



## 103RD GENERAL ASSEMBLY

### State of Illinois

### 2023 and 2024

#### HB4272

Introduced 1/16/2024, by Rep. Sonya M. Harper

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/34-2.4b  
105 ILCS 5/34-8.3

from Ch. 122, par. 34-2.4b  
from Ch. 122, par. 34-8.3

Amends the Chicago School District Article of the School Code. Provides that a limitation upon the applicability of certain provisions in the Code concerning local school councils does not apply to specified schools. In provisions concerning the remediation and probation of attendance centers, deletes provisions regarding the actions that may be taken by the general superintendent if a school is placed on probation and fails to make adequate progress in correcting deficiencies. Effective immediately.

LRB103 35855 RJT 65940 b

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 34-2.4b and 34-8.3 as follows:

6 (105 ILCS 5/34-2.4b) (from Ch. 122, par. 34-2.4b)

7 Sec. 34-2.4b. Limitation upon applicability.

8 (a) Beginning with the first local school council election  
9 that occurs after the effective date of this amendatory Act of  
10 the 102nd General Assembly, the provisions of Sections 34-2.1,  
11 34-2.2, 34-2.3, 34-2.3a, 34-2.4 and 34-8.3 and those  
12 provisions of paragraph 1 of Section 34-18 and paragraph (c)  
13 of Section 34A-201a relating to the allocation or application  
14 -- by formula or otherwise -- of lump sum amounts and other  
15 funds to attendance centers shall not apply to the Cook County  
16 Juvenile Detention Center and Cook County Jail schools, nor to  
17 the district's alternative schools for pregnant girls, nor to  
18 alternative schools established under Article 13A, nor to a  
19 contract school, nor to the Michael R. Durso School, the  
20 Jackson Adult Center, the Hillard Adult Center, the  
21 Alternative Transitional School, or any other attendance  
22 center designated by the Board as an alternative school, nor  
23 to any school established as a teacher training academy other

1 than the schools listed in subsection (b), nor to any school  
2 with a specialty 2-year programming model, nor to any school  
3 established as a one-year school or program, nor to any school  
4 with a specialty student focus or transient student  
5 population, provided that the designation is not applied to an  
6 attendance center that has in place a legally constituted  
7 local school council, except for contract turnaround schools.  
8 The board of education shall have and exercise with respect to  
9 those schools and with respect to the conduct, operation,  
10 affairs and budgets of those schools, and with respect to the  
11 principals, teachers and other school staff there employed,  
12 the same powers which are exercisable by local school councils  
13 with respect to the other attendance centers, principals,  
14 teachers and school staff within the district, together with  
15 all powers and duties generally exercisable by the board of  
16 education with respect to all attendance centers within the  
17 district. The board of education shall develop appropriate  
18 alternative methods for involving parents, community members  
19 and school staff to the maximum extent possible in all of the  
20 activities of those schools, and may delegate to the parents,  
21 community members and school staff so involved the same powers  
22 which are exercisable by local school councils with respect to  
23 other attendance centers.

24 (b) The following schools are not exempted from the  
25 provisions of Sections 34-2.1, 34-2.2, 34-2.3, 34-2.3a,  
26 34-2.4, and 34-8.3 those provisions of paragraph (1) of

1 Section 34-18 and paragraph (c) of Section 34A-201a relating  
2 to the allocation or application of lump sum amounts to  
3 attendance centers under subsection (a):

4 (1) Ariel Community Academy.

5 (2) Chicago Academy Elementary School.

6 (3) Chicago Academy High School.

7 (4) Collins Academy High School.

8 (5) Lindblom Math and Science Academy.

9 (6) National Teachers Academy.

10 (7) Eric Solorio Academy High School.

11 (8) Tarkington School of Excellence.

12 (Source: P.A. 102-677, eff. 12-3-21.)

13 (105 ILCS 5/34-8.3) (from Ch. 122, par. 34-8.3)

14 Sec. 34-8.3. Remediation and probation of attendance  
15 centers.

16 (a) The general superintendent shall monitor the  
17 performance of the attendance centers within the district and  
18 shall identify attendance centers, pursuant to criteria that  
19 the board shall establish, in which:

20 (1) there is a failure to develop, implement, or  
21 comply with a school improvement plan;

22 (2) there is a pervasive breakdown in the educational  
23 program as indicated by factors, including, but not  
24 limited to, the absence of improvement in student reading  
25 and math achievement scores, an increased drop-out rate, a

1 decreased graduation rate, and a decrease in rate of  
2 student attendance;

3 (3) (blank); or

4 (4) there is a failure or refusal to comply with the  
5 provisions of this Act, other applicable laws, collective  
6 bargaining agreements, court orders, or with Board rules  
7 which the Board is authorized to promulgate.

