



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2575

Introduced 2/26/2021, by Sen. Cristina H. Pacione-Zayas

SYNOPSIS AS INTRODUCED:

5 ILCS 400/5.10	from Ch. 127, par. 4255.10
105 ILCS 5/2-3.47a	
105 ILCS 5/2-3.104	from Ch. 122, par. 2-3.104
105 ILCS 5/2-3.117	
105 ILCS 5/2-3.161	
105 ILCS 5/10-17a	from Ch. 122, par. 10-17a
105 ILCS 5/10-22.6	from Ch. 122, par. 10-22.6
105 ILCS 5/21B-35	
105 ILCS 5/26-19	
105 ILCS 5/27-6.5	
105 ILCS 5/29-5	from Ch. 122, par. 29-5
105 ILCS 5/34-18.43	
105 ILCS 5/2-3.11 rep.	

Amends the Sick Leave Bank Act. Provides that the term "Agency" does not include the State Board of Education. Amends the School Code to make changes in provisions concerning the State Board's strategic plan, a State mandate report, the School Technology Program, a reading advisory group, school district and school report cards, the suspension or expulsion of pupils, licensure requirements for educators trained in other states or countries, chronic absenteeism in preschool children, physical fitness assessments, State reimbursement for transportation, and the Chicago Educational Facilities Task Force. Repeals a provision concerning the State Board's annual report to the Governor and General Assembly on the condition of the schools.

LRB102 13568 CMG 18916 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The Sick Leave Bank Act is amended by changing
5 Section 5.10 as follows:

6 (5 ILCS 400/5.10) (from Ch. 127, par. 4255.10)

7 Sec. 5.10. "Agency" means any branch, department, board,
8 committee or commission of State government, but does not
9 include units of local government, school districts or boards
10 of election commissioners, or the State Board of Education.

11 (Source: P.A. 87-822.)

12 Section 10. The School Code is amended by changing
13 Sections 2-3.47a, 2-3.104, 2-3.117, 2-3.161, 10-17a, 10-22.6,
14 21B-35, 26-19, 27-6.5, 29-5, and 34-18.43 as follows:

15 (105 ILCS 5/2-3.47a)

16 Sec. 2-3.47a. Strategic plan.

17 (a) The State Board of Education shall develop and
18 maintain a continuing ~~5-year~~ comprehensive strategic plan for
19 elementary and secondary education. The strategic plan shall
20 address how the State Board of Education will focus its
21 efforts to increase equity in all Illinois schools and shall

1 include, without limitation, all of the following topic areas:

2 (1) Service and support to school districts to improve
3 student performance.

4 (2) Programs to improve equitable and strategic
5 resource allocation in Equity, adequacy, and
6 predictability of educational opportunities and resources
7 ~~for~~ all schools.

8 (3) Efforts to enhance the social-emotional well-being
9 of Illinois students ~~Program development and improvements,~~
10 ~~including financial planning and support services.~~

11 (4) (Blank). ~~Efficient means of delivering services to~~
12 ~~schools on a regional basis.~~

13 (5) (Blank). ~~Assistance to students at risk of~~
14 ~~academic failure and the use of proven support programs~~
15 ~~and services to close the achievement gap.~~

16 (6) (Blank). ~~Educational research and development and~~
17 ~~access and training in the use of a centralized student~~
18 ~~achievement data system.~~

19 (7) (Blank). ~~Recommendations for streamlining the~~
20 ~~School Code to eliminate laws that interfere with local~~
21 ~~control, taking into account those foundational standards~~
22 ~~that have already been established.~~

23 (8) (Blank). ~~Streamlining certification of teachers~~
24 ~~and administrators to provide quality personnel and~~
25 ~~ongoing professional development.~~

26 (9) (Blank). ~~Support services to enhance the capacity~~

1 ~~of school districts to meet federal and State statutory~~
2 ~~standards.~~

3 (10) (Blank). ~~Enhanced technology for use in~~
4 ~~administration, classroom, and nontraditional educational~~
5 ~~settings.~~

6 (11) (Blank). ~~Recognition of successful, exemplary~~
7 ~~schools.~~

8 (12) (Blank). ~~The unique needs of rural school~~
9 ~~districts.~~

10 (13) (Blank). ~~School reorganization issues.~~

11 (14) Attraction and retention of diverse and qualified
12 teachers and leaders.

13 (15) (Blank). ~~Additional duties that should be~~
14 ~~assigned to regional offices of education and regional~~
15 ~~administrative service centers to support local control of~~
16 ~~school districts and eliminate any duplication and~~
17 ~~inefficiency.~~

18 The State Board of Education shall consult with the
19 educational community, hold public hearings, and receive input
20 from all interested groups in drafting the strategic plan.

21 (b) To meet the requirements of this Section, the State
22 Board of Education shall issue to the Governor and General
23 Assembly a preliminary report within 6 months after the
24 effective date of this amendatory Act of the 93rd General
25 Assembly and a final 5-year strategic plan within one year
26 after the effective date of this amendatory Act of the 93rd

1 General Assembly. Thereafter, the strategic plan shall be
2 updated and issued to the Governor and General Assembly on or
3 before July 1 of each year.

4 (Source: P.A. 93-1036, eff. 9-14-04.)

5 (105 ILCS 5/2-3.104) (from Ch. 122, par. 2-3.104)

6 Sec. 2-3.104. State mandate reports. The State Board of
7 Education shall prepare an annual report listing all new State
8 mandates applicable to the common schools during the school
9 year covered by the report, excluding only those mandates that
10 relate to school elections. The annual report shall set forth
11 for each listed mandate the date or approximate date that the
12 mandate became effective and the cost of implementing that
13 mandate during the school year covered by the report; provided
14 that if the mandate has not been in effect for the entire
15 school year covered by the report, the estimated annual cost
16 of implementing that mandate shall be set forth in that
17 report, and provided that if the mandate exists because of a
18 federal law, rule or regulation, the report shall note that
19 fact. ~~The State Board of Education shall highlight on each~~
20 ~~annual report each mandate listed thereon that first became~~
21 ~~effective and applicable to the common schools during the~~
22 ~~school year covered by the current annual report.~~ Each annual
23 report prepared by the State Board of Education shall be filed
24 by the State Board of Education with the General Assembly on or
25 before March 1 of the calendar year, beginning with calendar

1 year 1992, and shall cover only the school year ending during
2 the calendar year immediately preceding the calendar year in
3 which the annual report is required to be filed.

4 (Source: P.A. 87-632; 87-895.)

5 (105 ILCS 5/2-3.117)

6 Sec. 2-3.117. School Technology Program.

7 (a) The State Board of Education is authorized to provide
8 technology-based learning resources, including tuition
9 reimbursement for approved online courses for students, to
10 school districts to improve educational opportunities and
11 student achievement throughout the State. The State Board may
12 adopt rules not inconsistent with the provisions of this Code
13 for the administration of the School Technology Program.

14 (b) The State Board of Education is authorized, to the
15 extent funds are available, to establish a statewide support
16 system for information, professional development, technical
17 assistance, network design consultation, leadership,
18 technology planning consultation, and information exchange; to
19 expand school district connectivity; and to increase the
20 quantity and quality of student and educator access to on-line
21 resources, experts, and communications avenues from moneys
22 appropriated for the purposes of this Section.

23 (b-5) The State Board of Education may enter into
24 intergovernmental contracts or agreements with other State
25 agencies, public community colleges, public libraries, public

1 and private colleges and universities, museums on public land,
2 and other public agencies in the areas of technology,
3 telecommunications, and information access, under such terms
4 as the parties may agree, provided that those contracts and
5 agreements are in compliance with the Department of Central
6 Management Services' mandate to provide telecommunications
7 services to all State agencies.

8 (c) (Blank).

9 (d) (Blank).

10 (Source: P.A. 95-793, eff. 1-1-09.)

