of all Organizational Units,
19 except for Specially Funded Units, with a Percent of
20 Adequacy less than the Tier 1 Target Ratio. The Tier 1
21 Target Ratio is the ratio level that allows for Tier 1
22 Aggregate Funding to be distributed, with the Tier 1
23 Allocation Rate determined pursuant to paragraph (4)
24 of this subsection (g).

25 (B) Tier 2 consists of all Tier 1 Units and all
26 other Organizational Units, except for Specially

1 Funded Units, with a Percent of Adequacy of less than
2 0.90.

3 (C) Tier 3 consists of all Organizational Units,
4 except for Specially Funded Units, with a Percent of
5 Adequacy of at least 0.90 and less than 1.0.

6 (D) Tier 4 consists of all Organizational Units
7 with a Percent of Adequacy of at least 1.0.

8 (4) The Allocation Rates for Tiers 1 through 4 are ~~is~~
9 determined as follows:

10 (A) The Tier 1 Allocation Rate is 30%.

11 (B) The Tier 2 Allocation Rate is the result of the
12 following equation: Tier 2 Aggregate Funding, divided
13 by the sum of the Funding Gaps for all Tier 2
14 Organizational Units, unless the result of such
15 equation is higher than 1.0. If the result of such
16 equation is higher than 1.0, then the Tier 2 Allocation
17 Rate is 1.0.

18 (C) The Tier 3 Allocation Rate is the result of the
19 following equation: Tier 3 Aggregate Funding, divided
20 by the sum of the Adequacy Targets of all Tier 3
21 Organizational Units.

22 (D) The Tier 4 Allocation Rate is the result of the
23 following equation: Tier 4 Aggregate Funding, divided
24 by the sum of the Adequacy Targets of all Tier 4
25 Organizational Units.

26 (5) A tier's Target Ratio is determined as follows:

1 (A) The Tier 1 Target Ratio is the ratio level that
2 allows for Tier 1 Aggregate Funding to be distributed
3 with the Tier 1 Allocation Rate.

4 (B) The Tier 2 Target Ratio is 0.90.

5 (C) The Tier 3 Target Ratio is 1.0.

6 (6) If, at any point, the Tier 1 Target Ratio is
7 greater than 90%, than all Tier 1 funding shall be
8 allocated to Tier 2 and no Tier 1 Organizational Unit's
9 funding may be identified.

10 (7) In the event that all Tier 2 Organizational Units
11 receive funding at the Tier 2 Target Ratio level, any
12 remaining New State Funds shall be allocated to Tier 3 and
13 Tier 4 Organizational Units.

14 (8) If any Specially Funded Units, excluding Glenwood
15 Academy, recognized by the State Board do not qualify for
16 direct funding following the implementation of Public Act
17 100-465 ~~this amendatory Act of the 100th General Assembly~~
18 from any of the funding sources included within the
19 definition of Base Funding Minimum, the unqualified
20 portion of the Base Funding Minimum shall be transferred to
21 one or more appropriate Organizational Units as determined
22 by the State Superintendent based on the prior year ASE of
23 the Organizational Units.

24 (8.5) If a school district withdraws from a special
25 education cooperative, the portion of the Base Funding
26 Minimum that is attributable to the school district may be

1 redistributed to the school district upon withdrawal. The
2 school district and the cooperative must include the amount
3 of the Base Funding Minimum that is to be reapportioned
4 ~~re-apportioned~~ in their withdrawal agreement and notify
5 the State Board of the change with a copy of the agreement
6 upon withdrawal.

7 (9) The Minimum Funding Level is intended to establish
8 a target for State funding that will keep pace with
9 inflation and continue to advance equity through the
10 Evidence-Based Funding formula. The target for State
11 funding of New Property Tax Relief Pool Funds is
12 \$50,000,000 for State fiscal year 2019 and subsequent State
13 fiscal years. The Minimum Funding Level is equal to
14 \$350,000,000. In addition to any New State Funds, no more
15 than \$50,000,000 New Property Tax Relief Pool Funds may be
16 counted toward ~~towards~~ the Minimum Funding Level. If the
17 sum of New State Funds and applicable New Property Tax
18 Relief Pool Funds are less than the Minimum Funding Level,
19 than funding for tiers shall be reduced in the following
20 manner:

21 (A) First, Tier 4 funding shall be reduced by an
22 amount equal to the difference between the Minimum
23 Funding Level and New State Funds until such time as
24 Tier 4 funding is exhausted.

25 (B) Next, Tier 3 funding shall be reduced by an
26 amount equal to the difference between the Minimum

1 Funding Level and New State Funds and the reduction in
2 Tier 4 funding until such time as Tier 3 funding is
3 exhausted.

4 (C) Next, Tier 2 funding shall be reduced by an
5 amount equal to the difference between the Minimum
6 Funding Level ~~level~~ and New ~~new~~ State Funds and the
7 reduction in Tier 4 and Tier 3.

8 (D) Finally, Tier 1 funding shall be reduced by an
9 amount equal to the difference between the Minimum
10 Funding level and New State Funds and the reduction in
11 Tier 2, 3, and 4 funding. In addition, the Allocation
12 Rate for Tier 1 shall be reduced to a percentage equal
13 to the Tier 1 Allocation Rate ~~allocation rate~~ set by
14 paragraph (4) of this subsection (g), multiplied by the
15 result of New State Funds divided by the Minimum
16 Funding Level.

17 (9.5) For State fiscal year 2019 and subsequent State
18 fiscal years, if New State Funds exceed \$300,000,000, then
19 any amount in excess of \$300,000,000 shall be dedicated for
20 purposes of Section 2-3.170 of this Code up to a maximum of
21 \$50,000,000.

22 (10) In the event of a decrease in the amount of the
23 appropriation for this Section in any fiscal year after
24 implementation of this Section, the Organizational Units
25 receiving Tier 1 and Tier 2 funding, as determined under
26 paragraph (3) of this subsection (g), shall be held

1 harmless by establishing a Base Funding Guarantee equal to
2 the per pupil kindergarten through grade 12 funding
3 received in accordance with this Section in the prior
4 fiscal year. Reductions shall be made to the Base Funding
5 Minimum of Organizational Units in Tier 3 and Tier 4 on a
6 per pupil basis equivalent to the total number of the ASE
7 in Tier 3-funded and Tier 4-funded Organizational Units
8 divided by the total reduction in State funding. The Base
9 Funding Minimum as reduced shall continue to be applied to
10 Tier 3 and Tier 4 Organizational Units and adjusted by the
11 relative formula when increases in appropriations for this
12 Section resume. In no event may State funding reductions to
13 Organizational Units in Tier 3 or Tier 4 exceed an amount
14 that would be less than the Base Funding Minimum
15 established in the first year of implementation of this
16 Section. If additional reductions are required, all school
17 districts shall receive a reduction by a per pupil amount
18 equal to the aggregate additional appropriation reduction
19 divided by the total ASE of all Organizational Units.

20 (11) The State Superintendent shall make minor
21 adjustments to the distribution formula set forth in this
22 subsection (g) to account for the rounding of percentages
23 to the nearest tenth of a percentage and dollar amounts to
24 the nearest whole dollar.

25 (h) State Superintendent administration of funding and
26 district submission requirements.

1 (1) The State Superintendent shall, in accordance with
2 appropriations made by the General Assembly, meet the
3 funding obligations created under this Section.

4 (2) The State Superintendent shall calculate the
5 Adequacy Target for each Organizational Unit and Net State
6 Contribution Target for each Organizational Unit under
7 this Section. No Evidence-Based Funding shall be
8 distributed within an Organizational Unit without the
9 approval of the unit's school board.

10 (3) Annually, the State Superintendent shall calculate
11 and report to each Organizational Unit the unit's aggregate
12 financial adequacy amount, which shall be the sum of the
13 Adequacy Target for each Organizational Unit. The State
14 Superintendent shall calculate and report separately for
15 each Organizational Unit the unit's total State funds
16 allocated for its students with disabilities. The State
17 Superintendent shall calculate and report separately for
18 each Organizational Unit the amount of funding and
19 applicable FTE calculated for each Essential Element of the
20 unit's Adequacy Target.

21 (4) Annually, the State Superintendent shall calculate
22 and report to each Organizational Unit the amount the unit
23 must expend on special education and bilingual education
24 and computer technology and equipment for Organizational
25 Units assigned to Tier 1 or Tier 2 that received an
26 additional \$285.50 per student computer technology and

1 equipment investment grant to their Adequacy Target
2 pursuant to the unit's Base Funding Minimum, Special
3 Education Allocation, Bilingual Education Allocation, and
4 computer technology and equipment investment allocation.

5 (5) Moneys distributed under this Section shall be
6 calculated on a school year basis, but paid on a fiscal
7 year basis, with payments beginning in August and extending
8 through June. Unless otherwise provided, the moneys
9 appropriated for each fiscal year shall be distributed in
10 22 equal payments at least 2 times monthly to each
11 Organizational Unit. If moneys appropriated for any fiscal
12 year are distributed other than monthly, the distribution
13 shall be on the same basis for each Organizational Unit.

14 (6) Any school district that fails, for any given
15 school year, to maintain school as required by law or to
16 maintain a recognized school is not eligible to receive
17 Evidence-Based Funding. In case of non-recognition of one
18 or more attendance centers in a school district otherwise
19 operating recognized schools, the claim of the district
20 shall be reduced in the proportion that the enrollment in
21 the attendance center or centers bears to the enrollment of
22 the school district. "Recognized school" means any public
23 school that meets the standards for recognition by the
24 State Board. A school district or attendance center not
25 having recognition status at the end of a school term is
26 entitled to receive State aid payments due upon a legal

1 claim that was filed while it was recognized.

2 (7) School district claims filed under this Section are
3 subject to Sections 18-9 and 18-12 of this Code, except as
4 otherwise provided in this Section.

5 (8) Each fiscal year, the State Superintendent shall
6 calculate for each Organizational Unit an amount of its
7 Base Funding Minimum and Evidence-Based Funding that shall
8 be deemed attributable to the provision of special
9 educational facilities and services, as defined in Section
10 14-1.08 of this Code, in a manner that ensures compliance
11 with maintenance of State financial support requirements
12 under the federal Individuals with Disabilities Education
13 Act. An Organizational Unit must use such funds only for
14 the provision of special educational facilities and
15 services, as defined in Section 14-1.08 of this Code, and
16 must comply with any expenditure verification procedures
17 adopted by the State Board.

18 (9) All Organizational Units in this State must submit
19 annual spending plans by the end of September of each year
20 to the State Board as part of the annual budget process,
21 which shall describe how each Organizational Unit will
22 utilize the Base Funding Minimum ~~Funding~~ and
23 Evidence-Based Funding ~~funding~~ it receives from this State
24 under this Section with specific identification of the
25 intended utilization of Low-Income, English learner, and
26 special education resources. Additionally, the annual

1 spending plans of each Organizational Unit shall describe
2 how the Organizational Unit expects to achieve student
3 growth and how the Organizational Unit will achieve State
4 education goals, as defined by the State Board. The State
5 Superintendent may, from time to time, identify additional
6 requisites for Organizational Units to satisfy when
7 compiling the annual spending plans required under this
8 subsection (h). The format and scope of annual spending
9 plans shall be developed by the State Superintendent and
10 the State Board of Education. School districts that serve
11 students under Article 14C of this Code shall continue to
12 submit information as required under Section 14C-12 of this
13 Code.

14 (10) No later than January 1, 2018, the State
15 Superintendent shall develop a 5-year strategic plan for
16 all Organizational Units to help in planning for adequacy
17 funding under this Section. The State Superintendent shall
18 submit the plan to the Governor and the General Assembly,
19 as provided in Section 3.1 of the General Assembly
20 Organization Act. The plan shall include recommendations
21 for:

22 (A) a framework for collaborative, professional,
23 innovative, and 21st century learning environments
24 using the Evidence-Based Funding model;

25 (B) ways to prepare and support this State's
26 educators for successful instructional careers;

1 (C) application and enhancement of the current
2 financial accountability measures, the approved State
3 plan to comply with the federal Every Student Succeeds
4 Act, and the Illinois Balanced Accountability Measures
5 in relation to student growth and elements of the
6 Evidence-Based Funding model; and

7 (D) implementation of an effective school adequacy
8 funding system based on projected and recommended
9 funding levels from the General Assembly.

10 (11) On an annual basis, the State Superintendent must
11 recalibrate all of the following per pupil elements of the
12 Adequacy Target and applied to the formulas, based on the
13 study of average expenses and as reported in the most
14 recent annual financial report:

15 (A) Gifted under subparagraph (M) of paragraph (2)
16 of subsection (b).

17 (B) Instructional materials under subparagraph (O)
18 of paragraph (2) of subsection (b).

19 (C) Assessment under subparagraph (P) of paragraph
20 (2) of subsection (b).

21 (D) Student activities under subparagraph (R) of
22 paragraph (2) of subsection (b).

23 (E) Maintenance and operations under subparagraph
24 (S) of paragraph (2) of subsection (b).

25 (F) Central office under subparagraph (T) of
26 paragraph (2) of subsection (b).

1 (i) Professional Review Panel.

2 (1) A Professional Review Panel is created to study and
3 review topics related to the implementation and effect of
4 Evidence-Based Funding, as assigned by a joint resolution
5 or Public Act of the General Assembly or a motion passed by
6 the State Board of Education. The Panel must provide
7 recommendations to and serve the Governor, the General
8 Assembly, and the State Board. The State Superintendent or
9 his or her designee must serve as a voting member and
10 chairperson of the Panel. The State Superintendent must
11 appoint a vice chairperson from the membership of the
12 Panel. The Panel must advance recommendations based on a
13 three-fifths majority vote of Panel ~~panel~~ members present
14 and voting. A minority opinion may also accompany any
15 recommendation of the Panel. The Panel shall be appointed
16 by the State Superintendent, except as otherwise provided
17 in paragraph (2) of this subsection (i) and include the
18 following members:

19 (A) Two appointees that represent district
20 superintendents, recommended by a statewide
21 organization that represents district superintendents.

22 (B) Two appointees that represent school boards,
23 recommended by a statewide organization that
24 represents school boards.

25 (C) Two appointees from districts that represent
26 school business officials, recommended by a statewide

1 organization that represents school business
2 officials.

3 (D) Two appointees that represent school
4 principals, recommended by a statewide organization
5 that represents school principals.

6 (E) Two appointees that represent teachers,
7 recommended by a statewide organization that
8 represents teachers.

9 (F) Two appointees that represent teachers,
10 recommended by another statewide organization that
11 represents teachers.

12 (G) Two appointees that represent regional
13 superintendents of schools, recommended by
14 organizations that represent regional superintendents.

15 (H) Two independent experts selected solely by the
16 State Superintendent.

17 (I) Two independent experts recommended by public
18 universities in this State.

19 (J) One member recommended by a statewide
20 organization that represents parents.

21 (K) Two representatives recommended by collective
22 impact organizations that represent major metropolitan
23 areas or geographic areas in Illinois.

24 (L) One member from a statewide organization
25 focused on research-based education policy to support
26 a school system that prepares all students for college,

1 a career, and democratic citizenship.

2 (M) One representative from a school district
3 organized under Article 34 of this Code.

4 The State Superintendent shall ensure that the
5 membership of the Panel includes representatives from
6 school districts and communities reflecting the
7 geographic, socio-economic, racial, and ethnic diversity
8 of this State. The State Superintendent shall additionally
9 ensure that the membership of the Panel includes
10 representatives with expertise in bilingual education and
11 special education. Staff from the State Board shall staff
12 the Panel.

13 (2) In addition to those Panel members appointed by the
14 State Superintendent, 4 members of the General Assembly
15 shall be appointed as follows: one member of the House of
16 Representatives appointed by the Speaker of the House of
17 Representatives, one member of the Senate appointed by the
18 President of the Senate, one member of the House of
19 Representatives appointed by the Minority Leader of the
20 House of Representatives, and one member of the Senate
21 appointed by the Minority Leader of the Senate. There shall
22 be one additional member appointed by the Governor. All
23 members appointed by legislative leaders or the Governor
24 shall be non-voting, ex officio members.

25 (3) The Panel must study topics at the direction of the
26 General Assembly or State Board of Education, as provided

1 under paragraph (1). The Panel may also study the following
2 topics at the direction of the chairperson: ~~(4)~~

3 (A) The format and scope of annual spending plans
4 referenced in paragraph (9) of subsection (h) of this
5 Section.

6 (B) The Comparable Wage Index under this Section.

7 (C) Maintenance and operations, including capital
8 maintenance and construction costs.

9 (D) "At-risk student" definition.

10 (E) Benefits.

11 (F) Technology.

12 (G) Local Capacity Target.

13 (H) Funding for Alternative Schools, Laboratory
14 Schools, safe schools, and alternative learning
15 opportunities programs.

16 (I) Funding for college and career acceleration
17 strategies.

18 (J) Special education investments.

19 (K) Early childhood investments, in collaboration
20 with the Illinois Early Learning Council.

21 (4) (Blank).

22 (5) Within 5 years after the implementation of this
23 Section, and every 5 years thereafter, the Panel shall
24 complete an evaluative study of the entire Evidence-Based
25 Funding model, including an assessment of whether or not
26 the formula is achieving State goals. The Panel shall

1 report to the State Board, the General Assembly, and the
2 Governor on the findings of the study.

3 (6) (Blank).

4 (j) References. Beginning July 1, 2017, references in other
5 laws to general State aid funds or calculations under Section
6 18-8.05 of this Code (now repealed) shall be deemed to be
7 references to evidence-based model formula funds or
8 calculations under this Section.

9 (Source: P.A. 100-465, eff. 8-31-17; 100-578, eff. 1-31-18;
10 100-582, eff. 3-23-18; 101-10, eff. 6-5-19; 101-17, eff.
11 6-14-19; revised 7-1-19.)

12 (105 ILCS 5/21B-45)

13 Sec. 21B-45. Professional Educator License renewal.

14 (a) Individuals holding a Professional Educator License
15 are required to complete the licensure renewal requirements as
16 specified in this Section, unless otherwise provided in this
17 Code.

18 Individuals holding a Professional Educator License shall
19 meet the renewal requirements set forth in this Section, unless
20 otherwise provided in this Code. If an individual holds a
21 license endorsed in more than one area that has different
22 renewal requirements, that individual shall follow the renewal
23 requirements for the position for which he or she spends the
24 majority of his or her time working.

25 (b) All Professional Educator Licenses not renewed as

1 provided in this Section shall lapse on September 1 of that
2 year. Notwithstanding any other provisions of this Section, if
3 a license holder's electronic mail address is available, the
4 State Board of Education shall send him or her notification
5 electronically that his or her license will lapse if not
6 renewed, to be sent no more than 6 months prior to the license
7 lapsing. Lapsed licenses may be immediately reinstated upon (i)
8 payment by the applicant of a \$500 penalty to the State Board
9 of Education or (ii) the demonstration of proficiency by
10 completing 9 semester hours of coursework from a regionally
11 accredited institution of higher education in the content area
12 that most aligns with one or more of the educator's endorsement
13 areas. Any and all back fees, including without limitation
14 registration fees owed from the time of expiration of the
15 license until the date of reinstatement, shall be paid and kept
16 in accordance with the provisions in Article 3 of this Code
17 concerning an institute fund and the provisions in Article 21B
18 of this Code concerning fees and requirements for registration.
19 Licenses not registered in accordance with Section 21B-40 of
20 this Code shall lapse after a period of 6 months from the
21 expiration of the last year of registration or on January 1 of
22 the fiscal year following initial issuance of the license. An
23 unregistered license is invalid after September 1 for
24 employment and performance of services in an Illinois public or
25 State-operated school or cooperative and in a charter school.
26 Any license or endorsement may be voluntarily surrendered by

1 the license holder. A voluntarily surrendered license shall be
2 treated as a revoked license. An Educator License with
3 Stipulations with only a paraprofessional endorsement does not
4 lapse.

5 (c) From July 1, 2013 through June 30, 2014, in order to
6 satisfy the requirements for licensure renewal provided for in
7 this Section, each professional educator licensee with an
8 administrative endorsement who is working in a position
9 requiring such endorsement shall complete one Illinois
10 Administrators' Academy course, as described in Article 2 of
11 this Code, per fiscal year.

12 (c-5) All licenses issued by the State Board of Education
13 under this Article that expire on June 30, 2020 and have not
14 been renewed by the end of the 2020 renewal period shall be
15 extended for one year and shall expire on June 30, 2021.

16 (d) Beginning July 1, 2014, in order to satisfy the
17 requirements for licensure renewal provided for in this
18 Section, each professional educator licensee may create a
19 professional development plan each year. The plan shall address
20 one or more of the endorsements that are required of his or her
21 educator position if the licensee is employed and performing
22 services in an Illinois public or State-operated school or
23 cooperative. If the licensee is employed in a charter school,
24 the plan shall address that endorsement or those endorsements
25 most closely related to his or her educator position. Licensees
26 employed and performing services in any other Illinois schools

1 may participate in the renewal requirements by adhering to the
2 same process.

3 Except as otherwise provided in this Section, the
4 licensee's professional development activities shall align
5 with one or more of the following criteria:

6 (1) activities are of a type that engage participants
7 over a sustained period of time allowing for analysis,
8 discovery, and application as they relate to student
9 learning, social or emotional achievement, or well-being;

10 (2) professional development aligns to the licensee's
11 performance;

12 (3) outcomes for the activities must relate to student
13 growth or district improvement;

14 (4) activities align to State-approved standards; and

15 (5) higher education coursework.

