

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Sections
5 34-2.1 and 34-2.2 as follows:

6 (105 ILCS 5/34-2.1) (from Ch. 122, par. 34-2.1)

7 Sec. 34-2.1. Local School Councils - Composition -
8 Voter-Eligibility - Elections - Terms.

9 (a) A local school council shall be established for each
10 attendance center within the school district. Each local
11 school council shall consist of the following 12 voting
12 members: the principal of the attendance center, 2 teachers
13 employed and assigned to perform the majority of their
14 employment duties at the attendance center, 6 parents of
15 students currently enrolled at the attendance center, one
16 employee of the school district employed and assigned to
17 perform the majority of his or her employment duties at the
18 attendance center who is not a teacher, and 2 community
19 residents. Neither the parents nor the community residents who
20 serve as members of the local school council shall be
21 employees of the Board of Education. In each secondary
22 attendance center, the local school council shall consist of
23 13 voting members through the 2020-2021 school year, — the 12

1 voting members described above and one full-time student
2 member, and 15 voting members beginning with the 2021-2022
3 school year, the 12 voting members described above and 3
4 full-time student members, appointed as provided in subsection
5 (m) below. In the event that the chief executive officer of the
6 Chicago School Reform Board of Trustees determines that a
7 local school council is not carrying out its financial duties
8 effectively, the chief executive officer is authorized to
9 appoint a representative of the business community with
10 experience in finance and management to serve as an advisor to
11 the local school council for the purpose of providing advice
12 and assistance to the local school council on fiscal matters.
13 The advisor shall have access to relevant financial records of
14 the local school council. The advisor may attend executive
15 sessions. The chief executive officer shall issue a written
16 policy defining the circumstances under which a local school
17 council is not carrying out its financial duties 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
21 who 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
19 office of all local school council members eligible to serve
20 and seated on or after March 23, 2020 through January 10, 2021
21 are extended through January 10, 2021, provided that the
22 members continue to meet eligibility requirements for local
23 school 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
10 end on July 1, 2022. Eligible voters for each attendance
11 center shall consist of the parents and community
12 residents for that attendance center.

13 (iii) Each eligible voter shall be entitled to cast
14 one 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
18 the local school council election at each attendance
19 center in which he or she has a child currently enrolled.
20 Each community resident voter shall be entitled to vote in
21 the local school council election at each attendance
22 center for which he or she resides in the applicable
23 attendance area or voting district, as the case may be.

24 (v) Each eligible voter shall be entitled to vote
25 once, 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
3 employee member of each local school council shall be
4 appointed as provided in subsection (l) below each to
5 serve for a two-year term coinciding with that of the
6 elected parent and community resident members. From March
7 23, 2020 through January 10, 2021, the chief executive
8 officer or his or her designee may make accommodations to
9 fill the vacancy of a teacher or non-teacher employee
10 member of a local school council.

11 (vii) At secondary attendance centers, the voting
12 student members ~~member~~ shall be appointed as provided in
13 subsection (m) below to serve for a one-year term
14 coinciding with the beginning of the terms of the elected
15 parent and community members of the local school council.
16 For the 2020-2021 school year, the chief executive officer
17 or his or her designee may make accommodations to fill the
18 vacancy of a 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
21 public places within the attendance boundaries of the
22 attendance center and by distributing notices to the pupils at
23 the attendance center, and shall utilize such other means as
24 it 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
5 it deems necessary to maximize the involvement of all eligible
6 voters. Not less than 2 weeks before the election date,
7 persons eligible to run for the Council shall submit their
8 name, date of birth, social security number, if available, and
9 some 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
4 be required of persons under consideration for appointment to
5 the Council pursuant to subsections (l) and (m) of this
6 Section.

7 (f-5) Notwithstanding disclosure, a person who has been
8 convicted of any of the following offenses at any time shall be
9 ineligible for election or appointment to a local school
10 council and ineligible for appointment to a local school
11 council pursuant to subsections (l) and (m) of this Section:

12 (i) those defined in Section 11-1.20, 11-1.30, 11-1.40,
13 11-1.50, 11-1.60, 11-6, 11-9.1, 11-14.4, 11-16, 11-17.1,
14 11-19, 11-19.1, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 12-13,
15 12-14, 12-14.1, 12-15, or 12-16, or subdivision (a)(2) of
16 Section 11-14.3, of the Criminal Code of 1961 or the Criminal
17 Code of 2012, or (ii) any offense committed or attempted in any
18 other state or against the laws of the United States, which, if
19 committed or attempted in this State, would have been
20 punishable as one or more of the foregoing offenses.

