



Sen. John J. Cullerton

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1 AMENDMENT TO SENATE BILL 2288

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2288 as follows:

3 by deleting page 72; and

4 on page 73, by deleting line 1; and

5 on page 109, immediately below line 13, by inserting the  
6 following:

7 "Section 50. The State Finance Act is amended by adding  
8 Sections 5.730, 5.731, and 5.732 as follows:

9 (30 ILCS 105/5.730 new)

10 Sec. 5.730. The Education Financial Award System Fund.

11 (30 ILCS 105/5.731 new)

12 Sec. 5.731. The Digital Learning Technology Grant Fund.

1 (30 ILCS 105/5.732 new)

2 Sec. 5.732. The STEM Education Center Grant Fund.

3 Section 55. The Illinois Pension Code is amended by  
4 changing Section 16-158 as follows:

5 (40 ILCS 5/16-158) (from Ch. 108 1/2, par. 16-158)

6 Sec. 16-158. Contributions by State and other employing  
7 units.

8 (a) The State shall make contributions to the System by  
9 means of appropriations from the Common School Fund and other  
10 State funds of amounts which, together with other employer  
11 contributions, employee contributions, investment income, and  
12 other income, will be sufficient to meet the cost of  
13 maintaining and administering the System on a 90% funded basis  
14 in accordance with actuarial recommendations.

15 The Board shall determine the amount of State contributions  
16 required for each fiscal year on the basis of the actuarial  
17 tables and other assumptions adopted by the Board and the  
18 recommendations of the actuary, using the formula in subsection  
19 (b-3).

20 (a-1) Annually, on or before November 15, the Board shall  
21 certify to the Governor the amount of the required State  
22 contribution for the coming fiscal year. The certification  
23 shall include a copy of the actuarial recommendations upon

1 which it is based.

2 On or before May 1, 2004, the Board shall recalculate and  
3 recertify to the Governor the amount of the required State  
4 contribution to the System for State fiscal year 2005, taking  
5 into account the amounts appropriated to and received by the  
6 System under subsection (d) of Section 7.2 of the General  
7 Obligation Bond Act.

8 On or before July 1, 2005, the Board shall recalculate and  
9 recertify to the Governor the amount of the required State  
10 contribution to the System for State fiscal year 2006, taking  
11 into account the changes in required State contributions made  
12 by this amendatory Act of the 94th General Assembly.

13 (b) Through State fiscal year 1995, the State contributions  
14 shall be paid to the System in accordance with Section 18-7 of  
15 the School Code.

16 (b-1) Beginning in State fiscal year 1996, on the 15th day  
17 of each month, or as soon thereafter as may be practicable, the  
18 Board shall submit vouchers for payment of State contributions  
19 to the System, in a total monthly amount of one-twelfth of the  
20 required annual State contribution certified under subsection  
21 (a-1). From the effective date of this amendatory Act of the  
22 93rd General Assembly through June 30, 2004, the Board shall  
23 not submit vouchers for the remainder of fiscal year 2004 in  
24 excess of the fiscal year 2004 certified contribution amount  
25 determined under this Section after taking into consideration  
26 the transfer to the System under subsection (a) of Section

1 6z-61 of the State Finance Act. These vouchers shall be paid by  
2 the State Comptroller and Treasurer by warrants drawn on the  
3 funds appropriated to the System for that fiscal year.

4 If in any month the amount remaining unexpended from all  
5 other appropriations to the System for the applicable fiscal  
6 year (including the appropriations to the System under Section  
7 8.12 of the State Finance Act and Section 1 of the State  
8 Pension Funds Continuing Appropriation Act) is less than the  
9 amount lawfully vouchered under this subsection, the  
10 difference shall be paid from the Common School Fund under the  
11 continuing appropriation authority provided in Section 1.1 of  
12 the State Pension Funds Continuing Appropriation Act.

13 (b-2) Allocations from the Common School Fund apportioned  
14 to school districts not coming under this System shall not be  
15 diminished or affected by the provisions of this Article.

16 (b-3) For State fiscal years 2011 through 2045, the minimum  
17 contribution to the System to be made by the State for each  
18 fiscal year shall be an amount determined by the System to be  
19 sufficient to bring the total assets of the System up to 90% of  
20 the total actuarial liabilities of the System by the end of  
21 State fiscal year 2045. In making these determinations, the  
22 required State contribution shall be calculated each year as a  
23 level percentage of payroll over the years remaining to and  
24 including fiscal year 2045 and shall be determined under the  
25 projected unit credit actuarial cost method.

26 For State fiscal years 1996 through 2005, the State

1 contribution to the System, as a percentage of the applicable  
2 employee payroll, shall be increased in equal annual increments  
3 so that by State fiscal year 2011, the State is contributing at  
4 the rate required under this Section; except that in the  
5 following specified State fiscal years, the State contribution  
6 to the System shall not be less than the following indicated  
7 percentages of the applicable employee payroll, even if the  
8 indicated percentage will produce a State contribution in  
9 excess of the amount otherwise required under this subsection  
10 and subsection (a), and notwithstanding any contrary  
11 certification made under subsection (a-1) before the effective  
12 date of this amendatory Act of 1998: 10.02% in FY 1999; 10.77%  
13 in FY 2000; 11.47% in FY 2001; 12.16% in FY 2002; 12.86% in FY  
14 2003; and 13.56% in FY 2004.

15 Notwithstanding any other provision of this Article, the  
16 total required State contribution for State fiscal year 2006 is  
17 \$534,627,700.

18 Notwithstanding any other provision of this Article, the  
19 total required State contribution for State fiscal year 2007 is  
20 \$738,014,500.

21 For each of State fiscal years 2008 through 2010, the State  
22 contribution to the System, as a percentage of the applicable  
23 employee payroll, shall be increased in equal annual increments  
24 from the required State contribution for State fiscal year  
25 2007, so that by State fiscal year 2011, the State is  
26 contributing at the rate otherwise required under this Section.

1           Beginning in State fiscal year 2046, the minimum State  
2 contribution for each fiscal year shall be the amount needed to  
3 maintain the total assets of the System at 90% of the total  
4 actuarial liabilities of the System.

5           Amounts received by the System pursuant to Section 25 of  
6 the Budget Stabilization Act in any fiscal year do not reduce  
7 and do not constitute payment of any portion of the minimum  
8 State contribution required under this Article in that fiscal  
9 year. Such amounts shall not reduce, and shall not be included  
10 in the calculation of, the required State contributions under  
11 this Article in any future year until the System has reached a  
12 funding ratio of at least 90%. A reference in this Article to  
13 the "required State contribution" or any substantially similar  
14 term does not include or apply to any amounts payable to the  
15 System under Section 25 of the Budget Stabilization Act.

16           Notwithstanding any other provision of this Section, the  
17 required State contribution for State fiscal year 2005 and for  
18 fiscal year 2008 and each fiscal year thereafter, as calculated  
19 under this Section and certified under subsection (a-1), shall  
20 not exceed an amount equal to (i) the amount of the required  
21 State contribution that would have been calculated under this  
22 Section for that fiscal year if the System had not received any  
23 payments under subsection (d) of Section 7.2 of the General  
24 Obligation Bond Act, minus (ii) the portion of the State's  
25 total debt service payments for that fiscal year on the bonds  
26 issued for the purposes of that Section 7.2, as determined and

1 certified by the Comptroller, that is the same as the System's  
2 portion of the total moneys distributed under subsection (d) of  
3 Section 7.2 of the General Obligation Bond Act. In determining  
4 this maximum for State fiscal years 2008 through 2010, however,  
5 the amount referred to in item (i) shall be increased, as a  
6 percentage of the applicable employee payroll, in equal  
7 increments calculated from the sum of the required State  
8 contribution for State fiscal year 2007 plus the applicable  
9 portion of the State's total debt service payments for fiscal  
10 year 2007 on the bonds issued for the purposes of Section 7.2  
11 of the General Obligation Bond Act, so that, by State fiscal  
12 year 2011, the State is contributing at the rate otherwise  
13 required under this Section.

14 (c) Payment of the required State contributions and of all  
15 pensions, retirement annuities, death benefits, refunds, and  
16 other benefits granted under or assumed by this System, and all  
17 expenses in connection with the administration and operation  
18 thereof, are obligations of the State.

19 If members are paid from special trust or federal funds  
20 which are administered by the employing unit, whether school  
21 district or other unit, the employing unit shall pay to the  
22 System from such funds the full accruing retirement costs based  
23 upon that service, as determined by the System. Employer  
24 contributions, based on salary paid to members from federal  
25 funds, may be forwarded by the distributing agency of the State  
26 of Illinois to the System prior to allocation, in an amount

1 determined in accordance with guidelines established by such  
2 agency and the System.

3 (d) Effective July 1, 1986, any employer of a teacher as  
4 defined in paragraph (8) of Section 16-106 shall pay the  
5 employer's normal cost of benefits based upon the teacher's  
6 service, in addition to employee contributions, as determined  
7 by the System. Such employer contributions shall be forwarded  
8 monthly in accordance with guidelines established by the  
9 System.

10 However, with respect to benefits granted under Section  
11 16-133.4 or 16-133.5 to a teacher as defined in paragraph (8)  
12 of Section 16-106, the employer's contribution shall be 12%  
13 (rather than 20%) of the member's highest annual salary rate  
14 for each year of creditable service granted, and the employer  
15 shall also pay the required employee contribution on behalf of  
16 the teacher. For the purposes of Sections 16-133.4 and  
17 16-133.5, a teacher as defined in paragraph (8) of Section  
18 16-106 who is serving in that capacity while on leave of  
19 absence from another employer under this Article shall not be  
20 considered an employee of the employer from which the teacher  
21 is on leave.

22 (e) Beginning July 1, 1998, every employer of a teacher  
23 shall pay to the System an employer contribution computed as  
24 follows:

25 (1) Beginning July 1, 1998 through June 30, 1999, the  
26 employer contribution shall be equal to 0.3% of each



1 teacher's salary.

2 (2) Beginning July 1, 1999 and thereafter, the employer  
3 contribution shall be equal to 0.58% of each teacher's  
4 salary.

5 The school district or other employing unit may pay these  
6 employer contributions out of any source of funding available  
7 for that purpose and shall forward the contributions to the  
8 System on the schedule established for the payment of member  
9 contributions.

10 These employer contributions are intended to offset a  
11 portion of the cost to the System of the increases in  
12 retirement benefits resulting from this amendatory Act of 1998.

13 Each employer of teachers is entitled to a credit against  
14 the contributions required under this subsection (e) with  
15 respect to salaries paid to teachers for the period January 1,  
16 2002 through June 30, 2003, equal to the amount paid by that  
17 employer under subsection (a-5) of Section 6.6 of the State  
18 Employees Group Insurance Act of 1971 with respect to salaries  
19 paid to teachers for that period.

20 The additional 1% employee contribution required under  
21 Section 16-152 by this amendatory Act of 1998 is the  
22 responsibility of the teacher and not the teacher's employer,  
23 unless the employer agrees, through collective bargaining or  
24 otherwise, to make the contribution on behalf of the teacher.

25 If an employer is required by a contract in effect on May  
26 1, 1998 between the employer and an employee organization to

1 pay, on behalf of all its full-time employees covered by this  
2 Article, all mandatory employee contributions required under  
3 this Article, then the employer shall be excused from paying  
4 the employer contribution required under this subsection (e)  
5 for the balance of the term of that contract. The employer and  
6 the employee organization shall jointly certify to the System  
7 the existence of the contractual requirement, in such form as  
8 the System may prescribe. This exclusion shall cease upon the  
9 termination, extension, or renewal of the contract at any time  
10 after May 1, 1998.

11 (f) If the amount of a teacher's salary for any school year  
12 used to determine final average salary exceeds the member's  
13 annual full-time salary rate with the same employer for the  
14 previous school year by more than 6%, the teacher's employer  
15 shall pay to the System, in addition to all other payments  
16 required under this Section and in accordance with guidelines  
17 established by the System, the present value of the increase in  
18 benefits resulting from the portion of the increase in salary  
19 that is in excess of 6%. This present value shall be computed  
20 by the System on the basis of the actuarial assumptions and  
21 tables used in the most recent actuarial valuation of the  
22 System that is available at the time of the computation. If a  
23 teacher's salary for the 2005-2006 school year is used to  
24 determine final average salary under this subsection (f), then  
25 the changes made to this subsection (f) by Public Act 94-1057  
26 shall apply in calculating whether the increase in his or her

1 salary is in excess of 6%. For the purposes of this Section,  
2 change in employment under Section 10-21.12 of the School Code  
3 on or after June 1, 2005 shall constitute a change in employer.  
4 The System may require the employer to provide any pertinent  
5 information or documentation. The changes made to this  
6 subsection (f) by this amendatory Act of the 94th General  
7 Assembly apply without regard to whether the teacher was in  
8 service on or after its effective date.

9 Whenever it determines that a payment is or may be required  
10 under this subsection, the System shall calculate the amount of  
11 the payment and bill the employer for that amount. The bill  
12 shall specify the calculations used to determine the amount  
13 due. If the employer disputes the amount of the bill, it may,  
14 within 30 days after receipt of the bill, apply to the System  
15 in writing for a recalculation. The application must specify in  
16 detail the grounds of the dispute and, if the employer asserts  
17 that the calculation is subject to subsection (g) or (h) of  
18 this Section, must include an affidavit setting forth and  
19 attesting to all facts within the employer's knowledge that are  
20 pertinent to the applicability of that subsection. Upon  
21 receiving a timely application for recalculation, the System  
22 shall review the application and, if appropriate, recalculate  
23 the amount due.

24 The employer contributions required under this subsection  
25 (f) may be paid in the form of a lump sum within 90 days after  
26 receipt of the bill. If the employer contributions are not paid

1 within 90 days after receipt of the bill, then interest will be  
2 charged at a rate equal to the System's annual actuarially  
3 assumed rate of return on investment compounded annually from  
4 the 91st day after receipt of the bill. Payments must be  
5 concluded within 3 years after the employer's receipt of the  
6 bill.

7 (g) This subsection (g) applies only to payments made or  
8 salary increases given on or after June 1, 2005 but before July  
9 1, 2011. The changes made by Public Act 94-1057 shall not  
10 require the System to refund any payments received before July  
11 31, 2006 (the effective date of Public Act 94-1057).

12 When assessing payment for any amount due under subsection  
13 (f), the System shall exclude salary increases paid to teachers  
14 under contracts or collective bargaining agreements entered  
15 into, amended, or renewed before June 1, 2005.

16 When assessing payment for any amount due under subsection  
17 (f), the System shall exclude salary increases paid to a  
18 teacher at a time when the teacher is 10 or more years from  
19 retirement eligibility under Section 16-132 or 16-133.2.

20 When assessing payment for any amount due under subsection  
21 (f), the System shall exclude salary increases resulting from  
22 overload work, including summer school, when the school  
23 district has certified to the System, and the System has  
24 approved the certification, that (i) the overload work is for  
25 the sole purpose of classroom instruction in excess of the  
26 standard number of classes for a full-time teacher in a school

1 district during a school year and (ii) the salary increases are  
2 equal to or less than the rate of pay for classroom instruction  
3 computed on the teacher's current salary and work schedule.

4 When assessing payment for any amount due under subsection  
5 (f), the System shall exclude a salary increase resulting from  
6 a promotion (i) for which the employee is required to hold a  
7 certificate or supervisory endorsement issued by the State  
8 Teacher Certification Board that is a different certification  
9 or supervisory endorsement than is required for the teacher's  
10 previous position and (ii) to a position that has existed and  
11 been filled by a member for no less than one complete academic  
12 year and the salary increase from the promotion is an increase  
13 that results in an amount no greater than the lesser of the  
14 average salary paid for other similar positions in the district  
15 requiring the same certification or the amount stipulated in  
16 the collective bargaining agreement for a similar position  
17 requiring the same certification.

18 When assessing payment for any amount due under subsection  
19 (f), the System shall exclude any payment to the teacher from  
20 the State of Illinois or the State Board of Education over  
21 which the employer does not have discretion or which is paid to  
22 a mentor teacher or principal from funds provided to the  
23 employer by the State Board of Education for the purpose of  
24 mentoring a new teacher or principal, notwithstanding that the  
25 payment is included in the computation of final average salary.

26 (h) When assessing payment for any amount due under

1 subsection (f), the System shall exclude any salary increase  
2 described in subsection (g) of this Section given on or after  
3 July 1, 2011 but before July 1, 2014 under a contract or  
4 collective bargaining agreement entered into, amended, or  
5 renewed on or after June 1, 2005 but before July 1, 2011.  
6 Notwithstanding any other provision of this Section, any  
7 payments made or salary increases given after June 30, 2014  
8 shall be used in assessing payment for any amount due under  
9 subsection (f) of this Section.

10 (i) The System shall prepare a report and file copies of  
11 the report with the Governor and the General Assembly by  
12 January 1, 2007 that contains all of the following information:

13 (1) The number of recalculations required by the  
14 changes made to this Section by Public Act 94-1057 for each  
15 employer.

16 (2) The dollar amount by which each employer's  
17 contribution to the System was changed due to  
18 recalculations required by Public Act 94-1057.

19 (3) The total amount the System received from each  
20 employer as a result of the changes made to this Section by  
21 Public Act 94-4.

22 (4) The increase in the required State contribution  
23 resulting from the changes made to this Section by Public  
24 Act 94-1057.

25 (Source: P.A. 94-4, eff. 6-1-05; 94-839, eff. 6-6-06; 94-1057,  
26 eff. 7-31-06; 94-1111, eff. 2-27-07; 95-331, eff. 8-21-07.)

1           Section 60. The School Code is amended by changing Sections  
2 1A-8, 2-3.25c, 2-3.25d, 2-3.53a, 3-7, 10-17a, 10-20.20,  
3 10-22.45, 19-3, 21-29, 21A-5, 21A-10, 21A-15, 21A-20, 21A-25,  
4 21A-30, 23-3, 23-6, 24-12, 24A-3, 24A-4, 24A-5, 24A-6, and  
5 24A-8, by adding Sections 2-3.25d-5, 2-3.53b, 2-3.64b,  
6 2-3.148, 2-3.149, 2-3.150, 2-3.151, 2-3.152, 3-6.5, 10-16.10,  
7 10-17b, 10-17c, 10-17d, 10-20.46, 17-2.11c, 21A-3, 23-5.5,  
8 34-18.37, 34-18.38, 34-18.39, 34-18.40, and 34-18.41, and by  
9 renumbering and changing Section 10-20.41 as added by Public  
10 Act 95-707 as follows:

11           (105 ILCS 5/1A-8) (from Ch. 122, par. 1A-8)

12           Sec. 1A-8. Powers of the Board in Assisting Districts  
13 Deemed in Financial Difficulties. To promote the financial  
14 integrity of school districts, the State Board of Education  
15 shall be provided the necessary powers to promote sound  
16 financial management and continue operation of the public  
17 schools.

18           The State Superintendent of Education may require a school  
19 district, including any district subject to Article 34A of this  
20 Code, to share financial information relevant to a proper  
21 investigation of the district's financial condition and the  
22 delivery of appropriate State financial, technical, and  
23 consulting services to the district if the district (i) has  
24 been designated, through the State Board of Education's School

1 District Financial Profile System, as on financial warning or  
2 financial watch status, (ii) has failed to file an annual  
3 financial report, annual budget, deficit reduction plan, or  
4 other financial information as required by law, or (iii) has  
5 been identified, through the district's annual audit or other  
6 financial and management information, as in serious financial  
7 difficulty in the current or next school year. In addition to  
8 financial, technical, and consulting services provided by the  
9 State Board of Education, at the request of a school district,  
10 the State Superintendent may provide for an independent  
11 financial consultant to assist the district review its  
12 financial condition and options.