16 (e) For each renewal cycle, each professional educator
17 licensee shall engage in professional development activities.
18 Prior to renewal, the licensee shall enter electronically into
19 the Educator Licensure Information System (ELIS) the name,
20 date, and location of the activity, the number of professional
21 development hours, and the provider's name. The following
22 provisions shall apply concerning professional development
23 activities:

24 (1) Each licensee shall complete a total of 120 hours
25 of professional development per 5-year renewal cycle in
26 order to renew the license, except as otherwise provided in

1 this Section.

2 (2) Beginning with his or her first full 5-year cycle,
3 any licensee with an administrative endorsement who is not
4 working in a position requiring such endorsement is not
5 required to complete Illinois Administrators' Academy
6 courses, as described in Article 2 of this Code. Such
7 licensees must complete one Illinois Administrators'
8 Academy course within one year after returning to a
9 position that requires the administrative endorsement.

10 (3) Any licensee with an administrative endorsement
11 who is working in a position requiring such endorsement or
12 an individual with a Teacher Leader endorsement serving in
13 an administrative capacity at least 50% of the day shall
14 complete one Illinois Administrators' Academy course, as
15 described in Article 2 of this Code, each fiscal year in
16 addition to 100 hours of professional development per
17 5-year renewal cycle in accordance with this Code.

18 (4) Any licensee holding a current National Board for
19 Professional Teaching Standards (NBPTS) master teacher
20 designation shall complete a total of 60 hours of
21 professional development per 5-year renewal cycle in order
22 to renew the license.

23 (5) Licensees working in a position that does not
24 require educator licensure or working in a position for
25 less than 50% for any particular year are considered to be
26 exempt and shall be required to pay only the registration

1 fee in order to renew and maintain the validity of the
2 license.

3 (6) Licensees who are retired and qualify for benefits
4 from a State of Illinois retirement system shall notify the
5 State Board of Education using ELIS, and the license shall
6 be maintained in retired status. For any renewal cycle in
7 which a licensee retires during the renewal cycle, the
8 licensee must complete professional development activities
9 on a prorated basis depending on the number of years during
10 the renewal cycle the educator held an active license. If a
11 licensee retires during a renewal cycle, the licensee must
12 notify the State Board of Education using ELIS that the
13 licensee wishes to maintain the license in retired status
14 and must show proof of completion of professional
15 development activities on a prorated basis for all years of
16 that renewal cycle for which the license was active. An
17 individual with a license in retired status shall not be
18 required to complete professional development activities
19 or pay registration fees until returning to a position that
20 requires educator licensure. Upon returning to work in a
21 position that requires the Professional Educator License,
22 the licensee shall immediately pay a registration fee and
23 complete renewal requirements for that year. A license in
24 retired status cannot lapse. Beginning on January 6, 2017
25 (the effective date of Public Act 99-920) through December
26 31, 2017, any licensee who has retired and whose license

1 has lapsed for failure to renew as provided in this Section
2 may reinstate that license and maintain it in retired
3 status upon providing proof to the State Board of Education
4 using ELIS that the licensee is retired and is not working
5 in a position that requires a Professional Educator
6 License.

7 (7) For any renewal cycle in which professional
8 development hours were required, but not fulfilled, the
9 licensee shall complete any missed hours to total the
10 minimum professional development hours required in this
11 Section prior to September 1 of that year. Professional
12 development hours used to fulfill the minimum required
13 hours for a renewal cycle may be used for only one renewal
14 cycle. For any fiscal year or renewal cycle in which an
15 Illinois Administrators' Academy course was required but
16 not completed, the licensee shall complete any missed
17 Illinois Administrators' Academy courses prior to
18 September 1 of that year. The licensee may complete all
19 deficient hours and Illinois Administrators' Academy
20 courses while continuing to work in a position that
21 requires that license until September 1 of that year.

22 (8) Any licensee who has not fulfilled the professional
23 development renewal requirements set forth in this Section
24 at the end of any 5-year renewal cycle is ineligible to
25 register his or her license and may submit an appeal to the
26 State Superintendent of Education for reinstatement of the

1 license.

2 (9) If professional development opportunities were
3 unavailable to a licensee, proof that opportunities were
4 unavailable and request for an extension of time beyond
5 August 31 to complete the renewal requirements may be
6 submitted from April 1 through June 30 of that year to the
7 State Educator Preparation and Licensure Board. If an
8 extension is approved, the license shall remain valid
9 during the extension period.

10 (10) Individuals who hold exempt licenses prior to
11 December 27, 2013 (the effective date of Public Act 98-610)
12 shall commence the annual renewal process with the first
13 scheduled registration due after December 27, 2013 (the
14 effective date of Public Act 98-610).

15 (11) Notwithstanding any other provision of this
16 subsection (e), if a licensee earns more than the required
17 number of professional development hours during a renewal
18 cycle, then the licensee may carry over any hours earned
19 from April 1 through June 30 of the last year of the
20 renewal cycle. Any hours carried over in this manner must
21 be applied to the next renewal cycle. Illinois
22 Administrators' Academy courses or hours earned in those
23 courses may not be carried over.

24 (f) At the time of renewal, each licensee shall respond to
25 the required questions under penalty of perjury.

26 (f-5) The State Board of Education shall conduct random

1 audits of licensees to verify a licensee's fulfillment of the
2 professional development hours required under this Section.
3 Upon completion of a random audit, if it is determined by the
4 State Board of Education that the licensee did not complete the
5 required number of professional development hours or did not
6 provide sufficient proof of completion, the licensee shall be
7 notified that his or her license has lapsed. A license that has
8 lapsed under this subsection may be reinstated as provided in
9 subsection (b).

10 (g) The following entities shall be designated as approved
11 to provide professional development activities for the renewal
12 of Professional Educator Licenses:

13 (1) The State Board of Education.

14 (2) Regional offices of education and intermediate
15 service centers.

16 (3) Illinois professional associations representing
17 the following groups that are approved by the State
18 Superintendent of Education:

19 (A) school administrators;

20 (B) principals;

21 (C) school business officials;

22 (D) teachers, including special education
23 teachers;

24 (E) school boards;

25 (F) school districts;

26 (G) parents; and

1 (H) school service personnel.

2 (4) Regionally accredited institutions of higher
3 education that offer Illinois-approved educator
4 preparation programs and public community colleges subject
5 to the Public Community College Act.

6 (5) Illinois public school districts, charter schools
7 authorized under Article 27A of this Code, and joint
8 educational programs authorized under Article 10 of this
9 Code for the purposes of providing career and technical
10 education or special education services.

11 (6) A not-for-profit organization that, as of December
12 31, 2014 (the effective date of Public Act 98-1147), has
13 had or has a grant from or a contract with the State Board
14 of Education to provide professional development services
15 in the area of English Learning to Illinois school
16 districts, teachers, or administrators.

17 (7) State agencies, State boards, and State
18 commissions.

19 (8) Museums as defined in Section 10 of the Museum
20 Disposition of Property Act.

21 (h) Approved providers under subsection (g) of this Section
22 shall make available professional development opportunities
23 that satisfy at least one of the following:

24 (1) increase the knowledge and skills of school and
25 district leaders who guide continuous professional
26 development;

- 1 (2) improve the learning of students;
- 2 (3) organize adults into learning communities whose
- 3 goals are aligned with those of the school and district;
- 4 (4) deepen educator's content knowledge;
- 5 (5) provide educators with research-based
- 6 instructional strategies to assist students in meeting
- 7 rigorous academic standards;
- 8 (6) prepare educators to appropriately use various
- 9 types of classroom assessments;
- 10 (7) use learning strategies appropriate to the
- 11 intended goals;
- 12 (8) provide educators with the knowledge and skills to
- 13 collaborate;
- 14 (9) prepare educators to apply research to decision
- 15 making ~~decision making~~; or
- 16 (10) provide educators with training on inclusive
- 17 practices in the classroom that examines instructional and
- 18 behavioral strategies that improve academic and
- 19 social-emotional outcomes for all students, with or
- 20 without disabilities, in a general education setting.
- 21 (i) Approved providers under subsection (g) of this Section
- 22 shall do the following:
 - 23 (1) align professional development activities to the
 - 24 State-approved national standards for professional
 - 25 learning;
 - 26 (2) meet the professional development criteria for

1 Illinois licensure renewal;

2 (3) produce a rationale for the activity that explains
3 how it aligns to State standards and identify the
4 assessment for determining the expected impact on student
5 learning or school improvement;

6 (4) maintain original documentation for completion of
7 activities;

8 (5) provide license holders with evidence of
9 completion of activities;

10 (6) request an Illinois Educator Identification Number
11 (IEIN) for each educator during each professional
12 development activity; and

13 (7) beginning on July 1, 2019, register annually with
14 the State Board of Education prior to offering any
15 professional development opportunities in the current
16 fiscal year.

17 (j) The State Board of Education shall conduct annual
18 audits of a subset of approved providers, except for school
19 districts, which shall be audited by regional offices of
20 education and intermediate service centers. The State Board of
21 Education shall ensure that each approved provider, except for
22 a school district, is audited at least once every 5 years. The
23 State Board of Education may conduct more frequent audits of
24 providers if evidence suggests the requirements of this Section
25 or administrative rules are not being met.

26 (1) (Blank).

1 (2) Approved providers shall comply with the
2 requirements in subsections (h) and (i) of this Section by
3 annually submitting data to the State Board of Education
4 demonstrating how the professional development activities
5 impacted one or more of the following:

6 (A) educator and student growth in regards to
7 content knowledge or skills, or both;

8 (B) educator and student social and emotional
9 growth; or

10 (C) alignment to district or school improvement
11 plans.

12 (3) The State Superintendent of Education shall review
13 the annual data collected by the State Board of Education,
14 regional offices of education, and intermediate service
15 centers in audits to determine if the approved provider has
16 met the criteria and should continue to be an approved
17 provider or if further action should be taken as provided
18 in rules.

19 (k) Registration fees shall be paid for the next renewal
20 cycle between April 1 and June 30 in the last year of each
21 5-year renewal cycle using ELIS. If all required professional
22 development hours for the renewal cycle have been completed and
23 entered by the licensee, the licensee shall pay the
24 registration fees for the next cycle using a form of credit or
25 debit card.

26 (1) Any professional educator licensee endorsed for school

1 support personnel who is employed and performing services in
2 Illinois public schools and who holds an active and current
3 professional license issued by the Department of Financial and
4 Professional Regulation or a national certification board, as
5 approved by the State Board of Education, related to the
6 endorsement areas on the Professional Educator License shall be
7 deemed to have satisfied the continuing professional
8 development requirements provided for in this Section. Such
9 individuals shall be required to pay only registration fees to
10 renew the Professional Educator License. An individual who does
11 not hold a license issued by the Department of Financial and
12 Professional Regulation shall complete professional
13 development requirements for the renewal of a Professional
14 Educator License provided for in this Section.

15 (m) Appeals to the State Educator Preparation and Licensure
16 Board must be made within 30 days after receipt of notice from
17 the State Superintendent of Education that a license will not
18 be renewed based upon failure to complete the requirements of
19 this Section. A licensee may appeal that decision to the State
20 Educator Preparation and Licensure Board in a manner prescribed
21 by rule.

22 (1) Each appeal shall state the reasons why the State
23 Superintendent's decision should be reversed and shall be
24 sent by certified mail, return receipt requested, to the
25 State Board of Education.

26 (2) The State Educator Preparation and Licensure Board

1 shall review each appeal regarding renewal of a license
2 within 90 days after receiving the appeal in order to
3 determine whether the licensee has met the requirements of
4 this Section. The State Educator Preparation and Licensure
5 Board may hold an appeal hearing or may make its
6 determination based upon the record of review, which shall
7 consist of the following:

8 (A) the regional superintendent of education's
9 rationale for recommending nonrenewal of the license,
10 if applicable;

11 (B) any evidence submitted to the State
12 Superintendent along with the individual's electronic
13 statement of assurance for renewal; and

14 (C) the State Superintendent's rationale for
15 nonrenewal of the license.

16 (3) The State Educator Preparation and Licensure Board
17 shall notify the licensee of its decision regarding license
18 renewal by certified mail, return receipt requested, no
19 later than 30 days after reaching a decision. Upon receipt
20 of notification of renewal, the licensee, using ELIS, shall
21 pay the applicable registration fee for the next cycle
22 using a form of credit or debit card.

23 (n) The State Board of Education may adopt rules as may be
24 necessary to implement this Section.

25 (Source: P.A. 100-13, eff. 7-1-17; 100-339, eff. 8-25-17;
26 100-596, eff. 7-1-18; 100-863, eff. 8-14-18; 101-85, eff.

1 1-1-20; 101-531, eff. 8-23-19; revised 9-19-19.)

2 (105 ILCS 5/21B-110 new)

3 Sec. 21B-110. Public health emergency declaration.

4 (a) This Section applies only during any time in which the
5 Governor has declared a public health emergency under Section 7
6 of the Illinois Emergency Management Agency Act.

7 (b) Notwithstanding any other requirements under this
8 Article, the requirements under subsection (f) of Section
9 21B-30 are waived for an applicant seeking an educator license.

10 (c) Notwithstanding any other requirements under this
11 Article, during the implementation of remote learning days
12 under Section 10-30, a candidate seeking an educator license
13 may:

14 (1) complete his or her required student teaching or
15 equivalent experience remotely; or

16 (2) complete his or her required school business
17 management internship remotely.

18 (105 ILCS 5/21B-115 new)

19 Sec. 21B-115. Spring 2020 student teaching or internship.

20 Notwithstanding any other requirements under this Article, for
21 the spring 2020 semester only, a candidate's requirement to
22 complete student teaching or its equivalent or a school
23 business management internship is waived.

1 (105 ILCS 5/22-89 new)

2 Sec. 22-89. Graduates during the 2019-2020 school year.
3 Notwithstanding any other provision of this Code, any diploma
4 conferred during the 2019-2020 school year, including during
5 the summer of 2020, under graduation requirements that were
6 modified by an executive order, emergency rulemaking, or school
7 board policy prompted by a gubernatorial disaster proclamation
8 as a result of COVID-19 is deemed valid and is not subject to
9 challenge or review due to a failure to meet minimum
10 requirements otherwise required by this Code, administrative
11 rule, or school board policy.

12 (105 ILCS 5/24-11) (from Ch. 122, par. 24-11)

13 Sec. 24-11. Boards of Education - Boards of School
14 Inspectors - Contractual continued service.

15 (a) As used in this and the succeeding Sections of this
16 Article:

17 "Teacher" means any or all school district employees
18 regularly required to be certified under laws relating to the
19 certification of teachers.

20 "Board" means board of directors, board of education, or
21 board of school inspectors, as the case may be.

22 "School term" means that portion of the school year, July 1
23 to the following June 30, when school is in actual session.

24 "Program" means a program of a special education joint
25 agreement.

1 "Program of a special education joint agreement" means
2 instructional, consultative, supervisory, administrative,
3 diagnostic, and related services that are managed by a special
4 educational joint agreement designed to service 2 or more
5 school districts that are members of the joint agreement.

6 "PERA implementation date" means the implementation date
7 of an evaluation system for teachers as specified by Section
8 24A-2.5 of this Code for all schools within a school district
9 or all programs of a special education joint agreement.

10 (b) This Section and Sections 24-12 through 24-16 of this
11 Article apply only to school districts having less than 500,000
12 inhabitants.

13 (c) Any teacher who is first employed as a full-time
14 teacher in a school district or program prior to the PERA
15 implementation date and who is employed in that district or
16 program for a probationary period of 4 consecutive school terms
17 shall enter upon contractual continued service in the district
18 or in all of the programs that the teacher is legally qualified
19 to hold, unless the teacher is given written notice of
20 dismissal by certified mail, return receipt requested, by the
21 employing board at least 45 days before the end of any school
22 term within such period.

23 (d) For any teacher who is first employed as a full-time
24 teacher in a school district or program on or after the PERA
25 implementation date, the probationary period shall be one of
26 the following periods, based upon the teacher's school terms of

1 service and performance, before the teacher shall enter upon
2 contractual continued service in the district or in all of the
3 programs that the teacher is legally qualified to hold, unless
4 the teacher is given written notice of dismissal by certified
5 mail, return receipt requested, by the employing board at least
6 45 days before the end of any school term within such period:

7 (1) 4 consecutive school terms of service in which the
8 teacher receives overall annual evaluation ratings of at
9 least "Proficient" in the last school term and at least
10 "Proficient" in either the second or third school term;

11 (2) 3 consecutive school terms of service in which the
12 teacher receives 3 overall annual evaluations of
13 "Excellent"; or

14 (3) 2 consecutive school terms of service in which the
15 teacher receives 2 overall annual evaluations of
16 "Excellent" service, but only if the teacher (i) previously
17 attained contractual continued service in a different
18 school district or program in this State, (ii) voluntarily
19 departed or was honorably dismissed from that school
20 district or program in the school term immediately prior to
21 the teacher's first school term of service applicable to
22 the attainment of contractual continued service under this
23 subdivision (3), and (iii) received, in his or her 2 most
24 recent overall annual or biennial evaluations from the
25 prior school district or program, ratings of at least
26 "Proficient", with both such ratings occurring after the

1 school district's or program's PERA implementation date.
2 For a teacher to attain contractual continued service under
3 this subdivision (3), the teacher shall provide official
4 copies of his or her 2 most recent overall annual or
5 biennial evaluations from the prior school district or
6 program to the new school district or program within 60
7 days from the teacher's first day of service with the new
8 school district or program. The prior school district or
9 program must provide the teacher with official copies of
10 his or her 2 most recent overall annual or biennial
11 evaluations within 14 days after the teacher's request. If
12 a teacher has requested such official copies prior to 45
13 days after the teacher's first day of service with the new
14 school district or program and the teacher's prior school
15 district or program fails to provide the teacher with the
16 official copies required under this subdivision (3), then
17 the time period for the teacher to submit the official
18 copies to his or her new school district or program must be
19 extended until 14 days after receipt of such copies from
20 the prior school district or program. If the prior school
21 district or program fails to provide the teacher with the
22 official copies required under this subdivision (3) within
23 90 days from the teacher's first day of service with the
24 new school district or program, then the new school
25 district or program shall rely upon the teacher's own
26 copies of his or her evaluations for purposes of this

1 subdivision (3).

2 If the teacher does not receive overall annual evaluations
3 of "Excellent" in the school terms necessary for eligibility to
4 achieve accelerated contractual continued service in
5 subdivisions (2) and (3) of this subsection (d), the teacher
6 shall be eligible for contractual continued service pursuant to
7 subdivision (1) of this subsection (d). If, at the conclusion
8 of 4 consecutive school terms of service that count toward
9 attainment of contractual continued service, the teacher's
10 performance does not qualify the teacher for contractual
11 continued service under subdivision (1) of this subsection (d),
12 then the teacher shall not enter upon contractual continued
13 service and shall be dismissed. If a performance evaluation is
14 not conducted for any school term when such evaluation is
15 required to be conducted under Section 24A-5 of this Code, then
16 the teacher's performance evaluation rating for such school
17 term for purposes of determining the attainment of contractual
18 continued service shall be deemed "Proficient", except that,
19 during any time in which the Governor has declared a disaster
20 due to a public health emergency pursuant to Section 7 of the
21 Illinois Emergency Management Agency Act, this default to
22 "Proficient" does not apply to any teacher who has entered into
23 contractual continued service and who was deemed "Excellent" on
24 his or her most recent evaluation. During any time in which the
25 Governor has declared a disaster due to a public health
26 emergency pursuant to Section 7 of the Illinois Emergency

1 Management Agency Act and unless the school board and any
2 exclusive bargaining representative have completed the
3 performance rating for teachers or mutually agreed to an
4 alternate performance rating, any teacher who has entered into
5 contractual continued service, whose most recent evaluation
6 was deemed "Excellent", and whose performance evaluation is not
7 conducted when the evaluation is required to be conducted shall
8 receive a teacher's performance rating deemed "Excellent". A
9 school board and any exclusive bargaining representative may
10 mutually agree to an alternate performance rating for teachers
11 not in contractual continued service during any time in which
12 the Governor has declared a disaster due to a public health
13 emergency pursuant to Section 7 of the Illinois Emergency
14 Management Agency Act, as long as the agreement is in writing.

15 (e) For the purposes of determining contractual continued
16 service, a school term shall be counted only toward attainment
17 of contractual continued service if the teacher actually
18 teaches or is otherwise present and participating in the
19 district's or program's educational program for 120 days or
20 more, provided that the days of leave under the federal Family
21 Medical Leave Act that the teacher is required to take until
22 the end of the school term shall be considered days of teaching
23 or participation in the district's or program's educational
24 program. A school term that is not counted toward attainment of
25 contractual continued service shall not be considered a break
26 in service for purposes of determining whether a teacher has

1 been employed for 4 consecutive school terms, provided that the
2 teacher actually teaches or is otherwise present and
3 participating in the district's or program's educational
4 program in the following school term.

5 (f) If the employing board determines to dismiss the
6 teacher in the last year of the probationary period as provided
7 in subsection (c) of this Section or subdivision (1) or (2) of
8 subsection (d) of this Section, but not subdivision (3) of
9 subsection (d) of this Section, the written notice of dismissal
10 provided by the employing board must contain specific reasons
11 for dismissal. Any full-time teacher who does not receive
12 written notice from the employing board at least 45 days before
13 the end of any school term as provided in this Section and
14 whose performance does not require dismissal after the fourth
15 probationary year pursuant to subsection (d) of this Section
16 shall be re-employed for the following school term.