21 Notwithstanding disclosure, a person who has been convicted of
22 any of the following offenses within the 10 years previous to
23 the date of nomination or appointment shall be ineligible for
24 election or appointment to a local school council: (i) those
25 defined in Section 401.1, 405.1, or 405.2 of the Illinois
26 Controlled Substances Act or (ii) any offense committed or

1 attempted in any other state or against the laws of the United
2 States, which, if committed or attempted in this State, would
3 have been punishable as one or more of the foregoing offenses.

4 Immediately upon election or appointment, incoming local
5 school council members shall be required to undergo a criminal
6 background investigation, to be completed prior to the member
7 taking office, in order to identify any criminal convictions
8 under the offenses enumerated in Section 34-18.5. The
9 investigation shall be conducted by the Department of State
10 Police in the same manner as provided for in Section 34-18.5.
11 However, notwithstanding Section 34-18.5, the social security
12 number shall be provided only if available. If it is
13 determined at any time that a local school council member or
14 member-elect has been convicted of any of the offenses
15 enumerated in this Section or failed to disclose a conviction
16 of any of the offenses enumerated in Section 34-18.5, the
17 general superintendent shall notify the local school council
18 member or member-elect of such determination and the local
19 school council member or member-elect shall be removed from
20 the local school council by the Board, subject to a hearing,
21 convened pursuant to Board rule, prior to removal.

22 (g) At least one week before the election date, the
23 Council shall publicize, in the manner provided in subsection
24 (e), the names of persons nominated for election.

25 (h) Voting shall be in person by secret ballot at the
26 attendance center between the hours of 6:00 a.m. and 7:00 p.m.

1 (i) Candidates receiving the highest number of votes shall
2 be declared elected by the Council. In cases of a tie, the
3 Council shall determine the winner by lot.

4 (j) The Council shall certify the results of the election
5 and shall publish the results in the minutes of the Council.

6 (k) The general superintendent shall resolve any disputes
7 concerning election procedure or results and shall ensure
8 that, except as provided in subsections (e) and (g), no
9 resources of any attendance center shall be used to endorse or
10 promote any candidate.

11 (l) Beginning with the 1995-1996 school year and in every
12 even numbered year thereafter, the Board shall appoint 2
13 teacher members to each local school council. These
14 appointments shall be made in the following manner:

15 (i) The Board shall appoint 2 teachers who are
16 employed and assigned to perform the majority of their
17 employment duties at the attendance center to serve on the
18 local school council of the attendance center for a
19 two-year term coinciding with the terms of the elected
20 parent and community members of that local school council.
21 These appointments shall be made from among those teachers
22 who are nominated in accordance with subsection (f).

23 (ii) A non-binding, advisory poll to ascertain the
24 preferences of the school staff regarding appointments of
25 teachers to the local school council for that attendance
26 center shall be conducted in accordance with the

1 procedures used to elect parent and community Council
2 representatives. At such poll, each member of the school
3 staff shall be entitled to indicate his or her preference
4 for up to 2 candidates from among those who submitted
5 statements of candidacy as described above. These
6 preferences shall be advisory only and the Board shall
7 maintain absolute discretion to appoint teacher members to
8 local school councils, irrespective of the preferences
9 expressed in any such poll.

10 (iii) In the event that a teacher representative is
11 unable to perform his or her employment duties at the
12 school due to illness, disability, leave of absence,
13 disciplinary action, or any other reason, the Board shall
14 declare a temporary vacancy and appoint a replacement
15 teacher representative to serve on the local school
16 council until such time as the teacher member originally
17 appointed pursuant to this subsection (1) resumes service
18 at the attendance center or for the remainder of the term.
19 The replacement teacher representative shall be appointed
20 in the same manner and by the same procedures as teacher
21 representatives are appointed in subdivisions (i) and (ii)
22 of this subsection (1).

23 (m) Beginning with the 1995-1996 school year through the
24 2020-2021 school year, and in every year thereafter, the Board
25 shall appoint one student member to each secondary attendance
26 center. Beginning with the 2021-2022 school year and for every

1 school year thereafter, the Board shall appoint 3 student
2 members to each secondary attendance center. These
3 appointments shall be made in the following manner:

4 (i) Appointments shall be made from among those
5 students who submit statements of candidacy to the
6 principal of the attendance center, such statements to be
7 submitted commencing on the first day of the twentieth
8 week of school and continuing for 2 weeks thereafter. The
9 form and manner of such candidacy statements shall be
10 determined by the Board.