13 The State Board of Education, after proper investigation of  
14 a district's financial condition, may certify that a district,  
15 including any district subject to Article 34A, is in financial  
16 difficulty when any of the following conditions occur:

17 (1) The district has issued school or teacher orders  
18 for wages as permitted in Sections 8-16, 32-7.2 and 34-76  
19 of this Code;

20 (2) The district has issued tax anticipation warrants  
21 or tax anticipation notes in anticipation of a second  
22 year's taxes when warrants or notes in anticipation of  
23 current year taxes are still outstanding, as authorized by  
24 Sections 17-16, 34-23, 34-59 and 34-63 of this Code, or has  
25 issued short-term debt against 2 future revenue sources,  
26 such as, but not limited to, tax anticipation warrants and



1 general State Aid certificates or tax anticipation  
2 warrants and revenue anticipation notes;

3 (3) The district has for 2 consecutive years shown an  
4 excess of expenditures and other financing uses over  
5 revenues and other financing sources and beginning fund  
6 balances on its annual financial report for the aggregate  
7 totals of the Educational, Operations and Maintenance,  
8 Transportation, and Working Cash Funds;

9 (4) The district refuses to provide financial  
10 information or cooperate with the State Superintendent in  
11 an investigation of the district's financial condition.

12 No school district shall be certified by the State Board of  
13 Education to be in financial difficulty by reason of any of the  
14 above circumstances (i) if arising solely as a result of the  
15 failure of the county to make any distribution of property tax  
16 money due the district at the time such distribution is due;  
17 (ii) if arising solely as a result of the failure of the  
18 Comptroller to disburse reimbursements in accordance with  
19 Sections 14-7.02, 14-7.02b, 14-7.03, 14-13.01, 18-3, 18-11,  
20 18-4.3, and 29-5 for receipt by the school district no later  
21 than June 30th of each year; or (iii) if the district clearly  
22 demonstrates to the satisfaction of the State Board of  
23 Education at the time of its determination that such condition  
24 no longer exists. If the State Board of Education certifies  
25 that a district in a city with 500,000 inhabitants or more is  
26 in financial difficulty, the State Board shall so notify the

1 Governor and the Mayor of the city in which the district is  
2 located. The State Board of Education may require school  
3 districts certified in financial difficulty, except those  
4 districts subject to Article 34A, to develop, adopt and submit  
5 a financial plan within 45 days after certification of  
6 financial difficulty. The financial plan shall be developed  
7 according to guidelines presented to the district by the State  
8 Board of Education within 14 days of certification. Such  
9 guidelines shall address the specific nature of each district's  
10 financial difficulties. Any proposed budget of the district  
11 shall be consistent with the financial plan submitted to and  
12 approved by the State Board of Education.

13 A district certified to be in financial difficulty, other  
14 than a district subject to Article 34A, shall report to the  
15 State Board of Education at such times and in such manner as  
16 the State Board may direct, concerning the district's  
17 compliance with each financial plan. The State Board may review  
18 the district's operations, obtain budgetary data and financial  
19 statements, require the district to produce reports, and have  
20 access to any other information in the possession of the  
21 district that it deems relevant. The State Board may issue  
22 recommendations or directives within its powers to the district  
23 to assist in compliance with the financial plan. The district  
24 shall produce such budgetary data, financial statements,  
25 reports and other information and comply with such directives.  
26 If the State Board of Education determines that a district has

1 failed to comply with its financial plan, the State Board of  
2 Education may rescind approval of the plan and appoint a  
3 Financial Oversight Panel for the district as provided in  
4 Section 1B-4. This action shall be taken only after the  
5 district has been given notice and an opportunity to appear  
6 before the State Board of Education to discuss its failure to  
7 comply with its financial plan.

8 No bonds, notes, teachers orders, tax anticipation  
9 warrants or other evidences of indebtedness shall be issued or  
10 sold by a school district or be legally binding upon or  
11 enforceable against a local board of education of a district  
12 certified to be in financial difficulty unless and until the  
13 financial plan required under this Section has been approved by  
14 the State Board of Education.

15 Any financial watch list distributed by the State Board of  
16 Education pursuant to this Section shall designate those school  
17 districts on the watch list that would not otherwise be on the  
18 watch list were it not for the inability or refusal of the  
19 State of Illinois to make timely disbursements of any payments  
20 due school districts or to fully reimburse school districts for  
21 mandated categorical programs pursuant to reimbursement  
22 formulas provided in this School Code.

23 (Source: P.A. 94-234, eff. 7-1-06.)

24 (105 ILCS 5/2-3.25c) (from Ch. 122, par. 2-3.25c)

25 Sec. 2-3.25c. Financial and other awards ~~Rewards and~~

1 ~~acknowledgements.~~

2       (a) The State Board of Education shall implement a system  
3 of rewards for school districts, and the schools themselves,  
4 whose students and schools consistently meet adequate yearly  
5 progress criteria for 2 or more consecutive years and a system  
6 to acknowledge schools and districts that meet adequate yearly  
7 progress criteria in a given year as specified in Section  
8 2-3.25d of this Code.

9       (b) Financial awards shall be provided to the schools that  
10 the State Superintendent of Education determines have  
11 demonstrated the greatest improvement in achieving the  
12 education goals of improved student achievement and improved  
13 school completion, subject to appropriation by the General  
14 Assembly and any limitation set by the State Superintendent on  
15 the total amount that may be awarded to a school or school  
16 district; provided that such financial awards must not be used  
17 to enhance the compensation of staff in school districts having  
18 a population not exceeding 500,000.

19       (c) The State Superintendent of Education may present  
20 proclamations or certificates to schools and school systems  
21 determined to have met or exceeded the State's education goals  
22 under Section 2-3.64 of this Code.

23       (d) The Education Financial Award System Fund is created as  
24 a special fund in the State treasury. All money in the Fund  
25 shall be used, subject to appropriation, by the State Board of  
26 Education for the purpose of funding financial awards under

1 this Section. The Fund shall consist of all moneys appropriated  
2 to the fund by the General Assembly and any gifts, grants,  
3 donations, and other moneys received by the State Board of  
4 Education for implementation of the awards system.

5 Any unexpended or unencumbered moneys remaining in the  
6 Education Financial Award System Fund at the end of a fiscal  
7 year shall remain in the Fund and shall not revert or be  
8 credited or transferred to the General Revenue Fund nor be  
9 transferred to any other fund. Any interest derived from the  
10 deposit and investment of moneys in the Education Financial  
11 Award System Fund shall remain in the Fund and shall not be  
12 credited to the General Revenue Fund. The Education Financial  
13 Award System Fund must be appropriated and expended only for  
14 the awards system. The awards are subject to audit requirements  
15 established by the State Board of Education.

16 (e) If a school or school district meets adequate yearly  
17 progress criteria for 2 consecutive school years, that school  
18 or district shall be exempt from review and approval of its  
19 improvement plan for the next 2 succeeding school years.

20 (Source: P.A. 93-470, eff. 8-8-03.)

21 (105 ILCS 5/2-3.25d) (from Ch. 122, par. 2-3.25d)

22 Sec. 2-3.25d. Academic early warning and watch status.

23 (a) Beginning with the 2005-2006 school year, unless the  
24 federal government formally disapproves of such policy through  
25 the submission and review process for the Illinois

1 Accountability Workbook, those schools that do not meet  
2 adequate yearly progress criteria for 2 consecutive annual  
3 calculations in the same subgroup and in the same subject or in  
4 their participation rate, attendance rate, or graduation rate  
5 shall be placed on academic early warning status for the next  
6 school year. Schools on academic early warning status that do  
7 not meet adequate yearly progress criteria for a third annual  
8 calculation in the same subgroup and in the same subject or in  
9 their participation rate, attendance rate, or graduation rate  
10 shall remain on academic early warning status. Schools on  
11 academic early warning status that do not meet adequate yearly  
12 progress criteria for a fourth annual calculation in the same  
13 subgroup and in the same subject or in their participation  
14 rate, attendance rate, or graduation rate shall be placed on  
15 initial academic watch status. Schools on academic watch status  
16 that do not meet adequate yearly progress criteria for a fifth  
17 or subsequent annual calculation in the same subgroup and in  
18 the same subject or in their participation rate, attendance  
19 rate, or graduation rate shall remain on academic watch status.  
20 Schools on academic early warning or academic watch status that  
21 meet adequate yearly progress criteria for one annual  
22 calculation shall be considered as having met expectations and  
23 shall be removed from any status designation.

24 The school district of a school placed on either academic  
25 early warning status or academic watch status may appeal the  
26 status to the State Board of Education in accordance with

1 Section 2-3.25m of this Code.

2 A school district that has one or more schools on academic  
3 early warning or academic watch status shall prepare a revised  
4 School Improvement Plan or amendments thereto setting forth the  
5 district's expectations for removing each school from academic  
6 early warning or academic watch status and for improving  
7 student performance in the affected school or schools.  
8 Districts operating under Article 34 of this Code may prepare  
9 the School Improvement Plan required under Section 34-2.4 of  
10 this Code.

11 The revised School Improvement Plan for a school that is  
12 initially placed on academic early warning status or that  
13 remains on academic early warning status after a third annual  
14 calculation must be approved by the school board (and by the  
15 school's local school council in a district operating under  
16 Article 34 of this Code, unless the school is on probation  
17 pursuant to subsection (c) of Section 34-8.3 of this Code).

18 The revised School Improvement Plan for a school that is  
19 initially placed on academic watch status after a fourth annual  
20 calculation must be approved by the school board (and by the  
21 school's local school council in a district operating under  
22 Article 34 of this Code, unless the school is on probation  
23 pursuant to subsection (c) of Section 34-8.3 of this Code).

24 The revised School Improvement Plan for a school that  
25 remains on academic watch status after a fifth annual  
26 calculation must be approved by the school board (and by the

1 school's local school council in a district operating under  
2 Article 34 of this Code, unless the school is on probation  
3 pursuant to subsection (c) of Section 34-8.3 of this Code). In  
4 addition, the district must develop a school restructuring plan  
5 for the school that must be approved by the school board (and  
6 by the school's local school council in a district operating  
7 under Article 34 of this Code).

8 A school on academic watch status that does not meet  
9 adequate yearly progress criteria for a sixth annual  
10 calculation shall implement its approved school restructuring  
11 plan beginning with the next school year, subject to the State  
12 interventions specified in Section 2-3.25f of this Code.

13 (b) Beginning with the 2005-2006 school year, unless the  
14 federal government formally disapproves of such policy through  
15 the submission and review process for the Illinois  
16 Accountability Workbook, those school districts that do not  
17 meet adequate yearly progress criteria for 2 consecutive annual  
18 calculations in the same subgroup and in the same subject or in  
19 their participation rate, attendance rate, or graduation rate  
20 shall be placed on academic early warning status for the next  
21 school year. Districts on academic early warning status that do  
22 not meet adequate yearly progress criteria for a third annual  
23 calculation in the same subgroup and in the same subject or in  
24 their participation rate, attendance rate, or graduation rate  
25 shall remain on academic early warning status. Districts on  
26 academic early warning status that do not meet adequate yearly



1 progress criteria for a fourth annual calculation in the same  
2 subgroup and in the same subject or in their participation  
3 rate, attendance rate, or graduation rate shall be placed on  
4 initial academic watch status. Districts on academic watch  
5 status that do not meet adequate yearly progress criteria for a  
6 fifth or subsequent annual calculation in the same subgroup and  
7 in the same subject or in their participation rate, attendance  
8 rate, or graduation rate shall remain on academic watch status.  
9 Districts on academic early warning or academic watch status  
10 that meet adequate yearly progress criteria for one annual  
11 calculation shall be considered as having met expectations and  
12 shall be removed from any status designation.

13 A district placed on either academic early warning status  
14 or academic watch status may appeal the status to the State  
15 Board of Education in accordance with Section 2-3.25m of this  
16 Code.

17 Districts on academic early warning or academic watch  
18 status shall prepare a District Improvement Plan or amendments  
19 thereto setting forth the district's expectations for removing  
20 the district from academic early warning or academic watch  
21 status and for improving student performance in the district.

22 All District Improvement Plans must be approved by the  
23 school board.

24 (c) All new and revised School and District Improvement  
25 Plans shall be developed in collaboration with parents, staff  
26 in the affected school or school district and their exclusive

1 bargaining representatives, if any, and outside experts. All  
2 revised School and District Improvement Plans shall be  
3 developed, submitted, and monitored pursuant to rules adopted  
4 by the State Board of Education. The ~~revised~~ Improvement Plan  
5 shall address measurable outcomes for improving student  
6 performance so that such performance meets adequate yearly  
7 progress criteria as specified by the State Board of Education  
8 and shall include a staff professional development plan  
9 developed at least in cooperation with staff or, if applicable,  
10 the exclusive bargaining representatives of the staff. All  
11 school districts required to revise a School Improvement Plan  
12 in accordance with this Section shall establish a peer review  
13 process for the evaluation of School Improvement Plans.

14 (d) All federal requirements apply to schools and school  
15 districts utilizing federal funds under Title I, Part A of the  
16 federal Elementary and Secondary Education Act of 1965.

17 (e) The State Board of Education, from any moneys it may  
18 have available for this purpose, must implement and administer  
19 a grant program that provides 2-year grants to school districts  
20 on the academic watch list and other school districts that have  
21 the lowest achieving students, as determined by the State Board  
22 of Education, to be used to improve student achievement. In  
23 order to receive a grant under this program, a school district  
24 must establish an accountability program. The accountability  
25 program must involve the use of statewide testing standards and  
26 local evaluation measures. A grant shall be automatically

1 renewed when achievement goals are met. The Board may adopt any  
2 rules necessary to implement and administer this grant program.

3 (f) In addition to any moneys available under subsection  
4 (e) of this Section, a school district required to maintain  
5 School and District Improvement Plans under this Section,  
6 including a school district organized under Article 34 of this  
7 Code, shall annually receive from the State an amount equal to  
8 \$150 times the number of full-time certified teachers and  
9 administrators it employs for developing and implementing its  
10 mandatory School and District Improvement Plans, including its  
11 staff professional development plan.

12 (Source: P.A. 93-470, eff. 8-8-03; 93-890, eff. 8-9-04; 94-666,  
13 eff. 8-23-05; 94-875, eff. 7-1-06.)

14 (105 ILCS 5/2-3.25d-5 new)

15 Sec. 2-3.25d-5. Educational improvement plan.

16 (a) Except for school districts required to develop School  
17 and District Improvement Plans under Section 2-3.25d of this  
18 Code, each school district shall develop, in compliance with  
19 rules promulgated by the State Board of Education, an  
20 educational improvement plan that must include (i) measures for  
21 improving school district, school building, and individual  
22 student performance and (ii) a staff professional development  
23 plan developed at least in cooperation with staff or, if  
24 applicable, the exclusive bargaining representatives of the  
25 staff. The district shall develop the educational improvement

1 plan in collaboration with parents, staff, and the staff's  
2 exclusive bargaining representatives, if any.

3 (105 ILCS 5/2-3.53a)

4 Sec. 2-3.53a. New principal mentoring program.

5 (a) In this Section, "new principal" means a principal of a  
6 public school who has less than 2 full school years of  
7 experience as a principal in a public school in this State.

8 Beginning on July 1, 2007, and subject to an annual  
9 appropriation by the General Assembly, to establish a new  
10 principal mentoring program for new principals. Any individual  
11 who is hired as a principal in the State of Illinois on or  
12 after July 1, 2007 shall participate in a new principal  
13 mentoring program for the duration of his or her first year as  
14 a principal and must complete the program in accordance with  
15 the requirements established by the State Board of Education by  
16 rule or, for a school district created by Article 34 of this  
17 Code, in accordance with the provisions of Section 34-18.27 of  
18 this Code. School districts created by Article 34 are not  
19 subject to the requirements of subsection (b), (c), (d), (e),  
20 (f), or (g) of this Section. The new principal mentoring  
21 program shall match an experienced principal who meets the  
22 requirements of subsection (b) of this Section with each new  
23 principal in his or her first year in that position in order to  
24 assist the new principal in the development of his or her  
25 professional growth and to provide guidance during the new

1 principal's first year of service.

2 (b) Any individual who has been a principal in Illinois for  
3 3 or more years and who has demonstrated success as an  
4 instructional leader, as determined by the State Board by rule,  
5 is eligible to apply to be a mentor under a new principal  
6 mentoring program. Mentors shall complete mentoring training  
7 by entities approved by the State Board and meet any other  
8 requirements set forth by the State Board and by the school  
9 district employing the mentor.

10 (c) The State Board shall certify an entity or entities  
11 approved to provide training of mentors.

12 (d) A mentor shall be assigned to a new principal based on  
13 (i) similarity of grade level or type of school, (ii) learning  
14 needs of the new principal, and (iii) geographical proximity of  
15 the mentor to the new principal. The principal, in  
16 collaboration with the mentor, shall identify areas for  
17 improvement of the new principal's professional growth,  
18 including, but not limited to, each of the following:

19 (1) Analyzing data and applying it to practice.

20 (2) Aligning professional development and  
21 instructional programs.

22 (3) Building a professional learning community.

23 (4) Observing classroom practices and providing  
24 feedback.

25 (5) Facilitating effective meetings.

26 (6) Developing distributive leadership practices.

1 (7) Facilitating organizational change.

2 The mentor shall not be required to provide an evaluation of  
3 the new principal on the basis of the mentoring relationship.

4 (e) On or after January 1, 2008 and on or after January 1  
5 of each year thereafter, each mentor and each new principal  
6 shall complete a survey of progress on a form developed by  
7 their respective school districts. On or before July 1, 2008  
8 and on or after July 1 of each year thereafter, the State Board  
9 shall facilitate a review and evaluate the mentoring training  
10 program in collaboration with the approved providers. Each new  
11 principal and his or her mentor must complete a verification  
12 form developed by the State Board in order to certify their  
13 completion of a new principal mentoring program.

14 (f) The requirements of this Section do not apply to any  
15 individual who has previously served as an assistant principal  
16 in Illinois acting under an administrative certificate for 5 or  
17 more years and who is hired, on or after July 1, 2007, as a  
18 principal by the school district in which the individual last  
19 served as an assistant principal, although such an individual  
20 may choose to participate in this program or shall be required  
21 to participate by the school district.

22 (f-5) A separate appropriation shall annually be made for  
23 the purposes of this Section for each new principal, as defined  
24 by this Section, for each of 2 school years for the purpose of  
25 providing one or more of the following:

26 (1) Mentor principal compensation.

1           (2) Mentor principal training.

2           (3) Program administration, not to exceed 20% of the  
3           total program cost.

4           The General Assembly shall annually appropriate \$3,800,000  
5           for the principal mentoring, leadership, and professional  
6           development program.

7           (g) The State Board may adopt any rules necessary for the  
8           implementation of this Section.

9           (Source: P.A. 94-1039, eff. 7-20-06.)

10           (105 ILCS 5/2-3.53b new)

11           Sec. 2-3.53b. New superintendent mentoring program.

12           (a) Beginning on July 1, 2008 and subject to an annual  
13           appropriation by the General Assembly, to establish a new  
14           superintendent mentoring program for new superintendents. Any  
15           individual who begins serving as a superintendent in this State  
16           on or after July 1, 2008 and has not previously served as a  
17           school district superintendent in this State shall participate  
18           in the new superintendent mentoring program for the duration of  
19           his or her first 2 school years as a superintendent and must  
20           complete the program in accordance with the requirements  
21           established by the State Board of Education by rule. The new  
22           superintendent mentoring program shall match an experienced  
23           superintendent who meets the requirements of subsection (b) of  
24           this Section with each new superintendent in his or her first 2  
25           school years in that position in order to assist the new

1 superintendent in the development of his or her professional  
2 growth and to provide guidance during the new superintendent's  
3 first 2 school years of service.