17 (g) Contractual continued service shall continue in effect
18 the terms and provisions of the contract with the teacher
19 during the last school term of the probationary period, subject
20 to this Act and the lawful regulations of the employing board.
21 This Section and succeeding Sections do not modify any existing
22 power of the board except with respect to the procedure of the
23 discharge of a teacher and reductions in salary as hereinafter
24 provided. Contractual continued service status shall not
25 restrict the power of the board to transfer a teacher to a
26 position which the teacher is qualified to fill or to make such

1 salary adjustments as it deems desirable, but unless reductions
2 in salary are uniform or based upon some reasonable
3 classification, any teacher whose salary is reduced shall be
4 entitled to a notice and a hearing as hereinafter provided in
5 the case of certain dismissals or removals.

6 (h) If, by reason of any change in the boundaries of school
7 districts or by reason of the creation of a new school
8 district, the position held by any teacher having a contractual
9 continued service status is transferred from one board to the
10 control of a new or different board, then the contractual
11 continued service status of the teacher is not thereby lost,
12 and such new or different board is subject to this Code with
13 respect to the teacher in the same manner as if the teacher
14 were its employee and had been its employee during the time the
15 teacher was actually employed by the board from whose control
16 the position was transferred.

17 (i) The employment of any teacher in a program of a special
18 education joint agreement established under Section 3-15.14,
19 10-22.31 or 10-22.31a shall be governed by this and succeeding
20 Sections of this Article. For purposes of attaining and
21 maintaining contractual continued service and computing length
22 of continuing service as referred to in this Section and
23 Section 24-12, employment in a special educational joint
24 program shall be deemed a continuation of all previous
25 certificated employment of such teacher for such joint
26 agreement whether the employer of the teacher was the joint

1 agreement, the regional superintendent, or one of the
2 participating districts in the joint agreement.

3 (j) For any teacher employed after July 1, 1987 as a
4 full-time teacher in a program of a special education joint
5 agreement, whether the program is operated by the joint
6 agreement or a member district on behalf of the joint
7 agreement, in the event of a reduction in the number of
8 programs or positions in the joint agreement in which the
9 notice of dismissal is provided on or before the end of the
10 2010-2011 school term, the teacher in contractual continued
11 service is eligible for employment in the joint agreement
12 programs for which the teacher is legally qualified in order of
13 greater length of continuing service in the joint agreement,
14 unless an alternative method of determining the sequence of
15 dismissal is established in a collective bargaining agreement.
16 For any teacher employed after July 1, 1987 as a full-time
17 teacher in a program of a special education joint agreement,
18 whether the program is operated by the joint agreement or a
19 member district on behalf of the joint agreement, in the event
20 of a reduction in the number of programs or positions in the
21 joint agreement in which the notice of dismissal is provided
22 during the 2011-2012 school term or a subsequent school term,
23 the teacher shall be included on the honorable dismissal lists
24 of all joint agreement programs for positions for which the
25 teacher is qualified and is eligible for employment in such
26 programs in accordance with subsections (b) and (c) of Section

1 24-12 of this Code and the applicable honorable dismissal
2 policies of the joint agreement.

3 (k) For any teacher employed after July 1, 1987 as a
4 full-time teacher in a program of a special education joint
5 agreement, whether the program is operated by the joint
6 agreement or a member district on behalf of the joint
7 agreement, in the event of the dissolution of a joint
8 agreement, in which the notice to teachers of the dissolution
9 is provided during the 2010-2011 school term, the teacher in
10 contractual continued service who is legally qualified shall be
11 assigned to any comparable position in a member district
12 currently held by a teacher who has not entered upon
13 contractual continued service or held by a teacher who has
14 entered upon contractual continued service with a shorter
15 length of contractual continued service. Any teacher employed
16 after July 1, 1987 as a full-time teacher in a program of a
17 special education joint agreement, whether the program is
18 operated by the joint agreement or a member district on behalf
19 of the joint agreement, in the event of the dissolution of a
20 joint agreement in which the notice to teachers of the
21 dissolution is provided during the 2011-2012 school term or a
22 subsequent school term, the teacher who is qualified shall be
23 included on the order of honorable dismissal lists of each
24 member district and shall be assigned to any comparable
25 position in any such district in accordance with subsections
26 (b) and (c) of Section 24-12 of this Code and the applicable

1 honorable dismissal policies of each member district.

2 (l) The governing board of the joint agreement, or the
3 administrative district, if so authorized by the articles of
4 agreement of the joint agreement, rather than the board of
5 education of a school district, may carry out employment and
6 termination actions including dismissals under this Section
7 and Section 24-12.

8 (m) The employment of any teacher in a special education
9 program authorized by Section 14-1.01 through 14-14.01, or a
10 joint educational program established under Section 10-22.31a,
11 shall be under this and the succeeding Sections of this
12 Article, and such employment shall be deemed a continuation of
13 the previous employment of such teacher in any of the
14 participating districts, regardless of the participation of
15 other districts in the program.

16 (n) Any teacher employed as a full-time teacher in a
17 special education program prior to September 23, 1987 in which
18 2 or more school districts participate for a probationary
19 period of 2 consecutive years shall enter upon contractual
20 continued service in each of the participating districts,
21 subject to this and the succeeding Sections of this Article,
22 and, notwithstanding Section 24-1.5 of this Code, in the event
23 of the termination of the program shall be eligible for any
24 vacant position in any of such districts for which such teacher
25 is qualified.

26 (Source: P.A. 97-8, eff. 6-13-11; 98-513, eff. 1-1-14.)

1 (105 ILCS 5/24-12) (from Ch. 122, par. 24-12)

2 Sec. 24-12. Removal or dismissal of teachers in contractual
3 continued service.

4 (a) This subsection (a) applies only to honorable
5 dismissals and recalls in which the notice of dismissal is
6 provided on or before the end of the 2010-2011 school term. If
7 a teacher in contractual continued service is removed or
8 dismissed as a result of a decision of the board to decrease
9 the number of teachers employed by the board or to discontinue
10 some particular type of teaching service, written notice shall
11 be mailed to the teacher and also given the teacher either by
12 certified mail, return receipt requested or personal delivery
13 with receipt at least 60 days before the end of the school
14 term, together with a statement of honorable dismissal and the
15 reason therefor, and in all such cases the board shall first
16 remove or dismiss all teachers who have not entered upon
17 contractual continued service before removing or dismissing
18 any teacher who has entered upon contractual continued service
19 and who is legally qualified to hold a position currently held
20 by a teacher who has not entered upon contractual continued
21 service.

22 As between teachers who have entered upon contractual
23 continued service, the teacher or teachers with the shorter
24 length of continuing service with the district shall be
25 dismissed first unless an alternative method of determining the

1 sequence of dismissal is established in a collective bargaining
2 agreement or contract between the board and a professional
3 faculty members' organization and except that this provision
4 shall not impair the operation of any affirmative action
5 program in the district, regardless of whether it exists by
6 operation of law or is conducted on a voluntary basis by the
7 board. Any teacher dismissed as a result of such decrease or
8 discontinuance shall be paid all earned compensation on or
9 before the third business day following the last day of pupil
10 attendance in the regular school term.

11 If the board has any vacancies for the following school
12 term or within one calendar year from the beginning of the
13 following school term, the positions thereby becoming
14 available shall be tendered to the teachers so removed or
15 dismissed so far as they are legally qualified to hold such
16 positions; provided, however, that if the number of honorable
17 dismissal notices based on economic necessity exceeds 15% of
18 the number of full-time equivalent positions filled by
19 certified employees (excluding principals and administrative
20 personnel) during the preceding school year, then if the board
21 has any vacancies for the following school term or within 2
22 calendar years from the beginning of the following school term,
23 the positions so becoming available shall be tendered to the
24 teachers who were so notified and removed or dismissed whenever
25 they are legally qualified to hold such positions. Each board
26 shall, in consultation with any exclusive employee

1 representatives, each year establish a list, categorized by
2 positions, showing the length of continuing service of each
3 teacher who is qualified to hold any such positions, unless an
4 alternative method of determining a sequence of dismissal is
5 established as provided for in this Section, in which case a
6 list shall be made in accordance with the alternative method.
7 Copies of the list shall be distributed to the exclusive
8 employee representative on or before February 1 of each year.
9 Whenever the number of honorable dismissal notices based upon
10 economic necessity exceeds 5, or 150% of the average number of
11 teachers honorably dismissed in the preceding 3 years,
12 whichever is more, then the board also shall hold a public
13 hearing on the question of the dismissals. Following the
14 hearing and board review, the action to approve any such
15 reduction shall require a majority vote of the board members.

16 (b) This subsection (b) applies only to honorable
17 dismissals and recalls in which the notice of dismissal is
18 provided during the 2011-2012 school term or a subsequent
19 school term. If any teacher, whether or not in contractual
20 continued service, is removed or dismissed as a result of a
21 decision of a school board to decrease the number of teachers
22 employed by the board, a decision of a school board to
23 discontinue some particular type of teaching service, or a
24 reduction in the number of programs or positions in a special
25 education joint agreement, then written notice must be mailed
26 to the teacher and also given to the teacher either by

1 electronic mail, certified mail, return receipt requested, or
2 personal delivery with receipt at least 45 days before the end
3 of the school term, together with a statement of honorable
4 dismissal and the reason therefor, and in all such cases the
5 sequence of dismissal shall occur in accordance with this
6 subsection (b); except that this subsection (b) shall not
7 impair the operation of any affirmative action program in the
8 school district, regardless of whether it exists by operation
9 of law or is conducted on a voluntary basis by the board.

10 Each teacher must be categorized into one or more positions
11 for which the teacher is qualified to hold, based upon legal
12 qualifications and any other qualifications established in a
13 district or joint agreement job description, on or before the
14 May 10 prior to the school year during which the sequence of
15 dismissal is determined. Within each position and subject to
16 agreements made by the joint committee on honorable dismissals
17 that are authorized by subsection (c) of this Section, the
18 school district or joint agreement must establish 4 groupings
19 of teachers qualified to hold the position as follows:

20 (1) Grouping one shall consist of each teacher who is
21 not in contractual continued service and who (i) has not
22 received a performance evaluation rating, (ii) is employed
23 for one school term or less to replace a teacher on leave,
24 or (iii) is employed on a part-time basis. "Part-time
25 basis" for the purposes of this subsection (b) means a
26 teacher who is employed to teach less than a full-day,

1 teacher workload or less than 5 days of the normal student
2 attendance week, unless otherwise provided for in a
3 collective bargaining agreement between the district and
4 the exclusive representative of the district's teachers.
5 For the purposes of this Section, a teacher (A) who is
6 employed as a full-time teacher but who actually teaches or
7 is otherwise present and participating in the district's
8 educational program for less than a school term or (B) who,
9 in the immediately previous school term, was employed on a
10 full-time basis and actually taught or was otherwise
11 present and participated in the district's educational
12 program for 120 days or more is not considered employed on
13 a part-time basis.

14 (2) Grouping 2 shall consist of each teacher with a
15 Needs Improvement or Unsatisfactory performance evaluation
16 rating on either of the teacher's last 2 performance
17 evaluation ratings.

18 (3) Grouping 3 shall consist of each teacher with a
19 performance evaluation rating of at least Satisfactory or
20 Proficient on both of the teacher's last 2 performance
21 evaluation ratings, if 2 ratings are available, or on the
22 teacher's last performance evaluation rating, if only one
23 rating is available, unless the teacher qualifies for
24 placement into grouping 4.

25 (4) Grouping 4 shall consist of each teacher whose last
26 2 performance evaluation ratings are Excellent and each

1 teacher with 2 Excellent performance evaluation ratings
2 out of the teacher's last 3 performance evaluation ratings
3 with a third rating of Satisfactory or Proficient.

4 Among teachers qualified to hold a position, teachers must
5 be dismissed in the order of their groupings, with teachers in
6 grouping one dismissed first and teachers in grouping 4
7 dismissed last.

8 Within grouping one, the sequence of dismissal must be at
9 the discretion of the school district or joint agreement.
10 Within grouping 2, the sequence of dismissal must be based upon
11 average performance evaluation ratings, with the teacher or
12 teachers with the lowest average performance evaluation rating
13 dismissed first. A teacher's average performance evaluation
14 rating must be calculated using the average of the teacher's
15 last 2 performance evaluation ratings, if 2 ratings are
16 available, or the teacher's last performance evaluation
17 rating, if only one rating is available, using the following
18 numerical values: 4 for Excellent; 3 for Proficient or
19 Satisfactory; 2 for Needs Improvement; and 1 for
20 Unsatisfactory. As between or among teachers in grouping 2 with
21 the same average performance evaluation rating and within each
22 of groupings 3 and 4, the teacher or teachers with the shorter
23 length of continuing service with the school district or joint
24 agreement must be dismissed first unless an alternative method
25 of determining the sequence of dismissal is established in a
26 collective bargaining agreement or contract between the board

1 and a professional faculty members' organization.

2 Each board, including the governing board of a joint
3 agreement, shall, in consultation with any exclusive employee
4 representatives, each year establish a sequence of honorable
5 dismissal list categorized by positions and the groupings
6 defined in this subsection (b). Copies of the list showing each
7 teacher by name and categorized by positions and the groupings
8 defined in this subsection (b) must be distributed to the
9 exclusive bargaining representative at least 75 days before the
10 end of the school term, provided that the school district or
11 joint agreement may, with notice to any exclusive employee
12 representatives, move teachers from grouping one into another
13 grouping during the period of time from 75 days until 45 days
14 before the end of the school term. Each year, each board shall
15 also establish, in consultation with any exclusive employee
16 representatives, a list showing the length of continuing
17 service of each teacher who is qualified to hold any such
18 positions, unless an alternative method of determining a
19 sequence of dismissal is established as provided for in this
20 Section, in which case a list must be made in accordance with
21 the alternative method. Copies of the list must be distributed
22 to the exclusive employee representative at least 75 days
23 before the end of the school term.

24 Any teacher dismissed as a result of such decrease or
25 discontinuance must be paid all earned compensation on or
26 before the third business day following the last day of pupil

1 attendance in the regular school term.

2 If the board or joint agreement has any vacancies for the
3 following school term or within one calendar year from the
4 beginning of the following school term, the positions thereby
5 becoming available must be tendered to the teachers so removed
6 or dismissed who were in grouping ~~groupings~~ 3 or 4 of the
7 sequence of dismissal and are qualified to hold the positions,
8 based upon legal qualifications and any other qualifications
9 established in a district or joint agreement job description,
10 on or before the May 10 prior to the date of the positions
11 becoming available, provided that if the number of honorable
12 dismissal notices based on economic necessity exceeds 15% of
13 the number of full-time equivalent positions filled by
14 certified employees (excluding principals and administrative
15 personnel) during the preceding school year, then the recall
16 period is for the following school term or within 2 calendar
17 years from the beginning of the following school term. If the
18 board or joint agreement has any vacancies within the period
19 from the beginning of the following school term through
20 February 1 of the following school term (unless a date later
21 than February 1, but no later than 6 months from the beginning
22 of the following school term, is established in a collective
23 bargaining agreement), the positions thereby becoming
24 available must be tendered to the teachers so removed or
25 dismissed who were in grouping 2 of the sequence of dismissal
26 due to one "needs improvement" rating on either of the

1 teacher's last 2 performance evaluation ratings, provided
2 that, if 2 ratings are available, the other performance
3 evaluation rating used for grouping purposes is
4 "satisfactory", "proficient", or "excellent", and are
5 qualified to hold the positions, based upon legal
6 qualifications and any other qualifications established in a
7 district or joint agreement job description, on or before the
8 May 10 prior to the date of the positions becoming available.
9 On and after July 1, 2014 (the effective date of Public Act
10 98-648), the preceding sentence shall apply to teachers removed
11 or dismissed by honorable dismissal, even if notice of
12 honorable dismissal occurred during the 2013-2014 school year.
13 Among teachers eligible for recall pursuant to the preceding
14 sentence, the order of recall must be in inverse order of
15 dismissal, unless an alternative order of recall is established
16 in a collective bargaining agreement or contract between the
17 board and a professional faculty members' organization.
18 Whenever the number of honorable dismissal notices based upon
19 economic necessity exceeds 5 notices or 150% of the average
20 number of teachers honorably dismissed in the preceding 3
21 years, whichever is more, then the school board or governing
22 board of a joint agreement, as applicable, shall also hold a
23 public hearing on the question of the dismissals. Following the
24 hearing and board review, the action to approve any such
25 reduction shall require a majority vote of the board members.

26 For purposes of this subsection (b), subject to agreement

1 on an alternative definition reached by the joint committee
2 described in subsection (c) of this Section, a teacher's
3 performance evaluation rating means the overall performance
4 evaluation rating resulting from an annual or biennial
5 performance evaluation conducted pursuant to Article 24A of
6 this Code by the school district or joint agreement determining
7 the sequence of dismissal, not including any performance
8 evaluation conducted during or at the end of a remediation
9 period. No more than one evaluation rating each school term
10 shall be one of the evaluation ratings used for the purpose of
11 determining the sequence of dismissal. Except as otherwise
12 provided in this subsection for any performance evaluations
13 conducted during or at the end of a remediation period, if
14 multiple performance evaluations are conducted in a school
15 term, only the rating from the last evaluation conducted prior
16 to establishing the sequence of honorable dismissal list in
17 such school term shall be the one evaluation rating from that
18 school term used for the purpose of determining the sequence of
19 dismissal. Averaging ratings from multiple evaluations is not
20 permitted unless otherwise agreed to in a collective bargaining
21 agreement or contract between the board and a professional
22 faculty members' organization. The preceding 3 sentences are
23 not a legislative declaration that existing law does or does
24 not already require that only one performance evaluation each
25 school term shall be used for the purpose of determining the
26 sequence of dismissal. For performance evaluation ratings

1 determined prior to September 1, 2012, any school district or
2 joint agreement with a performance evaluation rating system
3 that does not use either of the rating category systems
4 specified in subsection (d) of Section 24A-5 of this Code for
5 all teachers must establish a basis for assigning each teacher
6 a rating that complies with subsection (d) of Section 24A-5 of
7 this Code for all of the performance evaluation ratings that
8 are to be used to determine the sequence of dismissal. A
9 teacher's grouping and ranking on a sequence of honorable
10 dismissal shall be deemed a part of the teacher's performance
11 evaluation, and that information shall be disclosed to the
12 exclusive bargaining representative as part of a sequence of
13 honorable dismissal list, notwithstanding any laws prohibiting
14 disclosure of such information. A performance evaluation
15 rating may be used to determine the sequence of dismissal,
16 notwithstanding the pendency of any grievance resolution or
17 arbitration procedures relating to the performance evaluation.
18 If a teacher has received at least one performance evaluation
19 rating conducted by the school district or joint agreement
20 determining the sequence of dismissal and a subsequent
21 performance evaluation is not conducted in any school year in
22 which such evaluation is required to be conducted under Section
23 24A-5 of this Code, the teacher's performance evaluation rating
24 for that school year for purposes of determining the sequence
25 of dismissal is deemed Proficient, except that, during any time
26 in which the Governor has declared a disaster due to a public

1 health emergency pursuant to Section 7 of the Illinois
2 Emergency Management Agency Act, this default to Proficient
3 does not apply to any teacher who has entered into contractual
4 continued service and who was deemed Excellent on his or her
5 most recent evaluation. During any time in which the Governor
6 has declared a disaster due to a public health emergency
7 pursuant to Section 7 of the Illinois Emergency Management
8 Agency Act and unless the school board and any exclusive
9 bargaining representative have completed the performance
10 rating for teachers or have mutually agreed to an alternate
11 performance rating, any teacher who has entered into
12 contractual continued service, whose most recent evaluation
13 was deemed Excellent, and whose performance evaluation is not
14 conducted when the evaluation is required to be conducted shall
15 receive a teacher's performance rating deemed Excellent. A
16 school board and any exclusive bargaining representative may
17 mutually agree to an alternate performance rating for teachers
18 not in contractual continued service during any time in which
19 the Governor has declared a disaster due to a public health
20 emergency pursuant to Section 7 of the Illinois Emergency
21 Management Agency Act, as long as the agreement is in writing.
22 If a performance evaluation rating is nullified as the result
23 of an arbitration, administrative agency, or court
24 determination, then the school district or joint agreement is
25 deemed to have conducted a performance evaluation for that
26 school year, but the performance evaluation rating may not be

1 used in determining the sequence of dismissal.

2 Nothing in this subsection (b) shall be construed as
3 limiting the right of a school board or governing board of a
4 joint agreement to dismiss a teacher not in contractual
5 continued service in accordance with Section 24-11 of this
6 Code.

7 Any provisions regarding the sequence of honorable
8 dismissals and recall of honorably dismissed teachers in a
9 collective bargaining agreement entered into on or before
10 January 1, 2011 and in effect on June 13, 2011 (the effective
11 date of Public Act 97-8) that may conflict with Public Act 97-8
12 shall remain in effect through the expiration of such agreement
13 or June 30, 2013, whichever is earlier.

14 (c) Each school district and special education joint
15 agreement must use a joint committee composed of equal
16 representation selected by the school board and its teachers
17 or, if applicable, the exclusive bargaining representative of
18 its teachers, to address the matters described in paragraphs
19 (1) through (5) of this subsection (c) pertaining to honorable
20 dismissals under subsection (b) of this Section.

21 (1) The joint committee must consider and may agree to
22 criteria for excluding from grouping 2 and placing into
23 grouping 3 a teacher whose last 2 performance evaluations
24 include a Needs Improvement and either a Proficient or
25 Excellent.