11 (ii) During the twenty-second week of school in every
12 year, the principal of each attendance center shall
13 conduct a non-binding, advisory poll to ascertain the
14 preferences of the school students regarding the
15 appointment of ~~a student~~ students to the local school
16 council for that attendance center. At such poll, each
17 student shall be entitled to indicate his or her
18 preference for up to one candidate from among those who
19 submitted statements of candidacy as described above. The
20 Board shall promulgate rules to ensure that these
21 non-binding, advisory polls are conducted in a fair and
22 equitable manner and maximize the involvement of all
23 school students. The preferences expressed in these
24 non-binding, advisory polls shall be transmitted by the
25 principal to the Board. However, these preferences shall
26 be advisory only and the Board shall maintain absolute

1 discretion to appoint student members to local school
2 councils, irrespective of the preferences expressed in any
3 such poll.

4 (iii) For the 1995-96 school year only, appointments
5 shall be made from among those students who submitted
6 statements of candidacy to the principal of the attendance
7 center during the first 2 weeks of the school year. The
8 principal shall communicate the results of any nonbinding,
9 advisory poll to the Board. These results shall be
10 advisory only, and the Board shall maintain absolute
11 discretion to appoint student members to local school
12 councils, irrespective of the preferences expressed in any
13 such poll.

14 (n) The Board may promulgate such other rules and
15 regulations for election procedures as may be deemed necessary
16 to ensure fair elections.

17 (o) In the event that a vacancy occurs during a member's
18 term, the Council shall appoint a person eligible to serve on
19 the Council, to fill the unexpired term created by the
20 vacancy, except that any teacher vacancy shall be filled by
21 the Board after considering the preferences of the school
22 staff as ascertained through a non-binding advisory poll of
23 school staff.

24 (p) If less than the specified number of persons is
25 elected within each candidate category, the newly elected
26 local school council shall appoint eligible persons to serve

1 as members of the Council for two-year terms.

2 (q) The Board shall promulgate rules regarding conflicts
3 of interest and disclosure of economic interests which shall
4 apply to local school council members and which shall require
5 reports or statements to be filed by Council members at
6 regular intervals with the Secretary of the Board. Failure to
7 comply with such rules or intentionally falsifying such
8 reports shall be grounds for disqualification from local
9 school council membership. A vacancy on the Council for
10 disqualification may be so declared by the Secretary of the
11 Board. Rules regarding conflicts of interest and disclosure of
12 economic interests promulgated by the Board shall apply to
13 local school council members. No less than 45 days prior to the
14 deadline, the general superintendent shall provide notice, by
15 mail, to each local school council member of all requirements
16 and forms for compliance with economic interest statements.

17 (r) (1) If a parent member of a local school council ceases
18 to have any child enrolled in the attendance center governed
19 by the Local School Council due to the graduation or voluntary
20 transfer of a child or children from the attendance center,
21 the parent's membership on the Local School Council and all
22 voting rights are terminated immediately as of the date of the
23 child's graduation or voluntary transfer. If the child of a
24 parent member of a local school council dies during the
25 member's term in office, the member may continue to serve on
26 the local school council for the balance of his or her term.

1 Further, a local school council member may be removed from the
2 Council by a majority vote of the Council as provided in
3 subsection (c) of Section 34-2.2 if the Council member has
4 missed 3 consecutive regular meetings, not including committee
5 meetings, or 5 regular meetings in a 12 month period, not
6 including committee meetings. If a parent member of a local
7 school council ceases to be eligible to serve on the Council
8 for any other reason, he or she shall be removed by the Board
9 subject to a hearing, convened pursuant to Board rule, prior
10 to removal. A vote to remove a Council member by the local
11 school council shall only be valid if the Council member has
12 been notified personally or by certified mail, mailed to the
13 person's last known address, of the Council's intent to vote
14 on the Council member's removal at least 7 days prior to the
15 vote. The Council member in question shall have the right to
16 explain his or her actions and shall be eligible to vote on the
17 question of his or her removal from the Council. The
18 provisions of this subsection shall be contained within the
19 petitions used to nominate Council candidates.

20 (2) A person may continue to serve as a community resident
21 member of a local school council as long as he or she resides
22 in the attendance area served by the school and is not employed
23 by the Board nor is a parent of a student enrolled at the
24 school. If a community resident member ceases to be eligible
25 to serve on the Council, he or she shall be removed by the
26 Board subject to a hearing, convened pursuant to Board rule,

1 prior to removal.

2 (3) A person may continue to serve as a teacher member of a
3 local school council as long as he or she is employed and
4 assigned to perform a majority of his or her duties at the
5 school, provided that if the teacher representative resigns
6 from employment with the Board or voluntarily transfers to
7 another school, the teacher's membership on the local school
8 council and all voting rights are terminated immediately as of
9 the date of the teacher's resignation or upon the date of the
10 teacher's voluntary transfer to another school. If a teacher
11 member of a local school council ceases to be eligible to serve
12 on a local school council for any other reason, that member
13 shall be removed by the Board subject to a hearing, convened
14 pursuant to Board rule, prior to removal.