4 (b) Any individual who has actively served as a school  
5 district superintendent in this State for 3 or more years and  
6 who has demonstrated success as an instructional leader, as  
7 determined by the State Board of Education by rule, is eligible  
8 to apply to be a mentor under the new superintendent mentoring  
9 program. Mentors shall complete mentoring training through a  
10 provider selected by the State Board of Education and shall  
11 meet any other requirements set forth by the State Board and by  
12 the school district employing the mentor.

13 (c) Under the new superintendent mentoring program, a  
14 provider selected by the State Board of Education shall assign  
15 a mentor to a new superintendent based on (i) similarity of  
16 grade level or type of school district, (ii) learning needs of  
17 the new superintendent, and (iii) geographical proximity of the  
18 mentor to the new superintendent. The new superintendent, in  
19 collaboration with the mentor, shall identify areas for  
20 improvement of the new superintendent's professional growth,  
21 including, but not limited to, each of the following:

22 (1) Analyzing data and applying it to practice.

23 (2) Aligning professional development and  
24 instructional programs.

25 (3) Building a professional learning community.

26 (4) Effective school board relations.



1           (5) Facilitating effective meetings.

2           (6) Developing distributive leadership practices.

3           (7) Facilitating organizational change.

4           The mentor must not be required to provide an evaluation of  
5 the new superintendent on the basis of the mentoring  
6 relationship.

7           (d) From January 1, 2009 until May 15, 2009 and from  
8 January 1 until May 15 each year thereafter, each mentor and  
9 each new superintendent shall complete a survey of progress of  
10 the new superintendent on a form developed by the school  
11 district. On or before September 1, 2009 and on or before  
12 September 1 of each year thereafter, the provider selected by  
13 the State Board of Education shall submit a detailed annual  
14 report to the State Board of how the appropriation for the new  
15 superintendent mentoring program was spent, details on each  
16 mentor-mentee relationship, and a qualitative evaluation of  
17 the outcomes. The provider shall develop a verification form  
18 that each new superintendent and his or her mentor must  
19 complete and submit to the provider to certify completion of  
20 each year of the new superintendent mentoring program by July  
21 15 immediately following the school year just completed.

22           (e) The requirements of this Section do not apply to any  
23 individual who has previously served as an assistant  
24 superintendent in a school district in this State acting under  
25 an administrative certificate for 5 or more years and who, on  
26 or after July 1, 2008, begins serving as a superintendent in

1 the school district where he or she had served as an assistant  
2 superintendent immediately prior to being named  
3 superintendent, although such an individual may choose to  
4 participate in the new superintendent mentoring program or may  
5 be required to participate by the school district. The  
6 requirements of this Section do not apply to any superintendent  
7 or chief executive officer of a school district organized under  
8 Article 34 of this Code.

9 (f) The State Board may adopt any rules that are necessary  
10 for the implementation of this Section.

11 (105 ILCS 5/2-3.64b new)

12 Sec. 2-3.64b. Performance measures.

13 (a) In this Section:

14 "Growth model assessment" means a statistical system for  
15 educational outcome assessment that uses measures of student  
16 learning to enable the estimation of teacher, school, and  
17 school district statistical distributions and that conforms to  
18 or is consistent with applicable State and federal laws and  
19 regulations to the extent practicable. The statistical system  
20 shall use available and appropriate data as input to account  
21 for differences in prior student attainment, such that the  
22 impact that the teacher, school, and school district have on  
23 the educational progress of students may be estimated on a  
24 student attainment constant basis. The impact that a teacher,  
25 school, or school district has on the progress or lack of

1 progress in educational advancement or learning of a student is  
2 referred to in this Section as the "effect" of the teacher,  
3 school, or school district on the educational progress of  
4 students.

5 "School" includes a charter school.

6 "Teacher" includes a teacher in a charter school.

7 (b) No later than July 1, 2012, the State Board of  
8 Education shall establish a statewide growth model assessment  
9 system to measure the annual increase or growth in each  
10 student's performance relative to a standard year of academic  
11 growth on the assessments provided for in Section 2-3.64 of  
12 this Code and other performance indicators that the State Board  
13 may identify. In developing such a system, the State Board  
14 shall coordinate with school districts, including a school  
15 district organized under Article 34 of this Code, that have or  
16 that are in the process of developing local growth model  
17 assessment systems.

18 (c) The growth model assessment system shall reliably  
19 estimate school district, school, and teacher effects on  
20 students' academic achievement over time, control for student  
21 characteristics, and use an independently verifiable  
22 statistical methodology to produce such estimates.

23 (d) A specific teacher's effect on the educational progress  
24 of students may not be used as a part of a formal personnel  
25 evaluation until data from 3 complete academic years are  
26 obtained and unless the district and the exclusive bargaining

1 representative of the district's teachers, if any, have agreed  
2 to its use as part of an alternative evaluation plan under  
3 Section 24A-5 or 24A-8 of this Code. Teacher effect data must  
4 not be retained for use in evaluations for more than the most  
5 recent 5 years. A student must have been present for 150 days  
6 of classroom instruction per year or 75 days of classroom  
7 instruction per semester before that student's record is  
8 attributable to a specific teacher. Records from any student  
9 who is eligible for special education services under federal  
10 law must not be used as part of the growth model assessment.

11 (e) The State Board of Education shall provide growth model  
12 assessment data to each school district as soon as practicable  
13 after receipt of such data, but in no case later than December  
14 1. The aggregate growth model assessment estimates for each  
15 school district and school shall also be included in each  
16 school district's report card under Section 10-17a of this  
17 Code.

18 (f) All identifiable individual student performance data,  
19 information, and reports shall be deemed confidential, shall  
20 not be a public record, and shall not be disclosed; provided  
21 that such information shall be made available only to a  
22 student's classroom teacher and other appropriate educational  
23 personnel and to the student's parent or guardian.

24 (g) All identifiable teacher effects data, information,  
25 and reports shall be deemed confidential, shall not be a public  
26 record, and shall not be disclosed without the teacher's

1 express written consent, except to appropriate personnel in the  
2 district in which the teacher is employed.

3 (h) The data, information, and reports referred to in  
4 subsection (f) of this Section shall not constitute a school  
5 student record under Section 2 of the Illinois School Student  
6 Records Act and shall otherwise be exempt from disclosure under  
7 Section 6 of the Illinois School Student Records Act. The data,  
8 information, and reports referred to in subsections (f) and (g)  
9 of this Section shall not constitute a public record under  
10 Section 2 of the Freedom of Information Act and shall otherwise  
11 be exempt from disclosure under subdivisions (a) and (b) of  
12 subsection (1) of Section 7 of the Freedom of Information Act.  
13 Nothing in this Section prevents the State Board of Education  
14 from releasing or otherwise disclosing such data, information,  
15 and reports to any person associated with a recognized  
16 institution of higher education for the purpose of research,  
17 analysis, or statistical reporting or planning, provided that  
18 no student or teacher can be identified from the data,  
19 information, or report released and the person to whom the  
20 data, information, or report is released signs an affidavit  
21 agreeing to comply with all applicable statutes pertaining to  
22 confidential student and personnel records.

23 (i) As provided in Sections 2-3.25d, 2-3.25f, and 2-3.25h  
24 of this Code, the State Board of Education shall establish a  
25 coherent and sustained system of assistance and support for  
26 schools not meeting identified levels of achievement or not

1 showing specified levels of progress, as determined by the  
2 State Board based upon the schools' growth model assessment  
3 results. As provided in Section 2-3.25f of this Code, the State  
4 Board of Education shall specify appropriate levels of  
5 assistance and intervention for schools that receive an  
6 unacceptable rating on student performance for the absolute  
7 student achievement standard or on progress on improved student  
8 achievement.

9 (j) The State Board of Education, from any moneys it may  
10 have available for the purposes set forth in this Section, must  
11 implement and administer a grant program that provides 2-year  
12 grants to school districts, including a school district  
13 organized under Article 34 of this Code, as determined by the  
14 State Board of Education, to be used to develop local growth  
15 model assessment systems. The Board may adopt any rules  
16 necessary to implement and administer this grant program.

17 (105 ILCS 5/2-3.148 new)

18 Sec. 2-3.148. The Digital Learning Technology Grant  
19 Program.

20 (a) As used in this Section, unless the context otherwise  
21 requires, "information technology education" means education  
22 in the development, design, use, maintenance, repair, and  
23 application of information technology systems or equipment,  
24 including, but not limited to, computers, the Internet,  
25 telecommunications devices and networks, and multi-media

1 techniques.

2 (b) There is created the Digital Learning Technology Grant  
3 Program to provide money to school districts and charter  
4 schools to use in integrating information technology and  
5 scientific equipment as tools to measurably improve teaching  
6 and learning in grades 9 through 12 in this State's public  
7 schools. The State Board of Education shall administer the  
8 grant program through the acceptance, review, and  
9 recommendation of applications submitted pursuant to this  
10 Section.

11 (c) Grants awarded through the grant program created under  
12 this Section shall continue for 4 fiscal years and may be  
13 renewed as provided by rule of the State Board of Education.  
14 Grants awarded through the program shall be paid out of any  
15 money appropriated or credited to the Digital Learning  
16 Technology Grant Fund. A school district or charter school  
17 shall use any moneys obtained through the grant program to  
18 integrate information technology education into the 9th grade  
19 through 12th grade curriculum. In the case of a school  
20 district, such integration shall be accomplished in one or more  
21 public schools in the district. The school district or charter  
22 school may contract with one or more private entities for  
23 assistance in integrating information technology education  
24 into the curriculum. In addition, school districts and charter  
25 schools are encouraged to partner with businesses for  
26 assistance in integrating information technology education

1 into the curriculum.

2 (d) The State Board of Education shall adopt rules for the  
3 administration and implementation of the grant program created  
4 under this Section. The first grants shall be awarded through  
5 the program for the 2008-2009 school year. Grants shall be  
6 awarded annually thereafter.

7 (e) Any school district or charter school that seeks to  
8 participate in the grant program created under this Section  
9 shall submit an application to the State Board of Education in  
10 the form and according to the deadlines established by rule of  
11 the State Board of Education. The application shall include the  
12 following information:

13 (1) if the applicant is a school district, the names of  
14 the schools that will receive the benefits of the grant;

15 (2) the current level of information technology  
16 education integration at the recipient schools;

17 (3) the school district's or charter school's plan for  
18 integrating information technology education into the 9th  
19 grade through 12th grade curriculum, including any  
20 specific method or program to be used, and any entities  
21 with whom the school district or charter school plans to  
22 contract or cooperate in achieving the integration;

23 (4) the specific, measurable goals to be achieved and  
24 the actual deliverables to be produced through the  
25 integration of information technology education into the  
26 curriculum, a deadline for achieving those goals, and a



1 proposed method of measuring whether the goals were  
2 achieved;

3 (5) any businesses with which the school district or  
4 charter school has partnered to improve the availability  
5 and integration of information technology education within  
6 the curriculum; and

7 (6) any other information that may be specified by rule  
8 of the State Board of Education.

9 (f) In recommending and awarding grants through the  
10 program, the State Board of Education shall consider the  
11 following criteria:

12 (1) the degree to which information technology  
13 education is already integrated into the curriculum of the  
14 applying school district or charter school to ensure that  
15 those school districts and charter schools with the least  
16 degree of integration receive the grants first;

17 (2) the degree to which the applicant's proposed plan  
18 for using the grant moneys will result in integration of  
19 information technology tools and scientific equipment in a  
20 manner that measurably improves teaching and learning;

21 (3) the validity, clarity, and measurability of the  
22 goals established by the applicant and the validity of the  
23 proposed methods for measuring achievement of the goals;

24 (4) the accountability system of specific measures and  
25 deliverables to determine a baseline and annually assess  
26 improvements in teaching and learning;

1           (5) any other financial resources available to the  
2           applicant for integrating information technology education  
3           into the curriculum;

4           (6) the degree to which the applicant is cooperating or  
5           partnering with businesses to improve the availability and  
6           integration of information technology education in the  
7           curriculum; the State Board of Education shall apply this  
8           criteria with the goal of encouraging such partnerships;

9           (7) the strength and capacity of the applicant to  
10           collaborate with the science, technology, engineering and  
11           mathematics education center network under Section 4.5 of  
12           the Illinois Mathematics and Science Academy Law and to  
13           provide open source networking with other public schools in  
14           this State; and

15           (8) any other criteria established by rule of the State  
16           Board of Education to ensure that grants are awarded to  
17           school districts and charter schools that demonstrate the  
18           greatest need and the most valid, effective plan for  
19           integrating information technology education into the  
20           curriculum.

21           (g) In awarding grants through the grant program, the State  
22           Board of Education shall ensure, to the extent possible, that  
23           the grants are awarded to school districts and charter schools  
24           in all areas of this State.

25           (h) Nothing in this Section shall be construed to limit or  
26           otherwise affect any school district's ability to enter into an

1 agreement with or receive funds from any private entity.

2 (i) Each school district and charter school that receives a  
3 grant through the grant program created under this Section  
4 shall, by August 1 of the school year for which the grant was  
5 awarded, submit to the State Board of Education a report  
6 specifying the following information:

7 (1) the manner in which the grant moneys were used;

8 (2) the progress made toward achieving the goals  
9 specified in the grant recipient's application;

10 (3) any additional entities and businesses with whom  
11 the grant recipient has contracted or partnered with the  
12 goal of achieving greater integration of information  
13 technology education in the 9th grade through 12th grade  
14 curriculum;

15 (4) the recipient school district's and charter  
16 school's plan for continuing the integration of  
17 information technology education into the curriculum,  
18 regardless of whether the grant is renewed; and

19 (5) any other information specified by rule of the  
20 State Board of Education.

21 (j) Notwithstanding subsection (i) of this Section, a  
22 recipient school need not submit a report for any academic year  
23 in which no grants are made through the grant program.

24 (k) The Digital Learning Technology Grant Fund is created  
25 as a special fund in the State treasury. All money in the Fund  
26 shall be used, subject to appropriation, by the State Board of

1 Education for the purpose of funding grants under this Section.

2 (1) The State Board of Education may solicit and accept  
3 money in the form of gifts, contributions, and grants to be  
4 deposited into the Digital Learning Technology Grant Fund. The  
5 acceptance of federal grants for purposes of this Section does  
6 not commit State funds nor place an obligation upon the General  
7 Assembly to continue the purposes for which the federal funds  
8 are made available.

9 (105 ILCS 5/2-3.149 new)

10 Sec. 2-3.149. Best practices clearinghouse.

11 (a) Beginning July 1, 2009 and subject to appropriation,  
12 the State Board of Education shall establish an online  
13 clearinghouse of information relating to best practices of  
14 campuses and school districts regarding instruction, public  
15 school finance, resource allocation, and business practices.  
16 To the extent practicable, the State Board of Education shall  
17 ensure that information provided through the online  
18 clearinghouse is specific, actionable information relating to  
19 the best practices of high-performing and highly efficient  
20 school districts rather than general guidelines relating to  
21 school district operation. The information must be accessible  
22 by school districts and interested members of the public.

23 (b) The State Board of Education shall solicit and collect  
24 from exemplary or recognized school districts, charter  
25 schools, and other institutions determined by the State Board

1 of Education examples of best practices relating to  
2 instruction, public school finance, resource allocation, and  
3 business practices, including best practices relating to  
4 curriculum, scope and sequence, compensation and incentive  
5 systems, bilingual education and special language programs,  
6 compensatory education programs, and the effective use of  
7 instructional technology, including online courses.

8 (c) The State Board of Education may contract for the  
9 services of one or more third-party contractors to develop,  
10 implement, and maintain a system of collecting and evaluating  
11 the best practices of campuses and school districts as provided  
12 by this Section. In addition to any other considerations  
13 required by law, the State Board of Education must consider an  
14 applicant's demonstrated competence and qualifications in  
15 analyzing school district practices in awarding a contract  
16 under this subsection (c).

17 (d) The State Board of Education may purchase from  
18 available funds curriculum and other instructional tools  
19 identified under this Section to provide for use by school  
20 districts.

21 (105 ILCS 5/2-3.150 new)

22 Sec. 2-3.150. The Science, Technology, Engineering, and  
23 Mathematics Education Center Grant Program.

24 (a) As used in this Section, unless the context otherwise  
25 requires:

1       "Grant program" means the science, technology,  
2 engineering, and mathematics education center grant program  
3 created in this Section.

4       "Science, technology, engineering, and mathematics  
5 education" or "STEM" means learning experiences that integrate  
6 innovative curricular, instructional, and assessment  
7 strategies and materials, laboratory and mentorship  
8 experiences, and authentic inquiry-based and problem centered  
9 instruction to stimulate learning in the areas of science,  
10 technology, engineering, and mathematics.

11       "Science, technology, engineering, and mathematics  
12 education innovation center" means a center operated by a  
13 school district, a charter school, the Illinois Mathematics and  
14 Science Academy, or a joint collaborative partnership that  
15 provides STEM teaching and learning experiences, materials,  
16 laboratory and mentorship experiences, and educational  
17 seminars, institutes or workshops for students and teachers.

18       (b) The Illinois Mathematics and Science Academy, in  
19 consultation and partnership with the State Board of Education,  
20 the Board of Higher Education, the business community, the  
21 entrepreneurial technology community, and professionals,  
22 including teachers, in the field of science, technology,  
23 engineering, and mathematics shall create a strategic plan for  
24 developing a whole systems approach to redesigning  
25 prekindergarten through grade 12 STEM education in this State,  
26 including, but not limited to, designing and creating

1 integrative teaching and learning networks among science,  
2 technology, engineering, and mathematics innovation education  
3 centers, university and corporate research facilities, and  
4 established STEM laboratories, businesses, and the Illinois  
5 Mathematics and Science Academy.

6 (c) At a minimum, the plan shall provide direction for  
7 program design and development, including the following:

8 (1) continuous generation and sharing of curricular,  
9 instructional, assessment, and program development  
10 materials and information about STEM teaching and learning  
11 throughout the network;

12 (2) identification of curricular, instructional, and  
13 assessment goals that reflect the research in cognition and  
14 the development of creativity in STEM fields and the  
15 systemic changes in STEM education, so as to be consistent  
16 with inquiry-based and problem-centered instruction in  
17 science, technology, engineering, and mathematics. Such  
18 goals shall also reflect current frameworks, standards,  
19 and guidelines, such as those defined by the National  
20 Research Council (National Academy of Science), the  
21 American Association for the Advancement of Science, the  
22 National Council of Teachers of Mathematics, the National  
23 Science Teachers Association, and professional  
24 associations in STEM fields;

25 (3) identification of essential teacher competencies  
26 and a comprehensive plan for recruiting, mentoring, and

1       retaining STEM teachers, especially those in  
2       under-resourced schools and school districts; creation of  
3       a community of practice among STEM center educators and  
4       other teachers of science, technology, engineering, and  
5       mathematics as part of a network of promising practices in  
6       teaching; and the establishment of recruitment, mentoring,  
7       and retention plans for Golden Apple teachers in STEM  
8       fields and Illinois STEM teachers who have received  
9       national board certification and are also part of the STEM  
10       innovation network;

11       (4) a statement of desired competencies for STEM  
12       learning by students;

13       (5) a description of recommended courses of action to  
14       improve educational experiences, programs, practices, and  
15       service;

16       (6) the improvement of access and availability of STEM  
17       courses, especially for rural school districts and  
18       particularly to those groups which are traditionally  
19       underrepresented through the Illinois Virtual High School;  
20       the plan shall include goals for using telecommunications  
21       facilities as recommended by a telecommunications advisory  
22       commission;

23       (7) expectations and guidelines for designing and  
24       developing a dynamic, creative, and engaged teaching  
25       network;

26       (8) a description of the laboratory and incubator model



1 for the STEM centers;

2 (9) support for innovation and entrepreneurship in  
3 curriculum, instruction, assessment, and professional  
4 development; and

5 (10) cost estimates.