11 (105 ILCS 5/2-3.161)

12 Sec. 2-3.161. Definition of dyslexia; reading instruction
13 advisory group; handbook.

14 (a) The State Board of Education shall incorporate, in
15 both general education and special education, the following
16 definition of dyslexia:

17 Dyslexia is a specific learning disability that is
18 neurobiological in origin. Dyslexia is characterized by
19 difficulties with accurate and/or fluent word recognition
20 and by poor spelling and decoding abilities. These
21 difficulties typically result from a deficit in the
22 phonological component of language that is often
23 unexpected in relation to other cognitive abilities and
24 the provision of effective classroom instruction.
25 Secondary consequences may include problems in reading

1 comprehension and reduced reading experience that can
2 impede growth of vocabulary and background knowledge.

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

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

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

25 (2) a description of educational strategies that have
26 been shown to improve the academic performance of pupils

1 with dyslexia; and

2 (3) a description of resources and services available
3 to pupils with dyslexia, parents or guardians of pupils
4 with dyslexia, and teachers.

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

9 (Source: P.A. 99-65, eff. 7-16-15; 99-78, eff. 7-20-15;
10 99-602, eff. 7-22-16; 99-603, eff. 7-22-16; 100-201, eff.
11 8-18-17; 100-617, eff. 7-20-18.)

12 (105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)

13 Sec. 10-17a. State, school district, and school report
14 cards.

15 (1) By October 31, 2013 and October 31 of each subsequent
16 school year, the State Board of Education, through the State
17 Superintendent of Education, shall prepare a State report
18 card, school district report cards, and school report cards,
19 and shall by the most economic means provide to each school
20 district in this State, including special charter districts
21 and districts subject to the provisions of Article 34, the
22 report cards for the school district and each of its schools.
23 During a school year in which the Governor has declared a
24 disaster due to a public health emergency pursuant to Section
25 7 of the Illinois Emergency Management Agency Act, the report

1 cards for the school districts and each of its schools shall be
2 prepared by December 31.

3 (2) In addition to any information required by federal
4 law, the State Superintendent shall determine the indicators
5 and presentation of the school report card, which must
6 include, at a minimum, the most current data collected and
7 maintained by the State Board of Education related to the
8 following:

9 (A) school characteristics and student demographics,
10 including average class size, average teaching experience,
11 student racial/ethnic breakdown, and the percentage of
12 students classified as low-income; the percentage of
13 students classified as English learners, the number of
14 students who graduate from a bilingual or English learner
15 program, and the number of students who graduate from,
16 transfer from, or otherwise leave bilingual programs; the
17 percentage of students who have individualized education
18 plans or 504 plans that provide for special education
19 services; the number and percentage of all students who
20 have been assessed for placement in a gifted education or
21 advanced academic program and, of those students: (i) the
22 racial and ethnic breakdown, (ii) the percentage who are
23 classified as low-income, and (iii) the number and
24 percentage of students who received direct instruction
25 from a teacher who holds a gifted education endorsement
26 and, of those students, the percentage who are classified

1 as low-income; the percentage of students scoring at the
2 "exceeds expectations" level on the assessments required
3 under Section 2-3.64a-5 of this Code; the percentage of
4 students who annually transferred in or out of the school
5 district; average daily attendance; the per-pupil
6 operating expenditure of the school district; and the
7 per-pupil State average operating expenditure for the
8 district type (elementary, high school, or unit);

9 (B) curriculum information, including, where
10 applicable, Advanced Placement, International
11 Baccalaureate or equivalent courses, dual enrollment
12 courses, foreign language classes, school personnel
13 resources (including Career Technical Education teachers),
14 before and after school programs, extracurricular
15 activities, subjects in which elective classes are
16 offered, health and wellness initiatives (including the
17 average number of days of Physical Education per week per
18 student), approved programs of study, awards received,
19 community partnerships, and special programs such as
20 programming for the gifted and talented, students with
21 disabilities, and work-study students;

22 (C) student outcomes, including, where applicable, the
23 percentage of students deemed proficient on assessments of
24 State standards, the percentage of students in the eighth
25 grade who pass Algebra, the percentage of students who
26 participated in workplace learning experiences, the

1 percentage of students enrolled in post-secondary
2 institutions (including colleges, universities, community
3 colleges, trade/vocational schools, and training programs
4 leading to career certification within 2 semesters of high
5 school graduation), the percentage of students graduating
6 from high school who are college and career ready, and the
7 percentage of graduates enrolled in community colleges,
8 colleges, and universities who are in one or more courses
9 that the community college, college, or university
10 identifies as a developmental course;

11 (D) student progress, including, where applicable, the
12 percentage of students in the ninth grade who have earned
13 5 credits or more without failing more than one core
14 class, a measure of students entering kindergarten ready
15 to learn, a measure of growth, and the percentage of
16 students who enter high school on track for college and
17 career readiness;

18 (E) the school environment, including, where
19 applicable, high school dropout rate by grade level, the
20 percentage of students with less than 10 absences in a
21 school year, the percentage of teachers with less than 10
22 absences in a school year for reasons other than
23 professional development, leaves taken pursuant to the
24 federal Family Medical Leave Act of 1993, long-term
25 disability, or parental leaves, the 3-year average of the
26 percentage of teachers returning to the school from the

1 previous year, the number of different principals at the
2 school in the last 6 years, the number of teachers who hold
3 a gifted education endorsement, the process and criteria
4 used by the district to determine whether a student is
5 eligible for participation in a gifted education program
6 or advanced academic program and the manner in which
7 parents and guardians are made aware of the process and
8 criteria, 2 or more indicators from any school climate
9 survey selected or approved by the State and administered
10 pursuant to Section 2-3.153 of this Code, with the same or
11 similar indicators included on school report cards for all
12 surveys selected or approved by the State pursuant to
13 Section 2-3.153 of this Code, and the combined percentage
14 of teachers rated as proficient or excellent in their most
15 recent evaluation;

16 (F) a school district's and its individual schools'
17 balanced accountability measure, in accordance with
18 Section 2-3.25a of this Code;

19 (G) the total and per pupil normal cost amount the
20 State contributed to the Teachers' Retirement System of
21 the State of Illinois in the prior fiscal year for the
22 school's employees, which shall be reported to the State
23 Board of Education by the Teachers' Retirement System of
24 the State of Illinois;

25 (H) for a school district organized under Article 34
26 of this Code only, State contributions to the Public

1 School Teachers' Pension and Retirement Fund of Chicago
2 and State contributions for health care for employees of
3 that school district;

4 (I) a school district's Final Percent of Adequacy, as
5 defined in paragraph (4) of subsection (f) of Section
6 18-8.15 of this Code;

7 (J) a school district's Local Capacity Target, as
8 defined in paragraph (2) of subsection (c) of Section
9 18-8.15 of this Code, displayed as a percentage amount;

10 (K) a school district's Real Receipts, as defined in
11 paragraph (1) of subsection (d) of Section 18-8.15 of this
12 Code, divided by a school district's Adequacy Target, as
13 defined in paragraph (1) of subsection (b) of Section
14 18-8.15 of this Code, displayed as a percentage amount;

15 (L) a school district's administrative costs; ~~and~~

16 (M) whether or not the school has participated in the
17 Illinois Youth Survey. In this paragraph (M), "Illinois
18 Youth Survey" means a self-report survey, administered in
19 school settings every 2 years, designed to gather
20 information about health and social indicators, including
21 substance abuse patterns and the attitudes of students in
22 grades 8, 10, and 12; and

23 (N) whether the school offered its students career and
24 technical education opportunities.

25 The school report card shall also provide information that
26 allows for comparing the current outcome, progress, and

1 environment data to the State average, to the school data from
2 the past 5 years, and to the outcomes, progress, and
3 environment of similar schools based on the type of school and
4 enrollment of low-income students, special education students,
5 and English learners.