15 (s) As used in this Section only, "community resident"
16 means a person, 17 years of age or older, residing within an
17 attendance area served by a school, excluding any person who
18 is a parent of a student enrolled in that school; provided that
19 with respect to any multi-area school, community resident
20 means any person, 17 years of age or older, residing within the
21 voting district established for that school pursuant to
22 Section 34-2.1c, excluding any person who is a parent of a
23 student enrolled in that school. This definition does not
24 apply to any provisions concerning school boards.

25 (Source: P.A. 101-643, eff. 6-18-20.)

1 (105 ILCS 5/34-2.2) (from Ch. 122, par. 34-2.2)

2 Sec. 34-2.2. Local school councils - Manner of operation.

3 (a) The annual organizational meeting of each local school
4 council shall be held at the attendance center or via
5 videoconference or teleconference if guidance from the
6 Department of Public Health or Centers for Disease Control and
7 Prevention limits the size of in-person meetings at the time
8 of the meeting. At the annual organization meeting, which
9 shall be held no sooner than July 1 and no later than July 14,
10 a parent member of the local school council shall be selected
11 by the members of such council as its chairperson, and a
12 secretary shall be selected by the members of such council
13 from among their number, each to serve a term of one year.
14 However, an organizational meeting held by members elected to
15 a local school council under subsection (c-5) of Section
16 34-2.1 may be held no sooner than January 11, 2021 and no later
17 than January 31, 2021. Whenever a vacancy in the office of
18 chairperson or secretary of a local school council shall
19 occur, a new chairperson (who shall be a parent member) or
20 secretary, as the case may be, shall be elected by the members
21 of the local school council from among their number to serve as
22 such chairperson or secretary for the unexpired term of office
23 in which the vacancy occurs. At each annual organizational
24 meeting, the time and place of any regular meetings of the
25 local school council shall be fixed. Special meetings of the
26 local school council may be called by the chairperson or by any

1 4 members by giving notice thereof in writing, specifying the
2 time, place and purpose of the meeting. Public notice of
3 meetings shall also be given in accordance with the Open
4 Meetings Act.

5 (b) Members and officers of the local school council shall
6 serve without compensation and without reimbursement of any
7 expenses incurred in the performance of their duties, except
8 that the board of education may by rule establish a procedure
9 and thereunder provide for reimbursement of members and
10 officers of local school councils for such of their reasonable
11 and necessary expenses (excluding any lodging or meal
12 expenses) incurred in the performance of their duties as the
13 board may deem appropriate.

14 (c) A majority of the full membership of the local school
15 council shall constitute a quorum, and whenever a vote is
16 taken on any measure before the local school council, a quorum
17 being present, the affirmative vote of a majority of the votes
18 of the full membership then serving of the local school
19 council shall determine the outcome thereof; provided that
20 whenever the measure before the local school council is (i)
21 the evaluation of the principal, or (ii) the renewal of his or
22 her performance contract or the inclusion of any provision or
23 modification of the contract, or (iii) the direct selection by
24 the local school council of a new principal (including a new
25 principal to fill a vacancy) to serve under a 4 year
26 performance contract, or (iv) the determination of the names

1 of candidates to be submitted to the general superintendent
2 for the position of principal, the principal and any student
3 members ~~member~~ of a high school council shall not be counted
4 for purposes of determining whether a quorum is present to act
5 on the measure and shall have no vote thereon; and provided
6 further that 7 affirmative votes of the local school council
7 shall be required for the direct selection by the local school
8 council of a new principal to serve under a 4 year performance
9 contract but not for the renewal of a principal's performance
10 contract.

11 (d) Student members of high school councils shall not be
12 eligible to vote on personnel matters, including but not
13 limited to principal evaluations and contracts and the
14 allocation of teaching and staff resources.

15 (e) The local school council of an attendance center which
16 provides bilingual education shall be encouraged to provide
17 translators at each council meeting to maximize participation
18 of parents and the community.

19 (f) Each local school council of an attendance center
20 which provides bilingual education shall create a Bilingual
21 Advisory Committee or recognize an existing Bilingual Advisory
22 Committee as a standing committee. The Chair and a majority of
23 the members of the advisory committee shall be parents of
24 students in the bilingual education program. The parents on
25 the advisory committee shall be selected by parents of
26 students in the bilingual education program, and the committee

1 shall select a Chair. The advisory committee for each
2 secondary attendance center shall include at least one
3 full-time bilingual education student. The Bilingual Advisory
4 Committee shall serve only in an advisory capacity to the
5 local school council.

6 (g) Local school councils may utilize the services of an
7 arbitration board to resolve intra-council disputes.

8 (Source: P.A. 101-643, eff. 6-18-20.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.