6 (d) The plan shall provide a framework that enables the  
7 teachers, school districts, and institutions of higher  
8 education to operate as an integrated system. The plan shall  
9 provide innovative mechanisms and incentives to the following:

10 (1) educational providers, as well as professional  
11 associations, business and university partners, and  
12 educational receivers (students and teachers) at the  
13 prekindergarten through grade 12 and postsecondary levels  
14 to design and implement innovative curricula, including  
15 experiences, mentorships, institutes, and seminars and to  
16 develop new materials and activities for these;

17 (2) course providers and receivers for leveraging  
18 distance learning technologies through the Illinois  
19 Virtual High School and applying distance learning  
20 instructional design techniques, taking into consideration  
21 the work of a telecommunications advisory commission;

22 (3) prekindergarten through grade 12 teachers to  
23 encourage them to take graduate STEM courses and degree  
24 programs; such incentives may include a tuition matching  
25 program;

26 (4) appropriate State agencies, federal agencies,

1       professional organizations, public television stations,  
2       and businesses and industries to involve them in the  
3       development of the strategic plan; and

4             (5) businesses, industries, and individuals for  
5       volunteering their time and community resources.

6       (e) The plan shall provide a mechanism for incorporating  
7       the cost for accomplishing these goals into the ongoing  
8       operating budget beginning in 2009.

9       (f) There is created the Science and Technology Education  
10       Center Grant Program to provide development and operating  
11       moneys in the form of matching funds for existing or proposed  
12       nonprofit STEM education centers. At a minimum, each STEM  
13       center that receives a grant shall not only provide STEM  
14       education activities to students enrolled in the school  
15       district or charter school and materials and educational  
16       workshops to teachers employed by the school district or  
17       charter school, but also, as part of generative and innovative  
18       teaching and learning network, shall share information with all  
19       STEM centers, the Illinois Mathematics and Science Academy, and  
20       partner associations or businesses.

21       (g) School districts, charter schools, the Illinois  
22       Mathematics and Science Academy, and joint collaborative  
23       partnerships may establish science and technology education  
24       centers or may contract with regional offices of education,  
25       intermediate service centers, public community colleges,  
26       4-year institutions of higher education, non-profit or

1 for-profit education providers, youth service agencies,  
2 community-based organizations, or other appropriate entities  
3 to establish science and technology education centers within  
4 the public school system. Districts and charter schools may  
5 individually operate alternative learning opportunities  
6 programs or may collaborate with 2 or more districts or charter  
7 schools or do both to create and operate science and technology  
8 education centers.

9 (h) Beginning with the 2008-2009 school year, the State  
10 Board of Education shall, subject to available appropriations,  
11 annually award one or more science, technology, engineering,  
12 and mathematics education center grants for the development and  
13 operation of STEM centers.

14 A school district, a charter school, the Illinois  
15 Mathematics and Science Academy, or a joint collaborative  
16 partnership may apply for a STEM center grant pursuant to  
17 procedures and time lines specified by rule of the State Board  
18 of Education.

19 (i) The State Board of Education, in selecting one or more  
20 school districts, charter schools, or joint collaborative  
21 partnerships or the Illinois Mathematics and Science Academy  
22 for receipt of a grant, shall give priority to applicants that  
23 are geographically located farthest from other STEM centers or  
24 applicants that have less opportunity for science, technology,  
25 engineering, and mathematics resource support. The State Board  
26 shall also consider the following factors:

1           (1) the facility, equipment, and technology that are or  
2           will be provided and the activities and range of programs  
3           that are or will be offered by the STEM education center;

4           (2) the strength and capacity of the school district or  
5           charter school to work as a network cooperatively with the  
6           Illinois Mathematics and Science Academy, other STEM  
7           centers, universities and STEM laboratories, businesses,  
8           and industries; and

9           (3) recommendations of the Illinois P-20 Council and  
10          the Illinois Mathematics and Science Academy.

11          (j) A STEM center grant shall be payable from moneys  
12          appropriated to the STEM Education Center Grant Fund.

13          The State Board of Education shall specify the amount to be  
14          awarded to each school district, charter school, or joint  
15          collaborative partnership that is selected to receive a grant  
16          and to the Illinois Mathematics and Science Academy, if  
17          selected to receive a grant. The amount awarded to a new STEM  
18          center for start-up costs shall not exceed \$1,000,000 for the  
19          first fiscal year and may not be renewed. The amount awarded to  
20          an operating STEM center for operating costs shall not exceed  
21          \$500,000 for one fiscal year and shall be renewed annually for  
22          5 consecutive years if the STEM center is meeting its  
23          accountability goals and its role as an active partner in a  
24          generative teaching and learning network.

25          (k) Each school district, charter school, or joint  
26          collaborative partnership that receives a grant pursuant to the

1 grant program and the Illinois Mathematics and Science Academy,  
2 if selected to receive a grant, shall demonstrate, prior to  
3 receiving any actual moneys, that the center has received or  
4 has a written commitment for matching funds from other public  
5 or private sources in the amount of a dollar-for-dollar match  
6 with the amount of the grant. This requirement may be waived  
7 upon application to and approval by the State Board of  
8 Education based on a showing of continued need or financial  
9 hardship.

10 (l) The State Board of Education shall promulgate such  
11 rules as are required in this Section and such additional rules  
12 as may be required for implementation of the grant program.

13 (m) Each school district or charter school that receives a  
14 grant through the grant program shall, by the close of each  
15 school year for which the grant was awarded, submit to the  
16 Illinois Mathematics and Science Academy and the State Board of  
17 Education a report specifying the following information:

18 (1) the manner in which the grant money was used;

19 (2) the progress made toward achieving the goals and  
20 producing the deliverables specified in the grant  
21 recipient's application;

22 (3) any additional entities and businesses with whom  
23 the grant recipient has contracted or partnered with the  
24 goal of achieving greater integration of information  
25 technology education in prekindergarten through grade 12  
26 curriculum;

1           (4) the recipient school district's or charter  
2 school's plan for continuing the integration of  
3 information technology education into the curriculum,  
4 regardless of whether the grant is renewed;

5           (5) the documentation demonstrating effective digital  
6 collaboration and networking, technological cooperation  
7 and sharing, and personal networking via innovative,  
8 entrepreneurial networks;

9           (6) a description of innovative instructional methods;

10           (7) evidence of staff training and outreach to teachers  
11 beyond those working in the STEM education center; and

12           (8) any other information specified by rule of the  
13 State Board of Education.

14           (n) Notwithstanding the other provisions of this Section, a  
15 recipient school need not submit a report for any academic year  
16 in which no grants are made through the grant program.

17           (o) The STEM Education Center Grant Fund is created as a  
18 special fund in the State treasury. All money in the Fund shall  
19 be used, subject to appropriation, by the State Board of  
20 Education for the purpose of funding science, technology,  
21 engineering, and mathematics education center grants awarded  
22 under this Section.

23           (p) The State Board of Education may solicit and accept  
24 money in the form of gifts, contributions, and grants to be  
25 deposited in the STEM Education Center Grant Fund. The  
26 acceptance of federal grants for purposes of this Section does

1 not commit State funds nor place an obligation upon the General  
2 Assembly to continue the purposes for which the federal funds  
3 are made available.

4 (105 ILCS 5/2-3.151 new)

5 Sec. 2-3.151. School Improvement Partnership Pool Fund.

6 (a) The School Improvement Partnership Pool Fund is created  
7 as a special fund in the State treasury. All interest earned on  
8 moneys in the Fund shall be deposited into the Fund. The School  
9 Improvement Partnership Pool Fund shall not be subject to  
10 sweeps, administrative charges, or charge-backs, such as, but  
11 not limited to, those authorized under Section 8h of the State  
12 Finance Act, nor any other fiscal or budgetary maneuver that  
13 would in any way transfer any funds from the School Improvement  
14 Partnership Pool Fund into any other fund of the State.

15 (b) Beginning in Fiscal Year 2010, moneys in the School  
16 Improvement Partnership Pool Fund shall be used, subject to  
17 appropriation, by the State Board of Education for a  
18 competitive grant program to provide school districts with  
19 demonstrated academic and financial need quality, integrated  
20 support systems, such as training for staff, tutoring programs  
21 for students, small school initiatives, literacy coaching,  
22 proven programs such as reduced class size, extended learning  
23 time, and after school and summer school programs, programs to  
24 engage parents, and other systems as determined by the State  
25 Board of Education.

1       (c) School districts eligible to apply to the State Board  
2 of Education for a grant under subsection (b) of this Section  
3 shall be limited to those (i) with any school that has not met  
4 adequate yearly progress under the federal No Child Left Behind  
5 Act of 2001 for at least 2 consecutive years or (ii) that have  
6 been designated through the State Board of Education's School  
7 District Financial Profile System as on financial warning or  
8 financial watch status. The State Board may, by rule, establish  
9 any additional procedures with respect to this grant program.

10       (105 ILCS 5/2-3.152 new)

11       Sec. 2-3.152. Resource management service.

12       (a) The State Board of Education shall establish and  
13 maintain an Internet web-based resource management service for  
14 all school districts on or before July 1, 2012.

15       (b) The resource management service shall identify  
16 resource configurations that contribute to improving internal  
17 resources for instructional programs, provide action-oriented  
18 analysis and solutions, and give school districts the ability  
19 to explore different scenarios of resource allocation.

20       (c) Annually, by the first day of October, an Internet  
21 web-based preliminary resource allocation report must be  
22 generated for each school district and delivered via the  
23 Internet to each district superintendent for use by the  
24 management team and the exclusive bargaining agents of the  
25 school district's employees. This report shall identify



1 potential cost savings or resource reallocation opportunities  
2 for the district in 5 core areas of school district spending.  
3 These core areas are instruction, operation and maintenance,  
4 transportation, food service, and central services. This  
5 analysis shall show district spending in detailed  
6 subcategories compared to demographically or operationally  
7 similar peer school districts. The web-based resource  
8 allocation reports generated under this Section constitute  
9 preliminary drafts, notes, recommendations, memoranda, and  
10 other records in which opinions are expressed or policies or  
11 actions are formulated and therefore exempt from disclosure  
12 under subdivision (f) of subsection (1) of Section 7 of the  
13 Freedom of Information Act.

14 (d) Each school district shall have the ability through the  
15 on-line resource allocation report to test various resource  
16 allocation scenarios relative to pre-defined peers as well as  
17 geographic peers and the most efficient peers statewide. Each  
18 district shall have the ability to choose specific combinations  
19 of districts for comparison.

20 (e) The resource management service shall contain, based on  
21 the spending and demographic profile of the school district,  
22 action-oriented information, such as effective best practices  
23 in schools districts, diagnostic questions, and other  
24 management or community considerations that may be implemented  
25 to capture savings identified in the resource allocation  
26 report.

1       (f) The resource management service must be initiated and  
2 maintained through a contract between the State Board of  
3 Education and an independent third party specializing in school  
4 market research within this State and the United States. Costs  
5 to establish and maintain this service and train school  
6 district personnel in the use of this service shall be supplied  
7 by the General Assembly to the State Board of Education through  
8 an annual appropriation of no less than \$2 per student based on  
9 the prior year total of enrolled students in public schools in  
10 this State. Up to 25% of the annual appropriation may be  
11 allocated by the State Board of Education to hire personnel and  
12 facilitate data collection. No less than 25% of the annual  
13 appropriation shall be utilized by the State Board of Education  
14 to deliver training to school district personnel in the use of  
15 the management service. Such training shall be delivered by  
16 certificated school business officials or State Board of  
17 Education trained personnel and may be provided through  
18 administrator academies and mentoring programs. The State  
19 Board of Education may establish contracts with other  
20 organizations to provide such training and mentoring.

21       In the event that a district does not employ a certificated  
22 school business official, a least one employee must be trained  
23 and certified in the use of the resource management service. In  
24 addition, a representative of the exclusive bargaining agents  
25 of the school district's employees shall be invited to be  
26 trained and certified.

1       (g) The State Board of Education shall identify the data  
2 required to implement the resource management service and  
3 develop annual data reporting instruments designed to collect  
4 the information from each school district.

5       The State Board of Education may provide grants to school  
6 districts to permit those school districts to develop and  
7 implement a plan for a shared services agreement in the  
8 following areas: operation and maintenance and central  
9 services.

10       (h) Annually, the certificated school business official or  
11 resource management service trained employee in each school  
12 district shall review and certify that the resource allocation  
13 report has been received and reviewed by the management team  
14 and the exclusive bargaining agent of the district.  
15 Subsequently, a report must be filed with the State Board of  
16 Education identifying the considerations that will be studied  
17 as a result of such analysis. In addition, any implementation  
18 of strategies or reallocation of resources associated with the  
19 resource management service must be annually reported to the  
20 Board of Education, the exclusive bargaining agents of the  
21 school district's employees, and, subsequently, the State  
22 Board of Education. The State Board shall annually prepare a  
23 cumulative report to be posted electronically containing those  
24 initiatives studied and implemented on a statewide basis.

1       Sec. 3-6.5. Regional office evaluation and accountability.

2       (a) The State Board of Education shall contract with a  
3 third party to maintain information regarding the performance  
4 of regional education service centers. Such information shall  
5 include the following:

6           (1) district effectiveness and efficiency in districts  
7 served resulting from technical assistance and program  
8 support;

9           (2) direct services provided or regionally shared  
10 services arranged by the service center that produce more  
11 economical and efficient school operations;

12           (3) direct services provided or regionally shared  
13 services arranged by the service center that provide for  
14 assistance in core services; and

15           (4) grants received for implementation of State  
16 initiatives and the results achieved by the service center  
17 under the terms of the grant contract.

18       Regional offices of education and educational service  
19 centers must promptly comply with any requests for information  
20 under this Section from the State Board of Education or its  
21 third party contractor.

22       (b) The regional superintendent of schools shall report, in  
23 writing, to the governing county board or boards, no later than  
24 January 1, 2010 and each January 1 thereafter, stating (i) the  
25 balance on hand at the time of the last report and all receipts  
26 since that date, with the sources from which they were derived;

1 (ii) the amount distributed to each of the school treasurers in  
2 the governing county or counties; and (iii) any balance on  
3 hand. At the same time the regional superintendent shall  
4 present for inspection his or her books and vouchers for all  
5 expenditures, and submit in writing a statement of the  
6 condition of the institute fund and of any other funds in his  
7 or her care, custody, or control.

8 (c) Each regional superintendent of schools, whether for a  
9 multi-county or for a single county educational service region,  
10 shall present for inspection or otherwise make available to the  
11 Auditor General, or to the agents designated by the Auditor  
12 General, all financial statements, books, vouchers, and other  
13 records required to be so presented or made available pursuant  
14 to Section 2-3.17a of this Code and the rules of the Auditor  
15 General pursuant to that Section.

16 (d) Beginning December 1, 2010, and annually thereafter,  
17 the State Board of Education shall, through the contractor  
18 referenced in subsection (a) of this Section, publish, online,  
19 a cumulative report with information about each regional office  
20 of education and educational service center. Each report must  
21 include, with respect to the prior fiscal year, the following:

22 (1) an audit of the office's finances, which shall be  
23 provided by the Auditor General to the State Board of  
24 Education or its third party contractor for this purpose;

25 (2) the information required to be maintained under  
26 subsection (a) of this Section; and

1           (3) the results of the service evaluation report  
2           annually made by the Office of the Lieutenant Governor  
3           pursuant to Section 2-3.112 of this Code.

4           (105 ILCS 5/3-7) (from Ch. 122, par. 3-7)

5           Sec. 3-7. Failure to prepare and forward information. If  
6           the trustees of schools of any township in Class II county  
7           school units, or any school district which forms a part of a  
8           Class II county school unit but which is not subject to the  
9           jurisdiction of the trustees of schools of any township in  
10          which such district is located, or any school district in any  
11          Class I county school units fail to prepare and forward or  
12          cause to be prepared and forwarded to the regional  
13          superintendent of schools, reports required by this Act, the  
14          regional superintendent of schools shall furnish such  
15          information or he shall employ a person or persons to furnish  
16          such information, as far as practicable. Such person shall have  
17          access to the books, records and papers of the school district  
18          to enable him or them to prepare such reports, and the school  
19          district shall permit such person or persons to examine such  
20          books, records and papers at such time and such place as such  
21          person or persons may desire for the purpose aforesaid. For  
22          such services the regional superintendent of schools shall bill  
23          the district an amount to cover the cost of preparation of such  
24          reports if he employs a person to prepare such reports.

25          Each school district shall, as of June 30 of each year,

1 cause an audit of its accounts to be made by a person lawfully  
2 qualified to practice public accounting as regulated by the  
3 Illinois Public Accounting Act. Such audit shall include (i)  
4 development of a risk assessment of district internal controls,  
5 (ii) an annual review and update of the risk assessment, and  
6 (iii) an annual management letter that analyzes significant  
7 risk assessment findings, recommends changes for strengthening  
8 controls and reducing identified risks, and specifies  
9 timeframes for implementation of these recommendations, as  
10 well as financial statements of the district applicable to the  
11 type of records required by other sections of this Act and in  
12 addition shall set forth the scope of audit and shall include  
13 the professional opinion signed by the auditor, or if such an  
14 opinion is denied by the auditor, shall set forth the reasons  
15 for such denial. Each school district shall on or before  
16 October 15 of each year, submit an original and one copy of the  
17 ~~such~~ audit to the regional superintendent of schools in the  
18 educational service region having jurisdiction in which case  
19 the regional superintendent of schools shall be relieved of  
20 responsibility in regard to the accounts of the school  
21 district. If any school district fails to supply the regional  
22 superintendent of schools with a copy of such audit report on  
23 or before October 15, or within such time extended by the  
24 regional superintendent of schools from that date, not to  
25 exceed 60 days, then it shall be the responsibility of the  
26 regional superintendent of schools having jurisdiction to

1 cause such audit to be made by employing an accountant licensed  
2 to practice in the State of Illinois to conduct such audit and  
3 shall bill the district for such services, or shall with the  
4 personnel of his office make such audit to his satisfaction and  
5 bill the district for such service. In the latter case, if the  
6 audit is made by personnel employed in the office of the  
7 regional superintendent of schools having jurisdiction, then  
8 the regional superintendent of schools shall not be relieved of  
9 the responsibility as to the accountability of the school  
10 district. The copy of the audit shall be forwarded by the  
11 regional superintendent to the State Board of Education on or  
12 before November 15 of each year and shall be filed by the State  
13 Board of Education. Beginning on July 1, 2009, all school  
14 districts shall utilize a competitive request for proposals  
15 process at least once every 5 years when contracting for such  
16 an annual audit, provided that school districts with existing  
17 contracts of less than 5 years in length that are in effect on  
18 July 1, 2009 shall utilize a competitive request for proposals  
19 process when contracting for an annual audit after the  
20 expiration date of the existing contract.