6 As used in this subsection (2):

7 "Administrative costs" means costs associated with
8 executive, administrative, or managerial functions within the
9 school district that involve planning, organizing, managing,
10 or directing the school district.

11 "Advanced academic program" means a course of study to
12 which students are assigned based on advanced cognitive
13 ability or advanced academic achievement compared to local age
14 peers and in which the curriculum is substantially
15 differentiated from the general curriculum to provide
16 appropriate challenge and pace.

17 "Gifted education" means educational services, including
18 differentiated curricula and instructional methods, designed
19 to meet the needs of gifted children as defined in Article 14A
20 of this Code.

21 For the purposes of paragraph (A) of this subsection (2),
22 "average daily attendance" means the average of the actual
23 number of attendance days during the previous school year for
24 any enrolled student who is subject to compulsory attendance
25 by Section 26-1 of this Code at each school and charter school.

26 (3) At the discretion of the State Superintendent, the

1 school district report card shall include a subset of the
2 information identified in paragraphs (A) through (E) of
3 subsection (2) of this Section, as well as information
4 relating to the operating expense per pupil and other finances
5 of the school district, and the State report card shall
6 include a subset of the information identified in paragraphs
7 (A) through (E) and paragraph (N) of subsection (2) of this
8 Section. The school district report card shall include the
9 average daily attendance, as that term is defined in
10 subsection (2) of this Section, of students who have
11 individualized education programs and students who have 504
12 plans that provide for special education services within the
13 school district.

14 (4) Notwithstanding anything to the contrary in this
15 Section, in consultation with key education stakeholders, the
16 State Superintendent shall at any time have the discretion to
17 amend or update any and all metrics on the school, district, or
18 State report card.

19 (5) Annually, no more than 30 calendar days after receipt
20 of the school district and school report cards from the State
21 Superintendent of Education, each school district, including
22 special charter districts and districts subject to the
23 provisions of Article 34, shall present such report cards at a
24 regular school board meeting subject to applicable notice
25 requirements, post the report cards on the school district's
26 Internet web site, if the district maintains an Internet web

1 site, make the report cards available to a newspaper of
2 general circulation serving the district, and, upon request,
3 send the report cards home to a parent (unless the district
4 does not maintain an Internet web site, in which case the
5 report card shall be sent home to parents without request). If
6 the district posts the report card on its Internet web site,
7 the district shall send a written notice home to parents
8 stating (i) that the report card is available on the web site,
9 (ii) the address of the web site, (iii) that a printed copy of
10 the report card will be sent to parents upon request, and (iv)
11 the telephone number that parents may call to request a
12 printed copy of the report card.

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

18 (Source: P.A. 100-227, eff. 8-18-17; 100-364, eff. 1-1-18;
19 100-448, eff. 7-1-19; 100-465, eff. 8-31-17; 100-807, eff.
20 8-10-18; 100-863, eff. 8-14-18; 100-1121, eff. 1-1-19; 101-68,
21 eff. 1-1-20; 101-81, eff. 7-12-19; revised 9-9-19.)

22 (105 ILCS 5/10-22.6) (from Ch. 122, par. 10-22.6)

23 Sec. 10-22.6. Suspension or expulsion of pupils; school
24 searches.

25 (a) To expel pupils guilty of gross disobedience or

1 misconduct, including gross disobedience or misconduct
2 perpetrated by electronic means, pursuant to subsection (b-20)
3 of this Section, and no action shall lie against them for such
4 expulsion. Expulsion shall take place only after the parents
5 have been requested to appear at a meeting of the board, or
6 with a hearing officer appointed by it, to discuss their
7 child's behavior. Such request shall be made by registered or
8 certified mail and shall state the time, place and purpose of
9 the meeting. The board, or a hearing officer appointed by it,
10 at such meeting shall state the reasons for dismissal and the
11 date on which the expulsion is to become effective. If a
12 hearing officer is appointed by the board, he shall report to
13 the board a written summary of the evidence heard at the
14 meeting and the board may take such action thereon as it finds
15 appropriate. If the board acts to expel a pupil, the written
16 expulsion decision shall detail the specific reasons why
17 removing the pupil from the learning environment is in the
18 best interest of the school. The expulsion decision shall also
19 include a rationale as to the specific duration of the
20 expulsion. An expelled pupil may be immediately transferred to
21 an alternative program in the manner provided in Article 13A
22 or 13B of this Code. A pupil must not be denied transfer
23 because of the expulsion, except in cases in which such
24 transfer is deemed to cause a threat to the safety of students
25 or staff in the alternative program.

26 (b) To suspend or by policy to authorize the

1 superintendent of the district or the principal, assistant
2 principal, or dean of students of any school to suspend pupils
3 guilty of gross disobedience or misconduct, or to suspend
4 pupils guilty of gross disobedience or misconduct on the
5 school bus from riding the school bus, pursuant to subsections
6 (b-15) and (b-20) of this Section, and no action shall lie
7 against them for such suspension. The board may by policy
8 authorize the superintendent of the district or the principal,
9 assistant principal, or dean of students of any school to
10 suspend pupils guilty of such acts for a period not to exceed
11 10 school days. If a pupil is suspended due to gross
12 disobedience or misconduct on a school bus, the board may
13 suspend the pupil in excess of 10 school days for safety
14 reasons.

15 Any suspension shall be reported immediately to the
16 parents or guardian of a pupil along with a full statement of
17 the reasons for such suspension and a notice of their right to
18 a review. The school board must be given a summary of the
19 notice, including the reason for the suspension and the
20 suspension length. Upon request of the parents or guardian,
21 the school board or a hearing officer appointed by it shall
22 review such action of the superintendent or principal,
23 assistant principal, or dean of students. At such review, the
24 parents or guardian of the pupil may appear and discuss the
25 suspension with the board or its hearing officer. If a hearing
26 officer is appointed by the board, he shall report to the board

1 a written summary of the evidence heard at the meeting. After
2 its hearing or upon receipt of the written report of its
3 hearing officer, the board may take such action as it finds
4 appropriate. If a student is suspended pursuant to this
5 subsection (b), the board shall, in the written suspension
6 decision, detail the specific act of gross disobedience or
7 misconduct resulting in the decision to suspend. The
8 suspension decision shall also include a rationale as to the
9 specific duration of the suspension. A pupil who is suspended
10 in excess of 20 school days may be immediately transferred to
11 an alternative program in the manner provided in Article 13A
12 or 13B of this Code. A pupil must not be denied transfer
13 because of the suspension, except in cases in which such
14 transfer is deemed to cause a threat to the safety of students
15 or staff in the alternative program.

16 (b-5) Among the many possible disciplinary interventions
17 and consequences available to school officials, school
18 exclusions, such as out-of-school suspensions and expulsions,
19 are the most serious. School officials shall limit the number
20 and duration of expulsions and suspensions to the greatest
21 extent practicable, and it is recommended that they use them
22 only for legitimate educational purposes. To ensure that
23 students are not excluded from school unnecessarily, it is
24 recommended that school officials consider forms of
25 non-exclusionary discipline prior to using out-of-school
26 suspensions or expulsions.

1 (b-10) Unless otherwise required by federal law or this
2 Code, school boards may not institute zero-tolerance policies
3 by which school administrators are required to suspend or
4 expel students for particular behaviors.

5 (b-15) Out-of-school suspensions of 3 days or less may be
6 used only if the student's continuing presence in school would
7 pose a threat to school safety or a disruption to other
8 students' learning opportunities. For purposes of this
9 subsection (b-15), "threat to school safety or a disruption to
10 other students' learning opportunities" shall be determined on
11 a case-by-case basis by the school board or its designee.
12 School officials shall make all reasonable efforts to resolve
13 such threats, address such disruptions, and minimize the
14 length of suspensions to the greatest extent practicable.