8 (b) If the general superintendent identifies a  
9 nonperforming school as described herein, he or she shall  
10 place the attendance center on remediation by developing a  
11 remediation plan for the center. The purpose of the  
12 remediation plan shall be to correct the deficiencies in the  
13 performance of the attendance center by one or more of the  
14 following methods:

15 (1) drafting a new school improvement plan;

16 (2) applying to the board for additional funding for  
17 training for the local school council;

18 (3) directing implementation of a school improvement  
19 plan;

20 (4) mediating disputes or other obstacles to reform or  
21 improvement at the attendance center.

22 Nothing in this Section removes any authority of the local  
23 school council, which shall retain the right to reject or  
24 modify any school improvement plan or implementation thereof,  
25 as long as the rejection or modification of any school  
26 improvement plan or implementation thereof is consistent with

1 State and federal requirements.

2 If, however, the general superintendent determines that  
3 the problems are not able to be remediated by these methods,  
4 the general superintendent shall place the attendance center  
5 on probation. The board shall establish guidelines that  
6 determine the factors for placing an attendance center on  
7 probation.

8 (c) Each school placed on probation shall have a school  
9 improvement plan and school budget for correcting deficiencies  
10 identified by the board. The plan shall include specific steps  
11 that the local school council and school staff must take to  
12 correct identified deficiencies and specific objective  
13 criteria by which the school's subsequent progress will be  
14 determined. The school budget shall include specific  
15 expenditures directly calculated to correct educational and  
16 operational deficiencies identified at the school by the  
17 probation team.

18 (d) (Blank). ~~Schools placed on probation that, after a~~  
19 ~~maximum of one year, fail to make adequate progress in~~  
20 ~~correcting deficiencies are subject to the following actions~~  
21 ~~by the general superintendent with the approval of the board,~~  
22 ~~after opportunity for a hearing:~~

23 ~~(1) Ordering new local school council elections.~~

24 ~~(2) Removing and replacing the principal.~~

25 ~~(3) Replacement of faculty members, subject to the~~  
26 ~~provisions of Section 24A-5.~~

1           ~~(4) Reconstitution of the attendance center and~~  
2           ~~replacement and reassignment by the general superintendent~~  
3           ~~of all employees of the attendance center.~~

4           ~~(5) Intervention under Section 34-8.4.~~

5           ~~(5.5) Operating an attendance center as a contract~~  
6           ~~turnaround school.~~

7           ~~(6) Closing of the school.~~

8           (e) Schools placed on probation shall remain on probation  
9           from year to year until deficiencies are corrected, even if  
10           such schools make acceptable annual progress. The board shall  
11           establish, in writing, criteria for determining whether or not  
12           a school shall remain on probation. If academic achievement  
13           tests are used as the factor for placing a school on probation,  
14           the general superintendent shall consider objective criteria,  
15           not just an increase in test scores, in deciding whether or not  
16           a school shall remain on probation. These criteria shall  
17           include attendance, test scores, student mobility rates,  
18           poverty rates, bilingual education eligibility, special  
19           education, and English language proficiency programs, with  
20           progress made in these areas being taken into consideration in  
21           deciding whether or not a school shall remain on probation.  
22           Such criteria shall be delivered to each local school council  
23           on or before October 31 of each year.

24           (e-5) Notwithstanding any other provision of this Section  
25           to the contrary, a school that has been on probation for 5  
26           years or more shall have the following powers restored to its

1 local school council:

2 (1) to grant approval of the school improvement plan;

3 and

4 (2) to approve the school budget.

5 With respect to the employment, dismissal, and evaluation  
6 of a school principal, the local school council of a school  
7 that has been on probation for 5 years or more shall conduct a  
8 non-binding poll that must be considered by the network chief.  
9 The network chief shall work collaboratively with the local  
10 school council throughout the process of employment,  
11 dismissal, and evaluation of a school principal.

12 (f) Where the board has reason to believe that violations  
13 of civil rights, or of civil or criminal law have occurred, or  
14 when the general superintendent deems that the school is in  
15 educational crisis it may take immediate corrective action,  
16 including the actions specified in this Section, without first  
17 placing the school on remediation or probation. Nothing  
18 described herein shall limit the authority of the board as  
19 provided by any law of this State. The board shall develop  
20 criteria governing the determination regarding when a school  
21 is in educational crisis. Such criteria shall be delivered to  
22 each local school council on or before October 31 of each year.

23 (g) All persons serving as subdistrict superintendent on  
24 May 1, 1995 shall be deemed by operation of law to be serving  
25 under a performance contract which expires on June 30, 1995,  
26 and the employment of each such person as subdistrict



1 superintendent shall terminate on June 30, 1995. The board  
2 shall have no obligation to compensate any such person as a  
3 subdistrict superintendent after June 30, 1995.

4 (h) The general superintendent shall, in consultation with  
5 local school councils, conduct an annual evaluation of each  
6 principal in the district pursuant to guidelines promulgated  
7 by the Board of Education.

8 (Source: P.A. 102-677, eff. 12-3-21.)

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