21 Each school district that is the administrative district  
22 for several school districts operating under a joint agreement  
23 as authorized by this Act shall, as of June 30 each year, cause  
24 an audit of the accounts of the joint agreement to be made by a  
25 person lawfully qualified to practice public accounting as  
26 regulated by the Illinois Public Accounting Act. Such audit



1 shall include (i) development of a risk assessment of district  
2 internal controls, (ii) an annual review and update of the risk  
3 assessment, and (iii) an annual management letter that analyzes  
4 significant risk assessment findings, recommends changes for  
5 strengthening controls and reducing identified risks, and  
6 specifies timeframes for implementation of these  
7 recommendations, as well as financial statements of the  
8 operation of the joint agreement applicable to the type of  
9 records required by this Act and, in addition, shall set forth  
10 the scope of the audit and shall include the professional  
11 opinion signed by the auditor, or if such an opinion is denied,  
12 the auditor shall set forth the reason for such denial. Each  
13 administrative district of a joint agreement shall on or before  
14 October 15 each year, submit an original and one copy of such  
15 audit to the regional superintendent of schools in the  
16 educational service region having jurisdiction in which case  
17 the regional superintendent of schools shall be relieved of  
18 responsibility in regard to the accounts of the joint  
19 agreement. The copy of the audit shall be forwarded by the  
20 regional superintendent to the State Board of Education on or  
21 before November 15 of each year and shall be filed by the State  
22 Board of Education. The cost of such an audit shall be  
23 apportioned among and paid by the several districts who are  
24 parties to the joint agreement, in the same manner as other  
25 costs and expenses accruing to the districts jointly. Beginning  
26 on July 1, 2009, all school districts operating under a joint

1 agreement shall utilize a competitive request for proposals  
2 process at least once every 5 years when contracting for such  
3 an annual audit, provided that all school districts operating  
4 under a joint agreement with existing contracts of less than 5  
5 years in length that are in effect on July 1, 2009 shall  
6 utilize a competitive request for proposals process when  
7 contracting for an annual audit after the expiration date of  
8 the existing contract.

9 The State Board of Education shall determine the adequacy  
10 of the audits. All audits shall be kept on file in the office  
11 of the State Board of Education.

12 (Source: P.A. 86-1441; 87-473.)

13 (105 ILCS 5/10-16.10 new)

14 Sec. 10-16.10. Board member leadership training.

15 (a) This Section shall apply to all school board members  
16 serving pursuant to Section 10-10 of this Code who have been  
17 elected on or after the effective date of this amendatory Act  
18 of the 95th General Assembly or appointed to fill a vacancy of  
19 at least one year's duration on or after the effective date of  
20 this amendatory Act of the 95th General Assembly.

21 (b) It is the policy of this State to encourage every  
22 voting member of a board of education of a school district  
23 elected or appointed for a term beginning on or after the  
24 effective date of this amendatory Act of the 95th General  
25 Assembly, within a year after the effective date of this

1 amendatory Act of the 95th General Assembly or the first year  
2 of his or her term, to complete a minimum of 4 hours of  
3 professional development leadership training covering topics  
4 in education and labor law, financial oversight and  
5 accountability, and fiduciary responsibilities of a school  
6 board member.

7 (c) The training on financial oversight, accountability,  
8 and fiduciary responsibilities may be provided by an  
9 association established under this Code for the purpose of  
10 training school board members or by other qualified providers  
11 approved by the State Board of Education, in conjunction with  
12 an association so established.

13 (105 ILCS 5/10-17a) (from Ch. 122, par. 10-17a)

14 Sec. 10-17a. Better schools accountability.

15 (1) Policy and Purpose. It shall be the policy of the State  
16 of Illinois that each school district in this State, including  
17 special charter districts and districts subject to the  
18 provisions of Article 34, shall submit to parents, taxpayers of  
19 such district, the Governor, the General Assembly, and the  
20 State Board of Education a school report card assessing the  
21 performance of its schools and students. The report card shall  
22 be an index of school performance measured against statewide  
23 and local standards and will provide information to make prior  
24 year comparisons and to set future year targets through the  
25 school improvement plan.

1           (2) Reporting Requirements. Each school district shall  
2 prepare a report card in accordance with the guidelines set  
3 forth in this Section which describes the performance of its  
4 students by school attendance centers and by district and the  
5 district's financial resources and use of financial resources.  
6 Such report card shall be presented at a regular school board  
7 meeting subject to applicable notice requirements, posted on  
8 the school district's Internet web site, if the district  
9 maintains an Internet web site, made available to a newspaper  
10 of general circulation serving the district, and, upon request,  
11 sent home to a parent (unless the district does not maintain an  
12 Internet web site, in which case the report card shall be sent  
13 home to parents without request). If the district posts the  
14 report card on its Internet web site, the district shall send a  
15 written notice home to parents stating (i) that the report card  
16 is available on the web site, (ii) the address of the web site,  
17 (iii) that a printed copy of the report card will be sent to  
18 parents upon request, and (iv) the telephone number that  
19 parents may call to request a printed copy of the report card.  
20 In addition, each school district shall submit the completed  
21 report card to the office of the district's Regional  
22 Superintendent which shall make copies available to any  
23 individuals requesting them.

24           The report card shall be completed and disseminated prior  
25 to October 31 in each school year. The report card shall  
26 contain, but not be limited to, actual local school attendance

1 center, school district and statewide data indicating the  
2 present performance of the school, the State norms and the  
3 areas for planned improvement for the school and school  
4 district.

5 (3) (a) The report card shall include the following  
6 applicable indicators of attendance center, district, and  
7 statewide student performance: percent of students who exceed,  
8 meet, or do not meet standards established by the State Board  
9 of Education pursuant to Section 2-3.25a; growth model  
10 assessment estimates for each district, subject to a statewide  
11 growth model assessment system being established and data being  
12 available pursuant to Section 2-3.64b of this Code; composite  
13 and subtest means on nationally normed achievement tests for  
14 college bound students; student attendance rates; chronic  
15 truancy rate; dropout rate; graduation rate; and student  
16 mobility, turnover shown as a percent of transfers out and a  
17 percent of transfers in.

18 (b) The report card shall include the following  
19 descriptions for the school, district, and State: average class  
20 size; amount of time per day devoted to mathematics, science,  
21 English and social science at primary, middle and junior high  
22 school grade levels; number of students taking the Prairie  
23 State Achievement Examination under subsection (c) of Section  
24 2-3.64, the number of those students who received a score of  
25 excellent, and the average score by school of students taking  
26 the examination; pupil-teacher ratio; pupil-administrator

1 ratio; operating expenditure per pupil; district expenditure  
2 by fund; average administrator salary; and average teacher  
3 salary. The report card shall also specify the amount of money  
4 that the district receives from all sources, including without  
5 limitation subcategories specifying the amount from local  
6 property taxes, the amount from general State aid, the amount  
7 from other State funding, and the amount from other income. The  
8 report card shall also include the 5 components of the  
9 financial rating and the total financial rating scores from the  
10 State Financial Profile.

11 (c) The report card shall include applicable indicators of  
12 parental involvement in each attendance center. The parental  
13 involvement component of the report card shall include the  
14 percentage of students whose parents or guardians have had one  
15 or more personal contacts with the students' teachers during  
16 the school year concerning the students' education, and such  
17 other information, commentary, and suggestions as the school  
18 district desires. For the purposes of this paragraph, "personal  
19 contact" includes, but is not limited to, parent-teacher  
20 conferences, parental visits to school, school visits to home,  
21 telephone conversations, and written correspondence. The  
22 parental involvement component shall not single out or identify  
23 individual students, parents, or guardians by name.

24 (d) The report card form shall be prepared by the State  
25 Board of Education and provided to school districts by the most  
26 efficient, economic, and appropriate means.

1       (e) The report card shall include an indicator describing  
2 whether the school district has improved, declined, or remained  
3 stable in the aggregate percentage of students making at least  
4 one-year's academic growth each year, subject to a statewide  
5 growth model assessment system being established and data being  
6 available pursuant to Section 2-3.64b of this Code.

7       (f) Except for schools in a school district organized under  
8 Article 34 of this Code, the report card shall include a  
9 comparison of the following indicators to a benchmark group of  
10 at least 5 schools that have similar demographics as defined by  
11 the State Board of Education:

12           (1) percentage of students in the aggregate making one  
13 year's progress in one year's time in reading, writing, and  
14 mathematics, subject to a statewide growth model  
15 assessment system being established and data being  
16 available pursuant to Section 2-3.64b of this Code;

17           (2) State Financial Profile rating; and

18           (3) instruction per pupil expenditures.

19       (Source: P.A. 95-331, eff. 8-21-07.)

20       (105 ILCS 5/10-17b new)

21       Sec. 10-17b. Financial policies. Beginning with the second  
22 fiscal year after the effective date of this amendatory Act of  
23 the 95th General Assembly, each school board shall adopt a  
24 formal, written financial policy. The policy may include  
25 information in the following areas:

1           (1) Debt capacity, issuance, and management.

2           (2) Capital asset management.

3           (3) Reserve or stabilization fund goals.

4           (4) Periodic budget to actual comparison reports.

5           (5) Fees and charges.

6           (6) The use of one-time revenue.

7           (7) Risk management related to internal controls.

8           (8) Purchasing.

9           (9) Vehicle acquisition and maintenance.

10          The school board shall make the policy publicly available.

11           (105 ILCS 5/10-17c new)

12           Sec. 10-17c. Long-term financial plan. Beginning with the  
13 second fiscal year after the effective date of this amendatory  
14 Act of the 95th General Assembly, each school board shall  
15 develop a long-term financial plan that extends over at least a  
16 3-year period and that is updated and approved annually. The  
17 plan must include multi-year forecasts of revenues,  
18 expenditures, and debt. The school board may make the plan  
19 available to the public by publishing it as a separate document  
20 and submitting it with the annual budget or by posting the plan  
21 as a document on the school district's Internet website, if  
22 any. The forecasts that are the foundation of the plan must be  
23 available to participants in the budget process before  
24 budgetary decisions are made. The public must be provided  
25 opportunities for providing dialog with respect to the



1 long-term financial planning process. Public access and review  
2 shall take place as part of the official budget hearing process  
3 in accordance with Section 17-1 of this Code, which requires  
4 the posting of notice and making documents available to the  
5 general public at least 30 days in advance of the budget  
6 hearing.

7 (105 ILCS 5/10-17d new)

8 Sec. 10-17d. Capital improvement plan. Beginning with the  
9 second fiscal year after the effective date of this amendatory  
10 Act of the 95th General Assembly, each school board shall  
11 develop a 5-year capital improvement plan that is updated and  
12 approved annually. The plan must include a summary list of the  
13 description of the capital projects to be completed over the  
14 next 5 years, along with projected expenditures, and revenue  
15 sources. The school board shall make the plan available to the  
16 public. The school board shall hold a public hearing on the  
17 capital improvement plan, which hearing may be held at a  
18 regularly scheduled meeting of the board. This hearing shall be  
19 held in the same manner and subject to the same notice and  
20 other requirements as the public hearing required prior to  
21 adoption of the budget in conformity with Section 17-1 of this  
22 Code, which requires the posting of notice and making documents  
23 available to the general public at least 30 days in advance of  
24 the budget hearing.

1 (105 ILCS 5/10-20.20) (from Ch. 122, par. 10-20.20)

2 Sec. 10-20.20. Protection from suit.→ To indemnify and  
3 protect school districts, members of school boards, employees,  
4 volunteer personnel authorized in Sections 10-22.34, 10-22.34a  
5 and 10-22.34b of this Code, mentors of certified staff as  
6 authorized in Article 21A and Sections 2-3.53a, 2-3.53b, and  
7 34-18.33 of this Code, and student teachers against civil  
8 rights damage claims and suits, constitutional rights damage  
9 claims and suits and death and bodily injury and property  
10 damage claims and suits, including defense thereof, when  
11 damages are sought for negligent or wrongful acts alleged to  
12 have been committed in the scope of employment or under the  
13 direction of the board or related to any mentoring services  
14 provided to certified staff of the school district. Such  
15 indemnification and protection shall extend to persons who were  
16 members of school boards, employees of school boards,  
17 authorized volunteer personnel, mentors of certified staff, or  
18 student teachers at the time of the incident from which a claim  
19 arises. No agent may be afforded indemnification or protection  
20 unless he was a member of a school board, an employee of a  
21 board, an authorized volunteer, a mentor of certified staff, or  
22 a student teacher at the time of the incident from which the  
23 claim arises.

24 (Source: P.A. 79-210.)

25 (105 ILCS 5/10-20.45)

1           Sec. 10-20.45 ~~10-20.41~~. Pay for performance.

2           (a) In this Section:

3           "Growth model assessment" means the statewide growth model  
4 assessment system established by the State Board of Education  
5 to measure the annual increase or growth in each student's  
6 performance relative to a standard year of academic growth on  
7 the assessments provided for in Section 2-3.64b of this Code  
8 and other performance indicators that the State Board  
9 identifies and that reliably estimates school district,  
10 school, and teacher effects on students' academic achievement  
11 over time, controls for student characteristics, and uses an  
12 independently verifiable statistical methodology to produce  
13 such estimates.

14           "Value-added" means the improvement gains in student  
15 achievement that are made each year based on pre-test and  
16 post-test outcomes.

17           ~~A Beginning with all newly negotiated collective~~  
18 ~~bargaining agreements entered into after the effective date of~~  
19 ~~this amendatory Act of the 95th General Assembly, a school~~  
20 ~~board and the exclusive bargaining representative, if any, may~~  
21 ~~include a performance-based teacher compensation plan in the~~  
22 ~~subject of its collective bargaining agreement. Nothing in this~~  
23 ~~Section shall preclude the school board and the exclusive~~  
24 ~~bargaining representative from agreeing to and implementing a~~  
25 ~~new performance-based teacher compensation plan prior to the~~  
26 ~~termination of a the current collective bargaining agreement in~~

1 existence on the effective date of this amendatory Act of the  
2 95th General Assembly.

3 (b) The ~~new~~ teacher compensation plan bargained and agreed  
4 to by the school board and the exclusive bargaining  
5 representative under subsection (a) of this Section shall  
6 provide certificated personnel with base salaries and shall  
7 also provide that any increases in the compensation of  
8 individual teachers or groups of teachers beyond base salaries  
9 shall be pursuant, but not limited to, any of the following  
10 elements:

11 (1) Excellent ~~Superior~~ teacher evaluations based on  
12 multiple evaluations of their classroom teaching.

13 (2) A ~~Evaluation of a~~ teacher's student  
14 classroom-level achievement growth as measured using a  
15 growth model assessment or a value-added model.  
16 ~~"Value added" means the improvement gains in student~~  
17 ~~achievement that are made each year based on pre test and~~  
18 ~~post test outcomes.~~

19 (3) School-level ~~Evaluation of school level~~  
20 achievement growth as measured using a growth model  
21 assessment or a value-added model. ~~"Value added" means the~~  
22 ~~improvement gains in student achievement that are made each~~  
23 ~~year based on pre test and post test outcomes.~~

24 (4) Demonstration of superior, outstanding performance  
25 by an individual teacher or groups of teachers through the  
26 meeting of unique and specific teaching practice

1 objectives defined and agreed to in advance in any given  
2 school year.

3 (5) Preparation for meeting and contribution to the  
4 broader needs of the school organization (e.g., curriculum  
5 development, family liaison and community outreach,  
6 implementation of a professional development program for  
7 faculty, and participation in school management).

8 (c) (Blank). ~~A school board and exclusive bargaining~~  
9 ~~representative that initiate their own performance-based~~  
10 ~~teacher compensation program shall submit the new plan to the~~  
11 ~~State Board of Education for review not later than 150 days~~  
12 ~~before the plan is to become effective. If the plan does not~~  
13 ~~conform to this Section, the State Board of Education shall~~  
14 ~~return the plan to the school board and the exclusive~~  
15 ~~bargaining representative for modification. The school board~~  
16 ~~and the exclusive bargaining representative shall then have 30~~  
17 ~~days after the plan is returned to them to submit a modified~~  
18 ~~plan.~~

19 (d) Nothing in this Section precludes a school board and an  
20 exclusive bargaining representative from agreeing to and  
21 implementing a performance-based teacher compensation plan  
22 that does not meet the requirements of subsection (b) of this  
23 Section and does not use standardized test scores as a basis  
24 for determining compensation under the plan in order to provide  
25 new incentives to improve student learning and to recruit and  
26 retain highly qualified teachers, encourage highly qualified

1 teachers to undertake challenging assignments, and support  
2 teachers' roles in improving students' educational  
3 achievement.

4 (Source: P.A. 95-707, eff. 1-11-08; revised 1-23-08.)

5 (105 ILCS 5/10-20.46 new)

6 Sec. 10-20.46. School district financial accountability.

7 (a) A school board shall annually include a user-friendly  
8 executive summary as part of the district's budget. The  
9 executive summary shall include all of the following:

10 (1) The district's major goals and objectives.

11 (2) A discussion of the major financial factors and  
12 trends affecting the budget, such as changes in revenues,  
13 enrollment, and debt.

14 (3) A description of the budget process.

15 (4) An overview of revenues and expenditures for all  
16 funds, including at least 3 to 5 years of prior and future  
17 trends, based on data from the annual financial report.

18 (5) An explanation of significant financial and  
19 demographic trends.

20 (6) An explanation of the reasons for a budget deficit  
21 and an explanation of how the deficit is being addressed in  
22 accordance with Section 17-1 of this Code.

23 (7) A budget forecast for at least 3 to 5 years in the  
24 future.

25 (8) Student enrollment trends, including a future

1       forecast.

2           (9) The number of personnel by type.

3           (10) Changes in both the long term and short term debt  
4       burden.

5       (b) Beginning with the second fiscal year after the  
6       effective date of this amendatory Act of the 95th General  
7       Assembly, a school board shall annually include in the full  
8       budget document the following items; any or all of the  
9       following items may be published as separate documents provided  
10       that they are explicitly referenced in the annual budget and  
11       attached thereto and provided that they are made publicly  
12       available at the same time as the tentative budget document:

13           (1) An organizational chart.

14           (2) Formal financial policies pursuant to Section  
15       10-17b of this Code.

16           (3) The district's long-term financial plan pursuant  
17       to Section 10-17c of this Code or a summary of the  
18       long-term financial plan.

19           (4) The district's capital improvement plan pursuant  
20       to Section 10-17d of this Code or a summary of the capital  
21       improvement plan.

22       (105 ILCS 5/10-22.45) (from Ch. 122, par. 10-22.45)

23       Sec. 10-22.45. A school board shall ~~To~~ establish an audit  
24       committee, which may include ~~and to appoint~~ members of the  
25       board, ~~or~~ other appropriate officers, or persons who do not

1 serve on the board ~~to the committee~~, to review audit reports  
2 and any other financial reports and documents, including  
3 management letters prepared by or on behalf of the board.  
4 Nothing in this Section prohibits a school district from  
5 maintaining its own internal audit function.

6 (Source: P.A. 82-644.)

7 (105 ILCS 5/17-2.11c new)

8 Sec. 17-2.11c. Non-referendum bonds. Upon the  
9 certification of an architect and subsequent approval by the  
10 regional superintendent of schools and the State Board of  
11 Education, a board of education governing a school district  
12 having not more than 500,000 inhabitants may issue  
13 non-referendum bonds for the purposes described in Section 19-3  
14 of this Code. Such bonds may be issued in excess of any  
15 statutory limitation as to debt prescribed in Article 19 of  
16 this Code.