15 (b-20) Unless otherwise required by this Code,
16 out-of-school suspensions of longer than 3 days, expulsions,
17 and disciplinary removals to alternative schools may be used
18 only if other appropriate and available behavioral and
19 disciplinary interventions have been exhausted and the
20 student's continuing presence in school would either (i) pose
21 a threat to the safety of other students, staff, or members of
22 the school community or (ii) substantially disrupt, impede, or
23 interfere with the operation of the school. For purposes of
24 this subsection (b-20), "threat to the safety of other
25 students, staff, or members of the school community" and
26 "substantially disrupt, impede, or interfere with the

1 operation of the school" shall be determined on a case-by-case
2 basis by school officials. For purposes of this subsection
3 (b-20), the determination of whether "appropriate and
4 available behavioral and disciplinary interventions have been
5 exhausted" shall be made by school officials. School officials
6 shall make all reasonable efforts to resolve such threats,
7 address such disruptions, and minimize the length of student
8 exclusions to the greatest extent practicable. Within the
9 suspension decision described in subsection (b) of this
10 Section or the expulsion decision described in subsection (a)
11 of this Section, it shall be documented whether other
12 interventions were attempted or whether it was determined that
13 there were no other appropriate and available interventions.

14 (b-25) Students who are suspended out-of-school for longer
15 than 4 school days shall be provided appropriate and available
16 support services during the period of their suspension. For
17 purposes of this subsection (b-25), "appropriate and available
18 support services" shall be determined by school authorities.
19 Within the suspension decision described in subsection (b) of
20 this Section, it shall be documented whether such services are
21 to be provided or whether it was determined that there are no
22 such appropriate and available services.

23 A school district may refer students who are expelled to
24 appropriate and available support services.

25 A school district shall create a policy to facilitate the
26 re-engagement of students who are suspended out-of-school,

1 expelled, or returning from an alternative school setting.

2 (b-30) A school district shall create a policy by which
3 suspended pupils, including those pupils suspended from the
4 school bus who do not have alternate transportation to school,
5 shall have the opportunity to make up work for equivalent
6 academic credit. It shall be the responsibility of a pupil's
7 parent or guardian to notify school officials that a pupil
8 suspended from the school bus does not have alternate
9 transportation to school.

10 (c) A school board must invite a representative from a
11 local mental health agency to consult with the board at the
12 meeting whenever there is evidence that mental illness may be
13 the cause of a student's expulsion or suspension. ~~The~~
14 ~~Department of Human Services shall be invited to send a~~
15 ~~representative to consult with the board at such meeting~~
16 ~~whenever there is evidence that mental illness may be the~~
17 ~~cause for expulsion or suspension.~~

18 (c-5) School districts shall make reasonable efforts to
19 provide ongoing professional development to teachers,
20 administrators, school board members, school resource
21 officers, and staff on the adverse consequences of school
22 exclusion and justice-system involvement, effective classroom
23 management strategies, culturally responsive discipline, the
24 appropriate and available supportive services for the
25 promotion of student attendance and engagement, and
26 developmentally appropriate disciplinary methods that promote

1 positive and healthy school climates.

2 (d) The board may expel a student for a definite period of
3 time not to exceed 2 calendar years, as determined on a
4 case-by-case basis. A student who is determined to have
5 brought one of the following objects to school, any
6 school-sponsored activity or event, or any activity or event
7 that bears a reasonable relationship to school shall be
8 expelled for a period of not less than one year:

9 (1) A firearm. For the purposes of this Section,
10 "firearm" means any gun, rifle, shotgun, weapon as defined
11 by Section 921 of Title 18 of the United States Code,
12 firearm as defined in Section 1.1 of the Firearm Owners
13 Identification Card Act, or firearm as defined in Section
14 24-1 of the Criminal Code of 2012. The expulsion period
15 under this subdivision (1) may be modified by the
16 superintendent, and the superintendent's determination may
17 be modified by the board on a case-by-case basis.

18 (2) A knife, brass knuckles or other knuckle weapon
19 regardless of its composition, a billy club, or any other
20 object if used or attempted to be used to cause bodily
21 harm, including "look alike" of any firearm as defined in
22 subdivision (1) of this subsection (d). The expulsion
23 requirement under this subdivision (2) may be modified by
24 the superintendent, and the superintendent's determination
25 may be modified by the board on a case-by-case basis.

26 Expulsion or suspension shall be construed in a manner

1 consistent with the federal Individuals with Disabilities
2 Education Act. A student who is subject to suspension or
3 expulsion as provided in this Section may be eligible for a
4 transfer to an alternative school program in accordance with
5 Article 13A of the School Code.

6 (d-5) The board may suspend or by regulation authorize the
7 superintendent of the district or the principal, assistant
8 principal, or dean of students of any school to suspend a
9 student for a period not to exceed 10 school days or may expel
10 a student for a definite period of time not to exceed 2
11 calendar years, as determined on a case-by-case basis, if (i)
12 that student has been determined to have made an explicit
13 threat on an Internet website against a school employee, a
14 student, or any school-related personnel, (ii) the Internet
15 website through which the threat was made is a site that was
16 accessible within the school at the time the threat was made or
17 was available to third parties who worked or studied within
18 the school grounds at the time the threat was made, and (iii)
19 the threat could be reasonably interpreted as threatening to
20 the safety and security of the threatened individual because
21 of his or her duties or employment status or status as a
22 student inside the school.

23 (e) To maintain order and security in the schools, school
24 authorities may inspect and search places and areas such as
25 lockers, desks, parking lots, and other school property and
26 equipment owned or controlled by the school, as well as

1 personal effects left in those places and areas by students,
2 without notice to or the consent of the student, and without a
3 search warrant. As a matter of public policy, the General
4 Assembly finds that students have no reasonable expectation of
5 privacy in these places and areas or in their personal effects
6 left in these places and areas. School authorities may request
7 the assistance of law enforcement officials for the purpose of
8 conducting inspections and searches of lockers, desks, parking
9 lots, and other school property and equipment owned or
10 controlled by the school for illegal drugs, weapons, or other
11 illegal or dangerous substances or materials, including
12 searches conducted through the use of specially trained dogs.
13 If a search conducted in accordance with this Section produces
14 evidence that the student has violated or is violating either
15 the law, local ordinance, or the school's policies or rules,
16 such evidence may be seized by school authorities, and
17 disciplinary action may be taken. School authorities may also
18 turn over such evidence to law enforcement authorities.

19 (f) Suspension or expulsion may include suspension or
20 expulsion from school and all school activities and a
21 prohibition from being present on school grounds.

22 (g) A school district may adopt a policy providing that if
23 a student is suspended or expelled for any reason from any
24 public or private school in this or any other state, the
25 student must complete the entire term of the suspension or
26 expulsion in an alternative school program under Article 13A

1 of this Code or an alternative learning opportunities program
2 under Article 13B of this Code before being admitted into the
3 school district if there is no threat to the safety of students
4 or staff in the alternative program.

5 (h) School officials shall not advise or encourage
6 students to drop out voluntarily due to behavioral or academic
7 difficulties.

8 (i) A student may not be issued a monetary fine or fee as a
9 disciplinary consequence, though this shall not preclude
10 requiring a student to provide restitution for lost, stolen,
11 or damaged property.

12 (j) Subsections (a) through (i) of this Section shall
13 apply to elementary and secondary schools, charter schools,
14 special charter districts, and school districts organized
15 under Article 34 of this Code.

16 (k) The expulsion of children enrolled in programs funded
17 under Section 1C-2 of this Code is subject to the requirements
18 under paragraph (7) of subsection (a) of Section 2-3.71 of
19 this Code.

20 (l) Beginning with the 2018-2019 school year, an in-school
21 suspension program provided by a school district for any
22 students in kindergarten through grade 12 may focus on
23 promoting non-violent conflict resolution and positive
24 interaction with other students and school personnel. A school
25 district may employ a school social worker or a licensed
26 mental health professional to oversee an in-school suspension

1 program in kindergarten through grade 12.