26 (2) The joint committee must consider and may agree to

1 an alternative definition for grouping 4, which definition
2 must take into account prior performance evaluation
3 ratings and may take into account other factors that relate
4 to the school district's or program's educational
5 objectives. An alternative definition for grouping 4 may
6 not permit the inclusion of a teacher in the grouping with
7 a Needs Improvement or Unsatisfactory performance
8 evaluation rating on either of the teacher's last 2
9 performance evaluation ratings.

10 (3) The joint committee may agree to including within
11 the definition of a performance evaluation rating a
12 performance evaluation rating administered by a school
13 district or joint agreement other than the school district
14 or joint agreement determining the sequence of dismissal.

15 (4) For each school district or joint agreement that
16 administers performance evaluation ratings that are
17 inconsistent with either of the rating category systems
18 specified in subsection (d) of Section 24A-5 of this Code,
19 the school district or joint agreement must consult with
20 the joint committee on the basis for assigning a rating
21 that complies with subsection (d) of Section 24A-5 of this
22 Code to each performance evaluation rating that will be
23 used in a sequence of dismissal.

24 (5) Upon request by a joint committee member submitted
25 to the employing board by no later than 10 days after the
26 distribution of the sequence of honorable dismissal list, a

1 representative of the employing board shall, within 5 days
2 after the request, provide to members of the joint
3 committee a list showing the most recent and prior
4 performance evaluation ratings of each teacher identified
5 only by length of continuing service in the district or
6 joint agreement and not by name. If, after review of this
7 list, a member of the joint committee has a good faith
8 belief that a disproportionate number of teachers with
9 greater length of continuing service with the district or
10 joint agreement have received a recent performance
11 evaluation rating lower than the prior rating, the member
12 may request that the joint committee review the list to
13 assess whether such a trend may exist. Following the joint
14 committee's review, but by no later than the end of the
15 applicable school term, the joint committee or any member
16 or members of the joint committee may submit a report of
17 the review to the employing board and exclusive bargaining
18 representative, if any. Nothing in this paragraph (5) shall
19 impact the order of honorable dismissal or a school
20 district's or joint agreement's authority to carry out a
21 dismissal in accordance with subsection (b) of this
22 Section.

23 Agreement by the joint committee as to a matter requires
24 the majority vote of all committee members, and if the joint
25 committee does not reach agreement on a matter, then the
26 otherwise applicable requirements of subsection (b) of this

1 Section shall apply. Except as explicitly set forth in this
2 subsection (c), a joint committee has no authority to agree to
3 any further modifications to the requirements for honorable
4 dismissals set forth in subsection (b) of this Section. The
5 joint committee must be established, and the first meeting of
6 the joint committee each school year must occur on or before
7 December 1.

8 The joint committee must reach agreement on a matter on or
9 before February 1 of a school year in order for the agreement
10 of the joint committee to apply to the sequence of dismissal
11 determined during that school year. Subject to the February 1
12 deadline for agreements, the agreement of a joint committee on
13 a matter shall apply to the sequence of dismissal until the
14 agreement is amended or terminated by the joint committee.

15 The provisions of the Open Meetings Act shall not apply to
16 meetings of a joint committee created under this subsection
17 (c).

18 (d) Notwithstanding anything to the contrary in this
19 subsection (d), the requirements and dismissal procedures of
20 Section 24-16.5 of this Code shall apply to any dismissal
21 sought under Section 24-16.5 of this Code.

22 (1) If a dismissal of a teacher in contractual
23 continued service is sought for any reason or cause other
24 than an honorable dismissal under subsections (a) or (b) of
25 this Section or a dismissal sought under Section 24-16.5 of
26 this Code, including those under Section 10-22.4, the board

1 must first approve a motion containing specific charges by
2 a majority vote of all its members. Written notice of such
3 charges, including a bill of particulars and the teacher's
4 right to request a hearing, must be mailed to the teacher
5 and also given to the teacher either by electronic mail,
6 certified mail, return receipt requested, or personal
7 delivery with receipt within 5 days of the adoption of the
8 motion. Any written notice sent on or after July 1, 2012
9 shall inform the teacher of the right to request a hearing
10 before a mutually selected hearing officer, with the cost
11 of the hearing officer split equally between the teacher
12 and the board, or a hearing before a board-selected hearing
13 officer, with the cost of the hearing officer paid by the
14 board.

15 Before setting a hearing on charges stemming from
16 causes that are considered remediable, a board must give
17 the teacher reasonable warning in writing, stating
18 specifically the causes that, if not removed, may result in
19 charges; however, no such written warning is required if
20 the causes have been the subject of a remediation plan
21 pursuant to Article 24A of this Code.

22 If, in the opinion of the board, the interests of the
23 school require it, the board may suspend the teacher
24 without pay, pending the hearing, but if the board's
25 dismissal or removal is not sustained, the teacher shall
26 not suffer the loss of any salary or benefits by reason of

1 the suspension.

2 (2) No hearing upon the charges is required unless the
3 teacher within 17 days after receiving notice requests in
4 writing of the board that a hearing be scheduled before a
5 mutually selected hearing officer or a hearing officer
6 selected by the board. The secretary of the school board
7 shall forward a copy of the notice to the State Board of
8 Education.

9 (3) Within 5 business days after receiving a notice of
10 hearing in which either notice to the teacher was sent
11 before July 1, 2012 or, if the notice was sent on or after
12 July 1, 2012, the teacher has requested a hearing before a
13 mutually selected hearing officer, the State Board of
14 Education shall provide a list of 5 prospective, impartial
15 hearing officers from the master list of qualified,
16 impartial hearing officers maintained by the State Board of
17 Education. Each person on the master list must (i) be
18 accredited by a national arbitration organization and have
19 had a minimum of 5 years of experience directly related to
20 labor and employment relations matters between employers
21 and employees or their exclusive bargaining
22 representatives and (ii) beginning September 1, 2012, have
23 participated in training provided or approved by the State
24 Board of Education for teacher dismissal hearing officers
25 so that he or she is familiar with issues generally
26 involved in evaluative and non-evaluative dismissals.

1 If notice to the teacher was sent before July 1, 2012
2 or, if the notice was sent on or after July 1, 2012, the
3 teacher has requested a hearing before a mutually selected
4 hearing officer, the board and the teacher or their legal
5 representatives within 3 business days shall alternately
6 strike one name from the list provided by the State Board
7 of Education until only one name remains. Unless waived by
8 the teacher, the teacher shall have the right to proceed
9 first with the striking. Within 3 business days of receipt
10 of the list provided by the State Board of Education, the
11 board and the teacher or their legal representatives shall
12 each have the right to reject all prospective hearing
13 officers named on the list and notify the State Board of
14 Education of such rejection. Within 3 business days after
15 receiving this notification, the State Board of Education
16 shall appoint a qualified person from the master list who
17 did not appear on the list sent to the parties to serve as
18 the hearing officer, unless the parties notify it that they
19 have chosen to alternatively select a hearing officer under
20 paragraph (4) of this subsection (d).

21 If the teacher has requested a hearing before a hearing
22 officer selected by the board, the board shall select one
23 name from the master list of qualified impartial hearing
24 officers maintained by the State Board of Education within
25 3 business days after receipt and shall notify the State
26 Board of Education of its selection.

1 A hearing officer mutually selected by the parties,
2 selected by the board, or selected through an alternative
3 selection process under paragraph (4) of this subsection
4 (d) (A) must not be a resident of the school district, (B)
5 must be available to commence the hearing within 75 days
6 and conclude the hearing within 120 days after being
7 selected as the hearing officer, and (C) must issue a
8 decision as to whether the teacher must be dismissed and
9 give a copy of that decision to both the teacher and the
10 board within 30 days from the conclusion of the hearing or
11 closure of the record, whichever is later.

12 If the Governor has declared a disaster due to a public
13 health emergency pursuant to Section 7 of the Illinois
14 Emergency Management Agency Act and except if the parties
15 mutually agree otherwise and the agreement is in writing,
16 the requirements of this Section pertaining to prehearings
17 and hearings are paused and do not begin to toll until the
18 proclamation is no longer in effect. If mutually agreed to
19 and reduced to writing, the parties may proceed with the
20 prehearing and hearing requirements of this Section and may
21 also agree to extend the timelines of this Section
22 connected to the appointment and selection of a hearing
23 officer and those connected to commencing and concluding a
24 hearing. Any hearing convened during a public health
25 emergency pursuant to Section 7 of the Illinois Emergency
26 Management Agency Act may be convened remotely. Any hearing

1 officer for a hearing convened during a public health
2 emergency pursuant to Section 7 of the Illinois Emergency
3 Management Agency Act may voluntarily withdraw from the
4 hearing and another hearing officer shall be selected or
5 appointed pursuant to this Section.

6 (4) In the alternative to selecting a hearing officer
7 from the list received from the State Board of Education or
8 accepting the appointment of a hearing officer by the State
9 Board of Education or if the State Board of Education
10 cannot provide a list or appoint a hearing officer that
11 meets the foregoing requirements, the board and the teacher
12 or their legal representatives may mutually agree to select
13 an impartial hearing officer who is not on the master list
14 either by direct appointment by the parties or by using
15 procedures for the appointment of an arbitrator
16 established by the Federal Mediation and Conciliation
17 Service or the American Arbitration Association. The
18 parties shall notify the State Board of Education of their
19 intent to select a hearing officer using an alternative
20 procedure within 3 business days of receipt of a list of
21 prospective hearing officers provided by the State Board of
22 Education, notice of appointment of a hearing officer by
23 the State Board of Education, or receipt of notice from the
24 State Board of Education that it cannot provide a list that
25 meets the foregoing requirements, whichever is later.

26 (5) If the notice of dismissal was sent to the teacher

1 before July 1, 2012, the fees and costs for the hearing
2 officer must be paid by the State Board of Education. If
3 the notice of dismissal was sent to the teacher on or after
4 July 1, 2012, the hearing officer's fees and costs must be
5 paid as follows in this paragraph (5). The fees and
6 permissible costs for the hearing officer must be
7 determined by the State Board of Education. If the board
8 and the teacher or their legal representatives mutually
9 agree to select an impartial hearing officer who is not on
10 a list received from the State Board of Education, they may
11 agree to supplement the fees determined by the State Board
12 to the hearing officer, at a rate consistent with the
13 hearing officer's published professional fees. If the
14 hearing officer is mutually selected by the parties, then
15 the board and the teacher or their legal representatives
16 shall each pay 50% of the fees and costs and any
17 supplemental allowance to which they agree. If the hearing
18 officer is selected by the board, then the board shall pay
19 100% of the hearing officer's fees and costs. The fees and
20 costs must be paid to the hearing officer within 14 days
21 after the board and the teacher or their legal
22 representatives receive the hearing officer's decision set
23 forth in paragraph (7) of this subsection (d).

24 (6) The teacher is required to answer the bill of
25 particulars and aver affirmative matters in his or her
26 defense, and the time for initially doing so and the time

1 for updating such answer and defenses after pre-hearing
2 discovery must be set by the hearing officer. The State
3 Board of Education shall promulgate rules so that each
4 party has a fair opportunity to present its case and to
5 ensure that the dismissal process proceeds in a fair and
6 expeditious manner. These rules shall address, without
7 limitation, discovery and hearing scheduling conferences;
8 the teacher's initial answer and affirmative defenses to
9 the bill of particulars and the updating of that
10 information after pre-hearing discovery; provision for
11 written interrogatories and requests for production of
12 documents; the requirement that each party initially
13 disclose to the other party and then update the disclosure
14 no later than 10 calendar days prior to the commencement of
15 the hearing, the names and addresses of persons who may be
16 called as witnesses at the hearing, a summary of the facts
17 or opinions each witness will testify to, and all other
18 documents and materials, including information maintained
19 electronically, relevant to its own as well as the other
20 party's case (the hearing officer may exclude witnesses and
21 exhibits not identified and shared, except those offered in
22 rebuttal for which the party could not reasonably have
23 anticipated prior to the hearing); pre-hearing discovery
24 and preparation, including provision for written
25 interrogatories and requests for production of documents,
26 provided that discovery depositions are prohibited; the

1 conduct of the hearing; the right of each party to be
2 represented by counsel, the offer of evidence and witnesses
3 and the cross-examination of witnesses; the authority of
4 the hearing officer to issue subpoenas and subpoenas duces
5 tecum, provided that the hearing officer may limit the
6 number of witnesses to be subpoenaed on behalf of each
7 party to no more than 7; the length of post-hearing briefs;
8 and the form, length, and content of hearing officers'
9 decisions. The hearing officer shall hold a hearing and
10 render a final decision for dismissal pursuant to Article
11 24A of this Code or shall report to the school board
12 findings of fact and a recommendation as to whether or not
13 the teacher must be dismissed for conduct. The hearing
14 officer shall commence the hearing within 75 days and
15 conclude the hearing within 120 days after being selected
16 as the hearing officer, provided that the hearing officer
17 may modify these timelines upon the showing of good cause
18 or mutual agreement of the parties. Good cause for the
19 purpose of this subsection (d) shall mean the illness or
20 otherwise unavoidable emergency of the teacher, district
21 representative, their legal representatives, the hearing
22 officer, or an essential witness as indicated in each
23 party's pre-hearing submission. In a dismissal hearing
24 pursuant to Article 24A of this Code in which a witness is
25 a student or is under the age of 18, the hearing officer
26 must make accommodations for the witness, as provided under

1 paragraph (6.5) of this subsection. The hearing officer
2 shall consider and give weight to all of the teacher's
3 evaluations written pursuant to Article 24A that are
4 relevant to the issues in the hearing.

5 Each party shall have no more than 3 days to present
6 its case, unless extended by the hearing officer to enable
7 a party to present adequate evidence and testimony,
8 including due to the other party's cross-examination of the
9 party's witnesses, for good cause or by mutual agreement of
10 the parties. The State Board of Education shall define in
11 rules the meaning of "day" for such purposes. All testimony
12 at the hearing shall be taken under oath administered by
13 the hearing officer. The hearing officer shall cause a
14 record of the proceedings to be kept and shall employ a
15 competent reporter to take stenographic or stenotype notes
16 of all the testimony. The costs of the reporter's
17 attendance and services at the hearing shall be paid by the
18 party or parties who are responsible for paying the fees
19 and costs of the hearing officer. Either party desiring a
20 transcript of the hearing shall pay for the cost thereof.
21 Any post-hearing briefs must be submitted by the parties by
22 no later than 21 days after a party's receipt of the
23 transcript of the hearing, unless extended by the hearing
24 officer for good cause or by mutual agreement of the
25 parties.

26 (6.5) In the case of charges involving sexual abuse or

1 severe physical abuse of a student or a person under the
2 age of 18, the hearing officer shall make alternative
3 hearing procedures to protect a witness who is a student or
4 who is under the age of 18 from being intimidated or
5 traumatized. Alternative hearing procedures may include,
6 but are not limited to: (i) testimony made via a
7 telecommunication device in a location other than the
8 hearing room and outside the physical presence of the
9 teacher and other hearing participants, (ii) testimony
10 outside the physical presence of the teacher, or (iii)
11 non-public testimony. During a testimony described under
12 this subsection, each party must be permitted to ask a
13 witness who is a student or who is under 18 years of age
14 all relevant questions and follow-up questions. All
15 questions must exclude evidence of the witness' sexual
16 behavior or predisposition, unless the evidence is offered
17 to prove that someone other than the teacher subject to the
18 dismissal hearing engaged in the charge at issue.

19 (7) The hearing officer shall, within 30 days from the
20 conclusion of the hearing or closure of the record,
21 whichever is later, make a decision as to whether or not
22 the teacher shall be dismissed pursuant to Article 24A of
23 this Code or report to the school board findings of fact
24 and a recommendation as to whether or not the teacher shall
25 be dismissed for cause and shall give a copy of the
26 decision or findings of fact and recommendation to both the

1 teacher and the school board. If a hearing officer fails
2 without good cause, specifically provided in writing to
3 both parties and the State Board of Education, to render a
4 decision or findings of fact and recommendation within 30
5 days after the hearing is concluded or the record is
6 closed, whichever is later, the parties may mutually agree
7 to select a hearing officer pursuant to the alternative
8 procedure, as provided in this Section, to rehear the
9 charges heard by the hearing officer who failed to render a
10 decision or findings of fact and recommendation or to
11 review the record and render a decision. If any hearing
12 officer fails without good cause, specifically provided in
13 writing to both parties and the State Board of Education,
14 to render a decision or findings of fact and recommendation
15 within 30 days after the hearing is concluded or the record
16 is closed, whichever is later, the hearing officer shall be
17 removed from the master list of hearing officers maintained
18 by the State Board of Education for not more than 24
19 months. The parties and the State Board of Education may
20 also take such other actions as it deems appropriate,
21 including recovering, reducing, or withholding any fees
22 paid or to be paid to the hearing officer. If any hearing
23 officer repeats such failure, he or she must be permanently
24 removed from the master list maintained by the State Board
25 of Education and may not be selected by parties through the
26 alternative selection process under this paragraph (7) or

1 paragraph (4) of this subsection (d). The board shall not
2 lose jurisdiction to discharge a teacher if the hearing
3 officer fails to render a decision or findings of fact and
4 recommendation within the time specified in this Section.
5 If the decision of the hearing officer for dismissal
6 pursuant to Article 24A of this Code or of the school board
7 for dismissal for cause is in favor of the teacher, then
8 the hearing officer or school board shall order
9 reinstatement to the same or substantially equivalent
10 position and shall determine the amount for which the
11 school board is liable, including, but not limited to, loss
12 of income and benefits.

13 (8) The school board, within 45 days after receipt of
14 the hearing officer's findings of fact and recommendation
15 as to whether (i) the conduct at issue occurred, (ii) the
16 conduct that did occur was remediable, and (iii) the
17 proposed dismissal should be sustained, shall issue a
18 written order as to whether the teacher must be retained or
19 dismissed for cause from its employ. The school board's
20 written order shall incorporate the hearing officer's
21 findings of fact, except that the school board may modify
22 or supplement the findings of fact if, in its opinion, the
23 findings of fact are against the manifest weight of the
24 evidence.

25 If the school board dismisses the teacher
26 notwithstanding the hearing officer's findings of fact and

1 recommendation, the school board shall make a conclusion in
2 its written order, giving its reasons therefor, and such
3 conclusion and reasons must be included in its written
4 order. The failure of the school board to strictly adhere
5 to the timelines contained in this Section shall not render
6 it without jurisdiction to dismiss the teacher. The school
7 board shall not lose jurisdiction to discharge the teacher
8 for cause if the hearing officer fails to render a
9 recommendation within the time specified in this Section.
10 The decision of the school board is final, unless reviewed
11 as provided in paragraph (9) of this subsection (d).

12 If the school board retains the teacher, the school
13 board shall enter a written order stating the amount of
14 back pay and lost benefits, less mitigation, to be paid to
15 the teacher, within 45 days after its retention order.
16 Should the teacher object to the amount of the back pay and
17 lost benefits or amount mitigated, the teacher shall give
18 written objections to the amount within 21 days. If the
19 parties fail to reach resolution within 7 days, the dispute
20 shall be referred to the hearing officer, who shall
21 consider the school board's written order and teacher's
22 written objection and determine the amount to which the
23 school board is liable. The costs of the hearing officer's
24 review and determination must be paid by the board.

25 (9) The decision of the hearing officer pursuant to
26 Article 24A of this Code or of the school board's decision

1 to dismiss for cause is final unless reviewed as provided
2 in Section 24-16 of this Code. If the school board's
3 decision to dismiss for cause is contrary to the hearing
4 officer's recommendation, the court on review shall give
5 consideration to the school board's decision and its
6 supplemental findings of fact, if applicable, and the
7 hearing officer's findings of fact and recommendation in
8 making its decision. In the event such review is
9 instituted, the school board shall be responsible for
10 preparing and filing the record of proceedings, and such
11 costs associated therewith must be divided equally between
12 the parties.

13 (10) If a decision of the hearing officer for dismissal
14 pursuant to Article 24A of this Code or of the school board
15 for dismissal for cause is adjudicated upon review or
16 appeal in favor of the teacher, then the trial court shall
17 order reinstatement and shall remand the matter to the
18 school board with direction for entry of an order setting
19 the amount of back pay, lost benefits, and costs, less
20 mitigation. The teacher may challenge the school board's
21 order setting the amount of back pay, lost benefits, and
22 costs, less mitigation, through an expedited arbitration
23 procedure, with the costs of the arbitrator borne by the
24 school board.

25 Any teacher who is reinstated by any hearing or
26 adjudication brought under this Section shall be assigned

1 by the board to a position substantially similar to the one
2 which that teacher held prior to that teacher's suspension
3 or dismissal.

4 (11) Subject to any later effective date referenced in
5 this Section for a specific aspect of the dismissal
6 process, the changes made by Public Act 97-8 shall apply to
7 dismissals instituted on or after September 1, 2011. Any
8 dismissal instituted prior to September 1, 2011 must be
9 carried out in accordance with the requirements of this
10 Section prior to amendment by Public Act 97-8.

11 (e) Nothing contained in Public Act 98-648 repeals,
12 supersedes, invalidates, or nullifies final decisions in
13 lawsuits pending on July 1, 2014 (the effective date of Public
14 Act 98-648) in Illinois courts involving the interpretation of
15 Public Act 97-8.

16 (Source: P.A. 100-768, eff. 1-1-19; 101-81, eff. 7-12-19;
17 101-531, eff. 8-23-19; revised 12-3-19.)

