



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0363

Introduced 1/30/2009, by Rep. Cynthia Soto

SYNOPSIS AS INTRODUCED:

105 ILCS 5/34-18.37 new

Amends the Chicago School District Article of the School Code. Requires the Chairpersons of the House of Representatives' Committee on Elementary & Secondary Education and the Senate's Committee on Education to each appoint 5 members to a Special Joint Chicago Education Facilities Subcommittee. Requires the Joint Subcommittee, with the help of independent experts, to analyze past school district experience with respect to the closing or opening of schools, school repairs, school additions, school phase-outs, school consolidations, and school boundary changes; to consult widely with stakeholders about these facility issues; and to examine relevant best practices from other school systems for dealing with these issues systematically and equitably. Provides for a draft policy and a final proposed policy. Provides that there shall be a moratorium on school closings, consolidations, and phaseouts in the school district in the 2009-2010 school year, and provides that any of these actions that are subsequently appropriate shall be carried out no sooner than the end of the 2010-2011 school year. Effective immediately.

LRB096 06022 NHT 16103 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by adding Section
5 34-18.37 as follows:

6 (105 ILCS 5/34-18.37 new)

7 Sec. 34-18.37. Establishing an equitable and effective
8 school facility development process.

9 (a) The General Assembly recognizes all of the following:

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

14 (2) Quality educational facilities are essential for
15 fostering the maximum educational development of all
16 persons through their educational experience from
17 prekindergarten through high school.

18 (3) The public school is a major institution in
19 communities that offers resources and opportunities for
20 many stakeholders, including not only families with
21 children who seek and deserve a quality education, but also
22 including the entire community that seeks educational
23 improvement.

1 (4) The equitable and efficient use of available
2 facilities-related resources among different schools,
3 among racial, ethnic, income, and disability groups, and
4 among various types of schools is essential to maximize the
5 development of quality educational facilities for all
6 children, youth, and adults.

7 (5) The closing or opening of schools, as well as
8 school repairs, school additions, school phase-outs,
9 school consolidations, and school boundary changes often
10 have profound impacts on education in a community. These
11 decisions should be carried out only according to clear
12 systemwide criteria and with genuine involvement of local
13 school councils, parents, educators, and the community in
14 decision making.

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

22 (b) The Chairpersons of the House of Representatives'
23 Committee on Elementary & Secondary Education and the Senate's
24 Committee on Education shall each appoint 5 members to a
25 Special Joint Chicago Education Facilities Subcommittee.

26 The Joint Subcommittee shall hire independent experts, as

1 needed, to gather and analyze pertinent information, provided
2 that such experts shall have no previous or on-going financial
3 interests in school district facility issues. The Joint
4 Subcommittee is empowered to reimburse these independent
5 experts.

6 The Joint Subcommittee, with the help of the independent
7 experts, shall analyze past school district experience with
8 respect to the closing or opening of schools, school repairs,
9 school additions, school phase-outs, school consolidations,
10 and school boundary changes; shall consult widely with
11 stakeholders about these facility issues; and shall examine
12 relevant best practices from other school systems for dealing
13 with these issues systematically and equitably. These initial
14 investigations shall include opportunities for input from
15 local stakeholders through hearings, focus groups, and
16 interviews.

17 The Joint Subcommittee shall prepare a draft policy
18 addressing how these facility issues can be addressed
19 effectively and hold at least 3 public hearings on this policy
20 in the school district.

21 The Joint Subcommittee shall prepare a final proposed
22 policy, which shall be introduced as proposed State law and
23 shall address the principles and issues set forth in this
24 Section. The final proposed policy shall establish significant
25 decision-making roles for key stakeholders, including the
26 individual school and community, and shall recommend clear

1 criteria or processes for establishing criteria for setting
2 priorities with respect to the closing or opening of schools,
3 school repairs, school additions, school phase-outs, school
4 consolidations, and school boundary changes. The final
5 proposed policy shall address issues of systemwide criteria for
6 ensuring clear priorities, equity, and efficiency.

7 (c) Because of the finality of school closings,
8 consolidations, and phaseouts and their wide-reaching effects,
9 there shall be a moratorium on these actions in the school
10 district in the 2009-2010 school year, and any of these actions
11 that are subsequently appropriate shall be carried out no
12 sooner than the end of the 2010-2011 school year, subject to
13 any new set of requirements adopted by the General Assembly.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.