2 (Source: P.A. 100-105, eff. 1-1-18; 100-810, eff. 1-1-19;
3 100-863, eff. 8-14-18; 100-1035, eff. 8-22-18; 101-81, eff.
4 7-12-19.)

5 (105 ILCS 5/21B-35)

6 Sec. 21B-35. Minimum requirements for educators trained in
7 other states or countries.

8 (a) Any applicant who has not been entitled by an
9 Illinois-approved educator preparation program at an Illinois
10 institution of higher education applying for a Professional
11 Educator License endorsed in a teaching field or school
12 support personnel area must meet the following requirements:

13 (1) the applicant must:

14 (A) hold a comparable and valid educator license
15 or certificate, as defined by rule, with similar grade
16 level and content area credentials from another state,
17 with the State Board of Education having the authority
18 to determine what constitutes similar grade level and
19 content area credentials from another state;

20 (B) have a bachelor's degree from a regionally
21 accredited institution of higher education; and

22 (C) (blank); ~~or have demonstrated proficiency in~~
23 ~~the English language by either passing the English~~
24 ~~language proficiency test required by the State Board~~
25 ~~of Education or providing evidence of completing a~~

1 ~~postsecondary degree at an institution in which the~~
2 ~~mode of instruction was English; or~~

3 (2) the applicant must:

4 (A) have completed a state-approved program for
5 the licensure area sought, including coursework
6 concerning methods of instruction of the exceptional
7 child, methods of reading and reading in the content
8 area, and instructional strategies for English
9 learners;

10 (B) have a bachelor's degree from a regionally
11 accredited institution of higher education;

12 (C) have successfully met all Illinois examination
13 requirements, except that:

14 (i) (blank);

15 (ii) an applicant who has successfully
16 completed a test of content, as defined by rules,
17 at the time of initial licensure in another state
18 is not required to complete a test of content; and

19 (iii) an applicant for a teaching endorsement
20 who has successfully completed an evidence-based
21 assessment of teacher effectiveness, as defined by
22 rules, at the time of initial licensure in another
23 state is not required to complete an
24 evidence-based assessment of teacher
25 effectiveness; and

26 (D) for an applicant for a teaching endorsement,

1 have completed student teaching or an equivalent
2 experience or, for an applicant for a school service
3 personnel endorsement, have completed an internship or
4 an equivalent experience.

5 (b) In order to receive a Professional Educator License
6 endorsed in a teaching field or school support personnel area,
7 applicants trained in another country must meet all of the
8 following requirements:

9 (1) Have completed a comparable education program in
10 another country.

11 (2) Have had transcripts evaluated by an evaluation
12 service approved by the State Superintendent of Education.

13 (3) Have a degree comparable to a degree from a
14 regionally accredited institution of higher education.

15 (4) Have completed coursework aligned to standards
16 concerning methods of instruction of the exceptional
17 child, methods of reading and reading in the content area,
18 and instructional strategies for English learners.

19 (5) (Blank).

20 (6) (Blank).

21 (7) Have successfully met all State licensure
22 examination requirements. Applicants who have successfully
23 completed a test of content, as defined by rules, at the
24 time of initial licensure in another country shall not be
25 required to complete a test of content. Applicants for a
26 teaching endorsement who have successfully completed an

1 evidence-based assessment of teacher effectiveness, as
2 defined by rules, at the time of initial licensure in
3 another country shall not be required to complete an
4 evidence-based assessment of teacher effectiveness.

5 (8) Have completed student teaching or an equivalent
6 experience.

7 (9) (Blank). ~~Have demonstrated proficiency in the~~
8 ~~English language by either passing the English language~~
9 ~~proficiency test required by the State Board of Education~~
10 ~~or providing evidence of completing a postsecondary degree~~
11 ~~at an institution in which the mode of instruction was~~
12 ~~English.~~

13 (b-5) All applicants who have not been entitled by an
14 Illinois-approved educator preparation program at an Illinois
15 institution of higher education and applicants trained in
16 another country applying for a Professional Educator License
17 endorsed for principal or superintendent must hold a master's
18 degree from a regionally accredited institution of higher
19 education, ~~pass the English language proficiency test required~~
20 ~~by the State Board of Education,~~ and hold a comparable and
21 valid educator license or certificate with similar grade level
22 and subject matter credentials, with the State Board of
23 Education having the authority to determine what constitutes
24 similar grade level and subject matter credentials from
25 another state, or must meet all of the following requirements:

26 (1) Have completed an educator preparation program

1 approved by another state or comparable educator program
2 in another country leading to the receipt of a license or
3 certificate for the Illinois endorsement sought.

4 (2) Have successfully met all State licensure
5 examination requirements, as required by Section 21B-30 of
6 this Code. Applicants who have successfully completed a
7 test of content, as defined by rules, at the time of
8 initial licensure in another state or country shall not be
9 required to complete a test of content.

10 (2.5) Have completed an internship, as defined by
11 rule.

12 (3) (Blank).

13 (4) Have completed coursework aligned to standards
14 concerning methods of instruction of the exceptional
15 child, methods of reading and reading in the content area,
16 and instructional strategies for English learners.

17 (4.5) (Blank). ~~Have demonstrated proficiency in the~~
18 ~~English language by either passing the English language~~
19 ~~proficiency test required by the State Board of Education~~
20 ~~or providing evidence of completing a postsecondary degree~~
21 ~~at an institution in which the mode of instruction was~~
22 ~~English.~~

23 (5) Have completed a master's degree.

24 (6) Have successfully completed teaching, school
25 support, or administrative experience as defined by rule.

26 (b-7) All applicants who have not been entitled by an

1 Illinois-approved educator preparation program at an Illinois
2 institution of higher education applying for a Professional
3 Educator License endorsed for Director of Special Education
4 must hold a master's degree from a regionally accredited
5 institution of higher education and must hold a comparable and
6 valid educator license or certificate with similar grade level
7 and subject matter credentials, with the State Board of
8 Education having the authority to determine what constitutes
9 similar grade level and subject matter credentials from
10 another state, or must meet all of the following requirements:

11 (1) Have completed a master's degree.

12 (2) Have 2 years of full-time experience providing
13 special education services.

14 (3) Have successfully completed all examination
15 requirements, as required by Section 21B-30 of this Code.
16 Applicants who have successfully completed a test of
17 content, as identified by rules, at the time of initial
18 licensure in another state or country shall not be
19 required to complete a test of content.

20 (4) Have completed coursework aligned to standards
21 concerning methods of instruction of the exceptional
22 child, methods of reading and reading in the content area,
23 and instructional strategies for English learners.

24 (b-10) All applicants who have not been entitled by an
25 Illinois-approved educator preparation program at an Illinois
26 institution of higher education applying for a Professional

1 Educator License endorsed for chief school business official
2 must hold a master's degree from a regionally accredited
3 institution of higher education and must hold a comparable and
4 valid educator license or certificate with similar grade level
5 and subject matter credentials, with the State Board of
6 Education having the authority to determine what constitutes
7 similar grade level and subject matter credentials from
8 another state, or must meet all of the following requirements:

9 (1) Have completed a master's degree in school
10 business management, finance, or accounting.

11 (2) Have successfully completed an internship in
12 school business management or have 2 years of experience
13 as a school business administrator.

14 (3) Have successfully met all State examination
15 requirements, as required by Section 21B-30 of this Code.
16 Applicants who have successfully completed a test of
17 content, as identified by rules, at the time of initial
18 licensure in another state or country shall not be
19 required to complete a test of content.

20 (4) Have completed modules aligned to standards
21 concerning methods of instruction of the exceptional
22 child, methods of reading and reading in the content area,
23 and instructional strategies for English learners.

24 (c) The State Board of Education, in consultation with the
25 State Educator Preparation and Licensure Board, may adopt such
26 rules as may be necessary to implement this Section.

1 (Source: P.A. 100-13, eff. 7-1-17; 100-584, eff. 4-6-18;
2 100-596, eff. 7-1-18; 101-220, eff. 8-7-19; 101-643, eff.
3 6-18-20.)