18 (105 ILCS 5/24A-5) (from Ch. 122, par. 24A-5)

19 Sec. 24A-5. Content of evaluation plans. This Section does
20 not apply to teachers assigned to schools identified in an
21 agreement entered into between the board of a school district
22 operating under Article 34 of this Code and the exclusive
23 representative of the district's teachers in accordance with
24 Section 34-85c of this Code.

25 Each school district to which this Article applies shall

1 establish a teacher evaluation plan which ensures that each
2 teacher in contractual continued service is evaluated at least
3 once in the course of every 2 school years.

4 By no later than September 1, 2012, each school district
5 shall establish a teacher evaluation plan that ensures that:

6 (1) each teacher not in contractual continued service
7 is evaluated at least once every school year; and

8 (2) each teacher in contractual continued service is
9 evaluated at least once in the course of every 2 school
10 years. However, any teacher in contractual continued
11 service whose performance is rated as either "needs
12 improvement" or "unsatisfactory" must be evaluated at
13 least once in the school year following the receipt of such
14 rating.

15 Notwithstanding anything to the contrary in this Section or
16 any other Section of the School Code, a principal shall not be
17 prohibited from evaluating any teachers within a school during
18 his or her first year as principal of such school. If a
19 first-year principal exercises this option in a school district
20 where the evaluation plan provides for a teacher in contractual
21 continued service to be evaluated once in the course of every 2
22 school years, then a new 2-year evaluation plan must be
23 established.

24 The evaluation plan shall comply with the requirements of
25 this Section and of any rules adopted by the State Board of
26 Education pursuant to this Section.

1 The plan shall include a description of each teacher's
2 duties and responsibilities and of the standards to which that
3 teacher is expected to conform, and shall include at least the
4 following components:

5 (a) personal observation of the teacher in the
6 classroom by the evaluator, unless the teacher has no
7 classroom duties.

8 (b) consideration of the teacher's attendance,
9 planning, instructional methods, classroom management,
10 where relevant, and competency in the subject matter
11 taught.

12 (c) by no later than the applicable implementation
13 date, consideration of student growth as a significant
14 factor in the rating of the teacher's performance.

15 (d) prior to September 1, 2012, rating of the
16 performance of teachers in contractual continued service
17 as either:

18 (i) "excellent", "satisfactory" or
19 "unsatisfactory"; or

20 (ii) "excellent", "proficient", "needs
21 improvement" or "unsatisfactory".

22 (e) on and after September 1, 2012, rating of the
23 performance of all teachers as "excellent", "proficient",
24 "needs improvement" or "unsatisfactory".

25 (f) specification as to the teacher's strengths and
26 weaknesses, with supporting reasons for the comments made.

1 (g) inclusion of a copy of the evaluation in the
2 teacher's personnel file and provision of a copy to the
3 teacher.

4 (h) within 30 school days after the completion of an
5 evaluation rating a teacher in contractual continued
6 service as "needs improvement", development by the
7 evaluator, in consultation with the teacher, and taking
8 into account the teacher's on-going professional
9 responsibilities including his or her regular teaching
10 assignments, of a professional development plan directed
11 to the areas that need improvement and any supports that
12 the district will provide to address the areas identified
13 as needing improvement.

14 (i) within 30 school days after completion of an
15 evaluation rating a teacher in contractual continued
16 service as "unsatisfactory", development and commencement
17 by the district of a remediation plan designed to correct
18 deficiencies cited, provided the deficiencies are deemed
19 remediable. In all school districts the remediation plan
20 for unsatisfactory, tenured teachers shall provide for 90
21 school days of remediation within the classroom, unless an
22 applicable collective bargaining agreement provides for a
23 shorter duration. In all school districts evaluations
24 issued pursuant to this Section shall be issued within 10
25 days after the conclusion of the respective remediation
26 plan. However, the school board or other governing

1 authority of the district shall not lose jurisdiction to
2 discharge a teacher in the event the evaluation is not
3 issued within 10 days after the conclusion of the
4 respective remediation plan.

5 (j) participation in the remediation plan by the
6 teacher in contractual continued service rated
7 "unsatisfactory", an evaluator and a consulting teacher
8 selected by the evaluator of the teacher who was rated
9 "unsatisfactory", which consulting teacher is an
10 educational employee as defined in the Educational Labor
11 Relations Act, has at least 5 years' teaching experience,
12 and a reasonable familiarity with the assignment of the
13 teacher being evaluated, and who received an "excellent"
14 rating on his or her most recent evaluation. Where no
15 teachers who meet these criteria are available within the
16 district, the district shall request and the applicable
17 regional office of education shall supply, to participate
18 in the remediation process, an individual who meets these
19 criteria.

20 In a district having a population of less than 500,000
21 with an exclusive bargaining agent, the bargaining agent
22 may, if it so chooses, supply a roster of qualified
23 teachers from whom the consulting teacher is to be
24 selected. That roster shall, however, contain the names of
25 at least 5 teachers, each of whom meets the criteria for
26 consulting teacher with regard to the teacher being

1 evaluated, or the names of all teachers so qualified if
2 that number is less than 5. In the event of a dispute as to
3 qualification, the State Board shall determine
4 qualification.

5 (k) a mid-point and final evaluation by an evaluator
6 during and at the end of the remediation period,
7 immediately following receipt of a remediation plan
8 provided for under subsections (i) and (j) of this Section.
9 Each evaluation shall assess the teacher's performance
10 during the time period since the prior evaluation; provided
11 that the last evaluation shall also include an overall
12 evaluation of the teacher's performance during the
13 remediation period. A written copy of the evaluations and
14 ratings, in which any deficiencies in performance and
15 recommendations for correction are identified, shall be
16 provided to and discussed with the teacher within 10 school
17 days after the date of the evaluation, unless an applicable
18 collective bargaining agreement provides to the contrary.
19 These subsequent evaluations shall be conducted by an
20 evaluator. The consulting teacher shall provide advice to
21 the teacher rated "unsatisfactory" on how to improve
22 teaching skills and to successfully complete the
23 remediation plan. The consulting teacher shall participate
24 in developing the remediation plan, but the final decision
25 as to the evaluation shall be done solely by the evaluator,
26 unless an applicable collective bargaining agreement

1 provides to the contrary. Evaluations at the conclusion of
2 the remediation process shall be separate and distinct from
3 the required annual evaluations of teachers and shall not
4 be subject to the guidelines and procedures relating to
5 those annual evaluations. The evaluator may but is not
6 required to use the forms provided for the annual
7 evaluation of teachers in the district's evaluation plan.

8 (l) reinstatement to the evaluation schedule set forth
9 in the district's evaluation plan for any teacher in
10 contractual continued service who achieves a rating equal
11 to or better than "satisfactory" or "proficient" in the
12 school year following a rating of "needs improvement" or
13 "unsatisfactory".

14 (m) dismissal in accordance with subsection (d) of
15 Section 24-12 or Section 24-16.5 or 34-85 of this Code of
16 any teacher who fails to complete any applicable
17 remediation plan with a rating equal to or better than a
18 "satisfactory" or "proficient" rating. Districts and
19 teachers subject to dismissal hearings are precluded from
20 compelling the testimony of consulting teachers at such
21 hearings under subsection (d) of Section 24-12 or Section
22 24-16.5 or 34-85 of this Code, either as to the rating
23 process or for opinions of performances by teachers under
24 remediation.

25 (n) After the implementation date of an evaluation
26 system for teachers in a district as specified in Section

1 24A-2.5 of this Code, if a teacher in contractual continued
2 service successfully completes a remediation plan
3 following a rating of "unsatisfactory" in an annual or
4 biennial overall performance evaluation received after the
5 foregoing implementation date and receives a subsequent
6 rating of "unsatisfactory" in any of the teacher's annual
7 or biennial overall performance evaluation ratings
8 received during the 36-month period following the
9 teacher's completion of the remediation plan, then the
10 school district may forego remediation and seek dismissal
11 in accordance with subsection (d) of Section 24-12 or
12 Section 34-85 of this Code.

13 Nothing in this Section or Section 24A-4 shall be construed
14 as preventing immediate dismissal of a teacher for deficiencies
15 which are deemed irreparable or for actions which are
16 injurious to or endanger the health or person of students in
17 the classroom or school, or preventing the dismissal or
18 non-renewal of teachers not in contractual continued service
19 for any reason not prohibited by applicable employment, labor,
20 and civil rights laws. Failure to strictly comply with the time
21 requirements contained in Section 24A-5 shall not invalidate
22 the results of the remediation plan.

23 Nothing contained in this amendatory Act of the 98th
24 General Assembly repeals, supersedes, invalidates, or
25 nullifies final decisions in lawsuits pending on the effective
26 date of this amendatory Act of the 98th General Assembly in

1 Illinois courts involving the interpretation of Public Act
2 97-8.

3 If the Governor has declared a disaster due to a public
4 health emergency pursuant to Section 7 of the Illinois
5 Emergency Management Agency Act that suspends in-person
6 instruction, the timelines in this Section connected to the
7 commencement and completion of any remediation plan are waived.
8 Except if the parties mutually agree otherwise and the
9 agreement is in writing, any remediation plan that had been in
10 place for more than 45 days prior to the suspension of
11 in-person instruction shall resume when in-person instruction
12 resumes and any remediation plan that had been in place for
13 fewer than 45 days prior to the suspension of in-person
14 instruction shall be discontinued and a new remediation period
15 shall begin when in-person instruction resumes. The
16 requirements of this paragraph apply regardless of whether they
17 are included in a school district's teacher evaluation plan.

18 (Source: P.A. 97-8, eff. 6-13-11; 98-470, eff. 8-16-13; 98-648,
19 eff. 7-1-14.)

20 (105 ILCS 5/27-3) (from Ch. 122, par. 27-3)

21 Sec. 27-3. Patriotism and principles of representative
22 government - Proper use of flag - Method of voting - Pledge of
23 Allegiance. American patriotism and the principles of
24 representative government, as enunciated in the American
25 Declaration of Independence, the Constitution of the United

1 States of America and the Constitution of the State of
2 Illinois, and the proper use and display of the American flag,
3 shall be taught in all public schools and other educational
4 institutions supported or maintained in whole or in part by
5 public funds. No student shall receive a certificate of
6 graduation without passing a satisfactory examination upon
7 such subjects, which may be administered remotely.

8 Instruction shall be given in all such schools and
9 institutions in the method of voting at elections by means of
10 the Australian Ballot system and the method of the counting of
11 votes for candidates.

12 The Pledge of Allegiance shall be recited each school day
13 by pupils in elementary and secondary educational institutions
14 supported or maintained in whole or in part by public funds.

15 (Source: P.A. 92-612, eff. 7-3-02.)

16 (105 ILCS 5/27-6.5)

17 Sec. 27-6.5. Physical fitness assessments in schools.

18 (a) As used in this Section, "physical fitness assessment"
19 means a series of assessments to measure aerobic capacity, body
20 composition, muscular strength, muscular endurance, and
21 flexibility.

22 (b) To measure the effectiveness of State Goal 20 of the
23 Illinois Learning Standards for Physical Development and
24 Health, beginning with the 2016-2017 school year and every
25 school year thereafter, the State Board of Education shall

1 require all public schools to use a scientifically-based,
2 health-related physical fitness assessment for grades 3
3 through 12 and periodically report fitness information to the
4 State Board of Education, as set forth in subsections (c) and
5 (e) of this Section, to assess student fitness indicators.

6 Public schools shall integrate health-related fitness
7 testing into the curriculum as an instructional tool, except in
8 grades before the 3rd grade. Fitness tests must be appropriate
9 to students' developmental levels and physical abilities. The
10 testing must be used to teach students how to assess their
11 fitness levels, set goals for improvement, and monitor progress
12 in reaching their goals. Fitness scores shall not be used for
13 grading students or evaluating teachers.

14 (c) On or before October 1, 2014, the State Superintendent
15 of Education shall appoint a 15-member stakeholder and expert
16 task force, including members representing organizations that
17 represent physical education teachers, school officials,
18 principals, health promotion and disease prevention advocates
19 and experts, school health advocates and experts, and other
20 experts with operational and academic expertise in the
21 measurement of fitness. The task force shall make
22 recommendations to the State Board of Education on the
23 following:

24 (1) methods for ensuring the validity and uniformity of
25 reported physical fitness assessment scores, including
26 assessment administration protocols and professional

1 development approaches for physical education teachers;

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

4 (3) the grade levels within elementary, middle, and
5 high school categories for which physical fitness
6 assessment scores should be reported to the State Board of
7 Education;

8 (4) the minimum fitness indicators that should be
9 reported to the State Board of Education, including, but
10 not limited to, a score for aerobic capacity (for grades 4
11 through 12); muscular strength; endurance; and
12 flexibility;

13 (5) the demographic information that should accompany
14 the scores, including, but not limited to, grade and
15 gender;

16 (6) the development of protocols regarding the
17 protection of students' confidentiality and individual
18 information and identifiers; and

19 (7) how physical fitness assessment data should be
20 reported by the State Board of Education to the public,
21 including potential correlations with student academic
22 achievement, attendance, and discipline data and other
23 recommended uses of the reported data.

24 The State Board of Education shall provide administrative
25 and other support to the task force.

26 The task force shall submit its recommendations on physical

1 fitness assessments on or before April 1, 2015. The task force
2 may also recommend methods for assessing student progress on
3 State Goals 19 and 21 through 24 of the Illinois Learning
4 Standards for Physical Development and Health. The task force
5 is dissolved on April 30, 2015.

6 The provisions of this subsection (c), other than this
7 sentence, are inoperative after March 31, 2016.

8 (d) On or before December 31, 2015, the State Board of
9 Education shall use the recommendations of the task force under
10 subsection (c) of this Section to adopt rules for the
11 implementation of physical fitness assessments by each public
12 school for the 2016-2017 school year and every school year
13 thereafter. The requirements of this Section do not apply if
14 the Governor has declared a disaster due to a public health
15 emergency pursuant to Section 7 of the Illinois Emergency
16 Management Agency Act.

17 (e) On or before September 1, 2016, the State Board of
18 Education shall adopt rules for data submission by school
19 districts and develop a system for collecting and reporting the
20 aggregated fitness information from the physical fitness
21 assessments. This system shall also support the collection of
22 data from school districts that use a fitness testing software
23 program.

24 (f) School districts may report the aggregate findings of
25 physical fitness assessments by grade level and school to
26 parents and members of the community through typical

1 communication channels, such as Internet websites, school
2 newsletters, school board reports, and presentations.
3 Districts may also provide individual fitness assessment
4 reports to students' parents.

5 (g) Nothing in this Section precludes schools from
6 implementing a physical fitness assessment before the
7 2016-2017 school year or from implementing more robust forms of
8 a physical fitness assessment.

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

10 (105 ILCS 5/27-8.1) (from Ch. 122, par. 27-8.1)

11 Sec. 27-8.1. Health examinations and immunizations.

12 (1) In compliance with rules and regulations which the
13 Department of Public Health shall promulgate, and except as
14 hereinafter provided, all children in Illinois shall have a
15 health examination as follows: within one year prior to
16 entering kindergarten or the first grade of any public,
17 private, or parochial elementary school; upon entering the
18 sixth and ninth grades of any public, private, or parochial
19 school; prior to entrance into any public, private, or
20 parochial nursery school; and, irrespective of grade,
21 immediately prior to or upon entrance into any public, private,
22 or parochial school or nursery school, each child shall present
23 proof of having been examined in accordance with this Section
24 and the rules and regulations promulgated hereunder. Any child
25 who received a health examination within one year prior to

1 entering the fifth grade for the 2007-2008 school year is not
2 required to receive an additional health examination in order
3 to comply with the provisions of Public Act 95-422 when he or
4 she attends school for the 2008-2009 school year, unless the
5 child is attending school for the first time as provided in
6 this paragraph.

7 A tuberculosis skin test screening shall be included as a
8 required part of each health examination included under this
9 Section if the child resides in an area designated by the
10 Department of Public Health as having a high incidence of
11 tuberculosis. Additional health examinations of pupils,
12 including eye examinations, may be required when deemed
13 necessary by school authorities. Parents are encouraged to have
14 their children undergo eye examinations at the same points in
15 time required for health examinations.

16 (1.5) In compliance with rules adopted by the Department of
17 Public Health and except as otherwise provided in this Section,
18 all children in kindergarten and the second, sixth, and ninth
19 grades of any public, private, or parochial school shall have a
20 dental examination. Each of these children shall present proof
21 of having been examined by a dentist in accordance with this
22 Section and rules adopted under this Section before May 15th of
23 the school year. If a child in the second, sixth, or ninth
24 grade fails to present proof by May 15th, the school may hold
25 the child's report card until one of the following occurs: (i)
26 the child presents proof of a completed dental examination or

1 (ii) the child presents proof that a dental examination will
2 take place within 60 days after May 15th. A school may not
3 withhold a child's report card during a school year in which
4 the Governor has declared a disaster due to a public health
5 emergency pursuant to Section 7 of the Illinois Emergency
6 Management Agency Act. The Department of Public Health shall
7 establish, by rule, a waiver for children who show an undue
8 burden or a lack of access to a dentist. Each public, private,
9 and parochial school must give notice of this dental
10 examination requirement to the parents and guardians of
11 students at least 60 days before May 15th of each school year.

12 (1.10) Except as otherwise provided in this Section, all
13 children enrolling in kindergarten in a public, private, or
14 parochial school on or after January 1, 2008 (the effective
15 date of Public Act 95-671) and any student enrolling for the
16 first time in a public, private, or parochial school on or
17 after January 1, 2008 (the effective date of Public Act 95-671)
18 shall have an eye examination. Each of these children shall
19 present proof of having been examined by a physician licensed
20 to practice medicine in all of its branches or a licensed
21 optometrist within the previous year, in accordance with this
22 Section and rules adopted under this Section, before October
23 15th of the school year. If the child fails to present proof by
24 October 15th, the school may hold the child's report card until
25 one of the following occurs: (i) the child presents proof of a
26 completed eye examination or (ii) the child presents proof that

1 an eye examination will take place within 60 days after October
2 15th. A school may not withhold a child's report card during a
3 school year in which the Governor has declared a disaster due
4 to a public health emergency pursuant to Section 7 of the
5 Illinois Emergency Management Agency Act. The Department of
6 Public Health shall establish, by rule, a waiver for children
7 who show an undue burden or a lack of access to a physician
8 licensed to practice medicine in all of its branches who
9 provides eye examinations or to a licensed optometrist. Each
10 public, private, and parochial school must give notice of this
11 eye examination requirement to the parents and guardians of
12 students in compliance with rules of the Department of Public
13 Health. Nothing in this Section shall be construed to allow a
14 school to exclude a child from attending because of a parent's
15 or guardian's failure to obtain an eye examination for the
16 child.

17 (2) The Department of Public Health shall promulgate rules
18 and regulations specifying the examinations and procedures
19 that constitute a health examination, which shall include an
20 age-appropriate developmental screening, an age-appropriate
21 social and emotional screening, and the collection of data
22 relating to asthma and obesity (including at a minimum, date of
23 birth, gender, height, weight, blood pressure, and date of
24 exam), and a dental examination and may recommend by rule that
25 certain additional examinations be performed. The rules and
26 regulations of the Department of Public Health shall specify

1 that a tuberculosis skin test screening shall be included as a
2 required part of each health examination included under this
3 Section if the child resides in an area designated by the
4 Department of Public Health as having a high incidence of
5 tuberculosis. With respect to the developmental screening and
6 the social and emotional screening, the Department of Public
7 Health must, no later than January 1, 2019, develop rules and
8 appropriate revisions to the Child Health Examination form in
9 conjunction with a statewide organization representing school
10 boards; a statewide organization representing pediatricians;
11 statewide organizations representing individuals holding
12 Illinois educator licenses with school support personnel
13 endorsements, including school social workers, school
14 psychologists, and school nurses; a statewide organization
15 representing children's mental health experts; a statewide
16 organization representing school principals; the Director of
17 Healthcare and Family Services or his or her designee, the
18 State Superintendent of Education or his or her designee; and
19 representatives of other appropriate State agencies and, at a
20 minimum, must recommend the use of validated screening tools
21 appropriate to the child's age or grade, and, with regard to
22 the social and emotional screening, require recording only
23 whether or not the screening was completed. The rules shall
24 take into consideration the screening recommendations of the
25 American Academy of Pediatrics and must be consistent with the
26 State Board of Education's social and emotional learning

1 standards. The Department of Public Health shall specify that a
2 diabetes screening as defined by rule shall be included as a
3 required part of each health examination. Diabetes testing is
4 not required.

5 Physicians licensed to practice medicine in all of its
6 branches, licensed advanced practice registered nurses, or
7 licensed physician assistants shall be responsible for the
8 performance of the health examinations, other than dental
9 examinations, eye examinations, and vision and hearing
10 screening, and shall sign all report forms required by
11 subsection (4) of this Section that pertain to those portions
12 of the health examination for which the physician, advanced
13 practice registered nurse, or physician assistant is
14 responsible. If a registered nurse performs any part of a
15 health examination, then a physician licensed to practice
16 medicine in all of its branches must review and sign all
17 required report forms. Licensed dentists shall perform all
18 dental examinations and shall sign all report forms required by
19 subsection (4) of this Section that pertain to the dental
20 examinations. Physicians licensed to practice medicine in all
21 its branches or licensed optometrists shall perform all eye
22 examinations required by this Section and shall sign all report
23 forms required by subsection (4) of this Section that pertain
24 to the eye examination. For purposes of this Section, an eye
25 examination shall at a minimum include history, visual acuity,
26 subjective refraction to best visual acuity near and far,

1 internal and external examination, and a glaucoma evaluation,
2 as well as any other tests or observations that in the
3 professional judgment of the doctor are necessary. Vision and
4 hearing screening tests, which shall not be considered
5 examinations as that term is used in this Section, shall be
6 conducted in accordance with rules and regulations of the
7 Department of Public Health, and by individuals whom the
8 Department of Public Health has certified. In these rules and
9 regulations, the Department of Public Health shall require that
10 individuals conducting vision screening tests give a child's
11 parent or guardian written notification, before the vision
12 screening is conducted, that states, "Vision screening is not a
13 substitute for a complete eye and vision evaluation by an eye
14 doctor. Your child is not required to undergo this vision
15 screening if an optometrist or ophthalmologist has completed
16 and signed a report form indicating that an examination has
17 been administered within the previous 12 months."

