



Sen. William Delgado

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1 AMENDMENT TO HOUSE BILL 363

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 363 by replacing  
3 everything after the enacting clause with the following:

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 finds all of the following:

10 (1) The Illinois Constitution recognizes 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

1       pre-kindergarten through high school.

2       (3) The public school is a major institution in our  
3       communities. Public schools offer resources and  
4       opportunities for the children of this State who seek and  
5       deserve quality education, but also benefit the entire  
6       community that seeks improvement through access to  
7       education.

8       (4) The equitable and efficient use of available  
9       facilities-related resources among different schools and  
10       among racial, ethnic, income, and disability groups is  
11       essential to maximize the development of quality public  
12       educational facilities for all children, youth, and  
13       adults. The factors that impact the equitable and efficient  
14       use of facility-related resources vary according to the  
15       needs of each school community. Therefore, decisions that  
16       impact school facilities should include the input of the  
17       school community to the greatest extent possible.

18       (5) School openings, school closings, school  
19       consolidations, school turnarounds, school phase-outs,  
20       school construction, school repairs, school  
21       modernizations, school boundary changes, and other related  
22       school facility decisions often have a profound impact on  
23       education in a community. In order to minimize the negative  
24       impact of school facility decisions on the community, these  
25       decisions should be implemented according to a clear  
26       system-wide criteria and with the significant involvement

1 of local school councils, parents, educators, and the  
2 community in decision-making.

3 (6) The General Assembly has previously stated that it  
4 intended to make the individual school in the City of  
5 Chicago the essential unit for educational governance and  
6 improvement and to place the primary responsibility for  
7 school governance and improvement in the hands of parents,  
8 teachers, and community residents at each school. A school  
9 facility policy must be consistent with these principles.

10 (b) In order to ensure that school facility-related  
11 decisions are made with the input of the community and reflect  
12 educationally sound and fiscally responsible criteria, a  
13 Chicago Educational Facilities Task Force shall be established  
14 within 15 days after the effective date of this amendatory Act  
15 of the 96th General Assembly.

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

18 (1) Two members of the House of Representatives  
19 appointed by the Speaker of the House, at least one of whom  
20 shall be a member of the Elementary & Secondary Education  
21 Committee.

22 (2) Two members of the House of Representatives  
23 appointed by the Minority Leader of the House, at least one  
24 of whom shall be a member of the Elementary & Secondary  
25 Education Committee.

26 (3) Two members of the Senate appointed by the

1 President of the Senate, at least one of whom shall be a  
2 member of the Education Committee.

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

6 (5) Two representatives of school community  
7 organizations with past involvement in school facility  
8 issues appointed by the Speaker of the House.

9 (6) Two representatives of school community  
10 organizations with past involvement in school facility  
11 issues appointed by the President of the Senate.

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

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

16 (9) The president of the association representing  
17 principals in the schools of the district or his or her  
18 designee.

19 (d) The Speaker of the House shall appoint one of the  
20 appointed House members as a co-chairperson of the Chicago  
21 Educational Facilities Task Force. The President of the Senate  
22 shall appoint one of the appointed Senate members as a  
23 co-chairperson of the Chicago Educational Facilities Task  
24 Force. Members appointed by the legislative leaders shall be  
25 appointed for the duration of the Chicago Educational  
26 Facilities Task Force; in the event of a vacancy, the

1 appointment to fill the vacancy shall be made by the  
2 legislative leader of the same chamber and party as the leader  
3 who made the original appointment.

4 (e) The Chicago Educational Facilities Task Force shall  
5 call on independent experts, as needed, to gather and analyze  
6 pertinent information on a pro bono basis, provided that these  
7 experts have no previous or on-going financial interest in  
8 school facility issues related to the school district. The  
9 Chicago Educational Facilities Task Force shall secure pro bono  
10 expert assistance within 15 days after the establishment of the  
11 Chicago Educational Facilities Task Force.

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

15 (g) The Chicago Educational Facilities Task Force, with the  
16 help of the independent experts, shall analyze past Chicago  
17 experiences and data with respect to school openings, school  
18 closings, school consolidations, school turnarounds, school  
19 phase-outs, school construction, school repairs, school  
20 modernizations, school boundary changes, and other related  
21 school facility decisions on students. The Chicago Educational  
22 Facilities Task Force shall consult widely with stakeholders,  
23 including public officials, about these facility issues and  
24 their related costs and shall examine relevant best practices  
25 from other school systems for dealing with these issues  
26 systematically and equitably. These initial investigations

1 shall include opportunities for input from local stakeholders  
2 through hearings, focus groups, and interviews.

3 (h) The Chicago Educational Facilities Task Force shall  
4 prepare final recommendations on or before October 30, 2009  
5 describing how the issues set forth in subsection (g) of this  
6 Section can be addressed effectively based upon educationally  
7 sound and fiscally responsible practices.

8 (i) The Chicago Educational Facilities Task Force shall  
9 hold hearings in separate areas of the school district at times  
10 that shall maximize school community participation to obtain  
11 comments on draft recommendations. The final hearing shall take  
12 place no later than 15 days prior to the completion of the  
13 final recommendations.

14 (j) The Chicago Educational Facilities Task Force shall  
15 prepare final proposed policy and legislative recommendations  
16 for the General Assembly, the Governor, and the school  
17 district. The recommendations may address issues, standards,  
18 and procedures set forth in this Section. The final  
19 recommendations shall be made available to the public through  
20 posting on the school district's Internet website and other  
21 forms of publication and distribution in the school district at  
22 least 7 days before the final recommendations are submitted to  
23 the General Assembly, the Governor, and the school district.

24 (k) The final recommendations may address issues of  
25 system-wide criteria for ensuring clear priorities, equity,  
26 and efficiency.

1       Without limitation, the final recommendations may propose  
2       significant decision-making roles for key stakeholders,  
3       including the individual school and community; recommend clear  
4       criteria or processes for establishing criteria for making  
5       school facility decisions; and include clear criteria for  
6       setting priorities with respect to school openings, school  
7       closings, school consolidations, school turnarounds, school  
8       phase-outs, school construction, school repairs, school  
9       modernizations, school boundary changes, and other related  
10       school facility decisions, including the encouragement of  
11       multiple community uses for school space.

12       Without limitation, the final recommendations may propose  
13       criteria for student mobility; the transferring of students to  
14       lower performing schools; teacher mobility; insufficient  
15       notice to and the lack of inclusion in decision-making of local  
16       school councils, parents, and community members about school  
17       facility decisions; and costly facilities-related expenditures  
18       due to poor educational and facilities planning.

19       (1) The State Board of Education and the school district  
20       shall provide administrative support to the Chicago  
21       Educational Facilities Task Force.

22       Section 99. Effective date. This Act takes effect upon  
23       becoming law."