4 (105 ILCS 5/26-19)

5 Sec. 26-19. Chronic absenteeism in preschool children.

6 (a) In this Section, "chronic absence" has the meaning
7 ascribed to that term in Section 26-18 of this Code.

8 (b) The General Assembly makes all of the following
9 findings:

10 (1) The early years are an extremely important period
11 in a child's learning and development.

12 (2) Missed learning opportunities in the early years
13 make it difficult for a child to enter kindergarten ready
14 for success.

15 (3) Attendance patterns in the early years serve as
16 predictors of chronic absenteeism and reduced educational
17 outcomes in later school years. Therefore, it is crucial
18 that the implications of chronic absence be understood and
19 reviewed regularly under the Preschool for All Program and
20 Preschool for All Expansion Program ~~in all publicly funded~~
21 ~~early childhood programs receiving State funds~~ under
22 Section 2-3.71 of this Code.

23 (c) The Preschool for All Program and Preschool for All
24 Expansion Program ~~Beginning July 1, 2019, any publicly funded~~
25 ~~early childhood program receiving State funds~~ under Section

1 2-3.71 of this Code shall collect and review its chronic
2 absence data and determine what support and resources are
3 needed to positively engage chronically absent students and
4 their families to encourage the habit of daily attendance and
5 promote success.

6 (d) The Preschool for All Program and Preschool for All
7 Expansion Program ~~Publicly funded early childhood programs~~
8 ~~receiving State funds~~ under Section 2-3.71 of this Code are
9 encouraged to do all of the following:

10 (1) Provide support to students who are at risk of
11 reaching or exceeding chronic absence levels.

12 (2) Make resources available to families, such as
13 those available through the State Board of Education's
14 Family Engagement Framework, to support and encourage
15 families to ensure their children's daily program
16 attendance.

17 (3) Include information about chronic absenteeism as
18 part of their preschool to kindergarten transition
19 resources.

20 (e) On or before July 1, 2020, and annually thereafter,
21 the Preschool for All Program and Preschool for All Expansion
22 Program ~~an early childhood program~~ shall report all data
23 collected under subsection (c) of this Section to the State
24 Board of Education, which shall make the report publicly
25 available via the Illinois Early Childhood Asset Map Internet
26 website and the Preschool for All Program or Preschool for All

1 Expansion Program triennial report.

2 (Source: P.A. 100-819, eff. 7-1-19.)

3 (105 ILCS 5/27-6.5)

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

5 (a) As used in this Section, "physical fitness assessment"
6 means a series of assessments to measure aerobic capacity,
7 body composition, muscular strength, muscular endurance, and
8 flexibility.

9 (b) To measure the effectiveness of State Goal 20 of the
10 Illinois Learning Standards for Physical Development and
11 Health, beginning with the 2016-2017 school year and every
12 school year thereafter, the State Board of Education shall
13 require all public schools to use a scientifically-based,
14 health-related physical fitness assessment for grades 3
15 through 12 and periodically report fitness information to the
16 State Board of Education, as set forth in subsections (c) and
17 (e) of this Section, to assess student fitness indicators.

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

1 (c) (Blank). ~~On or before October 1, 2014, the State~~
2 ~~Superintendent of Education shall appoint a 15-member~~
3 ~~stakeholder and expert task force, including members~~
4 ~~representing organizations that represent physical education~~
5 ~~teachers, school officials, principals, health promotion and~~
6 ~~disease prevention advocates and experts, school health~~
7 ~~advocates and experts, and other experts with operational and~~
8 ~~academic expertise in the measurement of fitness. The task~~
9 ~~force shall make recommendations to the State Board of~~
10 ~~Education on the following:~~

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

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

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

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

26 ~~(5) the demographic information that should accompany~~

1 ~~the scores, including, but not limited to, grade and~~
2 ~~gender;~~

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

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

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

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

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

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

1 ~~thereafter~~. The requirements of this Section do not apply if
2 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.

5 (e) ~~The On or before September 1, 2016, the~~ State Board of
6 Education shall adopt rules for data submission by school
7 districts and develop a system for collecting and reporting
8 the aggregated fitness information from the physical fitness
9 assessments. This system shall also support the collection of
10 data from school districts that use a fitness testing software
11 program.

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

19 (g) Nothing in this Section precludes schools from
20 implementing a physical fitness assessment before the
21 2016-2017 school year or from implementing more robust forms
22 of a physical fitness assessment.

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

24 (105 ILCS 5/29-5) (from Ch. 122, par. 29-5)

25 Sec. 29-5. Reimbursement by State for transportation. Any

1 school district, maintaining a school, transporting resident
2 pupils to another school district's vocational program,
3 offered through a joint agreement approved by the State Board
4 of Education, as provided in Section 10-22.22 or transporting
5 its resident pupils to a school which meets the standards for
6 recognition as established by the State Board of Education
7 which provides transportation meeting the standards of safety,
8 comfort, convenience, efficiency and operation prescribed by
9 the State Board of Education for resident pupils in
10 kindergarten or any of grades 1 through 12 who: (a) reside at
11 least 1 1/2 miles as measured by the customary route of travel,
12 from the school attended; or (b) reside in areas where
13 conditions are such that walking constitutes a hazard to the
14 safety of the child when determined under Section 29-3; and
15 (c) are transported to the school attended from pick-up points
16 at the beginning of the school day and back again at the close
17 of the school day or transported to and from their assigned
18 attendance centers during the school day, shall be reimbursed
19 by the State as hereinafter provided in this Section.

20 The State will pay the prorated allowable cost of
21 transporting eligible pupils less the real equalized assessed
22 valuation as computed under paragraph (3) of subsection (d) of
23 Section 18-8.15 ~~prior year assessed valuation~~ in a dual school
24 district maintaining secondary grades 9 to 12 inclusive times
25 a qualifying rate of .05%; in elementary school districts
26 maintaining grades K to 8 times a qualifying rate of .06%; and

1 in unit districts maintaining grades K to 12, including
2 partial elementary unit districts formed pursuant to Article
3 11E ~~optional elementary unit districts and combined high~~
4 ~~school unit districts~~, times a qualifying rate of .07%~~;~~
5 ~~provided that for optional elementary unit districts and~~
6 ~~combined high school unit districts, prior year assessed~~
7 ~~valuation for high school purposes, as defined in Article 11E~~
8 ~~of this Code, must be used.~~ To be eligible to receive
9 reimbursement in excess of 4/5 of the cost to transport
10 eligible pupils, a school district or partial elementary unit
11 district formed pursuant to Article 11E shall have a
12 Transportation Fund tax rate of at least .12%. The
13 Transportation Fund tax rate for a partial elementary unit
14 district formed pursuant Article 11E shall be the combined
15 elementary and high school rates pursuant to paragraph (4) of
16 subsection (a) of Section 18-8.15. If a school district or
17 partial elementary unit district formed pursuant to Article
18 11E does not have a .12% Transportation Fund tax rate, the
19 amount of its claim in excess of 4/5 of the cost of
20 transporting pupils shall be reduced by the sum arrived at by
21 subtracting the Transportation Fund tax rate from .12% and
22 multiplying that amount by the district's real equalized
23 assessed valuation as computed under paragraph (3) of
24 subsection (d) of Section 18-8.15 ~~prior year equalized or~~
25 ~~assessed valuation~~, provided~~;~~ that in no case shall said
26 reduction result in reimbursement of less than 4/5 of the cost

1 to transport eligible pupils.

2 The minimum amount to be received by a district is \$16
3 times the number of eligible pupils transported.

4 When calculating the reimbursement for transportation
5 costs, the State Board of Education may not deduct the number
6 of pupils enrolled in early education programs from the number
7 of pupils eligible for reimbursement if the pupils enrolled in
8 the early education programs are transported at the same time
9 as other eligible pupils.