18 (2.5) With respect to the developmental screening and the
19 social and emotional screening portion of the health
20 examination, each child may present proof of having been
21 screened in accordance with this Section and the rules adopted
22 under this Section before October 15th of the school year. With
23 regard to the social and emotional screening only, the
24 examining health care provider shall only record whether or not
25 the screening was completed. If the child fails to present
26 proof of the developmental screening or the social and

1 emotional screening portions of the health examination by
2 October 15th of the school year, qualified school support
3 personnel may, with a parent's or guardian's consent, offer the
4 developmental screening or the social and emotional screening
5 to the child. Each public, private, and parochial school must
6 give notice of the developmental screening and social and
7 emotional screening requirements to the parents and guardians
8 of students in compliance with the rules of the Department of
9 Public Health. Nothing in this Section shall be construed to
10 allow a school to exclude a child from attending because of a
11 parent's or guardian's failure to obtain a developmental
12 screening or a social and emotional screening for the child.
13 Once a developmental screening or a social and emotional
14 screening is completed and proof has been presented to the
15 school, the school may, with a parent's or guardian's consent,
16 make available appropriate school personnel to work with the
17 parent or guardian, the child, and the provider who signed the
18 screening form to obtain any appropriate evaluations and
19 services as indicated on the form and in other information and
20 documentation provided by the parents, guardians, or provider.

21 (3) Every child shall, at or about the same time as he or
22 she receives a health examination required by subsection (1) of
23 this Section, present to the local school proof of having
24 received such immunizations against preventable communicable
25 diseases as the Department of Public Health shall require by
26 rules and regulations promulgated pursuant to this Section and

1 the Communicable Disease Prevention Act.

2 (4) The individuals conducting the health examination,
3 dental examination, or eye examination shall record the fact of
4 having conducted the examination, and such additional
5 information as required, including for a health examination
6 data relating to asthma and obesity (including at a minimum,
7 date of birth, gender, height, weight, blood pressure, and date
8 of exam), on uniform forms which the Department of Public
9 Health and the State Board of Education shall prescribe for
10 statewide use. The examiner shall summarize on the report form
11 any condition that he or she suspects indicates a need for
12 special services, including for a health examination factors
13 relating to asthma or obesity. The duty to summarize on the
14 report form does not apply to social and emotional screenings.
15 The confidentiality of the information and records relating to
16 the developmental screening and the social and emotional
17 screening shall be determined by the statutes, rules, and
18 professional ethics governing the type of provider conducting
19 the screening. The individuals confirming the administration
20 of required immunizations shall record as indicated on the form
21 that the immunizations were administered.

22 (5) If a child does not submit proof of having had either
23 the health examination or the immunization as required, then
24 the child shall be examined or receive the immunization, as the
25 case may be, and present proof by October 15 of the current
26 school year, or by an earlier date of the current school year

1 established by a school district. To establish a date before
2 October 15 of the current school year for the health
3 examination or immunization as required, a school district must
4 give notice of the requirements of this Section 60 days prior
5 to the earlier established date. If for medical reasons one or
6 more of the required immunizations must be given after October
7 15 of the current school year, or after an earlier established
8 date of the current school year, then the child shall present,
9 by October 15, or by the earlier established date, a schedule
10 for the administration of the immunizations and a statement of
11 the medical reasons causing the delay, both the schedule and
12 the statement being issued by the physician, advanced practice
13 registered nurse, physician assistant, registered nurse, or
14 local health department that will be responsible for
15 administration of the remaining required immunizations. If a
16 child does not comply by October 15, or by the earlier
17 established date of the current school year, with the
18 requirements of this subsection, then the local school
19 authority shall exclude that child from school until such time
20 as the child presents proof of having had the health
21 examination as required and presents proof of having received
22 those required immunizations which are medically possible to
23 receive immediately. During a child's exclusion from school for
24 noncompliance with this subsection, the child's parents or
25 legal guardian shall be considered in violation of Section 26-1
26 and subject to any penalty imposed by Section 26-10. This

1 subsection (5) does not apply to dental examinations, eye
2 examinations, and the developmental screening and the social
3 and emotional screening portions of the health examination. If
4 the student is an out-of-state transfer student and does not
5 have the proof required under this subsection (5) before
6 October 15 of the current year or whatever date is set by the
7 school district, then he or she may only attend classes (i) if
8 he or she has proof that an appointment for the required
9 vaccinations has been scheduled with a party authorized to
10 submit proof of the required vaccinations. If the proof of
11 vaccination required under this subsection (5) is not submitted
12 within 30 days after the student is permitted to attend
13 classes, then the student is not to be permitted to attend
14 classes until proof of the vaccinations has been properly
15 submitted. No school district or employee of a school district
16 shall be held liable for any injury or illness to another
17 person that results from admitting an out-of-state transfer
18 student to class that has an appointment scheduled pursuant to
19 this subsection (5).

20 (6) Every school shall report to the State Board of
21 Education by November 15, in the manner which that agency shall
22 require, the number of children who have received the necessary
23 immunizations and the health examination (other than a dental
24 examination or eye examination) as required, indicating, of
25 those who have not received the immunizations and examination
26 as required, the number of children who are exempt from health

1 examination and immunization requirements on religious or
2 medical grounds as provided in subsection (8). On or before
3 December 1 of each year, every public school district and
4 registered nonpublic school shall make publicly available the
5 immunization data they are required to submit to the State
6 Board of Education by November 15. The immunization data made
7 publicly available must be identical to the data the school
8 district or school has reported to the State Board of
9 Education.

10 Every school shall report to the State Board of Education
11 by June 30, in the manner that the State Board requires, the
12 number of children who have received the required dental
13 examination, indicating, of those who have not received the
14 required dental examination, the number of children who are
15 exempt from the dental examination on religious grounds as
16 provided in subsection (8) of this Section and the number of
17 children who have received a waiver under subsection (1.5) of
18 this Section.

19 Every school shall report to the State Board of Education
20 by June 30, in the manner that the State Board requires, the
21 number of children who have received the required eye
22 examination, indicating, of those who have not received the
23 required eye examination, the number of children who are exempt
24 from the eye examination as provided in subsection (8) of this
25 Section, the number of children who have received a waiver
26 under subsection (1.10) of this Section, and the total number

1 of children in noncompliance with the eye examination
2 requirement.

3 The reported information under this subsection (6) shall be
4 provided to the Department of Public Health by the State Board
5 of Education.

6 (7) Upon determining that the number of pupils who are
7 required to be in compliance with subsection (5) of this
8 Section is below 90% of the number of pupils enrolled in the
9 school district, 10% of each State aid payment made pursuant to
10 Section 18-8.05 or 18-8.15 to the school district for such year
11 may be withheld by the State Board of Education until the
12 number of students in compliance with subsection (5) is the
13 applicable specified percentage or higher.

14 (8) Children of parents or legal guardians who object to
15 health, dental, or eye examinations or any part thereof, to
16 immunizations, or to vision and hearing screening tests on
17 religious grounds shall not be required to undergo the
18 examinations, tests, or immunizations to which they so object
19 if such parents or legal guardians present to the appropriate
20 local school authority a signed Certificate of Religious
21 Exemption detailing the grounds for objection and the specific
22 immunizations, tests, or examinations to which they object. The
23 grounds for objection must set forth the specific religious
24 belief that conflicts with the examination, test,
25 immunization, or other medical intervention. The signed
26 certificate shall also reflect the parent's or legal guardian's

1 understanding of the school's exclusion policies in the case of
2 a vaccine-preventable disease outbreak or exposure. The
3 certificate must also be signed by the authorized examining
4 health care provider responsible for the performance of the
5 child's health examination confirming that the provider
6 provided education to the parent or legal guardian on the
7 benefits of immunization and the health risks to the student
8 and to the community of the communicable diseases for which
9 immunization is required in this State. However, the health
10 care provider's signature on the certificate reflects only that
11 education was provided and does not allow a health care
12 provider grounds to determine a religious exemption. Those
13 receiving immunizations required under this Code shall be
14 provided with the relevant vaccine information statements that
15 are required to be disseminated by the federal National
16 Childhood Vaccine Injury Act of 1986, which may contain
17 information on circumstances when a vaccine should not be
18 administered, prior to administering a vaccine. A healthcare
19 provider may consider including without limitation the
20 nationally accepted recommendations from federal agencies such
21 as the Advisory Committee on Immunization Practices, the
22 information outlined in the relevant vaccine information
23 statement, and vaccine package inserts, along with the
24 healthcare provider's clinical judgment, to determine whether
25 any child may be more susceptible to experiencing an adverse
26 vaccine reaction than the general population, and, if so, the

1 healthcare provider may exempt the child from an immunization
2 or adopt an individualized immunization schedule. The
3 Certificate of Religious Exemption shall be created by the
4 Department of Public Health and shall be made available and
5 used by parents and legal guardians by the beginning of the
6 2015-2016 school year. Parents or legal guardians must submit
7 the Certificate of Religious Exemption to their local school
8 authority prior to entering kindergarten, sixth grade, and
9 ninth grade for each child for which they are requesting an
10 exemption. The religious objection stated need not be directed
11 by the tenets of an established religious organization.
12 However, general philosophical or moral reluctance to allow
13 physical examinations, eye examinations, immunizations, vision
14 and hearing screenings, or dental examinations does not provide
15 a sufficient basis for an exception to statutory requirements.
16 The local school authority is responsible for determining if
17 the content of the Certificate of Religious Exemption
18 constitutes a valid religious objection. The local school
19 authority shall inform the parent or legal guardian of
20 exclusion procedures, in accordance with the Department's
21 rules under Part 690 of Title 77 of the Illinois Administrative
22 Code, at the time the objection is presented.

23 If the physical condition of the child is such that any one
24 or more of the immunizing agents should not be administered,
25 the examining physician, advanced practice registered nurse,
26 or physician assistant responsible for the performance of the

1 health examination shall endorse that fact upon the health
2 examination form.

3 Exempting a child from the health, dental, or eye
4 examination does not exempt the child from participation in the
5 program of physical education training provided in Sections
6 27-5 through 27-7 of this Code.

7 (8.5) The school board of a school district shall include
8 informational materials regarding influenza and influenza
9 vaccinations and meningococcal disease and meningococcal
10 vaccinations developed, provided, or approved by the
11 Department of Public Health under Section 2310-700 of the
12 Department of Public Health Powers and Duties Law of the Civil
13 Administrative Code of Illinois when the board provides
14 information on immunizations, infectious diseases,
15 medications, or other school health issues to the parents or
16 guardians of students.

17 (9) For the purposes of this Section, "nursery schools"
18 means those nursery schools operated by elementary school
19 systems or secondary level school units or institutions of
20 higher learning.

21 (Source: P.A. 100-238, eff. 1-1-18; 100-465, eff. 8-31-17;
22 100-513, eff. 1-1-18; 100-829, eff. 1-1-19; 100-863, eff.
23 8-14-18; 100-977, eff. 1-1-19; 100-1011, eff. 8-21-18; 101-81,
24 eff. 7-12-19.)

25 (105 ILCS 5/27-21) (from Ch. 122, par. 27-21)

1 (Text of Section before amendment by P.A. 101-227)

2 Sec. 27-21. History of United States. History of the United
3 States shall be taught in all public schools and in all other
4 educational institutions in this State supported or
5 maintained, in whole or in part, by public funds. The teaching
6 of history shall have as one of its objectives the imparting to
7 pupils of a comprehensive idea of our democratic form of
8 government and the principles for which our government stands
9 as regards other nations, including the studying of the place
10 of our government in world-wide movements and the leaders
11 thereof, with particular stress upon the basic principles and
12 ideals of our representative form of government. The teaching
13 of history shall include a study of the role and contributions
14 of African Americans and other ethnic groups, including, but
15 not restricted to, Polish, Lithuanian, German, Hungarian,
16 Irish, Bohemian, Russian, Albanian, Italian, Czech, Slovak,
17 French, Scots, Hispanics, Asian Americans, etc., in the history
18 of this country and this State. To reinforce the study of the
19 role and contributions of Hispanics, such curriculum shall
20 include the study of the events related to the forceful removal
21 and illegal deportation of Mexican-American U.S. citizens
22 during the Great Depression. The teaching of history also shall
23 include a study of the role of labor unions and their
24 interaction with government in achieving the goals of a mixed
25 free enterprise system. Beginning with the 2020-2021 school
26 year, the teaching of history must also include instruction on

1 the history of Illinois. No pupils shall be graduated from the
2 eighth grade of any public school unless he has received such
3 instruction in the history of the United States and gives
4 evidence of having a comprehensive knowledge thereof, which may
5 be administered remotely.

6 (Source: P.A. 101-341, eff. 1-1-20; revised 9-19-19.)

7 (Text of Section after amendment by P.A. 101-227)

8 Sec. 27-21. History of United States. History of the United
9 States shall be taught in all public schools and in all other
10 educational institutions in this State supported or
11 maintained, in whole or in part, by public funds. The teaching
12 of history shall have as one of its objectives the imparting to
13 pupils of a comprehensive idea of our democratic form of
14 government and the principles for which our government stands
15 as regards other nations, including the studying of the place
16 of our government in world-wide movements and the leaders
17 thereof, with particular stress upon the basic principles and
18 ideals of our representative form of government. The teaching
19 of history shall include a study of the role and contributions
20 of African Americans and other ethnic groups, including, but
21 not restricted to, Polish, Lithuanian, German, Hungarian,
22 Irish, Bohemian, Russian, Albanian, Italian, Czech, Slovak,
23 French, Scots, Hispanics, Asian Americans, etc., in the history
24 of this country and this State. To reinforce the study of the
25 role and contributions of Hispanics, such curriculum shall

1 include the study of the events related to the forceful removal
2 and illegal deportation of Mexican-American U.S. citizens
3 during the Great Depression. In public schools only, the
4 teaching of history shall include a study of the roles and
5 contributions of lesbian, gay, bisexual, and transgender
6 people in the history of this country and this State. The
7 teaching of history also shall include a study of the role of
8 labor unions and their interaction with government in achieving
9 the goals of a mixed free enterprise system. Beginning with the
10 2020-2021 school year, the teaching of history must also
11 include instruction on the history of Illinois. No pupils shall
12 be graduated from the eighth grade of any public school unless
13 he or she has received such instruction in the history of the
14 United States and gives evidence of having a comprehensive
15 knowledge thereof, which may be administered remotely.

16 (Source: P.A. 101-227, eff. 7-1-20; 101-341, eff. 1-1-20;
17 revised 9-19-19.)

18 (105 ILCS 5/27-22) (from Ch. 122, par. 27-22)

19 Sec. 27-22. Required high school courses.

20 (a) (Blank).

21 (b) (Blank).

22 (c) (Blank).

23 (d) (Blank).

24 (e) As a prerequisite to receiving a high school diploma,
25 each pupil entering the 9th grade must, in addition to other

1 course requirements, successfully complete all of the
2 following courses:

3 (1) Four years of language arts.

4 (2) Two years of writing intensive courses, one of
5 which must be English and the other of which may be English
6 or any other subject. When applicable, writing-intensive
7 courses may be counted towards the fulfillment of other
8 graduation requirements.

9 (3) Three years of mathematics, one of which must be
10 Algebra I, one of which must include geometry content, and
11 one of which may be an Advanced Placement computer science
12 course. A mathematics course that includes geometry
13 content may be offered as an integrated, applied,
14 interdisciplinary, or career and technical education
15 course that prepares a student for a career readiness path.

16 (4) Two years of science.

17 (5) Two years of social studies, of which at least one
18 year must be history of the United States or a combination
19 of history of the United States and American government
20 and, beginning with pupils entering the 9th grade in the
21 2016-2017 school year and each school year thereafter, at
22 least one semester must be civics, which shall help young
23 people acquire and learn to use the skills, knowledge, and
24 attitudes that will prepare them to be competent and
25 responsible citizens throughout their lives. Civics course
26 content shall focus on government institutions, the

1 discussion of current and controversial issues, service
2 learning, and simulations of the democratic process.
3 School districts may utilize private funding available for
4 the purposes of offering civics education.

5 (6) One year chosen from (A) music, (B) art, (C)
6 foreign language, which shall be deemed to include American
7 Sign Language, or (D) vocational education.

8 (f) The State Board of Education shall develop and inform
9 school districts of standards for writing-intensive
10 coursework.

11 (f-5) If a school district offers an Advanced Placement
12 computer science course to high school students, then the
13 school board must designate that course as equivalent to a high
14 school mathematics course and must denote on the student's
15 transcript that the Advanced Placement computer science course
16 qualifies as a mathematics-based, quantitative course for
17 students in accordance with subdivision (3) of subsection (e)
18 of this Section.

19 (g) This amendatory Act of 1983 does not apply to pupils
20 entering the 9th grade in 1983-1984 school year and prior
21 school years or to students with disabilities whose course of
22 study is determined by an individualized education program.

23 This amendatory Act of the 94th General Assembly does not
24 apply to pupils entering the 9th grade in the 2004-2005 school
25 year or a prior school year or to students with disabilities
26 whose course of study is determined by an individualized

1 education program.

2 (h) The provisions of this Section are subject to the
3 provisions of Section 27-22.05 of this Code and the
4 Postsecondary and Workforce Readiness Act.

5 (i) The State Board of Education may adopt rules to modify
6 the requirements of this Section for any students enrolled in
7 grades 9 through 12 if the Governor has declared a disaster due
8 to a public health emergency pursuant to Section 7 of the
9 Illinois Emergency Management Agency Act.

10 (Source: P.A. 100-443, eff. 8-25-17; 101-464, eff. 1-1-20.)

11 (105 ILCS 5/34-2.1) (from Ch. 122, par. 34-2.1)

12 Sec. 34-2.1. Local School Councils - Composition -
13 Voter-Eligibility - Elections - Terms.

14 (a) A local school council shall be established for each
15 attendance center within the school district. Each local school
16 council shall consist of the following 12 voting members: the
17 principal of the attendance center, 2 teachers employed and
18 assigned to perform the majority of their employment duties at
19 the attendance center, 6 parents of students currently enrolled
20 at the attendance center, one employee of the school district
21 employed and assigned to perform the majority of his or her
22 employment duties at the attendance center who is not a
23 teacher, and 2 community residents. Neither the parents nor the
24 community residents who serve as members of the local school
25 council shall be employees of the Board of Education. In each

1 secondary attendance center, the local school council shall
2 consist of 13 voting members -- the 12 voting members described
3 above and one full-time student member, appointed as provided
4 in subsection (m) below. In the event that the chief executive
5 officer of the Chicago School Reform Board of Trustees
6 determines that a local school council is not carrying out its
7 financial duties effectively, the chief executive officer is
8 authorized to appoint a representative of the business
9 community with experience in finance and management to serve as
10 an advisor to the local school council for the purpose of
11 providing advice and assistance to the local school council on
12 fiscal matters. The advisor shall have access to relevant
13 financial records of the local school council. The advisor may
14 attend executive sessions. The chief executive officer shall
15 issue a written policy defining the circumstances under which a
16 local school council is not carrying out its financial duties
17 effectively.

18 (b) Within 7 days of January 11, 1991, the Mayor shall
19 appoint the members and officers (a Chairperson who shall be a
20 parent member and a Secretary) of each local school council who
21 shall hold their offices until their successors shall be
22 elected and qualified. Members so appointed shall have all the
23 powers and duties of local school councils as set forth in this
24 amendatory Act of 1991. The Mayor's appointments shall not
25 require approval by the City Council.

26 The membership of each local school council shall be

1 encouraged to be reflective of the racial and ethnic
2 composition of the student population of the attendance center
3 served by the local school council.

4 (c) Beginning with the 1995-1996 school year and in every
5 even-numbered year thereafter, the Board shall set second
6 semester Parent Report Card Pick-up Day for Local School
7 Council elections and may schedule elections at year-round
8 schools for the same dates as the remainder of the school
9 system. Elections shall be conducted as provided herein by the
10 Board of Education in consultation with the local school
11 council at each attendance center.

12 (c-5) Notwithstanding subsection (c), for the local school
13 council election set for the 2019-2020 school year, the Board
14 may hold the election on the first semester Parent Report Card
15 Pick-up Day of the 2020-2021 school year, making any necessary
16 modifications to the election process or date to comply with
17 guidance from the Department of Public Health and the federal
18 Centers for Disease Control and Prevention. The terms of office
19 of all local school council members eligible to serve and
20 seated on or after March 23, 2020 through January 10, 2021 are
21 extended through January 10, 2021, provided that the members
22 continue to meet eligibility requirements for local school
23 council membership.

24 (d) Beginning with the 1995-96 school year, the following
25 procedures shall apply to the election of local school council
26 members at each attendance center:

1 (i) The elected members of each local school council
2 shall consist of the 6 parent members and the 2 community
3 resident members.