17 (105 ILCS 5/19-3) (from Ch. 122, par. 19-3)

18 Sec. 19-3. Boards of education. Any school district  
19 governed by a board of education and having a population of not  
20 more than 500,000 inhabitants, and not governed by a special  
21 Act may borrow money for the purpose of building, equipping,  
22 altering or repairing school buildings or purchasing or  
23 improving school sites, or acquiring and equipping  
24 playgrounds, recreation grounds, athletic fields, and other



1 buildings or land used or useful for school purposes or for the  
2 purpose of purchasing a site, with or without a building or  
3 buildings thereon, or for the building of a house or houses on  
4 such site, or for the building of a house or houses on the  
5 school site of the school district, for residential purposes of  
6 the superintendent, principal, or teachers of the school  
7 district, and issue its negotiable coupon bonds therefor signed  
8 by the president and secretary of the board, in denominations  
9 of not less than \$100 nor more than \$5,000, payable at such  
10 place and at such time or times, not exceeding 20 years from  
11 date of issuance, as the board of education may prescribe, and  
12 bearing interest at a rate not to exceed the maximum rate  
13 authorized by the Bond Authorization Act, as amended at the  
14 time of the making of the contract, payable annually,  
15 semiannually or quarterly, but, with the exception of those  
16 bonds described in Section 17-2.11c of this Code, no such bonds  
17 shall be issued unless the proposition to issue them is  
18 submitted to the voters of the district at a referendum held at  
19 a regularly scheduled election after the board has certified  
20 the proposition to the proper election authorities in  
21 accordance with the general election law, a majority of all the  
22 votes cast on the proposition is in favor of the proposition,  
23 and notice of such bond referendum has been given either (i) in  
24 accordance with the second paragraph of Section 12-1 of the  
25 Election Code irrespective of whether such notice included any  
26 reference to the public question as it appeared on the ballot,

1 or (ii) for an election held on or after November 1, 1998, in  
2 accordance with Section 12-5 of the Election Code, or (iii) by  
3 publication of a true and legible copy of the specimen ballot  
4 label containing the proposition in the form in which it  
5 appeared or will appear on the official ballot label on the day  
6 of the election at least 5 days before the day of the election  
7 in at least one newspaper published in and having a general  
8 circulation in the district, irrespective of any other  
9 requirements of Article 12 or Section 24A-18 of the Election  
10 Code, nor shall any residential site be acquired unless such  
11 proposition to acquire a site is submitted to the voters of the  
12 district at a referendum held at a regularly scheduled election  
13 after the board has certified the proposition to the proper  
14 election authorities in accordance with the general election  
15 law and a majority of all the votes cast on the proposition is  
16 in favor of the proposition. Nothing in this Act or in any  
17 other law shall be construed to require the notice of the bond  
18 referendum to be published over the name or title of the  
19 election authority or the listing of maturity dates of any  
20 bonds either in the notice of bond election or ballot used in  
21 the bond election. The provisions of this Section concerning  
22 notice of the bond referendum apply only to (i) consolidated  
23 primary elections held prior to January 1, 2002 and the  
24 consolidated election held on April 17, 2007 at which not less  
25 than 60% of the voters voting on the bond proposition voted in  
26 favor of the bond proposition, and (ii) other elections held

1 before July 1, 1999; otherwise, notices required in connection  
2 with the submission of public questions shall be as set forth  
3 in Section 12-5 of the Election Code. Such proposition may be  
4 initiated by resolution of the school board.

5 With respect to instruments for the payment of money issued  
6 under this Section either before, on, or after the effective  
7 date of this amendatory Act of 1989, it is and always has been  
8 the intention of the General Assembly (i) that the Omnibus Bond  
9 Acts are and always have been supplementary grants of power to  
10 issue instruments in accordance with the Omnibus Bond Acts,  
11 regardless of any provision of this Act that may appear to be  
12 or to have been more restrictive than those Acts, (ii) that the  
13 provisions of this Section are not a limitation on the  
14 supplementary authority granted by the Omnibus Bond Acts, and  
15 (iii) that instruments issued under this Section within the  
16 supplementary authority granted by the Omnibus Bond Acts are  
17 not invalid because of any provision of this Act that may  
18 appear to be or to have been more restrictive than those Acts.

19 The proceeds of any bonds issued under authority of this  
20 Section shall be deposited and accounted for separately within  
21 the Site and Construction/Capital Improvements Fund.

22 (Source: P.A. 95-30, eff. 8-7-07.)

23 (105 ILCS 5/21-29)

24 Sec. 21-29. Salary Incentive Program for Hard-to-Staff  
25 Schools.

1           (a) As used in this Section, "hard-to-staff school" means a  
2 public school in this State that ranks in the upper third among  
3 public schools of its type (elementary, middle, or secondary)  
4 in terms of rate of attrition of its teachers and where 40% of  
5 its students are at or below the poverty line. The Salary  
6 Incentive Program for Hard-to-Staff Schools is established to  
7 provide categorical funding for monetary incentives and  
8 bonuses for teachers and school administrators who are employed  
9 by school districts designated as hard-to-staff by the State  
10 Board of Education. The State Board of Education shall allocate  
11 and distribute to qualifying school districts an amount as  
12 annually appropriated by the General Assembly for the Salary  
13 Incentive Program for Hard-to-Staff Schools. The State Board of  
14 Education's annual budget must set out by separate line item  
15 the appropriation for the program.

16           (b) Unless otherwise provided by appropriation, each  
17 school district's annual allocation under the Salary Incentive  
18 Program for Hard-to-Staff Schools shall be the sum of the  
19 following incentives and bonuses:

20           (1) An annual payment of \$3,000 to be paid to each  
21 certificated teacher employed as a school teacher by a  
22 school district. The school district shall distribute this  
23 payment to each eligible teacher as a single payment or in  
24 not more than 3 payments.

25           (2) An annual payment of \$5,000 to each certificated  
26 principal that is employed as a school principal by a

1 school district. The school district shall distribute this  
2 payment to each eligible principal as a single payment or  
3 in not more than 3 payments.

4 (c) Each regional superintendent of schools shall provide  
5 information about the Salary Incentive Program for  
6 Hard-to-Staff Schools to each individual seeking to register or  
7 renew a certificate.

8 (Source: P.A. 95-707, eff. 1-11-08.)

9 (105 ILCS 5/21A-3 new)

10 Sec. 21A-3. Goals. The New Teacher Induction and Mentoring  
11 Program under this Article shall accomplish the following  
12 goals:

13 (1) provide an effective transition into the teaching  
14 career for first year and second-year teachers in Illinois;

15 (2) improve the educational performance of pupils  
16 through improved training, information, and assistance for  
17 new teachers;

18 (3) ensure professional success and retention of new  
19 teachers;

20 (4) ensure that mentors provide intensive  
21 individualized support and assistance to each  
22 participating beginning teacher;

23 (5) ensure that an individual induction plan is in  
24 place for each beginning teacher and is based on an ongoing  
25 assessment of the development of the beginning teacher; and

1           (6) ensure continuous program improvement through  
2           ongoing research, development and evaluation.

3           (105 ILCS 5/21A-5)

4           Sec. 21A-5. Definitions. In this Article:

5           "New teacher" or "beginning teacher" means the holder of an  
6           Initial Teaching Certificate, as set forth in Section 21-2 of  
7           this Code, an Alternative Teaching Certificate, or a  
8           Transitional Bilingual Teaching Certificate, who is employed  
9           by a public school and who has not previously participated in a  
10          new teacher induction and mentoring program required by this  
11          Article, except as provided in Section 21A-25 of this Code.

12          "Public school" means any school operating pursuant to the  
13          authority of this Code, including without limitation a school  
14          district, a charter school, a cooperative or joint agreement  
15          with a governing body or board of control, and a school  
16          operated by a regional office of education or State agency.

17          (Source: P.A. 93-355, eff. 1-1-04.)

18          (105 ILCS 5/21A-10)

19          Sec. 21A-10. Development of program required. Prior to the  
20          2010-2011 ~~During the 2003-2004~~ school year, each public school  
21          or 2 or more public schools acting jointly shall develop, in  
22          conjunction with its exclusive representative or their  
23          exclusive representatives, if any, a new teacher induction and  
24          mentoring program that meets the requirements set forth in

1 Section 21A-20 of this Code to assist new teachers in  
2 developing the skills and strategies necessary for  
3 instructional excellence, ~~provided that funding is made~~  
4 ~~available by the State Board of Education from an appropriation~~  
5 ~~made for this purpose. A public school that has an existing~~  
6 ~~induction and mentoring program that does not meet the~~  
7 ~~requirements set forth in Section 21A-20 of this Code may have~~  
8 ~~school years 2003-2004 and 2004-2005 to develop a program that~~  
9 ~~does meet those requirements and may receive funding as~~  
10 ~~described in Section 21A-25 of this Code, provided that the~~  
11 ~~funding is made available by the State Board of Education from~~  
12 ~~an appropriation made for this purpose. A public school with~~  
13 ~~such an existing induction and mentoring program may receive~~  
14 ~~funding for the 2005-2006 school year for each new teacher in~~  
15 ~~the second year of a 2 year program that does not meet the~~  
16 ~~requirements set forth in Section 21A-20, as long as the public~~  
17 ~~school has established the required new program by the~~  
18 ~~beginning of that school year as described in Section 21A-15~~  
19 ~~and provided that funding is made available by the State Board~~  
20 ~~of Education from an appropriation made for this purpose as~~  
21 ~~described in Section 21A-25.~~

22 (Source: P.A. 93-355, eff. 1-1-04.)

23 (105 ILCS 5/21A-15)

24 Sec. 21A-15. When program is to be established and  
25 implemented. Notwithstanding any other provisions of this

1 Code, by the beginning of the 2010-2011 ~~2004-2005~~ school year  
2 ~~(or by the beginning of the 2005-2006 school year for a public~~  
3 ~~school that has been given an extension of time to develop a~~  
4 ~~program under Section 21A-10 of this Code),~~ each public school  
5 or 2 or more public schools acting jointly shall establish and  
6 implement, in conjunction with its exclusive representative or  
7 their exclusive representatives, if any, the new teacher  
8 induction and mentoring program required to be developed under  
9 Section 21A-10 of this Code, ~~provided that funding is made~~  
10 ~~available by the State Board of Education, from an~~  
11 ~~appropriation made for this purpose, as described in Section~~  
12 ~~21A-25 of this Code.~~ A public school may contract with an  
13 institution of higher education or other independent party to  
14 assist in implementing the program.

15 (Source: P.A. 93-355, eff. 1-1-04.)

16 (105 ILCS 5/21A-20)

17 Sec. 21A-20. Program requirements. Each new teacher  
18 induction and mentoring program must be based on a plan that at  
19 least does all of the following:

20 (1) Assigns a mentor teacher to each new teacher to  
21 provide structured and intensive mentoring, as defined by  
22 the State Board of Education, for a period of at least 2  
23 school years.

24 (1.5) Ensures mentors are:

25 (A) carefully selected from experienced, exemplary



1 teachers using a clearly articulated, well-defined,  
2 explicit criteria and open processes that may involve  
3 key school partners;

4 (B) rigorously trained using best practices in the  
5 field to ensure they are well prepared to assume their  
6 responsibilities and are consistently supported in  
7 their efforts to assist beginning teachers;

8 (C) provided with sufficient release time from  
9 teaching to allow them to meet their responsibilities  
10 as mentors, including regular contacts with their  
11 beginning teachers and frequent observations of their  
12 teaching practice; and

13 (D) equipped and selected to provide  
14 classroom-focused and content-focused support whenever  
15 possible.

16 (2) Aligns with the Illinois Professional Teaching  
17 Standards, content area standards, and applicable local  
18 school improvement and professional development plans, if  
19 any.

20 (3) (Blank). ~~Addresses all of the following elements~~  
21 ~~and how they will be provided:~~

22 ~~(A) Mentoring and support of the new teacher.~~

23 ~~(B) Professional development specifically designed~~  
24 ~~to ensure the growth of the new teacher's knowledge and~~  
25 ~~skills.~~

26 ~~(C) Formative assessment designed to ensure~~

1 ~~feedback and reflection, which must not be used in any~~  
2 ~~evaluation of the new teacher.~~

3 (4) Describes the role of mentor teachers, the criteria  
4 and process for their selection, and how they will be  
5 trained, provided that each mentor teacher shall  
6 demonstrate the best practices in teaching his or her  
7 respective field of practice. A mentor teacher may not  
8 directly or indirectly participate in the evaluation of a  
9 new teacher pursuant to Article 24A of this Code or the  
10 evaluation procedure of the public school, unless the  
11 school district and exclusive bargaining representative of  
12 its teachers negotiate and agree to it as part of an  
13 alternative evaluation plan under Section 24A-5 or 24A-8 of  
14 this Code.

15 (5) Provides ongoing professional development for both  
16 beginning teachers and mentors.

17 (A) Beginning teachers shall participate in an  
18 ongoing, formal network of novice colleagues for the  
19 purpose of professional learning, problem-solving, and  
20 mutual support. These regular learning opportunities  
21 shall begin with an orientation to the induction and  
22 mentoring program prior to the start of the school year  
23 and continue throughout the academic year. The group  
24 shall address issues of pedagogy, classroom management  
25 and content knowledge, beginning teachers' assessed  
26 needs, and local instructional needs or priorities.

1           (B) Mentors shall participate in an ongoing  
2           professional learning community that supports their  
3           practice and their use of mentoring tools, protocols,  
4           and formative assessment in order to tailor and deepen  
5           mentoring skills and advance induction practices,  
6           support program implementation, provide for mentor  
7           accountability in a supportive environment, and  
8           provide support to each mentor's emerging leadership.

9           (6) Provides for ongoing assessment of beginning  
10          teacher practice. Beginning teachers shall be subject to a  
11          system of formative assessment in which the novice and  
12          mentor collaboratively collect and analyze multiple  
13          sources of data and reflect upon classroom practice in an  
14          ongoing process. This assessment system shall be based on  
15          the Illinois Professional Teaching Standards (IPTS), the  
16          IPTS Continuum of Teacher Development, or a nationally  
17          recognized teaching framework, as well as evidence of  
18          teacher practice, including student work. The assessment  
19          information shall be used to determine the scope, focus,  
20          and content of professional development activities that  
21          are the basis of the beginning teacher's individual  
22          learning plan. The program shall provide time to ensure  
23          that the quality of the process (such as observations, data  
24          collection, and reflective conversations) is not  
25          compromised.

26          (7) Identifies clear roles and responsibilities for

1       both administrators and site mentor leaders who are to work  
2       collectively to ensure induction practices are integrated  
3       into existing professional development initiatives and to  
4       secure assignments and establish working conditions for  
5       beginning teachers that maximize their chances for  
6       success. Administrators and site mentor leaders must have  
7       sufficient knowledge and experience to understand the  
8       needs of beginning teachers and the role of principals in  
9       supporting each component of the program. Site  
10       administrators must take time to meet and communicate  
11       concerns with beginning teachers and their mentors.

12       (8) Provides for ongoing evaluation of the New Teacher  
13       Induction and Mentoring Program pursuant to Section 21A-30  
14       of this Code.

15       (Source: P.A. 93-355, eff. 1-1-04.)

16       (105 ILCS 5/21A-25)

17       Sec. 21A-25. Funding. From a separate appropriation made  
18       for the purposes of this Article, for each new teacher  
19       ~~participating in a new teacher induction and mentoring program~~  
20       that meets the requirements set forth in Section 21A-20 of this  
21       Code ~~or in an existing program that is in the process of~~  
22       ~~transition to a program that meets those requirements,~~ the  
23       State Board of Education shall pay the public school \$6,000  
24       ~~\$1,200~~ annually for each of 2 school years for the purpose of  
25       providing one or more of the following:

1 (1) Mentor teacher compensation.

2 (2) Mentor teacher training and other resources, ~~or~~ new  
3 teacher training and other resources, or both.

4 (3) Release time, including costs associated with  
5 replacing a mentor teacher or new teacher in his or her  
6 regular classroom.

7 (4) Site-based program administration, not to exceed  
8 10% of the total program cost.

9 However, if a new teacher, after participating in the new  
10 teacher induction and mentoring program for one school year,  
11 becomes employed by another public school, the State Board of  
12 Education shall pay the teacher's new school \$6,000 ~~\$1,200~~ for  
13 the second school year and the teacher shall continue to be a  
14 new teacher as defined in this Article. Each public school  
15 shall determine, in conjunction with its exclusive  
16 representative, if any, how the \$6,000 ~~\$1,200~~ per school year  
17 for each new teacher shall be used, provided that if a mentor  
18 teacher receives additional release time to support a new  
19 teacher, the total workload of other teachers regularly  
20 employed by the public school shall not increase in any  
21 substantial manner. If the appropriation is insufficient to  
22 cover the \$6,000 ~~\$1,200~~ per school year for each new teacher,  
23 public schools are not required to develop or implement the  
24 program established by this Article. In the event of an  
25 insufficient appropriation, a public school or 2 or more  
26 schools acting jointly may submit an application for a grant

1 administered by the State Board of Education and awarded on a  
2 competitive basis to establish a new teacher induction and  
3 mentoring program that meets the criteria set forth in Section  
4 21A-20 of this Code. The State Board of Education may retain up  
5 to \$1,000,000 of the appropriation for new teacher induction  
6 and mentoring programs to train mentor teachers,  
7 administrators, and other personnel, to provide best practices  
8 information, and to conduct an evaluation of these programs'  
9 impact and effectiveness.

10 (Source: P.A. 93-355, eff. 1-1-04.)

11 (105 ILCS 5/21A-30)

12 Sec. 21A-30. Evaluation of programs. The State Board of  
13 Education and the State Teacher Certification Board shall  
14 jointly contract with an independent party to conduct a  
15 comprehensive evaluation of new teacher induction and  
16 mentoring programs established pursuant to this Article. The  
17 first report of this evaluation shall be presented to the  
18 General Assembly on or before January 1, 2012 ~~2009~~. Subsequent  
19 evaluations shall be conducted and reports presented to the  
20 General Assembly on or before January 1 of every third year  
21 thereafter. Additionally, the State Board of Education shall  
22 prepare an annual program report for the General Assembly on or  
23 before December 31 each year. It shall summarize local program  
24 design, indicate the number of teachers served, and document  
25 rates of new teacher attrition and retention.

1 (Source: P.A. 93-355, eff. 1-1-04.)

2 (105 ILCS 5/23-3) (from Ch. 122, par. 23-3)

3 Sec. 23-3. Filing copy of constitution, by-laws and  
4 amendments. Within 30 days after the adoption by any such  
5 association of its constitution or by-laws or any amendment  
6 thereto, it shall file a copy thereof, certified by its  
7 president and executive director, with the Governor, the State  
8 Superintendent of Education, ~~Public Instruction~~ and the  
9 regional county superintendent of schools of each region county  
10 in which it has any membership.

11 (Source: Laws 1961, p. 31.)

12 (105 ILCS 5/23-5.5 new)

13 Sec. 23-5.5. Professional development and training. Any  
14 such association shall offer professional development and  
15 training to school board members on topics that include, but  
16 are not limited to, basics of school finance, financial  
17 oversight and accountability, labor law and collective  
18 bargaining, ethics, duties and responsibilities of a school  
19 board member, and board governance principles. Every school  
20 board member is expected to receive at least 4 hours of  
21 professional development and training per year.

22 (105 ILCS 5/23-6) (from Ch. 122, par. 23-6)

23 Sec. 23-6. Annual report. Each association shall make an

1 annual report within 60 days after the close of its fiscal year  
2 to the Governor, the State Board of Education and the regional  
3 superintendent of schools of each region in which it has  
4 members, setting forth the activities of the association for  
5 the preceding fiscal year, the institutes held, the subjects  
6 discussed, and the attendance, and shall furnish the Governor,  
7 the State Board of Education and such regional superintendents  
8 with copies of all publications sent to its members. The  
9 association shall include the board training topics offered and  
10 the number of school board members that availed themselves of  
11 professional development and training.

12 (Source: P.A. 81-1508.)

13 (105 ILCS 5/24-12) (from Ch. 122, par. 24-12)

14 Sec. 24-12. Removal or dismissal of teachers in contractual  
15 continued service.

16 (a) If a teacher in contractual continued service is  
17 removed or dismissed as a result of a decision of the board to  
18 decrease the number of teachers employed by the board or to  
19 discontinue some particular type of teaching service, written  
20 notice shall be mailed to the teacher and also given the  
21 teacher either by certified mail, return receipt requested or  
22 personal delivery with receipt at least 60 days before the end  
23 of the school term, together with a statement of honorable  
24 dismissal and the reason therefor. Any teacher dismissed as a  
25 result of such decrease or discontinuance shall be paid all



1 earned compensation on or before the third business day  
2 following the last day of pupil attendance in the regular  
3 school term.