10 Any such district transporting resident pupils during the
11 school day to an area vocational school or another school
12 district's vocational program more than 1 1/2 miles from the
13 school attended, as provided in Sections 10-22.20a and
14 10-22.22, shall be reimbursed by the State for 4/5 of the cost
15 of transporting eligible pupils.

16 School day means that period of time during which the
17 pupil is required to be in attendance for instructional
18 purposes.

19 If a pupil is at a location within the school district
20 other than his residence for child care purposes at the time
21 for transportation to school, that location may be considered
22 for purposes of determining the 1 1/2 miles from the school
23 attended.

24 Claims for reimbursement that include children who attend
25 any school other than a public school shall show the number of
26 such children transported.

1 Claims for reimbursement under this Section shall not be
2 paid for the transportation of pupils for whom transportation
3 costs are claimed for payment under other Sections of this
4 Act.

5 The allowable direct cost of transporting pupils for
6 regular, vocational, and special education pupil
7 transportation shall be limited to the sum of the cost of
8 physical examinations required for employment as a school bus
9 driver; the salaries of full-time or part-time drivers and
10 school bus maintenance personnel; employee benefits excluding
11 Illinois municipal retirement payments, social security
12 payments, unemployment insurance payments and workers'
13 compensation insurance premiums; expenditures to independent
14 carriers who operate school buses; payments to other school
15 districts for pupil transportation services; pre-approved
16 contractual expenditures for computerized bus scheduling;
17 expenditures for housing assistance and homeless prevention
18 under Sections 1-17 and 1-18 of the Education for Homeless
19 Children Act that are not in excess of the school district's
20 actual costs for providing transportation services and are not
21 otherwise claimed in another State or federal grant that
22 permits those costs to a parent, a legal guardian, any other
23 person who enrolled a pupil, or a homeless assistance agency
24 that is part of the federal McKinney-Vento Homeless Assistance
25 Act's continuum of care for the area in which the district is
26 located; the cost of gasoline, oil, tires, and other supplies

1 necessary for the operation of school buses; the cost of
2 converting buses' gasoline engines to more fuel efficient
3 engines or to engines which use alternative energy sources;
4 the cost of travel to meetings and workshops conducted by the
5 regional superintendent or the State Superintendent of
6 Education pursuant to the standards established by the
7 Secretary of State under Section 6-106 of the Illinois Vehicle
8 Code to improve the driving skills of school bus drivers; the
9 cost of maintenance of school buses including parts and
10 materials used; expenditures for leasing transportation
11 vehicles, except interest and service charges; the cost of
12 insurance and licenses for transportation vehicles;
13 expenditures for the rental of transportation equipment; plus
14 a depreciation allowance of 20% for 5 years for school buses
15 and vehicles approved for transporting pupils to and from
16 school and a depreciation allowance of 10% for 10 years for
17 other transportation equipment so used. Each school year, if a
18 school district has made expenditures to the Regional
19 Transportation Authority or any of its service boards, a mass
20 transit district, or an urban transportation district under an
21 intergovernmental agreement with the district to provide for
22 the transportation of pupils and if the public transit carrier
23 received direct payment for services or passes from a school
24 district within its service area during the 2000-2001 school
25 year, then the allowable direct cost of transporting pupils
26 for regular, vocational, and special education pupil

1 transportation shall also include the expenditures that the
2 district has made to the public transit carrier. In addition
3 to the above allowable costs school districts shall also claim
4 all transportation supervisory salary costs, including
5 Illinois municipal retirement payments, and all transportation
6 related building and building maintenance costs without
7 limitation.

8 Special education allowable costs shall also include
9 expenditures for the salaries of attendants or aides for that
10 portion of the time they assist special education pupils while
11 in transit and expenditures for parents and public carriers
12 for transporting special education pupils when pre-approved by
13 the State Superintendent of Education.

14 Indirect costs shall be included in the reimbursement
15 claim for districts which own and operate their own school
16 buses. Such indirect costs shall include administrative costs,
17 or any costs attributable to transporting pupils from their
18 attendance centers to another school building for
19 instructional purposes. No school district which owns and
20 operates its own school buses may claim reimbursement for
21 indirect costs which exceed 5% of the total allowable direct
22 costs for pupil transportation.

23 The State Board of Education shall prescribe uniform
24 regulations for determining the above standards and shall
25 prescribe forms of cost accounting and standards of
26 determining reasonable depreciation. Such depreciation shall

1 include the cost of equipping school buses with the safety
2 features required by law or by the rules, regulations and
3 standards promulgated by the State Board of Education, and the
4 Department of Transportation for the safety and construction
5 of school buses provided, however, any equipment cost
6 reimbursed by the Department of Transportation for equipping
7 school buses with such safety equipment shall be deducted from
8 the allowable cost in the computation of reimbursement under
9 this Section in the same percentage as the cost of the
10 equipment is depreciated.

11 On or before August 15, annually, the chief school
12 administrator for the district shall certify to the State
13 Superintendent of Education the district's claim for
14 reimbursement for the school year ending on June 30 next
15 preceding. The State Superintendent of Education shall check
16 and approve the claims and prepare the vouchers showing the
17 amounts due for district reimbursement claims. Each fiscal
18 year, the State Superintendent of Education shall prepare and
19 transmit the first 3 vouchers to the Comptroller on the 30th
20 day of September, December and March, respectively, and the
21 final voucher, no later than June 20.

22 If the amount appropriated for transportation
23 reimbursement is insufficient to fund total claims for any
24 fiscal year, the State Board of Education shall reduce each
25 school district's allowable costs and flat grant amount
26 proportionately to make total adjusted claims equal the total

1 amount appropriated.

2 For purposes of calculating claims for reimbursement under
3 this Section for any school year beginning July 1, 2016, the
4 equalized assessed valuation for a school district or partial
5 elementary unit district formed pursuant to Article 11E used
6 to compute reimbursement shall be the real equalized assessed
7 valuation as computed under paragraph (3) of subsection (d) of
8 Section 18-8.15. ~~For purposes of calculating claims for~~
9 ~~reimbursement under this Section for any school year beginning~~
10 ~~July 1, 1998, or thereafter, the equalized assessed valuation~~
11 ~~for a school district used to compute reimbursement shall be~~
12 ~~computed in the same manner as it is computed under paragraph~~
13 ~~(2) of subsection (C) of Section 18-8.05.~~

14 All reimbursements received from the State shall be
15 deposited into the district's transportation fund or into the
16 fund from which the allowable expenditures were made.

17 Notwithstanding any other provision of law, any school
18 district receiving a payment under this Section or under
19 Section 14-7.02, 14-7.02b, or 14-13.01 of this Code may
20 classify all or a portion of the funds that it receives in a
21 particular fiscal year or from ~~general~~ State aid pursuant to
22 Section 18-8.15 ~~18-8.05~~ of this Code as funds received in
23 connection with any funding program for which it is entitled
24 to receive funds from the State in that fiscal year
25 (including, without limitation, any funding program referenced
26 in this Section), regardless of the source or timing of the

1 receipt. The district may not classify more funds as funds
2 received in connection with the funding program than the
3 district is entitled to receive in that fiscal year for that
4 program. Any classification by a district must be made by a
5 resolution of its board of education. The resolution must
6 identify the amount of any payments or general State aid to be
7 classified under this paragraph and must specify the funding
8 program to which the funds are to be treated as received in
9 connection therewith. This resolution is controlling as to the
10 classification of funds referenced therein. A certified copy
11 of the resolution must be sent to the State Superintendent of
12 Education. The resolution shall still take effect even though
13 a copy of the resolution has not been sent to the State
14 Superintendent of Education in a timely manner. No
15 classification under this paragraph by a district shall affect
16 the total amount or timing of money the district is entitled to
17 receive under this Code. No classification under this
18 paragraph by a district shall in any way relieve the district
19 from or affect any requirements that otherwise would apply
20 with respect to that funding program, including any accounting
21 of funds by source, reporting expenditures by original source
22 and purpose, reporting requirements, or requirements of
23 providing services.