4 (ii) Each elected member shall be elected by the
5 eligible voters of that attendance center to serve for a
6 two-year term commencing on July 1 immediately following
7 the election described in subsection (c), except that the
8 terms of members elected to a local school council under
9 subsection (c-5) shall commence on January 11, 2021 and end
10 on July 1, 2022. Eligible voters for each attendance center
11 shall consist of the parents and community residents for
12 that attendance center.

13 (iii) Each eligible voter shall be entitled to cast one
14 vote for up to a total of 5 candidates, irrespective of
15 whether such candidates are parent or community resident
16 candidates.

17 (iv) Each parent voter shall be entitled to vote in the
18 local school council election at each attendance center in
19 which he or she has a child currently enrolled. Each
20 community resident voter shall be entitled to vote in the
21 local school council election at each attendance center for
22 which he or she resides in the applicable attendance area
23 or voting district, as the case may be.

24 (v) Each eligible voter shall be entitled to vote once,
25 but not more than once, in the local school council
26 election at each attendance center at which the voter is

1 eligible to vote.

2 (vi) The 2 teacher members and the non-teacher employee
3 member of each local school council shall be appointed as
4 provided in subsection (l) below each to serve for a
5 two-year term coinciding with that of the elected parent
6 and community resident members. From March 23, 2020 through
7 January 10, 2021, the chief executive officer or his or her
8 designee may make accommodations to fill the vacancy of a
9 teacher or non-teacher employee member of a local school
10 council.

11 (vii) At secondary attendance centers, the voting
12 student member shall be appointed as provided in subsection
13 (m) below to serve for a one-year term coinciding with the
14 beginning of the terms of the elected parent and community
15 members of the local school council. For the 2020-2021
16 school year, the chief executive officer or his or her
17 designee may make accommodations to fill the vacancy of a
18 student member of a local school council.

19 (e) The Council shall publicize the date and place of the
20 election by posting notices at the attendance center, in public
21 places within the attendance boundaries of the attendance
22 center and by distributing notices to the pupils at the
23 attendance center, and shall utilize such other means as it
24 deems necessary to maximize the involvement of all eligible
25 voters.

26 (f) Nomination. The Council shall publicize the opening of

1 nominations by posting notices at the attendance center, in
2 public places within the attendance boundaries of the
3 attendance center and by distributing notices to the pupils at
4 the attendance center, and shall utilize such other means as it
5 deems necessary to maximize the involvement of all eligible
6 voters. Not less than 2 weeks before the election date, persons
7 eligible to run for the Council shall submit their name, date
8 of birth, social security number, if available, and some
9 evidence of eligibility to the Council. The Council shall
10 encourage nomination of candidates reflecting the
11 racial/ethnic population of the students at the attendance
12 center. Each person nominated who runs as a candidate shall
13 disclose, in a manner determined by the Board, any economic
14 interest held by such person, by such person's spouse or
15 children, or by each business entity in which such person has
16 an ownership interest, in any contract with the Board, any
17 local school council or any public school in the school
18 district. Each person nominated who runs as a candidate shall
19 also disclose, in a manner determined by the Board, if he or
20 she ever has been convicted of any of the offenses specified in
21 subsection (c) of Section 34-18.5; provided that neither this
22 provision nor any other provision of this Section shall be
23 deemed to require the disclosure of any information that is
24 contained in any law enforcement record or juvenile court
25 record that is confidential or whose accessibility or
26 disclosure is restricted or prohibited under Section 5-901 or

1 5-905 of the Juvenile Court Act of 1987. Failure to make such
2 disclosure shall render a person ineligible for election or to
3 serve on the local school council. The same disclosure shall be
4 required of persons under consideration for appointment to the
5 Council pursuant to subsections (l) and (m) of this Section.

6 (f-5) Notwithstanding disclosure, a person who has been
7 convicted of any of the following offenses at any time shall be
8 ineligible for election or appointment to a local school
9 council and ineligible for appointment to a local school
10 council pursuant to subsections (l) and (m) of this Section:

11 (i) those defined in Section 11-1.20, 11-1.30, 11-1.40,
12 11-1.50, 11-1.60, 11-6, 11-9.1, 11-14.4, 11-16, 11-17.1,
13 11-19, 11-19.1, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 12-13,
14 12-14, 12-14.1, 12-15, or 12-16, or subdivision (a)(2) of
15 Section 11-14.3, of the Criminal Code of 1961 or the Criminal
16 Code of 2012, or (ii) any offense committed or attempted in any
17 other state or against the laws of the United States, which, if
18 committed or attempted in this State, would have been
19 punishable as one or more of the foregoing offenses.

20 Notwithstanding disclosure, a person who has been convicted of
21 any of the following offenses within the 10 years previous to
22 the date of nomination or appointment shall be ineligible for
23 election or appointment to a local school council: (i) those
24 defined in Section 401.1, 405.1, or 405.2 of the Illinois
25 Controlled Substances Act or (ii) any offense committed or
26 attempted in any other state or against the laws of the United

1 States, which, if committed or attempted in this State, would
2 have been punishable as one or more of the foregoing offenses.

3 Immediately upon election or appointment, incoming local
4 school council members shall be required to undergo a criminal
5 background investigation, to be completed prior to the member
6 taking office, in order to identify any criminal convictions
7 under the offenses enumerated in Section 34-18.5. The
8 investigation shall be conducted by the Department of State
9 Police in the same manner as provided for in Section 34-18.5.
10 However, notwithstanding Section 34-18.5, the social security
11 number shall be provided only if available. If it is determined
12 at any time that a local school council member or member-elect
13 has been convicted of any of the offenses enumerated in this
14 Section or failed to disclose a conviction of any of the
15 offenses enumerated in Section 34-18.5, the general
16 superintendent shall notify the local school council member or
17 member-elect of such determination and the local school council
18 member or member-elect shall be removed from the local school
19 council by the Board, subject to a hearing, convened pursuant
20 to Board rule, prior to removal.

21 (g) At least one week before the election date, the Council
22 shall publicize, in the manner provided in subsection (e), the
23 names of persons nominated for election.

24 (h) Voting shall be in person by secret ballot at the
25 attendance center between the hours of 6:00 a.m. and 7:00 p.m.

26 (i) Candidates receiving the highest number of votes shall

1 be declared elected by the Council. In cases of a tie, the
2 Council shall determine the winner by lot.

3 (j) The Council shall certify the results of the election
4 and shall publish the results in the minutes of the Council.

5 (k) The general superintendent shall resolve any disputes
6 concerning election procedure or results and shall ensure that,
7 except as provided in subsections (e) and (g), no resources of
8 any attendance center shall be used to endorse or promote any
9 candidate.

10 (l) Beginning with the 1995-1996 school year and in every
11 even numbered year thereafter, the Board shall appoint 2
12 teacher members to each local school council. These
13 appointments shall be made in the following manner:

14 (i) The Board shall appoint 2 teachers who are employed
15 and assigned to perform the majority of their employment
16 duties at the attendance center to serve on the local
17 school council of the attendance center for a two-year term
18 coinciding with the terms of the elected parent and
19 community members of that local school council. These
20 appointments shall be made from among those teachers who
21 are nominated in accordance with subsection (f).

22 (ii) A non-binding, advisory poll to ascertain the
23 preferences of the school staff regarding appointments of
24 teachers to the local school council for that attendance
25 center shall be conducted in accordance with the procedures
26 used to elect parent and community Council

1 representatives. At such poll, each member of the school
2 staff shall be entitled to indicate his or her preference
3 for up to 2 candidates from among those who submitted
4 statements of candidacy as described above. These
5 preferences shall be advisory only and the Board shall
6 maintain absolute discretion to appoint teacher members to
7 local school councils, irrespective of the preferences
8 expressed in any such poll.

9 (iii) In the event that a teacher representative is
10 unable to perform his or her employment duties at the
11 school due to illness, disability, leave of absence,
12 disciplinary action, or any other reason, the Board shall
13 declare a temporary vacancy and appoint a replacement
14 teacher representative to serve on the local school council
15 until such time as the teacher member originally appointed
16 pursuant to this subsection (l) resumes service at the
17 attendance center or for the remainder of the term. The
18 replacement teacher representative shall be appointed in
19 the same manner and by the same procedures as teacher
20 representatives are appointed in subdivisions (i) and (ii)
21 of this subsection (l).

22 (m) Beginning with the 1995-1996 school year, and in every
23 year thereafter, the Board shall appoint one student member to
24 each secondary attendance center. These appointments shall be
25 made in the following manner:

26 (i) Appointments shall be made from among those

1 students who submit statements of candidacy to the
2 principal of the attendance center, such statements to be
3 submitted commencing on the first day of the twentieth week
4 of school and continuing for 2 weeks thereafter. The form
5 and manner of such candidacy statements shall be determined
6 by the Board.

7 (ii) During the twenty-second week of school in every
8 year, the principal of each attendance center shall conduct
9 a non-binding, advisory poll to ascertain the preferences
10 of the school students regarding the appointment of a
11 student to the local school council for that attendance
12 center. At such poll, each student shall be entitled to
13 indicate his or her preference for up to one candidate from
14 among those who submitted statements of candidacy as
15 described above. The Board shall promulgate rules to ensure
16 that these non-binding, advisory polls are conducted in a
17 fair and equitable manner and maximize the involvement of
18 all school students. The preferences expressed in these
19 non-binding, advisory polls shall be transmitted by the
20 principal to the Board. However, these preferences shall be
21 advisory only and the Board shall maintain absolute
22 discretion to appoint student members to local school
23 councils, irrespective of the preferences expressed in any
24 such poll.

25 (iii) For the 1995-96 school year only, appointments
26 shall be made from among those students who submitted

1 statements of candidacy to the principal of the attendance
2 center during the first 2 weeks of the school year. The
3 principal shall communicate the results of any nonbinding,
4 advisory poll to the Board. These results shall be advisory
5 only, and the Board shall maintain absolute discretion to
6 appoint student members to local school councils,
7 irrespective of the preferences expressed in any such poll.

8 (n) The Board may promulgate such other rules and
9 regulations for election procedures as may be deemed necessary
10 to ensure fair elections.

11 (o) In the event that a vacancy occurs during a member's
12 term, the Council shall appoint a person eligible to serve on
13 the Council, to fill the unexpired term created by the vacancy,
14 except that any teacher vacancy shall be filled by the Board
15 after considering the preferences of the school staff as
16 ascertained through a non-binding advisory poll of school
17 staff.

18 (p) If less than the specified number of persons is elected
19 within each candidate category, the newly elected local school
20 council shall appoint eligible persons to serve as members of
21 the Council for two-year terms.

22 (q) The Board shall promulgate rules regarding conflicts of
23 interest and disclosure of economic interests which shall apply
24 to local school council members and which shall require reports
25 or statements to be filed by Council members at regular
26 intervals with the Secretary of the Board. Failure to comply

1 with such rules or intentionally falsifying such reports shall
2 be grounds for disqualification from local school council
3 membership. A vacancy on the Council for disqualification may
4 be so declared by the Secretary of the Board. Rules regarding
5 conflicts of interest and disclosure of economic interests
6 promulgated by the Board shall apply to local school council
7 members. No less than 45 days prior to the deadline, the
8 general superintendent shall provide notice, by mail, to each
9 local school council member of all requirements and forms for
10 compliance with economic interest statements.

11 (r) (1) If a parent member of a local school council ceases
12 to have any child enrolled in the attendance center governed by
13 the Local School Council due to the graduation or voluntary
14 transfer of a child or children from the attendance center, the
15 parent's membership on the Local School Council and all voting
16 rights are terminated immediately as of the date of the child's
17 graduation or voluntary transfer. If the child of a parent
18 member of a local school council dies during the member's term
19 in office, the member may continue to serve on the local school
20 council for the balance of his or her term. Further, a local
21 school council member may be removed from the Council by a
22 majority vote of the Council as provided in subsection (c) of
23 Section 34-2.2 if the Council member has missed 3 consecutive
24 regular meetings, not including committee meetings, or 5
25 regular meetings in a 12 month period, not including committee
26 meetings. If a parent member of a local school council ceases

1 to be eligible to serve on the Council for any other reason, he
2 or she shall be removed by the Board subject to a hearing,
3 convened pursuant to Board rule, prior to removal. A vote to
4 remove a Council member by the local school council shall only
5 be valid if the Council member has been notified personally or
6 by certified mail, mailed to the person's last known address,
7 of the Council's intent to vote on the Council member's removal
8 at least 7 days prior to the vote. The Council member in
9 question shall have the right to explain his or her actions and
10 shall be eligible to vote on the question of his or her removal
11 from the Council. The provisions of this subsection shall be
12 contained within the petitions used to nominate Council
13 candidates.

14 (2) A person may continue to serve as a community resident
15 member of a local school council as long as he or she resides
16 in the attendance area served by the school and is not employed
17 by the Board nor is a parent of a student enrolled at the
18 school. If a community resident member ceases to be eligible to
19 serve on the Council, he or she shall be removed by the Board
20 subject to a hearing, convened pursuant to Board rule, prior to
21 removal.

22 (3) A person may continue to serve as a teacher member of a
23 local school council as long as he or she is employed and
24 assigned to perform a majority of his or her duties at the
25 school, provided that if the teacher representative resigns
26 from employment with the Board or voluntarily transfers to

1 another school, the teacher's membership on the local school
2 council and all voting rights are terminated immediately as of
3 the date of the teacher's resignation or upon the date of the
4 teacher's voluntary transfer to another school. If a teacher
5 member of a local school council ceases to be eligible to serve
6 on a local school council for any other reason, that member
7 shall be removed by the Board subject to a hearing, convened
8 pursuant to Board rule, prior to removal.

9 (s) As used in this Section only, "community resident"
10 means a person, 17 years of age or older, residing within an
11 attendance area served by a school, excluding any person who is
12 a parent of a student enrolled in that school; provided that
13 with respect to any multi-area school, community resident means
14 any person, 17 years of age or older, residing within the
15 voting district established for that school pursuant to Section
16 34-2.1c, excluding any person who is a parent of a student
17 enrolled in that school. This definition does not apply to any
18 provisions concerning school boards.

19 (Source: P.A. 99-597, eff. 1-1-17.)

20 (105 ILCS 5/34-2.2) (from Ch. 122, par. 34-2.2)

21 Sec. 34-2.2. Local school councils - Manner of operation.

22 (a) The annual organizational meeting of each local school
23 council shall be held at the attendance center. At the annual
24 organization meeting, which shall be held no sooner than July 1
25 and no later than July 14, a parent member of the local school

1 council shall be selected by the members of such council as its
2 chairperson, and a secretary shall be selected by the members
3 of such council from among their number, each to serve a term
4 of one year. However, an organizational meeting held by members
5 elected to a local school council under subsection (c-5) of
6 Section 34-2.1 may be held no sooner than January 11, 2021 and
7 no later than January 31, 2021. Whenever a vacancy in the
8 office of chairperson or secretary of a local school council
9 shall occur, a new chairperson (who shall be a parent member)
10 or secretary, as the case may be, shall be elected by the
11 members of the local school council from among their number to
12 serve as such chairperson or secretary for the unexpired term
13 of office in which the vacancy occurs. At each annual
14 organizational meeting, the time and place of any regular
15 meetings of the local school council shall be fixed. Special
16 meetings of the local school council may be called by the
17 chairperson or by any 4 members by giving notice thereof in
18 writing, specifying the time, place and purpose of the meeting.
19 Public notice of meetings shall also be given in accordance
20 with the Open Meetings Act.

21 (b) Members and officers of the local school council shall
22 serve without compensation and without reimbursement of any
23 expenses incurred in the performance of their duties, except
24 that the board of education may by rule establish a procedure
25 and thereunder provide for reimbursement of members and
26 officers of local school councils for such of their reasonable

1 and necessary expenses (excluding any lodging or meal expenses)
2 incurred in the performance of their duties as the board may
3 deem appropriate.

4 (c) A majority of the full membership of the local school
5 council shall constitute a quorum, and whenever a vote is taken
6 on any measure before the local school council, a quorum being
7 present, the affirmative vote of a majority of the votes of the
8 full membership then serving of the local school council shall
9 determine the outcome thereof; provided that whenever the
10 measure before the local school council is (i) the evaluation
11 of the principal, or (ii) the renewal of his or her performance
12 contract or the inclusion of any provision or modification of
13 the contract, or (iii) the direct selection by the local school
14 council of a new principal (including a new principal to fill a
15 vacancy) to serve under a 4 year performance contract, or (iv)
16 the determination of the names of candidates to be submitted to
17 the general superintendent for the position of principal, the
18 principal and student member of a high school council shall not
19 be counted for purposes of determining whether a quorum is
20 present to act on the measure and shall have no vote thereon;
21 and provided further that 7 affirmative votes of the local
22 school council shall be required for the direct selection by
23 the local school council of a new principal to serve under a 4
24 year performance contract but not for the renewal of a
25 principal's performance contract.

26 (d) Student members of high school councils shall not be

1 eligible to vote on personnel matters, including but not
2 limited to principal evaluations and contracts and the
3 allocation of teaching and staff resources.

4 (e) The local school council of an attendance center which
5 provides bilingual education shall be encouraged to provide
6 translators at each council meeting to maximize participation
7 of parents and the community.

8 (f) Each local school council of an attendance center which
9 provides bilingual education shall create a Bilingual Advisory
10 Committee or recognize an existing Bilingual Advisory
11 Committee as a standing committee. The Chair and a majority of
12 the members of the advisory committee shall be parents of
13 students in the bilingual education program. The parents on the
14 advisory committee shall be selected by parents of students in
15 the bilingual education program, and the committee shall select
16 a Chair. The advisory committee for each secondary attendance
17 center shall include at least one full-time bilingual education
18 student. The Bilingual Advisory Committee shall serve only in
19 an advisory capacity to the local school council.

20 (g) Local school councils may utilize the services of an
21 arbitration board to resolve intra-council disputes.

22 (Source: P.A. 91-622, eff. 8-19-99.)

23 (105 ILCS 5/34-18.66 new)

24 Sec. 34-18.66. Remote learning. This Section applies if the
25 Governor has declared a disaster due to a public health

1 emergency pursuant to Section 7 of the Illinois Emergency
2 Management Agency Act.

3 (1) If the Governor has declared a disaster due to a
4 public health emergency pursuant to Section 7 of the
5 Illinois Emergency Management Agency Act, the State
6 Superintendent of Education may declare a requirement to
7 use remote learning days for a school district, multiple
8 school districts, a region, or the entire State. During
9 remote learning days, schools shall conduct instruction
10 remotely. Once declared, remote learning days shall be
11 implemented in grades pre-kindergarten through 12 as days
12 of attendance and shall be deemed pupil attendance days for
13 calculation of the length of a school term under Section
14 10-19.

15 (2) For purposes of this Section, a remote learning day
16 may be met through the district's implementation of an
17 e-learning program under Section 10-20.56.

18 (3) If the district does not implement an e-learning
19 program under Section 10-20.56, the district shall adopt a
20 remote learning day plan approved by the general
21 superintendent of schools. The district may utilize remote
22 learning planning days, consecutively or in separate
23 increments, to develop, review, or amend its remote
24 learning day plan or provide professional development to
25 staff regarding remote education. Up to 5 remote learning
26 planning days may be deemed pupil attendance days for

1 calculation of the length of a school term under Section
2 10-19.

3 (4) Each remote learning day plan shall address the
4 following:

5 (i) accessibility of the remote instruction to all
6 students enrolled in the district;

7 (ii) if applicable, a requirement that the remote
8 learning day activities reflect State learning
9 standards;

10 (iii) a means for students to confer with an
11 educator, as necessary;

12 (iv) the unique needs of students in special
13 populations, including, but not limited to, students
14 eligible for special education under Article 14,
15 students who are English learners as defined in Section
16 14C-2, and students experiencing homelessness under
17 the Education for Homeless Children Act, or vulnerable
18 student populations;

19 (v) how the district will take attendance and
20 monitor and verify each student's remote
21 participation; and

22 (vi) transitions from remote learning to on-site
23 learning upon the State Superintendent's declaration
24 that remote learning days are no longer deemed
25 necessary.

26 (5) The general superintendent of schools shall

1 periodically review and amend the district's remote
2 learning day plan, as needed, to ensure the plan meets the
3 needs of all students.

4 (6) Each remote learning day plan shall be posted on
5 the district's Internet website where other policies,
6 rules, and standards of conduct are posted and shall be
7 provided to students and faculty.

8 (7) This Section does not create any additional
9 employee bargaining rights and does not remove any employee
10 bargaining rights.

11 (8) Statutory and regulatory curricular mandates and
12 offerings may be administered via the district's remote
13 learning day plan, except that the district may not offer
14 individual behind-the-wheel instruction required by
15 Section 27-24.2 via the district's remote learning day
16 plan. This Section does not relieve schools and the
17 district from completing all statutory and regulatory
18 curricular mandates and offerings.

19 Section 10. The Illinois Articulation Initiative Act is
20 amended by changing Section 20 as follows:

21 (110 ILCS 152/20)

22 Sec. 20. Course transferability.

23 (a) All courses approved for Illinois Articulation
24 Initiative General Education codes must be transferable as a

1 part of the General Education Core Curriculum package,
2 consistent with the specific requirements of the package.
3 Illinois Articulation Initiative General Education courses
4 taken during the public health emergency declared by
5 proclamation of the Governor due to the COVID-19 pandemic
6 during calendar year 2020 must be transferable for students
7 receiving a grade of "pass", "credit", or "satisfactory" and
8 shall fulfill the prerequisite requirements for advanced
9 courses.