4 Whenever the number of honorable dismissal notices based  
5 upon economic necessity exceeds 5 or 150% of the average number  
6 of teachers honorably dismissed in the preceding 3 years,  
7 whichever is more, then the board shall also hold a public  
8 hearing on the question of the dismissals. Following the  
9 hearing and board review, the action to approve any such  
10 reduction shall require a majority vote of the board members.

11 (1) Each board shall, in consultation with any  
12 exclusive employee representatives, each year establish a  
13 list, categorized by positions, showing the length of  
14 continuing service of each teacher who is qualified to hold  
15 any such certified positions, unless an alternative method  
16 of determining a sequence of dismissal is established as  
17 provided for in this Section, in which case a list shall be  
18 made in accordance with the alternative method. Copies of  
19 the list shall be distributed to the exclusive employee  
20 representative on or before February 1 of each year.

21 In all such cases where a teacher in contractual  
22 continued service is removed or dismissed as a result of a  
23 decision of the board to decrease the number of teachers  
24 employed by the board or to discontinue some particular  
25 type of teaching service, and in all such cases the board  
26 shall first remove or dismiss all teachers who have not

1 entered upon contractual continued service before removing  
2 or dismissing any teacher who has entered upon contractual  
3 continued service and who is legally qualified to hold a  
4 position currently held by a teacher who has not entered  
5 upon contractual continued service.

6 As between teachers who have entered upon contractual  
7 continued service, the teacher or teachers with the shorter  
8 length of continuing service with the district shall be  
9 dismissed first unless an alternative method of  
10 determining the sequence of dismissal is established in a  
11 collective bargaining agreement or contract between the  
12 board and a professional faculty members' organization and  
13 except that this provision shall not impair the operation  
14 of any affirmative action program in the district,  
15 regardless of whether it exists by operation of law or is  
16 conducted on a voluntary basis by the board. ~~Any teacher~~  
17 ~~dismissed as a result of such decrease or discontinuance~~  
18 ~~shall be paid all earned compensation on or before the~~  
19 ~~third business day following the last day of pupil~~  
20 ~~attendance in the regular school term.~~

21 (2) If the board has any vacancies for the following  
22 school term or within one calendar year from the beginning  
23 of the following school term, the positions thereby  
24 becoming available shall be tendered to the teachers so  
25 removed or dismissed so far as they are legally qualified  
26 to hold such positions; provided, however, that if the

1 number of honorable dismissal notices based on economic  
2 necessity exceeds 15% of the number of full time equivalent  
3 positions filled by certified employees (excluding  
4 principals and administrative personnel) during the  
5 preceding school year, then if the board has any vacancies  
6 for the following school term or within 2 calendar years  
7 from the beginning of the following school term, the  
8 positions so becoming available shall be tendered to the  
9 teachers who were so notified and removed or dismissed  
10 whenever they are legally qualified to hold such positions.  
11 ~~Each board shall, in consultation with any exclusive~~  
12 ~~employee representatives, each year establish a list,~~  
13 ~~categorized by positions, showing the length of continuing~~  
14 ~~service of each teacher who is qualified to hold any such~~  
15 ~~positions, unless an alternative method of determining a~~  
16 ~~sequence of dismissal is established as provided for in~~  
17 ~~this Section, in which case a list shall be made in~~  
18 ~~accordance with the alternative method. Copies of the list~~  
19 ~~shall be distributed to the exclusive employee~~  
20 ~~representative on or before February 1 of each year.~~  
21 ~~Whenever the number of honorable dismissal notices based~~  
22 ~~upon economic necessity exceeds 5, or 150% of the average~~  
23 ~~number of teachers honorably dismissed in the preceding 3~~  
24 ~~years, whichever is more, then the board also shall hold a~~  
25 ~~public hearing on the question of the dismissals. Following~~  
26 ~~the hearing and board review the action to approve any such~~

1 ~~reduction shall require a majority vote of the board~~  
2 ~~members.~~

3 (b) (1) If a dismissal or removal is sought for any other  
4 reason or cause, including those under Section 10-22.4, the  
5 board must first approve a motion containing specific charges  
6 by a majority vote of all its members. Written notice of such  
7 charges and the teacher's right to request a hearing shall be  
8 mailed to the teacher and also given the teacher either by  
9 certified mail, return receipt requested, or personal delivery  
10 with receipt shall be served upon the teacher within 5 days of  
11 the adoption of the motion. Such notice shall contain a bill of  
12 particulars.

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

20 If in the opinion of the board the interests of the school  
21 require it, the board may suspend the teacher pending the  
22 hearing, but the teacher shall not suffer the loss of any  
23 salary or benefits by reason of the suspension.

24 (2) No hearing upon the charges is required unless the  
25 teacher within 10 days after receiving notice requests in  
26 writing of the board that a hearing be scheduled, in which

1 case the board shall schedule a hearing on those charges  
2 before a disinterested hearing officer on a date no less  
3 than 15 nor more than 30 days after the enactment of the  
4 motion. The secretary of the school board shall forward a  
5 copy of the notice to the State Board of Education.

6 (3) Within 5 business days after receiving this notice  
7 of hearing, the State Board of Education shall provide a  
8 list of 5 prospective, impartial hearing officers. Each  
9 person on the list must (i) be accredited by a national  
10 arbitration organization and have had a minimum of 5 years  
11 of experience directly related to labor and employment  
12 relations matters between educational employers and  
13 educational employees or their exclusive bargaining  
14 representatives; (ii) not. No one on the list may be a  
15 resident of the school district; (iii) beginning July 1,  
16 2009, have participated within the past 2 years in training  
17 provided or approved by the State Board of Education for  
18 teacher dismissal hearing officers so that he or she is  
19 familiar with issues generally involved in evaluative and  
20 non-evaluative dismissals; (iv) be available to commence  
21 the hearing within 90 days and conclude the hearing within  
22 120 days after being selected by the parties as the hearing  
23 officer; and (v) issue a decision as to whether the teacher  
24 shall be dismissed and give a copy of that decision to both  
25 the teacher and the school board within 60 days from the  
26 conclusion of the hearing or closure of the record,

1        whichever is later. The Board and the teacher or their  
2        legal representatives within 5 business ~~3~~ days shall  
3        alternately strike one name from the list until only one  
4        name remains. Unless waived by the teacher, the teacher  
5        shall have the right to proceed first with the striking.  
6        Within 5 business ~~3~~ days of receipt of the first list  
7        provided by the State Board of Education, the board and the  
8        teacher or their legal representatives shall each have the  
9        right to reject all prospective hearing officers named on  
10       the first list and to require the State Board of Education  
11       to provide a second list of 5 prospective, impartial  
12       hearing officers, none of whom were named on the first  
13       list. Within 5 business days after receiving this request  
14       for a second list, the State Board of Education shall  
15       provide the second list of 5 prospective, impartial hearing  
16       officers. The procedure for selecting a hearing officer  
17       from the second list shall be the same as the procedure for  
18       the first list.

19        (4) In the alternative to selecting a hearing officer  
20       from the first or second list received from the State Board  
21       of Education or if the State Board of Education cannot  
22       provide a list that meets the foregoing requirements, the  
23       board and the teacher or their legal representatives may  
24       mutually agree to select an impartial hearing officer who  
25       is not on a list received from the State Board of Education  
26       either by direct appointment by the parties or by using

1 procedures for the appointment of an arbitrator  
2 established by the Federal Mediation and Conciliation  
3 Service or the American Arbitration Association. The  
4 parties shall notify the State Board of Education of their  
5 intent to select a hearing officer using an alternative  
6 procedure within 3 business days of receipt of a list of  
7 prospective hearing officers provided by the State Board of  
8 Education or receipt of notice from the State Board of  
9 Education that it cannot provide a list that meets the  
10 foregoing requirements. Any person selected by the parties  
11 under this alternative procedure for the selection of a  
12 hearing officer must meet the requirements for a hearing  
13 officer to appear on ~~shall not be a resident of the school~~  
14 ~~district and shall have the same qualifications and~~  
15 ~~authority as a hearing officer selected from a list~~  
16 provided by the State Board of Education.

17 (5) The State Board of Education shall promulgate  
18 uniform standards and rules of procedure for such hearings.  
19 As to prehearing discovery, such rules and regulations  
20 shall, at a minimum, allow for written interrogatories,  
21 evidence depositions and requests for production of  
22 documents. They shall also require each party to provide to  
23 the other party, by no later than 45 days prior to the  
24 commencement of the hearing: (i) the (1) ~~discovery~~ of  
25 names and addresses of persons who may be called as ~~expert~~  
26 witnesses at the hearing, with an indication of which of up

1 to 3 witnesses may be providing the most essential  
2 testimony and a detailed summary of the facts or opinion  
3 each witness will testify to ~~the omission of any such name~~  
4 ~~to result in a preclusion of the testimony of such witness~~  
5 ~~in the absence of a showing of good cause and the express~~  
6 ~~permission of the hearing officer;~~ (2) ~~bills of~~  
7 ~~particulars;~~ (3) ~~written interrogatories;~~ and (ii) all  
8 other (4) ~~production of relevant documents and other~~  
9 ~~materials,~~ including information maintained  
10 electronically, whether or not the party intends to use  
11 them at the hearing. Subsequently, if a party discovers  
12 additional materials or information that should be  
13 provided, he or she shall promptly notify and provide the  
14 additional materials to the other party or his or her  
15 counsel. If such additional material or information is  
16 discovered during the hearing, the hearing officer shall  
17 also be notified. If at any time during the course of the  
18 hearing it is brought to the attention of the hearing  
19 officer that a party has failed to provide information as  
20 required by this Section, the hearing officer may order  
21 such party to provide the material and information, grant a  
22 continuance, exclude such evidence, or enter such other  
23 order as it deems just under the circumstances. The per  
24 diem allowance for the hearing officer shall be determined  
25 and paid by the State Board of Education, provided that the  
26 per diem allowance shall be no less than the average per



1        diem rate for Illinois arbitrators reported by the Federal  
2        Mediation and Conciliation Service for the prior calendar  
3        year. If the board and the teacher or their legal  
4        representatives mutually agree to select an impartial  
5        hearing officer who is not on a list received from the  
6        State Board of Education, they may agree to supplement the  
7        per diem allowance paid by the State Board to the hearing  
8        officer, at a rate consistent with the hearing officer's  
9        published professional fees.

10        The hearing officer shall hold a hearing and render a  
11        final decision. The hearing officer shall commence the  
12        hearing within 90 days and conclude the hearing within 120  
13        days after being selected by the parties as the hearing  
14        officer, provided that these timelines may be modified upon  
15        the showing of good cause. Good cause shall mean the  
16        illness or otherwise unavoidable emergency of the teacher,  
17        district superintendent, their legal representatives, the  
18        hearing officer, or an essential witness as indicated in  
19        each party's pre-hearing submission. In a dismissal  
20        hearing, the hearing officer shall consider and give weight  
21        to all of the teacher's evaluations written pursuant to  
22        Article 24A of this Code. The teacher has the privilege of  
23        being present at the hearing with counsel and of  
24        cross-examining witnesses and may offer evidence and  
25        witnesses and present defenses to the charges. The hearing  
26        officer may issue subpoenas and subpoenas duces tecum

1 requiring the attendance of witnesses and, at the request  
2 of the teacher against whom a charge is made or the board,  
3 shall issue such subpoenas, but the hearing officer may  
4 limit the number of witnesses to be subpoenaed in behalf of  
5 the teacher or the board to not more than 10. All testimony  
6 at the hearing shall be taken under oath administered by  
7 the hearing officer. The hearing officer shall cause a  
8 record of the proceedings to be kept and shall employ a  
9 competent reporter to take stenographic or stenotype notes  
10 of all the testimony. The costs of the reporter's  
11 attendance and services at the hearing shall be paid by the  
12 State Board of Education. Either party desiring a  
13 transcript of the hearing shall pay for the cost thereof.  
14 ~~If in the opinion of the board the interests of the school~~  
15 ~~require it, the board may suspend the teacher pending the~~  
16 ~~hearing, but if acquitted the teacher shall not suffer the~~  
17 ~~loss of any salary by reason of the suspension.~~

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

25 (6) The hearing officer shall consider and give weight  
26 to all of the teacher's evaluations written pursuant to

1 Article 24A. The hearing officer shall, within 30 days from  
2 the conclusion of the hearing or closure of the record,  
3 whichever is later, make a decision as to whether or not  
4 the teacher shall be dismissed and shall give a copy of the  
5 decision to both the teacher and the school board. ~~If the~~  
6 ~~hearing officer fails to render a decision within 30 days,~~  
7 ~~the State Board of Education shall communicate with the~~  
8 ~~hearing officer to determine the date that the parties can~~  
9 ~~reasonably expect to receive the decision. The State Board~~  
10 ~~of Education shall provide copies of all such~~  
11 ~~communications to the parties. In the event the hearing~~  
12 ~~officer fails without good cause to make a decision within~~  
13 ~~the 30 day period, the name of such hearing officer shall~~  
14 ~~be struck for a period of not more than 24 months from the~~  
15 ~~master list of hearing officers maintained by the State~~  
16 ~~Board of Education.~~ If a hearing officer fails without good  
17 cause, specifically provided in writing to both parties and  
18 the State Board of Education, to render a decision within  
19 60 days ~~3 months~~ after the hearing is concluded or the  
20 record is closed, whichever is later, the State Board of  
21 Education shall provide the parties with a new list of  
22 prospective, impartial hearing officers, with the same  
23 qualifications provided herein, one of whom shall be  
24 selected, as provided in this Section, to rehear the  
25 charges heard by the hearing officer who failed to render a  
26 decision or to review the record and render a decision.

1        Good cause shall mean the illness or otherwise unavoidable  
2        emergency of the hearing officer. The parties may mutually  
3        agree to select a hearing officer pursuant to the  
4        alternative procedure, as provided in this Section, to  
5        rehear the charges heard by the hearing officer who failed  
6        to render a decision or to review the record and render a  
7        decision. If any ~~the~~ hearing officer fails without good  
8        cause, specifically provided in writing to both parties and  
9        the State Board of Education, to render a decision within  
10       60 days ~~3 months~~ after the hearing is concluded or the  
11       record is closed, whichever is later, the hearing officer  
12       shall be removed from the master list of hearing officers  
13       maintained by the State Board of Education for not more  
14       than 24 months. The State Board of Education may also take  
15       such other actions as it deems appropriate, including  
16       recovering, reducing, or withholding any fees paid or to be  
17       paid to the hearing officer. If any hearing officer repeats  
18       such failure, he or she shall be permanently removed from  
19       the master list maintained by the State Board of Education  
20       and may not be selected by parties through the alternative  
21       selection process under this Section. The board shall not  
22       lose jurisdiction to discharge a teacher if the hearing  
23       officer fails to render a decision within the time  
24       specified in this Section. If the decision of the hearing  
25       officer is in favor of the teacher, he or she shall order  
26       reinstatement to the same or a substantially equivalent

1       position and shall determine the amount for which the board  
2       is liable, including, but not limited to, loss of income  
3       and benefits.

4       (7) The decision of the hearing officer is final unless  
5       reviewed as provided in Section 24-16 of this Act. In the  
6       event such review is instituted, any costs of preparing and  
7       filing the record of proceedings shall be paid by the  
8       board.

9       (8) If a decision of the hearing officer is adjudicated  
10      upon review or appeal in favor of the teacher, then the  
11      trial court shall order reinstatement and shall determine  
12      the amount for which the board is liable including but not  
13      limited to loss of income, benefits, and costs incurred  
14      therein. Any teacher who is reinstated by any hearing or  
15      adjudication brought under this Section shall be assigned  
16      by the board to a position substantially similar to the one  
17      which that teacher held prior to that teacher's suspension  
18      or dismissal.

19      If, by reason of any change in the boundaries of school  
20      districts, or by reason of the creation of a new school  
21      district, the position held by any teacher having a  
22      contractual continued service status is transferred from  
23      one board to the control of a new or different board, the  
24      contractual continued service status of such teacher is not  
25      thereby lost, and such new or different board is subject to  
26      this Act with respect to such teacher in the same manner as

1 if such teacher were its employee and had been its employee  
2 during the time such teacher was actually employed by the  
3 board from whose control the position was transferred.

4 (Source: P.A. 89-618, eff. 8-9-96; 90-224, eff. 7-25-97.)

5 (105 ILCS 5/24A-3) (from Ch. 122, par. 24A-3)

6 Sec. 24A-3. Evaluation training. School Beginning January  
7 ~~1, 1986, school~~ boards shall require those administrators and  
8 other school employees, or -- in school districts having a  
9 population exceeding 500,000 -- assistant principals, who  
10 evaluate other certified personnel to participate at least once  
11 every year ~~2 years~~ in an inservice workshop of at least one day  
12 ~~on either school improvement or~~ the evaluation of certified  
13 personnel provided or approved by the State Board of Education.

14 (Source: P.A. 86-1477; 87-1076.)

15 (105 ILCS 5/24A-4) (from Ch. 122, par. 24A-4)

16 Sec. 24A-4. Development and submission of evaluation plan.  
17 As used in this and the succeeding Sections, "teacher" means  
18 any and all school district employees regularly required to be  
19 certified under laws relating to the certification of teachers.  
20 Each school district shall develop, in cooperation with its  
21 teachers or, where applicable, the exclusive bargaining  
22 representatives of its teachers, an evaluation plan for all  
23 teachers ~~in contractual continued service~~. The district shall,  
24 ~~no later than October 1, 1986,~~ submit a copy of its evaluation

1 plan to the State Board of Education, which shall review the  
2 plan and make public its comments thereon, and the district  
3 shall at the same time provide a copy to the exclusive  
4 bargaining representatives. Whenever any substantive change is  
5 made in a district's evaluation plan, the new plan shall be  
6 submitted to the State Board of Education for review and  
7 comment, and the district shall at the same time provide a copy  
8 of any such new plan to the exclusive bargaining representative  
9 ~~representatives~~. Any substantive change in a district's  
10 evaluation plan must be developed by the district at least in  
11 cooperation with teachers or, where applicable, the exclusive  
12 bargaining representative of its teachers. The board of a  
13 school district operating under Article 34 of this Code and the  
14 exclusive representative of the district's teachers shall  
15 submit a certified copy of an agreement entered into under  
16 Section 34-85c of this Code to the State Board of Education,  
17 and that agreement shall constitute the teacher evaluation plan  
18 for teachers assigned to schools identified in that agreement.  
19 Whenever any substantive change is made in an agreement entered  
20 into under Section 34-85c of this Code by the board of a school  
21 district operating under Article 34 of this Code and the  
22 exclusive representative of the district's teachers, the new  
23 agreement shall be submitted to the State Board of Education.

24 (Source: P.A. 95-510, eff. 8-28-07.)

1           Sec. 24A-5. Content of evaluation plans for teachers in  
2 contractual continued service. This Section does not apply to  
3 teachers assigned to schools identified in an agreement entered  
4 into between the board of a school district operating under  
5 Article 34 of this Code and the exclusive representative of the  
6 district's teachers in accordance with Section 34-85c of this  
7 Code. Each school district to which this Article applies shall  
8 establish a teacher evaluation plan which ensures that each  
9 teacher in contractual continued service is evaluated at least  
10 once in the course of every 2 school years, ~~beginning with the~~  
11 ~~1986-87 school year.~~

12           The evaluation plan shall comply with the requirements of  
13 this Section and of any rules adopted by the State Board of  
14 Education pursuant to this Section.

15           The plan shall include a description of each teacher's  
16 duties and responsibilities and of the standards to which that  
17 teacher is expected to conform. Beginning with the 2009-2010  
18 school year, these standards shall include the Illinois  
19 Professional Teaching Standards, provided that in a district  
20 subject to a collective bargaining agreement as of the  
21 effective date of this amendatory Act of the 95th General  
22 Assembly, any changes made by this amendatory Act of the 95th  
23 General Assembly shall go into effect in that district only  
24 upon expiration of that agreement, unless otherwise agreed to  
25 by the district and the exclusive bargaining representative of  
26 its teachers.