24 Any school district with a population of not more than
25 500,000 must deposit all funds received under this Article
26 into the transportation fund and use those funds for the

1 provision of transportation services.

2 (Source: P.A. 100-332, eff. 8-25-17; 100-465, eff. 8-31-17;
3 100-863, eff. 8-14-18.)

4 (105 ILCS 5/34-18.43)

5 Sec. 34-18.43. Establishing an equitable and effective
6 school facility development process.

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

8 (1) The Illinois Constitution recognizes that a
9 "fundamental goal of the People of the State is the
10 educational development of all persons to the limits of
11 their capacities".

12 (2) Quality educational facilities are essential for
13 fostering the maximum educational development of all
14 persons through their educational experience from
15 pre-kindergarten through high school.

16 (3) The public school is a major institution in our
17 communities. Public schools offer resources and
18 opportunities for the children of this State who seek and
19 deserve quality education, but also benefit the entire
20 community that seeks improvement through access to
21 education.

22 (4) The equitable and efficient use of available
23 facilities-related resources among different schools and
24 among racial, ethnic, income, and disability groups is
25 essential to maximize the development of quality public

1 educational facilities for all children, youth, and
2 adults. The factors that impact the equitable and
3 efficient use of facility-related resources vary according
4 to the needs of each school community. Therefore,
5 decisions that impact school facilities should include the
6 input of the school community to the greatest extent
7 possible.

8 (5) School openings, school closings, school
9 consolidations, school turnarounds, school phase-outs,
10 school construction, school repairs, school
11 modernizations, school boundary changes, and other related
12 school facility decisions often have a profound impact on
13 education in a community. In order to minimize the
14 negative impact of school facility decisions on the
15 community, these decisions should be implemented according
16 to a clear system-wide criteria and with the significant
17 involvement of local school councils, parents, educators,
18 and the community in decision-making.

19 (6) The General Assembly has previously stated that it
20 intended to make the individual school in the City of
21 Chicago the essential unit for educational governance and
22 improvement and to place the primary responsibility for
23 school governance and improvement in the hands of parents,
24 teachers, and community residents at each school. A school
25 facility policy must be consistent with these principles.

26 (b) In order to ensure that school facility-related

1 decisions are made with the input of the community and reflect
2 educationally sound and fiscally responsible criteria, a
3 Chicago Educational Facilities Task Force shall be established
4 within 15 days after the effective date of this amendatory Act
5 of the 96th General Assembly.

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

8 (1) Two members of the House of Representatives
9 appointed by the Speaker of the House, at least one of whom
10 shall be a member of the Elementary & Secondary Education
11 Committee.

12 (2) Two members of the House of Representatives
13 appointed by the Minority Leader of the House, at least
14 one of whom shall be a member of the Elementary & Secondary
15 Education Committee.

16 (3) Two members of the Senate appointed by the
17 President of the Senate, at least one of whom shall be a
18 member of the Education Committee.

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

22 (5) Two representatives of school community
23 organizations with past involvement in school facility
24 issues appointed by the Speaker of the House.

25 (6) Two representatives of school community
26 organizations with past involvement in school facility

1 issues appointed by the President of the Senate.

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

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

6 (9) The president of the association representing
7 principals in the schools of the district or his or her
8 designee.

9 (d) The Speaker of the House shall appoint one of the
10 appointed House members as a co-chairperson of the Chicago
11 Educational Facilities Task Force. The President of the Senate
12 shall appoint one of the appointed Senate members as a
13 co-chairperson of the Chicago Educational Facilities Task
14 Force. Members appointed by the legislative leaders shall be
15 appointed for the duration of the Chicago Educational
16 Facilities Task Force; in the event of a vacancy, the
17 appointment to fill the vacancy shall be made by the
18 legislative leader of the same chamber and party as the leader
19 who made the original appointment.

20 (e) The Chicago Educational Facilities Task Force shall
21 call on independent experts, as needed, to gather and analyze
22 pertinent information on a pro bono basis, provided that these
23 experts have no previous or on-going financial interest in
24 school facility issues related to the school district. The
25 Chicago Educational Facilities Task Force shall secure pro
26 bono expert assistance within 15 days after the establishment

1 of the Chicago Educational Facilities Task Force.

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

5 (g) The Chicago Educational Facilities Task Force, with
6 the help of the independent experts, shall analyze past
7 Chicago experiences and data with respect to school openings,
8 school closings, school consolidations, school turnarounds,
9 school phase-outs, school construction, school repairs, school
10 modernizations, school boundary changes, and other related
11 school facility decisions on students. The Chicago Educational
12 Facilities Task Force shall consult widely with stakeholders,
13 including public officials, about these facility issues and
14 their related costs and shall examine relevant best practices
15 from other school systems for dealing with these issues
16 systematically and equitably. These initial investigations
17 shall include opportunities for input from local stakeholders
18 through hearings, focus groups, and interviews.

19 (h) The Chicago Educational Facilities Task Force shall
20 prepare recommendations describing how the issues set forth in
21 subsection (g) of this Section can be addressed effectively
22 based upon educationally sound and fiscally responsible
23 practices.

24 (i) The Chicago Educational Facilities Task Force shall
25 hold hearings in separate areas of the school district at
26 times that shall maximize school community participation to

1 obtain comments on draft recommendations. The final hearing
2 shall take place no later than 15 days prior to the completion
3 of the final recommendations.

4 (j) The Chicago Educational Facilities Task Force shall
5 prepare final proposed policy and legislative recommendations
6 for the General Assembly, the Governor, and the school
7 district. The recommendations may address issues, standards,
8 and procedures set forth in this Section. The final
9 recommendations shall be made available to the public through
10 posting on the school district's Internet website and other
11 forms of publication and distribution in the school district
12 at least 7 days before the recommendations are submitted to
13 the General Assembly, the Governor, and the school district.

14 (k) The recommendations may address issues of system-wide
15 criteria for ensuring clear priorities, equity, and
16 efficiency.

17 Without limitation, the final recommendations may propose
18 significant decision-making roles for key stakeholders,
19 including the individual school and community; recommend clear
20 criteria or processes for establishing criteria for making
21 school facility decisions; and include clear criteria for
22 setting priorities with respect to school openings, school
23 closings, school consolidations, school turnarounds, school
24 phase-outs, school construction, school repairs, school
25 modernizations, school boundary changes, and other related
26 school facility decisions, including the encouragement of

1 multiple community uses for school space.

2 Without limitation, the recommendations may propose
3 criteria for student mobility; the transferring of students to
4 lower performing schools; teacher mobility; insufficient
5 notice to and the lack of inclusion in decision-making of
6 local school councils, parents, and community members about
7 school facility decisions; and costly facilities-related
8 expenditures due to poor educational and facilities planning.

9 (l) The State Board of Education and the school district
10 shall provide administrative support to the Chicago
11 Educational Facilities Task Force.

12 (m) After recommendations have been issued, the Chicago
13 Educational Facilities Task Force shall meet ~~at least once~~
14 ~~annually,~~ upon the call of the chairs, for the purpose of
15 reviewing Chicago public schools' compliance with the
16 provisions of Sections 34-200 through 34-235 of this Code
17 concerning school action and facility master planning. The
18 Task Force shall prepare a report to the General Assembly, the
19 Governor's Office, the Mayor of the City of Chicago, and the
20 Chicago Board of Education indicating how the district has met
21 the requirements of the provisions of Sections 34-200 through
22 34-235 of this Code concerning school action and facility
23 master planning.

24 (Source: P.A. 96-803, eff. 10-30-09; 97-333, eff. 8-12-11;
25 97-473, eff. 1-1-12; 97-474, eff. 8-22-11.)

1 (105 ILCS 5/2-3.11 rep.)

2 Section 15. The School Code is amended by repealing

3 Section 2-3.11.