10 (a-5) All public institutions shall determine if Illinois
11 Articulation Initiative major courses are direct course
12 equivalents or are elective credit toward the requirements of
13 the major. If the receiving institution does not offer the
14 course or does not offer it at the lower-division level, the
15 student shall receive elective lower-division major credit
16 toward the requirements of the major for the course and may be
17 required to take the course at the upper-division level.

18 (b) Students receiving the full General Education Core
19 Curriculum package must not be required to take additional
20 lower-division general education courses.

21 (Source: P.A. 99-636, eff. 1-1-17.)

22 Section 15. The Board of Higher Education Act is amended by
23 adding Section 9.39 as follows:

24 (110 ILCS 205/9.39 new)

1 Sec. 9.39. Emergency completion and student support
2 services grants. Subject to appropriation, the Board shall
3 award emergency completion grants and competitive grants for
4 public university student support services.

5 Section 20. The Higher Education Student Assistance Act is
6 amended by changing Section 65.100 as follows:

7 (110 ILCS 947/65.100)

8 (Text of Section before amendment by P.A. 101-613)

9 (Section scheduled to be repealed on October 1, 2024)

10 Sec. 65.100. AIM HIGH Grant Pilot Program.

11 (a) The General Assembly makes all of the following
12 findings:

13 (1) Both access and affordability are important
14 aspects of the Illinois Public Agenda for College and
15 Career Success report.

16 (2) This State is in the top quartile with respect to
17 the percentage of family income needed to pay for college.

18 (3) Research suggests that as loan amounts increase,
19 rather than an increase in grant amounts, the probability
20 of college attendance decreases.

21 (4) There is further research indicating that
22 socioeconomic status may affect the willingness of
23 students to use loans to attend college.

24 (5) Strategic use of tuition discounting can decrease

1 the amount of loans that students must use to pay for
2 tuition.

3 (6) A modest, individually tailored tuition discount
4 can make the difference in a student choosing to attend
5 college and enhance college access for low-income and
6 middle-income families.

7 (7) Even if the federally calculated financial need for
8 college attendance is met, the federally determined
9 Expected Family Contribution can still be a daunting
10 amount.

11 (8) This State is the second largest exporter of
12 students in the country.

13 (9) When talented Illinois students attend
14 universities in this State, the State and those
15 universities benefit.

16 (10) State universities in other states have adopted
17 pricing and incentives that allow many Illinois residents
18 to pay less to attend an out-of-state university than to
19 remain in this State for college.

20 (11) Supporting Illinois student attendance at
21 Illinois public universities can assist in State efforts to
22 maintain and educate a highly trained workforce.

23 (12) Modest tuition discounts that are individually
24 targeted and tailored can result in enhanced revenue for
25 public universities.

26 (13) By increasing a public university's capacity to

1 strategically use tuition discounting, the public
2 university will be capable of creating enhanced tuition
3 revenue by increasing enrollment yields.

4 (b) In this Section:

5 "Eligible applicant" means a student from any high school
6 in this State, whether or not recognized by the State Board of
7 Education, who is engaged in a program of study that in due
8 course will be completed by the end of the school year and who
9 meets all of the qualifications and requirements under this
10 Section.

11 "Tuition and other necessary fees" includes the customary
12 charge for instruction and use of facilities in general and the
13 additional fixed fees charged for specified purposes that are
14 required generally of non-grant recipients for each academic
15 period for which the grant applicant actually enrolls, but does
16 not include fees payable only once or breakage fees and other
17 contingent deposits that are refundable in whole or in part.
18 The Commission may adopt, by rule not inconsistent with this
19 Section, detailed provisions concerning the computation of
20 tuition and other necessary fees.

21 (c) Beginning with the 2019-2020 academic year, each public
22 university may establish a merit-based scholarship pilot
23 program known as the AIM HIGH Grant Pilot Program. Each year,
24 the Commission shall receive and consider applications from
25 public universities under this Section. Subject to
26 appropriation and any tuition waiver limitation established by

1 the Board of Higher Education, a public university campus may
2 award a grant to a student under this Section if it finds that
3 the applicant meets all of the following criteria:

4 (1) He or she is a resident of this State and a citizen
5 or eligible noncitizen of the United States.

6 (2) He or she files a Free Application for Federal
7 Student Aid and demonstrates financial need with a
8 household income no greater than 6 times the poverty
9 guidelines updated periodically in the Federal Register by
10 the U.S. Department of Health and Human Services under the
11 authority of 42 U.S.C. 9902(2). The household income of the
12 applicant at the time of initial application shall be
13 deemed to be the household income of the applicant for the
14 duration of the pilot program.

15 (3) He or she meets the minimum cumulative grade point
16 average or ACT or SAT college admissions test score, as
17 determined by the public university campus.

18 (4) He or she is enrolled in a public university as an
19 undergraduate student on a full-time basis.

20 (5) He or she has not yet received a baccalaureate
21 degree or the equivalent of 135 semester credit hours.

22 (6) He or she is not incarcerated.

23 (7) He or she is not in default on any student loan or
24 does not owe a refund or repayment on any State or federal
25 grant or scholarship.

26 (8) Any other reasonable criteria, as determined by the

1 public university campus.

2 (d) Each public university campus shall determine grant
3 renewal criteria consistent with the requirements under this
4 Section.

5 (e) Each participating public university campus shall post
6 on its Internet website criteria and eligibility requirements
7 for receiving awards that use funds under this Section that
8 include a range in the sizes of these individual awards. The
9 criteria and amounts must also be reported to the Commission
10 and the Board of Higher Education, who shall post the
11 information on their respective Internet websites.

12 (f) After enactment of an appropriation for this Program,
13 the Commission shall determine an allocation of funds to each
14 public university in an amount proportionate to the number of
15 undergraduate students who are residents of this State and
16 citizens or eligible noncitizens of the United States and who
17 were enrolled at each public university campus in the previous
18 academic year. All applications must be made to the Commission
19 on or before a date determined by the Commission and on forms
20 that the Commission shall provide to each public university
21 campus. The form of the application and the information
22 required shall be determined by the Commission and shall
23 include, without limitation, the total public university
24 campus funds used to match funds received from the Commission
25 in the previous academic year under this Section, if any, the
26 total enrollment of undergraduate students who are residents of

1 this State from the previous academic year, and any supporting
2 documents as the Commission deems necessary. Each public
3 university campus shall match the amount of funds received by
4 the Commission with financial aid for eligible students.

5 A public university campus is not required to claim its
6 entire allocation. The Commission shall make available to all
7 public universities, on a date determined by the Commission,
8 any unclaimed funds and the funds must be made available to
9 those public university campuses in the proportion determined
10 under this subsection (f), excluding from the calculation those
11 public university campuses not claiming their full
12 allocations.

13 Each public university campus may determine the award
14 amounts for eligible students on an individual or broad basis,
15 but, subject to renewal eligibility, each renewed award may not
16 be less than the amount awarded to the eligible student in his
17 or her first year attending the public university campus.
18 Notwithstanding this limitation, a renewal grant may be reduced
19 due to changes in the student's cost of attendance, including,
20 but not limited to, if a student reduces the number of credit
21 hours in which he or she is enrolled, but remains a full-time
22 student, or switches to a course of study with a lower tuition
23 rate.

24 An eligible applicant awarded grant assistance under this
25 Section is eligible to receive other financial aid. Total grant
26 aid to the student from all sources may not exceed the total

1 cost of attendance at the public university campus.

2 (g) All money allocated to a public university campus under
3 this Section may be used only for financial aid purposes for
4 students attending the public university campus during the
5 academic year, not including summer terms. Notwithstanding any
6 other provision of law to the contrary, any funds received by a
7 public university campus under this Section that are not
8 granted to students in the academic year for which the funds
9 are received may be retained by the public university campus
10 for expenditure on students participating in the Program or
11 students eligible to participate in the Program.

12 (h) Each public university campus that establishes a
13 Program under this Section must annually report to the
14 Commission, on or before a date determined by the Commission,
15 the number of undergraduate students enrolled at that campus
16 who are residents of this State.

17 (i) Each public university campus must report to the
18 Commission the total non-loan financial aid amount given by the
19 public university campus to undergraduate students in fiscal
20 year 2018. To be eligible to receive funds under the Program, a
21 public university campus may not decrease the total amount of
22 non-loan financial aid for undergraduate students to an amount
23 lower than the total non-loan financial aid amount given by the
24 public university campus to undergraduate students in fiscal
25 year 2018, not including any funds received from the Commission
26 under this Section or any funds used to match grant awards

1 under this Section.

2 (j) On or before a date determined by the Commission, each
3 public university campus that participates in the Program under
4 this Section shall annually submit a report to the Commission
5 with all of the following information:

6 (1) The Program's impact on tuition revenue and
7 enrollment goals and increase in access and affordability
8 at the public university campus.

9 (2) Total funds received by the public university
10 campus under the Program.

11 (3) Total non-loan financial aid awarded to
12 undergraduate students attending the public university
13 campus.

14 (4) Total amount of funds matched by the public
15 university campus.

16 (5) Total amount of claimed and unexpended funds
17 retained by the public university campus.

18 (6) The percentage of total financial aid distributed
19 under the Program by the public university campus.

20 (7) The total number of students receiving grants from
21 the public university campus under the Program and those
22 students' grade level, race, gender, income level, family
23 size, Monetary Award Program eligibility, Pell Grant
24 eligibility, and zip code of residence and the amount of
25 each grant award. This information shall include unit
26 record data on those students regarding variables

1 associated with the parameters of the public university's
2 Program, including, but not limited to, a student's ACT or
3 SAT college admissions test score, high school or
4 university cumulative grade point average, or program of
5 study.

6 On or before October 1, 2020 and annually on or before
7 October 1 thereafter, the Commission shall submit a report with
8 the findings under this subsection (j) and any other
9 information regarding the AIM HIGH Grant Pilot Program to (i)
10 the Governor, (ii) the Speaker of the House of Representatives,
11 (iii) the Minority Leader of the House of Representatives, (iv)
12 the President of the Senate, and (v) the Minority Leader of the
13 Senate. The reports to the General Assembly shall be filed with
14 the Clerk of the House of Representatives and the Secretary of
15 the Senate in electronic form only, in the manner that the
16 Clerk and the Secretary shall direct. The Commission's report
17 may not disaggregate data to a level that may disclose
18 personally identifying information of individual students.

19 The sharing and reporting of student data under this
20 subsection (j) must be in accordance with the requirements
21 under the federal Family Educational Rights and Privacy Act of
22 1974 and the Illinois School Student Records Act. All parties
23 must preserve the confidentiality of the information as
24 required by law. The names of the grant recipients under this
25 Section are not subject to disclosure under the Freedom of
26 Information Act.

1 Public university campuses that fail to submit a report
2 under this subsection (j) or that fail to adhere to any other
3 requirements under this Section may not be eligible for
4 distribution of funds under the Program for the next academic
5 year, but may be eligible for distribution of funds for each
6 academic year thereafter.

7 (k) The Commission shall adopt rules to implement this
8 Section.

9 (l) This Section is repealed on October 1, 2024.
10 (Source: P.A. 100-587, eff. 6-4-18; 100-1015, eff. 8-21-18;
11 100-1183, eff. 4-4-19; 101-81, eff. 7-12-19.)

12 (Text of Section after amendment by P.A. 101-613)

13 (Section scheduled to be repealed on October 1, 2024)

14 Sec. 65.100. AIM HIGH Grant Pilot Program.

15 (a) The General Assembly makes all of the following
16 findings:

17 (1) Both access and affordability are important
18 aspects of the Illinois Public Agenda for College and
19 Career Success report.

20 (2) This State is in the top quartile with respect to
21 the percentage of family income needed to pay for college.

22 (3) Research suggests that as loan amounts increase,
23 rather than an increase in grant amounts, the probability
24 of college attendance decreases.

25 (4) There is further research indicating that

1 socioeconomic status may affect the willingness of
2 students to use loans to attend college.

3 (5) Strategic use of tuition discounting can decrease
4 the amount of loans that students must use to pay for
5 tuition.

6 (6) A modest, individually tailored tuition discount
7 can make the difference in a student choosing to attend
8 college and enhance college access for low-income and
9 middle-income families.

10 (7) Even if the federally calculated financial need for
11 college attendance is met, the federally determined
12 Expected Family Contribution can still be a daunting
13 amount.

14 (8) This State is the second largest exporter of
15 students in the country.

16 (9) When talented Illinois students attend
17 universities in this State, the State and those
18 universities benefit.

19 (10) State universities in other states have adopted
20 pricing and incentives that allow many Illinois residents
21 to pay less to attend an out-of-state university than to
22 remain in this State for college.

23 (11) Supporting Illinois student attendance at
24 Illinois public universities can assist in State efforts to
25 maintain and educate a highly trained workforce.

26 (12) Modest tuition discounts that are individually

1 targeted and tailored can result in enhanced revenue for
2 public universities.

3 (13) By increasing a public university's capacity to
4 strategically use tuition discounting, the public
5 university will be capable of creating enhanced tuition
6 revenue by increasing enrollment yields.

7 (b) In this Section:

8 "Eligible applicant" means a student from any high school
9 in this State, whether or not recognized by the State Board of
10 Education, who is engaged in a program of study that in due
11 course will be completed by the end of the school year and who
12 meets all of the qualifications and requirements under this
13 Section.

14 "Tuition and other necessary fees" includes the customary
15 charge for instruction and use of facilities in general and the
16 additional fixed fees charged for specified purposes that are
17 required generally of non-grant recipients for each academic
18 period for which the grant applicant actually enrolls, but does
19 not include fees payable only once or breakage fees and other
20 contingent deposits that are refundable in whole or in part.
21 The Commission may adopt, by rule not inconsistent with this
22 Section, detailed provisions concerning the computation of
23 tuition and other necessary fees.

24 (c) Beginning with the 2019-2020 academic year, each public
25 university may establish a merit-based scholarship pilot
26 program known as the AIM HIGH Grant Pilot Program. Each year,

1 the Commission shall receive and consider applications from
2 public universities under this Section. Subject to
3 appropriation and any tuition waiver limitation established by
4 the Board of Higher Education, a public university campus may
5 award a grant to a student under this Section if it finds that
6 the applicant meets all of the following criteria:

7 (1) He or she is a resident of this State and a citizen
8 or eligible noncitizen of the United States.

9 (2) He or she files a Free Application for Federal
10 Student Aid and demonstrates financial need with a
11 household income no greater than 6 times the poverty
12 guidelines updated periodically in the Federal Register by
13 the U.S. Department of Health and Human Services under the
14 authority of 42 U.S.C. 9902(2). The household income of the
15 applicant at the time of initial application shall be
16 deemed to be the household income of the applicant for the
17 duration of the pilot program.

18 (3) He or she meets the minimum cumulative grade point
19 average or ACT or SAT college admissions test score, as
20 determined by the public university campus.

21 (4) He or she is enrolled in a public university as an
22 undergraduate student on a full-time basis.

23 (5) He or she has not yet received a baccalaureate
24 degree or the equivalent of 135 semester credit hours.

25 (6) He or she is not incarcerated.

26 (7) He or she is not in default on any student loan or

1 does not owe a refund or repayment on any State or federal
2 grant or scholarship.

3 (8) Any other reasonable criteria, as determined by the
4 public university campus.

5 (d) Each public university campus shall determine grant
6 renewal criteria consistent with the requirements under this
7 Section.

8 (e) Each participating public university campus shall post
9 on its Internet website criteria and eligibility requirements
10 for receiving awards that use funds under this Section that
11 include a range in the sizes of these individual awards. The
12 criteria and amounts must also be reported to the Commission
13 and the Board of Higher Education, who shall post the
14 information on their respective Internet websites.

15 (f) After enactment of an appropriation for this Program,
16 the Commission shall determine an allocation of funds to each
17 public university in an amount proportionate to the number of
18 undergraduate students who are residents of this State and
19 citizens or eligible noncitizens of the United States and who
20 were enrolled at each public university campus in the previous
21 academic year. All applications must be made to the Commission
22 on or before a date determined by the Commission and on forms
23 that the Commission shall provide to each public university
24 campus. The form of the application and the information
25 required shall be determined by the Commission and shall
26 include, without limitation, the total public university

1 campus funds used to match funds received from the Commission
2 in the previous academic year under this Section, if any, the
3 total enrollment of undergraduate students who are residents of
4 this State from the previous academic year, and any supporting
5 documents as the Commission deems necessary. Each public
6 university campus shall match the amount of funds received by
7 the Commission with financial aid for eligible students.

8 A public university campus is not required to claim its
9 entire allocation. The Commission shall make available to all
10 public universities, on a date determined by the Commission,
11 any unclaimed funds and the funds must be made available to
12 those public university campuses in the proportion determined
13 under this subsection (f), excluding from the calculation those
14 public university campuses not claiming their full
15 allocations.

16 Each public university campus may determine the award
17 amounts for eligible students on an individual or broad basis,
18 but, subject to renewal eligibility, each renewed award may not
19 be less than the amount awarded to the eligible student in his
20 or her first year attending the public university campus.
21 Notwithstanding this limitation, a renewal grant may be reduced
22 due to changes in the student's cost of attendance, including,
23 but not limited to, if a student reduces the number of credit
24 hours in which he or she is enrolled, but remains a full-time
25 student, or switches to a course of study with a lower tuition
26 rate.

1 An eligible applicant awarded grant assistance under this
2 Section is eligible to receive other financial aid. Total grant
3 aid to the student from all sources may not exceed the total
4 cost of attendance at the public university campus.

5 (g) All money allocated to a public university campus under
6 this Section may be used only for financial aid purposes for
7 students attending the public university campus during the
8 academic year, not including summer terms. Notwithstanding any
9 other provision of law to the contrary, any funds received by a
10 public university campus under this Section that are not
11 granted to students in the academic year for which the funds
12 are received may be retained by the public university campus
13 for expenditure on students participating in the Program or
14 students eligible to participate in the Program.

15 (h) Each public university campus that establishes a
16 Program under this Section must annually report to the
17 Commission, on or before a date determined by the Commission,
18 the number of undergraduate students enrolled at that campus
19 who are residents of this State.

20 (i) Each public university campus must report to the
21 Commission the total non-loan financial aid amount given by the
22 public university campus to undergraduate students in the
23 2017-2018 academic year, not including the summer term. To be
24 eligible to receive funds under the Program, a public
25 university campus may not decrease the total amount of non-loan
26 financial aid it gives to undergraduate students, not including

1 any funds received from the Commission under this Section or
2 any funds used to match grant awards under this Section, to an
3 amount lower than the reported amount for the 2017-2018
4 academic year, not including the summer term.

5 (j) On or before a date determined by the Commission, each
6 public university campus that participates in the Program under
7 this Section shall annually submit a report to the Commission
8 with all of the following information:

9 (1) The Program's impact on tuition revenue and
10 enrollment goals and increase in access and affordability
11 at the public university campus.

12 (2) Total funds received by the public university
13 campus under the Program.

14 (3) Total non-loan financial aid awarded to
15 undergraduate students attending the public university
16 campus.

17 (4) Total amount of funds matched by the public
18 university campus.

19 (5) Total amount of claimed and unexpended funds
20 retained by the public university campus.

21 (6) The percentage of total financial aid distributed
22 under the Program by the public university campus.

23 (7) The total number of students receiving grants from
24 the public university campus under the Program and those
25 students' grade level, race, gender, income level, family
26 size, Monetary Award Program eligibility, Pell Grant

1 eligibility, and zip code of residence and the amount of
2 each grant award. This information shall include unit
3 record data on those students regarding variables
4 associated with the parameters of the public university's
5 Program, including, but not limited to, a student's ACT or
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7 university cumulative grade point average, or program of
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10 October 1 thereafter, the Commission shall submit a report with
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12 information regarding the AIM HIGH Grant Pilot Program to (i)
13 the Governor, (ii) the Speaker of the House of Representatives,
14 (iii) the Minority Leader of the House of Representatives, (iv)
15 the President of the Senate, and (v) the Minority Leader of the
16 Senate. The reports to the General Assembly shall be filed with
17 the Clerk of the House of Representatives and the Secretary of
18 the Senate in electronic form only, in the manner that the
19 Clerk and the Secretary shall direct. The Commission's report
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21 personally identifying information of individual students.

22 The sharing and reporting of student data under this
23 subsection (j) must be in accordance with the requirements
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25 1974 and the Illinois School Student Records Act. All parties
26 must preserve the confidentiality of the information as

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2 Section are not subject to disclosure under the Freedom of
3 Information Act.

4 Public university campuses that fail to submit a report
5 under this subsection (j) or that fail to adhere to any other
6 requirements under this Section may not be eligible for
7 distribution of funds under the Program for the next academic
8 year, but may be eligible for distribution of funds for each
9 academic year thereafter.

10 (k) The Commission shall adopt rules to implement this
11 Section.

12 (l) This Section is repealed on October 1, 2024.

13 (Source: P.A. 100-587, eff. 6-4-18; 100-1015, eff. 8-21-18;
14 100-1183, eff. 4-4-19; 101-81, eff. 7-12-19; 101-613, eff.
15 6-1-20.)

16 Section 95. No acceleration or delay. Where this Act makes
17 changes in a statute that is represented in this Act by text
18 that is not yet or no longer in effect (for example, a Section
19 represented by multiple versions), the use of that text does
20 not accelerate or delay the taking effect of (i) the changes
21 made by this Act or (ii) provisions derived from any other
22 Public Act.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law."