1           The plan may provide for evaluation of personnel whose  
2 positions require administrative certification by independent  
3 evaluators not employed by or affiliated with the school  
4 district. The results of the school district administrators'  
5 evaluations shall be reported to the employing school board,  
6 together with such recommendations for remediation as the  
7 evaluator or evaluators may deem appropriate.

8           The evaluation ~~Evaluation~~ of teachers whose positions do  
9 not require administrative certification shall be conducted by  
10 an administrator qualified under Section 24A-3, or -- in school  
11 districts having a population exceeding 500,000 -- by either an  
12 administrator qualified under Section 24A-3 or an assistant  
13 principal under the supervision of an administrator qualified  
14 under Section 24A-3, provided that some or all the duties of  
15 administrators and assistant principals under this Section may  
16 be delegated to other school employees if the school district  
17 and exclusive bargaining representative of its teachers  
18 negotiate and agree to it as part of an alternative evaluation  
19 plan under this Section. The evaluation, ~~and~~ shall include at  
20 least the following components:

21           (a) personal observation of the teacher in the  
22 classroom ~~(on at least 2 different school days in school~~  
23 ~~districts having a population exceeding 500,000)~~ by a  
24 district administrator qualified under Section 24A-3, or  
25 -- in school districts having a population exceeding  
26 500,000 -- by either an administrator qualified under

1 Section 24A-3 or an assistant principal under the  
2 supervision of an administrator qualified under Section  
3 24A-3, unless the teacher has no classroom duties. A  
4 written summary of the observation, in which any  
5 deficiencies in performance and recommendations for  
6 correction are identified, shall be provided to and  
7 discussed with the teacher within 10 school days after the  
8 date of the observation, unless an applicable collective  
9 bargaining agreement provides to the contrary.

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

14 (c) rating of the teacher's performance as  
15 "excellent", "satisfactory" or "unsatisfactory".

16 (d) specification as to the teacher's strengths and  
17 weaknesses, with details of specific examples and  
18 supporting reasons for the comments made.

19 ~~(e) inclusion of a copy of the evaluation in the~~  
20 ~~teacher's personnel file and provision of a copy of the~~  
21 evaluation to the teacher and inclusion of the copy and the  
22 teacher's response to it in the teacher's personnel file.

23 (f) within 30 school days after completion of an  
24 overall evaluation rating a teacher as "unsatisfactory",  
25 development and commencement by the district, or by an  
26 administrator qualified under Section 24A-3 or an

1 assistant principal under the supervision of an  
2 administrator qualified under Section 24A-3 in school  
3 districts having a population exceeding 500,000, in  
4 consultation with the teacher and the consulting teacher,  
5 of a remediation plan designed to correct deficiencies  
6 cited, provided the deficiencies are deemed remediable. In  
7 all school districts the remediation plan for  
8 unsatisfactory, tenured teachers shall provide for 90  
9 school days of remediation within the classroom. In all  
10 school districts evaluations issued pursuant to this  
11 Section shall be issued within 10 days after the conclusion  
12 of the respective remediation plan. However, the school  
13 board or other governing authority of the district shall  
14 not lose jurisdiction to discharge a teacher in the event  
15 the evaluation is not issued within 10 days after the  
16 conclusion of the respective remediation plan.

17 (g) participation in the remediation plan by the  
18 teacher rated "unsatisfactory", a district administrator  
19 qualified under Section 24A-3 (or -- in a school district  
20 having a population exceeding 500,000 -- an administrator  
21 qualified under Section 24A-3 or an assistant principal  
22 under the supervision of an administrator qualified under  
23 Section 24A-3), and a consulting teacher, selected by the  
24 participating administrator or by the principal, or -- in  
25 school districts having a population exceeding 500,000 --  
26 by an administrator qualified under Section 24A-3 or by an

1 assistant principal under the supervision of an  
2 administrator qualified under Section 24A-3, of the  
3 teacher who was rated "unsatisfactory", which consulting  
4 teacher is an educational employee as defined in the  
5 Educational Labor Relations Act, has at least 5 years'  
6 teaching experience and a reasonable familiarity with the  
7 assignment of the teacher being evaluated, and who received  
8 an "excellent" rating on his or her most recent evaluation.  
9 Where no teachers who meet these criteria are available  
10 within the district, the district shall request and the  
11 State Board of Education shall supply, to participate in  
12 the remediation process, an individual who meets these  
13 criteria.

14 In a district having a population of less than 500,000  
15 with an exclusive bargaining agent, the bargaining agent  
16 may, if it so chooses, supply a roster of qualified  
17 teachers from whom the consulting teacher is to be  
18 selected. That roster shall, however, contain the names of  
19 at least 5 teachers, each of whom meets the criteria for  
20 consulting teacher with regard to the teacher being  
21 evaluated, or the names of all teachers so qualified if  
22 that number is less than 5. In the event of a dispute as to  
23 qualification, the State Board shall determine  
24 qualification.

25 (h) evaluations and ratings once every 30 school days  
26 for the 90 school day remediation period immediately

1 following receipt of a remediation plan provided for under  
2 subsections (f) and (g) of this Section; provided that in  
3 school districts having a population exceeding 500,000  
4 there shall be monthly evaluations and ratings for the  
5 first 6 months and quarterly evaluations and ratings for  
6 the next 6 months immediately following completion of the  
7 remediation program of a teacher for whom a remediation  
8 plan has been developed. Each evaluation shall assess the  
9 teacher's performance during the time period since the  
10 prior evaluation, provided that the last evaluation shall  
11 also include an overall evaluation of the teacher's  
12 performance during the remediation period. A written copy  
13 of the evaluations and ratings, in which any deficiencies  
14 in performance and recommendations for correction are  
15 identified, shall be provided to and discussed with the  
16 teacher within 10 school days after the date of the  
17 evaluation, unless an applicable collective bargaining  
18 agreement provides to the contrary. These subsequent  
19 evaluations shall be conducted by the participating  
20 administrator, or -- in school districts having a  
21 population exceeding 500,000 -- by either the principal or  
22 by an assistant principal under the supervision of an  
23 administrator qualified under Section 24A-3. The  
24 consulting teacher shall provide advice to the teacher  
25 rated "unsatisfactory" on how to improve teaching skills  
26 and to successfully complete the remediation plan. The

1 consulting teacher shall participate in developing the  
2 remediation plan, but the final decision as to the  
3 evaluation shall be done solely by the administrator, or --  
4 in school districts having a population exceeding 500,000  
5 -- by either the principal or by an assistant principal  
6 under the supervision of an administrator qualified under  
7 Section 24A-3, unless an applicable collective bargaining  
8 agreement provides to the contrary. Teachers in the  
9 remediation process in a school district having a  
10 population exceeding 500,000 are not subject to the annual  
11 evaluations described in paragraphs (a) through (e) of this  
12 Section. Evaluations at the conclusion of the remediation  
13 process shall be separate and distinct from the required  
14 annual evaluations of teachers and shall not be subject to  
15 the guidelines and procedures relating to those annual  
16 evaluations. The evaluator may but is not required to use  
17 the forms provided for the annual evaluation of teachers in  
18 the district's evaluation plan.

19 (i) in school districts having a population of less  
20 than 500,000, reinstatement to a schedule of biennial  
21 evaluation for any teacher who completes the 90 school day  
22 remediation plan with a "satisfactory" or better rating,  
23 unless the district's plan regularly requires more  
24 frequent evaluations; and in school districts having a  
25 population exceeding 500,000, reinstatement to a schedule  
26 of biennial evaluation for any teacher who completes the 90

1 school day remediation plan with a "satisfactory" or better  
2 rating and the one year intensive review schedule as  
3 provided in paragraph (h) of this Section with a  
4 "satisfactory" or better rating, unless such district's  
5 plan regularly requires more frequent evaluations.

6 (j) dismissal in accordance with Section 24-12 or 34-85  
7 of the School Code of any teacher who fails to complete any  
8 applicable remediation plan with a "satisfactory" or  
9 better rating. Districts and teachers subject to dismissal  
10 hearings are precluded from compelling the testimony of  
11 consulting teachers at such hearings under Section 24-12 or  
12 34-85, either as to the rating process or for opinions of  
13 performances by teachers under remediation.

14 Notwithstanding paragraphs (a) through (i) of this  
15 Section, each school district and the exclusive bargaining  
16 representative of its teachers may negotiate and agree to an  
17 alternative evaluation plan for its teachers that does not  
18 include or modifies one or more of those components. The  
19 alternative plan may in part use growth model assessment, peer  
20 assistance, and peer review to evaluate teachers, provided that  
21 individual teacher data based upon student performance and  
22 progress shall be confidential and shall not be a public  
23 record.

24 ~~In a district subject to a collective bargaining agreement~~  
25 ~~as of the effective date of this amendatory Act of 1997, any~~  
26 ~~changes made by this amendatory Act to the provisions of this~~

1 ~~Section that are contrary to the express terms and provisions~~  
2 ~~of that agreement shall go into effect in that district only~~  
3 ~~upon expiration of that agreement. Thereafter, collectively~~  
4 ~~bargained evaluation plans shall at a minimum meet the~~  
5 ~~standards of this Article. If such a district has an evaluation~~  
6 ~~plan, however, whether pursuant to the collective bargaining~~  
7 ~~agreement or otherwise, a copy of that plan shall be submitted~~  
8 ~~to the State Board of Education for review and comment, in~~  
9 ~~accordance with Section 24A-4.~~

10 Nothing in this Section shall be construed as preventing  
11 immediate dismissal of a teacher for deficiencies which are  
12 deemed irremediable or for actions which are injurious to or  
13 endanger the health or person of students in the classroom or  
14 school. Failure to strictly comply with the time requirements  
15 contained in Section 24A-5 shall not invalidate the results of  
16 the remediation plan.

17 (Source: P.A. 95-510, eff. 8-28-07.)

18 (105 ILCS 5/24A-6) (from Ch. 122, par. 24A-6)

19 Sec. 24A-6. Alternative evaluations. The school board of  
20 any school district which ~~has not evaluated all of its teachers~~  
21 ~~by the end of the 1987-88 school year, or which~~ fails to  
22 evaluate such teachers ~~within every 2 school years thereafter,~~  
23 as provided for in this Article shall report the names and  
24 titles of such employees and the reasons for the failure to  
25 evaluate to the State Board of Education. In districts where a



1 collectively bargained plan already exists, that plan shall be  
2 used to evaluate the teachers in that district, rather than  
3 using the evaluation plan developed by the State Board of  
4 Education unless the collectively bargained plan does not meet  
5 the requirements of this Article ~~subsections (a) through (d) of~~  
6 ~~Section 24A-5~~. In cases where an evaluation instrument is in  
7 dispute, the State Board of Education shall postpone its  
8 evaluation until the dispute is resolved. Upon receipt of such  
9 reports or if otherwise made aware that such evaluations have  
10 not been conducted, the State Board of Education shall enter  
11 upon the district premises and evaluate the teachers in  
12 accordance with an evaluation plan developed by the State Board  
13 of Education, which plan shall parallel as closely as possible  
14 the requirements of this Article ~~subsections (a) through (d) of~~  
15 ~~Section 24A-5~~. The results of the State Board evaluation shall  
16 be communicated to the school board, which shall supply a copy  
17 to the teacher, place a copy in the teacher's personnel file,  
18 and, where necessary, undertake a remediation program as  
19 provided for in this Article ~~defined in subsections (f) through~~  
20 ~~(j) of Section 24A-5~~.

21 (Source: P.A. 86-201.)

22 (105 ILCS 5/24A-8) (from Ch. 122, par. 24A-8)

23 Sec. 24A-8. Content of evaluation plans for ~~Evaluation of~~  
24 teachers not in contractual continued service. This Section  
25 does not apply to teachers assigned to schools identified in an

1 agreement entered into between the board of a school district  
2 operating under Article 34 of this Code and the exclusive  
3 representative of the district's teachers in accordance with  
4 Section 34-85c of this Code. Each school district to which this  
5 Article applies shall establish a teacher evaluation plan that  
6 ensures that each ~~Beginning with the 1987-88 school year each~~  
7 teacher not in contractual continued service shall be evaluated  
8 at least once each school year. The district's evaluation plan  
9 and any substantive change in it must be developed by the  
10 district at least in cooperation with its teachers or, where  
11 applicable, the exclusive bargaining representative of its  
12 teachers.

13 The evaluation plan shall comply with the requirements of  
14 this Section and of any rules adopted by the State Board of  
15 Education pursuant to this Section.

16 The plan shall include a description of each teacher's  
17 duties and responsibilities and of the standards to which that  
18 teacher is expected to conform. Beginning with the 2009-2010  
19 school year, these standards may include the Illinois  
20 Professional Teaching Standards, provided that in a district  
21 subject to a collective bargaining agreement as of the  
22 effective date of this amendatory Act of the 95th General  
23 Assembly, any changes made by this amendatory Act of the 95th  
24 General Assembly shall go into effect in that district only  
25 upon expiration of that agreement, unless otherwise agreed to  
26 by the district and the exclusive bargaining representative of

1 its teachers.

2 The evaluation of teachers shall be conducted by an  
3 administrator qualified under Section 24A-3 of this Code,  
4 provided that some or all the duties of administrators under  
5 this Section may be delegated to other school employees if the  
6 school district and exclusive bargaining representative of its  
7 teachers negotiate and agree to it as part of an alternative  
8 plan under this Section. The evaluation shall include at least  
9 the following components:

10 (1) Personal observation of the teacher in the  
11 classroom on at least 2 different school days by a district  
12 administrator qualified under Section 24A-3 of this Code,  
13 unless the teacher has no classroom duties. A written  
14 summary of the observation, in which any deficiencies in  
15 performance and recommendations for correction are  
16 identified, shall be provided to and discussed with the  
17 teacher within 10 school days after the date of the  
18 observation, unless an applicable collective bargaining  
19 agreement provides to the contrary.

20 (2) Consideration of the teacher's attendance,  
21 planning, and instructional methods, classroom management,  
22 where relevant, and competency in the subject matter  
23 taught, where relevant.

24 (3) Specification as to the teacher's strengths and  
25 weaknesses, with details of specific examples and  
26 supporting reasons for the comments made.

1           (4) Provision of a copy of the evaluation to the  
2           teacher and inclusion of the copy and the teacher's  
3           response to it in the teacher's personnel file.

4           Notwithstanding subdivisions (1) through (4) of this  
5           Section, each school district and the exclusive bargaining  
6           representative of its teachers may negotiate and agree to an  
7           alternative evaluation plan for its teachers that does not  
8           include or modifies one or more of the foregoing components.  
9           The alternative plan may in part use growth model assessment,  
10          peer assistance, and peer review to evaluate teachers, provided  
11          that individual teacher data based upon student performance and  
12          progress shall be confidential and shall not be a public  
13          record.

14          (Source: P.A. 84-1419.)

15           (105 ILCS 5/34-18.37 new)

16          Sec. 34-18.37. Financial policies. Beginning with the  
17          second fiscal year after the effective date of this amendatory  
18          Act of the 95th General Assembly, the board shall adopt a  
19          formal, written financial policy. The policy may include  
20          information in the following areas:

21           (1) Debt capacity, issuance, and management.

22           (2) Capital asset management.

23           (3) Reserve or stabilization fund goals.

24           (4) Periodic budget to actual comparison reports.

25           (5) Fees and charges.

1           (6) The use of one-time revenue.

2           (7) Risk management related to internal controls.

3           (8) Purchasing.

4           (9) Vehicle acquisition and maintenance.

5           The board shall make the policy publicly available.

6           (105 ILCS 5/34-18.38 new)

7           Sec. 34-18.38. Long-term financial plan. Beginning with  
8           the second fiscal year after the effective date of this  
9           amendatory Act of the 95th General Assembly, the board shall  
10           develop a long-term financial plan that extends over at least a  
11           3-year period and that is updated and approved annually. The  
12           plan must include multi-year forecasts of revenues,  
13           expenditures, and debt. The board may make the plan available  
14           to the public by publishing it as a separate document and  
15           submitting it with the annual budget or by posting the plan as  
16           a document on the school district's Internet website. The  
17           forecasts that are the foundation of the plan must be available  
18           to participants in the budget process before budgetary  
19           decisions are made. The public must be provided opportunities  
20           for providing dialog with respect to the long-term financial  
21           planning process. Public access and review shall take place as  
22           part of the official budget hearing process in accordance with  
23           Section 34-46 of this Code.

24           (105 ILCS 5/34-18.39 new)

1       Sec. 34-18.39. Capital improvement plan. Beginning with  
2 the second fiscal year after the effective date of this  
3 amendatory Act of the 95th General Assembly, the board shall  
4 develop a 5-year capital improvement plan that is updated and  
5 approved annually. The plan must include a summary list of the  
6 description of the capital projects to be completed over the  
7 next 5 years, along with projected expenditures, and revenue  
8 sources. The board shall make the plan available to the public.  
9 The board shall hold a public hearing on the capital  
10 improvement plan, which hearing may be held at a regularly  
11 scheduled meeting of the board. This hearing shall be held in  
12 the same manner and subject to the same notice and other  
13 requirements as the public hearing required prior to adoption  
14 of the budget in conformity with Section 34-46 of this Code.

15       (105 ILCS 5/34-18.40 new)

16       Sec. 34-18.40. School district financial accountability.

17       (a) The board shall annually include a user-friendly  
18 executive summary as part of the district's budget. The  
19 executive summary shall include all of the following:

20               (1) The district's major goals and objectives.

21               (2) A discussion of the major financial factors and  
22 trends affecting the budget, such as changes in revenues,  
23 enrollment, and debt.

24               (3) A description of the budget process.

25               (4) An overview of revenues and expenditures for all

1 funds, including at least 3 to 5 years of prior and future  
2 trends, based on data from the annual financial report.

3 (5) An explanation of significant financial and  
4 demographic trends.

5 (6) An explanation of the reasons for a budget deficit  
6 and an explanation of how the deficit is being addressed.

7 (7) A budget forecast for at least 3 to 5 years in the  
8 future.

9 (8) Student enrollment trends, including a future  
10 forecast.

11 (9) The number of personnel by type.

12 (10) Changes in both the long term and short term debt  
13 burden.

14 (b) Beginning with the second fiscal year after the  
15 effective date of this amendatory Act of the 95th General  
16 Assembly, the board shall annually include in the full budget  
17 document the following items; any or all of the following items  
18 may be published as separate documents provided that they are  
19 explicitly referenced in the annual budget and attached thereto  
20 and provided that they are made publicly available at the same  
21 time as the tentative budget document:

22 (1) An organizational chart.

23 (2) Formal financial policies pursuant to Section  
24 34-18.37 of this Code.

25 (3) The district's long-term financial plan pursuant  
26 to Section 34-18.38 of this Code or a summary of the

1       long-term financial plan.

2           (4) The district's capital improvement plan pursuant  
3       to Section 34-18.39 of this Code or a summary of the  
4       capital improvement plan.

5           (105 ILCS 5/34-18.41 new)

6           Sec. 34-18.41. Audit committee. The board shall establish  
7       an audit committee, which may include members of the board,  
8       other appropriate officers, or persons who do not serve on the  
9       board, to review audit reports and any other financial reports  
10       and documents, including management letters prepared by or on  
11       behalf of the board. Nothing in this Section prohibits the  
12       school district from maintaining its own internal audit  
13       function.

14           (105 ILCS 5/3-6 rep.)

15           (105 ILCS 5/3-6.1 rep.)

16           Section 65. The School Code is amended by repealing  
17       Sections 3-6 and 3-6.1."